

## Conservation Planning and Application

### PART 409 - Conservation Planning Policy

#### (Oregon Amendments are in Red)

#### 409.0 General.

(a) This document establishes Natural Resources Conservation Service (NRCS) policy for providing conservation planning assistance to clients. The Director of the Conservation Operations Division (COD) has the functional oversight for this policy. As part of this oversight, the Director of COD will establish a tracking and quality assurance system to assess the progress of states in implementing conservation planner training, certification and maintenance programs.

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

The OR-NRCS planning curriculum consists of three core competencies areas:

Conservation Planning

Areawide Planning

Contracting – Farm Bill / Grants & Agreements

(b) State Conservationists may supplement this policy, as needed, to provide specific guidance and to comply with State, tribal and local laws and regulations. A copy of each State supplement will be sent to the appropriate Regional Conservationist (RC) and Director, COD.

(c) The [National Planning Procedures Handbook \(NPPH\)](#) provides procedures and guidance on implementing this planning policy, including relationships to the [Field Office Technical Guide \(FOTG\)](#), electronic storage of data, technical handbooks, and program guidance in the planning process. The NRCS planning process and standards as outlined in the NPPH will be used for all conservation planning.

(d) In cases where NRCS is assisting, or is assisted by other agencies or groups, NRCS planning procedures and plan format may be modified to meet those specific client needs.

#### 409.1 Conservation Planning Objective.

(a) The objective in conservation planning is to help each client attain sustainable use and sound management of soil, water, air, plant, and animal resources. The purpose is to prevent the degradation of resources and to ensure their sustained use and productivity, while considering the client's economic and social needs.

(1) The NRCS conservation planning process emphasizes development of resource management systems (RMS). An RMS is a combination of conservation practices and resource management activities for the treatment of all identified resource

concerns for soil, water, air, plants, animals, and humans that meets or exceeds the quality criteria in the FOTG for resource sustainability.

(2) The minimum level of treatment to strive for in the planning process is the RMS. Progressive planning is used to work toward an RMS when a client is ready, willing, and able to make some, but not all of the decisions necessary to achieve an RMS level of management.

(2) When available and appropriate for the planning resource setting, Conservation System Guides (CSGs) can be used to identify RMS alternatives.

(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 related to those CMUs.

(b) When programs or initiatives exist, for example, Highly Erodible Land provisions that define other levels of planning for specific resource issues, clients will be offered alternatives that, as a minimum, meet the criteria of those programs. However, the conservation planner will encourage the client, who is a participant in programs that are related to specific resource issues, to develop an RMS plan or progressive plan as appropriate. This will help the client identify and address all resource concerns and provide a plan to use with other existing or future programs.

(b) In all conservation plans, the planner will provide the client with at least two Action alternatives – the RMS and an alternative addressing the client’s priority resource concerns. It is important to note that to comply with the CPA-52 documentation the No Action alternative will be analyzed. The No Action alternative is a brief summary of the impacts likely to occur under the landowner’s current and planned management strategies without addressing identified resource concerns.

(c) Resource management objectives of NRCS’ clients are addressed through the development of individual conservation plans, areawide conservation assessments, and areawide conservation plans. Clients develop plans and assessments with conservation planning assistance from NRCS, conservation districts, Resource Conservation and Development Councils, and other appropriate sources. NRCS conservation planning assistance is based on ecological, economic, and social considerations relative to the resources. When NRCS provides conservation planning assistance, on-site visits with clients are an integral part of that assistance.

(d) Conservation plans are the basis for all assistance NRCS provides to clients and the basic tool for them to manage their natural resources. The conservation plan, however, is just one product of the planning process. The greatest value comes by having the client engaged in every step of the planning process. The client develops an understanding of the natural resource issues, interactions and treatments necessary for resource sustainability.

