

# MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: <u>CNH Farms LLC</u> <u>By Nick Heitmann</u>	Certified Wetland Determination attached? <input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below) Explain: _____
Address(Mailing): <u>11415 SD Hwy 25</u>	Engineer's plans attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO [ ] NA (see below) Explain: _____
City: <u>Lake City</u> State: <u>SD</u> Zip: <u>57247</u>	
Phone: <u>605-419-1206</u>	
LOCATION OF LAND TO BE DRAINED	
Legal Owner: <u>Nicholas Heitmann</u>	<b>NOTE: A map showing the location of the proposed drain MUST accompany this application.</b>
Legal Description: <u>Lot (NE1/4 NE1/4) + Lot 2</u> <u>(NW1/4 NE1/4) + S1/2 NE1/4 exc. Heitmann</u> <sup>add..</sup>	
Section: <u>3</u> Township: <u>126N</u> Range: <u>54W</u>	Description
LOCATION OF OUTLET END OF PROPOSED DRAIN	
Legal Description: <u>Same as above</u>	1. Proposed drainage ditch: a. Length of drain: _____ feet b. Drain Design:      1) Bottom width: _____ feet 2) Side Slope: _____ percent 3) Maximum cut: _____ feet c. Proposed drainage flow: _____ cu. Ft./sec.
GPS Coordinates: <u>-97.393, 45.732</u>	
Section: <u>3</u> Town: <u>126N, R54W</u>	2. Proposed drainage tile (underground drain pipe): a. Length of drain: _____ feet b. Drain Diameter: _____ inches c. Approx. area contributing runoff to the drain where tile is located: <u>30</u> acres.
LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION	
Legal Description: <u>Same as above</u>	
Section: _____ Township: _____ Range: _____	
LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED	
Legal Description/Rd: <u>State Hwy 25</u>	Engineer
<u>3</u> <u>Lake</u> <u>54</u>	Name: _____
Section: <u>3</u> Township: <u>126</u> Range: <u>54</u>	Address: _____
	Phone: _____
PLEASE FILL IN: I <u>Nick Heitmann</u> propose to start construction of the drain on or before <u>April 1, 2025</u> , and will be completed on or before <u>April 1, 2027</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

CNH Farms LLLC by Paul Hartman 1-17-25

Applicant's Signature                      Date

Drainage Director Signature                      Date

Em Williams 1/17/25

**Application Fee: \$70    Paid:**     Yes     No    *Send invoice*

Prompt payment can be made in my office or via mail. Make all checks payable to MC Drainage.  
A separate \$30 check is to be made out to Marshall County ROD for the recording fee. Failure to provide payment upon submitting this application could result in the permit not being filed in the ROD office.

**Payment is due within 10 days.**

If you have any questions concerning this invoice, contact my office.

**TO BE USED BY DRAINAGE ADMINISTRATOR AND DRAINAGE BOARD ONLY:**

**CONDITION'S TO THIS PERMITS APPROVAL:**

Yes     No     Other

**Motion:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

After review and public hearing held on \_\_\_\_\_, 20\_\_\_\_, this application to drain is hereby approved.

Date: \_\_\_\_\_

Chairman Marshall County Drainage Board

ATTEST:  
  
\_\_\_\_\_  
Marshall County Auditor

**NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT**

Notice is hereby given that the Marshall County Drainage Board will meet on February 4, 2025 at 9:00 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

CNH Farms, LLC by Nick Heitmann is requesting a Drainage permit for construction of a drain on the property described as Lots 1 and 2 of the N1/2NE1/4; and the S1/2NE1/4, with exceptions, of Section 3, T126N, R54W. The tile will be constructed on the NE corner of the described property, with the water flowing East through an existing culvert located on the West side of Highway 25. The water would then move through the culvert under Highway 25 to be discharged into long lake; for the purpose of draining water away from crop land. Construction will start on or after April 1, 2025 and will be completed on or before April 1, 2027.

