

FINAL
OVERSIGHT AND EVALUATION
REPORT

North Dakota Onsite Review

March 15, 2013

Confidential



NATURAL RESOURCES CONSERVATION SERVICE
Oversight and Evaluation Team
Office of the Regional Conservationists

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Purpose

This report is a result of a request for additional Conservation Technical Assistance (CTA) funding in a proposal entitled “North Central Wetlands Conservation Initiative in the Prairie Pothole Region.” The Oversight and Evaluation is being conducted in a two-phased approach.

- Phase I - has been completed and consisted of a quick response review which was conducted to analyze wetland determination procedures in the Prairie Pothole region (final report was completed March 3, 2011).
- Phase II - is being implemented and will include a series of reports such as this one that outlines progress being made in the prairie pothole four-state region. The four states are IA, MN, ND and SD.

Background

Phase II will consist of approximately 80 onsite reviews (20 per state in each of the four states) and approximately 320 offsite reviews (80 per state). Note: The offsite reviews have been delayed until pending new policy can be implemented and then reviewed under this process.

Objectives

The objective is to achieve consistent application of national policy in rendering technical determination (certified wetland determinations) procedures within the initiative.

Scope

The scope of this project is the Prairie Pothole region and includes the following states: Iowa, Minnesota, North Dakota, and South Dakota.

Methodology

Each onsite review will consist of 10 sites (each state will have a total of 20 sites reviewed). Upon completion of each review, a report will be generated and an exit conference conducted with the State Conservationist, the point of contact (POC) and other staff. A total of eight onsite reviews and reports will be generated.

Upon completion of all 8 onsite reviews (total of 80 sites) a final report will be generated for the initiative. A conference call will be held with the State Conservationist, and POC's to review their state's overall report.

An offsite review report will be generated halfway thru the 320 offsite samples (approximately 160) and a final report will be generated when all 320 offsite samples have been completed.

When both onsite and offsite reviews have been finalized, an overall report titled Phase II – Consistency will be provided that includes the combined results with an exit conference that includes the Regional Conservationist, the four State Conservationists, and the POCs.

Results of the Study

Two teams conducted this review with Jim Gertsma and David Howard (Team 1) working the southeastern counties and Lee Davis and Paul Flynn (Team 2) working the northeastern counties. This fifth round of eight reviews (second round for North Dakota) included the counties of Ransom, LaMoure, Stutsman, Dickey, Grand Forks, Ramsey, Wells, and Steele. Data was collected October 15 - 19, 2012.

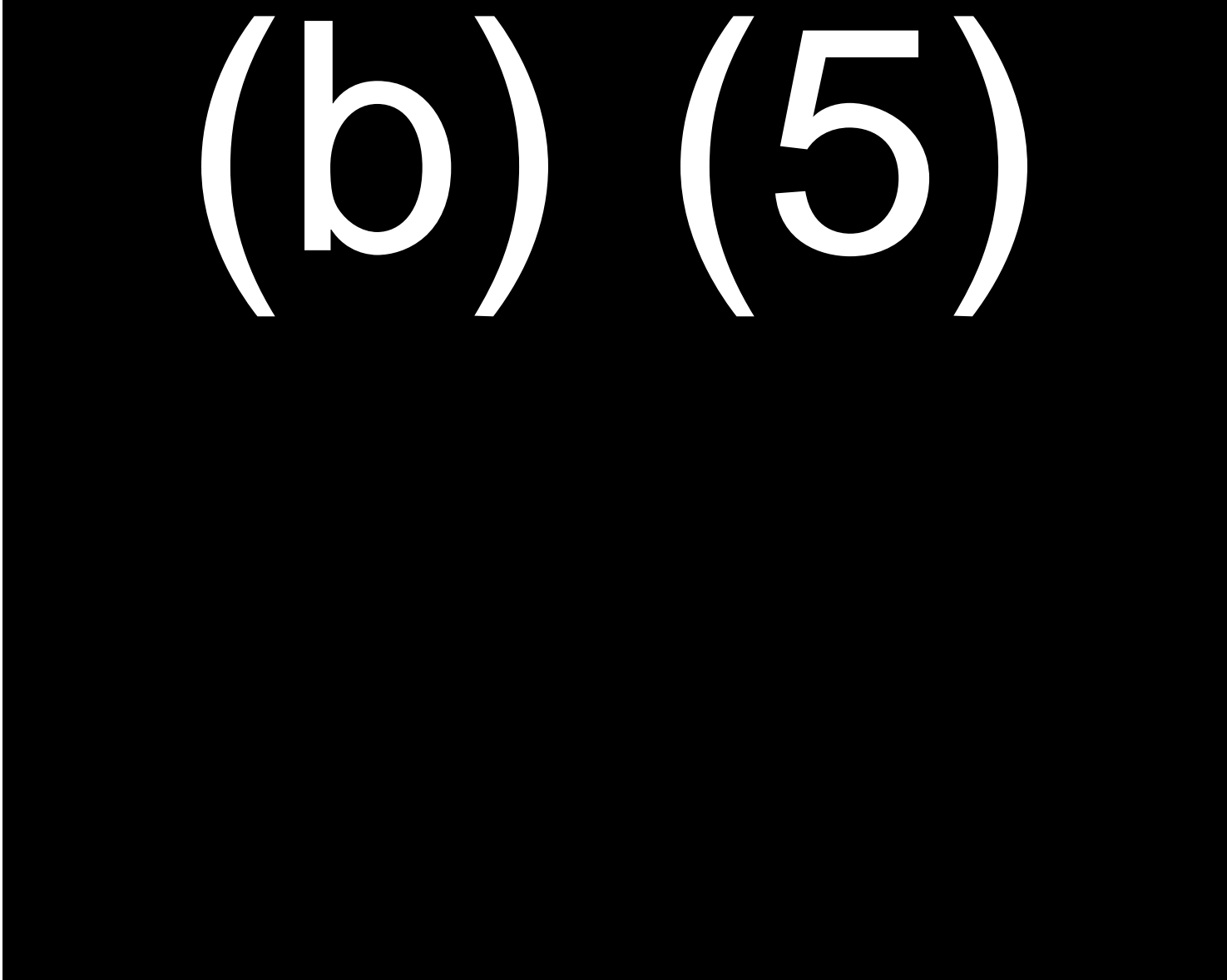
The samples were selected from a list of determinations completed by each wetland specialist. Samples were randomly selected from those that appeared to be viable determination requests. The results of the review are as follows:

Commendable Items:

Reviews were conducted in a positive setting with staff being helpful and professional, with requests from reviewers serviced promptly. The staff demonstrated a desire to do their jobs correctly and were willing and eager to improve their methods of making wetland determinations.

Finding 1 – Job Approval Authority and Training (questions 1 & 2)

Some individuals completing the offsite determination work did not have the appropriate job approval authority (JAA). Some Designated Conservationists had not received adequate training as required. The agency is at risk of being in an indefensible position in wetland certification disputes and appeals.



