

621 Good Faith Relief Provisions and Requests – HELC (Continued)

E GPR Calculation

The GPR amount calculated according to this paragraph reflects the amount of reduction in benefits determined to be commensurate with the seriousness of the HELC violation.

GPR for Sheet and Rill Erosion: The GPR amount for sheet and rill erosion shall be calculated by multiplying the applicable acres in violation times the dollar amount determined according to the following table, subject to any applicable adjustments indicated in subparagraph F.

GPR Amount per Acre for Sheet and Rill Erosion				
Erodibility Index	Actual Soil Loss (Multiple of T)			
	<3T	3T – 3.9T	4T – 4.9T	5T+
8.0 – 8.9	\$13	\$25	\$38	\$50
9.0 – 11.9	\$25	\$50	\$75	\$100
12.0 – 14.9	\$50	\$100	\$150	\$200
15.0 – 19.9	\$75	\$150	\$225	\$300
20.0 – 24.9	\$100	\$200	\$300	\$400
25.0+	\$125	\$250	\$375	\$500

GPR for Gully Erosion: The GPR amount for gully erosion shall be \$1,000 per field, subject to any applicable adjustments indicated in subparagraph F.

Note: NRCS determines the type of erosion, erodibility index, actual soil loss, and acres or fields in violation of HELC provisions. Fields with both sheet and rill erosion and gully erosion shall have GPR based upon the higher of the 2 methods.

F Adjustments to Calculated GPR

The GPR amount calculated according to subparagraph E shall be adjusted as follows.

IF the calculated GPR amount is...	THEN the assessed GPR amount shall be...
less than \$1,000	a minimum of \$1,000, unless NRCS determines the HELC violation to be technical in nature with a minimal effect on the erosion control purposes of the conservation plan applicable to the land on which the violation occurred.
for a HELC violation NRCS determines to be technical in nature with a minimal effect on the erosion control purposes of the conservation plan applicable to the land on which the violation occurred	\$0. Note: A good faith determination is not necessary to retain program benefits for HELC violations NRCS determines to be technical and minor in nature.

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F Adjustments to Calculated GPR (Continued)

IF the calculated GPR amount is...	THEN the assessed GPR amount shall be...
greater than \$10,000	a maximum of \$10,000, unless NRCS determines the HELC violation is on land that has been converted from native vegetation, such as rangeland or woodland, to crop production after December 23, 1985.
for a HELC violation on land NRCS determines to have been converted from native vegetation, such as rangeland or woodland, to crop production after December 23, 1985	increased by 20 percent to a maximum of \$12,000.

Note: When multiple persons are affected by a HELC violation, prorate GPR's according to paragraph 623.

G Determining Acres in Violation

The acres in violation shall be the total acreage in the HEL field on which the conservation system was not applied, unless both of the following apply:

- the producer provides information to COC that shows that the entire field was not in violation
- NRCS can delineate the area of the field on which the HELC violation occurred.

H Application of GPR's

GPR amounts determined according to this subsection shall:

- apply only for violations on HEL
- apply in addition to any other program payment reductions that are applicable
- apply to all USDA benefits that are subject to HELC and WC provisions earned for the crop year of the violation determination