

USE OF NEW MEXICO STATE MAPPING CONVENTIONS (SMC)

Although the 1994 MOA <http://www.wetlands.com/fed/fr190194.htm> was dissolved in February of 2005, the concept of mapping conventions remain a valid concept as the phrase remains in the current HELC/WC rule [7 CFR Part 12, Section 12.6(c)(5)]:

(5) A determination of whether or not an area meets the highly erodible land criteria or whether wetland criteria, identified in accordance with the current Federal wetland delineation methodology in use at the time of the determination and that are consistent with current mapping conventions, may be made by the NRCS representative based upon existing records or other information and without the need for an on-site determination.

The concepts of state wetland mapping conventions are that they are used for:

- (1) making **off-site** determinations, and
- (2) can only be used for **agricultural lands** as defined in the 1994 MOA.

It is important that SMC not be confused with (1) off-site tools and off-site methods listed in section B of the 1987 COE Manual or (2) pre-planning tools and processes used to support an on-site determination. SMC are a set of requirements that must be met prior to making an off-site determination. Remote tools provided for in the NFSAM and 87 Manual are optional, and are most often used to supplement an on-site determination.

State Mapping Conventions are not required if a State Conservationist has decided that off-site methods fail to meet the regulatory requirement of a certified wetland determination [*“of sufficient quality to make a determination of ineligibility 7 CFR Part 12, Section 12.30 (c)”*] within their state.

**NEW MEXICO
WETLAND MAPPING CONVENTIONS
FOR THE 1985 FOOD SECURITY ACT (FSA),
THE FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990
(FACTA), AND SECTION 404 OF THE
CLEAN WATER ACT (CWA)**

I. INTRODUCTION

This document outlines the procedures and methods which will be used in the identification and delineation of wetlands implementing the 1985 Food Security Act. These procedures and methods are designed to ensure mapping consistency within the state of New Mexico. These conventions are compatible with the 3rd edition of the Soil Conservation Service National Food Security Act Manual (NFSAM) and the 1987 Corps of Engineers Wetland Delineation Manual (CEWDM). For agricultural lands, the signatory agencies will use the procedures for delineating wetlands as described in the NFSAM.

These procedures will be applicable for off-site wetland determinations as well as on-site wetland delineations.

II. GENERAL INFORMATION

- A. Wetlands located within agricultural lands will be delineated using the NFSAM. Wetlands located within non-agricultural lands including narrow bands and small pockets interspersed among agricultural lands will be delineated using the CEWDM.
- B. The principle tools used to make the wetland determination are: soil survey, United States Geological Survey (USGS) quads, weather data, National Wetlands Inventory (NWI) maps, soil surveys, stream gage data, Farm Service Agency (FSA) color slides, the Federal Emergency Management Agency (FEMA) flood hazard maps, and aerial photographs. Other data, such as other federal, state, local, or applicant maps may also be used.
- C. This process will consider both above normal and below normal precipitation years.
- D. Wetland areas large enough to be detected when interpreting aerial photography will be determined to be wetland regardless of size and will require an on-site delineation (example; wet spots).
- E. At any step in the process that the reviewing person or mapping team is satisfied that the area in question either is or is not a wetland, further evaluation is unnecessary. Decisions and the supporting material used will be documented for each step of these guidelines. Field checking should be done until the reviewing person or mapping team has become proficient at photo interpretation in each mapping location.
- F. Final Food Security Act (FSA) wetland determination decisions are the responsibility of the NRCS district conservationist. An on-site inspection may be needed before a final delineation is issued.

- G. Any activity that involves the discharge of dredged or fill material into waters or wetlands including excavation will be referred to the Corps of Engineers Regulatory Branch. Any activity that may affect water supply or water rights will be referred to the NM State Engineer. Any activity that may involve degradation of water quality will be referred to the Surface Water Bureau of the NM Environment Department.

III. PROCEDURES

Wetlands will be determined or delineated using the following procedures.

A. GET EXISTING DATA

1. **Review the Form AD-1026.** If the producer has answered affirmatively to questions 11, 12, or 13, the Conservationist will utilize on-site procedures to delineate wetlands in accordance with the NFSAM or the CEWDM. (See Appendix C1)
2. **Review the appropriate hydric soil list in the NRCS Field Office Technical Guide (FOTG) and official soil survey.** Determine if the site is a hydric soil map unit or a map unit with hydric inclusions or any wet miscellaneous areas or spot symbols such as marshes, depressional areas, river wash, or water areas that meet hydric water table, ponding, or flooding criteria. See Appendix A for hydric soil criteria taken from "The Hydric Soils of the United States."
3. **Review the FSA aerial photograph received with the 1026 form.** Where quality of the photocopy provided by FSA is poor refer to original photo.
4. **Review USGS quad sheets for drainage and other manmade water features (ponds, canals, drainage ditch, etc.)** Depending upon the vintage of quad sheets, altered vs. natural drainage conditions may be determined from present photography.
5. **Review NWI maps where available.** NWI maps will give an overview of the wetlands in the area. All wetlands on the NWI map will be considered wetlands for these conventions unless review of the FSA slides or local information fails to confirm the area as meeting wetland criteria. This could happen for the following reasons:
 - a. Review of the FSA slides does not show basins as having water, hydrophytic vegetation, drowned out crops, or different crop colors during abnormally dry years.
 - b. The wetland has been drained since the NWI maps were prepared. Look for manipulation such as ditches, new tile lines, dikes, or levees.

