

## Chapter 1 : Louisiana State Legislature

*Indemnity to States on sale of lands. All lands in the State of Missouri selected as swamp and overflowed lands, and regularly reported as such to the.*

Under such circumstances, a State is entitled to a lieu selection. Under the Ordinance of May 20, , section 16 called Lot 16 in the Ordinance in each township was set aside for the maintenance of public schools. In this was changed to sections 16 and In Arizona, New Mexico and Utah, sections 2, 16, 32 and 36 were granted. SCRIP - A certificate which allows the owner to make a selection of a specified number of acres out of available public lands. SEAL - In law, a particular sign, made to attest in the most formal manner, the execution of a document or instrument. Adopted in , it is abbreviated 2nd Prin. SECTION - The unit of subdivision of a township with boundaries conforming to the rectangular system of surveys, nominally one mile square, containing acres. It is run on cardinal bearing to intersect the opposite controlling boundary where a closing corner is established. SELECTION - In general, an application to acquire title to public lands which is submitted by an applicant who acquired the right to apply for such lands by receipt of a grant, by surrender of his own lands in an exchange, by relinquishment of his rights to other lands lieu selection , by surrender of scrip or by similar means. The "senior" line would be the line which was surveyed and approved first. The first patent issued usually takes precedence in a situation where a later survey is in conflict with an earlier survey. The first patent issued usually has the superior senior right or title regardless of the dates of the surveys. BLM maintains these individual chronological records of each public land transaction. Each transaction case appears as a page or pages in a serial register. Each one is identified by the serial number assigned to it. A running record of each case, its inception and any actions on it, is kept in book form in the land office of each public domain land state. Serial register pages are now microfilmed for ease in retrieval of information as well as to conserve space. As cases are closed the files for them are sent to Federal records centers of the General Services Administration. Such claims are based upon actual settlement of the public lands involved. They can no longer be initiated except in Alaska. It is called "The Seven Ranges" because plans called for the inclusion of seven ranges of townships in the first tract of land to be offered for sale. In the survey of the seven ranges, sections are numbered from south to north in each range, with number 1 in the southeast corner of the township and number 36 in the northwest corner. It is the strip of land between the mean high water and mean low water lines. In its strictest use, the term applies only to land along tidal waters. The line delineating the shore line on U. Coast and Geodetic Survey nautical charts and surveys approximates the mean high water line. The terms "shoreline" and "coast line" are frequently used as being synonymous. When "shore line" is used the user should specify what is meant, e. It lies along the bank at the mean level attained by the waters of the river when they reach and wash the bank without overflowing it. SHORE, OCEAN - "This is the most important of the four zones, and extends from the low water mark inshore to the base of the cliff large or small , which usually marks the landward limit of effective wave action. It is the zone over which the line of contact between land and sea migrates," per Shalowitz. This definition of "shore" describes the same zone as that given by Johnson, and Technical Report No. Supreme Court in the case of Borax Consolidated, Ltd. City of Los Angeles, U. For provisions of determining the "shore space," see 43 C. Used after a word or passage to indicate that it is meant to be exactly as printed or to indicate that it reproduces an original even if in error as to spelling or usage. Not applied to the ends of a strip. In mining law, the "side lines" of a claim, as platted or laid down on the ground, are those which mark its longer dimension where it follows the course of the vein. If the claim as a whole crosses the vein instead of following its course, the "side lines" are still the boundaries of the longer dimension, even though they cross the vein. Examples of such corners are - quarter-section corners on the line between two section corners, all corners on standard parallels, and all intermediate positions on any township boundary line. The ordinary field problem consists of distributing the excess or deficiency between two existent corners in such a way that the amount given to each interval shall bear the same proportion to the whole difference as the record length of the interval bears to the whole distance. After having applied the proportionate difference to the record length of each interval, the sum of the several parts will equal the new

