

Part 409 – Conservation Planning Policy (Oregon Amendment)

OR409.0 General.

- (a) This supplement establishes Oregon Natural Resources Conservation Service (OR-NRCS) conservation planning and planner certification policy.

OR409.1 Conservation Planning Objective.

- (a) (3) It is desirable to write a conservation plan for an entire agricultural operation. If a landowner is not interested in developing a plan for an entire agricultural operation, develop a plan for a single Conservation Management Unit (CMU) as defined in the National Planning Procedures Handbook. If any planned action associated with the conservation plan has the potential to have a controversial or adverse impact on adjacent lands then the conservation plan must also address and mitigate the adverse impacts.
- (b) In all conservation plans the planner will provide the client with at least two alternatives. One alternative must meet an RMS level of management, the other must, at a minimum, meet the quality criteria for soil quality and water quality resource concerns.

OR409.2 Conservation Planning Assistance Delivery.

- (c) (3) Consultation with Oregon tribes occurs at every OR-NRCS organizational level. OR-NRCS tribal liaisons work closely with Oregon's federally recognized tribes to ensure optimal delivery of NRCS programs and services on a regular basis. OR-NRCS has stationed permanent employees on the Confederated Tribes of the Warm Springs Indian Reservation and on the Confederated Tribes of the Umatilla Indian Reservation to provide full time technical assistance.
- (d) When providing assistance to individual landowners Oregon NRCS planners will document compliance with the Endangered Species Act (ESA), Magnuson-Stevens Act (MSA), National Historic Preservation Act (NHPA), National Environmental Policy Act (NEPA), Clean Water Act (CWA), and other applicable federal, state and local laws on the OR-EVT1 form.
- (g) Assistance provided by NRCS on federal or state land will require a working agreement that specifies work arrangements, technical services, and reimbursements.

Part 409 – Conservation Planning Policy (Oregon Amendment)

OR409.3 Requirements for Providing Conservation Planning Assistance.

- (a) (3) The Oregon's supplement to the nationally established minimum criteria for NRCS employees and others to be certified conservation planners in Oregon can be found in Section OR409.9. OR-NRCS recognizes three levels of conservation planner certification:
- (i) Basic Planner – OR-NRCS grants Basic Planner status to those who satisfactorily complete the OR-NRCS Conservation Planning Course and demonstrate their skill in using applicable site assessment tools. Basic level planners assist clients develop conservation management system alternatives that solve natural resource problems while meeting the client objectives.
 - (ii) Journey Planner – OR-NRCS grants Journey Planner status to those who successfully perform at the Basic level and demonstrate a broad knowledge of natural resource conservation and related sciences including agronomy, forestry, range, hydrology, biology, and engineering systems. Journey level planners provide conservation planning guidance and training to others.
 - (iii) Master Planner – OR-NRCS grants Master Planner status to those who successfully perform at the Journey level and demonstrate their ability to train others and their knowledge of the area-wide conservation planning process. Master planners participate in conservation planning recertification and quality assurance reviews and exemplify the spirit of a conservation planning leader by consistently following policy and procedures.
- (b) Any conservation plan developed for a USDA NRCS program in Oregon which requires approval and signature by a NRCS official must be reviewed by an OR-NRCS employee holding a current planning certification designation (i.e., Basic, Journey or Master). The reviewing planner will indicate plan approval by affixing their certification stamp, initials and date of review to the plan.
- (c) (4) (i) The position description, employee development plan, and performance work plan will reflect the following requirements for OR-NRCS employees (full or part-time) GS-8 and above who have conservation planning and application as a primary duty:
- (A) employee will complete the Journey Planner requirements, as prescribed in OR409.9(c)(2); and
 - (B) employee will maintain their Journey Planner status as prescribed in OR409.9(f)(1).

Part 409 – Conservation Planning Policy (Oregon Amendment)

(ii) For OR-NRCS positions (full and part-time) GS-8 and above who provide technical assistance to NRCS employees and/or training in conservation planning as a primary duty (e.g., state technical discipline specialists), the position description, employee development plan, and performance work plan will reflect the following requirements:

(A) employee will complete the Basic Planner requirements, as prescribed in OR409.9(c)(1); and

(B) employee will maintain their Basic Planner status as prescribed in OR409.9(f)(1).

(iii) OR-NRCS employees GS-7 and below whose primary duty is to provide direct technical assistance to clients are encouraged to obtain and maintain a Basic Planner status.

