



Department of Justice

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Walsh County Farmer Sentenced for Draining Wetlands

GRAND FORKS - United States Attorney Drew H. Wrigley announced that on February 24, 2009, United States Magistrate Judge Alice R. Senechal sentenced **Alvin Peterson**, 78, Lawton, North Dakota, on two counts of illegally draining wetlands. A bench trial was held on July 14 and 15, 2008, in United States District Court in Grand Forks. **Peterson** was found guilty of the offenses on November 11, 2008. Memorandum decision of the Court is attached hereto.



Peterson
Order.pdf

Magistrate Judge Senechal sentenced **Peterson** to a \$10,000 fine, five years of probation, \$20.00 special assessment, and restoration of the protected wetlands.

The incidents occurred on July 5, 2007, when **Peterson** hired a contractor to construct ditches which 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**

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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.

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

Assistant United States Attorney Cameron Hayden prosecuted the case.

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