

Natural Resources Conservation Service
891 62ND ST,
MARION, IA 52302
Telephone: (319)377-4296
Fax: (855)211-4015

Thursday, January 18, 2024

SUBJECT: NonHighly Erodible Land (NHEL) Determination

Tract: 2431

This is to notify you that as of the date of this letter, the Natural Resources Conservation Service (NRCS) has made a preliminary technical determination on the tract(s) listed above.

Fields designated as Highly Erodible Land (HEL) are identified on the attached NRCS-CPA-026-HELC form. HEL fields are highly erodible because the highly erodible soil map units constitute 33.3 percent or more of the acreage in those fields or contain highly erodible soils equal to 50 or more acres per field. Fields not meeting this criteria are not highly erodible land (NHEL). The attached map and summary report provide the basis for this determination.

This determination is part of the conservation provisions of the Food Security Act of 1985, as amended, and was made in response to our receipt of the Farm Service Agency (FSA) form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification. In order to maintain USDA program eligibility, you will need to operate HEL fields in accordance with an approved conservation system. You may contact the NRCS for assistance with the development and implementation of an approved conservation plan which meets this requirement. NHEL fields do not require implementation of an approved conservation system.

The 2014 Farm Bill connected producer eligibility for Federal crop insurance premium subsidy to compliance with the HEL provisions. Previous USDA participants who are currently not in compliance with the HEL provisions have two reinsurance years to develop and comply with an NRCS-approved conservation plan to remain eligible for Federal crop insurance premium subsidy. Producers who are subject to HEL compliance for the first time due to the 2014 Farm Bill have five reinsurance years to develop and comply with an NRCS-approved conservation plan when producing an agricultural commodity on HEL. If you are unsure about your status as a previous USDA participant, please inquire at your local FSA office.

If you made a request for a wetland determination, it will be issued separately. If you plan to conduct any activities that may disturb a wetland, please contact this office well in advance so the impacts may be evaluated along with the potential effect on your USDA program eligibility.

If you agree with this preliminary technical determination, it will become final 30 calendar days after you receive this notification, and no further action is required.

If you do not agree with this preliminary technical determination, you may request a field visit or mediation within thirty days of receipt of this letter. Your request should be made in writing to the above office address and should state clearly what you are appealing and why you believe the determination is erroneous. For further information on the appeals process, please see the attached information sheet. If no reconsideration field visit or mediation is requested within thirty days of receipt of this letter, this preliminary technical determination will become a final technical determination.

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

Sincerely,

Laura Wilden

LAURA WILDEN

Designated Conservationist

NRCS-CPA-026-HELC, HEL Determination Map, HEL Determination Summary Report
Cc: Farm Service Agency

4299 LEWIS ACCESS RD, CENTER POINT, IA 52213-9502

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

1. Name:		3. Location County:	Linn, IA																
2. Address:		4. Admin County:	Linn, IA																
5. Request Form:	AD-1026	7. Farm Number:	1609																
6. Request Date:	7/17/2023	8. Tract Number:	2431																
9. Are there HEL soil map units on this Tract? ☐ Yes ☒ No																			
If a field is not listed, no determination was made at this time. Contact the Farm Service Agency for previously determined HEL status of fields not listed below. In order to be eligible for most USDA program benefits, a person must be implementing a conservation plan or using an approved conservation system on all HEL fields. Fields that are not highly erodible (NHEL) do not require implementation of an approved conservation system. <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 25%;">Field(s)</th> <th style="width: 25%;">HEL/NHEL</th> <th style="width: 25%;">Sodbust (Y/N)</th> <th style="width: 25%;">Field Acreage</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>NHEL</td> <td>No</td> <td>1.00</td> </tr> <tr> <td>11</td> <td>NHEL</td> <td>No</td> <td>0.74</td> </tr> <tr> <td>8</td> <td>NHEL</td> <td>No</td> <td>1.59</td> </tr> </tbody> </table>				Field(s)	HEL/NHEL	Sodbust (Y/N)	Field Acreage	9	NHEL	No	1.00	11	NHEL	No	0.74	8	NHEL	No	1.59
Field(s)	HEL/NHEL	Sodbust (Y/N)	Field Acreage																
9	NHEL	No	1.00																
11	NHEL	No	0.74																
8	NHEL	No	1.59																
10. The HEL determination was completed in: ☒ Office ☐ Field																			
11. Remarks:	This Highly Erodible Land determination was conducted offsite using the soil survey. If PHEL soil map units were present, they may have been evaluated using elevation data.																		
The above HEL determination is correct and conducted in accordance with policies and procedures contained in the National Food Security Act Manual.																			
12. Signature Designated Conservationist			13. Date																
LAURA WILDEN			Thursday, January 18, 2024																



