

VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

5/22/17

WCS Grain LLC
6047 N 550 W
Arlington, IN 46104

Dear WCS Grain LLC:

This is to notify you that as of the date of this letter, a preliminary technical determination for Farm # 289 Tract# 718 has been made based on your responses on your latest AD-1026 submitted with the Farm Service Agency (FSA).

I have enclosed a Preliminary Technical Determination on NRCS-CPA-026E along with aerial photo(s) that includes your determinations. This latest determination was performed by Karen Hauer on 5/19/2017. This determination supersedes all previous determinations and is valid as long as the land use remains in agriculture.

Fields shown in Section II of the attached NRCS-CPA-026E, "Highly Erodible Land and Wetland Conservation Determination," contain the following Highly Erodible Land (HEL)/Wetland Conservation (WC) determinations.

Please carefully review all of the documentation within this package. If you have any questions about your determination, please call me at 765-544-2051, Extension 3.

This HEL/WC determination has been conducted for the purpose of implementing the conservation provisions of the Food Security Act of 1985, as amended, only.

This determination is not valid for identifying the extent of the United States Army Corps of Engineers (COE) Clean Water Act jurisdiction for this site, nor for other agencies that may also have jurisdiction that require permits from the Indiana Department of Environmental Management and the Indiana Department of Natural Resources, Division of Water. ***NRCS strongly recommends that you contact each of these agencies before beginning any work as failure to do so may result in costly ramifications with other laws.***

- Indiana Department of Environmental Management (IDEM)
 - State Isolated Wetland Law code 13-18-22. www.in.gov or (317) 233-8488
- Indiana Department of Natural Resources, Division of Water (IDNR)
 - Permit Application Assistance Manual. www.in.gov or 1-877-928-3755
- US Army Corps of Engineers (USACE)
 - Clean Water Act. <http://www.usace.army.mil/> - Regulatory and Permits

Helping People Help the Land.



USDA is an equal opportunity provider and employer.

This technical determination may affect USDA program benefits. Please refer to the attachments for descriptions and allowances/restrictions based on the assigned determination labels per the Food Security Act of 1985, as amended.

This preliminary technical determination will become a **Final Technical Determination** 30 days after receipt of this letter unless you request ONE of the following three options:

1. Request a reconsideration (office or site) visit with me and our NRCS Certified Agency Expert for the purpose of gathering/providing additional information and for a discussion of the facts relating to the preliminary determination. Reconsideration must be requested in writing to my office.
2. Request mediation in an attempt to settle your concerns with the preliminary technical determination. The **Application for Voluntary Mediation Form** and procedures may be obtained from my office.
3. Request in writing to the NRCS State Conservationist a waiver of the 30 day appeal period for the preliminary technical determination so that this determination becomes final immediately. Please contact me for contact information.

In addition, you have the right to review the records concerning this determination in our office.

Once this decision becomes final you may appeal to either the Farm Service Agency County Committee (COC) or to the National Appeals Division (NAD). You must file your request in writing within 30 days of this technical determination becoming a final. You may appeal to only one of the following:

Rush County FSA Committee
2779 S 840 W
Manilla, IN 46150

OR

Eastern Regional Office
National Appeals Division
Post Office Box 68806
Indianapolis IN 46268-0806

All USDA program participants associated with this tract are affected by the determination. If you are the owner of this tract and have a tenant, I urge you to discuss this letter and accompanying NRCS-CPA-026E with your tenant. Likewise, if you are the tenant of this tract of land, I urge you to discuss this letter with your landlord.

If you have any questions or would like to discuss any concerns you might have, please call me at 765-544-2051, Extension 3.

Sincerely,

/s/ *Frank Jones*

Frank Jones
District Conservationist

Attachments:

NRCS-CPA-026E; Map; WC-HEL Labels and Restrictions; Avoiding Wetland Violations Fact Sheets; Others

cc: FSA County Committee



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	WCS Grain 6047 N 550 W ARLINGTON, IN 46104	Request Date:	04/20/17	County:	Rush
Agency or Person Requesting Determination:	FSA	Tract No:	718	FSA Farm No.:	289

Section I - Highly Erodible Land

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

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.

<u>Field(s)</u>	<u>HEL(Y/N)</u>	<u>Sodbust(Y/N)</u>	<u>Acres</u>	<u>Determination Date</u>
7	N	N	150.3	5/19/2017

The Highly Erodible Land determination was completed in the office.

Section II - Wetlands

Are there hydric soils on this farm?	Y
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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.

<u>Field(s)</u>	<u>Wetland Label*</u>	<u>Occurrence Year (CW)**</u>	<u>Acres</u>	<u>Determination Date</u>	<u>Certification Date</u>
7	PC		150.3	05/19/2017	07/18/2017

The wetland determination was completed in the office. It was _____ to the person on _____.

Remarks: A Fact Sheet "Avoiding Wetland Violations" is included for general reference. Refer to the attached "Wetland Conservation Definitions and Restrictions" and "Highly Erodible Land Conservation Requirements" for descriptions and allowances/restrictions for the above labels.

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	Date
<i>Karen Hauer</i>	5/19/2017

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. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.
NRCS-CPA-026E

Wetland Conservation Definitions and Restrictions

(National Food Security Act Manual 514.60 - <http://directives.sc.egov.usda.gov/viewerFS.aspx?id=3701>)

Name and Label	Criteria For Determination	Authorized Uses	Authorized Maintenance
(AW) Artificial Wetland	Created wetlands on areas that were previously non-wetland.	No restrictions.	No restrictions.
(CC) Commenced Conversion	Conversion began before December 23, 1985, and was approved by FSA; conversion activity was completed by January 1, 1995.	No restrictions provided activities were completed per conditions.	As stipulated in the agreement.
(CPD) COE Permit w/ Mitigation	Converted wetland is exempt because the activity is authorized by a COE permit and satisfies the mitigation requirements of the Act.	Per COE permit conditions.	Per COE permit conditions.
(CW) Converted Wetland	Converted after December 23, 1985 and prior to before November 28, 1990.	Production of agricultural commodities or additional manipulation will cause ineligibility.	Maintenance allowed to scope and effect of original manipulation
(CW) Wetland Converted by county, drainage district, or similar entity.	Converted after December 23, 1985, by drainage district or other entity and beyond a person's direct control, but not considered third party (TP).	Production of agricultural commodities or forage for mechanical harvest or additional manipulation will cause ineligibility.	Maintenance allowed to original scope and effect of system before conversion.
(CW + year) Converted wetland	Converted after November 28, 1990.	Conversion causes ineligibility, regardless of whether production of agricultural commodity occurred.	Not applicable.
(CWNA)	Converted wetland for non-agricultural purposes.	Production of agricultural commodities will cause ineligibility.	No restrictions.
(CWTE) Converted Wetland Technical Error	An area converted after December 23, 1985, where the conversion or production of an agricultural commodity was a consequence of an incorrect NRCS determination.	May be used for production of agricultural commodities or forage provided no manipulation is done beyond what existed as of the date of the CWTE determination.	May be maintained to the extent that existed on date of the CWTE determination.
(FW) Farmed Wetland	Manipulated and used for the production of an agricultural commodity as of December 23, 1985. If the area is not a pothole, playa, or pocosin, it is inundated for at least 15 consecutive days during the growing season or 10 percent of the growing season, whichever is less, in most years. If the area is a pothole, playa, or pocosin, it is inundated for at least 7 consecutive days or saturated for at least 14 consecutive days during the growing season in most years. Not abandoned.	May be used for production of agricultural commodities or forage.	May be maintained to the extent that existed before December 23, 1985, if "as built" records exist. May be maintained to the extent that existed on December 23, 1985, if no "as built" records exist.

Wetland Conservation Definitions and Restrictions

(National Food Security Act Manual 514.60 - <http://directives.sc.egov.usda.gov/viewerFS.aspx?id=3701>)

Name and Label	Criteria For Determination	Authorized Uses	Authorized Maintenance
(FWP) Farmed Wetland Pasture and Hayland	Manipulated and used for pasture or hay as of December 23, 1985. Is inundated for at least 7 consecutive days or saturated for 14 days during the growing season. Not abandoned.	May be used for production of agricultural commodities or forage.	May be maintained to the extent that existed before December 23, 1985, if "as built" records exist. May be maintained to the extent that existed on December 23, 1985, if no "as built" records exist.
(MIW) Mitigation Exemption	Converted wetland is exempt because mitigation has occurred according to an NRCS-approved plan.	As stipulated in the mitigation agreement.	As stipulated in the mitigation agreement.
(MW) Minimal Effect Exemption	Converted wetland is exempt because conversion is determined to have a minimal effect, individually and cumulatively, on the wetland functions in the watershed.	As stipulated in the minimal effect agreement, if applicable.	Only those activities stipulated in the minimal effect agreement, if applicable.
(MWM) Mitigation Site	Site of wetland restoration, enhancement, or creation serving as mitigation for MIW site.	As stipulated in Mitigation Plan/Agreement.	As stipulated in Mitigation Plan/Agreement
(NI) Not Inventoried	Used when a wetland determination is not conducted.	Can determine only after a certified wetland determination is completed for the area labeled NI.	Can determine only after a certified wetland determination is completed for the area labeled NI.
(NW) Nonwetland	Does not meet wetland criteria. Also includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria. The area has not been abandoned.	No restrictions.	No restrictions unless manipulation would convert adjacent wetlands.
(PC) Prior Converted Cropland	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.	No restrictions.	No restrictions unless manipulation would convert adjacent wetlands.
(TP) Third Party Exemption	A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and without the participant's collusion, fraud, scheme or device. A third party does not include predecessors in interest on the tract or drainage districts or other local government entities.	May be used for production of agricultural commodities or forage.	Further drainage improvement will cause ineligibility.
(W) Wetland	Meets wetland criteria. Not converted after December 23, 1985. Also, includes areas previously identified as FW or FWP, which have been abandoned.	May be farmed under natural conditions without removal of woody vegetation.	At level needed to maintain original system on FW, FWP, and PC. Must not convert additional wetlands or exceed original scope and effect of drainage system.
(WX) Wetlands that have been manipulated	Wetlands that have been manipulated but not for the purpose of or making possible production of an agricultural commodity.	Would cause ineligibility if production was later made possible.	No restrictions as long as production not made possible including on an adjacent wetland.

