

# State Specific TSP Training Module for Illinois

## Purpose of this Module

This module will provide some general information that TSPs need to conduct conservation planning in Illinois.

Information within this module is intended to be general in nature to provide the TSP with an awareness level of issues that may impact conservation planning.

TSPs are expected to follow up with additional reading or training to make sure they have the knowledge, skill, licenses, and certifications to adequately complete conservation planning in Illinois.

## Review of State Laws

- While the following review provides an overview of State laws that commonly impacts conservation planning in Illinois, it should not be considered as an exhaustive, or all-inclusive list of State laws impacting conservation planning.
- Conservation planners are also encouraged to contact the local NRCS Field Office for additional information regarding any local laws, ordinances, or regulations that may impact conservation planning. Examples of local regulations that may impact conservation planning includes, but is not limited to:
  - SWCD Erosion Sediment Control Guidelines
  - County Zoning Ordinance
  - County Subdivision Regulation
  - County Stormwater Management Ordinance
  - County Land Evaluation and Site Assessment (LESA) System
  - Onsite Sewage Disposal Ordinance

## Review of State Laws

- Fence
  - The Illinois Fence Act provides additional considerations for planners and landowners when planning and constructing a fence
  - <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2165&ChapterID=62>
- Forest Management Plan
  - The State of Illinois Department of Natural Resources Administrative Rule 1537 established the requirement for a common Illinois Forest Management Plan outline for voluntary participation in the Illinois Forest Development Act.
  - <https://dnr.illinois.gov/content/dam/soi/en/web/dnr/conservation/forestry/documents/1537-forest-management-plan-requirements.pdf>

## Review of State Laws

- Nutrient Management
  - The State of Illinois does not require that nutrient management planners be certified. However, nutrient management with manures and other organic sources of nutrients is regulated (see the list of [Laws Potentially Affecting Animal Operations](#).)
- Pest Management
  - The State of Illinois does not require that pest management planners be certified.
  - Commercial applicators of pest management products must be certified through the Illinois Department of Agriculture

## Review of State Laws

- Prescribed Burning
  - Illinois EPA requires that an Open Burning permit be obtained prior to implementation of the practice
  - <https://epa.illinois.gov/topics/forms/air-forms/open-burning.html>

## Review of State Laws

- Practice of Engineering
  - Illinois law stipulates that only qualified persons shall be authorized to engage in the practice of engineering in the State of Illinois
  - A qualified person is interpreted as one who is licensed in the State of Illinois as a Professional Engineer or Structural Engineer, as applicable.
  - Applies to the planning, design, installation, and/or the certification of conservation practices that include “Engineering” as a responsible discipline (*as listed in Illinois NRCS Field Office Technical Guide (FOTG)*).

## Review of State Laws

- Relevant Illinois laws include:

[Illinois Professional Engineering Act](#) [225 ILCS 325]

[Illinois Structural Engineering Act](#) [225 ILCS 340]



## Review of State Laws

- Practice of Engineering: CNMP/CPA
  - The Illinois Professional Engineering Practice Act of 1989 is interpreted to require that persons planning any and all Engineering Conservation Practices (including the Production and Land Treatment Area), in developing a Conservation Practice Activity (CPA) 102, must possess a license to practice engineering in Illinois.
  - The PE assists the conservation planner in developing engineering related elements associated with the CNMP

## Review of State Laws

- Other Conservation Planning Activities (CPAs) and Design, Implementation Activities (DIAs), and Conservation Evaluation and Management Activities (CEMAs) impacted by Illinois' Professional Engineering Practice Act &/or Structural Engineering Act:
  - DIA 101 – CNMP Design and Implementation Activity
  - DIA 120 – Agricultural Energy Design
  - CEMA 228 - Agricultural Energy Assessment
  - DIA 163 – Irrigation Water Management Design
  - DIA 164 – Improved Management of Drainage Water Design

## Review of State Laws

- Practice of Engineering: CNMP
  - The Technical Service Provider for completing the Farmstead/Production Area portion of the CNMP and supporting documentation will be a Licensed Illinois PE who is qualified to properly quantify the existing and proposed volumes and working characteristics of manure and wastewater on confined livestock sites and determine feasibility of proposed facilities and systems to deal with the manure and wastewater in a way that will meet Illinois NRCS standards.
  - The Licensed PE is responsible for determining his/her qualifications, in accordance with the rules of ethics in the Illinois Professional Engineering Practice Act of 1989, as amended.