HEL Determination

1/18/2024

Farm: 1609

Tract: 2431

Customer(s): [REDACTED]

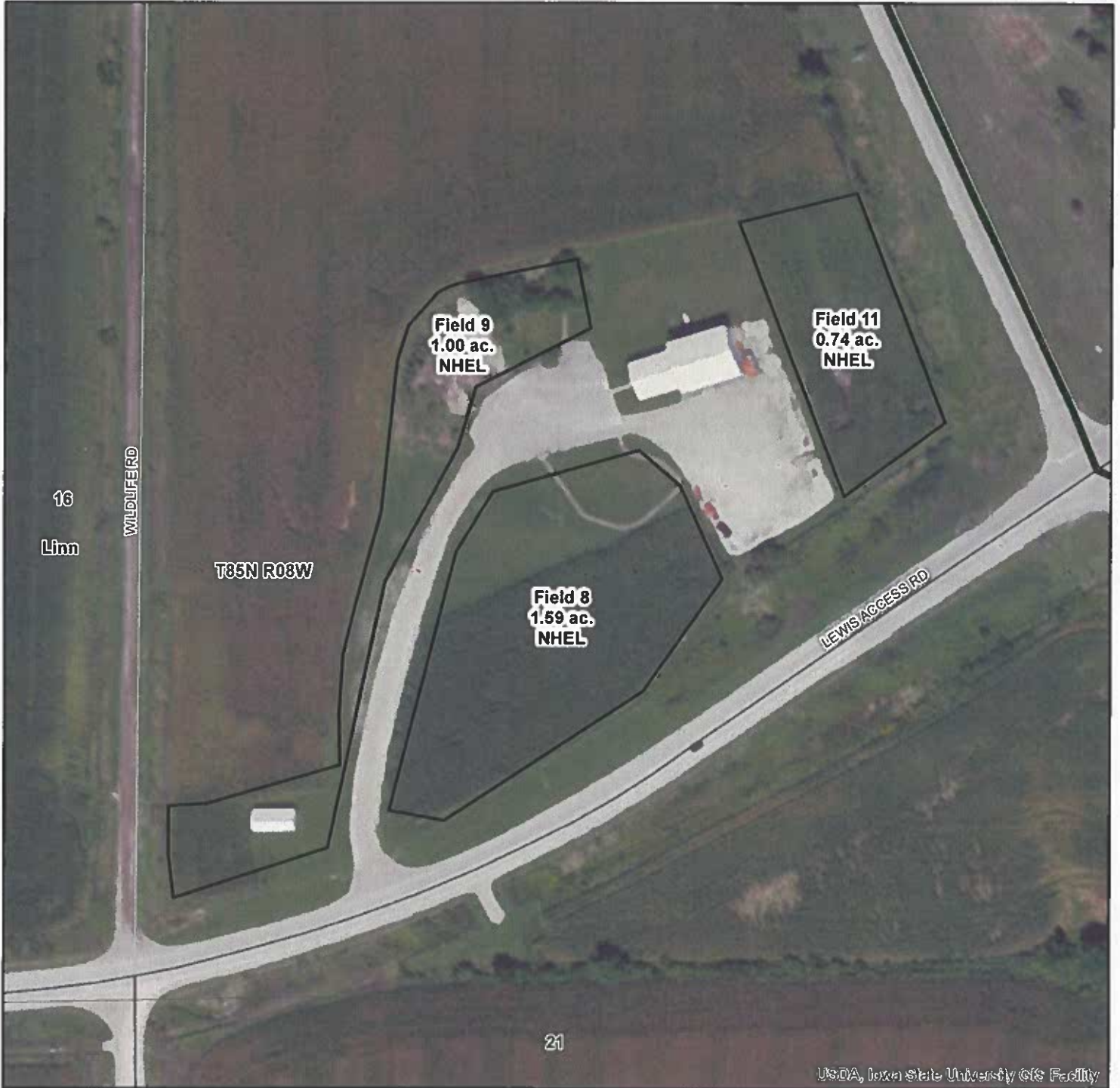
County: Linn, IA

Location: ON MAP

Assisted by: Laura Wilden

USDA-NRCS

Service Center: MARION



- Field Determination
- Iowa - Counties
- Iowa - PLSS Townships
- Iowa - Section Lines
- Iowa - Highways
- SYSCODE
- Interstate

