



Natural Resources
Conservation Service

May 1, 2015

Cooperstown FO
PO Box 526
Cooperstown
ND 58425

Jerry Daub
3332 20th St S
Fargo ND 58104-6516

701-797-2240 ext.109

CERTIFIED MAIL

Dear Mr. Daub:

Attached you will find an updated final certified wetland determination map and NRCS-CPA-026 for 6674, Tract# 3041 and 3122, located at SE1/4 Sec. 29 T137N R56W. As a result of corrective action taken in accordance with the Restoration Agreement, all wetlands labeled CW+Year have been restored. The Natural Resources Conservation Service considers the certified wetland determination for SE1/4 Sec. 29 T137N R56W administratively final.

The 2014 Farm bill re-coupled 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.

Sincerely,

John Bauer
Designated Conservationist

Enclosures (Final Certified Wetland Determination Map's, Form CPA-026's)

cc: w/enclosure

Amanda Brandt District Conservationist, NRCS, Valley City, ND
David Shea, Barnes County FSA, Valley City, ND
Stuart Blotter ASTC (FO), NRCS, Jamestown, ND
Jennifer Heglund, ASTC, NRCS, Bismarck, ND

Final Certified Wetland Determination

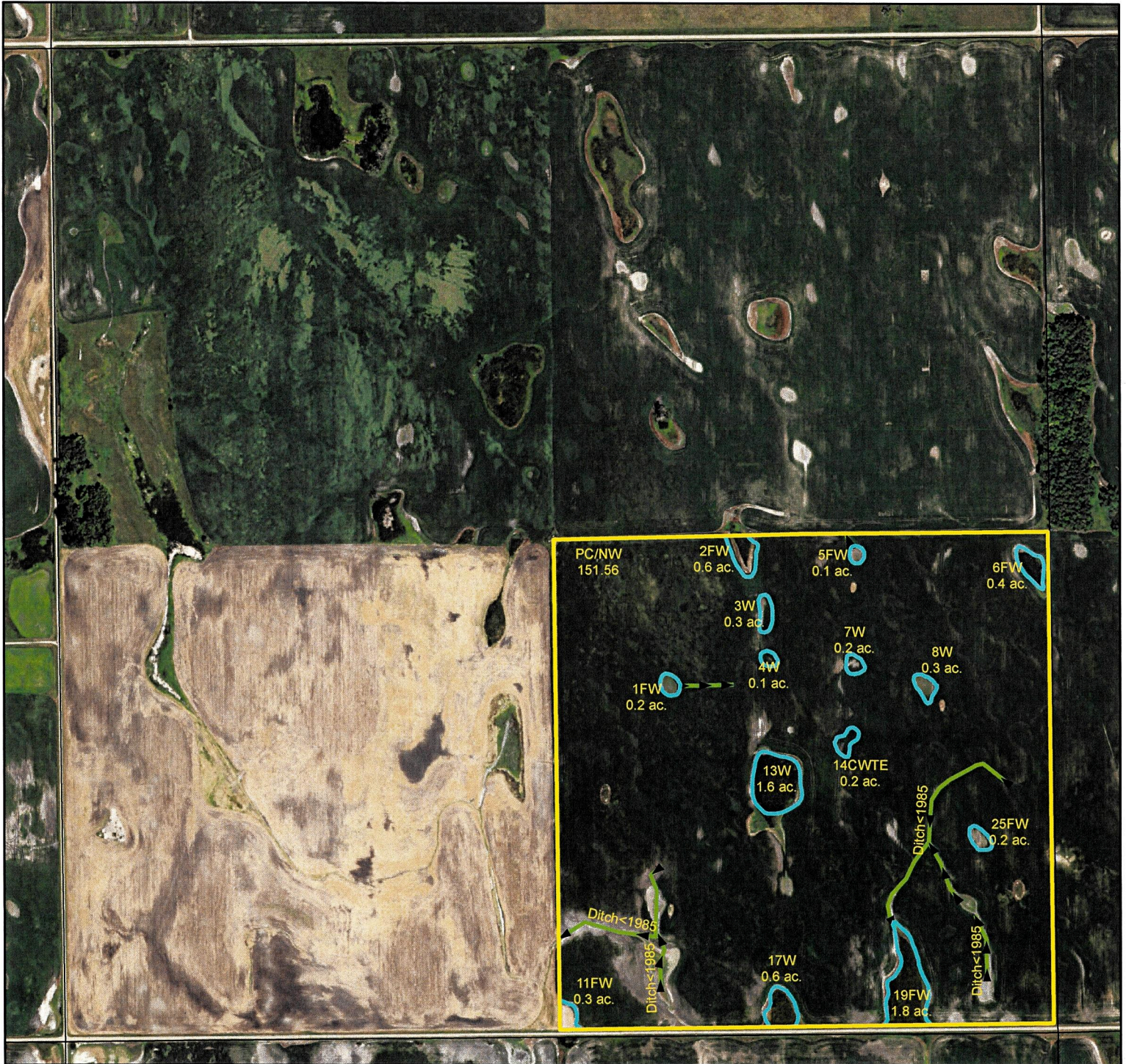
Field Office: Valley City

Agency: USDA-NRCS





Legal Desc: Sec. 29 T137N R56W

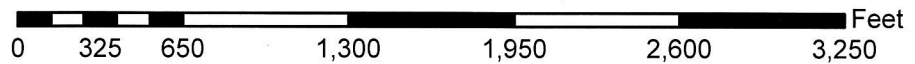
Tract: 3051 and 3122

Acres: 158.46



Legend

-  Sections
-  Area of Interest
-  Wetland
-  Ditch < 1985



See attached documents for additional information
 Year of Background Imagery: 2014





HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Table with 4 columns: Name/Address, Request Date, Tract No, Agency/Person, County, Farm No., Farm Service Agency.

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.

Table with 6 columns: Field(s), Wetland Label*, Occurrence Year (CW), Acres, Determination Date, Certification Date. Contains 3 rows of data.

The Preliminary Wetland Determination was completed in the FIELD It was Mailed to the person on 5/1/2015

Remarks:

This CPA-026 is issued as the result of a restoration agreement being fulfilled.

Legal description: SE Section 29, Township 137N, Range 56W

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

Signature: Designated Conservationist Date 4-30-2015

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of 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, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	Jerry Daub 20th St S ND 58104-6516	3332 Fargo,	Request Date:	6/11/2011	County:	Barnes
			Tract No:	3122	Farm No.:	6674
			Agency/Person Requesting Determination:			Farm Service Agency