## Review of State Laws

- Conservation Practices involving installation or routing of drainage (*such as Subsurface Drain, Underground Outlet, Surface Drain, Diversion, Grassed Waterway, Terrace*)
  - The civil-law principle of natural drainage applies to all Illinois farmland
  - University of Illinois Extension Circular 1355 provides an overview of Illinois Drainage Law  
[https://farmdoc.illinois.edu/assets/legal/pdf/drainage\\_law.pdf](https://farmdoc.illinois.edu/assets/legal/pdf/drainage_law.pdf)  
Illinois Drainage Code [70 ILCS 605]

## Review of State Laws

- State laws potentially impacting Animal Operations or the application of manure
  - Illinois Livestock Management Facilities Act [510 ILCS 77]  
<http://www.agr.state.il.us/Environment/LMFA/>
  - Illinois Administrative Code, Environmental Regulations for the State of Illinois, Title 35, Subtitle E “Agriculture Related Water Pollution”  
<https://pcb.illinois.gov/SLR/IPCBandIEPAEnvironmentalRegulationsTitle35>
  - Environmental Protection Agency Nonpoint Pollution Discharge Elimination System (NPDES) regulations for Confined Animal Feeding Operations (CAFOs) <https://epa.illinois.gov/topics/water-quality/watershed-management/cafos.html>
  - Illinois Dead Animal Disposal Act [225 ILCS 610]  
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1376&ChapterID=24>

## Review of State Laws

- State laws potentially impacting construction activities in floodplains (*such as Pond, Wetland Restoration, Wetland Creation, Wetland Enhancement, Constructed Wetland, Dike, Streambank Stabilization, Stream Habitat Improvement*)
  - Some of these projects require a “404 Permit” (Sections 401 and 404 of the Clean Water Act). Three agencies cooperate to utilize a single “joint application form”.  
<https://www.lrc.usace.army.mil/Portals/36/docs/regulatory/pdf/appinstr.pdf>
  - US Army Corps of Engineers (USACE): 5 Districts with jurisdiction in Illinois
  - Illinois Department of Natural Resources - Office of Water Resource Management (IDNR-OWR): IL Administrative Code, Title 17, Chapter I, Subchapter h. Parts 3700, 3706, 3708
    - <https://dnr.illinois.gov/content/dam/soi/en/web/dnr/adrules/documents/17-3700.pdf>
    - <https://dnr.illinois.gov/content/dam/soi/en/web/dnr/adrules/documents/17-3706.pdf>
    - <https://dnr.illinois.gov/content/dam/soi/en/web/dnr/adrules/documents/17-3708.pdf>

## Review of State Laws

- State law potentially impacting construction of dams (*such as Pond, Wetland Restoration, Wetland Creation, Wetland Enhancement, Constructed Wetland, Dike*)
  - Illinois Department of Natural Resources - Office of Water Resource Management (IDNR-OWR) ): IL Administrative Code, Title 17, Chapter I, Subchapter h. Part 3702  
<https://dnr.illinois.gov/content/dam/soi/en/web/dnr/adrules/documents/17-3702.pdf>

## Review of State Laws

- Cultural Resources

- Landowners with cultural resources on their land have ownership of those cultural resources with the exception of human remains, grave markers (including burial mounds) and grave artifacts. Human burials and their associated objects are held in trust by the State.

<https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=376&ChapterID=5>

- It is unlawful to knowingly disturb human skeletal remains, unregistered graves, or grave markers.
- Non-grave artifacts from potential historic properties are the property of the landowner. A landowner may choose to disturb a historic property, but they cannot receive federal or state assistance to do so. They also cannot perform anticipatory destruction.
- If an earthmoving activity disturbs human remains, the landowner is required to contact the county coroner within 48 hours.



## Review of State FOTG Requirements

- Illinois modifies Conservation Practice Standards to meet local conditions and take advantage of local technologies and resources.
- Always consult the Illinois Conservation Practice Standard rather than the national standard or the standard found in other states' FOTGs.
- Standards are updated regularly. Always refer to the FOTG for the most recent version.
- Planners should be thoroughly familiar with the conservation practice standards that have been incorporated into the Illinois Field Office Technical Guide (FOTG) and are being considered as part of the offered alternatives for addressing the client's resource concerns.
- The Planner should also utilize the specifications, Operation and Maintenance (O&M) instructions and Implementation Requirements that are available for the practices in the Illinois FOTG.

