



United States
Department of
Agriculture

ALASKA FSA COMPLIANCE

By Dennis Mulligan
Resource Soil Scientist

The Food Security Act

The Food Security Act was enacted on December 23, 1985

- Title XII of this Act introduced 3 provisions to address environmental concerns associated with soil erosion and wetland conversion.
 - Conservation Reserve Program - authorizes the Federal government to enter into contracts with agricultural producers to remove highly erodible cropland from production in return for annual rental payments.
 - “Sodbuster” provision - Highly Erodible Land (HEL) Conservation
 - “Swampbuster” - Wetland Conservation
 - Has a predominance of hydric soils;
 - Is inundated or saturated by surface 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 does support a prevalence of such vegetation.

Alaska Exempt Wetlands

Urgent Supplemental Appropriation Act, 1986, Congress added the following to the wetland definition:

“except that this term does not include lands in Alaska identified as having a high potential for agricultural development and predominance of permafrost soils.”



Alaska Compliance Process in a Nutshell

- A client completes form AD-1026, NRCS-CPA-038 or FSA-569
 - AD-1026 is a self certification of HEL/WC compliance
 - NRCS-CPA-038 is a request for a wetland determination
 - FSA-569 is a notification of a potential compliance violation

These are the only forms that trigger a determination

Compliance Tracker

- The request to complete either and HEL determination, wetland determination, or both is placed on the “Compliance Tracker”
- The Compliance Tracker can be found on the Alaska SharePoint site at https://usdagcc.sharepoint.com/sites/nrcs_alaska/ecological_sciences/SitePages/Home.aspx
- The requests are assigned to a compliance team member for action

[NRCs Alaska](#) [Alaska Directives](#) [Administration](#) [Civil Rights](#) [Conservation Planning](#) [Cultural Resources](#) [Eo](#)

Ecological Sciences



Click the Microbe to open the compliance tracker



Compliance Tracker

Compliance Tracker

+ new item or edit this list

Incomplete ALL ITEMS Completed ...

✓	Customer Name	Notes	Farm	Tract	NRCS Office	FSA County	POC	Date Received Hub	Date sent to Comp team	HEL needed	Wetlands Needed	Team Member	DUE DATE	Onsite or Offsite	Date 026e Complete	CTL Review	Date Sent to Hub	Date Sent to FSA and Client	
	Reutov		1583	...	1928	Homer	Homer	Perez		1/29/2020	Yes	Yes	Karin	1/29/1900	Off site	3/31/2020	No	4/1/2020	4/8/2020
	Mack		1797	...	1525; add Field 5	Homer	Homer	PV			Yes	No	Karin	1/29/1900	Off site	1/8/2021	No	1/26/2021	1/28/2021
	Howatt	add to previous Howett request	1082	...	1701			Dennis		Yes	Yes	Dennis	1/29/1900	Off site	6/4/2021	No	6/4/2021		
	Moffitt	field 14 only field identified on 1026 as crop. many hay fields identified as crop on map. there doesn't appear to be a need for compliance as no annual cropping is apparent	1102	...	1723	Wasilla	Palmer	Michelle Jezeski	1/8/2021	Yes	No	Dennis	1/29/1900	Off site		No			
	Lewis		286	...	864, 867, 868,	Wasilla	Palmer		5/3/2017	9/27/2019	Yes	No	Dennis	6/2/2017	Off site	10/1/2019	No	12/18/2019	1/9/2020
	Hinnant-Westbrook		1504	...	1774	Homer	Homer		9/8/2017	4/25/2019	Yes	No	Karin	10/8/2017	Off site	10/10/2019		10/11/2019	10/11/2019
	Veal		1508	...	1778	Homer	Homer	Willison	9/29/2017	4/9/2019	Yes	Yes	Karin	10/29/2017	Off site	9/20/2019	No	1/28/2020	2/11/2020
	Murrell		1061	...	1674	Wasilla	Palmer		11/15/2017	8/28/2019	Yes	Yes	Dennis	12/15/2017	Off site	9/17/2019	No	9/17/2019	9/27/2019
	Meier's Lake Roadhouse	Emailed Samia and Denise 12/8/2020	774	...	738	Wasilla	Delta	Samia Savell	4/20/2018	7/15/2019	Yes	No	Dennis	5/20/2018	Off site	9/9/2020	No	9/9/2020	4/14/2021
	Kitka	Followed up with meg 12/8/2020	1530	...	1807	Kenai-Kodiak	Homer	Sanders	6/22/2018	12/3/2019	Yes	Yes	Karin	7/22/2018	ON site	3/9/2021	No	3/29/2021	3/30/2021