measurement of the whole distance. **SITE** - A parcel of ground set apart for a specific use. The word itself does not necessarily imply definite boundaries. Adopted in , it is abbreviated 6th Prin. **SLOPE CHAINED** - In some of the older surveys the chaining measuring was done on the slope but the distances measured were not always reduced to the horizontal equivalent and the slope distance was entered in the field note record. When this systematic error is detected during a retracement cadastral surveyors refer to the line as having been "sloped chained. **SNOW BLAZE** - In regions subject to heavy snowfall it is desirable survey practices to make a small additional blaze at a height of 6 or 8 feet above the ground on tree monuments and bearing trees to attract attention to them during the winter. **Mining Claim Occupancy Surveys**. The special instructions include the basic information necessary for accomplishing the field work and are an important part of the record relating to the survey. Special instructions are usually prepared by the officer in administrative charge of the work. They are usually written in the third person and, together with the Manual and supportive data, contain the necessary specifications and information for execution of the survey. In the latter case the center line of the section is calculated and surveyed on a theoretical bearing to an intersection with the meander line of a lake over 50 acres in area which is located entirely within a section. They often carry out the provisions of a special legislative act and include such work as small tract surveys; townsite survey; island and omitted land surveys; homestead, homesite, trade and manufacturing site surveys; also the survey and resurvey of portions of sections. In geodesy, a mathematical figure closely approaching the geoid in form and size. In earlier surveyor usage, "standard" referred to a standard length against which the old-style survey chain was checked for accuracy. The eighth edition was published in The tables and data are designed for use by cadastral surveyors in the field and office. Standard parallels are established to correct for the convergence of range lines and to maintain a workable adherence to the requirement that each township be 36 miles square. They are surveyed in the manner prescribed for the survey of the base line. A crop used, needed or enjoyed by many people and therefore produced regularly, or in large quantities, is a "staple crop. It is under the policy of "stare decisis" that courts stand by precedent and do not disturb a settled point. It is the doctrine which states that when the court has once laid down a principle of law as applicable to certain state of facts, it will adhere to that principle and apply it to all future cases where facts are substantially the same. Also called State Plane Coordinate Systems. He is directly accountable to the Director of the Bureau of land management. Formerly called State Supervisor. The most common State grants are: Generally, title to State grant lands could pass only after survey of the lands. Originally, mineral lands were excluded. Also excluded were lands taken by settlers, withdrawn for public purposes or otherwise disposed of by the Government. These grants by Congress were grants which may pass title to lands without further approval or documentation by a Federal agency. The other states were admitted to the Union by acts of Congress enabling acts , usually upon petition of the citizens residing in the territories in question, as follows: Alabama - December 14, 3 Stat. Coast and Geodetic Survey, one for each State in the Union, certain territories and the Commonwealth of Puerto Rico, used for defining positions of geodetic stations in terms of plane-rectangular x and y coordinates. The two principal systems in use in the United States are the Lambert Conformal Conic map projection and the Transverse Mercator map projection. Now called "State Director. A status diagram showing the public domain lands usually accompanies the special instructions for each survey. **STATUS OF PUBLIC LANDS** - The information with respect to any particular parcel or tract of public land; its legal description; whether surveyed or unsurveyed; the non-federal rights or privileges, if any; which attach to it or its resources; whether classified as mineral lands; withdrawals or special laws, if any, which apply to it; and any other pertinent information which may influence the operation of the public-land laws so far as its use or disposal is concerned. The provisions for such homesteads were, by implication, repealed by the Taylor Grazing Act. Used to mark accurately and permanently the important corners of a land survey. Since they straddle the point, surveyors call them "straddle stakes. **STREET** - Any public thoroughfare street, avenue, boulevard, or park or space more than 20 ft wide which has been dedicated or deeded to the public for public use. **STREET LINE** - A lot line dividing a lot or other area from a street; or more specifically, the side or end boundary of a street, defined by the instrument creating that street as having a stated width. **STRIKE** - In geology and mining, the direction of a line formed by the intersection of a stratum with a horizontal plane. A bearing of 2 or more degrees from

cardinal may be considered a "strong" bearing. Under certain of these laws and under special conditions, applicants, claimants, etc. The act passed during the 1st session of the 83rd Congress and signed into law may 22, Confirms and establishes the titles of the states to lands beneath navigable water within their boundaries and to the natural resources within such lands and water. The act also establishes jurisdiction and control of the United States over the natural resources of the seabed on the continental shelf seaward of state boundaries. In the above described case, the patent would be referred to as a "supplemental non-coal patent. Supplemental plats are required where the plat fails to provide units suitable for administration or disposal, or where a modification of its showing is necessary. They are also required to show the segregation of alienated lands from public lands, where the former are included in irregular surveys of patented mineral or other private claims made subsequent to the plat of the subsisting survey, or where the segregation of the claims was overlooked at the time of its approval. When used in text it refers to matter in a previous part of the publication. The court of last resort in the federal and state judiciaries. Its jurisdiction is essentially appellate, but it has irrevocable original jurisdiction in cases affecting ambassadors, public ministers and consuls or in cases in which a state is a party. The court is composed of a Chief Justice and eight Associate Justices. SURVEY - 1 The plat and the field-note record of the observations, measurements, and monuments descriptive of the work performed. Occasionally used as implying that the official plat is "The Survey.