Highly Erodible Land Conservation Requirements

(National Food Security Act Manual 512.01e - <http://policy.nrcs.usda.gov/viewerFS.aspx?id=1515>)

IF the field...	THEN a substantial reduction...
<p>Was used to produce crops prior to December 23, 1985, and the conservation system or plan has been approved, applied, and maintained prior to July 3, 1996,</p>	<p>Has already been met, providing the plan or system is continued to be applied and maintained, and—</p> <p><input type="checkbox"/> The same person continues to use the original conservation system, or revises the system to provide an equal or greater level of erosion protection.</p> <p>or</p> <p><input type="checkbox"/> The new owner and/or operator accepts the approved conservation system or plan and continues to apply and maintain the conservation system or an equivalent conservation system.</p>
<p>Was used to produce crops prior to December 23, 1985, and has a conservation system or plan that has been approved after July 3, 1996,</p>	<p>Is a 75 percent reduction of the potential erodibility, not to exceed two (2) times the soil loss tolerance level for the predominant highly erodible soil map unit in the highly erodible field.</p>
<p>Has no history of crop production prior to July 3, 1996,</p>	<p>Does not apply. Furthermore, in no case will the soil erosion level for sodbusted land exceed the soil loss tolerance. (See NFSAM, paragraph 512.01(f).)</p>



United States
Department of
Agriculture

Owner: WCS Grain LLC
Operator: (Not Entered)

Determination Map

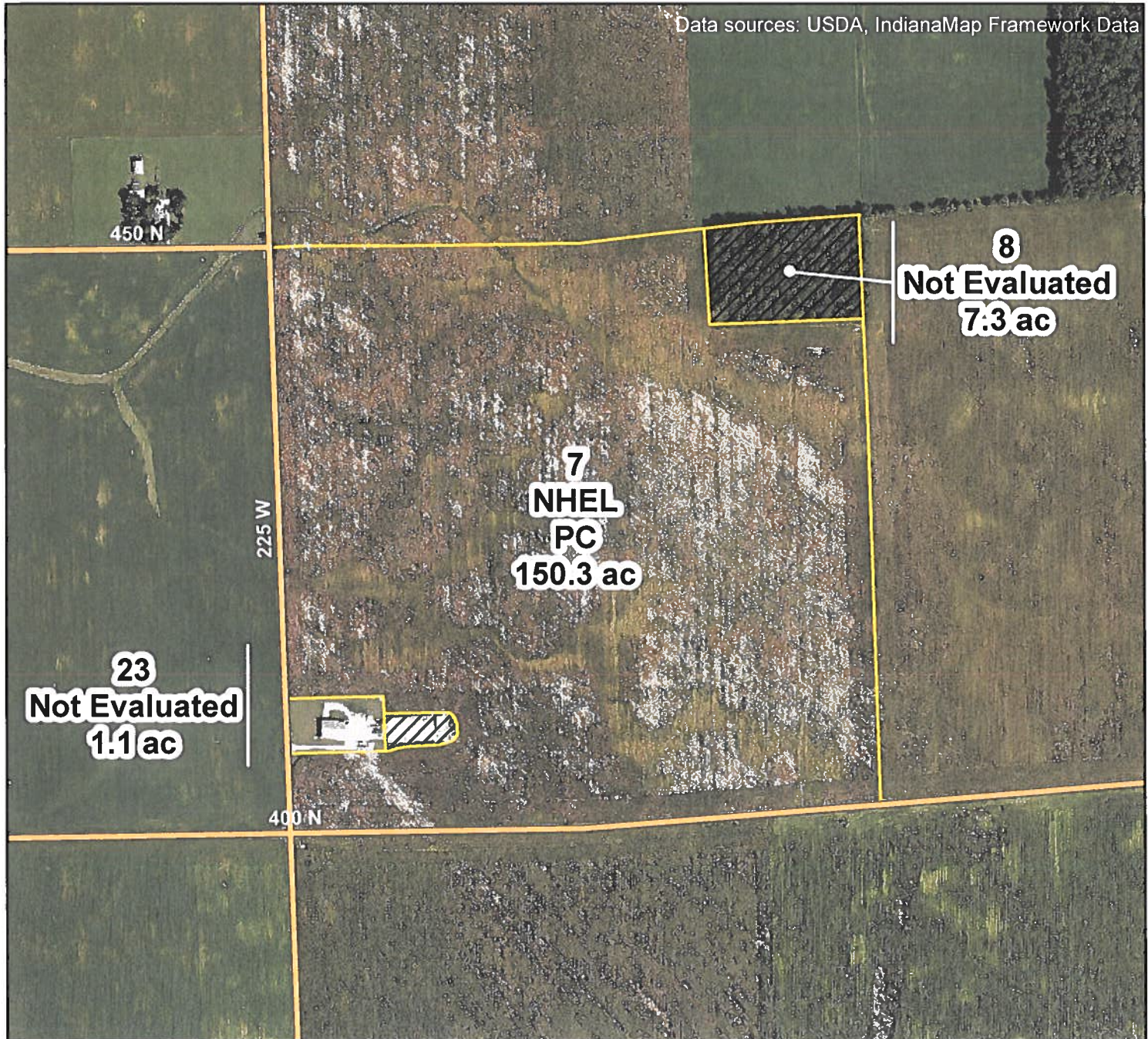
Farm: 289

Tract: 718

Geographic County: Rush, IN

FSA Admin County: Rush, IN

Data sources: USDA, IndianaMap Framework Data





Base Map Image: Rush NAIP 2016 (60cm Color)

Map Prepared By: Karen Hauer

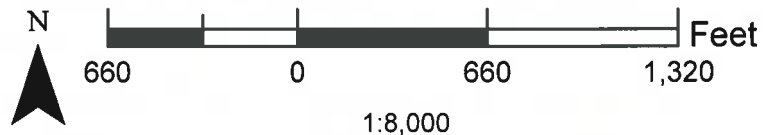
Map Production Date: 5/19/2017

Wetland Determination

-  Technical Determination Extents
-  Not Evaluated

This map is a representation of determination boundaries. It is the responsibility of all program participants to not convert obvious wetlands regardless of map interpretation. Newly completed and previously certified areas are shown on this map. Other areas are marked as, "Not Evaluated."

Note: Acres are for this determination only and may not match official FSA CLU acres due to differences in rounding or the scale at which the work was completed. Previously certified areas retain their labels and status and are not changed by this determination.



AD-1026
(10-30-14)

U.S. DEPARTMENT OF AGRICULTURE
FarmServiceAgency

HIGHLY ERODIBLE LAND CONSERVATION (HELIC) AND
WETLAND CONSERVATION (WC) CERTIFICATION

Read attached AD-1026 Appendix before completing form.

PART A - BASIC INFORMATION

1. Name of Producer <u>WCS GRAIN LLC</u>	2. Tax Identification Number (Last 4 digits)	3. Crop Year <u>2017</u>
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4. Names of affiliated persons with farming interests. Enter "None," if applicable.

Chris Smith

Affiliated persons with farming interests must also file an AD-1026. See Item 7 in the Appendix for a definition of an affiliated person.

5. Check one of these boxes if the statement applies; otherwise continue to Part B.

A. The producer in Part A does not have interest in land devoted to agriculture. Examples include bee keepers who place their hives on another person's land, producers of crops grown in greenhouses, and producers of aquaculture AND these producers do not own/lease any agricultural land themselves. **Note:** Do not check this box if the producer shares in a crop.

B. The producer in Part A meets all three of the following:

- does not participate in any USDA program that is subject to HELC and WC compliance except Federal Crop Insurance.
- only has interest in land devoted to agriculture which is exclusively used for perennial crops, except sugarcane, and
- has not converted a wetland after February 7, 2014.

Perennial crops include, but are not limited to, tree fruit, tree nuts, grapes, olives, native pasture and perennial forage. A producer that produces alfalfa should contact the Natural Resources Conservation Service at the nearest USDA Service Center to determine whether such production qualifies as production of a perennial crop.

Note: If either box is checked, and the producer in Part A does not participate in Farm Service Agency (FSA) or Natural Resources Conservation Service (NRCS) programs, the full tax identification number of the producer must be provided, but establishment of detailed farm records with FSA is not required. Go to Part D and sign and date.

PART B - HELC/WC COMPLIANCE QUESTIONS

Indicate YES or NO to each question.

If you are unsure of whether a HEL determination, wetland determination, or NRCS evaluation has been completed, contact your local USDA Service Center.

