



Natural Resources
Conservation Service

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GENERAL MANUAL
PA 130 – AGN
Part 400, Supplement No. 5 (Part 400.14 CPTAD)

SUBJECT: AGN - Delegations of Authority for NEPA compliance at the Field and State Office Level

Purpose: To supplement the General Manual's Title 130 Agency General Policy Part 400. 14 CPTAD Delegations of Authority for Conservation Planning and Technical Assistance by designating agency representatives as having authority to perform Field and State level duties of the Responsible Federal Official for NEPA compliance.

Effective Date: This Supplement is effective when received.

Background: The State Conservationist is the Responsible Federal Official and may delegate that authority to a designated agency representative.

Filing Instructions: This Supplement should be filed immediately following Title 130, Part 400 Subpart B, Section 400.14 CPTAD.

A handwritten signature in black ink that reads "Gary P. Smith" with the word "Acting" written below it in a cursive style.

DENISE COLEMAN
State Conservationist

DIST: GM Holders



**Title 130 - Agency General
PART 400 - Mission Statement
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**PART 400.14 - Delegations of Authority for NEPA Compliance at the
Field and State Office Levels
PA Supplement No. 5**

This supplement provides the delegations of authority for NEPA compliance to designated agency representatives at the field and state office levels.

The State Conservationist is the Responsible Federal Official for NEPA compliance and may delegate that authority to a designated agency representative.

The District Conservationist assigned to each field office in Pennsylvania is designated as the agency Responsible Federal Official (RFO) for NEPA compliance and is delegated the authority to determine the context of an action, whether there are significant adverse environmental effects or extraordinary circumstances that would preclude the applicability of a categorical exclusion or the tiering process, and to make NEPA compliance findings for NRCS Environmental Evaluations (EE). These findings are documented in the NRCS-CPA-52 form.

The RFO is also delegated the authority to sign for NRCS, as the responsible federal agency, when a non-NRCS person completes the CPA-52 form through the signature block indicating that the information recorded on the form was based on the best available information (currently Section P). In these cases the RFO will sign the second part of Section P of the current form.

With concurrence from the State Conservationist, the Assistant State Conservationist for Field Operations may designate, at the field office level, another NRCS employee in place of the District Conservationist. Any such change in designated conservationists for NEPA compliance will be reported to the State Environmental Liaison and Resource Conservationist for Planning.

NRCS, partner employees, technical consultants, and others who have received appropriate training and have demonstrated the ability to evaluate short and long term effects of an action or alternative actions may complete the NRCS-CPA-52 form up to and including the signature block indicating that the information recorded on the form was based on the best available information (currently Section P). Appropriate training may include the NRCS Environmental Compliance Level 1 course (NRCS-NEDC-000190), available online through AgLearn, or equivalent as approved by the State Resource Conservationist. Following training, demonstrated ability will be achieved through supervisor recommendation and the completion of a successful NRCS-CPA-52 form review by the Resource Conservationist for Planning.

All individuals listed in Pennsylvania as certified conservation planners who maintain their certifications to current requirements have received training and demonstrated their ability to complete the NRCS-CPA-52 form through the signature block indicating that the information recorded on the form was based on the best available information (currently Section P).

In Pennsylvania, the designated agency RFOs at the State Office level for NEPA compliance are the NRCS State Environmental Liaison, the designated Resource Conservationist, and the State Biologist.

The NRCS State Environmental Liaison and is delegated the authority to determine if further NEPA analysis is needed. The State Environmental Liaison is responsible for providing overall guidance and support regarding all special environmental concerns, the determination of significance or extraordinary circumstances, and compliance with applicable Federal laws, regulations, Executive Orders, and policy as well as applicable State and local requirements.

The designated Resource Conservationist is responsible for providing guidance and support to conservation planners involved in the part of the planning process related to evaluating the short and long term effects of an action or alternative actions applicable resource concerns.

Other State Office Staff are currently responsible for providing guidance and support for each of the special environmental concerns addressed in the NEPA Environmental Evaluation Worksheet as follows:

State Soil Scientist

Prime and Unique Farmlands

State Environmental Liaison

Clean Air Act
Coastal Zone Management
Coral Reefs
Cultural Resources
Environmental Justice
Essential Fish Habitat
Floodplain Management
Sole Source Aquifer
Wild & Scenic Rivers

State Biologist

Clean Water Act
Endangered and Threatened Species
Invasive Species
Migratory Birds/Bald & Golden Eagles
Riparian Area
Wetlands

Employees filling the above positions that provide guidance and support for many of the above listed special environmental concerns are identified in the Pennsylvania 'Who 'Ya Gonna Call' reference. These responsibilities may be delegated to other positions by the State Conservationist as needed.