Erin Collins-Miles  
Planning & Zoning Administrator

Published once at the approximate cost of:

*For publication: January 22, 2025*

1T(Jan 22)  
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- APPLICATION FOR  
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Planning & Zoning Administrator  
Published at an approximate cost of \$9.57 and can be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

**NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT  
NOTE: LOCATION CHANGE**

Notice is hereby given that the Marshall County Drainage Board will meet on February 4, 2025 at 9:00 A.M. at the North Marshall Firehall Meeting Room, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

CNH Farms, LLC by Nick Heitmann is requesting a Drainage permit for construction of a drain on the property described as Lots 1 and 2 of the N1/2NE1/4; and the S1/2NE1/4, with exceptions, of Section 3, T126N, R54W. The tile will be constructed on the NE corner of the described property, with the water flowing East through an existing culvert located on the West side of Highway 25. The water would then move through the culvert under Highway 25 to be discharged into long lake; for the purpose of draining water away from crop land. Construction will start on or after April 1, 2025 and will be completed on or before April 1, 2027.

Erin Collins-Miles  
Planning & Zoning Administrator

Published once at the approximate cost of:

*For publication: January 29, 2025*

1T(Jan 29)

**NOTICE OF HEARING  
- APPLICATION FOR  
DRAINAGE PERMIT**

**NOTE: LOCATION CHANGE**

Notice is hereby given that the Marshall County Drainage Board will meet on February 4, 2025 at 9:00 A.M. at the North Marshall Firehall Meeting Room, concerning the following application for a Drainage Permit from the Marshall County Drainage Board. CNH Farms, LLC by Nick Heitmann is requesting a Drainage permit for construction of a drain on the property described as Lots 1 and 2 of the N1/2NE1/4; and the S1/2NE1/4, with exceptions, of Section 3, T126N, R54W. The tile will be constructed on the NE corner of the described property, with the water flowing East through an existing culvert located on the West side of Highway 25. The water would then move through the culvert under Highway 25 to be discharged into long lake; for the purpose of draining water away from crop land. Construction will start on or after April 1, 2025 and will be completed on or before April 1, 2027. Erin Collins-Miles Planning & Zoning Administrator  
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MARSHALL COUNTY DRAINAGE BOARD  
P.O.BOX 9  
BRITTON, SOUTH DAKOTA 57430  
605.448.7540

January 20, 2025

To whom it may concern,

Notice is hereby given that the Marshall County Drainage Board will meet on February 4, 2025 at 9:00 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

CNH Farms, LLC by Nick Heitmann is requesting a Drainage permit for construction of a drain on the property described as Lots 1 and 2 of the N1/2NE1/4; and the S1/2NE1/4, with exceptions, of Section 3, T126N, R54W. The tile will be constructed on the NE corner of the described property, with the water flowing East through an existing culvert located on the West side of Highway 25. The water would then move through the culvert under Highway 25 to be discharged into long lake; for the purpose of draining water away from crop land. Construction will start on or after April 1, 2025 and will be completed on or before April 1, 2027.

Being as you are an adjacent landowner to the proposed drainage project(s); you are being notified of the hearing. If you have any questions, please contact my office or visit our website to look at the file pertaining to the aforementioned projects. The file will be uploaded to <https://marshall.sdcounties.org/planningzoning/zoning-meeting-minutes-agendas/> in its entirety on January 30, 2025. 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

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

January 20, 2025

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Sincerely,

*Erin Collins-Miles*

Erin Collins-Miles  
Planning and Zoning Administrator

**Sent to the following adjacent landowners on 1/20/25:**

1. POD of Edgecomb Inc. c/o Norman Andenas – 43313 227<sup>th</sup> Ave. Howard, SD 57349
2. Gerald & Louise Heitmann – 44026 114<sup>th</sup> St. Lake City, SD 57247
3. The Heitmann Trust 2024 c/o Randolph Heitman – 44066 114<sup>th</sup> St. Lake City, SD 57247
4. Bureau of Indian Affairs – 12554 BIA Highway 711 Agency Village, SD 57262
5. David & Susan Heitmann – 442594 S Shore Dr. Lake City, SD 57247
6. James Evenson – 12054 455<sup>th</sup> Ave. Sisseton, SD 57262
7. Steven & Kassandra Steiner – 44224 S Shore Dr. Lake City, SD