Prepared with assistance from USDA-Natural Resources Conservation Service



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HIGHLY ERODIBLE LAND (HEL) DETERMINATION

Non- Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

AD-1026
(10-30-14)U.S. DEPARTMENT OF AGRICULTURE
FarmServiceAgencyHIGHLY ERODIBLE LAND CONSERVATION (HELCO) AND
WETLAND CONSERVATION (WC) CERTIFICATION

Read attached AD-1026 Appendix before completing form.

PART A – BASIC INFORMATION

1. Name of Producer [REDACTED]	2. Tax Identification Number (Last 4 digits) [REDACTED]	3. Crop Year 2023
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4. Names of affiliated persons with farming interests. Enter "None," if applicable.
[REDACTED]

Affiliated persons with farming interests must also file an AD-1026. See Item 7 in the Appendix for a definition of an affiliated person.

5. Check one of these boxes if the statement applies; otherwise continue to Part B.

A. ☐ The producer in Part A does not have interest in land devoted to agriculture. Examples include bee keepers who place their hives on another person's land, producers of crops grown in greenhouses, and producers of aquaculture AND these producers do not own/lease any agricultural land themselves. **Note:** Do not check this box if the producer shares in a crop.

B. ☐ The producer in Part A meets all three of the following:

- does not participate in any USDA program that is subject to HELC and WC compliance except Federal Crop Insurance.
- only has interest in land devoted to agriculture which is exclusively used for perennial crops, except sugarcane, and
- has not converted a wetland after February 7, 2014.

Perennial crops include, but are not limited to, tree fruit, tree nuts, grapes, olives, native pasture and perennial forage. A producer that produces alfalfa should contact the Natural Resources Conservation Service at the nearest USDA Service Center to determine whether such production qualifies as production of a perennial crop.

Note: If either box is checked, and the producer in Part A does not participate in Farm Service Agency (FSA) or Natural Resources Conservation Service (NRCS) programs, the full tax identification number of the producer must be provided, but establishment of detailed farm records with FSA is not required. Go to Part D and sign and date.

PART B – HELC/WC COMPLIANCE QUESTIONS

Indicate YES or NO to each question. If you are unsure of whether a HEL determination, wetland determination, or NRCS evaluation has been completed, contact your local USDA Service Center.	YES	NO
6. During the crop year entered in Part A or the term of a requested USDA loan, did or will the producer in Part A plant or produce an agricultural commodity (including sugarcane) on land for which an HEL determination has not been made?	✓	
7. Has anyone performed (since December 23, 1985), or will anyone perform any activities to:		✓
A. Create new drainage systems, conduct land leveling, filling, dredging, land clearing, or excavation that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____		✓
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the 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.		✓
Note: If "YES" is checked for Item 7A or 7B, then Part C must be completed to authorize NRCS to make an HELC/WC and/or certified wetland determination on the identified land. If "YES" is checked for Item 7C, NRCS does not have to conduct a certified wetland determination.		
8. Check one or both boxes, if applicable; otherwise, continue to Part C or D.		
A. ☐ Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the <u>first time</u> the producer in Part A, including any affiliated person, has been subject to HELC and WC provisions.		
B. ☐ Check this box if either of the following applies to the producer and crop year entered in Part A:		
• Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to allow compliance, but all other farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be completed).		
• Is a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant on that farm, but all other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request, must be completed).		

PART C – ADDITIONAL INFORMATION

9. If "YES" was checked in Item 6 or 7, provide the following information for the land to which the answer applies:

A. Farm and/or tract/field number: FARM 1609 TRACT 2431 fields 8, 9, + 11
If unknown, contact the Farm Service Agency at the nearest USDA Service Center.

B. Activity: NEED HEL DETERMINATION FOR NEW LAND BROUGHT INTO PRODUCTION

C. Current land use (specify crops): CORN

D. County: LINN

PART D – CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

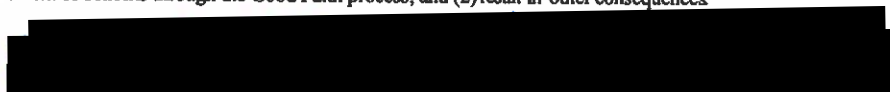
- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences.
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification:

I hereby certify that the information on this form is true and correct to the best of my knowledge.

