USDA United States Department of Agriculture

Natural Resources Conservation Service
1035 Wayne Rd,
Savannah, TN 38372
Telephone: (731) 925-3831
Fax: 855-591-1293

MARTHA

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
(When HEL Present)

Gwinnup Crazy K LLC
833 N Prather Rd
Michie, TN 38357

SUBJECT: Highly Erodible Land (HEL) Determination

Tract: 5758

This is to notify you that as of the date of this letter, the Natural Resources Conservation Service (NRCS) has made a preliminary technical determination on the tract(s) listed above.

Fields designated as Highly Erodible Land (HEL) are identified on the attached NRCS-CPA-026-HELC form. HEL fields are highly erodible because the highly erodible soil map units constitute 33.3 percent or more of the acreage in those fields or contain highly erodible soils equal to 50 or more acres per field. Fields not meeting this criteria are not highly erodible land (NHEL). The attached map and summary report provide the basis for this determination.

This determination is part of the conservation provisions of the Food Security Act of 1985, as amended, and was made in response to our receipt of the Farm Service Agency (FSA) form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification. In order to maintain USDA program eligibility, you will need to operate HEL fields in accordance with an approved conservation system. You may contact the NRCS for assistance with the development and implementation of an approved conservation plan which meets this requirement. NHEL fields do not require implementation of an approved conservation system.

The 2014 Farm Bill connected producer eligibility for Federal crop insurance premium subsidy to compliance with the HEL provisions. Previous USDA participants who are currently not in compliance with the HEL provisions have two reinsurance years to develop and comply with an NRCS-approved conservation plan to remain eligible for Federal crop insurance premium subsidy. Producers who are subject to HEL compliance for the first time due to the 2014 Farm Bill have five reinsurance years to develop and comply with an NRCS-approved conservation plan when producing an agricultural commodity on HEL. If you are unsure about your status as a previous USDA participant, please inquire at your local FSA office.

If you made a request for a wetland determination, it will be issued separately. If you plan to conduct any activities that may disturb a wetland, please contact this office well in advance so the impacts may be evaluated along with the potential effect on your USDA program eligibility.

If you agree with this preliminary technical determination, it will become final 30 calendar days after you receive this notification, and no further action is required.

If you do not agree with this preliminary technical determination, you may request a field visit or mediation within thirty days of receipt of this letter. Your request should be made in writing to the above office address and should state clearly what you are appealing and why you believe the determination is erroneous. For further information on the appeals process, please see the attached information sheet. If no reconsideration field visit or mediation is requested within thirty days of receipt of this letter, this preliminary technical determination will become a final technical determination.

If you are the owner of this tract of land and have a tenant, I urge you to discuss this letter and the accompanying NRCS-CPA-026- HELC with the tenant. Likewise, if you are the tenant of this tract of land, I urge you to discuss this letter with the owner.

Sincerely,

Gary L Blackwood

Gary Blackwood
Area Resource Conservationist (Technical Services)

Enclosures:
NRCS-CPA-026-HELC
HEL Determination Map
HEL Determination Summary Report
Cc: Farm Service Agency
Fortis Ranch LLC

- Appeals Information -

This preliminary technical determination will become final 30 days after your receipt of this letter, unless you request either of the following options:

1. You may request a reconsideration field visit for NRCS to review the basis for the preliminary technical determination with you and gather additional information concerning the preliminary determination. This request must be in writing and addressed to your local NRCS field office.

2. Mediation may be used to assist you and NRCS in trying to reach a mutually agreeable resolution or settlement regarding this preliminary technical determination. Through mediation, the parties have the opportunity to work together with the assistance of the mediator to improve communications, understand the relevant issues, develop and explore alternatives, and reach a mutually satisfactory resolution. In order to request mediation, the request must be in writing and addressed to your local NRCS field office.

Savannah Field Office
1035 Wayne Rd,
Savannah, TN 38372

Telephone: (731) 925-3831
Fax: 855-591-1293

If you choose a reconsideration field visit or mediation, a final technical determination will be issued at the conclusion of either process. If an appeal is not requested, this preliminary determination becomes a final technical determination 30 days after your receipt of this letter.

