



United States Department
of Agriculture

Natural Resources
Conservation Service

NRCS-CPA-026E
9/2000

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name	Timothy Rosenthal	Request Date:	3/9/2012	County:	Lincoln
Address	433 Promontory Terrace San Ramon CA 94583				
Agency or Person Requesting Determination:	Landowner	Tract No:	447	Farm No:	1158

Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination?	
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.

Field(s)	HEL(Y/N)	Sodbust (Y/N)	Acres	Determination Date
Refer to the Previous HEL determination available on file from your FSA office				

Section II - Wetlands

Are there hydric soils on this farm? Yes

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.

Field(s)	Wetland Label	Occurrence Year	Acres	Determination Date	Certification Date
1	PC/NW		54.6	3/9/2012	4/8/2012
1 a	FW		1	3/9/2012	4/8/2012
1 b	W		0.1	3/9/2012	4/8/2012

The wetland determination was completed in the Field It was delivered by: Mail On: 3/9/2012

Remarks:	
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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
Dennis Johnson	3/9/2012

Customer: Timothy Rosenthal
 Tract: 447
 Date: 03/09/2012

Certified Wetland Determination

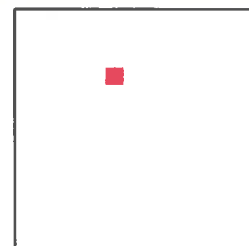
Agency: NRCS
 Field Office: Ivanhoe
 District: Lincoln SWCD



Missing Label	CME	MWM
PC/NW	CPD	NW
W	CW	NW/NAD
FW	CWTE	PC
FWP	MIW	TP
AW	MW	WX
	Townships	



1:4,421



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, NRCS cannot assume liability for any damages caused by any errors or omissions in the data, nor as a result of the failure of the data to function on a particular system. NRCS makes no warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.

Date

6/5/12

Dear

Tim

You have indicated your intention to create a new or modify an existing drainage system that has not been previously evaluated by NRCS by checking yes on USDA form AD-1026 to either question 10a or question 10b.

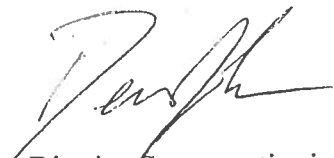
Based on the existing certified wetland determination we have on file and on your intended actions that are documented on maps, plans, or drainage worksheets you submitted, I have concluded that the activity being proposed will not convert a wetland or cause a potential wetland compliance violation. I have attached a map of the existing certified wetland determination.

It is your responsibility to document and retain records of all drainage activities. This information can be documented on the Drainage Worksheets available at your USDA Service Center. It is your responsibility to restrict all drainage activity to only that allowable under the wetland compliance provisions.

This determination applies to the 1985 Food Security Act (FSA) as amended. Other federal, state or local permits or restrictions may apply to activities impacting wetlands. It is the responsibility of the participant to obtain other necessary permits. Contact the Army Corps of Engineers for Clean Water Act permits, the Local Government Unit (LGU) for State Wetland Conservation Act permits, and the Minnesota Department of Natural Resources for protected water permits prior to initiating wetland activities. You can contact these agencies using the "Minnesota Combined Project Application Form" available from the LGU.

If you have any questions on this information or require additional assistance please contact me at 507-694-1630. A copy of this response will be provided to the Lincoln Farm Services Agency (FSA).

Sincerely,



District Conservationist

cc: Lincoln County FSA

HIGHLY ERODIBLE LAND CONSERVATION (HEL) AND WETLAND CONSERVATION (WC) CERTIFICATION

(See Page 3 for Nondiscrimination, Public Burden and Privacy Act Statements.)

1. Name of Producer <u>Timothy Rosey (San Ramon CA)</u>		2. I.D. Number (Last 4 digits only) <u>94583 2376</u>		3. Crop Year 2012	
4. Do you have any interest in land that produces or could produce an agricultural commodity? If "YES", or, if you are a Farm Loan Applicant continue with Item 5. If "NO", and you are not a farm loan applicant, go to Item 12 and sign and date.				YES	NO
5. For farm loan applicants only: Will you conduct any activities for fish production, trees, vineyards, shrubs, building construction, or other non-agricultural purposes on lands for which a wetland determination has not been completed by NRCS?				☒	☐
6. Are you a landlord or tenant on any farm that will not be in compliance with HELC and WC provisions? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____ (Contact your county FSA office if you are unsure of the HEL or wetland determinations applicable to your farming interests.)				☐	☒
7. Do any of your landlords refuse to comply with HELC requirements on any farms? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____				☐	☒
8. List affiliated persons with farming interests. See Page 3 for an explanation. Enter "NONE", if applicable. <u>NONE</u>					
9. During the crop year entered in Item 3 above, or the term of a requested USDA loan, did you or will you plant and produce an agricultural commodity on land for which a highly erodible determination has not been made?				YES	NO
10. Since December 23, 1985, or during the current crop year, or during the term of a requested USDA loan, has anyone performed, or will anyone perform any activities to:					
A. Create new drainage systems, or conduct land leveling, filling, dredging, land clearing, excavation, or stump removal, that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____				☒	☐
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____				☐	☒
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____ Note: Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.				☐	☒
11. If "YES" to Items 5, 10A and/or 10B or 10C enter the following for the land the answer applies to:					
A. Farm and/or tract/field number: <u>F 1158 T 447</u>					
B. Activity: <u>Tile</u>					
C. Current land use (specify crops): <u>Harvested</u>					
D. County: <u>Lincoln</u>					