(b) (5)

Finding 2 – Wetland Determination Methods (questions 33, 37, 38, 41, 44, 46, & 50)

The methods utilized for wetland determinations (i.e. maps, numbering sites/sampling points, appropriate precipitation data sources, evidence & documentation of pre-1985 drainage, slide review data sheet, and the three level approach) failed to meet NRCS policy. The methods should separate the three steps of the FSA wetland determination process (Step 1: Wetland ID; Step 2: Assigning a WC Label; Step 3: Determination of Size). In addition, State offsite methods or State Wetland Mapping Conventions should require the assessment

of each of the three wetland diagnostic factors (vegetation, soils and hydrology) The agency is at risk of being in an indefensible position in wetland certification disputes and appeals.

(b) (5)

Finding 3 – Offsite Methods (questions 53, 56, 59, 63, 79, 80, 82, 88, 84 & 95)

The State Offsite Mapping (SOSM) or State Mapping Conventions (SMC) currently being used, do not meet NRCS policy as they fail to require the independent consideration of all three factors. The agency is at risk of being in an indefensible position in wetland certification disputes and appeals.

(b) (5)

(b) (5)

Finding 4 – Appeal Process (questions 22, 23, 27 & 31)

The appeals process is not being carried out according to policy. The agency is at risk of being in an indefensible position in wetland certification disputes and appeals.

(b) (5)

Finding 5 – Data & Final Determination (questions 67, 73, 77 & 85)

This review indicated that the correct decisions and proper wetland conservation labels are usually being made, although the procedure/criteria are not always followed or documented sufficiently. The reviewers are in agreement with the assigned wetland conservation labels on 89% of the sites reviewed. The inconsistencies found by the reviewers are an indication that the agency may be at risk of being in an indefensible position in wetland certification disputes and appeals.

(b) (5)

Finding 6 – Priority of Wetland Conservation Workload Management

North Dakota Bulletin Number 180-13-1 may be in conflict with NFSAM 530.4(B).

(b) (5)

(b) (5)

(b) (5)

(b) (5)

APPENDIX 2 – Employees Interviewed

	Interview Location	Employee
State Office	Bismarck	Todd Schwagler, SRC
State Office	Bismarck	Curtis Bradbury, State Biologist
State Office	Bismarck	Steve Sieler, Soil Scientist
Area Office	Jamestown	Stuart Blotter, AC
Stutsman County	Jamestown	Codie Lacina, DC
Stutsman County	Jamestown	Ian Kenny
Dickey County	Telephone	Michelle Jezeski, DC
Dickey County	Telephone	Matt Waclawik
Wells County	Fessenden	Pam Copenhaver, DC
Wells County	Fessenden	Amanda Kobberdahl
Steele County	Telephone	Reggie Laframboise, DC
Steele County	Telephone	Jason Hansen
Ransom County	Telephone	Jaime Palczewski, DC
Ransom County	Telephone	Dave Brecker, Area SS
Area Office	Devils Lake	Paul DuBort & Jill Hockensen
Ramsey Co	Devils Lake	Paul Thompson, DC
Area Office	Devils Lake	Jason Sieler
Area Office	Devils Lake	Tyler Raeder
LaMoure County	Telephone	Darin Hirschhorn, DC
Grand Forks County	Grand Forks	Rafael Ricaurte, DC
Richland County	Telephone	Steve Cole, DC.

APPENDIX 3 – Interview Summary

All North Dakota staff was open and cooperative with the Reviewers. Many of the staff assigned to conduct wetland determinations are newly hired employees for this very purpose. The staff is energetic, ready to learn, and very conscientious.

Generally the ND staff has received the necessary training needed to conduct wetland determinations with one exception cited by some interviewed. They indicated they are not receiving training on off-site methodology and protocols. They indicated this is learned on the job which they believe takes longer to learn than if it was provided formally by State/Area office staff.

Generally we found that the correct decisions are being made and proper wetland/non-wetland designations are being provided, although the procedure/criteria are not always followed or documented sufficiently.

Staff interviewed know who to turn to for guidance and indicated they received timely answers when seeking guidance. They also indicated the belief that consistent guidance is being provided State/Area wide.

Of those interviewed they overwhelmingly and emphatically stated they have not felt pressured to either find more or less wetlands. They view their jobs simply to technically designate what is, or is not a wetland according to policy. The only exceptions were 1) Three of nine District Conservationists indicated that they feel pressure from producers and some get very angry with them over wetland conservation compliance. 2) Two of nine District Conservationists believe the State Office is overzealous and impersonal in their approach to wetland compliance and are overly influenced by the possibility of appeal.

Some staff interviewed described anxiety they experienced when clients enter the Service Center or they are approached while off duty by clients with questions regarding wetland conservation compliance.

Two of nine District Conservationists indicated they receive questions from clients about inconsistency across state lines. They do not know how to respond, as it places them in an awkward position.

Oversight and Quality Assurance:

The intense oversight which was the subject of several accusations made by a previous NRCS NCWCI term employee was substantiated during the review. North Dakota began 100% review of all wetland determinations approximately in May of 2012 according to those interviewed. All employees conducting determinations have been subject to this second level review performed primarily by Area Office staff. The purpose of the 100% second level review is to ensure quality and to achieve consistency, and to grant job approval authority (JAA) for completing certified wetland determinations. Upon designation of JAA, the 100% second level review will be relaxed. Subsequent QARs are conducted by either the Area Office or State Office staff to further evaluate completed determinations. We found no basis in the accusations that the previous employee's work was receiving more technical scrutiny than other employees.

Separation of Duties:

1. The newly instituted wetland conservation compliance separation-of-duties organization and structure has only been in place for a couple of weeks. Therefore all work reviewed was a product of the organization/structure that was in place prior to separation of duties. Most District Conservationists interviewed have not been completing wetland determinations in the last 12 months due to NCWCI or other North Dakota pilots, or work assignments

for this responsibility. The pilot project which was conducted in Area 1 (Devils Lake), and the NCWCI term staff experience provided information helpful to establish the newly implemented separation of duties assignments (See Map). The primary lessons learned during interviews was that 1) the size and orientation of the geographic area of responsibility, and 2) the number and qualifications of employees assigned, their duty station locations relative to the geographic area of responsibility, and concentration of workload, all resulted in inefficiencies due to driving time required. 3) Communication, District Conservationists felt out of loop before, have now created a weekly report so DCs can stay up to date on determinations status and progress. Term appointments were not found to be effective due to uncertainty, training, and by the time employees were fully functioning, the term had expired.

2. Most District Conservationists interviewed indicated that separation of duties is good idea but they have mixed emotions because their experience is that producers want to talk to a familiar face when they raise a compliance issue. They cited experience with the Pilot which was concluded in approximately August of 2012. It may lead to more frustration until customers get accustomed to dealing with others.
3. DCS have some anxiety about the ability to reduce the backlog, and keep up with demand under the new structure. Most DCs interviewed are optimistic that new assignments (separation of duties as of 10/1/12) will help alleviate some of the backlog, but they fear that the number of staff assigned may be inadequate and backlogs will persist, or will be created where local staff had previously been caught-up on compliance workload.