The final technical determination, whether as a result of the expiration of the 30 day period following receipt of this preliminary technical determination or receipt of a final determination after reconsideration or mediation, may be appealed to the Farm Service Agency County Committee or the National Appeals Division within 30 days of receipt at the address below.

Hardin FSA County Committee
1035 Wayne Rd,
Savannah, TN 38372

Telephone: (731) 925-3831 ext 2
Fax: 731-925-2868

Or

National Appeals Division
Box 1508
Cordova, Tennessee 38088

Toll Free Phone: (800) 552-5377
TTY: (800) 627-8332
Fax: (901) 544-0363

A request for any of the above appeal options must be in writing and should state clearly what you are appealing and why you believe the determination is erroneous.

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

1. Name:	Gwinnup Crazy K LLC		3. Location County: Hardin, TN
2. Address:	833 N Prather Rd Michie, TN 38357		4. Admin County: Hardin, TN
			7. Farm Number: **4045**
5. Request Form:	AD-1026		8. Tract Number: **5995**
6. Request Date:	2/22/2024		

9. Are there HEL soil map units on this Tract? ☑ Yes ☐ No

If a field is not listed, no determination was made at this time. Contact the Farm Service Agency for previously determined HEL status of fields not listed below. In order to be eligible for most USDA program benefits, a person must be implementing a conservation plan or using an approved conservation system on all HEL fields. Fields that are not highly erodible (NHEL) do not require implementation of an approved conservation system.

Field(s)	HEL/NHEL	Sodbust (Y/N)	Field Acreage
13	NHEL		49.80

10. The HEL determination was completed in: ☑ Office ☐ Field

11. Remarks:	This Highly Erodible Land determination was conducted offsite using the soil survey. If potentially highly erodible soil map units were present, they may have been evaluated using elevation data.

The above HEL determination is correct and conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

12. Signature Designated Conservationist	13. Date
GARY BLACKWOOD Digitally signed by GARY BLACKWOOD Date: 2024.03.04 15:53:28 -06'00'	

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

Non- Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally,program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Appeals Information

This preliminary technical determination (PTD) will become final 30 days after your receipt of this letter, unless you request either of the following options:

1. You may request a reconsideration field visit for NRCS to review the basis for the PTD with you and gather additional information concerning the certified determination. This request must be in writing and addressed to the Designated Conservationist who made this determination.

2. Mediation may be used to assist you and NRCS in trying to reach a mutually agreeable resolution or settlement regarding this PTD. Through mediation, the parties have the opportunity to work together with the assistance of the mediator to improve communications, understand the relevant issues, develop and explore alternatives, and reach a mutually satisfactory resolution. In order to request mediation, the request must be in writing and addressed to the Designated Conservationist who made this determination.

If you choose a reconsideration field visit or mediation, a final technical determination (FTD) will be issued at the conclusion of either process. If reconsideration or mediation is not requested, this certified determination becomes an FTD 30 days after your receipt of this letter, at which time you may exercise appeal rights to the Farm Service Agency County Committee or the National Appeals Division.

To appeal an FTD, write to the Farm Service Agency County Committee or the National Appeals Division within 30 days at the appropriate address below.

Hardin FSA County Committee	Telephone: (731) 925-3831 ext 2
1035 Wayne Rd	Fax: 731-925-2868
Savannah, TN 38372	

Or

National Appeals Division	Toll Free Phone: (800) 552-5377
Box 1508	TTY: (800) 627-8332
Cordova, Tennessee 38088	Fax: (901) 544-0363

A request for any of the above appeal options must be in writing and should state clearly what you are appealing and why you believe the determination is erroneous.