## 409.2 Conservation Planning Assistance Delivery.

- (a) All citizens will have equal access to NRCS programs. Assistance provided will comply with all Civil Right Acts, Non-discrimination statutes, and regulations of the Secretary of Agriculture.
- (b) NRCS traditionally provides conservation planning assistance on a request basis.
- (1) Assistance is given on individual land units through conservation districts and tribal districts based on a mutual agreement and a cooperative working agreement. The mutual agreement establishes a partnership and a foundation for USDA agencies to cooperate with States, units of government, tribal governments, conservation districts, and tribal districts.
  - (2) The cooperative working agreement supplements the mutual agreement and establishes the relationship between the partners and agencies of USDA, and between State conservation agencies or tribal governments and conservation districts or tribal districts.
  - (3) NRCS may enter into agreements with other organizations and units of government to provide the mutually agreed upon conservation planning assistance. The State Conservationist will determine the level of NRCS assistance to be provided in areas without conservation districts. NRCS will provide assistance for programs mandated by Congress independent of a cooperative working agreement with the conservation district.
- (c) NRCS has a “Trust” responsibility to deliver service to American Indian tribes through a government-to-government relationship. Law, policy, and other directives require government-to-government responsibilities.
- (1) Executive memos direct Federal agencies to remove procedural impediments to working effectively with tribal governments in the delivery of programs and services, and to develop the best mechanism for delivering programs and services to tribes through the consultative process.
  - (2) A tribe may determine that a conservation district is not wanted or needed and that another mechanism fits their situation better.
  - (3) The State Conservationist will consult with federally recognized tribes to determine the optimum means of delivering NRCS programs and services.
  - (3) Consultation with Oregon tribes occurs at every OR-NRCS organizational level. OR-NRCS tribal liaisons work closely with federally recognized tribes in Oregon 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.
  - (4) Every effort will be made to fulfill NRCS’ government-to-government responsibilities.

(d) In providing assistance, NRCS will comply with all applicable Federal, State, and local laws, program rules, policy statements, executive orders, and international agreements.

(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 CPA-52 form. The CPA-52 is to be signed and filed according to Oregon guidance.

(e) Areawide conservation planning, especially for those situations with complex objectives, requires the use of interdisciplinary teams of specialists in the planning effort.

(f) In complex situations, NRCS will employ an early scoping process to determine expected needs for NRCS services and other resources before committing to planning assistance.

(g) Assistance on Federal or State land that will require a significant amount of NRCS resources beyond the required scoping process completed early in the planning process will be based on an agreement that provides for reimbursement of NRCS services. The State Conservationist will determine when an agreement is required.

(g) Assistance provided by NRCS on federal or state land only as authorized by applicable state and federal regulations and will require a working agreement that specifies work arrangements, technical services, and reimbursements.

### **409.3 Requirements for Providing Conservation Planning Assistance.**

(a) All NRCS conservation planners will be certified. The COD establishes minimum criteria to be met by NRCS employees to be a “certified conservation planner” (See GM-180, Part 409.9).

(1) A certified conservation planner is a person who possesses the necessary skills, training, and experience to implement the NRCS nine-step planning process to meet client objectives in solving natural resource problems.

(2) The certified conservation planner has demonstrated skill in assisting clients to identify resource problems, to express the client’s objectives, to propose feasible solutions to resource problems, and leads the client to choose and implement an effective alternative that treats resource concerns and meets client’s objectives.

(2) All conservation planners in Oregon will also be required to complete Oregon-based training in areawide planning and contracting. State Conservationists may establish additional certification levels and criteria as needed to cover degrees of scope and complexity in planning environments.

(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 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. Basic level planners assist clients and NRCS staff to apply the policy and procedures of areawide planning.

(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 and areawide 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 and conservation planning processes. Master planners participate in conservation planning recertification and quality assurance reviews and exemplify the spirit of a leader in conservation planning by consistently following policy and procedures.

(b) All plans developed with the assistance of NRCS and partner employees will be approved by an NRCS or partner certified conservation planner. When a conservation plan is being used to meet specific USDA program requirements under the authority of NRCS, it must be approved by the appropriate NRCS official. For example, Highly Erodible Land Compliance, Environmental Quality Incentives Program, Wetland Restoration Program planning approval is a responsibility cannot be delegated.