Backlog of Determinations:

1. Most interviewed indicated that ND was not using off-site conventions until summer 2011. Prior to that time, all determinations were being completed on-site. This has been a difficult transition for some staff due to the perception by clients and other interest groups that off-site conventions do not consider “normal” years only “wet” years. However, several indicated the use of off-site conventions have and will continue to be more efficient and decrease backlog. Those interviewed indicated only about 5% of certified determinations are currently completed solely using off-site conventions.
2. The very short “field season” was described by many interviewed. These are the couple months in Spring and Fall when crops are off the fields, and there is little or no snow cover when on-site determinations can be completed.
3. Requests for determinations for the installation of subsurface draining has exploded due to several abnormally wet years in a row followed by relatively dry years, and a market driven by high commodity prices.
4. Until October 1, 2012, 569s had priority. This policy resulted in very few certified determinations being completed for anything other than 569s. Under new policy established as part of separation-of-duties, they are completed by the date the 1026, 569, CPA 38, or other referral was/is received by NRCS. There is a significant backlog of requests in most of the counties evaluated. Those interviewed indicated the range from 3 months to several years (2009 was cited) since some 1026s had been referred to NRCS. Most indicated the time from referral to completed certified determination to be approximately 8-12 months.

APPENDIX 4 – NCWCI - MEASURE SUMMARY

NCWCI - MEASURE SUMMARY		
SECOND REVIEW		
Success Rate =		
100%	99% -90%	89% -80%
	79% -70%	69% -0%
	NORTH DAKOTA	
Measures (Expected Performance)	Success Rate	Comments
JAA and Training	86%	
Wetland Determination Request	100%	
Wetland Determination Methods	83%	
Offsite Methods- all Level 1 Determinations and Level 1 portion of Level 3 Determinations	50%	
Onsite Methods (inspection necessary) - Level 2-3 and Onsite Determination Required	97%	
Appeals	76%	
Reviewer Agreed with Determinations	82%	

NCWCI - MEASURE SUMMARY

SECOND REVIEW

Success Rate = 100% 99% -90% 89% -80% 79% -70% 69% -0%

		NORTH DAKOTA	
Measures (Expected Performance)		Success Rate	Comments
JAA and Training		86%	
1	The Designated Conservationist attended the Phase 2 Wetland Delineation Training.	30%	
2	The individual completing the offsite determination work had the appropriate Job Approval Authority.	72%	Person doing the work on 026 did not sign, the DC signed.
3	The individual completing the onsite determination work had the appropriate Job Approval Authority.	100%	
4	The individual completing the Certified Wetland Determination had the appropriate Job Approval Authority.	100%	
5	There was a State job-approval list.	100%	
13	The person assigning the label had job approval authority.	100%	
30	The 2nd tier staff had job approval authority on the state roster.	100%	
Wetland Determination Request		100%	
6.1	The wetland determination request was initiated on the proper form.	100%	
6.2	The wetland determination request was signed by FSA.	100%	
6.3	The wetland determination request was dated.	100%	
7	If the request was on the AD-1026, box 10A, 10B or 10C was checked "yes".	100%	
8	There was a county log of AD-1026 request or an access database.	100%	
9	The request was entered on the county log or an access database.	100%	
Wetland Determination Methods		83%	
33	A modification/justification of the standard wetland ID methods was made, per paragraph 23 of the Corps Manual and Section A – Introduction; Corps Manual as provided by NRCS policy the FSA Procedures (5-5).	0%	
35	A base map was developed for the determination.	95%	
36	The base map was by Tract per regulations or Field per state policy.	90%	
37	The numbering of sites and sampling points was appropriate. i.e. FSA Field Number/Sampling Unit Number (e.g. 1,S1,A)	65%	Not linked to FSA number
38	The acres of the project area (entire project size) were placed on the base map per policy.	70%	No total acres

39	The FSA Variance (5-11) was followed.	100%	
40	An appropriate precipitation data source was used for the pre-1985 remote data source.	95%	
41	The precipitation data source was noted and appropriate for the "current" remote data source.	85%	
42	FSA Normal Circumstances, related to disturbance, were considered and documented as required in (5-5).	94%	
44	If 'yes', the drained conditions (considered the new normal circumstances) were considered in the wetland identification decision for each factor.	83%	
45	If drainage was noted after 1985, it was documented.	100%	
46	The data sources considered were consistent with what is provided in the Corps Manual (items a - j in paragraph 54) and if so were the items considered noted on the COE forms.	75%	Not cited on Corps Form
47	A remote source (slide review) data-sheet was included and complete.	100%	
48	The data sources were properly interpreted.	100%	
49	The FSA Variance (5-11) was followed.	92%	
50	The three-level approach was considered by the agency expert.	54%	Used Level 2 for all potentials
51	If 'yes' for Level 1 determination, each of the three wetland diagnostic factors were assessed independently and remote data sources for each factor were cited.	88%	
52	If 'yes' for Level 1 determination, State Offsite Methods or State Mapping Conventions were used for one or more of the factors and they were applied appropriately.	100%	
43	Evidence of pre-1985 drainage was documented.	100%	
Offsite Methods- all Level 1 Determinations and Level 1 portion of Level 3 Determinations		50%	
53	The agency expert did document that he/she considered the unique definition of hydrophytic vegetation provided in the FSA.	0%	
56	The agency expert documented that he/she considered the unique definition of hydric soils provided in the FSA.	0%	
59	The agency expert documented that he/she considered the unique definition of wetland hydrology provided in the FSA Procedures (no set days of inundation or saturation).	0%	
61	The decisions were based on the data sources providing in the Corps Manual (Steps 4-8 of Section B – Preliminary Data Gathering and Synthesis).	100%	
62	NRCS followed the 7-step procedures in paragraph 64, pg 46 of the COE Manual.	88%	
63	This 7-step procedure was cited or supported by documentation.	0%	
64	The field review did (quality assurance) support the decision for each of the three factors.	100%	
65	The agency expert properly followed the three steps.	92%	Landform & local relief not populated; slope/soil map unit name not populated. Not filled out adequately.
66	If the sampling unit was over 5-acres, this variance was used and cited.	0%	
68	The decision was made at the diagnostic factor scale.	92%	