Waiver for Performing Drainage Work in  
Marshall County, South Dakota

I Steven Steiner am aware of the proposed drainage work  
(downstream property owner)

being proposed by Nick Heitmann in the  
(upstream property owner)

LOT 1 (NE 1/4 NE 1/4) + LOT 2 (NW 1/4 NE 1/4) + S 1/2 NE 1/4 exc.  
(legal description) Heitmann addition...

and do not object to the drainage as proposed.

Additional notes:

water flowing through culvert under Hwy 25  
and into long lake.

Dated this 21 day of Jan, 2025

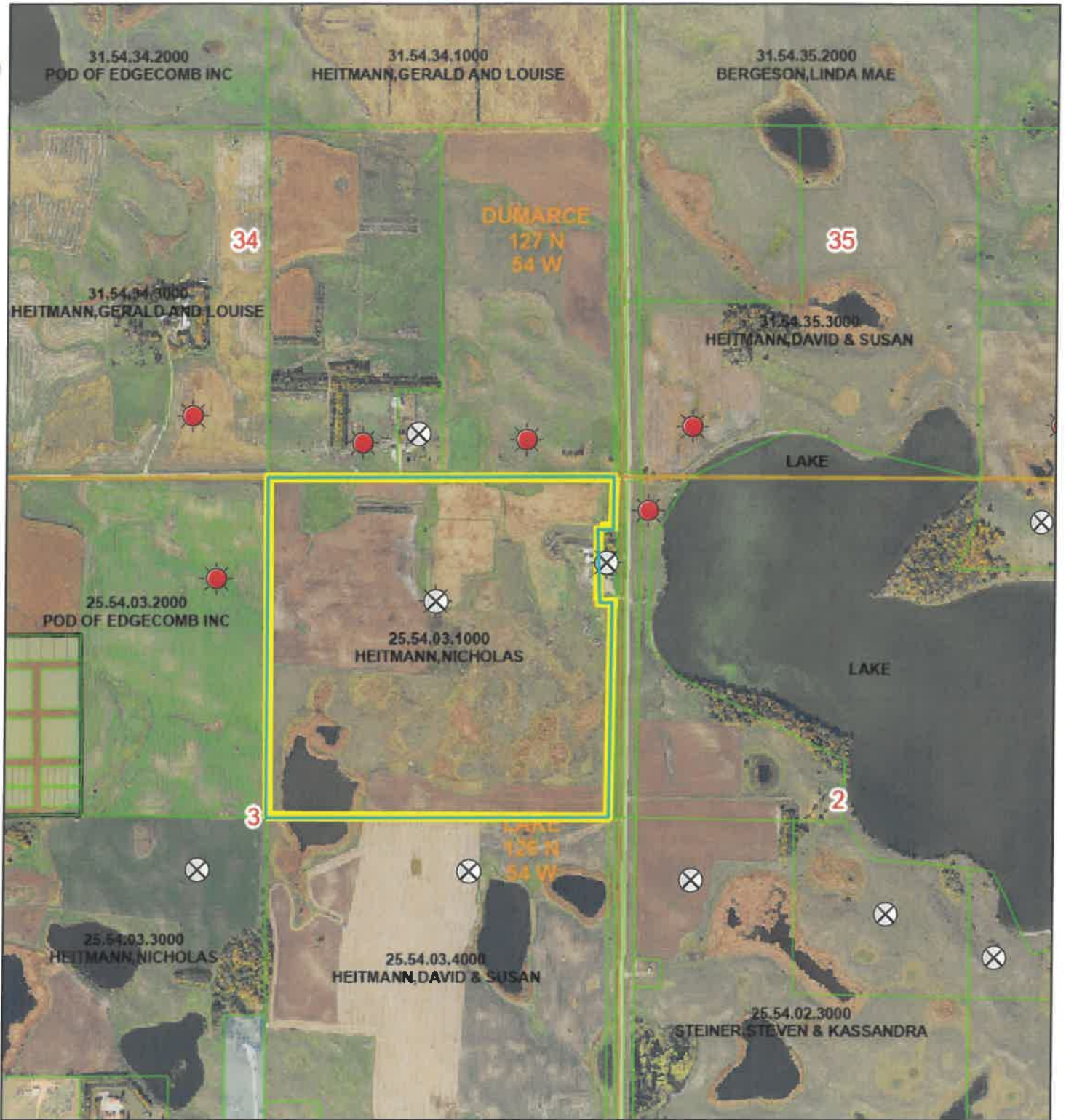
Steven Steiner  
(Signature)

