



United States Department
of Agriculture

Natural Resources
Conservation Service

NRCS-CPA-026E
11/2012

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	Rachael Schemmel Virginia Meyer	Request Date:	10/29/2012	County:	Dubuque
Agency or Person Requesting Determination:		Tract No:	11573	FSA Farm No.:	5900

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?	Yes

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

The Highly Erodible Land determination was completed in the .

Section II - Wetlands

Are there hydric soils on this farm?	Y
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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 (CW)**	Acres	Determination Date	Certification Date
1,2,3,4,5,7,8,9,20	PC		166.3	7/16/2013	8/27/2013
10,13,14, 23	NW		17.7	7/16/2013	8/27/2013
10	W		4.9	7/16/2013	8/27/2013
10	W		6.1	7/16/2013	8/27/2013

The wetland determination was completed in the field. It was mailed to the person on 7/16/2013.

Remarks: Threatened or Endangered species or their habitat may occur within the area of this determination. Section 7 Consultation (Federal Agency) or Section 10 Consultation (Private Individuals) with the US Fish and Wildlife Service (USFWS) and/or consultation with the Iowa Department of Natural Resources (IDNR) may be required. Proof of completed consultation with the USFWS and/or the IDNR must be submitted to NRCS prior to NRCS providing Technical (TA) or Financial (FA) assistance on projects, or portions thereof that may affect threatened or endangered species or their habitats.

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
	7/16/2013

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, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence

*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.

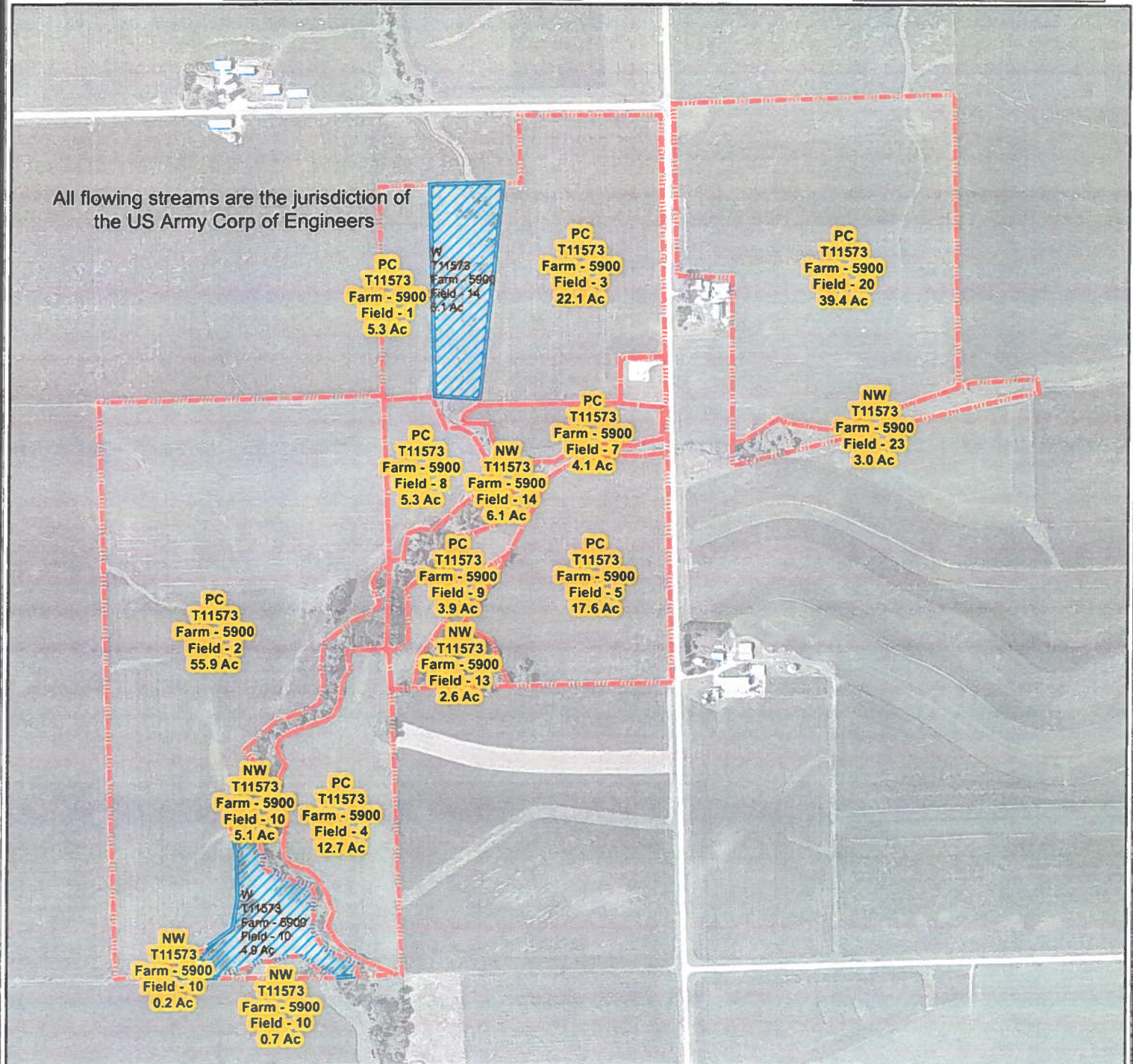
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Certified Wetland Determination Map