HEL Determination

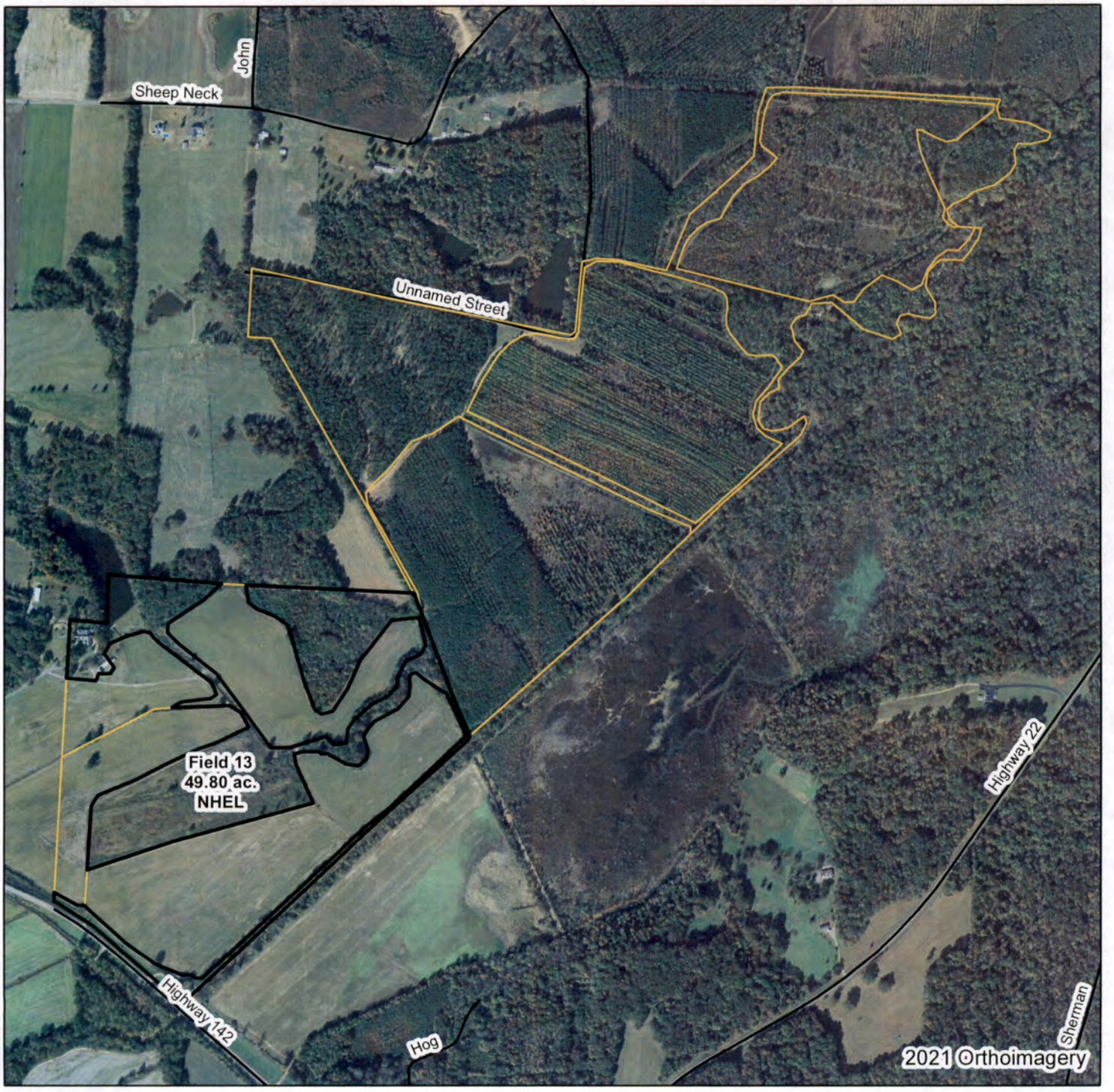
Farm: 4045

Tract: 5995

2/28/2024

Customer(s): Gwinnup Crazy K LLC
County: Hardin, TN
Location: 88°22'10.235"W 35°8'44.561"N