44224 South Shore Drive  
(Address)

Lake City SD 57247  
(City, State, Zip Code)

605-237-0099  
(Telephone Number)

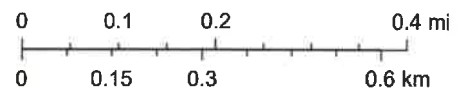
# MARSHALL COUNTY WEB VIEWER



1/17/2025, 2:10:31 PM

1:18,056

- |  |  |
|--|--|
| PLAT   |  TOWNSHIPS  |
|  BAILEY'S ADDITION |  SECTIONS   |
|  CODY'S            |  CITY_LIMIT |
|  ERCINK'S ADDITION |  PARCELS    |







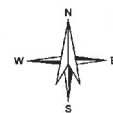
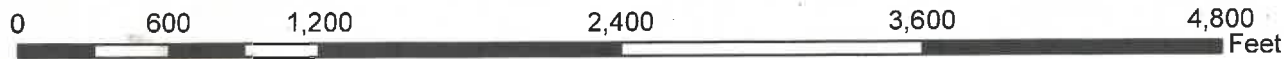
# Certified Wetland Determination

Field Office: Britton FO  
Created By: Jesse Brooks  
Legal Desc: NE 3-126N-54W

Agency: USDA-NRCS  
Certified Date: 10/12/2023  
Tract: 2767



1:9,210 1 inch = 768 feet



Marshall County





United States Department of Agriculture

10/12/2023

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

CNH Farms LLC  
11415 SD Highway 25  
Lake City, SD 57247

Dear CNH Farms LLC:

As a result of your request for an evaluation of proposed wetland activity via form AD-1026, *Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification*, the Natural Resources Conservation Service (NRCS) is issuing a preliminary certified wetland determination (CWD).

The regulations for the Wetland Conservation (WC) Compliance provisions of the 1985 Food Security Act, as amended, are found at Title 7 Code of Federal Regulations (CFR), Part 12. The purposes of the provisions are to remove certain incentives for persons to produce agricultural commodities on highly erodible land or a converted wetland.

The regulations describe several exemptions (7 CFR, Part 12.5 (b)) from ineligibility and outline the NRCS involvement in implementing the WC Compliance provisions. This wetland determination has been conducted in accordance with the Wetland Conservation Provisions (16 U.S.C. 3801 et seq.) and associated regulations at Title 7 CFR, Part 12, as well as policy contained in the National Food Security Act Manual (NFSAM). This includes the technical procedures contained in the Food Security Act Wetland Identification Procedures, issued as Circular No. 6, Part 527, Appendix to the NFSAM.