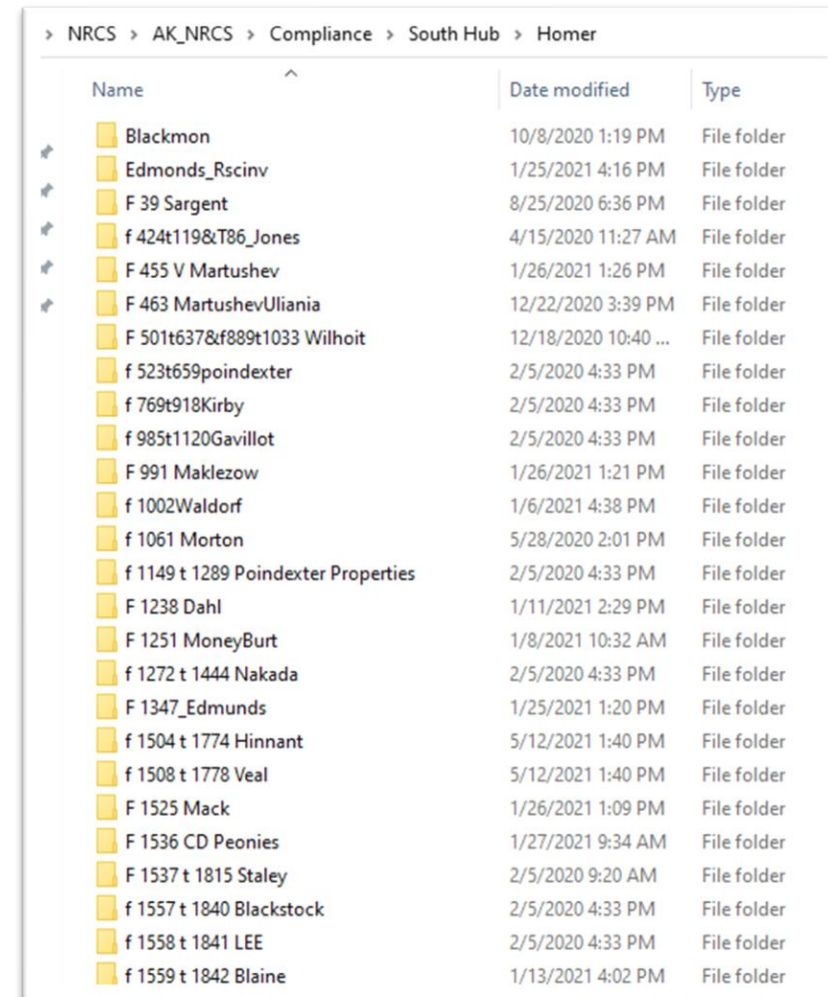
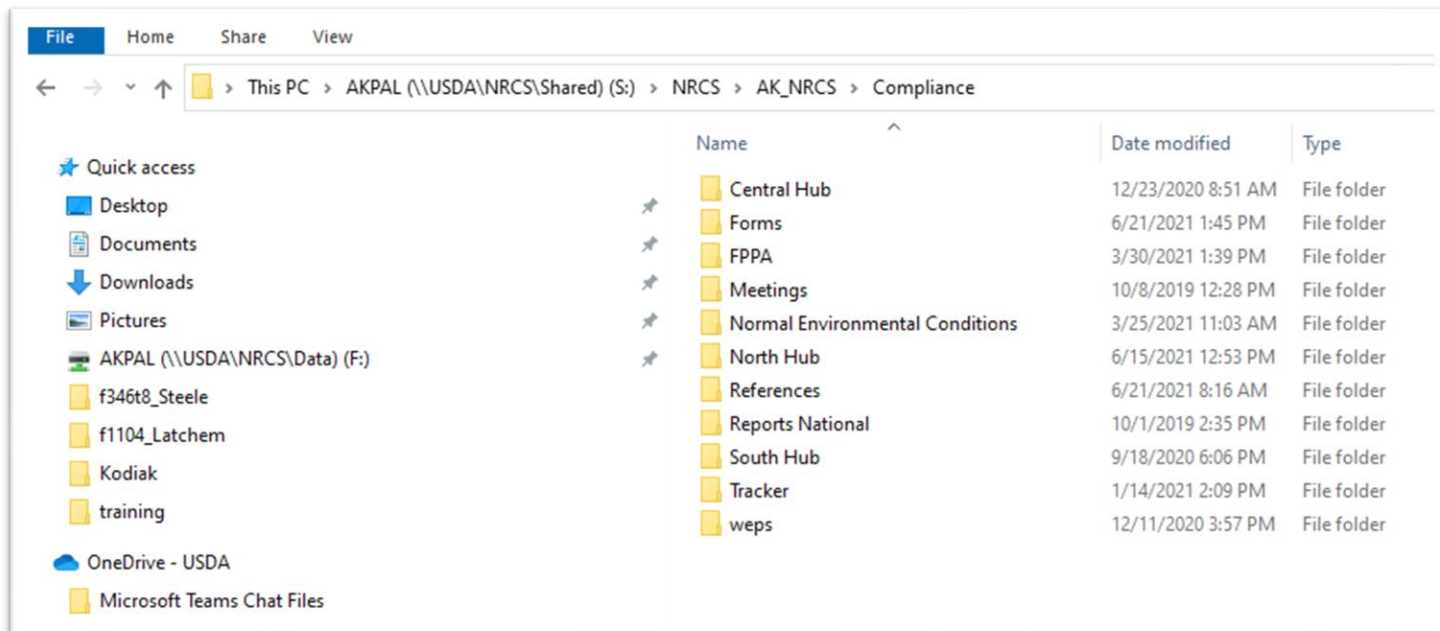