A "YES" answer in Items 5, 9 or 10 authorizes FSA to refer this AD-1026 to NRCS. If you check "YES" to Item 10C, NRCS does not have to conduct a certified wetland determination. (Contact your County FSA Office if you are unsure about the answers to Items 5, 9 and 10.)

Continuous AD-1026 Certification:

I have read the AD-1026 Appendix and understand and agree that my eligibility for certain USDA program benefits is contingent upon this certification of compliance with highly erodible land and wetland conservation provisions of the Food Security Act of 1985 as amended, and if a determination is made that results in a violation and ineligibility, I agree to refund all applicable payments.

- I agree to the terms and conditions stated on AD-1026 Appendix on all land in which I have or will have an interest and understand that I am responsible for any non-compliance with these provisions.
- I agree that I will file a revised AD-1026 if there are any changes in my operation or activities that may affect compliance with these provisions.
- I understand that affiliated persons are also subject to compliance with these provisions and their failure to comply or file AD-1026 will result in loss of eligibility to persons or enterprises with whom they are affiliated. (See Page 3 of this form for affiliated persons.)

12. Signature of Producer ☒ I hereby certify that the information on this form is true and correct to the best of my knowledge, and I authorize NRCS to make a HEL and/or certified wetland determination on the tract or farm numbers listed above.

Tim Rosey Producer's Signature 12-28-11 Date (MM-DD-YYYY)

13. Referral to NRCS (Completed by FSA)
Sign and date if a NRCS determination is needed for any reason including a "YES" answer in Items 5, 9, 10A, 10B, or 10C.

13A. Signature of FSA Representative

Sheryl Rytkin

13B. Date (MM-DD-YYYY)

12-28-11

ORIGINAL - FSA COPY ☐

NRCS COPY ☐

PRODUCER'S COPY ☐

INSTRUCTIONS FOR ITEM 8 OF AD-1026

The producer requesting benefits on AD-1026 shall attach a list of the applicable affiliated persons with farming interests who are required to file AD-1026. Follow the rules in this table to determine affiliated persons.

<i>IF producer, requesting benefits is a (an) . . .</i>	<i>THEN affiliated persons who must file AD-1026 if they have farming interests are . . .</i>
individual	spouse or minor children with separate farming interests, or who receives benefits under their individual ID number.
NOTE: If the individual filing is a minor child, the father and mother shall be listed as affiliates	estates, trusts, partnerships, and joint ventures in which the individual filing, or the individual's spouse or minor children have an interest.
	corporations in which the individual filing or the individual's spouse or minor children have more than 20% interest.
general partnership	first level members of the entity.
limited partnership	
limited liability company	
joint venture	
estate	
irrevocable or revocable trust	
Indian tribal venture or group	
corporation with stockholders	first level shareholders with more than 20% interest in the corporation
State	none
Church or other charitable organization	
county	
city	
public schools	
corporation with no stockholders	