With this letter the NRCS is issuing a **preliminary technical determination (PTD)**, in accordance with the WC Compliance provisions. This PTD was conducted by the NRCS on 10/12/2023. The attached NRCS-CPA-026E, *Highly Erodible Land and Wetland Conservation Determination*, and map depict the wetland exemptions, referred to as "labels." The area identified other than Non-Wetland is a wetland for the following reasons:

**Presence of Hydrophytic Vegetation**

Hydrophytic vegetation means plants growing in water or in a substrate that is at least periodically deficient in oxygen during a growing season as a result of excessive water content (16 U.S.C. §3801(a)(12)).

**Presence of Hydric Soils**

Hydric soil means soil that, in its undrained condition, is saturated, flooded, or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation (16 U.S.C. §3801(a)(13)).

**Presence of Wetland Hydrology**

Wetland hydrology means inundation or saturation of the site by surface or groundwater during the growing season at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation. (7 CFR, Part 12.2).

The wetland area(s) were evaluated for applicable exemptions and labeled accordingly.

You may appeal this preliminary technical determination in accordance with the laws and federal regulations set forth at 7 CFR, §614, the NRCS Appeals Procedures, 7 CFR, §780, the FSA Appeals Procedures, and 7 CFR, §11, the National Appeals Division (NAD) Rules of Procedure, as follows:

- **You may request a field review and reconsideration** by the NRCS in accordance with 7 CFR, 614.7(b). Any request for field review and reconsideration will be conducted with you or your authorized representative present, where you will be able to present evidence that the NRCS may not have previously considered. The NRCS will consider all new information.
- To request a field review and reconsideration, you must contact the NRCS, in writing, **no later than 30 days** from the date that you receive this notification at:

Jesse Brooks  
NRCS Britton Service Center  
505 Vanderhorck Ave.; PO Box 8  
Britton, SD 57430  
Phone: (605) 290-4802

- **Or, if you do not request a field review, you may request mediation** of the PTD in accordance with 7 CFR, 614.7(a)(2). Mediation is completed in good faith. Parties mediating a dispute are not free to make their own law or policy and mediation is not a means to obtain a result not otherwise permissible under statute, regulations, or generally applicable agency policy and program procedures. Within these parameters, mediation of disputes can produce benefits when the mediation reveals additional relevant facts and new insights.

To request mediation you must contact Deke Hobbick in writing **no later than 30 days** from the date that you receive this notification at:

Assistant State Conservationist for Compliance  
Natural Resources Conservation Service  
200 Fourth Street SW  
Huron, South Dakota 57350-2475  
Phone: (605) 352-1287  
Fax: (855) 256-2565

- **You may request a waiver of your rights** to this preliminary review and reconsideration or mediation in accordance with 7 CFR §614.7(d) if you want an immediately final wetland technical determination by writing to the State Conservationist at:

State Conservationist  
Natural Resources Conservation Service  
200 Fourth Street SW  
Huron, South Dakota 57350-2475  
Phone: (605) 352-1200  
Fax: (855) 256-2565

If you do not select any of your preliminary appeal rights, this PTD will become both a final technical determination (FTD) in accordance with 7 CFR §614.8(a)(1) and a CWD in accordance with 7 CFR §12.30(c). A technical determination becomes a final United States Department of Agriculture decision when the time to request appeal expires without appealing the decision. A FTD becomes appealable 30 days after receipt of the PTD.

If the FTD is a result of the expiration of the 30-day period following receipt of this PTD, it may be appealed, **within 30 days**, to either of the following:

- Appeal to the Marshall County Farm Service Agency County Committee

OR

- Appeal to the National Appeals Division (NAD) at the following address:

National Appeals Division, Western Regional Office  
13922 Denver West Parkway, Suite 100-NAD  
Lakewood, Colorado 80401  
Phone: (800) 541-0483 or (303) 236-2862  
TTY: (800) 497-0253  
Fax: (855) 438-8035

It is your responsibility to ensure that your actions do not impact wetlands protected by a United States Fish and Wildlife Service (USFWS) or any other conservation easement. For any questions regarding USFWS conservation easements on the tract or adjacent land, please contact the Wetland Management District Office located in Waubay, SD, at (605) 947-4521. For any other easements, please contact the local NRCS office.

