

NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

Notice is hereby given that the Marshall County Drainage Board will meet on May 11, 2021 at 9:10 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Renald Tank has requested a Drainage Permit to start construction of a drain on the properties described as the N1/2NW1/4 and the W1/2 of the NE1/4 of Section 8, T126N, R57W. The water will be drained west under 425th Ave and through NE1/4 EXC SE1/4SE1/4NE1/4 of Section 7, T126N, R57W which is owned by the applicant. The water will then drain into the Crow Creek Watershed; for the purpose of draining water away from crop land. Construction will start on or before June 1, 2021 and will be completed on or before December 1, 2026.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: April 28, 2021

NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

Notice is hereby given that the Marshall County Drainage Board will meet on May 11, 2021 at 9:10 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Renald Tank has requested a Drainage Permit to start construction of a drain on the properties described as the N1/2NW1/4 and the W1/2 of the NE1/4 of Section 8, T126N, R57W. The water will be drained west under 425th Ave and through NE1/4 EXC SE1/4SE1/4NE1/4 of Section 7, T126N, R57W which is owned by the applicant. The water will then drain into the Crow Creek Watershed; for the purpose of draining water away from crop land. Construction will start on or before June 1, 2021 and will be completed on or before December 1, 2026.

Erin Collins-Miles
Planning & Zoning Administrator
Published once at the approximate cost of \$10.62.

MARSHALL COUNTY DRAINAGE BOARD
P.O.BOX 9
BRITTON, SOUTH DAKOTA 57430
605.448.7540

April 28, 2021

To whom it may concern,

Notice is hereby given that the Marshall County Drainage Board will meet on May 11, 2021 at 9:10 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Renald Tank has requested a Drainage Permit to start construction of a drain on the properties described as the N1/2NW1/4 and the W1/2 of the NE1/4 of Section 8, T126N, R57W. The water will be drained west under 425th Ave and through NE1/4 EXC SE1/4SE1/4NE1/4 of Section 7, T126N, R57W which is owned by the applicant. The water will then drain into the Crow Creek Watershed; for the purpose of draining water away from crop land. Construction will start on or before June 1, 2021 and will be completed on or before December 1, 2026.

Being as you are an adjacent landowner to the proposed drainage project; you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

Erin Collins-Miles


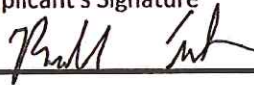
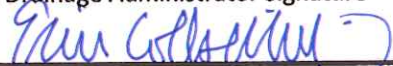
Erin Collins-Miles
Planning and Zoning Administrator

Sent to the following adjacent landowners on 4/28/2021:

1. Gerald & Darlene Dinger – 11347 425th Ave. Britton, SD 57430
2. Freiss Family Land Trust c/o Lauren Freiss – 9667 Rockinham Dr. Peyton, CO 80831
3. Russell Tank – 42521 112th Street Britton, SD 57430
4. Alan Grupe – 1208 Main St. Britton, SD 57430
5. Faye Opp – 5646 Lombardia Circle Myrtle Beach, SC 29579

