



February 1, 2017

Ennis Farms *Inc*
Waibel Farmland Services
PO Box 1188
Mahomet, IL. 61853

RE: Certified Wetland Determination

Dear Ennis Farms:

You requested that the Natural Resources Conservation Service (NRCS) complete a Certified Wetland Determination for your farm. This letter notifies you of the certified wetland determination, and describes federal wetlands conservation compliance requirements.

CERTIFIED WETLAND DETERMINATION FINDINGS

NRCS conducted the wetland determination investigation for **Tract #3960 in Iroquois County, IL**. Based on the investigation, the fields shown in Section II of the attached "NRCS-CPA-026e Highly Erodible Land and Wetland Conservation Determination" are considered Prior-Converted Cropland (PC), Non-Wetland (NW), Artificial Wetland (AW), and/or Minimal Effect Exemption Wetland (MW) with the labels as indicated. As such, the areas indicated on the attached form and map are exempt from wetland compliance provisions of the Food Security Act of 1985, as amended, and provisions in USDA regulations found in the Code of Federal Register (7 CFR Part 12).

CONSERVATION COMPLIANCE

USDA 7 CFR Part 12 §12.33 specify how wetlands and converted wetlands can be used in order to protect wetlands for the multiple benefits they provide. Prior Converted Cropland (PC), Non-Wetlands (NW), Artificial Wetlands (AW), and Minimal Effect Exemption Wetland (MW) have no restrictions for modifying or reducing the wetness characteristics according to the Food Security Act of 1985, as amended, or 2014 Farm Bill, so long as no adjacent wetlands (i.e., those labeled FW, FWP or W) are impacted by these activities.

WHAT HAPPENS NEXT

This certified wetland determination is not adverse by definition in 7 CFR 614.2 and is not appealable because producer eligibility for program benefits is not in question. Likewise, this determination does not constitute an adverse decision under the National Appeals Division rules of procedure 7 CFR 11.3a.

This certified wetland determination has been made for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985, as amended. **This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction or for any state, county, or local ordinances.** If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

Natural Resources Conservation Service

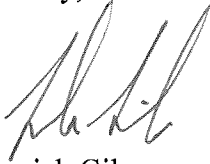
6021 Development Drive, Suite 3, Charleston, Illinois 61920
Office: (217) 345.3901 Fax2Mail: (855) 486.1388

USDA is an Equal Opportunity Provider, Employer, and Lender.

You may also need to contact state, county, or local offices, which regulate storm water management and wetlands.

If you have questions about this determination or would like to discuss your options in greater detail, please feel free to contact me at (618) 283-2311 x112, at the address or fax number at the foot of the letter, or by e-mail at jeremiah.gibson@il.usda.gov .

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Gibson', written in a cursive style.

Jeremiah Gibson
Designated Conservationist

Attachments: "NRCS-CPA-026e Highly Erodible Land and Wetland Conservation Determination" form and map



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Form with fields: Name (Ennis Farms/Waibel Farmland Services), Address (PO Box 1188, Mukwonago, IL, 61853), Request Date (3-28-16), County (Iroquois), Agency or Person (Producer), Tract No (3960), FSA Farm No. (4908)

Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination? Are there highly erodible soil map units on this farm?

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.

Table with columns: Field(s), HEL(Y/N), Sodbust (Y/N), Acres, Determination Date

The Highly Erodible Land determination was completed in the

Section II - Wetlands

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 columns: Field(s), Wetland Label*, Occurrence Year (CW), Acres, Determination Date, Certification Date

The wetland determination was completed in the Office It was Mailed to the person on

Remarks:

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: JEREMIAH GIBSON, Date

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.

*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

Date: 1/31/17

Field Office: Watseka SERVICE CENTER

Agency: Natural Resources Conservation Service

T-3960 F-4908

T 24N - R 10-11W N 1/2 Sec. 16

State and County: IL, Iroquois




2015 Photo

Legend

WorkingCWD_a

Wetland Label

 PC/NW

 W