70	If an atypical situation was determined to occur for vegetation the methods were (par. 73; pages 74-77) applied appropriately and documented in the remarks section of COE form; (pages 74-77) applied appropriately and documented in the remarks section of COE form - Step 1 (Page 42 Wetland Delineation Manual.	0%	Should have used Section F; no comments on disturbance/problematic situations.
71	Chapter 5 was used appropriately (can only be used for one of the three factors as the other factors must have been determined using the Corps Manual and chapters 2-4).	100%	
72	The NEC decision was made at the diagnostic factor scale.	73%	Not at the factor level; no remarks on climate
75	Chapter 5 of the supplements were also used appropriately.	100%	
76	The point(s) were identified on the base map.	55%	
79	The sampling methods (Basal areas, height, percent cover...) from the Corps Manual (standard method) were used, and if so, applied properly.	36%	Dominant /indicator species not documented
80	The plot size and shape from Chapter 2 of the appropriate supplement (pg 16) was used (alternative method) and the reason documented in the notes.	0%	Vegetative plot sizes not mentioned; plot sizes not documented.
81	The plot size and shape was modified per the flexibility provisions in par. 23.	0%	
82	The 50/20 rule was applied correctly.	60%	Total vegetative cover not calculated; No percentages
83	The indicator was applied correctly from Chapter 2.	82%	Used absolute cover
84	The possibility of a false positive or false negative was considered in context with the unique FSA definition of hydrophytic vegetation and normal circumstances PRIOR to rendering a decision on this factor and documented.	55%	
87	The location of the hydrology indicator observed was different than the observation point used for vegetation and the location was identified on the base map.	0%	
88	The Corps indicators were applied correctly from Chapter 4.	64%	FAC neutral & geomorphic position not marked or checked.
90	Prior to decision making for this factor, the possibility of a false positive or false negative was considered in context with the unique FSA definition of wetland hydrology and normal circumstances and documented in notes.	73%	
92	The hydric soils factor was considered and followed according to policy.	58%	Not aware of policy; made on site. Type/location of redox features not recorded. Not documented.
93	If disturbed, were the methods in the atypical situation for soils (par. 74 COE Manual; pg. 77 – 79) and/or Chapter 5 was used appropriately and cited.	0%	
94	If a soil probe was used, par. 23 COE Manual was cited and the reason explained.	0%	
95	If field indicators were used, they were applied correctly.	83%	Inadequately documented. Could have used variance 5-54.
97	The wetland identification decision was based on recent/current normal circumstances and not 1985 conditions?	100%	
98	The adjacent wetland sampling units within the project were joined into a single wetland identification map based on the boundaries of the original sampling units identified on the base map.	92%	No base map

Onsite Methods (inspection necessary) - Level 2-3 and Onsite Determination Required		97%	
10.1	The onsite determination was required due to a Potential Violation.	100%	
10.2	The onsite determination was required due to a Landowner Request.	100%	
11	The target date of 1985 was considered in the selection of the remote data sources.	95%	
12	The SOSM separated the wetland ID process (based on normal circumstances) from the determination of exemption (based on specific dates within 7CFR12.5(b)) and the remote data sources used the target time period in question.	90%	
12.1	The remote date sources used targeted the time period in question.	95%	
14	The state off-site methods were used in the assignment of the proper WC label.	100%	
16	The 026(e) was completed correctly and completely.	95%	
17	The CPA-026(e) was signed by the DC.	95%	
18	A copy of 026(e) was provided to the producer/landowner.	100%	
19	A copy of the 026(e) was provided to FSA.	95%	
20	The size and location of each area was identified.	100%	
21	The identification on the project map was carried over to the certified wetland determination map.	95%	No base map
Appeals		76%	
22	The "NFSAM FSA Wetland ID Procedures" was cited regarding wetland identification (step 1).	53%	NFSAM but not Part 527
23	The 7 CFR 12.5(b) was cited regarding labels (step 2).	11%	12.2 yes; but 12.5(b) no
24	The CWA paragraph was included.	95%	
25	The appeal process followed 7 CFR 614.	100%	
26	The reconsideration visit was conducted in the field.	100%	
27	The reconsideration was conducted by the original decision-maker.	67%	
28	The adverse decision was elevated to the STC within 15 days of the site visit and the program participant was provided a cc of the letter of transmittal to the STC.	100%	
29	The 2nd tier process (STC level) provided for an independent review (different NRCS staff decision maker).	100%	
31	Appeal rights to NAD or FSA were provided with the final determination.	60%	No action once made final
Reviewer Agreed with Determinations		82%	
15	The reviewer agreed with the assigned WC label.	89%	Was NW, should have been PC
55	Data collected during the review was consistent with the original data sheets.	93%	

58	The facts supported the decision for hydric soils.	94%	Did not consider soil
60	The facts supported the decision for wetland hydrology.	100%	
67	The reviewer agreed with the number, location, and delineation of the sampling units (project scale).	42%	Boundaries off in some basins. No data sheets.
69	The reviewer agreed with the decision to use or not use Atypical Situation methods.	100%	
73	The reviewer agreed with the decision to use or not use Problem Area methods.	83%	
77	The reviewer agreed with the number and location of point(s).	33%	On the edge
85	The reviewer agreed with the hydrophytic vegetation decision (reviewer must consider NC and the FSA definition of hydrophytic vegetation).	83%	Should have used atypical, false positive
91	The reviewer agreed with the decision on wetland hydrology (reviewer must consider NC and the FSA definition of hydrophytic vegetation).	92%	Missed FACW, geomorphic position & saturation on aerial
96	The reviewer agreed with the hydric soil decision based on the FSA unique mandate of (1) a predominance and (2) the FSA definition of a hydric soil.	92%	

APPENDIX 5 - NCWCI - CHECK LIST

Review Number:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
State (Use two letter symbol):	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
County:	Stutzman	Stutzman	Stutzman	Stutzman	Ransom	Ransom	LaMoure	LaMoure	LaMoure	LaMoure	Dickey	Dickey	Dickey	Dickey	Wells	Wells	Ramsey	Ramsey	Steele	Grand Forks	
Tract Number:	7119	7188	7188	6874	4269	2281	5330	1517	745	1907	5796	911	4710 & 5492	5532	2875	2105	798	2105	786	2021	
Date of Review:	10/17/12	10/17/12	10/17/12	10/17/12	10/15/12	10/15/12	10/16/12	10/16/12	10/16/12	10/16/12	10/18/12	10/18/12	10/18/12	10/18/12	10/16/12	10/16/12	10/16/12	10/16/12	10/18/12	10/15/12	
Participant Name:	Jeremy Wilson	Randy Wilson	Randy Wilson	Ken Daug	Schultz	Elwood Claus	David Peterson	Raymond Carow	Randy Roeberg	Jeff Jordahl	Ludden Sportsman Club	Warren Nelson	Hansen Real Est	Quandt Brothers	Brynjulson	Terry Haman	Pamala Walter	Terry Haman	Neal Ihry	Clif Moser	
Certified Determination made by:	Murdoff	Cheryl & Carroll	Cheryl & Carroll	Lacina	Breker	Wetland Team	Hirschhorn	Hirschhorn	Hirschhorn	Hirschhorn	Woodward	Kenney	Waclawik	Braun	Olds	Sieler	Rader	Sieler	Olds	Rafeal	
Certification Date:	10/15/12	02/24/12	02/24/12	03/09/12	07/17/12	07/17/12	09/06/11	11/03/11	10/13/11	08/02/10	07/05/12	07/23/12	08/20/12	09/10/12	08/13/12	12/12/11	06/11/12	12/12/11	09/19/12	07/25/12	
Reviewed by:	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Howard, Gertsma	Flynn & Davis	Flynn & Davis	Flynn & Davis	Flynn & Davis	Flynn & Davis	Flynn & Davis	
	OFFSITE	OFFSITE	ONSITE	ONSITE	ONSITE	OFFSITE	OFFSITE	OFFSITE	ONSITE	ONSITE	OFFSITE	OFFSITE	ONSITE	ONSITE	ONSITE	ONSITE	ONSITE	ONSITE	ONSITE	ONSITE	