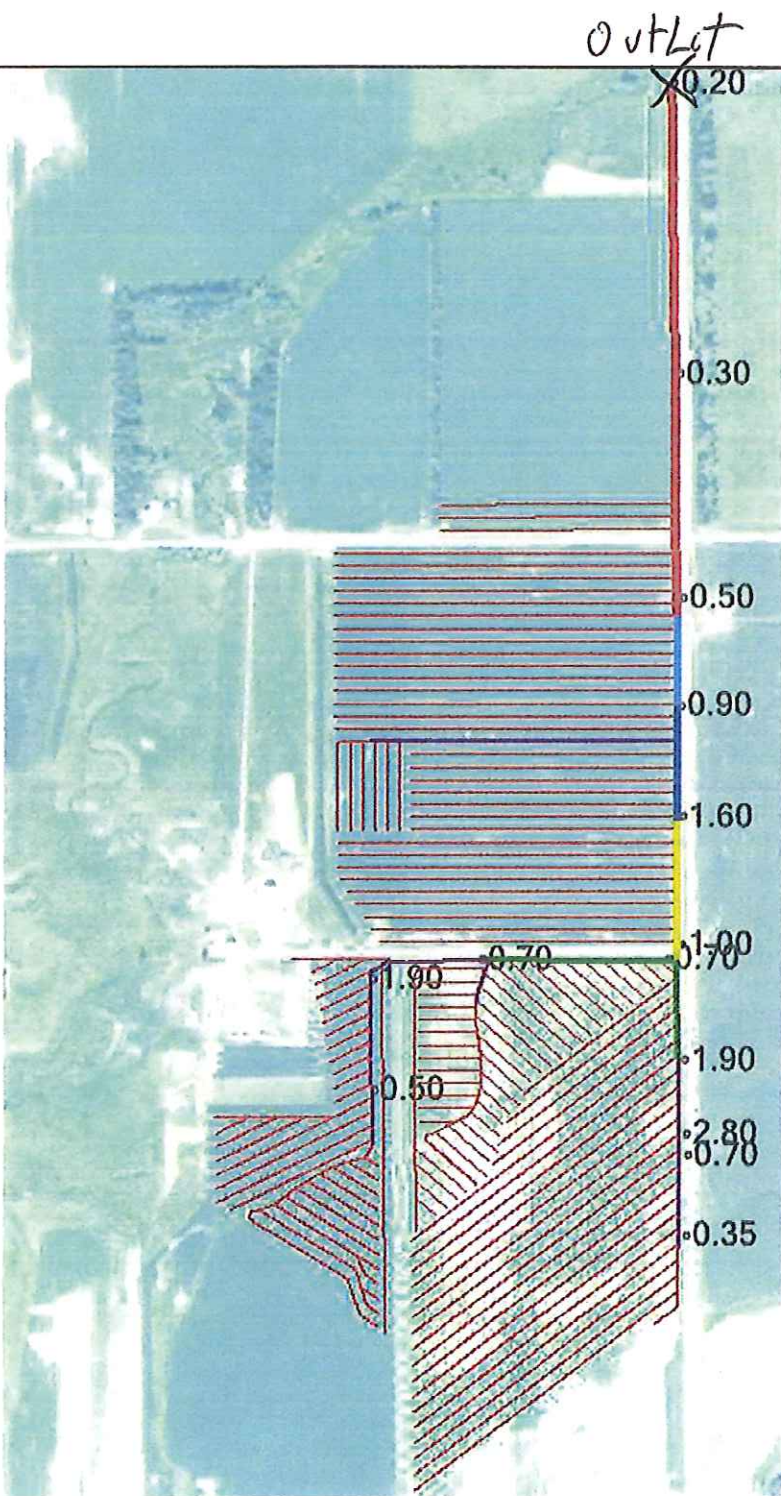
MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT		DRAINAGE REQUIREMENTS	
Name: <u>Ronald Tank</u>		Certified Wetland Determination attached?	
Address(Mailing): <u>11285 426th Ave</u>		<input checked="" type="checkbox"/> YES [] NO [] NA (see below)	
City: <u>Britton</u> State: <u>SD</u> Zip: <u>57430</u>		Explain: _____	
Phone: <u>605-880-9879</u>		Engineer's plans attached?	
LOCATION OF LAND TO BE DRAINED		<input checked="" type="checkbox"/> YES [] NO [] NA (see below)	
Legal Owner: <u>Ronald Tank</u>		Explain: _____	
Legal Description: <u>Waverly 8 NENW</u>		NOTE: A map showing the location of the proposed drain MUST accompany this application.	
		Description	
Section: <u>8</u> Township: <u>126 N</u> Range: <u>57 W</u>		1. Proposed drainage ditch:	
LOCATION OF OUTLET END OF PROPOSED DRAIN		a. Length of drain: <u>125,000</u> feet	
Legal Description: <u>NE of 7 Waverly</u>		b. Drain Design: 1) Bottom width: _____ feet	
		2) Side Slope: _____ percent	
Section: <u>7</u> Township: <u>126 N</u> Range: <u>57 W</u>		3) Maximum cut: _____ feet	
LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION		c. Proposed drainage flow: _____ cu. Ft./sec.	
Legal Description: <u>NW of 8 Waverly and</u>		2. Proposed drainage tile (underground drain pipe):	
<u>NE of 7 Waverly</u>		a. Length of drain: <u>125,000</u> feet	
Section: <u>7/8</u> Township: <u>126 N</u> Range: <u>57 W</u>		b. Drain Diameter: <u>4-15</u> inches	
LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED		c. Approx. area contributing runoff to the drain where tile is located: <u>140</u> acres.	
Legal Description/Rd:		Engineer	
		Name:	
		Address:	
Section: _____ Township: _____ Range: _____		Phone:	
PLEASE FILL IN: I <u>Ronald Tank</u> , propose to start construction of the drain on or before <u>June 1, 2021</u> , and will be completed on or before <u>December 20, 2026</u> .			
The proposed drainage is a result of a township, county or other water management plan:			
[] YES <input checked="" type="checkbox"/> No [] I don't know			
If yes, describe such plan:			