Section II - Wetlands

Are there hydric soils on this farm?	YES
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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	W		0.5	4/27/2015	4/30/2015		
1	FW		2.5	4/27/2015	4/30/2015		
1	CWTE		0.2	4/27/2015	4/30/2015		
1	PC/NW		75.39	4/27/2015	4/30/2015		
The Preliminary Wetland Determination was completed in the			FIELD	It was	Mailed	to the person on	5/1/2015

Remarks:
This CPA-026 is issued as the result of a restoration agreement being fulfilled.

Legal description: SE Section 29, Township 137N, Range 56W

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*DEFINITIONS OF WETLAND LABELS

- AW** Artificial Wetland: 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** Commenced Conversion: 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** COE Permit with Mitigation: 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** Categorical Minimal Effect: 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
- CW** Converted Wetland: 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
- CW+year** Converted Wetland + (year the conversion occurred): 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** Converted Wetland Non-Agricultural Use: 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** Converted Wetland Technical Error: 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** Farmed Wetland: 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** Farmed Wetland Pasture or Hayland: 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** Mitigation Exemption: 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** Minimal Effect Exemption: 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** Mitigation Site: The site of wetland restoration, enhancement, or creation serving as mitigation for the mitigation exemption (MIW) site.
- NI** Not Inventoried: An area where no wetland determination has been conducted. Label not used for certified wetland determinations completed after 2/2008.
- NW** Non-Wetland: 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** Prior- Converted Cropland: 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** Prior Converted Cropland/Non-Wetland: An area that contains both PC and NW.
- TP** Third-Party Exemption: 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** Wetland: 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** Manipulated Wetlands: 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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