- c. The NWI maps are prepared primarily by stereoscopic analysis of high altitude aerial photographs. Wetlands are identified on the photographs based on vegetation, visible hydrology, and geography, in accordance with "Classification of Wetlands and Deep Water habitats of the United States" (Cowardin et al., 1979). The aerial photographs typically reflect conditions during the specific year and season in which they were taken. In addition, there is a margin of error inherent in the use of the aerial photographs. Thus, a detailed on-the-ground and historical analysis of a site may result in a revision of the wetland boundaries established through photo interpretation.

Note: Many farmed wetlands are excluded on NWI maps because of an agreement between Fish and Wildlife Service and NRCS to map only the following types of farmed wetlands: pothole wetland, playa wetland, cranberry wetland, and farm tidelands of the San Juaquin delta.

6. **Review other available FSA or NRCS photographs;** such as, 4" = 1 mile black and white or color infrared photographs.
7. **Obtain FSA color slides (and/or color infrared), if available.** In most cases 5 years of slide records will be available in most counties. Use hydrological and/or climatological data to determine those years which were above or below normal precipitation 2 to 3 months prior to the date of the slide.

Review the climatological data to identify long term hydrological conditions, using the following procedure:

- a. Obtain the month and year of aerial photography or FSA slides. A minimum of 5 years of precipitation and aerial photos or slides should be used.
 - b. Obtain growing season precipitation data, preferably before each flight. The precipitation data can be obtained from the Climatic Data Access Facility (CDAF) or National Climatological Data Center. Check with the CDAF liaison (water supply specialist) in the NRCS State Office when obtaining the precipitation data.
 - c. If the wetland signature occurred in only wet years, more detailed hydrologic analysis is needed. If the signature occurs in both wet and dry years, the hydrology of the site has been confirmed. If possible, select an equal number of wet and dry years.
 - d. Field observations may be necessary if photo signatures and office information are inconclusive or contradictory. Field observations will be completed in accordance with the NFSAM or CEWDM (as appropriate).
8. When reviewing aerial photography (including FSA slides), the following criteria may be considered indicators of a wetland:

- a. Soil tone differences.
- b. Drowned out crop (mud flat).
- c. Stressed crop due to wetness (yellow).
- d. Color of crop in dry or wet years (greener or yellowed).
- e. Differences in color of vegetation.
- f. Ponded water

B. REVIEW EXISTING DATA. Complete the following procedures and record the results on the Wetland Identification Record (See Appendix C3) to facilitate and document the Wetland identification.

- 1. Identify the site on the official copy of the field office soil survey and determine if the soil map indicates a hydric soil, inclusions, or wet spot symbols. Review Section II of the FOTG to find the "Potential Hydric Soils List".
- 2. Identify the site on the NWI map and determine if the map indicates a wetland.
- 3. Identify the site on a USGS 7.5' Quadrangle and record any water or wetland features that occur on the site.
- 4. Identify the site on available aerial photographs including FSA slides and other available aerial photography. Review five or more years of record. Record the years wet signatures appeared on Appendix C3.
- 5. Also check the above aerial photography for recent hydrologic manipulation of the wetlands. Document manipulations (if observed) in the column for the appropriate year.
- 6. Obtain any other available information on the wetland character of the site and record the results and the source of the information in the "Other Criteria" column.

C. MAKE A WETLAND IDENTIFICATION DECISION

- 1. If the available data supports a wetland call, the appropriate FSA wetlands determination will be documented on the official NRCS map (photo) and CPA-026. Pertinent supporting data will be added to the case file. Mark the wetland boundary on the aerial photograph ensuring that the entire wetland is included within the boundary. Also, label the site with the appropriate FSA wetland map symbol.
- 2. If the available data is inconclusive, or the wetland identification has been appealed, the NRCS will complete a field wetland delineation using the NFSAM or the CEWDM as appropriate.

3. Each photograph used to identify wetland boundaries will be annotated with a note to the effect that "The wetland boundaries depicted on this photograph were identified from aerial photography and not field checked". Therefore, the boundary does not represent an on-site wetland determination or a wetland delineation. Cases involving manipulation of the wetlands depicted will require an on-site delineation."
4. Wetlands that may be exempt under the provisions of FACTA may not be exempt under CWA Section 404. The following table provides guidance for determinations where CWA Section 404 restrictions may apply. In addition this table provides guidance on action to be taken when wetlands exempt under FACTA are delineated.