Assisted by: Katherine Brewer
USDA-NRCS
Service Center: Savannah



Field Determination
Field Boundaries
Roads

Prepared with assistance from USDA-Natural Resources Conservation Service

0 330 660 1,320 Feet

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United States Department of Agriculture

Natural Resources Conservation Service

Client Summary by Tract and Field

Farm Number 4045
Tract Number 5995

Wednesday, February 28, 2024

Field Number: 13 **Field Acres: 49.8** **This Field is: NHEL**

Beginning Field Assessme

Initial HEL	Initial Acres	Initial Percent
HEL	6.87	13.81
NA	0.19	0.37
NHEL	42.73	85.82

Final Field Assessment

Final HEL	Final Acres	Final Percent
HEL	6.87	13.81
NA	0.19	0.37
NHEL	42.73	85.82

HEL = Highly Erodible Land; NHEL = Non Highly Erodible Land; PHEL = Potentially Highly Erodible Land

USDA United States Department of Agriculture

Natural Resources Conservation Service
1035 Wayne Rd,
Savannah, TN 38372
Telephone: (731) 925-3831
Fax: 855-591-1293

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
(When HEL Present)

Gwinnup Crazy K LLC
833 N Prather Rd
Michie, TN 38357

SUBJECT: Highly Erodible Land (HEL) Determination

Tract: 5995

This is to notify you that as of the date of this letter, the Natural Resources Conservation Service (NRCS) has made a preliminary technical determination on the tract(s) listed above.

Fields designated as Highly Erodible Land (HEL) are identified on the attached NRCS-CPA-026-HELC form. HEL fields are highly erodible because the highly erodible soil map units constitute 33.3 percent or more of the acreage in those fields or contain highly erodible soils equal to 50 or more acres per field. Fields not meeting this criteria are not highly erodible land (NHEL). The attached map and summary report provide the basis for this determination.

This determination is part of the conservation provisions of the Food Security Act of 1985, as amended, and was made in response to our receipt of the Farm Service Agency (FSA) form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification. In order to maintain USDA program eligibility, you will need to operate HEL fields in accordance with an approved conservation system. You may contact the NRCS for assistance with the development and implementation of an approved conservation plan which meets this requirement. NHEL fields do not require implementation of an approved conservation system.

The 2014 Farm Bill connected producer eligibility for Federal crop insurance premium subsidy to compliance with the HEL provisions. Previous USDA participants who are currently not in compliance with the HEL provisions have two reinsurance years to develop and comply with an NRCS-approved conservation plan to remain eligible for Federal crop insurance premium subsidy. Producers who are subject to HEL compliance for the first time due to the 2014 Farm Bill have five reinsurance years to develop and comply with an NRCS-approved conservation plan when producing an agricultural commodity on HEL. If you are unsure about your status as a previous USDA participant, please inquire at your local FSA office.

If you made a request for a wetland determination, it will be issued separately. If you plan to conduct any activities that may disturb a wetland, please contact this office well in advance so the impacts may be evaluated along with the potential effect on your USDA program eligibility.

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If you are the owner of this tract of land and have a tenant, I urge you to discuss this letter and the accompanying NRCS-CPA-026- HELC with the tenant. Likewise, if you are the tenant of this tract of land, I urge you to discuss this letter with the owner.

Sincerely,

Gary L. Blackwood

Gary Blackwood
Area Resource Conservationist (Technical Services)

Enclosures:
NRCS-CPA-026-HELC
HEL Determination Map
HEL Determination Summary Report
Cc: Farm Service Agency
Fortis Ranch LLC

- Appeals Information -

This preliminary technical determination will become final 30 days after your receipt of this letter, unless you request either of the following options:

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Savannah Field Office
1035 Wayne Rd,
Savannah, TN 38372

Telephone: (731) 925-3831
Fax: 855-591-1293

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1035 Wayne Rd,
Savannah, TN 38372

Telephone: (731) 925-3831 ext 2
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Or

National Appeals Division
Box 1508
Cordova, Tennessee 38088

Toll Free Phone: (800) 552-5377
TTY: (800) 627-8332
Fax: (901) 544-0363

A request for any of the above appeal options must be in writing and should state clearly what you are appealing and why you believe the determination is erroneous.