## Chapter 2 : Swamp and Overflow Lands

*Swamp and Overflow Lands. On September 28, , the United States enacted the Arkansas Swamp Lands Act. This legislation gave the states, including California, title to all the swamp and overflowed lands.*

Recent Legislation Land Types Most of the lands that the Commission receives inquiries about fall into one of four categories: In some instances, determining the answer to this initial question can be very time consuming. Below is a description of the primary land classifications for which the Commission receives inquiries.

**Proprietary Lands** In addition to sovereign land, the Commission regularly comes across certain proprietary lands. The key difference between sovereign lands and proprietary lands is that proprietary lands are not subject to the constitutional prohibition on sales. The others are all in private ownership.

**School Lands** School lands were granted by the United States to California in to benefit public education. They included the 16th and 36th sections of every township. In some cases, the 16th or 36th sections were exempted from the grant because of prior claims or other reasons. In these cases, California was given the right to select other federal lands as compensation. These other lands are known as in-lieu or indemnity lands. Today, the federal government owes California approximately 51, acres of indemnity lands.

**Swamp and Overflowed Lands** Under the Arkansas Swamplands Act of September 28, , Congress granted to all states the swamp and overflowed lands within their respective borders. Swamplands are lands requiring drainage to make them fit for cultivation. Overflowed lands are subject to periodic overflow and flooding and typically required levees to keep the water out so that the land could be tilled. While the effective date of the transfer of title is September 28, , legal title was not perfected until after the United States agreed that the lands were properly identified as swampland or overflowed lands.

**Other Federal Land Grants to California** In addition to the swamp and overflowed lands and school lands, Congress did four other land grants to California. The documents related to these grants are available in the records of the State Lands Commission except for the Agricultural and Mechanical College Grant. These records are in the custody of the Regents of the University of California. These four other grants are: This treaty was the basis for the United States to validate land title within the conquered territories. There are four presidios, four pueblos, 21 Catholic missions, along with over ranchos to private individuals that were subject to the treaty obligations. The United States created the federal Board of Land Commissioners that heard the claims and either confirmed or denied the claim. Although these land claims originated either from the Spanish Empire or the Mexican Republic, the controlling patents are those that were issued by the United States. Because these lands never passed through state ownership, neither the Commission nor the State Surveyor-General was involved in the issuance of these patents. Additional information on Rancho, Pueblo, Presidio and Mission lands

**Sovereign Lands** When California become a state on September 9, , it inherited all the natural, navigable waterways, and tide and submerged lands within its boundaries. These lands are what are referred to as sovereign lands and total about 4 million acres. Unlike other types of land, there is no document that shows what sovereign lands California received. The Commission is not in charge of the water, only the land below the water. Sovereign lands are held in a trust, with the beneficiaries being Californians. As part of the trust, sovereign lands can never be sold and can only be used for public purposes consistent with the provisions of the common law Public Trust Doctrine such as fishing, water dependent commerce and navigation, recreational purposes, ecological preservation and scientific study. Generally, the landward boundary of sovereign lands is the ordinary high water mark for tidal waterways and the ordinary low water mark for navigable non-tidal waterways. The area between the ordinary low water mark and the ordinary high water mark at navigable non-tidal waterways, like the California side of Lake Tahoe or Clear Lake, are subject to the Public Trust Easement even though the fee is privately owned. As is typical for lands burdened with an easement, the Commission does not issue leases for land where it does not own the fee. However, and again as is typical for land burdened by an easement, the fee owner cannot do anything within the area burdened by the Public Trust Easement that is inconsistent with the Public Trust Easement. In other states, like Oregon, the area between the vegetation line and the ordinary high water mark on beach is also burdened by the Public Trust Easement. This is not the case in California. Tidelands

Tidelands are one type of sovereign land held by California. These are the lands that are lyrically described as those covered and uncovered by the ebb and flow of the tides. Practically, tidelands are those lands situated between the ordinary high water and ordinary low water mark of tidal waters. In California, some of the tidelands are in private ownership. Those that are were authorized to be sold by the Legislature. Illinois both that made clear that sovereign lands cannot be sold. Submerged Lands Submerged lands are one of the other types of sovereign lands. These lands reach from the ordinary low water mark out to the state-federal fixed boundary three geographic miles offshore. The main type of projects that get proposed for submerged lands are resource development projects such as a wave energy project that would utilize the infrastructure from an offshore oil platform.