NCWCI Oversight and Evaluation

FOR OFFSITE REVIEW (LEVEL 1) ANSWER ONLY THE QUESTIONS IN GREEN

I.	ADMINISTRATIVE REVIEW																					
1	Did the Designated Conservationist attend the Phase 2 Wetland Delineation Training?	n	N	N	N	N	Y	N	N	N	N	N	Y	N	N	N	Y	Y	Y	Y	N	
2	Did the individual completing the offsite determination work have the appropriate Job Approval Authority?	Y	y	Y	Y	Y	Y	y	y	y	y	Y	N	N	Y	N	N	X	Y	X	N	Y
3	Did the individual completing the onsite determination work have the appropriate Job Approval Authority?	Y	Y	Y	Y	Y	Y	y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4	Did the individual completing the Certified Wetland Determination have the appropriate Job Approval Authority?	Y	Y	Y	Y	Y	Y	y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
5	Was there a State job-approval roster?	Y	Y	Y	Y	Y	Y	y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

6	Was the wetland determination																					
6.1	Initiated on the proper form?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
6.2	Signed by FSA?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
6.3	Dated?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
7	If the request was on the AD-1026, were any of the boxes (10A, 10B or 10C) checked "yes"?	Y	Y	Y	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	X	X	X	X	Y	
8	Was there a county log of AD-1026 request or access database?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
9	Was the request entered on county log or access	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
10	Was the onsite determination required due to any of the following :																					
10.1	Potential Violation	X	X	X	X	Y	Y	X	X	X	Y	X	X	X	X	X	X	Y	Y	Y	Y	X
10.2	L/O Request	Y	Y	Y	Y	X	Y	Y	Y	Y	X	Y	Y	Y	Y	X	X	X	X	X	X	X
10.3	Reconsideration /Appeal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Labels																					
11	Was the target date of 1985 considered in the selection of the remote data sources reflective of conditions prior to 1985?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	
12	Did the SOSM (or offsite methods used) separate the wetland ID process (based on normal circumstances) from the determination of exemption (based on specific dates within 7CFR12.5(b)).	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	
12.1	Did the remote data sources used target the time period in question?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	
13	Did the person assigning the label have job approval authority?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

14	Were state off-site methods (or state mapping conventions) used in the assignment of the proper Wetland Conservation (WC) label?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
15	Does the reviewer agree with the assigned WC label based on CFR 12.5(b) and the NFSAM?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	X	Y	X	Y	Y
	CPA-026 & Transmittal Letter																				
16	Was the 026(e) completed correctly and completely?	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
17	Was the CPA-026(e) signed by Designated Conservationist?	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
18	Was a copy of 026(e) provided to the producer /landowner?	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
19	Was a copy of the 026(e) provided to FSA?	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
20	Was the size and location of each area identified?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	X
21	Was the identification on the base map carried over to the certified wetland determination map?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	X
22	Was the "NFSAM FSA Wetland ID Procedures" cited in transmittal letter regarding wetland identification (step 1)?	N	N	N	N	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	N	N	N	N	N	Y
23	Was 7 CFR 12.2 & 12.5(b) cited regarding labels (step 2)?	N	N	N	N	Y	N	N	X	N	Y	N	N	N	N	N	N	N	N	N	N
24	Was the Clean Water Act paragraph included?	Y	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y

Appeals																						
25	Did the appeal process follow 7 CFR 614?	Y	X	X	X	Y	Y	X	X	X	X	X	X	X	X	X	Y	Y	Y	Y	Y	X
26	Was the reconsideration visit conducted in the field?	Y	X	X	X	Y	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	Y	X
27	Was the reconsideration conducted by the original decision-maker (designated conservatoinist that issued the original 026)?	Y	X	X	X	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N	X
28	Was the adverse decision elevated to the STC within 15 days of the site visit.	X	X	X	X	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Y	X
29	Did the 2 nd tier process (STC level) provide for an independent review (different than the original NRCS staff decision maker)?	X	X	X	X	y	x	X	X	X	X	X	X	X	X	X	X	X	X	X	Y	X
30	Did the 2 nd tier staff have job approval authority on the state roster?	X	X	X	X	y	x	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
31	Were appeal rights to NAD or FSA provided with the final determination letter?	X	X	X	X	y	x	X	X	X	X	Y	Y	Y	Y	N	N	N	N	Y	X	
32	If appealed to FSA, was another site visit conducted per 7CFR 614?	X	X	X	X	x	x	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
B	WETLAND DETERMINATION METHODS																					
Section A -																						
33	Was a modification /justification of the standard wetland ID methods made, per paragraph 23 of the Corps Manual and Section A – Introduction; Corps Manual as is provided by NRCS policy the FSA Procedures (5-5)?	X	X	X	X	x	x	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N

34	If yes, was the purpose of the modification explained as required in paragraph 23?	X	X	X	X	x	x	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Section B - Preliminary Data Gathering and Synthesis																					
35	Was a base map developed for the determination?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	X	Y	Y	Y	
36	Was the base map by the Tract per regulations either Field per national policy or resulting from request for determination on 569)?	Y	Y	Y	Y	y	y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	
37	Was the numbering of sites and sampling points appropriate? i.e. FSA Field Number/Sampling Unit Number (e.g. 1,S1,A)	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	Y	
38	Were the acres of the project area (entire project size) placed on the base map per policy?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	
39	Was the FSA Variance (5-9) followed? (identify drainage prior to 1985 or post 1985 drainage)	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
40	Was an appropriate precipitation data source used for the pre-1985 remote data source?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	
41	Was the precipitation data source noted and appropriate for the "current" remote data source?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	y	Y	

42	Were FSA Normal Circumstances, related to disturbance, considered and documented as required in (3-1 thru 3-5)?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	X	Y	X	X	N	Y	Y	Y	Y	Y
43	Was the evidence of pre-1985 drainage documented?	X	Y	Y	X	x	y	X	X	X	X	X	Y	X	X	Y	X	Y	X	X	X
44	If 'yes', were the drained conditions (considered the new normal circumstances) considered in the wetland identification decision for each factor?	X	Y	Y	X	x	y	X	X	X	X	X	Y	X	X	N	X	Y	X	X	X
45	If drainage was noted after 1985, was it documented?	X	X	X	X	y	x	X	X	X	Y	X	Y	X	X	X	X	X	X	Y	X
46	Were the data sources considered consistent with what is provided in the Corps Manual (items a - j in paragraph 54) and if so were the items considered noted on the COE forms?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	Y
47	Was a remote source (slide review) data-sheet included and completed?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
48	Do the facts support the decision on data sources used?	Y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Section C: Selection of Method																				
49	Was the FSA Variance (5-11) followed?	X	X	Y	Y	y	x	X	X	Y	Y	X	X	Y	Y	Y	Y	Y	Y	Y	N
50	Was the three-level approach considered by the agency expert (Designated Conservationist)?	X	X	Y	Y	y	x	X	X	Y	Y	X	X	Y	Y	N	N	N	N	N	N