KEY TO NRCS DETERMINATIONS IN ITEMS 8 THROUGH 11 LISTED ON AD-1026A

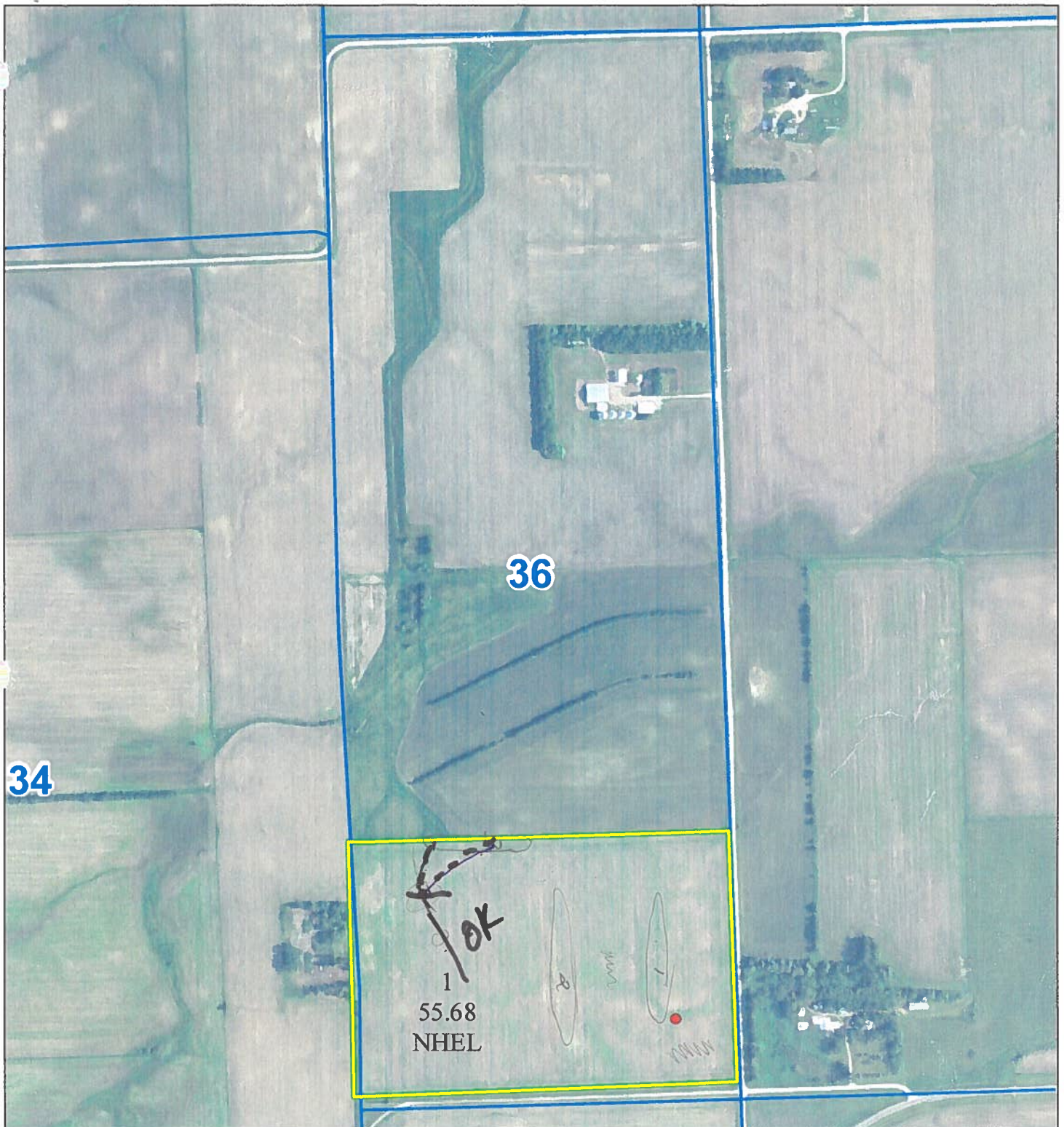
8. **HEL** = Highly Erodible Land:
"Y" = NRCS determined highly erodible land.
"N" = NRCS determined no highly erodible land.
" " = NRCS has not made a determination.
9. **027** = Approved Conservation Plan (CPA-027):
"Y" = Tract has an approved conservation plan.
"N" = Tract **does not have** an approved conservation plan.
"X" = HEL flag is "Y". Producer has a 2-year grace period after soil survey is available to obtain an approved conservation plan.
10. **A027** = Applying Conservation Plan:
"Y" = Producer is actively applying an approved conservation plan or system.
"N" = Producer is **NOT** actively applying an approved conservation plan or system.
11. **W** = Wetlands:
"Y" = NRCS determined wetlands on this tract.
 (* See footnote.)
"N" = NRCS determined no wetlands on this tract.
" " = NRCS has not made wetland determinations on entire tract.

* NRCS has determined a wetland does exist on this tract. Contact your local NRCS office or FSA office for details concerning the location of the wetland and restrictions applying to the land according to NRCS determination before planting an agricultural commodity or performing any drainage or manipulation on this tract.

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information to be supplied on this form is the Food Security Act of 1985, Pub. L. 99-198, and regulations promulgated under the Act (7 CFR Part 12). The information will be used to determine eligibility for program benefits and other financial assistance administered by USDA agencies. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court magistrate or administrative tribunal. Furnishing the Social Security Number is voluntary. Furnishing the other requested information is voluntary, however, failure to furnish correct, complete information will result in a determination of ineligibility for certain program benefits and other financial assistance administered by USDA agencies. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided by the producer on this form.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0185. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE (address printed in item 6 of AD-1026A).