YES	NO
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6. During the crop year entered in Part A or the term of a requested USDA loan, did or will the producer in Part A plant or produce an agricultural commodity (including sugarcane) on land for which an HEL determination has not been made? ✓

7. Has anyone performed (since December 23, 1985), or will anyone perform any activities to:

A. Create new drainage systems, conduct land leveling, filling, dredging, land clearing, or excavation that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____ ✓

B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): 17 ✓

C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____ ✓
Note: Maintenance is 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.

Note: If "YES" is checked for Item 7A or 7B, then Part C must be completed to authorize NRCS to make an HELC/WC and/or certified wetland determination on the identified land. If "YES" is checked for Item 7C, NRCS does not have to conduct a certified wetland determination.

8. Check one or both boxes, if applicable; otherwise, continue to Part C or D.

A. Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the first time the producer in Part A, including any affiliated person, has been subject to HELC and WC provisions.

B. Check this box if either of the following applies to the producer and crop year entered in Part A:

- Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to allow compliance, but all other farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be completed).
- Is a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant on that farm, but all other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request, must be completed).

PART C - ADDITIONAL INFORMATION

9. If "YES" was checked in Item 6 or 7, provide the following information for the land to which the answer applies:

A. Farm and/or tract/field number: FSN 289 TN 718 Field 7
If unknown, contact the Farm Service Agency at the nearest USDA Service Center.

B. Activity: Install new tile

C. Current land use (specify crops): Corn & beans

D. County: Rush

PART D – CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification:

I hereby certify that the information on this form is true and correct to the best of my knowledge.

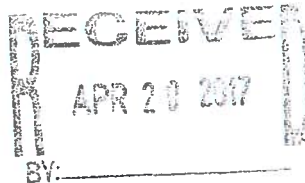
10A. Producer's Signature (By) <i>William C. Smith</i>	10B. Title/Relationship (If Signing in Representative Capacity) <i>Member</i>	10C. Date (MM-DD-YYYY) <i>4/20/17</i>
FOR FSA USE ONLY (for referral to NRCS) Sign and date if NRCS determination is needed.	11A. Signature of FSA Representative <i>[Signature]</i>	11B. Date (MM-DD-YYYY) <i>4-20-17</i>

IMPORTANT: If you are unsure about the applicability of HELC and WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any drainage or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whether you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.

*6047 N 550 W
ARLINGTON, IN 46104*

(765) 561-2146

**NOTE: Producer is currently appealing a recent HELC determination on this tract.*



NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12, the Food Security Act of 1985 (Pub. L. 99-198), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to certify compliance with HELC and WC provisions and to determine producer eligibility to participate in and receive benefits under programs administered by USDA agencies. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under programs administered by USDA agencies.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.**

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

USDA Farm 289 Tract 718

Map prepared on: 4/11/2017

Administered by: Rush County, Indiana

CRP

CLU

Rush Co., IN



158.67 Tract acres

150.32 Cropland acres

0 CRP acres

Wetland Determination Identifiers:

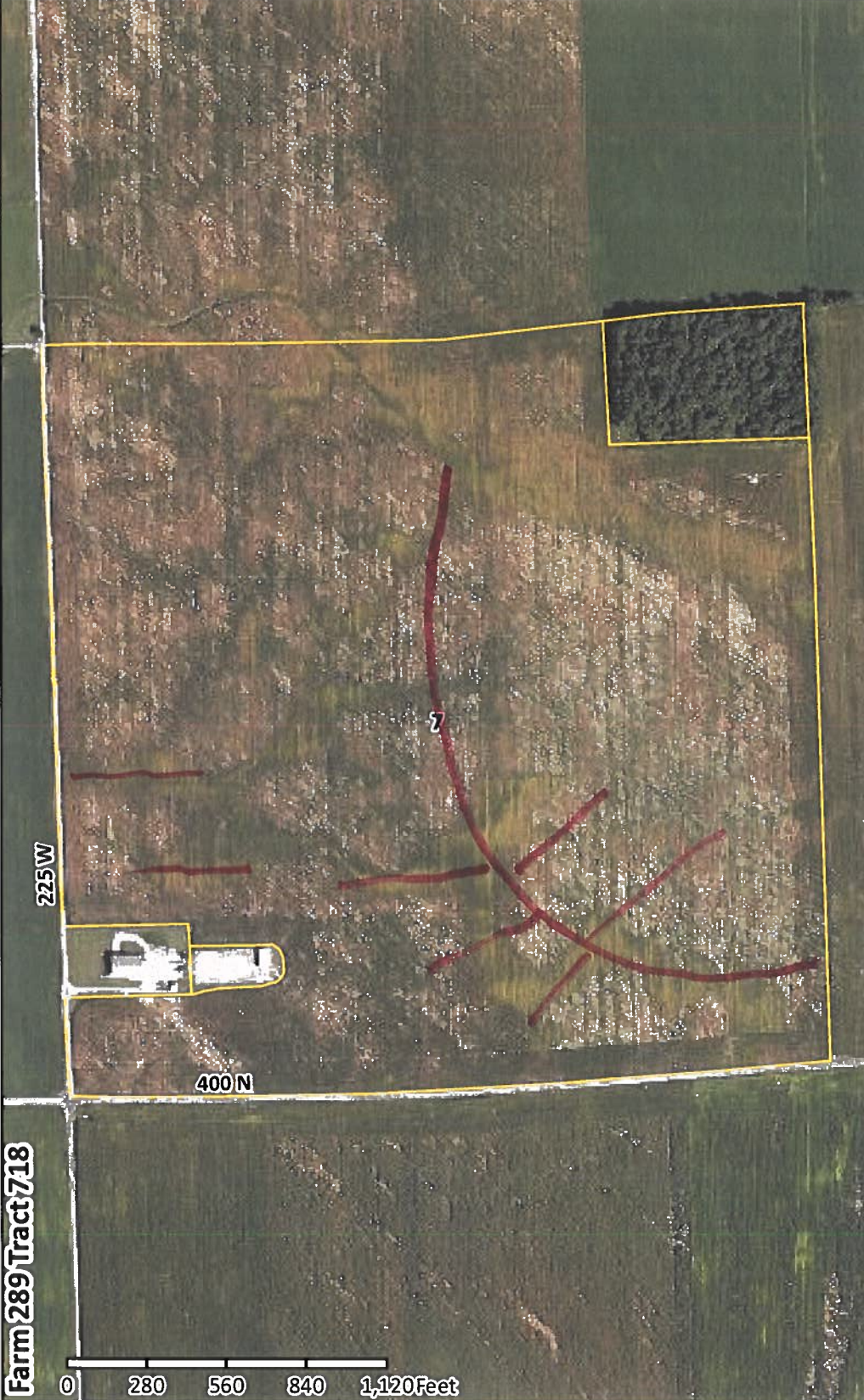
● Restricted Use

▼ Limited Restrictions

■ Exempt from Conservation Compliance Provisions

Source: Primarily USDA NAIP 2016 imagery (2015 IL/OH); IDHS or Dynamap roads; FSA data 2017-04-09 17:14:10

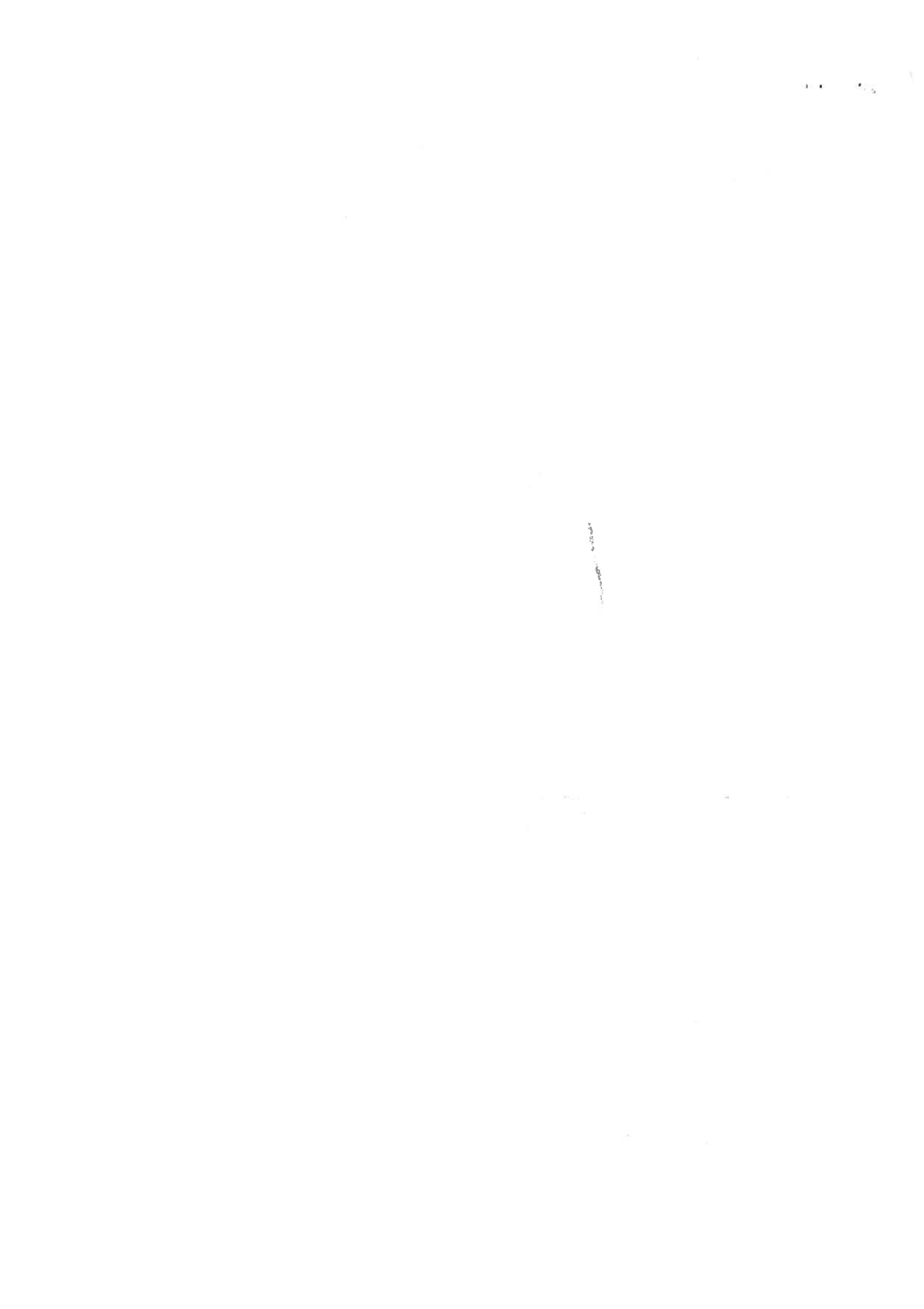
CLU	Acres	HEL	LC	Contract	Prac	Yr	C	I
7	150.32	U	2					Y