SIGNATURES	
The owner of this proposed drain & the undersigned agree to conform to all applicable laws.	
Owner's Signature 	Date 4-16-21
Applicant's Signature 	Date 4-16-21
Drainage Administrator Signature 	Date 4/16/21



Renny Tank
 Marshall Co
 Waverly 8 NE_NW 157 Ac N



- Main Grade
- 04 inch Pipe-All - 114513 t
- 06 inch Pipe - 4026 t
- 08 inch Pipe - 1372 t
- 10 inch Pipe - 664 t
- 12 inch FDW Pipe - 434 t
- 12 inch SW Pipe - 558 t
- 15 inch FDW Pipe - 2524 t



Certified Wetland Determination

Field Office: Britton FO
Certified By: Jesse Brooks
Legal Desc: 8-126N-57W

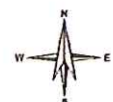
Agency: USDA-NRCS
Certified Date: 4/28/20
Tract: 3833



Marshall County

1:9,000 1 inch = 750 feet

0 600 1,200 2,400 3,600 4,800 Feet



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name	Renald Tank Farms Inc	Request Date:	4/10/20	County:	Marshall
Address:	11285 426th Ave Britton, SD 57430				
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	3833	FSA Fann No.	5184

Section I - Highly Erodible Land

(Y/N)

[illegible]

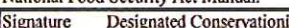
The Highly Erodible Land determination was completed in the

Section II - Wetlands

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>
ALL	NW		232.9	4/14/20	4/28/20
The wetland determination was completed in the	Office			It was mailed to the person on	4/28/2020
Remarks:					

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
 <p>JESSE BROOKS Digitally signed by JESSE BROOKS Date: 2020.04.28 06:47:41 -05'00'</p>		

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, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