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (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 to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



T112 R47 S36

Farm Number: 1158 Tract Number: 447

Acre Summary

Hendricks

Legend

Total Acres 55.68

Total CRP 0

Cropland 55.68

Apr 20, 2010

2010 FSA Acreage Map

Scale: 1:7,934

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

- CLU Field Boundary
- Tract Boundary
- Section Lines
- CRP Contracts

Acre Summaries reflect Common Land Unit data and are not reflective of parcel information. All information contained in this summary is for FSA business purposes only.

WWW.CO.LINCOLN.MN.US.COM

'GIS & MAPS'

- GEOMOUSE

Marr Johnson operator
3212 State Hwy 271
Mendricks mn 56136

United States Department of Agriculture



Natural Resources Conservation Service

03/09/2012

Timothy Rosenthal
433 Promontory Terrace
San Ramon, CA 94583

RE: Preliminary Wetland Technical Determination

Dear Mr. Rosenthal:

You signed an AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, indicating a need for evaluation of proposed wetland activity. As a result of that request, NRCS is issuing a certified wetland determination.

The Food Security Act of 1985 and as amended in subsequent Farm Bill legislation established the wetland conservation provisions. These regulations, found at 7 CFR, Part 12, provide the terms of USDA program ineligibility; describe several exemptions from ineligibility; and outline the Natural Resources Conservation Service involvement in implementing the provisions.

With this letter NRCS is issuing a **preliminary technical determination**, in accordance with the wetland conservation provisions. This preliminary technical determination was conducted by the local NRCS field office on 03/09/2012.

The attached CPA-026 and map depict the wetland labels for the area(s) where the requested wetland determination took place. These wetland labels have been determined for the following reasons:

Presence of Hydrophytic Vegetation:

Under normal circumstances this site(s) does support a prevalence of plants that grow in water or in a substrate that is at least periodically deficient in oxygen during the growing season as a result of excessive water content.

Presence of Hydric Soils:

The soil(s) on the site are Parnell silty clay loam and Singaas-Oak Lake complex. Parnell silty clay loam and Singaas-Oak Lake complex are listed on the Lincoln County hydric soils list. In an un-drained condition, this soil is saturated, flooded, or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation.

Helping People Help the Land

An Equal Opportunity Provider and Employer

Presence of Wetland Hydrology:

The areas are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions (7 CFR 12.2). Review of aerial imagery indicates that the area(s) exhibit wet signatures during many normal precipitation years. Wetland signatures are visible in 60 and 100 percent of normal precipitation years for sites 1a and 1b respectively.

Further, the area(s) indicated are a Farmed Wetland (FW) (site 1a) and a Wetland (W) (site 1b) because they do not qualify for any of the following exemptions to the wetland conservation provisions:

- Prior-converted cropland (7 CFR 12.5(b)(1)(i-ii) – This area was not converted prior to December 23, 1985 or November 28, 1990, nor was an agricultural commodity produced prior to those dates.
- A wetland created through a voluntary restoration. (7 CFR 12.5(b)(1)(iii))
- Conversion not for the purposes of making possible the production of an agricultural commodity. (7 CFR 12.5(b)(1)(iv))
- A conversion completed by the actions of a third party. (7 CFR 12.5(b)(1)(v))
- A conversion completed under a permit issued by the U.S. Army Corps of Engineers. (7 CFR 12.5(b)(1)(vi))
- An Artificial wetland. (AW) (7 CFR 12.5(b)(1)(vii))

This **preliminary wetland determination** meets the regulatory definition for an adverse decision (7 CFR 11.1) and is appealable as follows:

- **You may request a field review and reconsideration** by the local NRCS office personnel in accordance with 7 CFR 614.7(b). Any request for field review and reconsideration will be conducted with you or your authorized representative present, where you will be able to present evidence and facts that NRCS may not have previously considered. NRCS will consider all new information, and if the technical determination remains adverse to you as a USDA participant, the preliminary determination and the entire case record will be forwarded to the State Conservationist for review to ensure that the wetland determination has been completed in accordance with the findings and the regulation. Following that review, the State Conservationist will issue a Final Technical Wetland Determination.

To request a field review and reconsideration, you must contact the local NRCS office, in writing, no later than 30 days from the date that you receive this notification at:

Dennis Johnson
District Conservationist
USDA NRCS Lincoln County Field Office
PO Box 32

Ivanhoe, MN 56258

- **If you do not request a field review, you may request mediation** of the preliminary technical determination in accordance with 7 CFR 614.7(a)(2). Mediation is completed in good faith. Parties mediating a dispute are not free to make their own law or policy, and mediation is not a means to obtain a result not otherwise permissible under statute, regulations, or generally applicable agency policy and program procedures. Within these parameters, mediation of disputes can produce benefits when the mediation reveals additional relevant facts and new insights.