**Chapter 3 : Department of Natural Resources | State of Louisiana**

*In addition to the swamp and overflowed lands and school lands, Congress did four other land grants to California. The documents related to these grants are available in the records of the State Lands Commission except for the Agricultural and Mechanical College Grant.*

State of Louisiana et al. Jun 16, NO. Jun 22, NO. Questions concerning Offshore lands and water bottoms should be directed to the State Land Office, Division of Administration, Questions concerning Inland lands and water bottoms should be directed to the State Land Office, Division of Administration, Inland lands and water bottoms fall under the Inland category only if they do not fall under one of the following five 5 state lands and water bottoms categories. However, the LDWF must concur in any mineral leasing of a LDWF Area under its jurisdiction and control and any state mineral lease granted on such property must adopt and incorporate LDWF special rules, provisions, regulations and other limitations on activity for that area. However, the Foundation has reserved to itself the right to sign and enter into the actual mineral lease agreement. A party interested in nominating acreage in the Pass-A-Loutre Wildlife Management Area for state mineral lease should be aware that there is state owned acreage mixed with privately owned acreage in this area. The nominating party has sole responsibility for determining what acreage is state owned and what acreage is privately owned. When a Section 16 was lacking full acreage acres in a township, the United States government set aside other lands in the state for the benefit of the lacking township and permitted the state of Louisiana to select acreage therefrom in lieu of the Section 16 School Lands. The state holds title to these lands in trust for public school purposes and they may be leased for the development and production of minerals by the State Mineral Board only. A party seeking to nominate School Indemnity Lands will be nominating such lands for state mineral lease. In such case, any such acreage shall be nominated under the state mineral lease category Inland. Prior to , immovable property offered for such a tax sale that neither sold nor was redeemed was adjudicated to the state and is commonly referred to as Tax Adjudicated Lands. Beginning in , such immovable property has been adjudicated to the parish. Examples of Vacant State Lands include swamp and overflowed lands, internal improvements lands, and swamp indemnity lands. Past title disputes involving White Lake acreage have resulted in four 4 different subcategories of White Lake acreage for state mineral leasing purposes: Failure to acquire a mineral lease from the Vermilion Parish School Board shall cause forfeiture of all rights under the state mineral lease. For ease of reference, the procedural, documentation and information requirements for acquiring a mineral lease from the Vermilion Parish School Board are set out in a through b iii below: Therefore, no state mineral lease is available or required on this acreage. Three 3 Categories of State Agency Lands and Water Bottoms For the purpose of the state mineral leasing process, the three 3 categories of state agency lands and water bottoms on which a state agency mineral lease may be acquired are: Questions concerning State Agency Lands, including any post-award procedures, e. State agency lands and water bottoms fall under the State Agency Lands category only if they do not fall under one of the other two 2 state agency lands and water bottoms categories. In cases where two 2 or more state agencies have an interest in the same State Agency Lands, all resolutions must contain the same written description of the nominated State Agency Lands and the same specific conditions, if any. However, the LDWF must concur in any mineral leasing of any LDWF Area under its jurisdiction and control and any state agency mineral lease granted on such property must adopt and incorporate LDWF special rules, provisions, regulations and other limitations on activity for that area. If title research reveals that lands or water bottoms falling outside the geographical boundaries of a LDWF Area are owned by the LDWF, than the nominating party shall categorize his nomination as and follow the procedural requirements for the state agency lands and water bottoms category State Agency Lands. The payment of bonus, rental and royalty, as well as any other leasehold payment shall be made in two 2 checks of equal amount: See Acts of Congress April 21, 2 Stat. The state holds title to these lands, which are commonly referred to as Section 16 School Lands, in trust for public school purposes and they may be leased for the development and production of minerals either by school boards or the State Mineral Board. The school boards of parishes within which there