10A. Pro e-Signed by Benjamin Gosse For, if applicable: On 07-07-23	10B. Title/Relationship (If Signing in Representative Capacity) [REDACTED]	10C. Date (MM-DD-YYYY) 07-07-23
FOR FSA USE ONLY (for referral to NRCS) Sign and date if NRCS determination is needed.	11A. Signature of FSA Representative <i>[Signature]</i>	11B. Date (MM-DD-YYYY) 07/17/2023

IMPORTANT: If you are unsure about the applicability of HELC and WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any drainage or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whether you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.



NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12, the Food Security Act of 1985 (Pub. L. 99-198), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to certify compliance with HELC and WC provisions and to determine producer eligibility to participate in and receive benefits under programs administered by USDA agencies. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under programs administered by USDA agencies.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.**

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

Producer Farm Data Report
Crop Year : 2023

Date: 7/17/23 4:02 PM CST
Page 1 of 1

Producer Name and Address

Recording County Office Name
LINN, IOWA

Number of Farms	Number of Tracts	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	Total Base Acres
1	1	16.33	13.80	13.80	0	13.80	8.00

State & County	ARC/PLC Elig	Farm	Tract	Relationship to Farm/Tract	Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	Total Base Acres	HEL Code	Wetland Code
LINN, IA	EG	1609	2431			16.33	13.80	13.80	0.00	13.80	8.00	06	NC

HEL Codes:

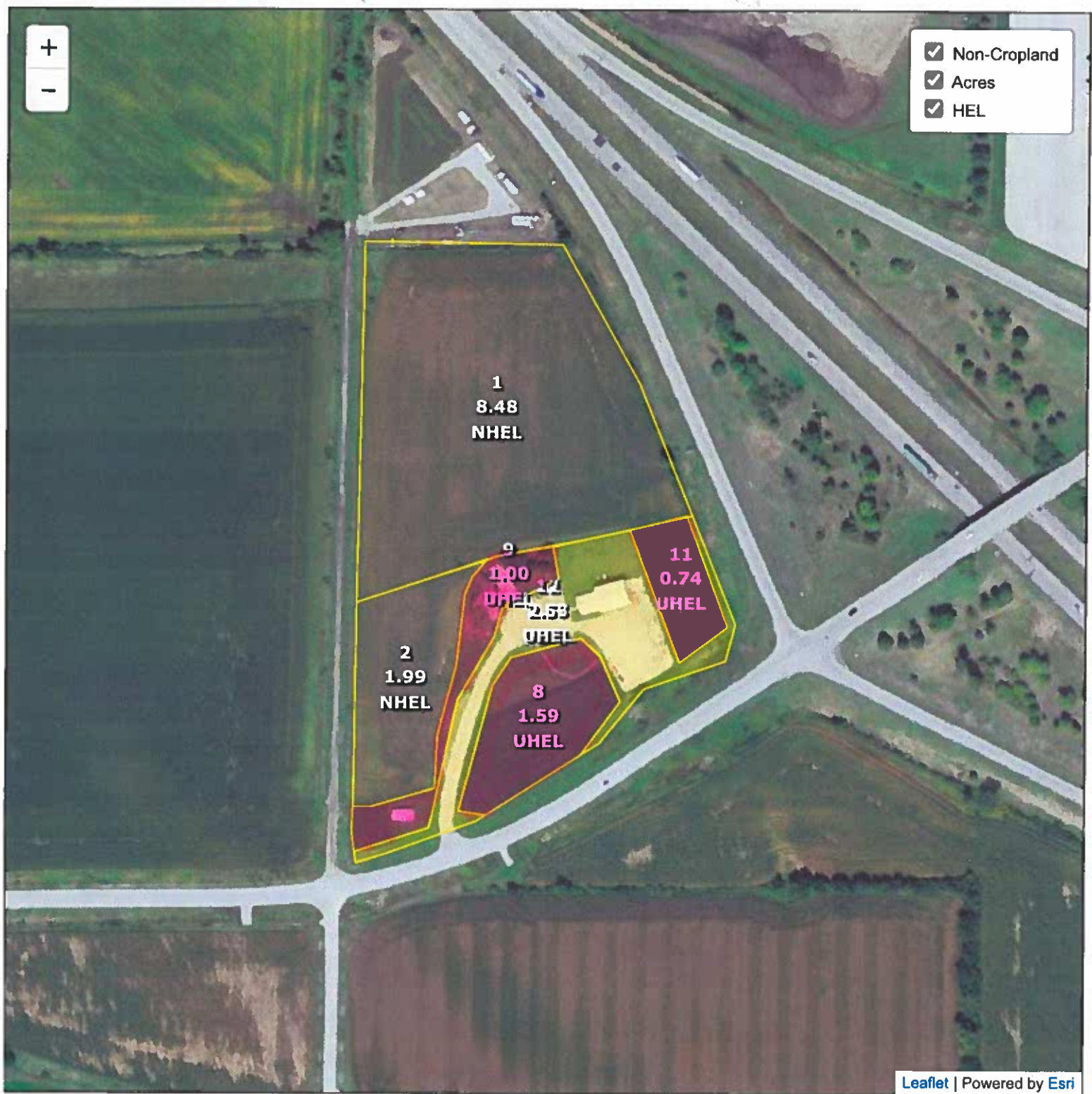
01 = HEL determinations not completed for all fields on the tract
02 = HEL field on tract. Conservation system being actively applied
03 = HEL field on tract. Conservation system is not required - no agricultural commodity
04 = HEL field on tract. 2 years to implement conservation system on former CRP land
05 = HEL field on tract. Conservation system not being actively applied
06 = NHEL: No agricultural commodity planted on undetermined fields