This CWD has been conducted for the purpose of implementing the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. This determination may not be valid for identifying the extent of Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should contact the local district office of the U.S. Army Corps of Engineers at (605) 224-8531, Pierre, SD, prior to starting work.

There may be opportunities to utilize mitigation if you have an interest in converting the labeled wetlands (Ws), farmed wetlands (FWs), and farmed wetland pasture (FWP), found in this determination. Mitigation is the compensation of lost wetlands through wetland restoration, enhancement, or the creation of new wetlands. Mitigation cannot occur at the expense of the federal government. Mitigated wetlands must be in the same local watershed as the wetlands you wish to convert. The landowner must grant an easement that remains in effect as long as the original wetland remains converted and the easement will be recorded on public land records for the mitigated wetlands. All of the above activities, as well as a mitigation plan, must be completed before any wetland conversions could occur.

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

The 2014 Farm Bill connected producer eligibility for Federal Crop Insurance premium subsidy to compliance with the wetland conservation provisions. Eligibility for most USDA programs is lost for any wetland conversions that have occurred after December 23, 1985. However, only wetland conversions that occur after February 7, 2014, result in ineligibility for Federal Crop Insurance premium subsidy.

Sincerely,

**JESSE  
BROOKS**

Digitally signed by  
JESSE BROOKS

Date: 2023.10.12  
11:26:29 -05'00'

Jesse Brooks  
Compliance Specialist

Attachments:

cc: without attachments  
Darah Melroe, CED, FSA, Britton FO  
Blaze Jones, Acting DC, NRCS, Britton FO



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Table with 6 columns: Name, Address, Request Date, County, Agency or Person Requesting Determination, Farm Service Agency, Tract No, FSA Farm No. Values include CNH Farms LLC, 11415 SD Highway 25, Lake City, SD 57247, 9/12/23, Marshall, Farm Service Agency, 2767, 5547.

Section I - Highly Erodible Land (Y/N)

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

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not, fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Table with 5 columns: Field(s), HEL(Y/N), Sodbust(Y/N), Acres, Determination Date. Multiple empty rows.

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.

Table with 6 columns: Field(s), Wetland Label\*, Occurrence Year (CW), Acres, Determination Date, Certification Date. Values include 3, 6, W, 15.7, 10/12/23, 10/12/23 and All, NW, 136.6, 10/12/23, 10/12/23.

The wetland determination was completed in the office. It was mailed to the person on 10/12/2023.

Remarks: USFWS Easements are present in this tract.

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: Digitally signed by JESSE BROOKS Date: 2023.10.12 11:27:03 -05'00' Date: 10/12/2023

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. USDA is an equal opportunity provider and employer.

#### \*DEFINITIONS OF WETLAND LABEL CODES

- AW Artificial Wetland. 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 Commenced Conversion. 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 COE Permit with Mitigation. 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 Categorical Minimal Effect. 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 Converted Wetland. 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 Converted Wetland + (year the conversion occurred). 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 Converted Wetland Non-Agricultural Use. 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 Converted Wetland Technical Error. 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 Farmed Wetland. 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 Farmed Wetland Pasture or Hayland. 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 Mitigation Exemption. 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 Minimal Effect Exemption. 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 Mitigation Site. This site of wetland restoration, enhancement, or creation serving as mitigation for the mitigation exemption (MIW) site.
- NI Not Inventoried. An area where no wetland determination has been conducted. Label not used for certified wetland determinations completed after 2/2008.
- NW Non-Wetland. 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 Prior Converted Cropland. 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 Prior Converted Cropland/Non-Wetland. An area that contains both PC and NW.
- TP Third-Party Exemption. 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 Wetland. 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 Manipulated Wetlands. 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.