Install new drainage tile where indicated.

Farm 289 Tract 718

USDA FSA maps are for FSA program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts information provided directly from the producer and/or NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.



INDIANA
RUSH
Form: FSA-156EZ



FARM : 289
Prepared : Apr 20, 2017
Crop Year : 2017

See Page 2 for non-discriminatory Statements.

Abbreviated 156 Farm Record

Operator Name : WCSGRAIN LLC
Farms Associated with Operator : 18-139-289, 18-139-685, 18-139-3276, 18-139-3290, 18-139-3448, 18-139-4710, 18-139-5502
CRP Contract Number(s) : None

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number O Tracts
158.67	150.32	150.32	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag. Related Activity	
0.00	0.00	150.32	0.00		0.00	No	0.00	0.00	

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield	HIP
Corn	116.60	0.00	0	156	
Soybeans	29.20	0.00	0	44	
TOTAL	145.80	0.00			

NOTES

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Tract Number : 718
Description : E5 SE 1/4 S 11 T 14N R 9E
BIA Unit Range Number :
HEL Status : NHEL: No agricultural commodity planted on undetermined fields
Wetland Status : Tract does not contain a wetland
WL Violations : None
Owners : JEANNE GREER, TRACY A CROSS, TERRI A BOLLMAN
Other Producers : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
158.67	150.32	150.32	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Related Activity	
0.00	0.00	150.32	0.00	0.00	0.00	0.00	

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	CTAP Yield	PLC Yield
Corn	116.60	0.00	0	156
Soybeans	29.20	0.00	0	44
TOTAL	145.80	0.00		

NOTES

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INDIANA
USH
orm: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

FARM : 289
Prepared : Apr 20, 2017
Crop Year : 2017

Abbreviated 156 Farm Record

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotope, etc.) please contact USDA's TARGET center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

Producer Farm Data Report

Crop Year: 2017

DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

Producer Name and Address

Recording County Office Name

WCSSGRAIN LLC
6047 N 550 W
ARLINGTON IN 46104-9455

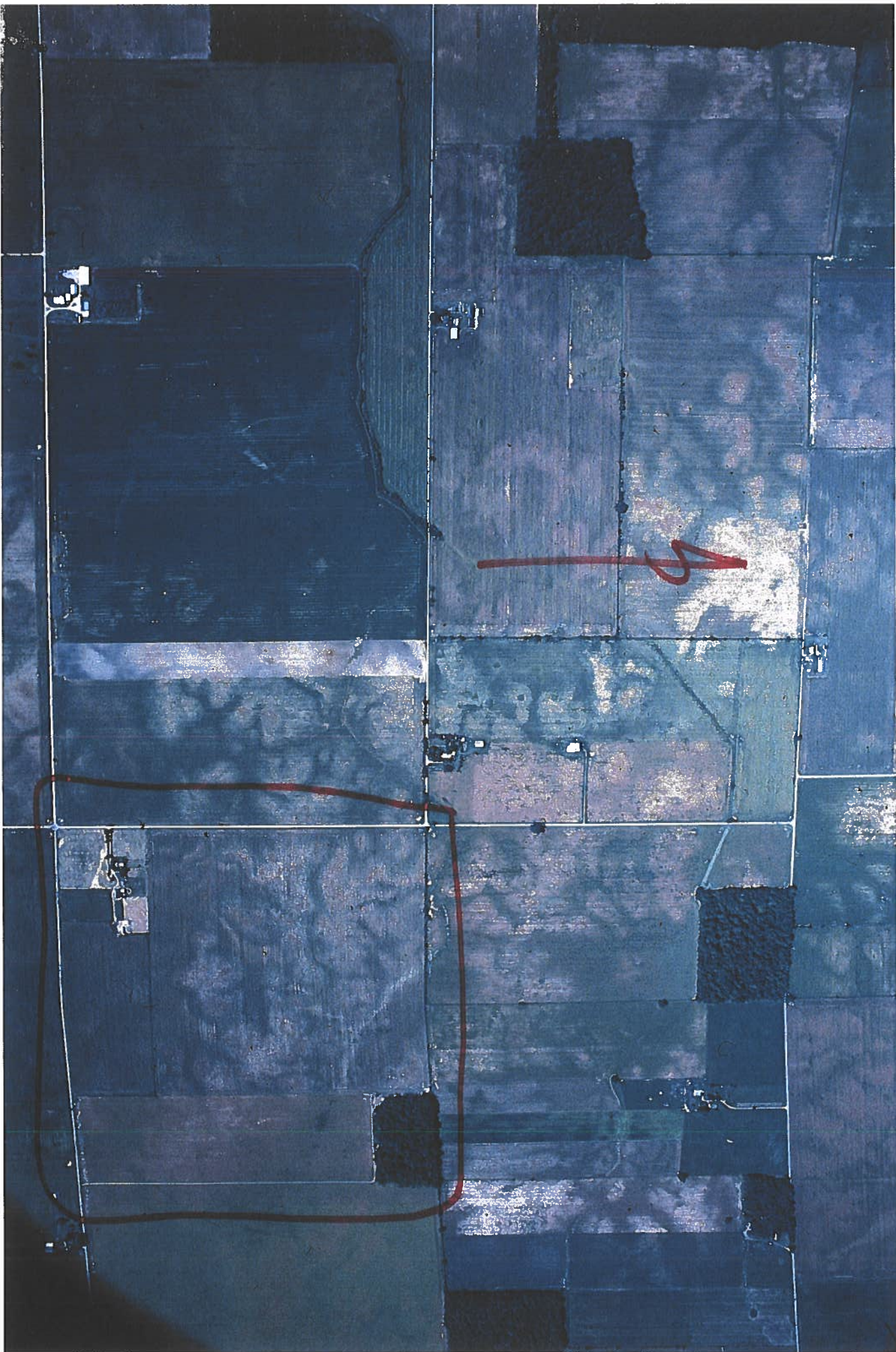
Rush, Indiana

Telephone: (765) 561-2146

Number of Farms	Number of Tracts	Farmland	Relationship to Farm Tract	Producer	Farmland				HEL Code	Wetland Code	
					DCP Cropland	CRP Cropland	DCP Cropland	CRP Cropland			EFF DCP Cropland
7	8	717.11			637.29	637.29	0.0	0.0	637.29		
Rush, IN	289	718	Operator	WCSSGRAIN LLC	158.67	150.32	150.32	0.0	150.32	N	N
			Owner	JEANNE GREER							
			Owner	TRACY A CROSS							
			Owner	TERRIA BOLLMAN							
Rush, IN	685	681	Operator	WCSSGRAIN LLC	166.15	150.15	150.15	0.0	150.15	N	N
			Owner	RAY GRIFFITH							
Rush, IN	3276	7639	Operator	WCSSGRAIN LLC	78.73	78.73	78.73	0.0	78.73	N	N
			Owner	JOE SWINDELL							
			Owner	JENNIFER H SWINDELL							
Rush, IN	3290	709	Operator	WCSSGRAIN LLC	78.76	65.87	65.87	0.0	65.87	N	N
			Owner	CHRIS SMITH							
Rush, IN	3448	706	Operator	WCSSGRAIN LLC	41.4	41.4	41.4	0.0	41.4	N	N
			Owner	KEITH R ERTEL							
Rush, IN	4710	9010	Operator	WCSSGRAIN LLC	162.32	147.4	147.4	0.0	147.4	DNC	N
			Owner	BETTY J DYER							
			Operator	WCSSGRAIN LLC	16.34	0.0	0.0	0.0	0.0	DNC	N
			Owner	BETTY J DYER REVOCABLE LIVING TRUST							
Rush, IN	5502	9900	Operator	WCSSGRAIN LLC	14.74	3.42	3.42	0.0	3.42	DNC	DNC
			Owner	TED JAMES							

HEL Codes SA = HEL: Sys Applied SNA = HEL: Sys Not Applied SNR = HEL: Sys Not Required 2YR = HEL: 2-yr Implement DNC = Determination Not Complete
Wetland Codes WL = Wetland N = No Wetland DNC = Determination Not Complete

