



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Form with fields: Name, Address, Request Date, County, Agency or Person, Tract No, FSA Farm No.

Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination? Yes
Are there highly erodible soil map units on this farm?

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Table with columns: Field(s), HEL(Y/N), Sodbust (Y/N), Acres, Determination Date

The Highly Erodible Land determination was completed in the office.

Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Table with columns: Field(s), Wetland Label*, Occurrence Year (CW), Acres, Determination Date, Certification Date

The wetland determination was completed in the office. It was mailed to the person on 1/29/2018

Remarks:

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist, Date: 1/29/2018

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.

*DEFINITIONS OF WETLAND LABELS

AW	<u>Artificial Wetland</u> : An area that was formerly a non-wetland area under natural conditions but now exhibits wetland characteristics because of the influence of human activities. These areas are exempt from the Food Security Act of 1985, as amended. This label includes irrigation induced wetlands.
CC	<u>Commenced Conversion</u> : A wetland, farmed wetland, farmed wetland pasture, or converted wetland on which the conversion began but was not completed before December 23, 1985, was approved by FSA to continue, and the conversion was completed by January 1, 1995.
CPD	<u>COE Permit with Mitigation</u> : A converted wetland authorized by a permit issued under Section 404 of the Clean Water Act. Production of agricultural commodities is allowed subject to conditions of the permit.
CMW	<u>Categorical Minimal Effect</u> : A wetland that meets specific categories of conversion activities that have been determined by NRCS to have minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
CW	<u>Converted Wetland</u> : A wetland converted between December 23, 1985, and November 28, 1990. Production of an agricultural commodity or additional manipulation of these areas will yield USDA benefit ineligibility. Also, these areas are wetlands converted after December 23, 1985, by a county, drainage district, or similar entity. For these instances, production of an agricultural commodity or forage for mechanical harvest or additional manipulation will cause ineligibility for USDA program benefits.
CW+year	<u>Converted Wetland + (year the conversion occurred)</u> : A wetland converted after November 28, 1990, where the USDA program participant is ineligible for benefits until the wetland is restored or mitigated unless an exemption applies.
CWNA	<u>Converted Wetland Non-Agricultural Use</u> : A wetland converted after November 28, 1990, to a use other than agricultural commodity production. Label not used for certified wetland determinations completed after 2/2008.
CWTE	<u>Converted Wetland Technical Error</u> : A wetland converted or commenced after December 23, 1985, based on an incorrect NRCS determination. This label does not apply to obvious wetlands as defined in the National Food Security Act Manual.
FW	<u>Farmed Wetland</u> : A wetland that was manipulated and planted before December 23, 1985, but still meets inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
FWP	<u>Farmed Wetland Pasture or Hayland</u> : A wetland that is used for pasture or haying, was manipulated and planted before December 23, 1985, but still meets the inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
MIW	<u>Mitigation Exemption</u> : A converted wetland, farmed wetland or farmed wetland pasture of which the acreage, functions and values lost have been compensated for through an NRCS-approved mitigation plan.
MW	<u>Minimal Effect Exemption</u> : A converted wetland that is exempt from the wetland conservation provisions of the Food Security Act of 1985, as amended, based on an NRCS determination that the conversion has or will have a minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
MWM	<u>Mitigation Site</u> : The site of wetland restoration, enhancement, or creation serving as mitigation for the mitigation exemption (MIW) site.
NI	<u>Not Inventoried</u> : An area where no wetland determination has been conducted. Label not used for certified wetland determinations completed after 2/2008.
NW	<u>Non-Wetland</u> : An area that does not contain a wetland. Also includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria (not been abandoned).
PC	<u>Prior-Converted Cropland</u> : A wetland converted to cropland before December 23, 1985, and as of December 23, 1985, was capable of being cropped and did not meet farmed wetland hydrology criteria. These areas are not subject to the wetland conservation provisions of the Food Security Act of 1985, as amended, unless further drainage manipulation affects adjacent wetlands.
PC/NW	<u>Prior Converted Cropland/Non-Wetland</u> : An area that contains both PC and NW.
TP	<u>Third-Party Exemption</u> : A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and the conversion is not a result of a scheme or device. A third party does not include predecessors in interest on the tract, drainage districts, or other local government entities.
W	<u>Wetland</u> : An area meeting wetland criteria that was not converted after December 23, 1985. These areas include farmed wetlands and farmed wetland pasture that have been abandoned.
WX	<u>Manipulated Wetlands</u> : A wetland manipulated after December 23, 1985, but the manipulation was not for the purpose of making production possible and production was not made possible. These areas include wetlands manipulated by drainage maintenance agreements.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Certified Wetland Determination Map

Certification Office: Indianola Office
 Certified By: Dora Guffey
 Civil Township: T74N-R23W Sec. 18 & 19

Agency: USDA-NRCS
 Map Creation Date: 1/29/2018
 Determination County: Warren County, Ia

Customer: Roger B. Knapp Family Group Trust
 Farm: 8394
 Tract: 14250



1 in = 660 ft

Legend

-  Certified Wetland Determination Boundary
-  Wetlands

Wetland Codes

W	Wetland	FWP	Farmed Wetland Pasture
CW	Converted Wetland	MIW	Mitigation Exemption
CW+yr	Converted After 1990	NW	Non Wetland
FW	Farmed Wetland	PC	Prior Converted Cropland
AW	Artificial Wetland		



This Determination is valid for the area within the Dashed Red Line(Determination Boundary)





United States
Department of
Agriculture

Natural Resources Conservation Service
909 E. 2nd Ave. – Suite B
Indianola, Iowa 50125
Phone: 515-961-5264 ext. 3

January 29, 2018

Roger B. Knapp Family Group Trust
12119 Stratford Dr. Ste B
Clive, Iowa 50325

Dear Roger B. Knapp Family Group Trust:

Based upon your request for a Certified Wetland Determination, this letter is to notify you that a preliminary wetland determination has been completed for your Farm #8394, Tract#14250, located in Warren County, Iowa. This determination was completed in accordance with the National Food Security Act Manual Wetland Identification procedures; Title 7, Part 12 of the Code of Federal Regulations (CFR) and Title 7, Part 12.5(b) and Part 12.2 of the Code of Federal Regulations.