Section D - Routine Determinations																					
51	If this is a Level 1 determination, were each of the three wetland diagnostic factors assessed independently and remote data sources for each factor cited?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	X	N	X	X	X
52	If this is a Level 3 determination, were State Offsite Methods or State Mapping Conventions used for one or more of the factors and if so were they applied appropriately?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Y
For ALL Level 1 & Level 3 determinations and the Level 1 (offsite) portion of the Level 3 determinations:																					
Vegetation																					
53	Did the agency expert document that he/she considered the unique definition of hydrophytic vegetation provided in the Food Security Act?	N	N	N	N	N	N	N	N	N	N	N	N	N	N	X	X	X	N	N	
54	If variance (5-41) related to the veg. reference site was used, was it cited on the data sheet?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
55	Are data that was collected during the review consistent with the original data sheets?	Y	Y	Y	Y	Y	Y	X	X	Y	Y	Y	Y	Y	N	X	X	X	X	Y	
Soils																					
56	Did the agency expert document that he/she considered the unique definition of hydric soils provided in the FSA?	N	N	N	N	N	N	N	N	N	N	N	N	N	N	X	X	X	X	N	

57	If the process provided for in 7 CFR 12.31 and repeated in the FSA Variance (5-18) was used, was it correctly and cited?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
58	Do the facts support the decision for hydric soils?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	X	X	X	Y	Y
	Hydrology																				
59	Did the agency expert document that he/she considered the unique definition of wetland hydrology provided in the FSA Procedures (no set days of inundation or saturation)?	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	X	X	X	X	N
60	Do the facts support the decision for wetland hydrology?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	X	X	X	X	Y
	If the Corps off-site methods were used for one or more of the factors, rather than NRCS state off-site methods:																				
61	Were the decisions based on the data sources providing in the Corps Manual (Steps 4-8 of Section B – Preliminary Data Gathering and Synthesis)?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	X	X	X	X	X	Y
62	Did NRCS follow the 7-step procedures in paragraph 64, pg 46 of the COE Manual?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	X	X	X	X	N
63	Was this 7-step procedure cited or supported by documentation?	X	X	N	N	N	X	X	X	N	N	X	X	N	N	X	X	X	X	X	N
64	Do the facts support the decision for each of the three factors?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	X	X	X	X	X	Y

		Subsection 2 – Onsite Inspection Necessary (Level 2 and Level 3)																			
65	Did the agency expert properly follow the three steps?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	Y	Y	Y	N
66	If the sampling unit is over 5-acres, was this variance used and cited?	X	X	X	X	N	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N
67	Did the site visit associated with the QAR support the numbers & locations of the sampling units?	X	X	N	N	Y	X	X	X	N	N	X	X	N	N	X	Y	Y	Y	N	Y
68	Was the decision made at the diagnostic factor scale?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	Y	Y	Y	N
69	Do the facts support the decision to use or not use Atypical Situations?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	Y	Y	Y	Y
		Vegetation																			
70	If an atypical situation was determined to occur for vegetation were the methods (par. 73; pages 74-77) applied appropriately and documented in the remarks section of COE form?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N	X	X	X
71	Was Chapter 5 used appropriately (can only be used for one of the three factors).	X	X	X	X	X	X	X	X	Y	X	X	X	Y	Y	X	X	X	X	X	X
72	Was the Normal Environmental Conditions (NEC) decision made at the diagnostic factor scale?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	N	N	N	Y	X
73	Do the facts support the decision to use or not use Problem Area methods?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	Y	N	N	Y
74	If problem area methods (Section G of the Corps Manual) were used, were they applied appropriately?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

75	Was Chapter 5 of the supplements also used?	X	X	X	X	X	X	X	X	X	Y	Y	X	X	Y	Y	X	X	X	X	X	X
76	Were the representative observation point(s) identified on the base map?	X	X	N	N	Y	X	X	X	X	Y	Y	X	X	Y	Y	X	N	Y	N	N	X
77	Do the facts support the number and location of representative observation?	X	X	N	N	Y	X	X	X	X	N	N	X	X	N	N	X	N	Y	N	Y	Y
78	If variance (5-48) was used, was it applied correctly?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
79	Was the sampling methods for vegetation (Basal areas, height, percent cover...) from the Corps Manual (routine method) used, and if so, was it applied properly?	X	X	N	N	N	X	X	X	X	N	N	X	X	N	N	X	Y	Y	Y	Y	X
80	Was the plot size and shape from Chapter 2 of the appropriate supplement used (alternative method) and was the reason documented in the notes?	X	X	N	N	N	X	X	X	X	N	N	X	X	N	N	X	X	X	X	X	X
81	Was the plot size and shape modified per the flexibility provisions in par. 23?	X	X	X	X	X	X	X	X	X	X	X	X	X	N	N	X	X	X	X	X	X
82	Was the 50/20 rule applied correctly?	X	X	N	N	Y	X	X	X	X	Y	Y	X	X	Y	Y	X	N	N	Y	X	X
83	Were the indicators applied correctly from Chapter 2?	X	X	Y	Y	Y	X	X	X	X	Y	Y	X	X	Y	Y	X	Y	N	Y	N	X

84	Was the possibility of a false positive or false negative considered in context with the unique FSA definition of hydrophytic vegetation and normal circumstances PRIOR to rendering a decision on this factor and was it documented?	X	X	Y	Y	Y	X	X	X	N	N	X	X	Y	Y	X	N	N	N	Y	X
85	Did the facts support the hydrophytic vegetation & normal circumstances decision?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	N	N	Y	Y	Y
Wetland Hydrology																					
86	Was this variance (5-62) used and applied correctly?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
87	If the location of the hydrology indicator observed is different than the representative observation point was the location of the hydrology indicator identified on the base map?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N	X	N	N	X
88	Were the Corps indicators applied correctly from Regional Supplements Chapter 4?	X	X	n	n	Y	X	X	X	n	n	X	X	Y	Y	X	Y	Y	Y	Y	X
89	Were the flexibility provisions (par. 23) utilized and if so was documentation provided as required?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

90	Prior to decision making for the hydrology factor, was the possibility of a false positive or false negative considered in context with the unique FSA definition of wetland hydrology and normal circumstances documented in notes?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	N	N	N	Y	X
91	Do the facts support the decision on wetland hydrology (reviewer must consider NC and the FSA definition of wetland hydrology of hydrophytic vegetation)?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	N	Y	Y	Y
Hydric Soils																					
92	Was the hydric soils factor considered and followed according to policy?	X	X	n	n	Y	X	X	X	Y	Y	X	X	Y	Y	X	N	N	Y	N	Y
93	If atypical, were the methods in the atypical situation for soils (par. 74 COE Manual; pg. 77 – 79) and/or was Chapter 5 used appropriately and cited?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N
94	If a soil probe was used, was par. 23 COE Manual cited and the reason explained?	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	N	X
95	If field indicators were used, were they applied correctly?	X	X	Y	Y	Y	X	X	X	Y	n	X	X	Y	Y	X	Y	Y	Y	Y	N
96	Do the facts support the decision on hydric soil decision based on the FSA unique mandate of (1) a predominance and (2) the FSA definition of a hydric soil?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	N	X	Y	Y	Y	Y	Y

