



Natural Resources Conservation Service
210 Walnut Street, Room 693
Des Moines, IA 50309-2180

October 19, 2006

NATIONAL FOOD SECURITY ACT MANUAL (NFSAM)
180-V-NFSAM
AMENDMENT IA1

SUBJECT: CPA – NATIONAL FOOD SECURITY ACT MANUAL

Purpose. To transmit NFSAM Iowa Amendment 1, October 2006.

Effective Date. Upon receipt.

Explanation of changes. Provide Iowa policy for maintenance of existing surface or subsurface drainage systems.

Filing Instructions.

<u>Insert Pages</u>	<u>Dated</u>
IA515-A-1 and 2	October 2006
IA526-D-72a and b	October 2006
IA526-E-96a and b	October 2006

/s/Richard Van Klaveren
State Conservationist

Attachment

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Title 180 - National Food Security Act Manual

Part 515 - Scope and Effect Determinations and Wetland Uses for Compliance

Subpart A – Scope and Effect Evaluations

IA515.11 Maintenance

When maintenance of existing surface or subsurface drainage systems is proposed in Iowa, the following guidance will be followed to ensure compliance with applicable regulations and policies. All wetland maintenance determinations or discussions will be based on a “certified” wetland determination per NFSAM Part 514.10 “General Provisions for Making Agricultural Land Wetland Determinations” and documented on NRCS-CPA-26E. An AD-1026 will be the mechanism to request an evaluation of an existing drainage system.

Maintenance, as defined in the NFSAM, “refers to the repair, rehabilitation, or replacement of systems that affect the hydrology on wetlands.” It is also defined on Highly Erodible Land Conservation (HELCS) and Wetland Conservation (WC) Certification (Form AD-1026), as “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.”

Participants should be advised to request an evaluation of the proposed project by NRCS to determine if the proposed activity could result in conversion of wetlands. Participants shall provide NRCS with a plan of proposed activity (location map, type and extent of activity) sufficient to complete this evaluation (See Part 526, Subpart D for the “Standard Drawing 854 - Underground Outlet”) (See Part 526, Subpart E for the “Letter to Producers for Scope and Effect”). When the participant does not request an NRCS evaluation of the proposed maintenance, the activity may result in the participant being found out of compliance with the wetland conservation provisions of the Food Security Act of 1985 which would jeopardize farm program eligibility.

The NRCS will document on the IA-CPA-15, Conservation Assistance Notes, that the participant requested technical assistance prior to commencing the conversion activity. The NRCS will notify the participant in writing of the evaluation result.

The NRCS shall conduct field spot checks of repair and replacement activities. Participants will be notified in writing to provide NRCS with as-built plans of completed activity. Evaluations will be conducted to verify compliance with the wetland provisions of the Farm Bill.

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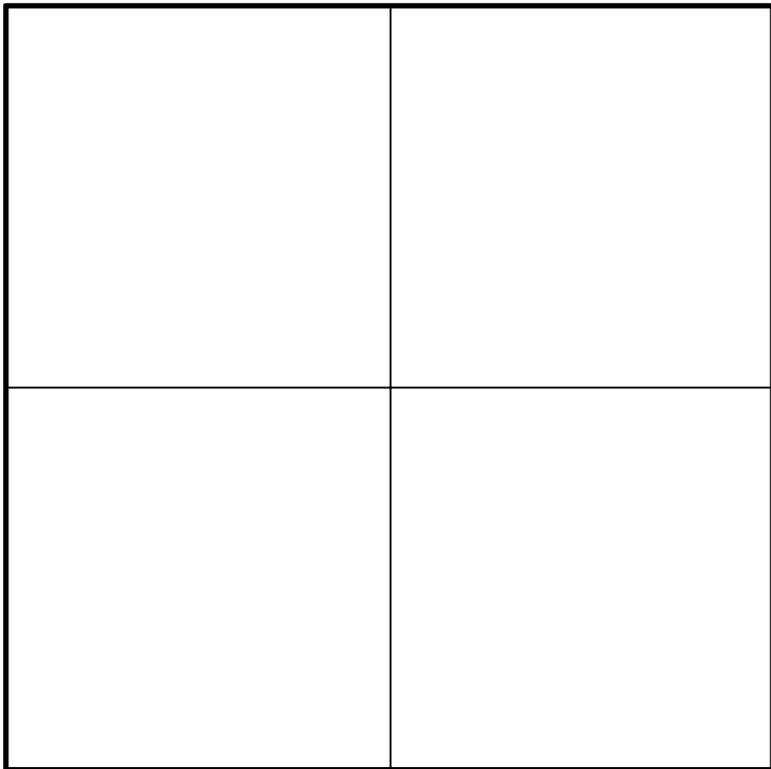
Part 515 - Scope and Effect Determinations and Wetland Uses for Compliance

If the “certified” wetland determination designate that all areas affected by the proposed maintenance (including off-site areas) are non-wetland (NW) or prior converted cropland (PC), the participant can proceed without additional NRCS evaluation. NRCS will document on the IA-CPA-15 the above determination.