To request mediation you must contact the following mediation service provided in writing no later than 30 days from the date that you receive this notification at:

Mary Neil Preisler
Farm Credit Mediation Program
1526 170th Avenue
Bejou, MN 56516
Phone: 218-935-5785

- **You may request a waiver of your rights to this preliminary review and reconsideration or mediation in accordance with 7 CFR 614.7(d) if you want an immediately-final wetland technical determination** by writing to the State Conservationist at:

Mr. Donald Baloun
State Conservationist
USDA NRCS
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

If you do not select any of your preliminary appeal rights, this preliminary technical determination will become both a final technical determination in accordance with 7 CFR 614.8(a)(1) and a certified wetland determination in accordance with 7 CFR 12.30(c). A technical determination becomes a final USDA decision when the time to request appeal expires without appealing the decision. A final technical determination becomes appealable 30 days after receipt of the preliminary technical decision.

The final appeal rights are as follows:

- **You may request an informal appeal, in conformance with the regulation at 7 CFR 614.8(b)(1) from either the County FSA Committee or the NRCS State Conservationist, but not both,** by providing a written request no later than 30 days from the date noted above, to the applicable address:

- To request an informal appeal from the County FSA Committee^{1/}, your written request for appeal (including a copy of this notice and the reasons that you feel the determination is incorrect) to the following address:

Lincoln County Farm Service Agency
PO Box 120
Ivanhoe, MN 56142

^{1/} Informal appeals to the County FSA Committee are completed in accordance with 7 CFR 614.10 and 7 CFR 780.11 which requires the County FSA Committee, on a finding of merit in the appeal request, to request a review of the determination under appeal by the NRCS State Conservationist. It further is a requirement that when rendering a decision on the appeal, the review issued by the State Conservationist must form the basis of, and be incorporated into any decision issued on appeal by the County or State FSA Committee.

- To request an informal appeal from the NRCS State Conservationist, your written request for appeal (including a copy of this notice and the reasons that you feel the determination is incorrect) to the following address:

Mr. Donald Baloun
State Conservationist
USDA NRCS
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

- **If you do not choose to appeal to either NRCS or FSA, you may request a formal appeal from the National Appeals Division (NAD),** in conformance with the regulation at 7 CFR 614.8(b)(2)e, by providing a written request, which includes this notice, and the reason you feel that this determination is incorrect. Appeal requests to NAD must be after the determination becomes final; see Final Appeal dates listed above. You may appeal the final determination by sending a request to the following NAD Regional Office:

NAD Eastern Regional Office
P.O. Box 68806
Indianapolis, Indiana 46268

If you are the owner of this tract and have a tenant, I urge you to discuss this letter and accompanying NRCS-CPA-026 with your tenant. Likewise, if you are the tenant of this tract, I urge you to discuss this letter with your landlord.

This certified wetland determination/delineation has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination/delineation may not be valid for identifying the extent of the Corps of

Engineers' (COE's) 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, you should request a jurisdictional determination from the local office of the COE prior to starting the work. Other federal, state or local permits or restrictions may apply to activities impacting wetlands. Contact the Local Governmental Unit (LGU) for State Wetland Conservation Act permits, and Minnesota Department of Natural Resources for protected water permits prior to initiating wetland activities. The producer can contact these agencies using the "Minnesota Joint Project Notification Form" available from the LGU.