Wetland Codes:

NC = Wetland determinations not complete
TN = Tract does not contain a wetland
TY = Tract contains a wetland or farmed wetland

ARC/PLC Elig Codes:

CG = Ineligible - Complete G/I/F History
EG = Eligible
IG = Partial or Missing G/I/F History



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

3. NAME OF USDA AGENCY OR PRODUCER REQUESTING DETERMINATION

4. FARM NO. AND TRACT NO. (S)

5. COUNTY

SECTION I - HIGHLY ERODIBLE LAND

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

7. Are there highly erodible soil map units on this farm?

8. a. List highly erodible tract and fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.

b. Is an approved conservation plan being actively applied on all of these fields? If "no," list the tract and fields (from the ASCS records) on which a plan is not being applied.

9. a. List highly erodible tract and fields that, according to ASCS records, have been or will be converted for the production of agricultural commodities, were not used for this purpose in any crop year during 1981-1985, and were not enrolled in a USDA set-aside or diversion program.

b. Is an approved conservation system being used on these fields? If "no," list the tract and fields (from the ASCS records) on which a system is not being used.

10. Are there other fields or unnumbered areas that (1) have highly erodible map units, (2) were not used to produce an agricultural commodity in any crop year after 1980, and (3) were not enrolled in a USDA set-aside or diversion program in any crop year during 1981-1985?

11. CERTIFICATION: The (no.) conservation plan(s) was (were) approved by the

Conservation District on

19 and conform with technical requirements of the SCS field office technical guide. Conservation systems included in the conservation plan(s) applied (no.).

SECTION II - WETLAND

12. Are hydric soils on this farm? If "yes," list tract and fields (from the ASCS records) or unnumbered areas (un) in which they occur.

13. Do fields that were or will be used to produce an agricultural commodity contain wetland? If "yes," list tract and fields, outline the wetland areas within fields on the ASCS photograph(s), and mark with "w" for wetland; "aw" for artificial and irrigation induced wetland; "mw" for wetland on which the conversion would result in minimal effect.

14. Are there converted wetlands on this farm that have been converted since December 23, 1985? If "yes," list the tract and fields, outline converted wetlands on the ASCS photograph(s), and mark with "cw".

15. The wetland determination was done in the office ☐ field ☐.16. This determination was hand delivered ☐ mailed ☒ to the producer on 5-23-89 (DATE)

Any producer who does not agree with this determination may request reconsideration from the person making this determination. This request is a prerequisite for any further appeal. The request must be in writing and must set forth reasons for the request. The request must be mailed or delivered within 15 days after written notice of the determination is mailed to or otherwise made available to the producer.

17. REMARKS

No conservation plan required

18. SIGNATURE OF SCS DISTRICT CONSERVATIONIST

Dore Walter

DATE

5-17-89

Assistance and programs of the Soil Conservation Service are available without regard to race, religion, color, sex, age, handicap, or national origin.

Distribution: White--ASCS-FCIC

Goldenrod--SCS copy

Pink--Producer copy

Yellow--FmHA

[illegible]