lies a township or any portion of a township containing a sixteenth section or any portion of a sixteenth section shall be entitled to a portion of the revenues arising from mineral leases thereon. The proceeds and revenues thereof shall be credited to the parish school boards in which such townships are situated in proportion to the percentage of the townships lying in each parish. Questions concerning Section 16 School Lands should be directed to the State Land Office, Division of Administration, , and the parish school boards having an interest in the lands. Generally, the beds and bottoms of all navigable water bodies located in a Section 16 are owned by the state in its sovereign capacity. Therefore, unless title research reveals that the state does not own the beds and bottoms of a navigable water body located in a Section 16, such acreage shall be nominated under the state mineral lease category Inland. In cases where two 2 or more school boards have an interest in the same Section 16 School Lands, all resolutions shall contain the same written description of the nominated Section 16 School Lands and the same specific conditions, if any.

**Chapter 4 : Arkansas Historical Documents**

*Swamp & Overflowed Lands were part of the public domain, but were granted to the State upon identification of a public land survey, and would be subject to the Public Trust Swamp & Overflowed Lands, when patented, grant fee simple title to the patentee.*

It appears to have been adopted as a euphemistic substitute for the term "swamp" Wright, Nineteenth-century scientists used terms such as mire, bog, and fen to describe the lands that are now called wetlands, and these terms are still used by scientists to describe specific kinds of wetland Mitsch and Gosselink, ; Dennison and Berry, The term wetland has come gradually into common scientific usage only in the second half of the twentieth century. Scientists have not agreed on a single commonly used definition of wetland in the past because they have had no scientific motivation to do so. Now, however, they are being asked to help interpret regulatory definitions of wetlands. The application of scientific principles to the definition of wetlands and to the determination of wetland boundaries could help stabilize and rationalize the application of regulations, but it does not ensure that any resultant definition will be precise in its ability to distinguish Wetlands from all other kinds of ecosystems, or in its ability to Specify the exact boundary of a wetland. Judgment and convention will continue play a role, even following full application of scientific principles. In addition, the concept of wetland has a long history in Anglo-American law and carries with it important legal implications that need to be considered in the application of any wetland definition. Page 44 Share Cite Suggested Citation: The National Academies Press. Congress granted to Louisiana in certain wetlands, which were described as "those swamp and overflowed lands, which may be or are found unfit for cultivation The purpose of the statute was to "aid the State of Louisiana in constructing the necessary levees and drains to reclaim the swamp and overflowed land therein The statutes are codified in 43 U. States with large amounts of wetland, such as Illinois, Michigan, and Florida, where only half the land was considered suitable for farming, joined a general move to have federal swamplands ceded to them Gates, Before enacting the Swamp Land Act of , Congress discussed the procedure for selection of swamplands. The act stated that land should be transferred only when the greater part of a legal subdivision was wet and unfit for cultivation. The Land Office found many such lands, as evidenced by the ultimate transfer of 64 million acres under the act. Almost swampland cases reached the Supreme Court by Gates, The confused state of the law led to a remedial act in Hibbard, The swampland acts largely failed to achieve their intended purpose. The Swamp Act provided a means of getting rid of land but to a trifling extent of effecting drainage. The amount of money realized by the state out of the swamp land was small" Hibbard, Page 45 Share Cite Suggested Citation: The federal acquisition of wetlands was important in stemming losses of waterfowl in the s Greenwalt, , but acquisition did not follow any consistent policy, nor have any definitional criteria been used regularly in determining which wetlands should be purchased. Because much of the money for purchase of wetlands was derived from the sale of duck stamps to hunters, the protection of wetlands especially important to migratory waterfowl has received priority Bean, This judicial interpretation was then extended to the water pollution legislation adopted by Congress in the s, and it formed the foundation for a new legal status for wetlands. New Legal Status Federal authority for the general protection of wetlands developed only as recently as The source of this authority was somewhat convoluted, as described below. Water Pollution Control Act Amendments of Even as late as , Congress passed major water pollution control legislation without ever using the term "wetland. The term "wetlands" was not used in the act, nor did the legislation use synonymous terms. Page 46 Share Cite Suggested Citation: This authority was largely ignored, however, until Executive Order of President Nixon directed the institution of a permit program under the terms of Section 13 of the Refuse Act "to regulate the discharge of pollutants and other refuse matter into the navigable waters of the United States or their tributaries and the placing of such matter upon the banks" 35 Fed. Section m of the Senate bill, S. During the debate on S. Muskie stated that "water moves in hydrologic cycles and it is essential that discharge of pollutants be controlled at the source" FWPCA, Legislative History, Vol. The House amendment, H. The House amendment said that "a determination is required that the discharge would not unreasonably degrade or endanger human health,