Sincerely,

Dennis Johnson, District Conservationist
USDA-NRCS

cc: FSA County Executive Director, Farm Services Agency

***DEFINITIONS OF WETLAND LABEL CODES**

AW	Artificial Wetland. An area that is artificial or irrigation induced wetland. These wetlands are not subject to the wetland conservation provision.
CME	An area that receives a Categorical Minimal Effect determination.
CPD	Corps Permit Decision. Corps of Engineers permit decisions regarding section 404 of the Clean Water Act will be relied upon to satisfy the wetland conservation provisions of the Food Security Act of 1985, as amended.
CW	Converted Wetlands. An area converted between December 23, 1985 and November 28, 1990. IN any year that an agricultural commodity is planted on these converted wetlands, you will ineligible for USDA benefits.
**CW+year	An area converted after November 28, 1990. You will be ineligible for USDA program benefits until this wetland is restored.
CWTE	Converted Wetland Technical Error. An area converted or commenced based on an incorrect NRCS determination or misinformation from a NRCS or FSA employee.
FW	Farmed Wetland. An area that is farmed wetland; was manipulated and planted before December 23, 1985, but still meets wetland criteria. These may be farmed and maintained in the same manner as long as they are not abandoned.
FWP	Farmed Wetlands Pasture. An area that is pasture or hayland, manipulated before December 23, 1985 but still meets wetland criteria. These may be farmed and maintained in the same manner as long as they are not abandoned.
MIW	Mitigation Wetlands. Wetlands on which a person is actively mitigating a frequently cropped area or a wetland converted between December 23, 1985 and November 28, 1990. A converted wetland, farmed wetland, or farmed wetland pasture on which functions and values were lost are compensated for through wetland restoration, enhancement or creation.
MW	Minimal effect Wetland. An area determined to be minimal effect. These wetlands are to be farmed according to the minimal-effect agreement signed at the time the minimal-effect determination was made,
MWM	An area determined to be minimal effect with mitigation.
NW	Non-Wetland. An area that does not contain a wetland.
NW/NAD	An area determined to be a non-wetland resulting from a decision from the National Appeals Division.
PC	Prior Converted cropland, which was drained filled, or manipulated before December 23, 1985; was cropped prior to December 23, 1985; was not abandoned; and does not meet FW criteria. These are not subject to the wetland conservation provision unless the area reverts to wetland as a result of abandonment.
PC/NW	An area that contains both PC and NW.
TP	Third Party Exemption.
W	Wetlands. An area meeting wetland criteria, including wetland farmed under natural conditions. If you plan to clear, drain, fill, level or manipulate these areas, contact NRCS and the Army Corp of Engineers prior to any such activity.
WX	A wetland area that has been manipulated after December 23, 1985, but was not, for the purpose of making production possible and production was not made possible. These include wetlands manipulated by drainage maintenance agreements.

HIGHLY ERODIBLE LAND CONSERVATION (HEL) AND WETLAND CONSERVATION (WC) CERTIFICATION

(See Page 3 for Nondiscrimination, Public Burden and Privacy Act Statements).

1. Name of Producer <u>Timothy Rasmussen (Son Ramon CA 94583)</u>		2. I.D. Number (Last 4 digits only) <u>2376</u>		3. Crop Year 2012	
4. Do you have any interest in land that produces or could produce an agricultural commodity? If "YES", or, if you are a Farm Loan Applicant continue with Item 5. If "NO", and you are not a farm loan applicant, go to Item 12 and sign and date.				YES	NO
5. For farm loan applicants only: Will you conduct any activities for fish production, trees, vineyards, shrubs, building construction, or other non-agricultural purposes on lands for which a wetland determination has not been completed by NRCS?				☒	☐
6. Are you a landlord or tenant on any farm that will not be in compliance with HELC and WC provisions? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____ (Contact your county FSA office if you are unsure of the HEL or wetland determinations applicable to your farming interests.)				☐	☒
7. Do any of your landlords refuse to comply with HELC requirements on any farms? If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____				☐	☒
8. List affiliated persons with farming interests. See Page 3 for an explanation. Enter "NONE", if applicable. <u>None</u>					
9. During the crop year entered in Item 3 above, or the term of a requested USDA loan, did you or will you plant and produce an agricultural commodity on land for which a highly erodible determination has not been made?				YES	NO
10. Since December 23, 1985, or during the current crop year, or during the term of a requested USDA loan, has anyone performed, or will anyone perform any activities to:				☒	☐
A. Create new drainage systems, or conduct land leveling, filling, dredging, land clearing, excavation, or stump removal, that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____				☒	☐
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate year(s): _____				☐	☒
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____ Note: Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.				☐	☒
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A. Farm and/or tract/field number: <u>F 1158 T 417</u>					
B. Activity: <u>Tile</u>					
C. Current land use (specify crops): <u>Harvested</u>					
D. County: <u>Lincoln</u>					

