

## Section III

### Legislative Programs

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#### INTRODUCTION

The Food Security Act of 1985 (FSA-85) and Food, Agricultural, Conservation, and Trade Act of 1990 (FACTA-90) requires erosion control on Highly Erodible Land (HEL) if a producer is to retain eligibility for participation in certain USDA programs. There are two levels of erosion control addressed in the Acts. Both are referred to as Conservation Systems. Resource Management Systems are not to be confused with "conservation systems," as defined in 7 CFR Section 12.2 for treatment of highly erodible land. Treatment of all natural resource concerns identified in the Field Office Technical Guide is the primary goal of a conservation plan; however, exceptions are allowed by provisions of FSA-85 and FACTA-90. Plans developed for the 1985-FSA and 1990-FACTA Legislation only required significant soil erosion reductions. These plans may not be a RMS and soil erosion reductions may not necessarily be as great as required for a RMS.

The higher protection is called a Basic Conservation System (BCS). A BCS is a system of conservation practices that adequately control soil erosion on cropland and may represent the cropland erosion control component of a conservation management system. The BCS reduces erosion on cropland and may represent the cropland erosion control component of a conservation management system. The BCS reduces erosion rates to the allowable soil loss

tolerance, subject only to the variation associated with the reliability of the erosion prediction equations. Other forms of erosion, including ephemeral gully and permanent gully erosion, must be adequately treated.

The lower level of protection is called an Alternative Conservation System (ACS). An ACS is a system that may be developed when considerations of technical, economic, or other related concerns make it infeasible to reduce soil loss to allowable tolerance levels. ACS's significantly reduce soil erosion but do not control erosion to the degree required in the BCS.

BCS's and ACS's are specific to the FSA-85 and FACTA-90. They will remain in effect for the length of time needed to meet requirements of the FSA-85 and FACTA-90 and are found in the Basic Conservation Systems and Alternative Conservation Systems subsections of Conservation Management Systems Section III of the FOTG.