United States Department of Agriculture

Natural Resources Conservation Service

Client Summary by Tract and Field

Farm Number 4074
Tract Number 5758

Wednesday, February 28, 2024

Field Number: 5 **Field Acres: 23.2** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
HEL	1.54	6.62	HEL	1.54	6.62
NHEL	21.67	93.38	NHEL	21.67	93.38

Field Number: 13 **Field Acres: 54.3** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
HEL	8.34	15.34	HEL	8.34	15.34
NHEL	40.81	75.15	NHEL	40.81	75.15
PHEL	5.15	9.49	PHEL	5.15	9.49

Field Number: 14 **Field Acres: 51.11** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
HEL	6.35	12.42	HEL	6.35	12.42
NHEL	36.70	71.81	NHEL	36.70	71.81
PHEL	8.06	15.78	PHEL	8.06	15.78

Field Number: 15 **Field Acres: 178.6** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
NHEL	142.04	79.55	NHEL	142.04	79.55
PHEL	36.56	20.46	PHEL	36.56	20.46

Field Number: 16 **Field Acres: 140.41** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
NHEL	140.39	100.01	NHEL	140.39	100.01

HEL = Highly Erodible Land; NHEL = Non Highly Erodible Land; PHEL = Potentially Highly Erodible Land

HEL Determination

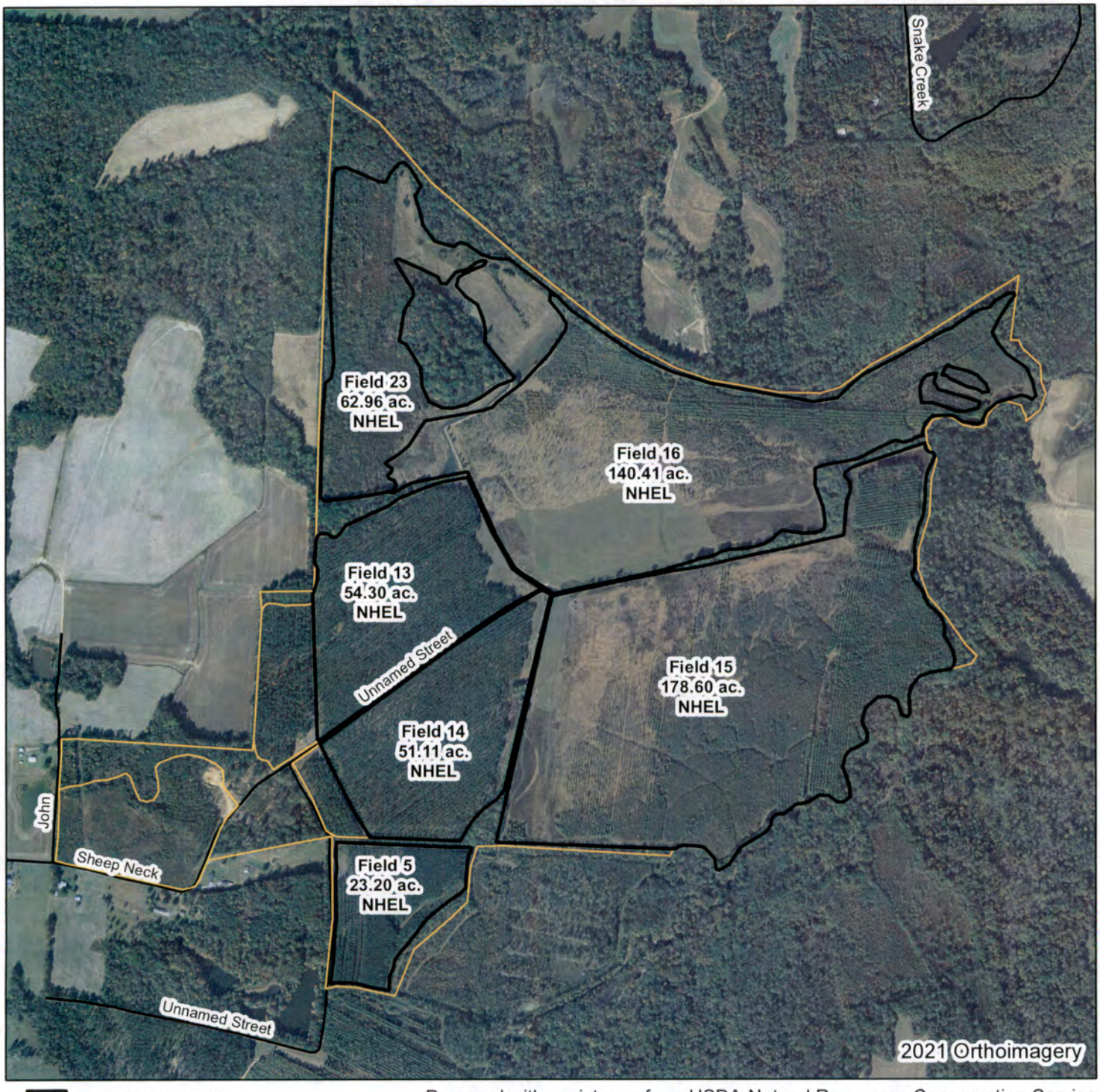
Farm: 4074

Tract: 5758

2/28/2024

Customer(s): Gwinnup Crazy K LLC
County: Hardin, TN
Location: 88°21'32.697"W 35°9'46.836"N

Assisted by: Katherine Brewer
USDA-NRCS
Service Center: Savannah



Field Determination
Field Boundaries
Roads

Prepared with assistance from USDA-Natural Resources Conservation Service

0 330 660 1,320 1,980 Feet

N

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United States Department of Agriculture

Natural Resources Conservation Service

Client Summary by Tract and Field

Farm Number 4074
Tract Number 5758

Wednesday, February 28, 2024

Field Number: 23 **Field Acres: 62.96** **This Field is: NHEL**

Beginning Field Assessme			Final Field Assessment		