(b) Any conservation plan developed for a USDA program participant in Oregon which requires approval and signature by an 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) State Conservationist will establish and implement a process to ensure training is provided to employees. This is to include the following actions:

(1) Development of State training needs and budgets for conservation planning curriculum training.

(2) The State Conservationist will develop a list of qualifications (knowledge, skills, and abilities) required for certified conservation planner designations in addition to the requirements listed in GM-180, Part 409.9. These qualifications should include knowledge of the following fundamentals such as:

(i) Areawide planning.

(ii) Contracting – Farm Bill / Grants & Agreements

(iii) Crop production

(iv) Grazing systems

(v) Plant growth

- (vi) Soil-water-plant relationships
  - (vii) Plant identification
  - (viii) Nutrient uptake
  - (ix) Erosion processes
  - (x) Water quality
  - (xi) Proficiency in scientific tools and models
  - (xii) Animal production
  - (xiii) Conservation practices and systems common to the work area
  - (ivx) Wildlife management
  - (xv) State and local laws and regulations that may influence conservation planning.
- (3) Training must be provided through [NRCS training courses](#), on-the-job training or equivalent courses and methods approved by the State Conservationist as meeting the identified training need. Approval of equivalent courses will be done in consultation with the Director, National Employee Development Center.
- (3) The State Conservationist will ensure that all NRCS employees that approve conservation plans meet minimum NRCS certified conservation planner requirements.
- (i) 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).
    - (C) Employee will complete OR-NRCS training for areawide planning and contracting.
  - (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), employee development plan will reflect the following requirements:
    - (A) employee will complete the Basic Planner requirements, as prescribed in OR409.9(c) (1); and
    - (B) Are encouraged to maintain their Basic Planner status as prescribed in OR409.9 (f) (1) to enhance their professional abilities and standing
  - (iii) OR- NRCS Ecological Science Team members shall

(A) Complete the Basic Planner status unless release of this requirement by the State Resource Conservationist with the permission of the State Conservationist.

(B) Earn and maintain Job Approval Authority (JAA) for all conservation practices associated with their discipline and at a level equivalent to the highest need in Oregon. This is to ensure they have adequate knowledge of the associated subject matter in order to properly train others in all phases including inventory and evaluation, design and implementation.

(C) Shall serve as conservation planning course instructors and actively evaluate planning expertise and procedures during quality assurance review activities such as spot checks, status reviews, program reviews, basin reviews, and other means as identified.

(iv) 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.

(v) 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 State Conservationist will establish and maintain a list of NRCS certified conservation planners in the State consisting of NRCS employees, volunteers, and employees of Soil and Water Conservation Districts and State conservation agencies that have requested to participate.

(d) The OR-NRCS State Resource Conservationist will maintain a current list of conservation planners certified by OR-NRCS. Each Basin shall have at least one Master Planner.

(e) State Conservationists may approve non-NRCS sources to certify conservation planners in accordance with procedures in the Conservation Programs Manual ([CPM](#)), [Part 504](#). State Conservationists may also directly certify qualified individuals, such as third party vendors, as conservation planners contingent upon these individuals satisfying NRCS requirements. Whether providing assistance to an approved source, or directly certifying a qualified individual, the State Conservationist will ensure that this assistance is consistent with existing NRCS policies and technical guides. As a minimum:

(1) State Conservationists are required to provide organizations that are interested in becoming approved sources with the minimum criteria that NRCS uses to certify conservation planners.

(2) An NRCS approved source will maintain and make it accessible to the State Conservationist, an up-to-date list of the conservation planners it has certified.

(e) SWCD employees, volunteers, and employees of NRCS partners 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.

