

WETLANDS FOR CONSERVATION PROFESSIONALS



GREG HAMMER SOIL SCIENTIST

EXPERIENCE: USDA NRCS, 1993-2023

- *Soil Mapping*
- *Wetland Delineations*
- *Compliance Specialist*
- *Liaison to USACE, DEQ, VMRC*
- *National Cadre for Wetland Reviews*

CURRENT

- Owner, Hammer Environmental (hammerenv.com)
- Virginia Soil Health Coalition (<https://www.virginiasoilhealth.org>)



DISCLAIMER

The information provided is for general informational purposes only. All information is provided in good faith, however I make no representation or warranty of any kind, express or implied, regarding the accuracy, adequacy, validity, reliability, availability, or completeness of any information. UNDER NO CIRCUMSTANCE SHALL I HAVE ANY LIABILITY TO YOU FOR ANY LOSS OR DAMAGE OF ANY KIND INCURRED AS A RESULT OF THE USE OF INFORMATION PROVIDED.

WHAT ARE WE DOING?

- Talk about professional relationships
- ~~Wetland Functions, Definitions, Law, Policy~~
- Wetland Stories

WHY DOES THIS MATTER?

- Wetland Compliance is a requirement to federal and state cost share programs.
- Staff have a responsibility to be informed and aware of policy requirements and to be able to guide farmers adequately.

GOALS

- To provide unvarnished truth about wetland compliance for farmers.
- That you'll learn something that will help you with your professional relationships.
- That you gain strategies and knowledge that will help prevent and solve wetland dilemmas.





FERN & ALLEN

PROFESSIONAL RELATIONSHIPS

Be a Good Listener

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RELATIONSHIPS

Be a Good Listener
Have Empathy

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Remain Calm & Firm

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Be Technically Sound & Follow Policy

Build Relationships

Establish Trust

PROFESSIONAL
RELATIONSHIPS



PROFESSIONAL RELATIONSHIPS



Anonymous
Virginia Farmer

REACTIONS ON PROFESSIONAL RELATIONSHIPS

Questions?



TRAGIC
WETLAND TALE

THE FARMER NEEDS TO:



1. Know your rights and your responsibilities.
2. Know the history of the land you farm.
3. If something goes wrong, consider getting help.

PART D – CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences.
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification:

I hereby certify that the information on this form is true and correct to the best of my knowledge.

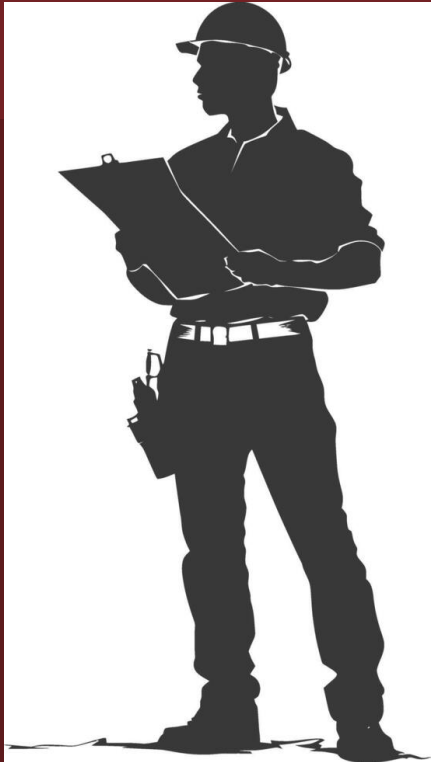
10A. Producer's Signature (By)

10B. Title/Relationship (If Signing in Representative Capacity)

10C. Date (MM-DD-YYYY)