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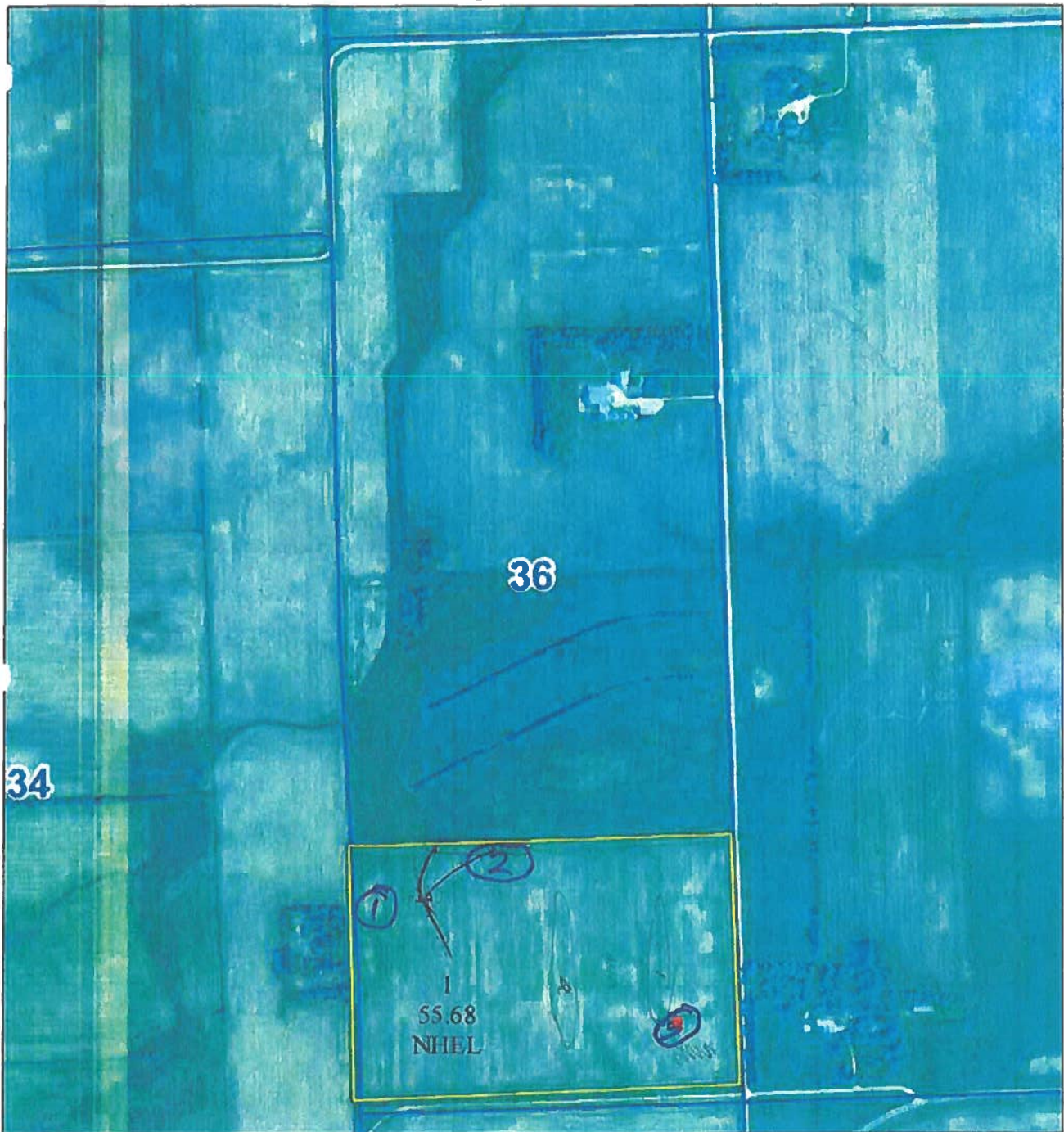
Continuous AD-1026 Certification:

I have read the AD-1026 Appendix and understand and agree that my eligibility for certain USDA program benefits is contingent upon this certification of compliance with highly erodible land and wetland conservation provisions of the Food Security Act of 1985 as amended, and if a determination is made that results in a violation and ineligibility, I agree to refund all applicable payments.

- I agree to the terms and conditions stated on AD-1026 Appendix on all land in which I have or will have an interest and understand that I am responsible for any non-compliance with these provisions.
- I agree that I will file a revised AD-1026 if there are any changes in my operation or activities that may affect compliance with these provisions.
- I understand that affiliated persons are also subject to compliance with these provisions and their failure to comply or file AD-1026 will result in loss of eligibility to persons or enterprises with whom they are affiliated. (See Page 3 of this form for affiliated persons.)

12. Signature of Producer <u>Tim Rasmussen</u> Producer's Signature			I hereby certify that the information on this form is true and correct to the best of my knowledge, and I authorize NRCS to make a HEL and/or certified wetland determination on the tract or farm numbers listed above.		
13. Referral to NRCS (Completed by FSA) Sign and date if a NRCS determination is needed for any reason including a "YES" answer in Items 5, 9, 10A, 10B, or 10C.			13A. Signature of FSA Representative <u>Sheryl Rykman</u>		13B. Date (MM-DD-YYYY) <u>12-28-11</u>

ORIGINAL - FSA COPY ☐NRCS COPY ☐PRODUCER'S COPY ☐



T112 R47 S36

Farm Number: 1158

Tract Number: 447

Acre Summary

Hendricks

Legend

Total Acres 55.68

Total CRP 0

Cropland 55.68



Apr 20, 2010

2010 FSA Acreage Map

Scale: 1:7,934

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

- CLU Field Boundary
- Tract Boundary
- Section Lines
- CRP Contracts

Acre Summaries reflect Common Land Units and are not reflective of parcel information. All information contained in this summary is for FSA business purposes only.