Initial HEL	Initial Acres	Initial Percent	Final HEL	Final Acres	Final Percent
NHEL	62.96	100.00	NHEL	62.96	100.00

HEL = Highly Erodible Land; NHEL = Non Highly Erodible Land; PHEL = Potentially Highly Erodible Land

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

Non- Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally,program information may be made available in languages other than English.

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(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

1. Name:	Gwinnup Crazy K LLC		3. Location County: Hardin, TN
2. Address:	833 N Prather Rd Michie, TN 38357		4. Admin County: Hardin, TN
			7. Farm Number: **4074**
5. Request Form:	AD-1026		8. Tract Number: **5758**
6. Request Date:	2/22/2024		

9. Are there HEL soil map units on this Tract? ☑ Yes ☐ No

If a field is not listed, no determination was made at this time. Contact the Farm Service Agency for previously determined HEL status of fields not listed below. In order to be eligible for most USDA program benefits, a person must be implementing a conservation plan or using an approved conservation system on all HEL fields. Fields that are not highly erodible (NHEL) do not require implementation of an approved conservation system.

Field(s)	HEL/NHEL	Sodbust (Y/N)	Field Acreage
15 ✓	NHEL		178.60 ✓
14 ✓	NHEL		51.11 ✓
13 ✓	NHEL		54.30 ✓
5 ✓	NHEL		23.20 ✓
23 ✓	NHEL		62.96 ✓
16 ✓	NHEL		140.41 ✓

10. The HEL determination was completed in: ☑ Office ☐ Field 510.68

11. Remarks: This Highly Erodible Land determination was conducted offsite using the soil survey. If potentially highly erodible soil map units were present, they may have been evaluated using elevation data.

The above HEL determination is correct and conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

12. Signature Designated Conservationist	13. Date
GARY BLACKWOOD Digitally signed by GARY BLACKWOOD Date: 2024.03.04 15:55:31 -06'00'	