97	Was the wetland identification decision based on normal circumstances and not 1985 conditions?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	X	Y	Y	Y	Y	Y
98	Were the adjacent wetland sampling units within the project joined into a single wetland identification map based on the boundaries of the original sampling units identified on the base map?	X	X	Y	Y	Y	X	X	X	Y	Y	X	X	Y	Y	N	Y	Y	Y	Y	X

APPENDIX 6 - NCWCI Checklist Questions with References

FOR OFFSITE REVIEW (LEVEL 1) ANSWER ONLY THE QUESTIONS IN GREEN

ADMINISTRATIVE REVIEW		
1	Did the Designated Conservationist attend the Phase 2 Wetland Delineation Training?	
2	Did the individual completing the offsite determination work have the appropriate Job Approval Authority?	NFSAM 514.1 B(1)
3	Did the individual completing the onsite determination work have the appropriate Job Approval Authority?	"
4	Did the individual completing the Certified Wetland Determination have the appropriate Job Approval Authority?	"
5	Was there a State job-approval roster?	NFSAM 514.1 B(2)
6	Was the wetland determination request:	
6.1	Initiated on the proper form?	514.1A(2)
6.2	Signed by FSA?	FSA Handbook 6CP (revision 4) Highly Erodible Land & Wetland Provisions, Parag 357 B Section 3 (pgs 3-123)
6.3	Dated?	"
7	If the request was on the AD-1026, were any of the boxes (10A, 10B or 10C) checked "yes"?	FSA Handbook 6CP (revision 4) Highly Erodible Land & Wetland Provisions, Parag 356 B (pgs 3-121)
8	Was there a county log of AD-1026 request or access database?	
9	Was the request entered on county log or access database?	
10	Was the onsite determination required due to any of the following :	
10.1	Potential Violation	NFSAM 514.1A(3)
10.2	L/O Request	"

	10.3	Reconsideration/Appeal	"
		Labels	
11		Was the target date of 1985 considered in the selection of the remote data sources reflective of conditons prior to 1985?	NFSAM Circular 6, Part 527, Parg 5-9
12		Did the SOSM (or offsite methods used) separate the wetland ID process (based on normal circumstances) from the determination of exemption (based on specific dates within 7CFR12.5(b)).	NFSAM 514.7
	12.1	Did the remote data sources used target the time period in question?	NFSAM 514.7
13		Did the person assigning the label have job approval authority?	NFSAM 514.1 B(1)
14		Were state off-site methods (or state mapping conventions) used in the assignment of the proper Wetland Conservation (WC) label?	Needed for SOSM template
15		Does the reviewer agree with the assigned WC label based on CFR 12.5(b) and the NFSAM?	7 CFR 12.5(B) & NFSAM 12.2 & 12.5(B)
		CPA-026 & Transmittal Letter	
16		Was the 026(e) completed correctly and completely?	
17		Was the CPA-026(e) signed by Designated Conservationist?	
18		Was a copy of 026(e) provided to the producer/landowner?	NFSAM 514.1 E(2)
19		Was a copy of the 026(e) provided to FSA?	"
20		Was the size and location of each area identified?	"
21		Was the identification on the base map carried over to the certified wetland determination map?	"
22		Was the "NFSAM FSA Wetland ID Procedures" cited in transmittal letter regarding wetland identification (step 1)?	7CFR 614.6(B)(2)
23		Was 7 CFR 12.2 & 12.5(b) cited regarding labels (step 2)?	"
24		Was the Clean Water Act paragraph included?	NFSAM 514.1 (G)

	Appeals	
25	Did the appeal process follow 7 CFR 614?	7CFR 614.7 & 614.8
26	Was the reconsideration visit conducted in the field?	7CFR 614.7 A(1)
27	Was the reconsideration conducted by the original decision-maker (designated conservatologist that issued the original 026)?	7CFR 614.7 B
28	Was the adverse decision elevated to the STC within 15 days of the site visit.	7 CFR 614.7 B
29	Did the 2 nd tier process (STC level) provide for an independent review (different than the original NRCS staff decision maker)?	7 CFR 614 pgs 282.41
30	Did the 2 nd tier staff have job approval authority on the state roster?	NFSAM 514.1 B (1)
31	Were appeal rights to NAD or FSA provided with the final determination letter?	7 CFR 614.8 B (1) & (2)
32	If appealed to FSA, was another site visit conducted per 7CFR 614?	7CFR 614.10 (B) (3)
B	WETLAND DETERMINATION METHODS	
	Section A - Introduction	
33	Was a modification/justification of the standard wetland ID methods made, per paragraph 23 of the Corps Manual and Section A – Introduction; Corps Manual as is provided by NRCS policy the FSA Procedures (5-5)?	COE Manual, Parg 23, Part 1 & Circular 6 (5-5)
34	If yes, was the purpose of the modification explained as required in paragraph 23?	COE Manual, Parg 23, Part 1
	Section B - Preliminary Data Gathering and Synthesis	
35	Was a base map developed for the determination?	COE Manual, Section D, Subsect 1, Step 1 (Offsite) & Section 1 Subset 2 Step 17 (Onsite)
36	Was the base map by the Tract per regulations either Field per national policy or resulting from request for determination on 569)?	7 CFR 12.30, C (1)
37	Was the numbering of sites and sampling points appropriate? i.e. FSA Field Number/Sampling Unit Number (e.g. 1,S1,A)	Circular 6 (2-12)
38	Were the acres of the project area (entire project size) placed on the base map per policy?	COE, Section B, Step 2

39	Was the FSA Variance (5-9) followed? (identify drainage prior to 1985 or post 1985 drainage)	Circular 6 (5-9)
40	Was an appropriate precipitation data source used for the pre-1985 remote data source?	Circular 6 (5-9)
41	Was the precipitation data source noted and appropriate for the "current" remote data source?	"
42	Were FSA Normal Circumstances, related to disturbance, considered and documented as required in (3-1 thru 3-5)?	Circular 6 (3-1 thru 3-5)
43	Was the evidence of pre-1985 drainage documented?	"
44	If 'yes', were the drained conditions (considered the new normal circumstances) considered in the wetland identification decision for each factor?	Circular 6 (2-10) & (3-5)
45	If drainage was noted after 1985, was it documented?	Circular 6 (5-9)
46	Were the data sources considered consistent with what is provided in the Corps Manual (items a - j in paragraph 54) and if so were the items considered noted on the COE forms?	COE Preliminary Data, Part 4, Section B, Parg 54
47	Was a remote source (slide review) data-sheet included and completed?	COE, Section B, Steps 4, 6, & 8
48	Do the facts support the decision on data sources used?	
	Section C: Selection of Method	
49	Was the FSA Variance (5-11) followed?	Circular 6 (5-11)
50	Was the three-level approach considered by the agency expert (Designated Conservationist)?	National COE data form insufficient for proper documentation
	Section D - Routine Determinations	
51	If this is a Level 1 determination, were each of the three wetland diagnostic factors assessed independently and remote data sources for each factor cited?	NFSAM 514.3 A & Circular 6 (3-1) & (4-4)
52	If this is a Level 3 determination, were State Offsite Methods or State Mapping Conventions used for one or more of the factors and if so were they applied appropriately?	Circular 6 (5-17)

