AVOIDING WETLAND VIOLATIONS IN A WOODED WETLAND

Disturbance Activities May Lead To Wetland Violations = Loss of USDA Program Benefits
Maintain wetlands in natural conditions to remain eligible for USDA benefits. Avoid activities shown below in the middle graph. To avoid wetland conversions and violations do not carry out any land disturbance activities. Leave the area as a natural wetland to ensure natural processes occur.

Not Converted (Not a violation)

Path of Wetland Conversion (May lead to wetland violations)

End of Path = Wetland Violation (CW+Year Label)

Wetland Uses
Use wetlands for:
- Recreation
- Hunting
- Selective timber harvesting
- Maintaining drainage
  In place before 12/23/85 if it is still functioning and drains other fields

Maintain the area in:
- Natural vegetation
- Woody vegetation (trees and shrubs)
- Allow natural plant regeneration

Land Disturbance Activities
That May Progress to Wetland Violations

- Mowing
- Stumps rotting away
- Restoring a failed drainage system
- Brush Removal
- Spraying
- Grazing
- Burning
- New drainage in or around the wetland
- Deep-ripping to break up restricting layers
- Filling in low spots
- Discing

Any activity can develop into a conversion if the production of an agricultural commodity becomes possible.

Violations are called CW+Year and result in the partial or total loss of USDA benefits covering all acres/fields (not just the area of the violation).

Violation of Swampbuster Provisions of the Food Security Act of 1985 occur when a wetland is converted by:

- Removal of woody vegetation and/or hydrology manipulation:
  - for the purpose of, or
  - to have the effect of making production possible

= LOSS OF USDA BENEFITS

A Person shall be ineligible for USDA benefits if “the person converts a wetland by draining, dredging, filling, leveling, removing woody vegetation or other means for the purpose, or to have the effect, of making production of an agricultural commodity possible. 7CFR12 (Code of Federal Regulations, Title 7, Part 12)

For more information, contact your local USDA Service Center

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