

Compliance Plan for the 2012 Season

A majority of randomly selected tracts for status reviews for the 2012 season will be flown with an airplane. The airplane will have a high resolution camera attached to the belly of the plane to gather preliminary information. Iowa NRCS has contracted for aerial photography at the time of status reviews to increase the effectiveness and efficiency of our status review process. This aerial photography will take place from approximately May 1 through May 21.

Compliance Team

All status reviews for the 2012 season will be completed by area teams. Iowa NRCS administrative areas will be divided into sub-areas and each of these sub-areas will have a team leader. ***No NRCS employees will complete status reviews in the county or Management Unit for which they have responsibility.*** It is expected that the use of teams will result in improved consistency in completing and making determinations.

Field Offices will do the following:

1. DC will mail out the letter notifying the operator and landowner that their tract was selected for a status review. The letter to be used has been developed by the State Office (Attachment A).
2. Field Offices need to add the FSA borrowers to the compliance list that was provided from National Headquarters. NRCS employees, FSA employees and FSA County Committee people will be added to the list based on information provided by National Headquarters.
3. Crop history information will be determined by the District Conservationist of the Field Office. If a county has primarily corn and soybeans for crops they may just make note of the rotation. If the county has significant hay produced or the plan calls for hay or for a C-C rotation FSA certification records will be checked for the last 5 – 10 years. Crop History records should be completed for the Team by April 20, 2012 (Attachment B).
4. Provide the conservation plan folder. Include the soils summary based on the fields used in the conservation plan. For those counties with revised soil survey, include the soils map that was used in developing the plan.
5. Provide an extra conservation plan map.

Determination Process

- Only randomly selected tracts will be flown but all status reviews will be handled by the area teams. This will include variances from the previous years, whistleblowers, loan participants, etc. The reviews that are not flown will be completed by the traditional method.
- The need to ground truth the tract will be determined by a review of the 2012 aerial imagery recorded for the tract, the conservation plan for the tract, and the crop history for the tract.

- **Green flags** - If from the photo you can see there are no ephemeral gullies, residue levels are adequate, and that the producer is following the conservation plan the status review may be completed in the office. The **team member** that completed the photo interpretation worksheet (Attachment D2) will enter the review results into the FSA website. The **team leader** will send out the good news letter with the **team leader's** signature (Attachment C).
 - **Red flags** – If from the photo the team member finds issues with the tract, a full field review will be conducted by a **team member** using the documentation worksheet (Attachment D). At a minimum, collect GPS data with pictures for residue measurements and ephemeral gully erosion. If the tract is found out of compliance during the field review, the **team leader** will request the FSA-569 from the appropriate County FSA Office (Attachment E). The **team member** will enter the review results into the FSA website. The preliminary technical determination letters for adverse determinations will be prepared by the **team leader** and signed by the **team leader**. **Preliminary NA calls will be sent out to participants no later than July 13, 2012. AM letters will be sent to participants no later than July 13, 2012.**
- For tracts that were **not flown**, a **team member** will make the field visit and use the data collection sheet (Attachment D) to document their findings. If plan is being followed on the tract and there are no ephemeral gullies code as Green flag and the review is complete. If it's a Red flag conduct full review of the site using documentation worksheet and collect GPS data.
 - Final determination calls will be made by the **team leader** in conjunction with ARC. The District Conservationist or Resource Conservationist will be consulted to gather any other pertinent information if a determination other than UA is being considered.
 - The **team members** will enter all of the review results into the FSA website. The information will be **completed by September 7, 2012**. The **team leader** will also send out all letters with the **team leader's** signature on them.
 - All correspondence in relation to the status review will be handled by the team leader. All letters sent by the team leader will cc the District Conservationist.
 - Field Offices are not to provide any service or guidance for the tract being reviewed until a final determination is made.
 - Field reconsiderations will be handled by the Team. **Team leader** will complete the field visit and reconsideration. The **team leader** will prepare the administrative case file (Attachment H CPA-17) and forward to the Area Office for review.

- Once the Final Determination letter is sent by the Team and the operator is not going to appeal the determination, the Field Office is expected to work with the producer to develop a new plan for the tract and have it signed by operator and owner. If the producer asks for Good Faith, from the Farm Service Agency County Committee the District Conservationist or Resource Conservationist will need to be present to answer questions on the new conservation plan signed by the operator. *The ARC or Team Leader of the Team will be available to answer any questions concerning the status review findings.*
- Administrative records and the entire appeal process will be handled by the Team Leader and Don Carrington. Don will complete all NAD hearings.
- Thirty days after the determination is Final and no appeal was made, the Conservation Plan Folder with documentation from the review process will be given back to the Field Office.