



# Department of Justice

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District of North Dakota

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FOR IMMEDIATE RELEASE  
November 13, 2008  
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## *Walsh County Farmer Guilty of Draining Wetlands*

**GRAND FORKS** - United States Attorney Drew H. Wrigley announced that on November 11, 2008, U.S. Magistrate Judge Alice R. Senechal issued an order finding **Alvin Peterson**, 78, Lawton, North Dakota, guilty of two counts of improper drainage of wetlands. A bench trial was held on July 14 and 15, 2008, in U.S. District Court in Grand Forks.

The incidents occurred on July 5, 2007, when **Peterson** hired a contractor to construct ditches into protected wetlands and illegally drained the wetlands. **Peterson** had farmed the land for decades, and knew where the wetlands were located.

**Peterson** was previously convicted of draining certain wetlands in 2004. **Peterson** was sentenced to probation, and restoration of the injured wetlands was a condition of probation in his previous conviction for draining wetlands. **Peterson** did not comply with the restoration conditions and the Court issued an order authorizing U.S. Fish & Wildlife Service to restore the wetlands and **Peterson** was to pay the costs of restoration. The restoration work was completed in the fall of 2006. Some of the wetlands drained in the July 2007 incident included wetlands restored in 2006.

Each charge of improper drainage of wetlands carries a statutory maximum penalty of six months of imprisonment, a \$5000 fine, one year of supervised release and a \$5 special assessment.

The case was investigated by the U.S. Fish & Wildlife Service.

Sentencing for **Peterson** has not been scheduled.

Assistant United States Attorney Cameron Hayden is prosecuting the case.

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