Land Owner: Rachael Schemmel and Virginia Meyer
 Tract & Farm # Farm 5900 Tract 11573
 Legal Description:
 Certification Office: Anamosa FO

Certified By: Thomas O Miller RC
 Map Creation Date: 7/16/2013
 Determination County: Dubuque, IA

All flowing streams are the jurisdiction of
 the US Army Corp of Engineers



Legend

- Certified Wetland Determination Boundary
- Wetlands
- Surface Drain
- Berm/Dike
- Subsurface Drain
- Boundary Point
- Data Form Point
- Picture Point

1:7,920

0 200 400 800 1,200
 Feet

Agency: USDA-NRCS



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



Natural Resources Conservation Service
300 Chamber Drive
Anamosa, IA 52205

United States Department of Agriculture

August 27, 2013

Certified Mail

Rachel Schemmel
20202 San Sebastian Road
Dubuque, Iowa 52001-9633

Deborah Fautsch
20202 San Sebastian Road
Dubuque, Iowa 52001-9633

Marlene Goedken
512 11th Ave. SE
Dyersville, Iowa 52001-9633

You have not requested either mediation or reconsideration and field visit and have not waived your rights to mediation or reconsideration within 30 days of receiving the preliminary **Wetland** determination for Farm # **5900**, Tract # **11573**, in **Dubuque** County. As outlined in the procedures and regulations under Title 7 of the Code of Federal Regulations, Part 12, the preliminary determination has now become **Final**. See the enclosed NRCS-CPA-026 "*Highly Erodible Land and Wetland Conservation Determination*" form for definitions and aerial photo for location(s).

The **Final Technical Determination** is: There are wetland(s) or wetland types as listed on the attached form. If you did not request a wetland determination for your entire farm, wetlands may exist in other locations.

The area(s) designated as wetlands are wetlands because:

- Has a predominance of hydric soils,
- Is 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, and
- Under normal circumstances does support a prevalence of such vegetation.

For those sites that are labeled as Farmed Wetland (FW) or Farmed Wetland Pasture (FWP): manipulation has occurred prior to December 23, 1985, see wetland definitions on the NRCS-CPA-026.

This determination is now a **Final Technical Determination**. If you believe that this determination is in error, you may elect to appeal to the Farm Service Agency (FSA) County Committee, or to the National Appeals Division (NAD), at the addresses listed below within 30 calendar days from the date of receipt of this notice.