***DEFINITIONS OF WETLAND LABEL CODES**

AW	<u>Artificial Wetland:</u> An area that was formerly a non-wetland area under natural conditions but now exhibits wetland characteristics because of the influence of human activities. These areas are exempt from the Food Security Act of 1985, as amended. This label includes irrigation induced wetlands.
CC	<u>Commenced Conversion:</u> A wetland, farmed wetland, farmed wetland pasture, or converted wetland on which the conversion began but was not completed before December 23, 1985, was approved by FSA to continue, and the conversion was completed by January 1, 1995.
CPD	<u>COE Permit with Mitigation:</u> A converted wetland authorized by a permit issued under Section 404 of the Clean Water Act. Production of agricultural commodities is allowed subject to conditions of the permit.
CMW	<u>Categorical Minimal Effect:</u> A wetland that meets specific categories of conversion activities that have been determined by NRCS to have minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
CW	<u>Converted Wetland:</u> A wetland converted between December 23, 1985, and November 28, 1990. Production of an agricultural commodity or additional manipulation of these areas will yield USDA benefit ineligibility. Also, these areas are wetlands converted after December 23, 1985, by a county, drainage district, or similar entity. For these instances, production of an agricultural commodity or forage for mechanical harvest or additional manipulation will cause ineligibility for USDA program benefits.
CW+year	<u>Converted Wetland + (year the conversion occurred):</u> A wetland converted after November 28, 1990, where the USDA program participant is ineligible for benefits until the wetland is restored or mitigated unless an exemption applies.
CWNA	<u>Converted Wetland Non-Agricultural Use:</u> A wetland converted after November 28, 1990, to a use other than agricultural commodity production. Label not used for certified wetland determinations completed after 2/2008.
CWTE	<u>Converted Wetland Technical Error:</u> A wetland converted or commenced after December 23, 1985, based on an incorrect NRCS determination. This label does not apply to obvious wetlands as defined in the National Food Security Act Manual.
FW	<u>Farmed Wetland:</u> A wetland that was manipulated and planted before December 23, 1985, but still meets inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
FWP	<u>Farmed Wetland Pasture or Hayland:</u> A wetland that is used for pasture or haying, was manipulated and planted before December 23, 1985, but still meets the inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
MIW	<u>Mitigation Exemption:</u> A converted wetland, farmed wetland or farmed wetland pasture of which the acreage, functions and values lost have been compensated for through an NRCS-approved mitigation plan.
MW	<u>Minimal Effect Exemption:</u> A converted wetland that is exempt from the wetland conservation provisions of the Food Security Act of 1985, as amended, based on NRCS determination that the conversion has or will have a minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
MWM	<u>Mitigation Site:</u> This site of wetland restoration, enhancement, or creation serving as mitigation for the mitigation exemption (MIW) site.
NI	<u>Not Inventoried:</u> An area where no wetland determination has been conducted. Label not used for certified wetland determinations completed after 2/2008.
NW	<u>Non-Wetland:</u> An area that does not contain a wetland. Also, includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria (not been abandoned).
PC	<u>Prior Converted Cropland:</u> A 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 dydroplogy criteria. These areas are not subject to the wetland conservation provisions of the Food Security Act of 1985, as amended, unless further drainage manipulation affects adjacent wetlands.
PC/NW	<u>Prior Converted Cropland/Non-Wetland:</u> AN area that contains both PC and NW.
TP	<u>Third-Party Exemption:</u> A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and the conversion is not a result of a scheme or device. A third party does not include predecessors in interest on the tract, drainage districts, or other local government entities.
W	<u>Wetland:</u> An area meeting wetland criteria that was not converted after December 23, 1985. These areas include farmed wetlands and farmed wetland pasture that have been abandoned.
WX	<u>Manipulated Wetlands:</u> A wetland manipulated after December 23, 1985, but the manipulation was not for the purpose of making production possible and production was not made possible. These areas include wetlands manipulated by drainage maintenance agreements.

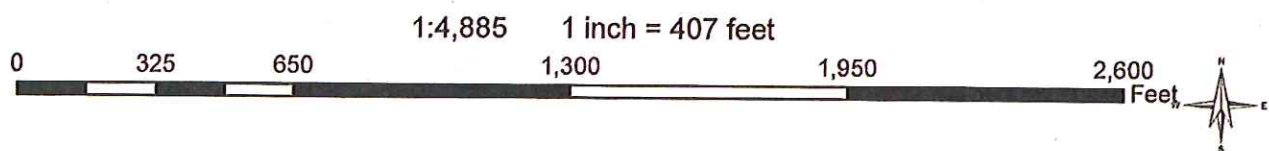
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) 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, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.




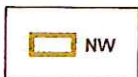
Certified Wetland Determination

Field Office: Britton FO
Created By: Matt Hinrichs
Legal Desc: 7-126N-57W

Agency: USDA-NRCS
Certified Date: 4/2/2021
Tract: 1532



 Potential Jurisdictional Waters (PJW)



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	Renald Tank Farms Inc. 11285 426th Ave Britton, SD 57430	Request Date:	3/4/21	County:	Marshall
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	1532	FSA Farm No.	5184

Section I - Highly Erodible Land

(Y/N)

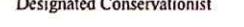
[illegible]

The Highly Erodible Land determination was completed in the

Section II - Wetlands

[illegible]

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
 <p>MATTHEW HINRICHS</p> <p>Digitally signed by MATTHEW HINRICHS Date: 2021.04.02 14:48:51 -05'00'</p>		4/2/2021