(iv) OR-NRCS engineers, civil engineering technicians, project soil scientists, resource soil scientists, RC&D coordinators, and others who generally do not provide planning assistance to clients are encouraged to complete the NEDC Conservation Planning Modules 1 through 5.

(d) The OR-NRCS State Resource Conservationist will maintain a current list of conservation planners certified by OR-NRCS.

(e) SWCD employees, volunteers, state conservation agencies, and Technical Service Providers who provide certified conservation planning assistance in Oregon must meet the OR-NRCS Conservation Planning training requirements. Qualifications and requirements for initial certification and certification maintenance are the same as for OR-NRCS employees.

OR409.5 Documentation of Conservation Planning Data.

NRCS certified conservation plans developed in Oregon will be documented utilizing full capacity of the agency-approved software. Hard copies will be maintained in field office case files for follow-up, status reviews, quality assurance reviews, and administrative record purposes.

OR409.9 Minimum Criteria to Achieve an NRCS Certified Conservation Planner Designation.

(a) (1) The NRCS National Employee Development Center Director has determined that the OR-NRCS Conservation Planning Course is equivalent to the NEDC Conservation Planning Course.

(2) All OR-NRCS employees responsible for providing conservation planning assistance will complete the OR-NRCS Conservation Planning

Part 409 – Conservation Planning Policy (Oregon Amendment)

Course. Other employees may attend the course with permission from their supervisor, OR-NRCS generally will not waive the requirement for completion of the OR-NRCS Conservation Planning Course for employees who have received conservation planning training from another state. However, the STC may grant a waiver for employees on a case by case basis.

(3) Candidates unable to complete the Conservation Planning Course because of remedial training needs will develop a training plan to address the identified deficiencies. When all scheduled training is successfully completed, certification may be granted upon the successful completion of all course requirements.

(b) (4) OR-NRCS requires Job Approval Authority (JAA) for FOTG Section IV conservation practices (refer to 340-GM, OR Part 404).

(c) The State Resource Conservationist will approve planner status for OR-NRCS employees based on the following requirements:

(1) Basic Planner Status:

(i) complete the OR-NRCS Conservation Planning Course.

(ii) demonstrate skill in using applicable resource inventory and site assessment tools.

(iii) demonstrate knowledge of the NEPA process.

(iii) demonstrate the ability to effectively assist clients in completing the conservation planning process.

(2) Journey Planner Status:

(i) attain the Basic Planner status.

(ii) consistently demonstrate knowledge, skills, and abilities in the nine-step planning process.

(iii) complete, within one fiscal year, five RMS plans that have been reviewed and approved by the State Resource Conservationist or assigned designee.

(iv) demonstrate the ability to provide conservation planning guidance and training to others.

(3) Master Planner Status:

(i) demonstrate knowledge of resource conservation systems used in agronomy, forestry, range, and wildlife.

Part 409 – Conservation Planning Policy (Oregon Amendment)

- (ii) demonstrate training abilities in the nine-step planning process.
 - (iii) demonstrate knowledge of area-wide conservation planning process and techniques.
 - (iv) fulfill assigned responsibility for conservation planning quality assurance at basin or state level.
 - (v) exemplify the spirit of a conservation planning leader, consistently following policy and procedures.
 - (vi) secure recommendation from supervisor.
- (4) All plans submitted for planner status certification must:
- (i) comply with NRCS National Planning Procedures Handbook and state planning policy.
 - (ii) address, at a minimum, all land uses and all acres found within a tract.
 - (iii) address operations with agriculture (excluding cropland that is exclusively in CRP), livestock, wildlife, or forest production goals.
 - (iv) encompass steps 1 through 7 of the planning process. (Those plans that only reflect minor revisions to existing plans may not be used to qualify for planner certification.)
 - (v) comply with OR-NRCS Oversight and Evaluation Policy (340-GM, Amend. OR2, Part 404, dated October 2001). Employees must have current JAA or have specifications and designs reviewed and approved by those with appropriate JAA before submitting plans for certification.
- (d) (1) The State Conservationist's designee in Oregon is defined as any Master Planner or OR-NRCS Conservation Planning Course instructor. The certified field review with employee and decision-maker is required to satisfy requirements of the OR-NRCS Conservation Planning Course.
- (e) (2) Certified Planners are expected to take advantage of opportunities for continuing education and self-development in conservation planning.
- (f) (1) To maintain planner certification OR-NRCS certified planners are required to submit one RMS plan to the State Resource Conservationist every year for review and approval by September 30.
- (i) All plans submitted for planner recertification must:
 - (A) comply with NRCS National Planning Procedures Handbook and state planning policy.