<http://efotg.sc.egov.usda.gov/>

# Review of State FOTG Requirements

## Vegetative Practices

- Illinois has diverse climatic conditions that include three plant suitability zones, impacting recommended seeding dates.
  - Refer to the Illinois FOTG Section 1 for a map of the Plant Suitability Zones
- Illinois has diverse soil conditions that may impact the success of a vegetative practice. In developing vegetative practice specifications, planners should consider soil conditions such as, but not limited to:
  - landscape position, available water holding capacity, aspect, slope, drainage class, fertility level, soil depth, flooding and ponding limitations.

# Review of State FOTG Requirements

## Engineering Practices

- Illinois has diverse soil conditions that may impact the success of a structural practice. Refer to the NRCS web soil survey and Illinois engineering guidance to obtain site specific information about engineering properties.
- Find Illinois engineering guidance and resources in Section 1, FOTG
- Find climatic information about average frost depth, precipitation and runoff in Section 2, FOTG.

<http://websoilsurvey.nrcs.usda.gov/app/>

## Review of Important Resource Issues

### Environmental Evaluation Worksheet (NRCS-CPA-52) and Special Environmental Concerns

- Refer to Section 2 of the FOTG for additional information related to Special Environmental Concerns that should be considered and evaluated as part of the planning process

## Review of Important Resource Issues

### Environmental Evaluation Worksheet (NRCS-CPA-52) and Special Environmental Concerns

- Endangered and Threatened (E&T) Species
  - Planners should consult Section 2 of the FOTG for a listing of State E&T species that are known to be found within the county of interest.
  - Planners should consult Section 2 of the FOTG for a link to the U.S. Fish and Wildlife Service (USFWS) for a listing of Federal E&T species that are known to be found within the county of interest.

# Review of Important Resource Issues

## Endangered and Threatened (E&T) Species

- Illinois is home to numerous E&T Species
  - Fishes
    - 19 Endangered, 12 Threatened
  - Amphibians
    - 3 Endangered, 6 Threatened
  - Reptiles
    - 10 Endangered, 8 Threatened
  - Birds
    - 25 Endangered, 5 Threatened
  - Mammals
    - 5 Endangered, 4 Threatened
  - Invertebrates
    - 43 Endangered, 12 Threatened
  - Plants
    - 251 Endangered, 81 Threatened

## Review of Important Resource Issues

### Endangered and Threatened (E&T) Species

- Several bat species are listed as federal and/or state endangered species in Illinois.
- Refer to the Section 2 of the FOTG for conservation measures that must be followed when Forest Stand Improvement and Prescribed Burning in woodland are applied.
- The same conservation measures may also be useful in evaluating other conservation practices such as ponds, water and sediment control basins, grassed waterways, streambank and shoreline protection, forestry activities, etc., where the practices will affect woodland.
- Where woodland will be converted to some other landuse, and suitable habitat exist for a listed bat species, a more detailed evaluation will need to be carried out.

## Review of Important Resource Issues

### Environmental Evaluation Worksheet (NRCS-CPA-52) and Special Environmental Concerns

- Natural Areas
  - Planners should consult Section 2 of the FOTG for an Inventory of Natural Area Sites within the county of interest.
  - The list of natural areas is referred to as the Illinois Natural Areas Inventory (INAI)



## Review of Important Resource Issues

### Environmental Evaluation Worksheet (NRCS-CPA-52) and Special Environmental Concerns

- Illinois NRCS utilizes the Illinois Department of Natural Resources Environmental Compliance Assessment Tool (EcoCAT) as a tool to avoid conflicts with known locations of E&T species and INAI sites when planning conservation practices and to comply with NEPA and other Federal Legislation
- Instructions for utilizing EcoCAT is found in Section 2 of the FOTG

## Review of Important Resource Issues

### Environmental Evaluation Worksheet (NRCS-CPA-52) and Special Environmental Concerns

- If the planning location is near, or adjacent to known E&T locations, or potentially impacts an IANI site, the planner should forward the EcoCAT report to the local NRCS DC, so that the impact of planned conservation practices can be further evaluated by an Area E&T Coordinator.
- Use the Illinois NRCS E&T Review Form, as found in Section 2 of the FOTG to forward project information and the EcoCAT report if the EcoCAT report has identified E&T species &/or Natural Areas in close proximity to the planning location.