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Natural Resources Conservation Service

Site Map

Lincoln County, MN
T112 R47 S36
Hendricks
Farm# 1158 Tract# 447



0 250 500 1,000 1,500 2,000 Feet

Legend

 Prospective Wetland Boundary

 CLU Field Boundary

Contour

 Index (10 ft)

 Intermediate (2 ft)

LG - 02/15/2012

LAND USER	ADDRESS	ACREAGE	LOCATION OF UNIT
Timothy Rosenthal			Lincoln County, MN - Hendricks Twp T112 R47 S36

CURRENT CONSERVATION OBJECTIVES

Wetland determination for Tract #447, Farm #1158

LIST POSSIBLE ALTERNATIVE RESOURCE MANAGEMENT SYSTEMS THE NRCS CONSERVATIONIS TMIGHT CONSIDER WITH THE LAND USER (As objectives change record them in the notes)

NOTES OF SIGNIFICANT ASSISTANCE PROVIDED, ALTERNATIVES CONSIDERED, DECISIONS REACHED, RESOURCE MANAGEMENT SYSTEMS OR COMPONENT PRACTICES INSTALLED, AND FOLLOWUP PROVIDED MAY BE RECORDED CHRONOLOGICALLY BELOW AND ON ADDITIONAL PAGES TO PROVIDE A HISTORY OF RESOURCE CONSERVATION PLANNING AND IMPLEMENTATION ACTIVITIES WITH THE LAND USE. INCLUDE AND EVALUATION OF SIGNIFICANT AND SOCIAL, CULTURAL, ECONOMIC, AND ENVIRONMENTAL RESOURCES. (These included consideration of wetlands, flood plains, endangered species, archeological values, prime lands, etc.)

[illegible]

NRCS-CPA-32 Wetland Documentation Record, Remotely Sensed Data Summary

U.S Department of Agriculture Natural Resources Conservation Services		NRCS CPA-32 (Updated 09/2011)		Producer's Name: Timothy Rosenthal		
Wetland Documentation Record Remotely Sensed Data Summary				County/MN: Lincoln County, MN		
Station: Canby (21-1263)				Slide Reviewer: Levi Gibson	Date: 02/15/12	
				Tract# 447	Farm# 1158	
				Section/Township: T112 R47 S36 Hendricks		
Interpretation List: Cropped (C); Color Tone (CT); Standing Water (SW); Wet Non-Cropped (WNC); Dry Non-Cropped (DNC)						
Year	Climate Condition	Site # 1	Site # 2	Site # 3	Site #	Site #
1980	Normal	SW	CT	CT		
1981	Normal	SW	C	CT		
1982	Dry	~no slide~	~no slide~	~no slide~		
1983	Normal	~no slide~	~no slide~	~no slide~		
1984	Wet	SW	CT	C		
1985	Dry	~no slide~	~no slide~	~no slide~		
1986	Normal	SW	CT	CT		
1987	Normal	SW	C	CT		
1988	Dry	SW	C	CT		
1989	Dry	~bad slide~	~bad slide~	~bad slide~		
1990	Wet	WNC	CT	C		
1991	Wet	WNC	CT	C		
1992	Normal	SW	CT	CT		
1993	Wet					
1994	Normal					
1995	Wet					
1996	Normal					
1997	Dry					
1998	Dry					
1999	Normal					
2000	Normal					
Number of Normal years observed that have wet signatures and percent of normal		5 Years 100%	3 Years 60%	5 Years 100%		
NWI designation		PUBF				
Hydric Soil (unit, Y/N)		J97B, Y	J1A, Y	J97B, Y		
Manipulated pre12/85; describe		Artificial - Stock Pond	Tiled			
Current status - last 2 years: ie Crop or attempted crop, pasture/hay, potential violation, potential abandonment. For Violations must identify year of conversion						
2006		C	C	C		
2010		C	C	C		
Remarks:						



USDA **NRCS**
United States Department of Agriculture
Natural Resources Conservation Service

Topography

Lincoln County, MN
T112 R47 S36
Hendricks
Farm# 1158 Tract# 447



0 250 500 1,000 1,500 2,000 Feet

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Legend

 CLU Field Boundary




 United States Department of Agriculture
 Natural Resources Conservation Service

Soils

Lincoln County, MN
 T112 R47 S36
 Hendricks
 Farm# 1158 Tract# 447



0 250 500 1,000 1,500 2,000 Feet

Legend

-  CLU Field Boundary
-  Soil Map Unit

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 Natural Resources Conservation Service

NWI Wetland Labels

Lincoln County, MN
 T112 R47 S36
 Hendricks
 Farm# 1158 Tract# 447



0 250 500 1,000 1,500 2,000 Feet

Legend

-  CLU Field Boundary
-  NWI Label

LG - 02/15/2012