(i) Non-NRCS staff are required to meet a minimum educational requirement, such as a degree in agriculture, natural resources management or related field and basic qualifications for planner series within the NRCS planners prior to enrolling in the conservation planning course or otherwise being certified if coming from another state. Current certified planners who do not meet this requirement will be grandfathered in. Those that lose certification and seeking to be re-certified will need to fully comply with the new policy for reinstatement including the educational requirement.

(ii) OR-NRCS will review the qualifications of Technical Service Providers who are NRCS-certified conservation planners in another state. Based on the review OR-NRCS will determine if the existing certification will be awarded for Oregon.

#### **409.4 Planning on Units that Cross a State, County, or Field Office Boundary.**

(a) NRCS assistance on an individual land unit that crosses a State, county or field office boundary is the responsibility of the field office where the headquarters of the land unit is located, or as otherwise agreed upon by the client and respective State Conservationists. Conservation planning will be consistent with the FOTG covering the area where the land unit is located.

(b) For assistance to groups or units of government on a land unit that crosses a State boundary, the State Conservationists, in consultation with the client, will determine by mutual consent which State will have the lead responsibility for providing planning and other technical assistance.

#### **409.5 Documentation of Conservation Planning Data.**

Conservation planning data may be documented in hard copy, electronic format, or both, as appropriate. Agency approved software and software components will be used when the data is documented electronically.

Oregon will use the Customer Service Toolkit as its electronic format. As other electronic formats become available, they will be evaluated, and if approved, included for use by NRCS Oregon.

Certified conservation plans (409.3(b)) developed in Oregon will be documented in accordance with the National Planning Procedures Handbook (NPPH) and Oregon Exhibit 2, utilizing 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.

Documentation of alternatives offered must include a list of practices that make up the system and a discussion of the impact each of the practices will have on the resource concerns and laws being addressed as well as any negative impacts on other resource

concerns or laws The preferred form of documentation in Oregon is through the use of the RMS Decision Support Tool.

#### **409.6 Conservation Planning Assistance that may have International Impacts.**

Assistance provided will comply with National Instruction 280-301, International Conservation Assistance. State Conservationists will provide access to instructions for affected field offices as appropriate.

#### **409.7 Freedom of Information Act (FOIA) of 1966 and Privacy Act (PA) of 1974.**

NRCS policy and procedures on FOIA and PA are contained in National Instruction 120-310 and [GM-120, Part 408, Subpart C](#).

#### **409.8 Public Participation in the Planning Process.**

(a) Public participation is an integral part of the NRCS planning process, and is described in [GM-400, Part 400](#). Opportunities for public participation and involvement will be provided throughout the planning process to provide for a full partnership when working with groups (not acting as an individual), communities, and units of government. Individual conservation plans do not require public participation.

(b) Every areawide conservation planning effort will include a public participation component to the extent determined by the State Conservationist. Public participation activities are to be consistent with the requirements of applicable Federal statutes, Council on Environmental Quality (CEQ), National Environmental Policy Act (NEPA) regulations ([40 CFR Parts 1500-1508](#)), Civil Rights requirements and State statutes.

#### **409.9 Minimum Criteria to Achieve an NRCS Certified Conservation Planner Designation.**

(a) NRCS certified conservation planner candidates must complete all modules of the NRCS Conservation Planning Course or equivalent, before completing the field review ([See GM-180, paragraph 409.9\(d\)](#)). The State Conservationist, in consultation with the NRCS National Employee Development Center Director, will determine the equivalence of other training courses. The State Conservationist may provide the person a letter of waiver of this requirement, if the individual has previously demonstrated competence in RMS plan development.