IF...	THEN...
<p>The NRCS determination made or proposed to be made is:</p> <ul style="list-style-type: none"> . wetland (W) . wetland (WX) that has been manipulated . artificial wetland (AW) . converted wetland non-agricultural use (CWNA) . mitigation (MIW) . farmed wetland (FW) . farmed wetland pasture (FWP) . minimal effect (MW) . restoration (RSW, RVW) . replacement (RPW) . converted wetland technical error (CWTE) 	<p>Notify the person in writing or document verbal notification that a Clean Water Act Section 404 permit may be required for any proposed action that would involve the discharge of dredged or fill material or excavation and would not be exempted from the Section 404 permit requirement. Provide the person a copy of COE/EPA information brochure explaining Section 404 permit requirements, general permits, and exemptions, which allow the continuation of normal farming, ranching, and silvicultural practices.</p>

IV. LIST OF APPENDIXES

- A. DEFINITIONS/ACRONYMS
- B. FSA WETLANDS MAP SYMBOLS
- C. FORMS
 1. Wetland Identification Record
 2. AD - 1026 "Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification"
 3. NRCS-CPA-026 "Highly Erodible Land and Wetland Conservation Determination"
- D. WETLAND DETERMINATIONS PROCEDURES - FLOW CHARTS 1 & 2
- E. WETLAND INFORMATION RESOURCES

V. CHANGES IN PROCEDURES

Any changes in procedures, as concurred upon in this document, will be agreed upon by all four signatory federal agencies at the state level. The NRCS will consult and coordinate with all four signatory agencies to make any changes in procedures as they are proposed. Such changes in procedures will take effect upon concurrence of the modified document by all signatory agencies at the state level. After each EPA oversight team periodic review, of these mapping conventions will be re-evaluated and modified as necessary.

Any changes in mapping conventions will be made in accordance to procedures as outlined in the Memorandum of Agreement, Section V-A, concerning the wetland delineation for purposes of Section 404 of the Clean Water Act and subtitle B of the Food Security Act.

These state mapping conventions, as concurred upon, will take effect on the date of the last signature below and will continue in effect until modified or terminated by agreement of all signatory agencies or terminated by any of the signatory agencies alone upon 30 days written notice.

VI. CONCURRENCE

The following signatory agencies concur in the mapping conventions as outlined this document, "New Mexico Wetland Mapping Conventions for The 1985 Food Security Act (FSA), The Food, Agriculture, Conservation, and Trade Act of 1990 (FACTA), and Section 404 of The Clean Water Act (CWA)".

THOMAS A. WEBER, State Conservationist
USDA, Soil Conservation Service

Date

JENNIFER FOWLER-PROPST, State Supervisor
DOI, United States Fish and Wildlife Service

Date

RUSSELL F. RHOADES, Director
EPA, Environmental Service Division

Date

LTC GARY R. BURROUGHS, District Engineer
Albuquerque District
United States Army Corps of Engineers

Date

APPENDIX A - DEFINITIONS/ACRONYMS

Agricultural Lands: Those lands intensively used and managed for the production of food or fiber to the extent that the natural vegetation has been removed and cannot be used to determine whether the area meets applicable hydrophytic vegetation criteria in making a wetland delineation.

CEWDM - Corps of Engineers Wetland Delineation Manual (1987) or approved revision

CDAF - Climatic Data Access Facility

COE - United States Army Corps of Engineers

Coordination - The NRCS will contact the Corps, or EPA as appropriate, and provide an opportunity for review, comment, and approval of the findings of the NRCS prior to issuing a final delineation. The Corps, or EPA as appropriate, will review the proposed delineation and respond to NRCS regarding its acceptability for CWA Section 404 purposes within 30 days of receipt of all necessary information. NRCS will not issue a final delineation until agreement is reached between NRCS and the Corps or EPA, as appropriate. (Para VI A. of USDA/EPA/DOI/Army MOA)

Consultation - The NRCS, consistent with current provisions of the FSA, will provide USF&WS opportunity for full participation in the action being taken and for timely review and comment on the findings of NRCS prior to a final wetland determination and/or delineation pursuant to the requirements of the FSA. (Para VI B. of USDA/EPA/DOI/Army MOA)

CWA - Clean Water Act

EPA - United States Environmental Protection Agency

FACTA - Food, Agriculture, Conservation and Trade Act of 1995

FEMA - Federal Emergency Management Agency

FHA - Federal Housing Administration

FOTG - Field Office Technical Guide (NRCS)

FSA - Farm Service Agency

FSA - Food Security Act

Growing Season - That part of the year when soil temperatures at 19.7 inches below the soil surface are higher than biologic zero (5 degrees C). As this quantitative determination requires in-ground instrumentation, growing season may be estimated by approximating the number of frost free days. Using air temperature data from county soil surveys, the growing season can be approximated as the period of time between the average last date of 28°F air temperature in spring to the average first date of 28°F air temperature in autumn.

Hydric Soil - A hydric soil is a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. (Hydric Soils of the United States, 1991)

Hydrophytic vegetation - Sum total of macrophytic plant life that occurs in areas where the frequency and duration of inundation or soil saturation produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present. (CEWDM paragraph 29)

Long Duration - Seven days to one month consecutively (from Soil Taxonomy, AH - 436).

MOA - Memorandum of Agreement among the Department of Agriculture, the Environmental Protection Agency, the Department of the Interior, and the Department of the Army Concerning the Delineation of Wetlands for Purposes of Section 404 of the Clean Water Act and Subtitle B of the Food Security Act, dated January 6, 1994.

NFSAM - NRCS National Food Security Act Manual, 3rd edition.

NRCS – Natural Resources Conservation Service

NWI - National Wetlands Inventory (USF&WS)

USF&WS - United States Fish and Wildlife Service

USGS - United States Geological Survey

Very Long Duration - Thirty consecutive days or longer (From Soil Taxonomy, AH - 436)

Wetland determination - The off-site determination of a wetland using approved wetland mapping conventions and procedures outlined in the NFSAM and the CEWDM.

Wetland delineation - The on-site delineation of a wetland using approved wetland mapping conventions and procedures outlined in the NFSAM and the CEWDM.

Wetland Hydrology - All hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface at some time during the growing season. Areas with evident characteristics of wetland hydrology are those where the presence of water has an overriding influence on characteristics of vegetation and soils due to anaerobic and reducing conditions, respectively. (CEWDM paragraph 46)

APPENDIX B - FSA WETLAND MAP SYMBOLS

AW - (Artificial and Irrigation-Induced Wetlands)

Land that was formerly non-wetland in its natural state or was prior converted cropland that now exhibits wetland characteristics because of human activities. These areas are exempt from the FSA wetland provisions.

- enhanced flooding of areas meeting wetland criteria does not make the area AW.

NOTE: It may be possible to determine what year (after November 28, 1990) the conversion occurred. If so, mark it CW + yr.

CW - (Converted Wetland)

Converted wetland is land that meets all of the following criteria:

- was wetland,
- was neither highly erodible land, nor highly erodible cropland,
- after December 23, 1985, has been drained, dredged, filled, leveled, or otherwise manipulated, including any activity that results in impairing or reducing the flow, circulation, or reach of water, and
- the production or increased production of an agricultural commodity was made possible such as:
 - making an area farmable in more years than it previously was,
 - increasing yield because of reduced crop stress due to wetness.

CWNA - (Converted Wetland Non-agricultural Use)

Converted Wetland Non-agricultural Use are wetlands that are converted for trees, shrubs, cranberries, vineyards, fish production, roads, buildings, and other non-agricultural uses that have been approved by prior to conversion.

CWTE - (Converted Wetland Technical Error)

Converted Wetland Technical Error are wetlands that were converted by the person as result of incorrect information provided to the person by the NRCS.

FW - (Farmed Wetland)

Farmed wetlands are wetlands that were drained, dredged, filled, leveled, or otherwise manipulated before December 23, 1985, for the purpose of, or to have the effect of, making the production of an agricultural commodity possible, and continue to meet specific hydrologic criteria. This applies if:

- such production was not possible before the manipulation; and
- an agricultural commodity has been produced at least once prior to December 23, 1985; and
- the area has not been abandoned to agricultural commodity production.
- if the area is a playa, pothole, or a pocosin, and is inundated for at least 7 days or saturated for at least 14 days during the growing season
- If the area is not a playa, pothole, or a pocosin, is seasonally ponded or flooded for at least 15 days during the growing season, or 10% of the growing season, whichever is less under normal conditions.

FWP - (Farmed Wetland Pasture)

Farmed wetland pasture or hayland (FWP) are wetlands that:

- were manipulated and used for pasture or hayland prior to December 23, 1985, still meet wetland criteria, and are not abandoned, or
- where FW that have not been cropped for 5 successive years, but were used for forage production during that time, and have not been abandoned, or
- were PC that meet wetland criteria, have not been cropped for 5 successive years, but were used for forage production during that time and have not been abandoned.

An area meets hydrology criteria for FWP if it is inundated for 7 consecutive days during the growing season or saturated for 14 days during the growing season.

MIW - (Mitigation Wetland)

Mitigation Wetland are frequently cropped wetlands or wetlands converted between December 23, 1985, and November 28, 1990, for which the person has signed an agreement with NRCS/USF&WS to mitigate the values lost or to be lost by the conversion.

MW - (Minimal Effect)

Minimal Effect is an exemption that can be granted by NRCS in agreement with USF&WS for converted wetland or proposed conversions that will have minimal effects on the hydrological and biological functions of a wetland.

PC - (Prior Converted Cropland)

Prior converted croplands are wetlands that were drained, dredged, filled, leveled, or otherwise manipulated, including the removal of woody vegetation, before December 23, 1985, for the purpose of, or to have the effect of, making the production of an agricultural commodity possible, and an agricultural commodity was planted or produced at least once prior to December 23, 1985.

Converted wetland shall be labeled as PC if all of the following conditions apply:

- manipulation of the wetland:
 - occurred before December 23, 1985
 - was for the purpose, or had the effect of making the production of an agricultural commodity possible
- an agricultural commodity was produced before December 23, 1985
- area has not been abandoned
- area does not meet farmed wetland criteria

RPW - (Replacement of Wetland Values) A not-frequently cropped wetland area converted to improved efficiency. A PC must be restored to replace it.

RSW - (Restoration of Converted Wetland without Violation) A wetland area converted between 12/23/85 and 11/28/90, on which a violation occurred that has been restored to pre-conversion conditions.

RVW - (Restoration of Converted Wetland with Violation) Wetland Converted after November 28, 1990, or between December 23, 1985 and November 23, 1990, on which agricultural commodity was planted, that have been fully restored.

W - (FSA - Wetlands) - Areas that meet wetland criteria under natural conditions and have typically not been manipulated by altering hydrology and/or removing woody vegetation. Wetland include areas that have been abandoned.

Wetlands are defined as lands that:

- have a predominance of hydric soil; and
- are inundated or saturated by surface water 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 do support a prevalence of hydrophytic vegetation.

Definition of normal circumstances: Normal circumstances refers to the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been removed.

WX - (Wetlands That Have Been Manipulated)

WX areas are wetlands that have been manipulated after December 23, 1985, but the manipulation did not make production of agricultural commodities possible.

These areas, by definition, are not croppable. If a commodity was or is produced, make a new determination on the area.

Examples of WX would include:

An open ditch constructed through a forested wetland removed the hydrology, but the trees were not removed and the area is not capable of agricultural commodity production.

Trees cut with stumps left in place, no manipulation of hydrology and the area is not capable of agricultural commodity forage crop production.

Piles of trees, stumps, and soil covered areas which is not croppable without added land clearing activities.

APPENDIX C - FORMS

C1 Form AD-1026: Department of Agriculture Form - "Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification"

C2 Form SCS-CPA-026: Soil Conservation Service Form - "Highly Erodible Land and Wetland Conservation Determination"

C3 Form NM-CPA-: Soil Conservation Service (Draft New Mexico Form) - "Wetland Identification Record"

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	2. I.D. Number (Last 4 digits only)	3. Crop Year
4. Do you have any interest in land that produces or could produce an agricultural commodity? <i>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.</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. <i>For farm loan applicants only:</i> 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. Are you a landlord or tenant on any farm that will not be in compliance with HELC and WC provisions? <i>If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____</i> <i>(Contact your county FSA office if you are unsure of the HEL or wetland determinations applicable to your farming interests.)</i>	<input type="checkbox"/>	<input type="checkbox"/>
7. Do any of your landlords refuse to comply with HELC requirements on any farms? <i>If "YES", enter the farm number or contact your County FSA Office before completing this form. Farm Number: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>
8. List affiliated persons with farming interests. <i>See Page 3 for an explanation. Enter "NONE", if applicable.</i>		
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?	<input type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>
A. Create new drainage systems, or conduct land leveling, filling, dredging, land clearing, excavation, or stump removal, that has NOT been evaluated by NRCS? <i>If "YES", indicate year(s): _____</i>	<input type="checkbox"/>	<input type="checkbox"/>
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? <i>If "YES", indicate year(s): _____</i>	<input type="checkbox"/>	<input type="checkbox"/>
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? <i>If "YES", indicate the year(s): _____</i> <small><i>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.</i></small>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____		
B. Activity: _____		
C. Current land use (specify crops): _____		
D. County: _____		

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.		
<ul style="list-style-type: none"> • 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	<p style="margin: 0;"><i>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.</i></p>	
_____	_____	
Producer's Signature	Date (MM-DD-YYYY)	
13. Referral to NRCS (Completed by FSA) <i>Sign and date if a NRCS determination is needed for any reason including a "YES" answer in Items 5, 9, 10A, 10B, or 10C.</i>	13A. Signature of FSA Representative	13B. Date (MM-DD-YYYY)
_____	_____	_____

ORIGINAL - FSA COPY

NRCS COPY

PRODUCER'S COPY

U.S.D.A. Natural Resources Conservation Service HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION	NRCS-CPA-026 (June 91)	1. Name and Address of Person		2. Date of Request
				3. County

4. Name of USDA Agency or Person Requesting Determination	5. Farm No. and Tract No.
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SECTION I - HIGHLY ERODIBLE LAND

	FIELD NO.(s)	TOTAL ACRES
6. Is soil survey now available for making a highly erodible land determination? Yes <input type="checkbox"/> No <input type="checkbox"/>		
7. Are there highly erodible soil map units on this farm? Yes <input type="checkbox"/> No <input type="checkbox"/>		
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981 - 1985.		
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, 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.		
10. This Highly Erodible Land determination was completed in the: Office <input type="checkbox"/> Field <input type="checkbox"/>		

SECTION II - WETLAND

	FIELD NO.(s)	TOTAL ACRES
11. Are there hydric soils on this farm? Yes <input type="checkbox"/> No <input type="checkbox"/>		
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW) or Farmed Wetlands Pasture (FWP). Wetlands may be farmed under natural conditions. Farmed Wetlands and Farmed Wetlands Pasture may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.		
13. Prior Converted Cropland (PC). Wetlands that were converted prior to December 23, 1985. The use, management, drainage, and alteration of prior converted cropland (PC) are not subject to wetland conservation provisions unless that area reverts to wetland as a result of abandonment.		
14. Artificial Wetlands (AW). Artificial wetlands includes irrigation-induced wetlands. These wetlands are not subject to the wetland conservation provisions.		
15. Minimal Effect Wetlands (MW). These wetlands are to be farmed according to the minimal-effect agreement signed at the time the minimal-effect determination was made.		
16. Mitigation Wetlands (MIW). Wetlands on which a person is actively mitigating a frequently cropped area or a wetland converted between December 23, 1985 and November 28, 1990.		
17. Restoration with Violation (RVW+year). A restored wetland that was in violation as a result of conversion after November 28, 1990, or the planting of an agricultural commodity or forage crop.		
18. Restoration without Violation (RSW). A restored wetland converted between December 23, 1985 and November 28, 1990, on which an agricultural commodity has not been planted.		
19. Replacement Wetlands (RPW). Wetlands which are converted for purposes other than to increase production, where the wetland values are being replaced at a second site.		
20. Good Faith Wetlands (GFW+year). Wetlands on which ASCS has determined a violation to be in good faith and the wetland has been restored.		
21. Converted Wetlands (CW). Wetland converted after December 23, 1985 and prior to November 28, 1990. In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits.		
22. Converted Wetland (CW+year). Wetlands converted after November 28, 1990. You will be ineligible for USDA program benefits until this wetland is restored.		
23. Converted Wetland Non-Agricultural use (CWNA). Wetlands that are converted for trees, fish production, shrubs, cranberries, vineyards or building and road construction.		
24. Converted Wetland -Technical Error (CWTE). Wetlands that were converted as a result of incorrect determination by NRCS.		
25. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.		
26. The planned alteration measures on wetlands in fields _____ are not considered maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 22 for information on CW+year.		
27. The wetland determination was completed in the office <input type="checkbox"/> field <input type="checkbox"/> and was delivered <input type="checkbox"/> mailed <input type="checkbox"/> to the person on _____.		
28. Remarks.		

29. I certify that the above determination is correct and adequate for use in determining eligibility for USDA program benefits, and that wetland hydrology, hydric soils, and hydrophytic vegetation under normal circumstances exists on all areas outlined as Wetlands, Farmed Wetlands, and Farmed Wetlands Pasture.	30. Signature of NRCS District Conservationist	31. Date
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WETLAND IDENTIFICATION RECORD

Township _____ Range _____ Section _____

Client Name: _____ Date: _____

Field Office: _____ Tract: _____

Field Number						
Wetland Number						
Hydric Soils ^{1/}						
NWI Map ^{1/}						
USGS Quads ^{1/}						
B&W Photos ^{1/}						
Infrared Photos ^{1/}						
5 Years ASCS Slides ^{1/}						
Climatological Data ^{1/}						
Manipulation						
On-site Visit						
Hydric Vegetation						
Hydrology						
Other						
ASCS COLOR SLIDES						
Year						
Fall: Wet or Dry						
Summer: Wet or Dry						
Year						
Fall: Wet or Dry						
Summer: Wet or Dry						
Year						
Fall: Wet or Dry						
Summer: Wet or Dry						
Year						
Fall: Wet or Dry						
Summer: Wet or Dry						
Year						
Fall: Wet or Dry						
Summer: Wet or Dry						
Preliminary FSA Determination						

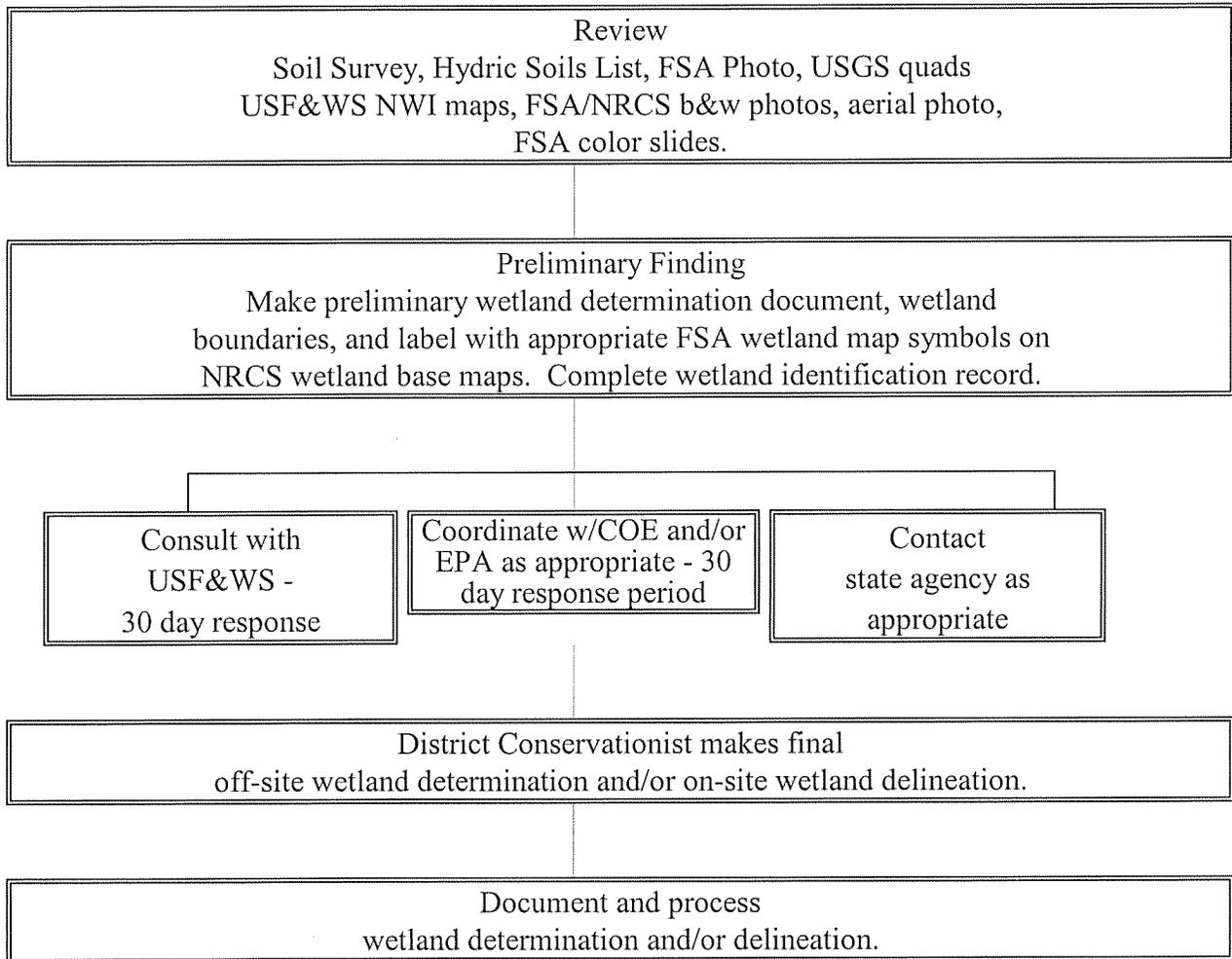
^{1/} MAPPING CONVENTION: + SUPPORTS WETLAND CRITERIA - DOES NOT SUPPORT WETLAND CRITERIA

Date Sent to USF&WS: _____ Date Returned by USF&WS: _____
(Note: Record must be returned to field office within thirty days)

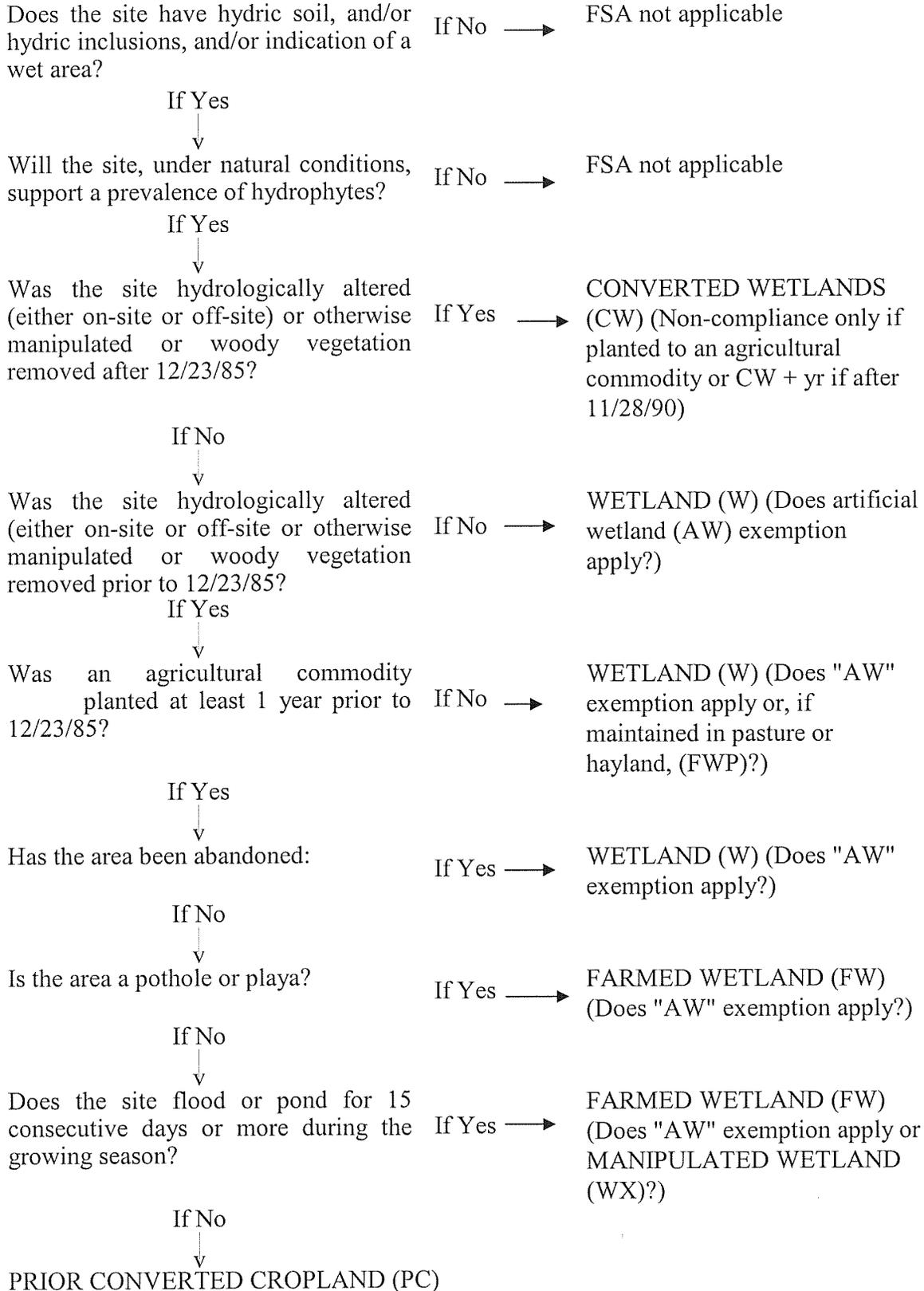
USF&WS Cocurrence: _____ Date: _____

District Conservationist: _____ Date: _____

**APPENDIX D - LOCAL WETLAND DETERMINATION PROCEDURES
AID #1 FLOW CHART**



APPENDIX D - FSA WETLAND DETERMINATION PROCEDURES (cont'd)
AID #2 FLOW CHART



APPENDIX E - WETLAND INFORMATION RESOURCES

INFORMATION NEEDED

POSSIBLE SOURCES

Hydric Soil	<ol style="list-style-type: none">1) County list2) Soil survey - map unit descriptions, wet symbols, streams, springs, etc.3) USGS quads4) Climatological data*5) Landowner interview*6) Site investigation*7) Take a soil scientist on-site8) Flooding maps or inventories
Prevalence of hydrophytes	<ol style="list-style-type: none">1) NWI2) FSA color slides3) NRCS black and white or color photos4) Soil survey vegetative info. map unit description tables*5) Site investigation - including similar non-cropped areas
Altered or manipulated?	<ol style="list-style-type: none">1) NWI2) FSA color slides - pre- and post-1985, if possible3) NRCS photos4) USGS quads*5) Case file*6) Site investigation including landowner interview*7) Other employee interview*8) Landowner interview
Planted prior 12/23/85	<ol style="list-style-type: none">1) FSA records and slides prior to 12/23/85*2) Case file3) Photo interpret4) Employee knowledge5) Landowner interview
Planted after 11/28/90	<ol style="list-style-type: none">1) FSA records and slides prior to 12/23/85*2) Case file3) Photo interpret4) Employee knowledge5) Landowner interview6) FSA records and slides from 11/28/90

* Sources which team mappers may not have available and may require field office assistance.

- | | |
|------------------------------|--|
| Abandoned? | <ul style="list-style-type: none"> *1) FSA records and slides for the past 5 years 2) NRCS photos *3) Case file *4) Owner interview *5) On-site inspection 6) USGS quads |
| Pothole or Playa? | <ul style="list-style-type: none"> 1) NWI maps 2) Soil survey maps and map unit description 3) USGS quads 4) FSA slides 5) NRCS photos *6) Site investigation *7) Field office knowledge |
| Flooding or Ponding Duration | <ul style="list-style-type: none"> *1) Soils 5 (FOTG, Section 2) *2) NWI *3) Field inspection *4) Landowner interview *5) Case file *6) Flood hazard study *7) Watershed investigations 8) Climatological data *9) Flooded crops, stressed crops long term use as forage rather than cropland, always plant spring crops? |

* Sources which team mappers may not have available and may require field office assistance.