Part 409 – Conservation Planning Policy (Oregon Amendment)

(B) address, at a minimum, all acres found within a Conservation Management Unit (CMU) as described in the National Planning Procedures Handbook Part 600-A-11-b.

(C) address operations with agriculture, livestock, wildlife, or forest production goals. (This excludes cropland that is enrolled in CRP.)

(D) encompass steps 1 through 7 of the planning process. (Those plans that only reflect minor plan revisions may not be used for recertification.)

(E) have been completed within the previous 12 months.

(ii) If a planner submits a plan of superior quality for review by the first of June, the State Resource Conservationist may waive the requirement for a plan review for the following year. Extended certification incentives may be offered by the STC to course instructors and/or Master Planners.

(iii) The planner will obtain from the reviewer a completed “Conservation Plan Review” worksheet (see NPPH Oregon Exhibit 2) for all reviewed plans and send the original to the State Resource Conservationist.

(iv) Supervisors of planners may determine that the plan review will include a field evaluation. Requests for field evaluations will be made to the State Resource Conservationist by the first of June so that the field review and certification documentation can be completed prior to September 30.

(v) In addition to the above, in order to maintain their status, Master Planners must:

(A) serve as a designated "Basin Planning Lead", be a designated discipline lead, or a specialist with demonstrated RMS planning experience

(B) serve on the conservation planning course instructor cadre

(C) assist the State Resource Conservationist with implementing the conservation planning certification policy.

(D) conduct periodic assessment reviews.

(2) At the discretion of the reviewer, additional plans may be reviewed if needed to ascertain quality, proficiency, and potential training needs.

(3) Individuals re-qualifying for OR-NRCS conservation planner certification, when previous certification has been withdrawn, will be restored

Part 409 – Conservation Planning Policy (Oregon Amendment)
to the Basic planner status upon satisfactorily completing the following requirements:

- (i) Within a 12 month period complete two new RMS conservation plans, approved in advance by the State Resource Conservationist, each covering at a minimum one tract.
 - (ii) Plan all land uses and acres within the tracts.
 - (iii) Submit the plans for initial review to the State Resource Conservationist after completing planning steps 1-6.
 - (iv) Upon approval from the State Resource Conservationist and in the company of their supervisor or an approved plan reviewer present alternatives to the clients and obtain the client's decisions.
 - (v) Submit completed plans reflecting client decisions to the State Resource Conservationist for final review.
 - (vi) Obtain from the reviewer a completed "Conservation Plan Review" worksheet (NPPH Oregon Exhibit 2) for each plan and send the originals to the State Resource Conservationist.
 - (vii) Upon completion of the requirements to regain certification the planner will be reinstated as a Basic level planner for the balance of the fiscal year.
- (4) The loss of certification at any planner status level results in the loss of all levels of certification. A Master or Journey level planner who becomes decertified must complete the requirements in 409.9.c to regain their Journey or Master Planner status.

OR409.10 Minimum Standards for Providers of Conservation Technical Assistance Associated with Comprehensive Nutrient Management Plans.

- (a) A Comprehensive Nutrient Management Plan (CNMP) is a grouping of conservation practices and management activities related to animal operations which, when combined into a system, will ensure that both agricultural production goals and natural resource concerns dealing with nutrient and organic by-products and their impacts on the environment are achieved. The NRCS in Oregon will provide technical assistance to AFO/CAFO operators, in general, with 1,000 animal units or less as staff is available.

Part 409 – Conservation Planning Policy (Oregon Amendment)