Helping People Help the Land

An Equal Opportunity Provider and Employer

National Appeals Division
Post Office Box 68806
Indianapolis, IN 46268-0806
800-541-0457

Your appeal must be in writing and should state clearly what you are appealing and why you believe the Final Technical Determination is not correct. If you do not appeal within 30 days to the FSA County Committee or the National Appeals Division (NAD), no further consideration on the matter will be given.

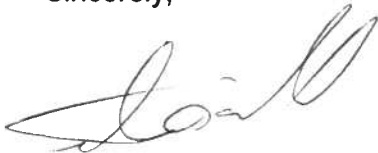
In order to maintain your eligibility for USDA program benefits, do not perform any land altering activities (tiling, land clearing, ditching, drainage maintenance, filling, leveling, removal of woody vegetation, or dredging) in or adjacent to the identified Wetland (W), Farmed Wetland (FW), Farmed Wetland Pasture or Hayland (FWP) area(s).

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.

You have 30 calendar days from the date of receipt of this letter to make any request as outlined above.

If you have any question about this procedure or determination, please contact me at 319-462-3196 ext. 304. Also, if anyone else is associated with this farm; tenant, landlord, partner, I encourage you to discuss this determination with them.

Sincerely,



Thomas O Miller
Resource Conservationist

Enclosures

Cc: Dubuque County FSA



Natural Resources Conservation Service
300 Chamber Drive
Anamosa, IA 52205

United States Department of Agriculture

August 27, 2013

Certified Mail

Rachel Schemmel
20202 San Sebastian Road
Dubuque, Iowa 52001-9633

Deborah Fautsch
20202 San Sebastian Road
Dubuque, Iowa 52001-9633

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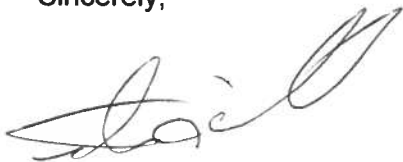
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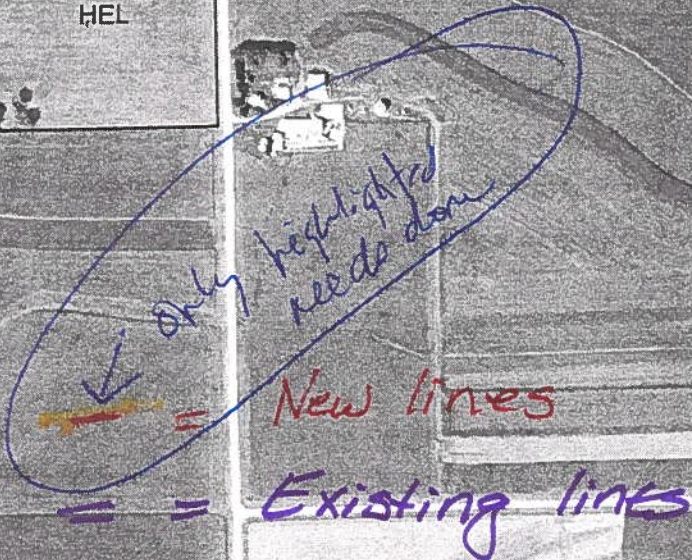
A handwritten signature in dark ink, appearing to read 'Tom Miller', with a stylized flourish at the end.

Thomas O Miller
Resource Conservationist

Enclosures

Cc: Dubuque County FSA

T88N
R02W



Disclaimer: Wetland identifiers do not represent the wetland status of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Farm # 5900

Tract # 11513

OW: Rachael Schemmel
Virginia Meyer

20202
San Sebastian OR
Dubuque IA 52001

OP: Terry Goedken

PH: (563) 599-8513

Farm# 5901
Tract# 11574

Section: 14,23
Twp: Dodge

Year:

T88N

R02W



0 412.5 825
1 inch equals 495.000000 feet

Dubuque County FSA
December 10, 2008

Legend

1,650 Feet
Field Boundary

Wetland Determination

Wetland Determination Identifiers

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



C: 4-26-12

Disclaimer: Wetland identifiers do not represent the size or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS,