



Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013

NATIONAL FOOD SECURITY ACT MANUAL (NFSAM)
180-V-NFSAM
Circular No. 2, (Part 514)

April 10, 2007

SUBJECT: CPA – National Food Security Act Manual

Purpose. To refine and update the current procedure for completing certified wetland determinations in Section 514.11(d).

Effective Date. This Circular is effective upon receipt.

Explanation of Changes. These changes are made based on the following:

1. The Food Security Act of 1985, as amended, (16 U.S.C. §3822 Sec. 1222(a)(1)) states, “The Secretary shall delineate, determine, and certify all wetlands located on subject land on a farm.”
2. Since July 13, 1996, certified wetland determinations have been completed on an entire-tract basis. When a participant requested a certified determination label only for an individual field or fields, the remainder of the tract was labeled “NI” (non-inventoried).
3. This policy change is necessary because the “NI” label is confusing to producers who also may have received a non-certified determination prior to July 13, 1996.

Action. Policy is amended through this circular as follows:

1. Certified wetland determinations will be made on a field (not tract) basis and only under the following circumstances:
 - In Response to Forms AD-1026 or CPA-038 completed by a USDA Participant for the Field(s) Identified.
 - Upon Receipt of a Whistleblower Complaint. When a “whistleblower” complaint is received, an effort should be made to identify the exact location of the alleged violation. A certified determination will be made only on that field.
2. When it is necessary to make a certified wetland determination on a field for which the tract has been previously inventoried, all fields other than those receiving the determination will retain their original, pre-July 13, 1996, determination labels and will NOT be labeled as “NI” (not-inventoried).
3. Annual status reviews for wetlands conservation compliance will be conducted by tract according to the established procedure.

The National Food Security Act Manual will be amended to include the information from this Circular.

Contact. If further information is needed, please contact the National Wetlands Conservation Compliance Specialist, Conservation Technical Assistance Branch, Conservation Planning and Technical Assistance Division, at (202) 690-2825.

/s/

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