



United States Department of Agriculture



USDA Food Security Act of 1985, as amended

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What are we talking about today?

Why is the USDA Food Security Act important?



How does USDA evaluate my drainage actions?

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The Food Security Act of 1985, as amended

- ONLY applies to wetlands that existed on **December 23, 1985**
- ONLY applies to **USDA Program Participants**
(ALL USDA Programs & Payments)
- ONLY applies to **Agricultural Commodities**
- Administration Authority by  **Farm Service Agency**
U.S. DEPARTMENT OF AGRICULTURE
- Technical Authority by  **Natural Resources Conservation Service**
U.S. DEPARTMENT OF AGRICULTURE

The Food Security Act of 1985, as amended



A Food Security Act of 1985, as amended Wetland Determination is based on 3 factors

1. SOILS that formed in wet/saturated conditions (“Hydric Soil”)
2. VEGETATION that grows in hydric soils
3. HYDROLOGY (water) that was in place for at least 15 consecutive days in the spring before December 23, 1985

And USDA Program Participants have appeal rights!

What is a Food Security Act of 1985, as amended Wetland?

It depends on what the land was like on December 23, 1985.



Dec. 23, 1985



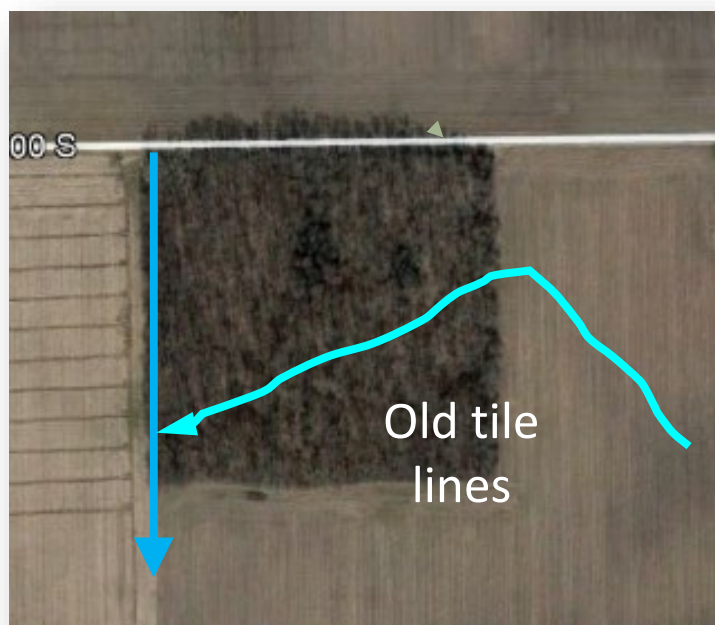
After
Dec. 23, 1985



What can USDA Program Participants do with a Food Security Act of 1985, as amended Wetland?



USDA Program Participants can do just about anything as long as the action does not MAKE POSSIBLE the production of an agricultural commodity



What about old drainage?

Drainage in a **PC** (Prior Converted) crop field or a **NW** (Non-Wetland) woods can be improved and increased

Drainage of a grassy or ponded **FW** (Farmed Wetland) or **W** (Wetland) in a field can be maintained at its current capacity

Drainage in a **W** (Wetland) woods can be improved as long as the woods remain in trees, even if harvested

Clearing the trees in a wetland enough to make it croppable is the violation



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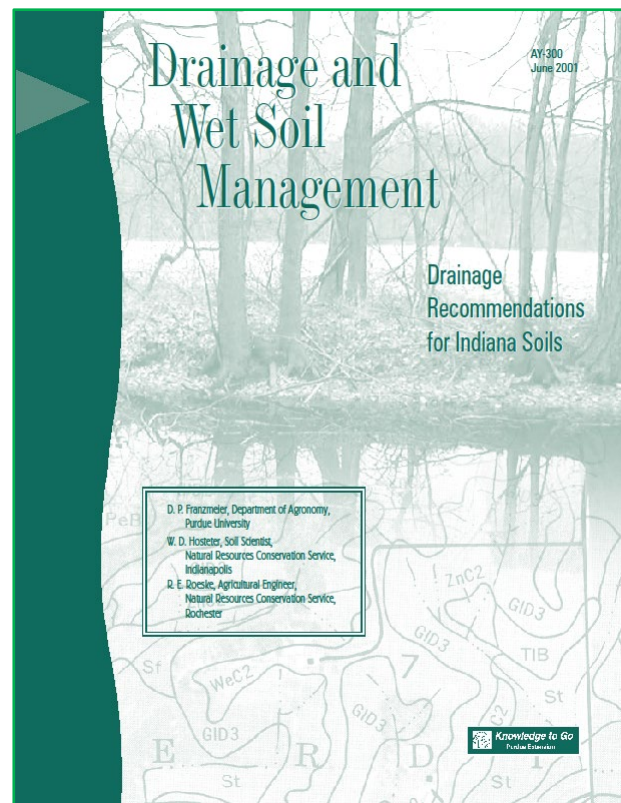
The Food Security Act of 1985, as amended

How will USDA evaluate drainage improvements on cropland near a Food Security Act of 1985, as amended, Wetland?

Nearby drainage must not have the effect of making possible the production of an agricultural commodity on the Food Security Act of 1985, as amended, Wetland

Purdue Extension bulletin AY-300

Design plans or documents from drainage contractors





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A background image showing four people standing in a field of tall, green plants, possibly a field of wildflowers or a conservation area. The people are looking towards the right side of the frame. The image is slightly faded to allow the text to be visible.

QUESTIONS??

www.in.nrcs.usda.gov

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