- (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 Curriculum. Other employees may attend the course with permission from their supervisor.
- (3) OR-NRCS will evaluate upon request, on a case by case basis, an existing planner certification of new NRCS and SWCD employees from a state other than

Oregon whose positions requires planner certification. The approval will be granted by the STC based on the recommendation of the SRC. The approval may have conditions for additional training or planning documentation (OR ESA training). Approval must be achieved within 12 months of the employee's EOD. The employee must provide the following:

- (i) Documentation of successful completion of conservation planning certification in a state other than Oregon,
  - (ii) Letter of acknowledgement from the previous state's SRC in which the certification was issued that the planner was in good standing as a planner, and
  - (iii) Comparison of Oregon NRCS conservation planning policy to the conservation planning policy of the state in which their certification was earned.
  - (iv) If the employee provides conservation planning assistance, the direct supervisor will provide a written evaluation of the employee's conservation planning performance for approval. This evaluation will include the supervisor's recommendation of whether to accepting the employee's existing planning certification from another state.
- (4) The STC will grant planning certification at the various levels (409.3(a) (3) when candidates complete all of the requisite training and performance elements. Candidates unable to complete the required elements within the normally prescribed time period (409.9(c)) may request an extension by submitting to the Oregon State Resource Conservationist a written justification signed by the candidate's immediate supervisor.

(b) Candidates must possess and demonstrate the following knowledge, skills, and abilities:

- (1) Awareness of the National Conservation Program.
- (2) Skill in applying the NRCS Conservation Planning Process.
- (3) Ability to plan and implement conservation practices common to the geographic area.
- (4) Knowledge of NRCS Field Office Technical Guide standards and specifications for applicable conservation practices in the State and locality.
- (4) Knowledge of Oregon Skills Matrix Database requirements for FOTG Section IV conservation practices (refer to 340-GM, OR Part 404).
- (5) Skill in applying approved erosion prediction technology (Revised Universal Soil Loss Equation and the Wind Erosion Equation).
- (6) Skill in using applicable site vulnerability assessment tools.
- (7) Knowledge of Federal, State, tribal, and local laws and regulations.
- (8) Ability to apply areawide planning concepts,

(9) Ability to effectively implement conservation plans through NRCS contracting procedures.

(c) Candidates must meet any additional minimum qualifications and criteria for conservation planning assistance established by the State Conservationist.

(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 within 12 months of starting the course.

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

(iii) demonstrate knowledge of the NEPA process.

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

(v) awareness of the role of long range plans and the areawide conservation planning process.

(vi) demonstrate knowledge of contracting procedures for Farm Bill Program contracts.

(vi) submit for review and approval by the State Resource Conservationist or assigned designee, within one fiscal year, one plan that meets the requirements of 409.1(b).

(2) Journey Planner Status:

(i) attain the Basic Planner status.

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

(iii) submit for review and approval by the State Resource Conservationist or assigned designee, within one fiscal year, three plans that meet the requirements of 409.1(b). This is in addition to the plan completed during the conservation-planning course to attain Basic Planner status.

(iv) demonstrate knowledge of area-wide conservation planning process and techniques through the completion of an areawide plan or revision of a service center long range plan. The document may be submitted for one of three plan reviews.

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

(v) demonstrate knowledge, skills, and abilities with contracting procedures – Farm Bill / Grants & Agreements

(3) Master Planner Status:

- (i) demonstrate knowledge of resource conservation systems used in agronomy, forestry, range, and wildlife.
- (ii) demonstrate training abilities in the nine-step planning process.
- (iii) demonstrate knowledge, skills, and abilities to lead the application of and train others on 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 and Basin Team Leader, and Leader for Field Operations.

(4) All plans submitted for initial planner status certification and for moving from one status to another (e.g., Basic to Journey) must:

- (i) provide the client with at least two action alternatives. One alternative must meet an RMS level of management, and one addressing the client's preferred resource concerns.
- (ii) comply with 409.5.
- (iii) address, at a minimum, all land uses and all acres found within a tract.
- (iv) address operations with agriculture (excluding cropland that is exclusively in CRP), livestock, wildlife, or forest production goals.
- (v) 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.)
- (vi) 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) Candidates must complete at least one field reviewed Resource Management System (RMS) plan for a conservation management unit (CMU).

(1) The planner will be accompanied to the field by the State Conservationist's designee to meet with the decisionmaker.