F 5N 284 TN 218 KUSH



1985

1

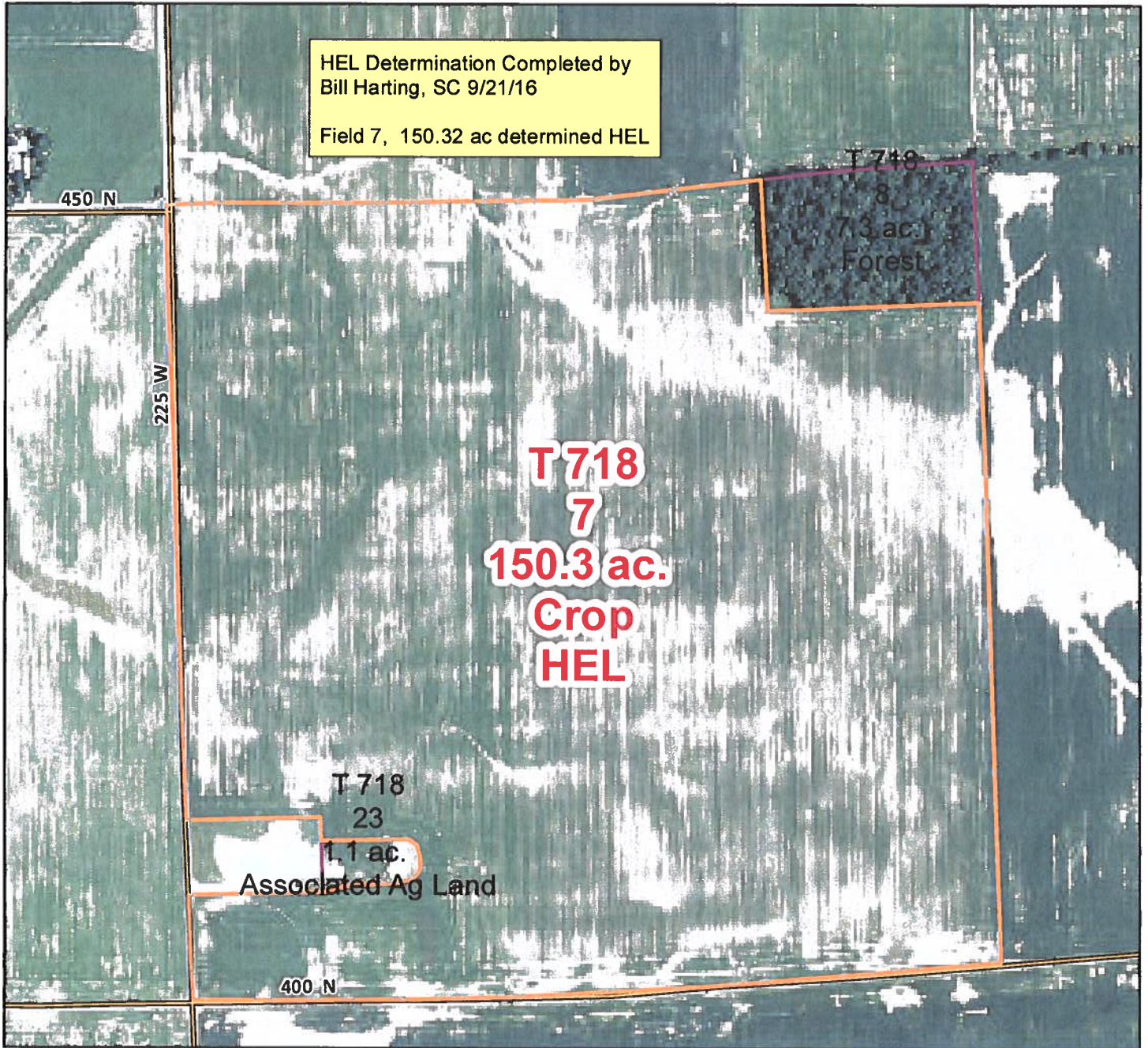
2

3

Compliance Map

Customer(s): WCSGRAIN LLC
District: RUSH COUNTY SOIL & WATER CONSERVATION DISTRICT

Field Office: MANILLA SERVICE CENTER
Agency: USDA NRCS
Assisted By: Bill Harting



Legend

- Resource Inventory (Polygon)
- Case PLUs

Farm # 289 Tract # 718
T 14 N, R 9 E, Secs 11 & 12
Jackson Township
Rush Co, Indiana



AVOIDING WETLAND VIOLATIONS

Disturbance Activities May Lead To Wetland Violations = Loss of USDA Program Benefits

Maintain wetlands in natural conditions to remain eligible for USDA benefits. Avoid activities shown below in the middle column. To avoid wetland conversions and violations do not carry out any land disturbing activities. Leave the area as a natural wetland letting natural processes occur.

Not Converted (Not a violation)

Wetland Uses

Use wetlands for:

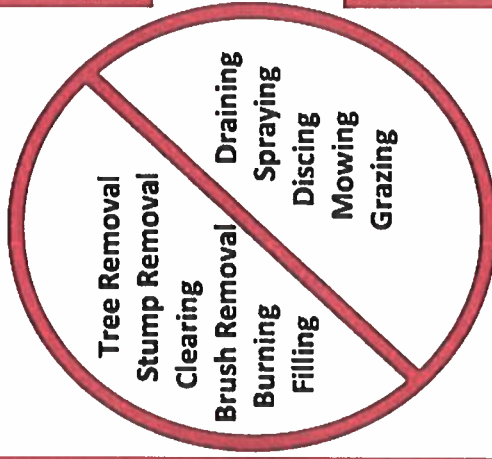
- Recreation
- Hunting
- Selective timber harvesting

Maintain the area in:

- Natural vegetation
- Woody vegetation (trees and shrubs)
- Allow natural plant regeneration

Path of Wetland Conversion (May lead to wetland violations)

Land Disturbing Activities
That May Progress to Wetland
Violations



End of Path = Wetland Violation (CW+Year Label)

Wetland Violations are called **CW+Year** and can result in the loss of all USDA benefits on all acres/fields (not just the area of the violation).

Violation of Swampbuster Provisions of the Food Security Act of 1985 can occur when a person converts a wetland by:

Removal of woody vegetation (non-herbaceous plants)

- for the purpose of or
- to have the effect of making production possible

LOSS OF USDA BENEFITS

If you have questions, please contact your local USDA Service Center

Soils Inventory Report

Wed Sep 21 2016 11:52:46 GMT-0400 (Eastern Daylight Time)

WCSGRAIN LLC

Tract	Land Unit	Map Unit Symbol	Acres	Percent
718	7	CeB2	6.8	5%
718	7	MpB2	12.6	8%
718	7	CrA	54.5	36%
718	7	Tr	76.5	51%
Total:			150.4	100%

*PHZ=1
PHZ=1
PHZ=1
NHEZ*

718	8	CeB2	0	0%
718	8	Tr	1.6	22%
718	8	MpB2	5.6	78%
Total:			7.2	100%

718	23	Tr	0.2	18%
718	23	CrA	0.9	82%
Total:			1.1	100%

Total: 158.7 100%

*Field 7 is HZ
Bill Harting, SC
9/21/16*

AD-1026
(10-30-14)

U.S. DEPARTMENT OF AGRICULTURE
FarmServiceAgency

**HIGHLY ERODIBLE LAND CONSERVATION (HEL) AND
WETLAND CONSERVATION (WC) CERTIFICATION**

Read attached AD-1026 Appendix before completing form.

PART A - BASIC INFORMATION

1. Name of Producer <u>NCS GRIFFIN LLC</u>	2. Tax Identification Number (Last 4 digits)	3. Crop Year <u>2016</u>
---	--	-----------------------------

4. Names of affiliated persons with farming interests. Enter "None," if applicable.

WILLIAM C SMITH

Affiliated persons with farming interests must also file an AD-1026. See Item 7 in the Appendix for a definition of an affiliated person.

5. Check one of these boxes if the statement applies; otherwise continue to Part B.

- A. The producer in Part A does not have interest in land devoted to agriculture. Examples include bee keepers who place their hives on another person's land, producers of crops grown in greenhouses, and producers of aquaculture AND these producers do not own/lease any agricultural land themselves. **Note:** Do not check this box if the producer shares in a crop.
- B. The producer in Part A meets all three of the following:
- does not participate in any USDA program that is subject to HELC and WC compliance except Federal Crop Insurance.
 - only has interest in land devoted to agriculture which is exclusively used for perennial crops, except sugarcane, and
 - has not converted a wetland after February 7, 2014.

Perennial crops include, but are not limited to, tree fruit, tree nuts, grapes, olives, native pasture and perennial forage. A producer that produces alfalfa should contact the Natural Resources Conservation Service at the nearest USDA Service Center to determine whether such production qualifies as production of a perennial crop.

Note: If either box is checked, and the producer in Part A does not participate in Farm Service Agency (FSA) or Natural Resources Conservation Service (NRCS) programs, the full tax identification number of the producer must be provided, but establishment of detailed farm records with FSA is not required. Go to Part D and sign and date.

PART B - HELC/WC COMPLIANCE QUESTIONS

Indicate YES or NO to each question.

If you are unsure of whether a HEL determination, wetland determination, or NRCS evaluation has been completed, contact your local USDA Service Center.