If the proposed activity is not maintenance as described herein, refer to the appropriate NFSAM section.

Guidelines for Maintenance

- Subsurface drainage systems may be maintained to the drainage capacity that existed on December 23, 1985, which reflects the on-going operation and maintenance of the site prior to that date. In order to provide consistent application of this regulation found in 7 CFR Part 12, Iowa will allow existing subsurface drainage systems to be repaired or replaced by an equivalent system. This includes the capacity, depth and location of conduits; location and size of surface intakes; and size, capacity and elevation of the outlet structure or connection to a public drainage system.
- Surface drainage systems may be maintained to the elevation and cross section that existed on December 23, 1985, which reflects the on-going operation and maintenance of the site prior to that date. Reasonable documentation of these conditions must be provided by the participant or representative to NRCS.



(Letters in parentheses refer to the inlet design chart on the reverse side of this sheet.)

Materials and Construction shall be in accordance with Iowa Construction Specification for Underground Outlets (IA-620)

At least 48 hours prior to performing any excavation, the contractor is responsible for notifying **IOWA ONE CALL** to locate utilities. **Call 1-800-292-8989.**

If a cultural resource is identified during construction, immediately notify the Cultural Resource Coordinator for the Natural Resources Conservation Service (515-284-4370)

I certify that I have installed the materials as shown on the table on sheet 2, and that they have been installed in accordance with the plans and specifications.

Contractor _____ Date _____

LOCATION MAP _____

SCALE _____

ENGINEERING JOB CLASS _____

OWNER _____

LOCATION _____ SEC. _____ T. _____ N. _____ W. _____ COUNTY, IOWA

U.S. DEPARTMENT OF AGRICULTURE
 NATURAL RESOURCES CONSERVATION SERVICE

Designed STANDARD 10/00 Date 10/00 Title _____

Drawn _____ Approved by _____

Staked _____ Sheet No. _____ of _____ Drawing No. _____

Checked _____

Iowa Standard Drawing	Page 1 of 2
Underground Outlet	
Standard Drawing No. 854	
Revised: 10/2000	

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Part 526 - Exhibits

Subpart E – Sample Letters

IA526.96 Letter to Producers for Scope and Effect

Dear (Producer's Name):

The Natural Resources Conservation Service (NRCS) has received your request for an evaluation of a proposed drainage maintenance project on land you own or operate. The NRCS will determine if the proposed activity could result in conversion of wetlands and affect your Farm Program eligibility.

All wetland maintenance determinations or discussions in Iowa will be based on a "certified" wetland determination per NFSAM Part 514.10 "General Provisions for Making Agricultural Land Wetland Determinations" and documented on NRCS-CPA-26E. If you do not have a "certified" wetland determination, you should request one now. Please note that earlier non-certified wetland determinations and wetland inventories are not valid determinations.

The definition of maintenance, as found in the National Food Security Act Manual, "refers to the repair, rehabilitation, or replacement of systems that affect the hydrology on wetlands." It is also defined on Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification (Form AD-1026), as "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."

In order to provide our best evaluation of your proposal, we ask that you provide NRCS with a plan of proposed activity (location map, type and extent of activity) sufficient to complete this evaluation using an aerial photo from the Farm service Agency and the enclosed Standard Drawing 854 - Underground Outlet or other document with the same information.

The NRCS will notify you in writing the results of the evaluation and conduct field spot checks of repair and replacement activities.

We will require a copy of the as-built plans of completed activity. The NRCS will conduct a review of the constructed project to verify compliance with the wetland provisions of the Farm Bill.

If the "certified" wetland determination designates that all areas affected by the proposed maintenance (including off-site areas) are non-wetland (NW) or prior converted cropland (PC), you will be able to proceed without additional NRCS evaluation.

Guidelines for Maintenance

- Subsurface drainage systems may be maintained to the drainage capacity that existed on December 23, 1985, which reflects the on-going operation and maintenance of the site prior to that date. In order to provide consistent application of this regulation found in 7 CFR Part 12, Iowa will allow existing subsurface drainage systems to be repaired or replaced by an equivalent system. This includes the capacity, depth and location of conduits; location and size of surface intakes; and size, capacity and elevation of the outlet structure or connection to a public drainage system.
- Surface drainage systems may be maintained to the elevation and cross section that existed on December 23, 1985, which reflects the on-going operation and maintenance of the site prior to that date. Reasonable documentation of these conditions must be provided by the participant or representative to NRCS.

If you have any questions related to the above information or the guidelines noted above, please feel free to contact me at XXX/XXX-XXXX.

Sincerely,

Name
District Conservationist