(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.

(2) The candidate will be expected to demonstrate competency in the planning process and plan development.

- (3) The observer will evaluate the planner's involvement with the decision-maker (landowner or land operator) in the planning process and whether all resource concerns associated with the CMU are adequately addressed.
  - (4) Field reviewed plans must be approved by the State Conservationist or designee prior to final delivery to the decisionmaker.
- (e) NRCS certified conservation planners are responsible for keeping their own individual development plan updated to reflect conservation planning training needed and completed to maintain or increase their skill level. Training to maintain and update conservation planning skills must, at a minimum, occur once every three years.
- (1) The State Conservationist will determine the type and minimum hours of training necessary to maintain the certified conservation planner designation.
  - (2) Supervisors and certified conservation planners share the responsibility to identify and provide opportunities for employees to achieve needed maintenance or additional knowledge enhancement requirements.
  - (2) Certified Planners are expected to take advantage of opportunities for continuing education and self-development in conservation planning.
  - (3) NRCS certified conservation planners are responsible for keeping their own records of training completed and providing the information to NRCS as evidence of meeting the minimum certification requirements.
- (f) The State Conservationist will address maintaining the certified conservation planner process and designation in the "State Quality Assurance Plan(s)".
- (1) Each certified conservation planner's designation (conservation planning knowledge, skills, and abilities) will be reviewed at least once every three years by the State Conservationist or designee.
  - (2) A sufficient number of conservation plans will be reviewed to determine that the conservation plans meet the NRCS planning policy and follow the procedures and guidelines listed in the [NPPH](#).
  - (2) Certified planners are subject to quality assurance/quality control reviews of a sufficient number of randomly selected, completed conservation plans to determine compliance with conservation planning policy, and procedures and guidelines provided in the National Planning Procedures Handbook and the Oregon Quality Assurance Plan.
  - (3) If an individual fails to meet the criteria for the certified conservation planner designation, the status will be revoked and the individual must be re-certified before providing conservation planning assistance.
  - (3) For the purpose of renewing and maintaining certification, OR-NRCS will post names by fiscal years for scheduling certification reviews. All NRCS employees and non-NRCS individuals that are certified conservation planners must meet re-certification requirements.

- (4) If multiple certified planner levels exist, an individual could become decertified at a higher designated level while retaining a lower certification level.
- (i) To regain Journey level planner status, the planner will complete the Journey Planner requirements, as prescribed in OR409.9(c)(2);
  - (ii) To regain Master level planner status, the planner will complete the Journey Planner requirements, as prescribed in OR409.9(c)(3);
- (5) Master Planners may maintain their planning certification by actively be involved in plan review, certification reviews and as a trainer for conservation and *areawide planning. Master planners actively:*
- (i) *serve as a designated "Basin Planning Lead", be a designated discipline lead, or a specialist with demonstrated RMS planning experience.*
  - (ii) *serve on the conservation planning course instructor cadre*
  - (iii) *assist the State Resource Conservationist with implementing the conservation planning certification and curriculum policy.*
  - (iv) participate in conservation plan and certification reviews.
- (6) The certification reviews will be conducted as follows:
- (i) *The review will be conducted by a Conservation Planning Review Team (review team of master planners and Eco Science Staff members). Based on the results of the review, the assigned level of planning certification and employee development plans may be adjusted.*
  - (ii) *A review may occur at any time and be initiated by the STC, SRC, ASTC-P, BTL or employee's supervisor.*
  - (iii) *The date and results of the certification review will be documented on the Form OR-CPA-\_\_ (Conservation Planning Review Form).*
  - (iv) *At the discretion of the reviewer, additional planning documents may be reviewed if needed to ascertain quality, proficiency, and potential training needs.*
  - (v) *If an individual fails to meet the criteria for the certified conservation planner designation, the status will be revoked and the individual must be re-certified before providing conservation planning assistance.*
- (7) Individuals re-qualifying for OR-NRCS conservation planner certification, when previous certification has been withdrawn or certification has lapsed due to the planner leaving Oregon or for new employment not requiring planning certification, will be restored to the Basic planner status upon satisfactorily completing the following requirements:
- (i) *Within a 90 day period complete one new conservation plan in compliance with 409.9(c)(4) and 409.5, approved in advance by the State Resource Conservationist, each covering, at a minimum, one tract.*
  - (ii) *Plan all land uses and acres within the tract(s).*

- (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 plan 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 the 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.