	YES	NO
6. During the crop year entered in Part A or the term of a requested USDA loan, did or will the producer in Part A plant or produce an agricultural commodity (including sugarcane) on land for which an HEL determination has not been made?	✓	
7. Has anyone performed (since December 23, 1985), or will anyone perform any activities to:		
A. Create new drainage systems, conduct land leveling, filling, dredging, land clearing, or excavation that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____		✓
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____		✓
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): _____ Note: Maintenance is 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.		✓

Note: If "YES" is checked for Item 7A or 7B, then Part C must be completed to authorize NRCS to make an HELC/WC and/or certified wetland determination on the identified land. If "YES" is checked for Item 7C, NRCS does not have to conduct a certified wetland determination.

8. Check one or both boxes, if applicable; otherwise, continue to Part C or D.

- A. Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the first time the producer in Part A, including any affiliated person, has been subject to HELC and WC provisions.
- B. Check this box if either of the following applies to the producer and crop year entered in Part A:
- Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to allow compliance, but all other farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be completed).
 - Is a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant on that farm, but all other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request, must be completed).

PART C - ADDITIONAL INFORMATION

9. If "YES" was checked in Item 6 or 7, provide the following information for the land to which the answer applies:

- A. Farm and/or tract/field number: FSN 289 TN 718
If unknown, contact the Farm Service Agency at the nearest USDA Service Center.
- B. Activity: COMBINE FIELDS # 10 & # 5 = FIELD # 7 OVER 150 ACRES
- C. Current land use (specify crops): _____
- D. County: RUSH CO

PART D - CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

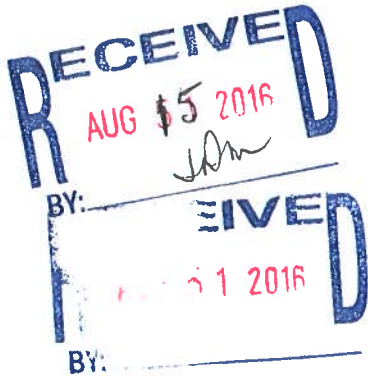
- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification:

I hereby certify that the information on this form is true and correct to the best of my knowledge.

10A. Producer's Signature (By) <i>William C. Smith</i>	10B. Title/Relationship (If Signing in Representative Capacity) <i>owner President</i>	10C. Date (MM-DD-YYYY) <i>6-7-16</i>
FOR FSA USE ONLY (for referral to NRCS) Sign and date if NRCS determination is needed.	11A. Signature of FSA Representative <i>[Signature]</i>	11B. Date (MM-DD-YYYY) <i>08-15-2016</i>

IMPORTANT: If you are unsure about the applicability of HELC and WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any drainage or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whether you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.



*William C Smith
3600 N HENDERSON RD
RUSHVILLE, IN 46173*

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12, the Food Security Act of 1985 (Pub. L. 99-198), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to certify compliance with HELC and WC provisions and to determine producer eligibility to participate in and receive benefits under programs administered by USDA agencies. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under programs administered by USDA agencies.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.**

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USDA Farm 289 Tract 718

Map prepared on: 5/19/2016

Administered by: Rush County, Indiana

CRP

CLU **Rush Co., IN**



158.67 Tract acres

150.32 Cropland acres

0 CRP acres

Wetland Determination Identifiers:

● Restricted Use

▽ Limited Restrictions

☐ Exempt from Conservation Compliance

Source: USDA Farm Service Agency - 2014 or 2015 (IL & OH) NAIP imagery; IDHS June 2015 or Dynamap 2008 road names

Provisions

CLU	Acres	HEL	LC	Contract	Prac	Yr	C
7	150.32	U	2				Y



Farm 289 Tract 718

USDA FSA maps are for FSA program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts information provided directly from the producer and/or NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.

USDA Farm 289 Tract 718

2016 Certification map prepared on: 4/5/2016

Administered by: Rush County, Indiana

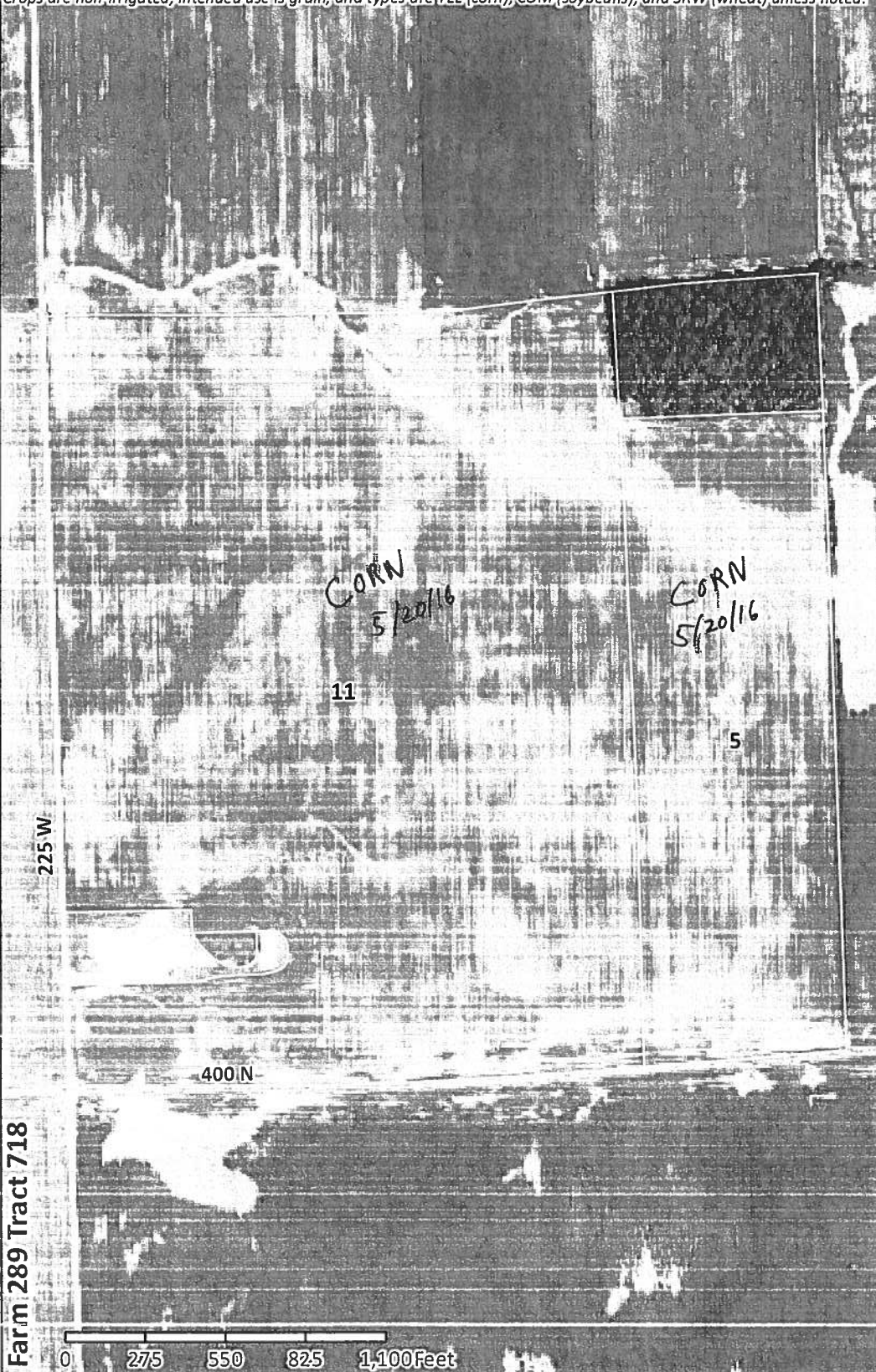
161.17 Tract acres
 150.32 Cropland acres
 0 CRP acres

- CRP
- CLU *Rush Co., IN*
- Wetland Determination Identifier**
- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Source: USDA Farm Service Agency - 2014 or 2015 (IL & OH) NAIP imagery; IDHS June 2015 or Dynamap 2008 road names

Crops are non-irrigated, intended use is grain, and types are YEL (corn), COM (soybeans), and SRW (wheat) unless noted.

CLU	Acres	HEL	Contract	Prac	Yr	C
5	34.72	N				Y
Shares:						
11	115.6	U				Y
Shares:						



Old Map

USDA FSA maps are for FSA program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts information provided directly from the producer and/or NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.



United States Department of Agriculture

Natural Resources Conservation Service
Manilla Field Office
2779 South 840 West
Manilla, IN 46150
Phone: (765) 647-2651 Ext 3

VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

9/22/16

WCSGRAIN LLC
6047 N 550 W
ARLINGTON, IN 46104

Dear Sirs:

This is to notify you that as of the date of this letter, a preliminary technical determination for Farm# 289 Tract# 718 has been made based on your responses on your latest AD-1026 submitted with the Farm Service Agency (FSA).

I have enclosed a Preliminary Technical Determination on NRCS-CPA-026E along with aerial photo(s) that includes your determinations. This latest determination was performed by Bill Harting on 9/21/16. This determination supersedes all previous determinations and is valid as long as the land use remains in agriculture.

Fields shown in Section II of the attached NRCS-CPA-026E, "Highly Erodible Land and Wetland Conservation Determination," contain the following Highly Erodible Land (HEL)/Wetland Conservation (WC) determinations.

Please carefully review all of the documentation within this package. If you have any questions about your determination, please call me at ((765) 647-2651 Ext 3), Extension 3.

This HEL/WC determination has been conducted for the purpose of implementing the conservation provisions of the Food Security Act of 1985, as amended, only.