- (1) Each CNMP will meet the requirements of Section IV of the NRCS FOTG for those conservation practices contained in each CNMP and meet applicable state, federal, tribal and local regulations.
- (2) CNMP's developed by Oregon NRCS or partner employees will be approved by a conservation planner with specialized training and experience in comprehensive nutrient management planning and implementation. CNMP's will be independently developed and/or approved by an individual who:
 - (i) has successfully taken the NEDC Conservation Planning Course, Modules 1-5, or be an Oregon NRCS certified conservation planner having met the requirements of 180-GM Part 409.9 and Oregon Amendments to 180-GM Part 409.9.
 - (ii) has successfully completed the NRCS Introduction to Water Quality Course.
 - (iii) has successfully completed the NRCS Agricultural Waste Management System Training Course – Level I.
 - (iv) has successfully completed the NRCS Agricultural Waste Management System Training Course – Level II.
 - (v) has successfully completed the NRCS Nutrient Management Considerations in Conservation Planning Course OR completed self paced modules 1-6 of the NEDC Nutrient Management Considerations in Conservation Planning Course and submitted a nutrient management plan to the State Resource Conservationist which has been reviewed and approved.
- (3) A CNMP may be developed using elements as input from AFO Specialist in engineering, land treatment practices, nutrient management or feed management.
- (4) If the certified conservation planner approving a CNMP does not have Job Approval Authority (JAA) for those related practices identified for each element of a CNMP, they will ensure that the AFO Specialist submitting those elements for inclusion in the CNMP has appropriate JAA for the related practices (see Table 1.1). In order to receive JAA for those practices shown on Table 1.1 which are related to an AFO, individuals must have training as listed below in combination with demonstrated competence for the practice.
 - (b) While all six elements need to be considered during the development of the CNMP Table 1.1 identifies the three core elements of a CNMP Oregon NRCS is most commonly involved with and lists the related practices.

Part 409 – Conservation Planning Policy (Oregon Amendment)

Table 1

CORE ELEMENT	RELATED PRACTICES
I. Manure and Wastewater Handling and Storage	313 Waste Storage Facility 316 Animal Mortality Facility 317 Composting Facility 359 Waste Treatment Lagoon 366 Anaerobic Digester – Controlled Temp. 561 Heavy Use Area Protection 634 Manure Transfer
II. Land Treatment Practices	328 Conservation Crop Rotation 329 Residue and Tillage Management, No-Till/Strip Till/Direct Seed 332 Contour Buffer Strips 340 Cover Crop 344 Residue Management, Seasonal 345 Residue and Tillage Management, Mulch Till 362 Diversion 393 Filter Strip 412 Grassed Waterway 511 Forage Harvest Management 512 Pasture and Hayland Planting 528 Prescribed Grazing 600 Terrace
III. Nutrient Management	590 Nutrient Management 449 Irrigation Water Management 633 Waste Utilization

(g) (2) Requirements Specific to Elements of a CNMP

(i) Manure and Wastewater Handling and Storage – To independently design or approve practices related to Element I, Manure and Wastewater Handling and Storage (Table 1.1) for inclusion in a CNMP, a non-federal licensed engineer or federal employee with appropriate JAA will be required to:

(A) have successfully completed the NEDC Conservation Planning Course, Modules 1-5, or be an Oregon NRCS Certified Conservation Planner.

(B) have successfully completed the NRCS Agricultural Waste Management System Training Course – Levels I and II.

(C) be familiar with the contents and use of the NRCS FOTG.

(ii) Land Treatment Practices. To independently design and/or approve practices related to Element II, Land Treatment Practices (Table 1.1) required for inclusion in a CNMP an individual with appropriate JAA will be required to:

Part 409 – Conservation Planning Policy (Oregon Amendment)

(A) have successfully completed the NEDC Conservation Planning Course, Modules 1-5, or be a Oregon NRCS Certified Conservation Planner.

(B) have demonstrated competence in using the site vulnerability assessment tools Phosphorus Index, and Nitrogen Index.

(C) have successfully completed the RUSLE2 and the WEQ Training Courses and demonstrate competence in applying the soil loss and wind erosion prediction tools (RUSLE2 and WEQ).

(D) have successfully completed the NRCS Introduction to Water Quality course.

(E) have successfully completed the NRCS Agricultural Waste Management System Training Course – Level I.

(iii) Nutrient Management. To independently design and/or approve practices related to Element III, Nutrient Management (Table 1.1) required for inclusion in a CNMP an individual with appropriate JAA will be required to:

(A) have successfully completed the NEDC Conservation Planning Course, Modules 1-5, or be a Oregon NRCS Certified Conservation Planner.

(B) have successfully completed the NRCS Introduction to Water Quality course.

(C) Have successfully completed the NEDC Nutrient Management Considerations in Conservation Planning Course OR completed self paced modules 1-6 of the NEDC Nutrient Management Considerations in Conservation Planning Course and submitted a nutrient management plan to the State Resource Conservationist which has been reviewed and approved.

(D) demonstrate competence in using the nutrient risk assessment tools Phosphorus Index, Nitrogen Index, and the Farm Irrigation Rating Index (FIRI).

(i) Individuals designing, implementing or approving practices related to the core elements will be required to maintain JAA in related practices. This will be reviewed by the state lead for the respective element at least once every three years.