The **Preliminary Technical Determination** is: There are **Non Wetland(s) (NW)** areas and/or areas have been identified as **Prior Converted Cropland (PC)** in locations as indicated on the enclosed aerial photo for which you requested a wetland determination. Both the Non Wetland areas and the Prior Converted Cropland areas may be manipulated (tiled, filled, drained, etc.) without loss of eligibility of USDA Program benefits. See the enclosed NRCS-CPA-026 "*Highly Erodible Land and Wetland Conservation Determination*" form for wetland label definitions and aerial photo for locations of highly erodible land and/or wetlands.

If you did not request a wetland determination for your entire farm, wetlands may exist in other locations. In order to maintain your eligibility for USDA program benefits, contact your local Natural Resources Conservation Service (NRCS) office prior to performing any land altering activities (tiling, land clearing, ditching, drainage maintenance, filling, leveling, removal of woody vegetation, or dredging.)

If you do not consider the results of this determination to be adverse to you, no further action is required by you. If you feel that this determination is adverse, you may appeal this preliminary determination by requesting in writing one of the options listed below within 30 days of receipt of this letter. This Preliminary Technical Determination will **become final 30** calendar days after receipt of this letter unless you request one of the following options in writing:

1. **Reconsideration and field visit.** During the field visit we will review the basis for our determination, answer any questions you have regarding this preliminary determination, and offer an opportunity for you to provide additional information regarding this determination. If you chose Reconsideration, please make your request in writing and address the request to me.

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Dora Guffey, Resource Conservationist
909 East 2nd Ave., Suite B
Indianola, Iowa 50125

2. Request mediation by contacting the Iowa Mediation Service at the address below. Mediation may be used in an attempt to settle your concerns with the preliminary wetland technical determination.

Iowa Mediation Service
1441 29th Street, Suite 120
West Des Moines, IA 50266
(515) 331-8081

If you choose to use mediation, the NRCS will pay up to one-half of the costs that are appropriate and reasonable which are associated with securing the services of a trained mediator when the services are provided on other than a voluntary basis. The NRCS will have final discretion over what is considered appropriate and reasonable.

3. You may waive your rights to mediation and a field review of the preliminary technical determination. This request must be in writing and addressed to Kurt Simon, State Conservationist, 210 Walnut Street, Room 693, Des Moines, IA 50309. In this case you will immediately be issued a final technical determination and appeal rights to the National Appeals Division (NAD) and/or to the FSA county committee.

After completion of the field visit if one is requested, or following the completion of mediation, a final technical determination will be issued. If you choose to take no action, the Preliminary Technical Determination will become the **Final Technical Determination** 30 days after receiving this notice. Once this determination becomes **Final**, you may appeal to the FSA County Committee, or to the National Appeals Division (NAD), at the addresses listed below within **60** calendar days from the date of receipt of this notice.

Warren County - FSA County Committee
909 E. 2nd Ave.
Indianola, Iowa 50125

or

National Appeals Division
Post Office Box 68806
Indianapolis, IN 46268-0806

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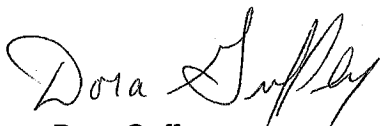
The 2014 Farm Bill connected producer eligibility for Federal crop insurance premium subsidy to compliance with the wetland conservation provisions. Eligibility for most USDA programs is lost for any wetland conversions that have occurred after December 23, 1985. However, only wetland conversions that occur after February 7, 2014 result in ineligibility for Federal crop insurance premium subsidy.

This certified wetland determination/delineation has been conducted for the purpose of implementing the Food Security Act of 1985 as amended. This determination/delineation may not be valid for identifying the extent of the United States Army Corps of Engineers (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters of the United States including lakes, rivers, intermittent or perennial streams, you should request a jurisdictional determination from the Rock Island District COE office prior to starting your work.

In order to maintain your eligibility for USDA program benefits, contact your local NRCS office prior to performing any land altering activities (tilling, land clearing, ditching, drainage maintenance, filling, leveling, removal of woody vegetation, or dredging) in or adjacent to the identified Wetland (W), Farmed Wetland (FW), Farmed Wetland Pasture or Hayland (FWP), or Not Inventoried area(s).

If you have any question about this procedure or determination, please contact me at (515)-961-5264, est. #3. Also, if anyone else is associated with this farm; tenant, landlord, partner, I encourage you to discuss this determination with them.

Sincerely,



Dora Guffey
Designated Conservationist

Enclosures

cc: Jason Hart, District Conservationist, NRCS, Indianola, Iowa
Jayne Ruble, CED, FSA, Indianola, Iowa

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