This determination is not valid for identifying the extent of the United States Army Corps of Engineers (COE) Clean Water Act jurisdiction for this site, nor for other agencies that may also have jurisdiction that require permits from the Indiana Department of Environmental Management and the Indiana Department of Natural Resources, Division of Water. ***NRCS strongly recommends that you contact each of these agencies before beginning any work as failure to do so may result in costly ramifications with other laws.***

- Indiana Department of Environmental Management (IDEM)
 - State Isolated Wetland Law code 13-18-22. www.in.gov or (317) 233-8488
- Indiana Department of Natural Resources, Division of Water (IDNR)
 - Permit Application Assistance Manual. www.in.gov or 1-877-928-3755
- US Army Corps of Engineers (USACE)
 - Clean Water Act. <http://www.usace.army.mil/> - Regulatory and Permits

Helping People Help the Land.



USDA is an equal opportunity provider and employer.

This technical determination may affect USDA program benefits. Please refer to the attachments for descriptions and allowances/restrictions based on the assigned determination labels per the Food Security Act of 1985, as amended.

This preliminary technical determination will become a **Final Technical Determination** 30 days after receipt of this letter unless you request ONE of the following three options:

1. Request a reconsideration (office or site) visit with me and our NRCS Certified Agency Expert for the purpose of gathering/providing additional information and for a discussion of the facts relating to the preliminary determination. Reconsideration must be requested in writing to my office.
2. Request mediation in an attempt to settle your concerns with the preliminary technical determination. The **Application for Voluntary Mediation Form** and procedures may be obtained from my office.
3. Request in writing to the NRCS State Conservationist a waiver of the 30 day appeal period for the preliminary technical determination so that this determination becomes final immediately. Please contact me for contact information.

In addition, you have the right to review the records concerning this determination in our office.

Once this decision becomes final you may appeal to either the Farm Service Agency County Committee (COC) or to the National Appeals Division (NAD). You must file your request in writing within 30 days of this technical determination becoming a final. You may appeal to only one of the following:

FSA County Committee
2779 South 840 West
Manilla, IN 46150

OR

Eastern Regional Office
National Appeals Division
Post Office Box 68806
Indianapolis IN 46268-0806

All USDA program participants associated with this tract are affected by the determination. If you are the owner of this tract and have a tenant, I urge you to discuss this letter and accompanying NRCS-CPA-026E with your tenant. Likewise, if you are the tenant of this tract of land, I urge you to discuss this letter with your landlord.

If you have any questions or would like to discuss any concerns you might have, please call me at (765) 647-2651, Extension 3.

Sincerely,



Frank Jones
District Conservationist

Attachments:

NRCS-CPA-026E; Map; WC-HEL Labels and Restrictions; Avoiding Wetland Violations Fact Sheets;

cc: FSA County Committee



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	WCSGRAIN LLC 6047 N 550 W ARLINGTON, IN 46104	Request Date:	6/7/16	County:	Rush
Agency or Person Requesting Determination:	FSA	Tract No:	718	FSA Farm No.:	289

Section I - Highly Erodible Land

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

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.

<u>Field(s)</u>	<u>HEL(Y/N)</u>	<u>Sodbust(Y/N)</u>	<u>Acres</u>	<u>Determination Date</u>
7	Y	N	150.32	9/21/16

The Highly Erodible Land determination was completed in the office.

Section II - Wetlands

Are there hydric soils on this farm?	
--------------------------------------	--


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.

<u>Field(s)</u>	<u>Wetland Label*</u>	<u>Occurrence Year (CW)**</u>	<u>Acres</u>	<u>Determination Date</u>	<u>Certification Date</u>

The wetland determination was completed in the . It was to the person on .

Remarks:	A Fact Sheet "Avoiding Wetland Violations" is included for general reference. Refer to the attached "Wetland Conservation Definitions and Restrictions" and "Highly Erodible Land Conservation Requirements" for descriptions and allowances/restrictions for the above labels.
----------	---

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	Date
	9/21/16

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. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.
NRCS-CPA-026E

Wetland Conservation Definitions and Restrictions

(National Food Security Act Manual 514.60 - <http://directives.sc.egov.usda.gov/viewerFS.aspx?id=3701>)

Name and Label	Criteria For Determination	Authorized Uses	Authorized Maintenance
(AW) Artificial Wetland	Created wetlands on areas that were previously non-wetland.	No restrictions.	No restrictions.
(CC) Commenced Conversion	Conversion began before December 23, 1985, and was approved by FSA; conversion activity was completed by January 1, 1995.	No restrictions provided activities were completed per conditions.	As stipulated in the agreement.
(CPD) COE Permit w/ Mitigation	Converted wetland is exempt because the activity is authorized by a COE permit and satisfies the mitigation requirements of the Act.	Per COE permit conditions.	Per COE permit conditions.
(CW) Converted Wetland	Converted after December 23, 1985 and prior to before November 28, 1990.	Production of agricultural commodities or additional manipulation will cause ineligibility.	Maintenance allowed to scope and effect of original manipulation
(CW) Wetland Converted by county, drainage district, or similar entity.	Converted after December 23, 1985, by drainage district or other entity and beyond a person's direct control, but not considered third party (TP).	Production of agricultural commodities or forage for mechanical harvest or additional manipulation will cause ineligibility.	Maintenance allowed to original scope and effect of system before conversion.
(CW + year) Converted wetland	Converted after November 28, 1990.	Conversion causes ineligibility, regardless of whether production of agricultural commodity occurred.	Not applicable.
(CWNA)	Converted wetland for non-agricultural purposes.	Production of agricultural commodities will cause ineligibility.	No restrictions.
(CWTE) Converted Wetland Technical Error	An area converted after December 23, 1985, where the conversion or production of an agricultural commodity was a consequence of an incorrect NRCS determination.	May be used for production of agricultural commodities or forage provided no manipulation is done beyond what existed as of the date of the CWTE determination.	May be maintained to the extent that existed on date of the CWTE determination.
(FW) Farmed Wetland	Manipulated and used for the production of an agricultural commodity as of December 23, 1985. If the area is not a pothole, playa, or pocosin, it is inundated for at least 15 consecutive days during the growing season or 10 percent of the growing season, whichever is less, in most years. If the area is a pothole, playa, or pocosin, it is inundated for at least 7 consecutive days or saturated for at least 14 consecutive days during the growing season in most years. Not abandoned.	May be used for production of agricultural commodities or forage.	May be maintained to the extent that existed before December 23, 1985, if "as built" records exist. May be maintained to the extent that existed on December 23, 1985, if no "as built" records exist.

Wetland Conservation Definitions and Restrictions

(National Food Security Act Manual 514.60 - <http://directives.sc.egov.usda.gov/viewerFS.aspx?id=3701>)

Name and Label	Criteria For Determination	Authorized Uses	Authorized Maintenance
(FWP) Farmed Wetland Pasture and Hayland	Manipulated and used for pasture or hay as of December 23, 1985. Is inundated for at least 7 consecutive days or saturated for 14 days during the growing season. Not abandoned.	May be used for production of agricultural commodities or forage.	May be maintained to the extent that existed before December 23, 1985, if "as built" records exist. May be maintained to the extent that existed on December 23, 1985, if no "as built" records exist.
(MIW) Mitigation Exemption	Converted wetland is exempt because mitigation has occurred according to an NRCS-approved plan.	As stipulated in the mitigation agreement.	As stipulated in the mitigation agreement.
(MW) Minimal Effect Exemption	Converted wetland is exempt because conversion is determined to have a minimal effect, individually and cumulatively, on the wetland functions in the watershed.	As stipulated in the minimal effect agreement, if applicable.	Only those activities stipulated in the minimal effect agreement, if applicable.
(MWM) Mitigation Site	Site of wetland restoration, enhancement, or creation serving as mitigation for MIW site.	As stipulated in Mitigation Plan/Agreement.	As stipulated in Mitigation Plan/Agreement
(NI) Not Inventoried	Used when a wetland determination is not conducted.	Can determine only after a certified wetland determination is completed for the area labeled NI.	Can determine only after a certified wetland determination is completed for the area labeled NI.
(NW) Nonwetland	Does not meet wetland criteria. Also includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria. The area has not been abandoned.	No restrictions.	No restrictions unless manipulation would convert adjacent wetlands.
(PC) Prior Converted Cropland	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.	No restrictions.	No restrictions unless manipulation would convert adjacent wetlands.
(TP) Third Party Exemption	A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and without the participant's collusion, fraud, scheme or device. A third party does not include predecessors in interest on the tract or drainage districts or other local government entities.	May be used for production of agricultural commodities or forage.	Further drainage improvement will cause ineligibility.
(W) Wetland	Meets wetland criteria. Not converted after December 23, 1985. Also, includes areas previously identified as FW or FWP, which have been abandoned.	May be farmed under natural conditions without removal of woody vegetation.	At level needed to maintain original system on FW, FWP, and PC. Must not convert additional wetlands or exceed original scope and effect of drainage system.
(WX) Wetlands that have been manipulated	Wetlands that have been manipulated but not for the purpose of or making possible production of an agricultural commodity.	Would cause ineligibility if production was later made possible.	No restrictions as long as production not made possible including on an adjacent wetland.