		For ALL Level 1 & Level 3 determinations and the Level 1 (offsite) portion of the Level 3 determinations:	
		Vegetation	
53		Did the agency expert document that he/she considered the unique definition of hydrophytic vegetation provided in the Food Security Act?	Circular 6 (5-47)
54		If variance (5-41) related to the veg. reference site was used, was it cited on the data sheet?	Circular 6, (5-41)
55		Are data that was collected during the review consistent with the original data sheets?	
		Soils	
56		Did the agency expert document that he/she considered the unique definition of hydric soils provided in the FSA?	Circular 6 (5-55)
57		If the process provided for in 7 CFR 12.31 and repeated in the FSA Variance (5-18) was used, was it correctly and cited?	Circular 6 (5-18) & 7 CFR 12.31
58		Do the facts support the decision for hydric soils?	
		Hydrology	
59		Did the agency expert document that he/she considered the unique definition of wetland hydrology provided in the FSA Procedures (no set days of inundation or saturation)?	Circular 6 (5-59)
60		Do the facts support the decision for wetland hydrology?	
		If the Corps off-site methods were used for one or more of the factors, rather than NRCS state off-site methods:	
61		Were the decisions based on the data sources providing in the Corps Manual (Steps 4-8 of Section B – Preliminary Data Gathering and Synthesis)?	COE Section B, Steps 4-8
62		Did NRCS follow the 7-step procedures in paragraph 64, pg 46 of the COE Manual?	COE, Parg 64
63		Was this 7-step procedure cited or supported by documentation?	"
64		Do the facts support the decision for each of the three factors?	

		Subsection 2 – Onsite Inspection Necessary (Level 2 and Level 3 determinations) (Either all or part onsite)	
65	Did the agency expert properly follow the three steps?		COE, Part 4, Subsect 2, Steps 1-17
66	If the sampling unit is over 5-acres, was this variance used and cited?		Circular 6 (5-21)
67	Did the site visit associated with the QAR support the numbers & locations of the sampling units?		Circular 6 (2-12) & COE Part 4, Subsect 2, Step 4)
68	Was the decision made at the diagnostic factor scale?		Circular 6 (2-5), (4-3) & (4-4)
69	Do the facts support the decision to use or not use Atypical Situations?		COE, Part 4, Subsect F & Section D, Subsect 2, Step 2
		Vegetation	
70	If an atypical situation was determined to occur for vegetation were the methods (par. 73; pages 74-77) applied appropriately and documented in the remarks section of COE form?		COE, Section F, Subsect 1, Pgs 74-77
71	Was Chapter 5 used appropriately (can only be used for one of the three factors).		Regional Supplements, Chapter 5
72	Was the Normal Environmental Conditions (NEC) decision made at the diagnostic factor scale?		Circular 6 (2-11), (4-3) & COE, Part 4, Subsect 2, Step 5
73	Do the facts support the decision to use or not use Problem Area methods?		COE, Section G, Part 4, Subsect 2, Step 5
74	If problem area methods (Section G of the Corps Manual) were used, were they applied appropriately?		COE, Section G
75	Was Chapter 5 of the supplements also used appropriately?		Regional Supplements, Chapter 5
76	Were the representative observation point(s) identified on the base map?		COE, Part 4, Subsect 2, Step 6
77	Do the facts support the number and location of representative observation point(s)?		"
78	If variance (5-48) was used, was it applied correctly		Circular 6 (5-48)
79	Was the sampling methods for vegetation (Basal areas, height, percent cover...) from the Corps Manual (routine method) used, and if so, was it applied properly?		COE, Part 4, Subsection 2, Step 7

80	Was the plot size and shape from Chapter 2 of the appropriate supplement used (alternative method) and was the reason documented in the notes?	Regional Supplements, Chapter2
81	Was the plot size and shape modified per the flexibility provisions in par. 23?	COE, Part 1, Parg 23
82	Was the 50/20 rule applied correctly?	Regional Supplement, Chapter 2
83	Were the indicators applied correctly from Chapter 2?	"
84	Was the possibility of a false positive or false negative considered in context with the unique FSA definition of hydrophytic vegetation and normal circumstances PRIOR to rendering a decision on this factor and was it documented?	Circular 6 (5-47)
85	Did the facts support the hydrophytic vegetation & normal circumstances decision?	Regional Supplements, Chapter 2 & Circular 6 (5-47)
	Wetland Hydrology	
86	Was this variance (5-62) used and applied correctly?	Circular 6 (5-62)
87	If the location of the hydrology indicator observed is different than the representative observation point was the location of the hydrology indicator identified on the base map?	COE, Part4, Subsect 2, Steps 6 & 10
88	Were the Corps indicators applied correctly from Regional Supplements Chapter 4?	Regional Supplements, Chapter 4
89	Were the flexibility provisions (par. 23) utilized and if so was documentation provided as required?	COE, Parag 23, Section A
90	Prior to decision making for the hydrology factor, was the possibility of a false positive or false negative considered in context with the unique FSA definition of wetland hydrology and normal circumstances documented in notes?	Circular 6, (5-59) & (5-62)
91	Do the facts support the decision on wetland hydrology (reviewer must consider NC and the FSA definition of wetland hydrology of hydrophytic vegetation)?	

		Hydric Soils	
92		Was the hydric soils factor considered and followed according to policy?	COE, Part 4, Section D, Subsect 1, Step 4 & Subsect 2, Step 12 & Circular 6 (5-49) & 5-55)
93		If atypical, were the methods in the atypical situation for soils (par. 74 COE Manual; pg. 77 – 79) and/or was Chapter 5 used appropriately and cited?	COE, Section D, Subsection 2, Step 2 & Section F, Pgs 77-79
94		If a soil probe was used, was par. 23 COE Manual cited and the reason explained?	COE, Parg 23 & COE, Secton D, Subsect 2, Step 13
95		If field indicators were used, were they applied correctly?	Regional Supplement , Chapter 3
96		Do the facts support the decision on hydric soil decision based on the FSA unique mandate of (1) a predominance and (2) the FSA definition of a hydric soil?	Circular 6 (5-54) & (5-55)
97		Was the wetland identification decision based on normal circumstances and not 1985 conditions?	Circular 6 (2-10) (2-11) (2-15) & (3-1 thru 3-5)
98		Were the adjacent wetland sampling units within the project joined into a single wetland identification map based on the boundaries of the original sampling units identified on the base map?	COE, Section D, Subsection 1, Step 7 & Subsect 2, Step 17