#### **409.10 Minimum Standards for Providers of Conservation Technical Assistance Associated with Comprehensive Nutrient Management Plans.**

Section 409.10 is currently being amended.

(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.

(a)(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.

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)(i) 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) 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:
- (A) have successfully completed the NEDC Conservation Planning Course, Modules 1-5, or be an 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) 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 an 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.

**409.11 Minimum Standards for Providers of Conservation Technical Assistance Associated with Conservation Planning that includes Pest Management.**

- (a) NRCS roles in pest management are:
- (1) Evaluating environmental risks associated with probable pest management recommendations.
  - (2) Developing appropriate mitigation alternatives to minimize environmental risks.
  - (3) Assisting clients to adopt Integrated Pest Management (IPM) that helps protect natural resources.
  - (4) Assisting clients to develop and implement an acceptable pest management component of their overall conservation plan.
- (b) The State Conservationist must ensure that all NRCS personnel who provide technical assistance for pest management are properly trained and meet applicable requirements for their positions as well as State or local licensing and/or certification requirements. In addition, the State Conservationist must establish a process to provide continuing education to maintain employee competency.
- (c) Although certification is not required to develop or revise pest management components of conservation plans, all persons who approve pest management components of conservation plans must be certified specialists in pest management. A certified conservation planner as required by [GM-180, Paragraph 409.3\(b\)](#) will approve the overall conservation plan.
- (d) The State Conservationist must establish a program to certify specialists who approve pest management components of conservation plans, including:
- (1) NRCS employees
  - (2) Volunteers
  - (3) Employees of Soil and Water Conservation Districts and State Conservation agencies that have requested to participate.
- (e) The State Conservationist may establish a program to certify third party vendors and other private sector individuals such as certified crop advisors and crop consultants. Existing programs from national certifying organizations, land grant universities, Cooperative State Research Education, and Extension Service, State government agencies and other appropriately qualified entities may be utilized as components of the NRCS certification program in a State.
- (f) In addition, the State Conservationist must establish a process to provide continuing education to maintain certification for all specialists who approve pest management components of conservation plans.
- (g) The State Conservationist must address the following in establishing a program for certifying specialists who approve pest management components of conservation plans:

- (1) An understanding of the conservation planning process.
  - (2) An understanding of the production systems where pest management will be applied.
  - (3) An understanding of local, State, and Federal laws and regulations related to pest management.
  - (4) An understanding of natural resource concerns related to pest management activities.
  - (5) An awareness of the content of NRCS pest management policy.
  - (6) An understanding of the content and use of the NRCS FOTG.
  - (7) Proficiency in applying the NRCS pest management standard ([FOTG Practice Code 595](#)).
- (h) For items 1 through 7 listed above, the State Conservationist must determine how competency will be demonstrated. The following are minimum requirements:
- (1) Successful completion of “[NRCS Conservation Planning Modules One through Five](#)” or equivalent.
  - (2) Successful completion of the “[NRCS Introduction to Water Quality Course](#)” or equivalent.
  - (3) Successful completion of the pest management track of the NRCS “[Nutrient and Pest Management Considerations in Conservation Planning](#)” course or equivalent.
  - (4) Demonstrated skill in using the Windows Pesticide Screening [Tool \(WIN-PST\)](#) and/or other appropriate pest management environmental risk screening tools.
  - (5) Demonstrated skill in developing the pest management component of a conservation plan based on the State Pest Management ([FOTG Practice Code 595](#)) conservation practice standard.