welfare, or amenities of the marine environment, ecological systems, or economic potentialities" FWPCA Legislative History, Vol. Section c provided that EPA could prohibit disposal at a site if the discharge "will have an unacceptable adverse effect on municipal water supplies, shellfish beds, and Page 47 Share Cite Suggested Citation: During the House debate on the conference report in October, , the House stated that the new and broader definition was in line with more recent judicial opinions, which substantially expanded the concept of navigability FWPCA, Legislative History, Vol. Judicial Interpretation of the Statute In commenting on judicial expansion of the concept of navigability, Congress was well aware that the trend of U. Supreme Court decisions had, in the words of one authority, reduced the idea that navigability was a limitation on federal jurisdiction to "a near fiction" Tarlock, For example, cases such as United States v. Grand River Dam Authority, U. In , the Federal District Court in the District of Columbia ruled that the definition of navigable waters in Section of FWPCA had the same meaning as did the broad definition used elsewhere in the statute, thus extending coverage of the act to wetlands regardless of actual navigability. Natural Resources Defense Council v. Callaway , F. When the government accepted the new judicial interpretation of the act, USACE and EPA needed for the first time to adopt a regulatory definition of wetland. Attempts of government agencies to define wetlands began at that time but developed momentum only in the s. Page 48 Share Cite Suggested Citation: Because the work was financed largely by the sale of federal duck stamps, the report focused on wetlands valuable to waterfowl, as was reflected in the definition from Circular The term "wetlands," as used in this report and in the wildlife field generally, refers to lowlands covered with shallow and sometimes temporary or intermittent waters. They are referred to by such names as marshes, swamps, bogs, wet meadows, potholes, sloughs, and river-overflow lands. Shallow lakes and ponds, usually with emergent vegetation as a conspicuous feature, are included in the definition, but the permanent waters of streams, reservoirs, and deep lakes are not included. Neither are water areas that are so temporary as to have little or no effect on the development of moist-soil vegetation. Usually these very temporary areas are of no appreciable value to the species of wildlife considered in this report. Circular 39 described 20 types of inland fresh, inland saline, coastal fresh, and coastal saline wetlands. Several of their names were or became standard terminology among wetland scientists and are still in common use. Even though Circular 39 was officially replaced in , several states continue to use modifications of the original classification system in wetland regulations because of its simplicity. To prepare for this project, a dozen wetland scientists met in Bay St. Louis, Mississippi, in January to prepare the first draft of a new classification system for the new inventory Cowardin and Carter, Six months later, FWS convened a workshop to review the draft Sather, Several federal agencies with wetland-related missions gave presentations at the workshop: Geological Survey, the U. Thus, the new classification system was subject to diverse influences, both organizationally and geographically. Page 49 Share Cite Suggested Citation: USACE proposed a new definition that classified wetlands by function and treated as important only those lands that performed specific wetland functions. The definition is as follows: Wetlands are those land and water areas subject to regular inundation by tidal, riverine, or lacustrine flowage. Generally included are inland and coastal shallows, marshes, mudflats, estuaries, swamps, and similar areas in coastal and inland navigable waters. Many such areas serve important purposes relating to fish and wildlife, recreation, and other elements of the general public interest. As environmentally vital areas, they constitute a productive and valuable public resource, the unnecessary alteration or destruction of which should be discouraged as contrary to the public interest. Wetlands considered to perform functions important to the public interest include: Wetlands which serve important natural biological functions, including food chain production, general habitat, and nesting, spawning, rearing and resting sites for aquatic or land species; Wetlands set aside for study of the aquatic environment or as sanctuaries or refuges; Wetlands contiguous to areas listed in paragraph g 3 ii a and b of this section, the destruction or alteration of which would affect detrimentally the natural drainage characteristics, sedimentation patterns, salinity distribution, flushing characteristics, current patterns, or other environmental characteristics of the above areas; Wetlands which are significant in shielding other areas from wave action, erosion, or storm damage. Such wetlands often include barrier beaches, islands, reefs and bars; Wetlands which serve as valuable storage areas for storm and flood waters; and Wetlands which are prime natural recharge areas. Prime recharge areas are locations where