Compliance Team

- Dennis Mulligan (Resource Soil Scientist, Palmer SO)
 - Compliance lead and Determiner
- Scott Crockett (State Resource Conservationist, Palmer SO)
 - Policy Guru
- Cory Cole (State Soil Scientist, Palmer SO)
- Karin Sonnen (Rangeland Management Specialist, Homer FO)
 - Determiner
- Dean Houchen (Acting State Biologist, Delta FO)
 - Determiner
















Completed Determinations

- Placed on the Palmer Shared Drive at:
S:\NRCS\AK_NRCS\Compliance












Other Folders

› NRCS › AK_NRCS › Compliance › Forms

Name
 2016_Alaska_Wetland_Plant_List
 AK_State_Offsite_Methods_May2019 (002)
 AKWetland Delineation Data Sheet
 BLANK_2016_026e
 BLANK_2020_026_CWD
 BLANK_2020_026_HEL
 BLANK_2020_028
 Copy of LSChart_SoilSurveys
 Form 3 - Data Source Elements and Indic...
 HEL_Determ_Wksht
 NEC and Long Term Rainfall Summary
 no soil survey information
 NRCS_CPA_38
 NRCS-CPA-38 09-2015
 wetland compliance template

› NRCS › AK_NRCS › Compliance › References

Name
 1987-Army-Corps-Wetlands-Delineation-Manual
 AK_State_Offsite_Methods_May2019
 Alaska Regional Supplement
 Matanuska Valley Survey Area AK604
 Policy_Procedures Wetland Compliance_May20_2011
 proposed checklist
 Susitna Valley Survey Area AK607
 Tech Note 7B NFSA Compliance HEL Procedures for Alaska July 2018
 TechNote_FSACompliance_HELProceduresforAlaska_07_2018-TechNote7

eFOTG

- <https://efotg.sc.egov.usda.gov/#/>
- Frozen soil legends K, T, C, and R factors for HEL
- Wetland policy and procedures

- Section II - Natural and Cultural Resources Information ▲
- Climatic Data
- Cultural Resources Information
- Ecological Site Descriptions ▼
- HEL Frozen Soil Legends and Interpretations ▲**
- HEL Frozen Soil Legends ▼
- HEL Soils Legends, K and T Factors for Frozen Lists ▼
- Water Erosion
- Wind Erosion
- NEPA ▼
- Soil Survey Information ▼
- Threatened and Endangered Species
- Wetlands ▼

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- Ecological Site Descriptions ▼
- HEL Frozen Soil Legends and Interpretations ▼
- NEPA ▼
- Soil Survey Information ▼
- Threatened and Endangered Species
- Wetlands ▲**
- Alaska Certified Wetland Delineator List
- Alaska Exempt Wetlands AEW
- Alaska Functional Assessment
- Alaska Policy and Procedures ▼
- Supporting Information ▼