

**NEBRASKA EXPEDITED MINIMAL EFFECT:  
GRASSED WATERWAY REPLACEMENT WITH TERRACE (600)/UNDERGROUND OUTLET (620)  
CLOSED TERRACE SYSTEM [ONLY applies to FW or FWP wetlands]**

\_\_\_\_\_  
(Landowner Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

This agreement stipulates the terms that must be met in order to receive a minimal effect (MW) determination. I, the Landowner, understand that complying with this agreement will maintain this designation. The affected wetland is located in the \_\_\_\_\_ of Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, in \_\_\_\_\_ County, Nebraska as shown on the attached map. I hereby agree that the terms of this agreement must be followed and maintained to the satisfaction of the USDA Natural Resources Conservation Service (NRCS). I agree to provide USDA personnel the right of access to the wetland involved in order to verify compliance with this agreement.

**Condition:**

If slope from bottom terrace to outlet area is less than 1% then it is questionable if replacement of underground pipe will serve the required purpose which is to convey water. It may be better to deny replacement of grassed waterway with underground outlet and require bubble up type outlet be installed immediately below bottom terrace and let water be conveyed to stable outlet via existing grassed waterway. Consider use of Grassed Waterway Construction in Wetlands expedited minimal effect.

**Terms:**

1. Underground outlet standard must be followed regardless of financial assistance.
  - a. Tile MUST be non-perforated.
  - b. If NEW terrace system, then non-perforated tile will run from first (top) basin all the way to outlet.
  - c. If being combined with an existing system, all new tile must be non-perforated
2. Tile outlet allowed to extend from bottom terrace to NRCS designated outlet. Tile line may be installed through wetland.
3. Tile outlet must be at least 30' from property boundary and provide a stable outlet into a grassed filter area and not cause erosion. Outlet vegetation must be established when pipe installed (contact NRCS for recommendations).
4. Landowner agrees that NRCS must be on site when installing tile pipe to verify non-perforated pipe used. Installation must be completed during NRCS business hours and scheduled with NRCS 7 business days in advance.
5. Check scenario that best represents your specific conditions:
  - Grassed waterway has not been maintained and will be/has been farmed. Waterway no longer functions due to silt.
  - Wetland identified is wider than the current grassed waterway. Existing waterway will be filled and leveled/smoothed for farming purpose under natural conditions
  - Linear wetland is confined within existing waterway. Existing grassed waterway may be maintained for continued use. Maintenance includes cleaning and/or widening.
  - Leave waterway as is with no requirement of placing fill to level the channel. Permissible to clean and widen grassed waterway to improve wetland values.
6. Any cropped or disturbed areas that require perennial vegetation (i.e. to provide a stable outlet) will be seeded with a mixture of adapted vegetation with a dominance of native grasses and an inclusion of introduced legumes and/or native forbs. NRCS will develop the seeding mixture and provide documentation using NE-CPA-8 Grass Seeding Job Sheet.
7. NO additional tiling, ditching, diking, filling, excavating, or other modification are allowed to area in question without prior written approval of the NRCS
8. Landowner will obtain ALL required permits, easements, or letters of authorization prior to installation. Documentation of approval/consent will be provided to NRCS. (i.e. correspondence from Corps of Engineers, CWA 404 permits)
9. The landowner will notify NRCS within 30 days of project completion

**SIGNATURES**

This minimal effect determination (MW) is effective when signed by the landowner and NRCS. Failure to comply with any terms of this agreement will result in the removal of the minimal effect designation (MW) and the affected area would thereafter be considered converted wetland. The landowner will complete all terms of this agreement within one year of the date the Natural Resources Conservation Service representative signs the agreement.

\_\_\_\_\_  
LANDOWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NATURAL RESOURCES CONSERVATION SERVICE

\_\_\_\_\_  
DATE

DATE THAT ALL TERMS OF THIS AGREEMENT MUST BE COMPLETED BY: \_\_\_\_\_