

DESCRIPTION

Agricultural producers in Mille Lacs County frequently encounter wetlands in the field and have questions regarding allowable impacts. Subject to cropping history and wetland type designation, a large number of wetland impacts do not require a replacement plan, and are allowed as “no-loss” or “exempt” impacts in the Wetland Conservation Act. For additional guidance on wetland types, please refer to the [Wetlands in Minnesota](#) fact sheet prepared by the MN Board of Water and Soil Resources.

APPLICABLE REGULATIONS

Wetlands on agricultural land in Minnesota can sometimes be subject to multiple wetland regulations. All wetlands in Minnesota are subject to the Wetland Conservation Act (WCA). Producers enrolled in the USDA farm program are also subject to the wetland conservation provisions in the federal farm bills, generally referred to as “Swampbuster.” While both regulations seek to preserve wetlands, they are vastly different. The best way to ensure compliance with both regulations is to visit the Mille Lacs County Land Services Office and your local USDA office.

EXEMPTION STANDARDS

Many common agricultural and drainage activities are allowable as exemptions. While there is no permit requirement for these activities, producers are strongly advised to contact the Mille Lacs County Land Services Office to determine whether their activity meets an exemption standard. The following sections describe common exemptions that are related to agriculture; however, this is not an exhaustive list. This fact sheet is designed as a quick reference, and not a replacement for reading applicable rules.

AGRICULTURAL ACTIVITIES

For agricultural activities, impacts are allowed:

- In wetlands that were planted with annually seeded crops in six of the last ten years prior to January 1, 1991.
- In Type 1 wetlands, or up to two acres of Type 2 or Type 6 wetlands, located on pasture land (that will remain in pasture use).
- For conservation projects certified by the Mille Lacs Soil and Water Conservation District.

DRAINAGE

For drainage system maintenance, impacts are allowed:

- From repair of private drainage systems that do not drain wetlands that have existed for more than 25 years.
- From repair or maintenance of public drainage systems, established under Minnesota Statute 103E, that do not drain Type 3, 4, or 5 wetlands that have existed for more than 25 years.

Drainage is allowed for:

- Draining wetlands that were planted with annually seeded crops eight of the last ten years.
- Draining wetlands in land that has been assessed drainage benefits under Minnesota Statute 103E, provided the public drainage system has been repaired or maintained.

For information on public drainage systems, please contact the Mille Lacs County Land Services Office.