

United States Department of Agriculture



Natural Resources Conservation Service
210 Walnut Street, Room 693
Des Moines, IA 50309-2180

February 29, 2012

IOWA INSTRUCTION 190-384 – ENDANGERED AND THREATENED SPECIES
HABITAT EVALUATION FOR LANDS TO BE SODBUST

IA384.0 PURPOSE

This Iowa Instruction provides direction on the use of endangered and threatened species habitat evaluations for land to be Sodbust. These evaluations will be used to determine whether NRCS can provide conservation planning assistance on Sodbust lands.

IA384.1 SCOPE

These instructions will be followed by all NRCS employees when completing Sodbust determinations or when an applicant requests conservation planning assistance for lands converted prior to a Sodbust determination.

IA384.2 FILING INSTRUCTION

This Iowa Instruction will be posted on the Iowa NRCS Employee Website, which can be accessed at <http://www.ia.nrcs.usda.gov/intranet/> under the Iowa NRCS eDirectives System section.

IA384.3 EXHIBITS

See attachments.

/s/Richard Sims
State Conservationist

Attachments

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(IA Instruction 190 – 384 First Edition – February 2012)

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HABITAT EVALUATION FOR LANDS TO BE SODBUST

1. PURPOSE:

This Iowa Instruction provides direction on the use of endangered and threatened species habitat evaluations for land to be Sodbust and how to determine whether NRCS can provide conservation planning assistance on those lands.

2. EXPLANATION:

Natural Resources Conservation Service (NRCS) Endangered and Threatened Species Policy states that NRCS cannot provide conservation planning assistance with alternatives that would have an adverse effect on state or federally protected species or their habitats. In adherence with this policy, field office staffs are to determine whether NRCS can provide an applicant conservation planning assistance on Sodbusted land. This determination will be made by following the procedure outlined in this instruction, which verifies whether endangered or threatened species habitat is absent within the Sodbust area.

Approved By:

Date: 03/02/2012

/s/Richard Sims
State Conservationist
Natural Resources Conservation Service
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Introduction

Natural Resources Conservation Service (NRCS) Endangered and Threatened Species Policy is found in GM_190_410_B_410.22, Amend. 24, July 2011. NRCS cannot provide conservation planning assistance with alternatives that would have an adverse effect on state or federally protected species or their habitats. The Iowa Department of Natural Resources (IDNR) and the U.S. Fish and Wildlife Service (FWS) are responsible for enforcing endangered and threatened species (hereafter referred to as protected species) laws in Iowa.

In a coordinated effort, the FWS, IDNR, and Iowa NRCS have developed habitat evaluation tools that will allow NRCS staffs to verify whether endangered or threatened species habitat is absent within Sodbust areas. Habitat evaluation for Sodbust areas is a two Phase process, with Phase-1 offsite evaluations developed for both herbaceous and woodland habitats and a Phase-2 onsite evaluation developed for herbaceous habitats. Instruction on the use of these evaluation tools is described below.

Phase-1 Offsite Habitat Evaluation

The Phase-1 offsite habitat evaluations (Attachments 1 and 2) consist of questions that NRCS staff will answer based on spring color infra red (CIR) ortho photography and an interview with the applicant. NRCS staff will complete the Phase-1 offsite habitat evaluation(s) upon completion of HEL and wetland determinations involving Sodbust. A copy of the Phase-1 offsite habitat evaluation(s) and a spring CIR ortho conservation plan map of the area will be provided to the applicant along with the CPA-026. Only the applicable Phase-1 offsite habitat evaluations (herbaceous, woodland, or both) are to be completed.

If upon NRCS completion of the Phase-1 offsite habitat evaluation(s) it is determined that no suitable habitat is present, this is a “no effect” determination and the NRCS can provide conservation planning assistance within those areas. NRCS will document this effect determination in the CPA-15 Conservation Assistance Notes, in the CPA-52 Environmental Evaluation, and attach the Phase-1 offsite habitat evaluation(s) with a spring CIR ortho conservation plan map to the CPA-52.

If the Phase-1 offsite woodland habitat evaluation indicates that suitable habitat may be present, discussions with the US Fish and Wildlife Service are ongoing and AD-1026 forms should be held pending further direction.

If the Phase-1 offsite herbaceous habitat evaluation indicates that suitable habitat may be present, and the applicant requests NRCS conservation planning assistance, a Phase-2 onsite herbaceous habitat evaluation will be necessary. Phase-2 onsite herbaceous habitat evaluation procedures are outlined below.

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Phase-2 Onsite Herbaceous Habitat Evaluation

For Sodbust areas where the Phase-1 offsite herbaceous habitat evaluation indicates that suitable habitat may be present, NRCS staff will provide the applicant with a copy of the Phase-2 onsite herbaceous habitat evaluation (Attachment 3), a CIR ortho conservation plan map of the area, and, if requested, a list of consultants known to provide onsite evaluation services. The Phase-2 onsite herbaceous habitat evaluation is to be completed by a professional consultant who provides onsite habitat evaluation services. It is the applicant's responsibility to seek, hire, and pay for these consultant services. Once completed, the applicant will return the Phase-2 onsite herbaceous habitat evaluation to the local NRCS office.

If the area has already been Sodbust, conducting a Phase-2 onsite herbaceous habitat evaluation is not possible. Discussions with the US Fish and Wildlife Service concerning these sites are ongoing and AD-1026 forms should be held pending further direction.

If the returned Phase-2 onsite herbaceous habitat evaluation indicates that no suitable habitat is present within a stand, this is a "no effect" determination and the NRCS can provide conservation planning assistance within that stand. NRCS will document this effect determination in the CPA-15 Conservation Assistance Notes, in the CPA-52 Environmental Evaluation, and attach the Phase-1 offsite habitat evaluation with spring CIR ortho conservation plan map to the CPA-52.

If the Phase-2 onsite herbaceous habitat evaluation indicates that suitable habitat is present within a stand, discussions with the US Fish and Wildlife Service are ongoing and AD-1026 forms should be held pending further direction.