*DEFINITIONS OF WETLAND LABEL CODES

AW	<u>Artificial Wetland:</u> An area that was formerly a non-wetland area under natural conditions but now exhibits wetland characteristics because of the influence of human activities. These areas are exempt from the Food Security Act of 1985, as amended. This label includes irrigation induced wetlands.
CC	<u>Commenced Conversion:</u> A wetland, farmed wetland, farmed wetland pasture, or converted wetland on which the conversion began but was not completed before December 23, 1985, was approved by FSA to continue, and the conversion was completed by January 1, 1995.
CPD	<u>COE Permit with Mitigation:</u> A converted wetland authorized by a permit issued under Section 404 of the Clean Water Act. Production of agricultural commodities is allowed subject to conditions of the permit.
CMW	<u>Categorical Minimal Effect:</u> A wetland that meets specific categories of conversion activities that have been determined by NRCS to have minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
CW	<u>Converted Wetland:</u> A wetland converted between December 23, 1985, and November 28, 1990. Production of an agricultural commodity or additional manipulation of these areas will yield USDA benefit ineligibility. Also, these areas are wetlands converted after December 23, 1985, by a county, drainage district, or similar entity. For these instances, production of an agricultural commodity or forage for mechanical harvest or additional manipulation will cause ineligibility for USDA program benefits.
CW1year	<u>Converted Wetland + (year the conversion occurred):</u> A wetland converted after November 28, 1990, where the USDA program participant is ineligible for benefits until the wetland is restored or mitigated unless an exemption applies.
CWNA	<u>Converted Wetland Non-Agricultural Use:</u> A wetland converted after November 28, 1990, to a use other than agricultural commodity production. Label not used for certified wetland determinations completed after 2/2008.
CWTE	<u>Converted Wetland Technical Error:</u> A wetland converted or commenced after December 23, 1985, based on an incorrect NRCS determination. This label does not apply to obvious wetlands as defined in the National Food Security Act Manual.
FW	<u>Farmed Wetland:</u> A wetland that was manipulated and planted before December 23, 1985, but still meets inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
FWP	<u>Farmed Wetland Pasture or Hayland:</u> A wetland that is used for pasture or haying, was manipulated and planted before December 23, 1985, but still meets the inundation or saturation criteria. These areas may be farmed and maintained as documented before December 23, 1985, as long as they are not abandoned (i.e., management or maintenance for commodity production ceased for 5 consecutive years).
MIW	<u>Mitigation Exemption:</u> A converted wetland, farmed wetland or farmed wetland pasture of which the acreage, functions and values lost have been compensated for through an NRCS-approved mitigation plan.
MW	<u>Minimal Effect Exemption:</u> A converted wetland that is exempt from the wetland conservation provisions of the Food Security Act of 1985, as amended, based on NRCS determination that the conversion has or will have a minimal effect, individually and cumulatively, on the functions and values of the wetland and the wetlands in the watershed.
MWM	<u>Mitigation Site:</u> This site of wetland restoration, enhancement, or creation serving as mitigation for the mitigation exemption (MIW) site.
NI	<u>Not Inventoried:</u> An area where no wetland determination has been conducted. Label not used for certified wetland determinations completed after 2/2008.
NW	<u>Non-Wetland:</u> An area that does not contain a wetland. Also, includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria (not been abandoned).
PC	<u>Prior Converted Cropland:</u> A 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. These areas are not subject to the wetland conservation provisions of the Food Security Act of 1985, as amended, unless further drainage manipulation affects adjacent wetlands.
PC/NW	<u>Prior Converted Cropland/Non-Wetland:</u> An area that contains both PC and NW.
TP	<u>Third-Party Exemption:</u> A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and the conversion is not a result of a scheme or device. A third party does not include predecessors in interest on the tract, drainage districts, or other local government entities.
W	<u>Wetland:</u> An area meeting wetland criteria that was not converted after December 23, 1985. These areas include farmed wetlands and farmed wetland pasture that have been abandoned.
WX	<u>Manipulated Wetlands:</u> A wetland manipulated after December 23, 1985, but the manipulation was not for the purpose of making production possible and production was not made possible. These areas include wetlands manipulated by drainage maintenance agreements.

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, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.