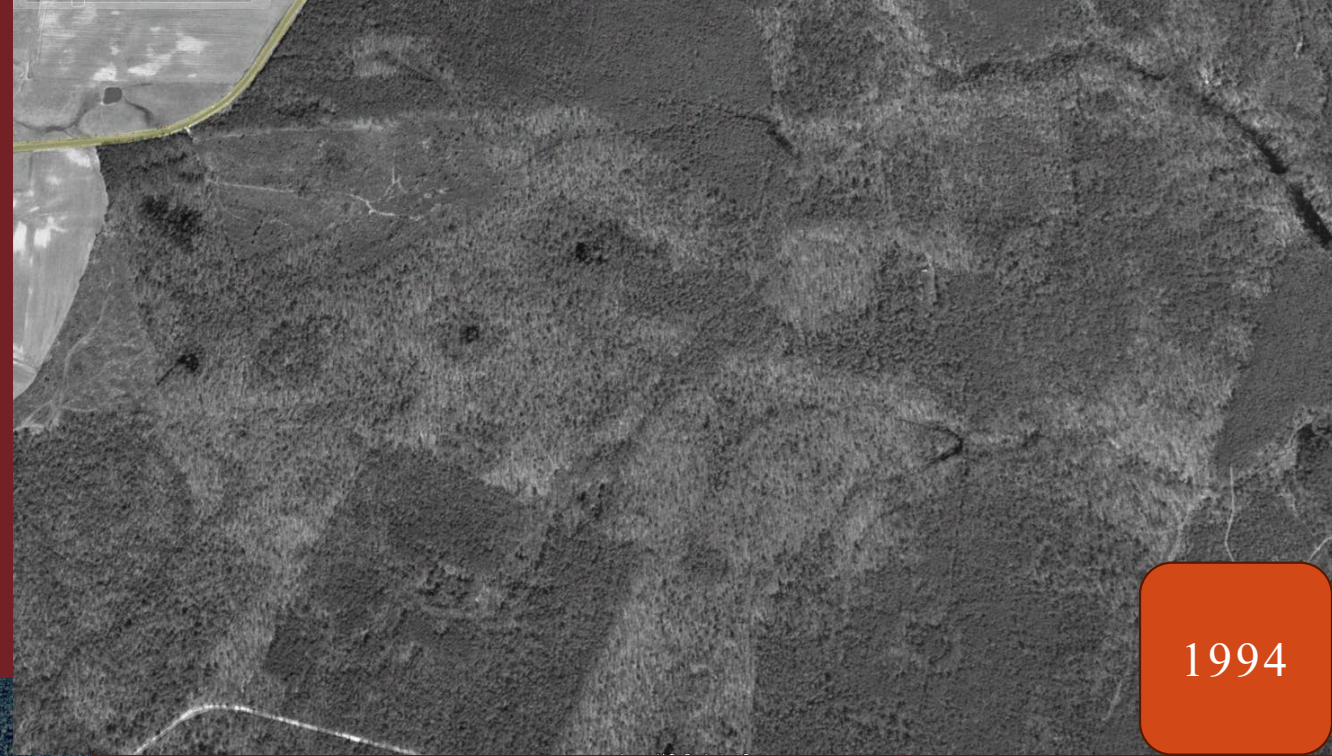
- **NOT** to plant or produce an agricultural commodity on highly erodible land or fields unless being farmed in accordance with a conservation plan or system approved by the Natural Resources Conservation Service.
- **NOT** to plant or produce an agricultural commodity on a wetland that was converted after December 23, 1985.
- **NOT** to have converted a wetland after November 28, 1990, for the purpose, or to have the effect, of making the production of an agricultural commodity possible on such converted wetland.
- **NOT** to convert a wetland by draining, dredging, filling, leveling, removing woody vegetation, or any other activity that results in impairing or reducing the flow and circulation of water in a way that would allow the planting of an

AGENCY STAFF NEEDS TO:



1. Know the basics of wetland laws
2. Inform and advocate for your farmers
3. Work with your agency experts

SOMETHING
EASY WE ALL
CAN DO



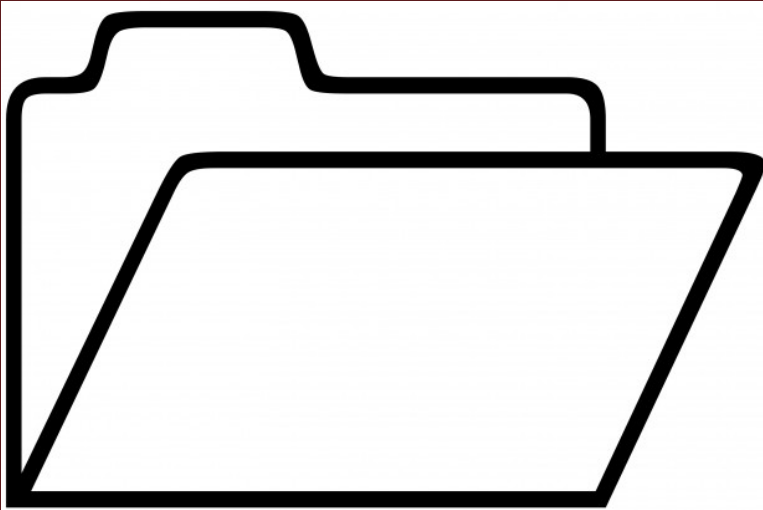
1994



2023

Current and Historical
Image Search

EMPTY FILE FOLDER





WHOSE JOB
IS IT TO
TRACK
WETLAND
DETERMINATIONS

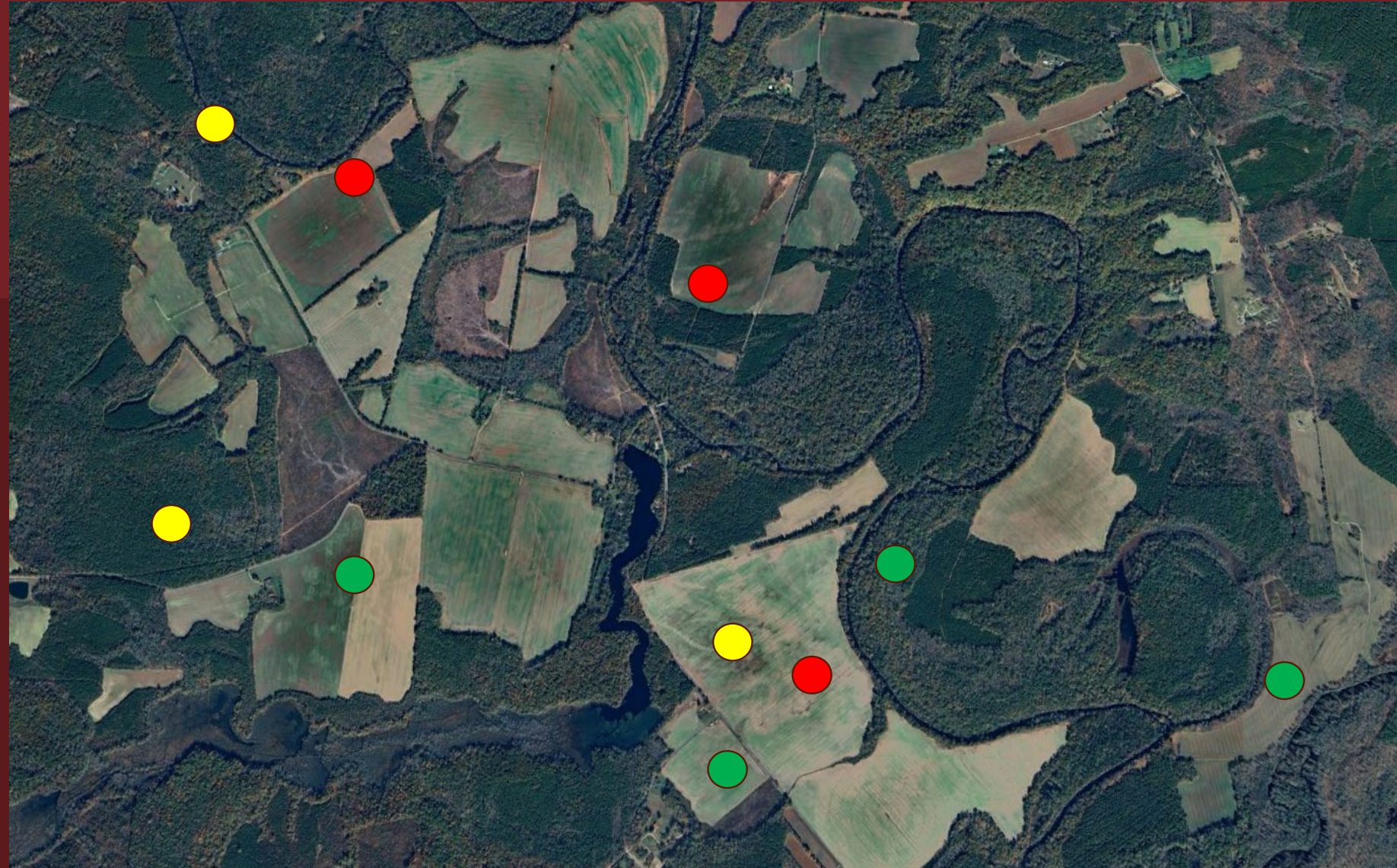
SINCE
1985?

&

WHOSE JOB
IS IT TO
INFORM

SWCD
IF THERE
NON-
COMPLIANCE

1. FSA
2. NRCS



REACTIONS TO A
TRAGIC TALE &
HISTORICAL
RECORD
KEEPING

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Questions?

GENERAL STATEMENTS ABOUT WETLAND REGULATORY AUTHORITY

- USDA & SWCD Are not regulatory, all participants are voluntary.
-
- DEQ - Has many ag exemptions and rarely gets involved.
- Corps - Has many ag exemptions and occasionally gets involved.
 - Ag Liasson CENAO-AgricultureOffice@usace.army.mil

Q & A WETLAND ISSUES

- MANIPULATED WETLANDS
- STREAM CROSSINGS
- PIPELINES
- SPRING DEVELOPMENTS
- FIRE BREAKS
- FARM ROADS
- PONDS
- DITCH-TILE INSTALLATION AND MAINTENANCE
- REQUIREMENTS TO BE A WETLAND
- SHARING WETLAND DETERMINATIONS
- MINIMAL EFFECT WAIVER
- GOOD FAITH WAIVERS
- HYDROLOGY INFLUENCE OF DITCHES
- PRIOR CONVERTED WETLANDS
- WETLAND APPEAL PROCESS
- WETLAND MITIGATION
- DOES THE GOVERNMENT PATROL FOR VIOLATIONS
- WHAT ABOUT SOLAR
- LAND CLEARING

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- Give you strategies and provide knowledge that will help prevent and/or solve wetland dilemmas.





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THANK YOU



Greg Hammer

252-207-1058

Email: hammerenv@outlook.com

Website: Hammerenv.com