Highly Erodible Land Conservation Requirements

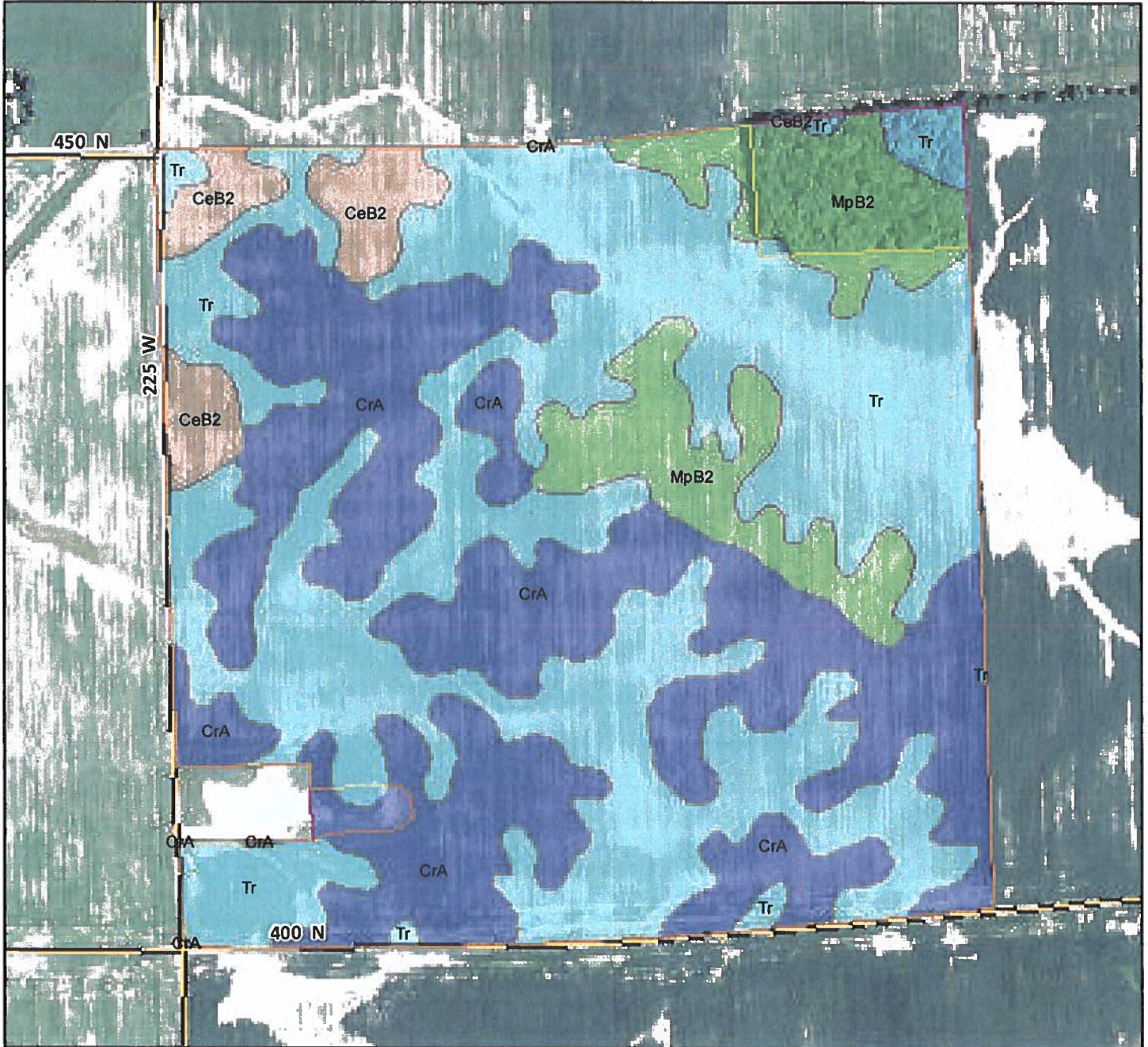
(National Food Security Act Manual 512.01e - <http://policy.nrcs.usda.gov/viewerFS.aspx?id=1515>)

IF the field...	THEN a substantial reduction...
Was used to produce crops prior to December 23, 1985, and the conservation system or plan has been approved, applied, and maintained prior to July 3, 1996,	<p>Has already been met, providing the plan or system is continued to be applied and maintained, and—</p> <ul style="list-style-type: none"> <input type="checkbox"/> The same person continues to use the original conservation system, or revises the system to provide an equal or greater level of erosion protection. <p style="text-align: center;">or</p> <ul style="list-style-type: none"> <input type="checkbox"/> The new owner and/or operator accepts the approved conservation system or plan and continues to apply and maintain the conservation system or an equivalent conservation system.
Was used to produce crops prior to December 23, 1985, and has a conservation system or plan that has been approved after July 3, 1996,	Is a 75 percent reduction of the potential erodibility, not to exceed two (2) times the soil loss tolerance level for the predominant highly erodible soil map unit in the highly erodible field.
Has no history of crop production prior to July 3, 1996,	Does not apply. Furthermore, in no case will the soil erosion level for sodbusted land exceed the soil loss tolerance. (See NFSAM, paragraph <u>512.01(f)</u> .)

Soils Inventory Map

Customer(s): WCSGRAIN LLC
 District: RUSH COUNTY SOIL & WATER CONSERVATION DISTRICT

Field Office: MANILLA SERVICE CENTER
 Agency: USDA NRCS
 Assisted By: Bill Harting



Legend

- Frozen Soils Map** <all other values> **MUSYM** CeB2 CrA MpB2 Tr
- Resource Inventory (Polygon)
 Case PLUs



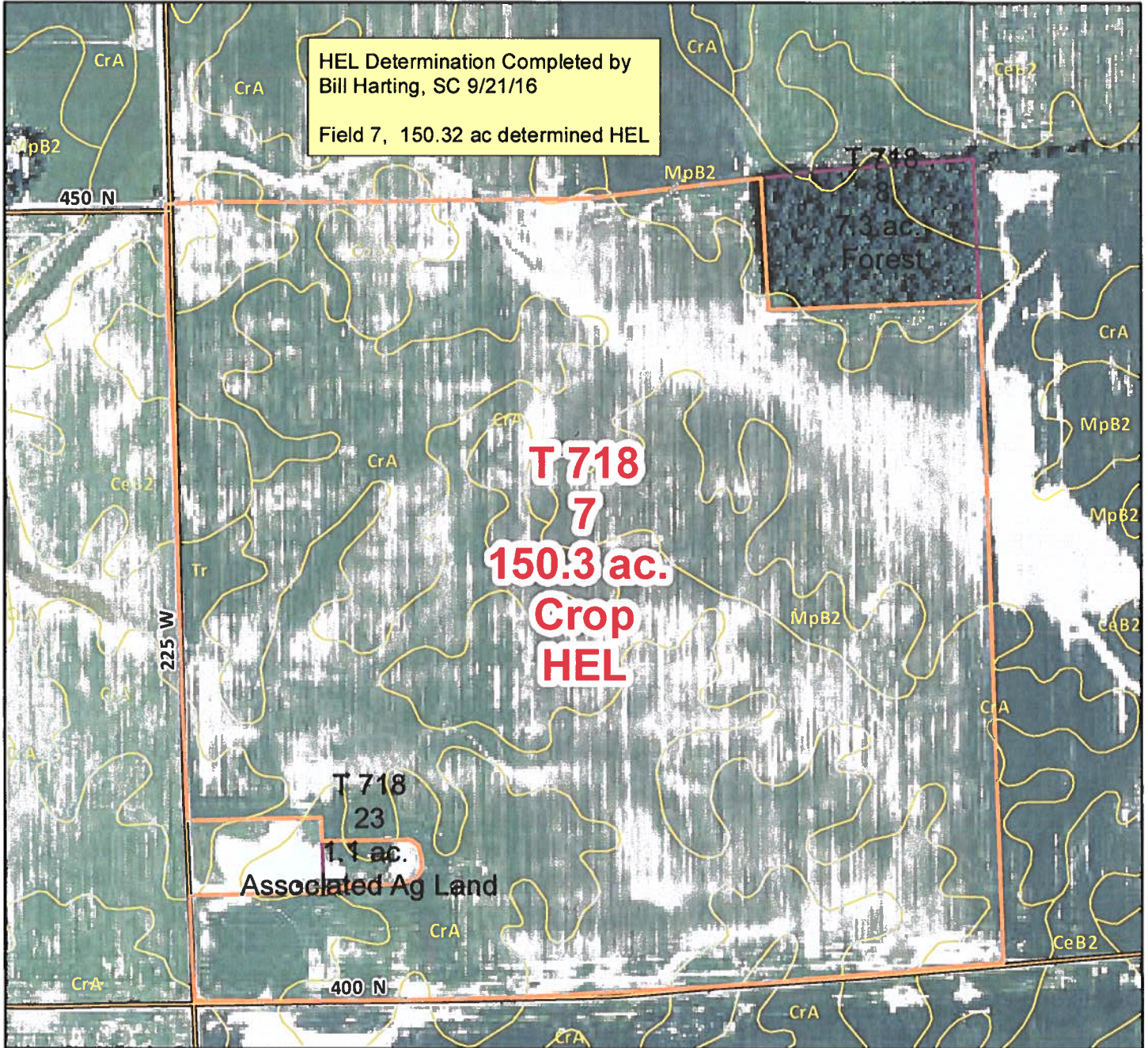
Farm # 289 Tract # 718
 T 14 N, R 9 E, Secs 11 & 12
 Jackson Township
 Rush Co, Indiana



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Legend

- Resource Inventory (Polygon)
- Case PLUs
- Rush Soils

Farm # 289 Tract # 718
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