surface and ground water are directly interconnected. The four authors were wetland scientists from FWS, the U. The introduction to the document explained their concept of wetland Cowardin et al. For centuries we have spoken of marshes, swamps and bogs, but only relatively recently have we attempted to group these landscape units under a single term, wetland. The need to do this has grown out of our desire: Effective management requires legislation; out of such legislation, legal definitions are born. Unfortunately, legal definitions are usually based as much on facility and pragmatism as they are upon accuracy of meaning. Hence, legal definitions of wetland may bear little resemblance to the ecological concepts embodied in the term. There is no single, correct, indisputable, ecologically sound definition for wetland because the gradation between totally dry and totally wet environments is continuous. Moreover, no two people view the identity of any object in the same fashion. For these reasons, and because the reasons for defining wetland vary, a great proliferation of definitions has arisen. Our primary task here is to impose arbitrary boundaries on natural ecosystems for the purposes of inventory, evaluation and management. We are obliged to use sound reasoning as we attempt to describe the concepts of wetland and aquatic habitats in terms that past, present and projected future users will accept. The concept of wetland embraces a number of characteristics, including the elevation of the water table with respect to the ground surface, the duration of surface water, soil types that form under permanently or temporarily saturated conditions, and various types of plants and animals that have become adapted to life in a "wet" environment. The single feature that all wetlands share is the presence of more soil moisture than is necessary to support the growth of most plants. This excess of water creates severe physiological problems for all plants except hydrophytes, which are adapted for life in water or in saturated soil. Rather than attempt to place arbitrary limits on the fluctuation of the water table for the purpose of defining wetland, a task of great complexity at best, it seems more reasonable to define wetland broadly and simply, and then to place limits on the concept. The definition of wetland contained in the Interim Classification is as follows: Wetland is land where an excess of water is the dominant factor determining the nature of soil development and the types of plant and animal communities living at the soil surface. It spans a continuum of environments where terrestrial and aquatic systems intergrade. For the purpose of this classification system, wetland is defined more specifically as land where the water table is at, near or above the land surface long enough each year to promote the formation of hydric soils and to support the growth of hydrophytes, as long as other environmental conditions are favorable. In certain wetland types, vegetation is absent and soils are poorly developed or absent as a result of frequent and drastic fluctuations of surface-water levels, wave action, water flow, turbidity or extremely high concentrations of salts or other substances in the water or substrate. Wetlands lacking vegetation and hydric soils can be recognized by the presence of surface water at some time during the year and their location within, or adjacent to, vegetated wetlands or aquatic habitats. There is great similarity between portions of this definition and the one that was adopted a year later by USACE. As a result, its final definition of wetlands, which was issued in 42 Fed.

## Chapter 5 : [USC10] 43 USC Ch. GRANTS OF SWAMP AND OVERFLOWED LANDS

*see swamp and overflowed lands, louisiana swamp land act of , swamp lands act of , swamp lands act of and in praesenti. SWAMP LANDS ACT OF - The Act of September 28, (9 Stat. ), extended the Louisiana Swamp Land Act to the other public-land States then in the Union.*

## Chapter 6 : Codes Display Text

*CHAPTER 4. ENTRY AND SALE OF PUBLIC LANDS. PART I. IN GENERAL Â§ Application to enter or purchase. When any person desires to enter or purchase lands belonging to the state, including public lands donated by congress to the state of Louisiana known as swamp and overflowed lands, internal improvements, indemnity lands, or dried lake lands, or to similar lands of any levee board thereof, and.*

## Chapter 7 : Glossary of Land Survey Terms | S: Section to Surface Rights

## DOWNLOAD PDF INDEMNITY FOR SWAMP AND OVERFLOWED LANDS.

*Examples of Vacant State Lands include swamp and overflowed lands, internal improvements lands, and swamp indemnity lands. Questions concerning Vacant State Lands should be directed to the State Land Office, Division of Administration, ()*

### Chapter 8 : Land Surveying Community Forums

*CHAPTER 23â€”GRANTS OF SWAMP AND OVERFLOWED LANDS Sec. Indemnity to States on sale of lands. Â§ Indemnity to States on sale of lands State, before the.*

### Chapter 9 : Title 43 of the United States Code - Wikipedia

*GENERAL RECORDS OF THE GENERAL LAND OFFICE AND THE BUREAU OF LAND MANAGEMENT to swamp and overflowed lands, indemnity school lands and state.*