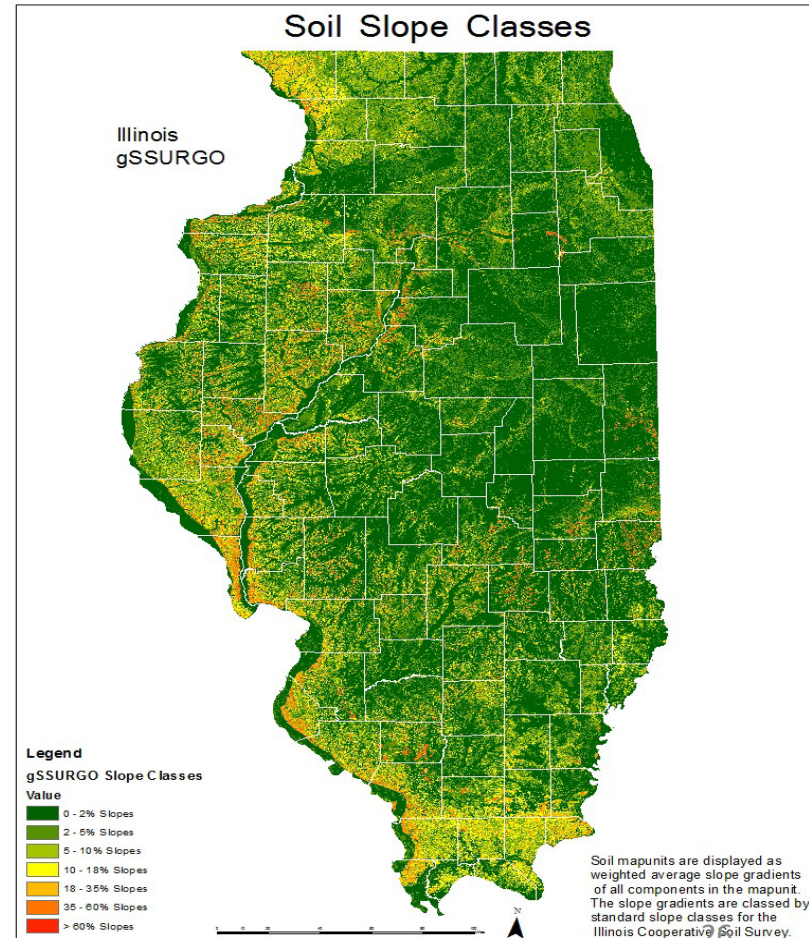
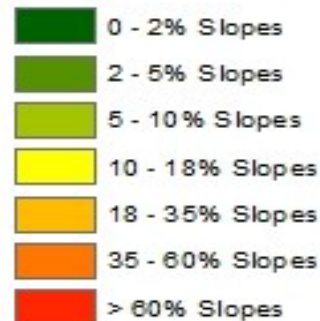
# Overview of Illinois Resources

- Illinois topography is generally flat.
- 59% of land is 2% or less
- 84% is 5% slope or less

## Legend

### gSSURGO Slope Classes

#### Value



## Overview of Illinois Resources

- Illinois soils are some of the most productive in the world.
- Many are extensively tile-drained with deep drainage ditches, to enhance crop production.
- This map shows soils that are flat (1% slope or less) with a naturally high-water table, likely to be tile drained.



Soils with  $\leq 1\%$  Slope

# Review of Major Land Uses and Crops Produced

- Illinois has approximately 27.0 million acres of farmland
  - 89% Cropland
  - 5% Woodland
  - 3% Pasture
  - 3% Farmsteads, Buildings, Livestock Facilities, Ponds, Roads, etc
- Statewide, primary crops produced include:
  - Corn (11,081,000 acres) <sup>1/</sup>
  - Soybeans (10,608,000 acres) <sup>1/</sup>
  - Wheat (476,000 acres) <sup>1/</sup>
  - Hay, and other forages (551,000 acres) <sup>1/</sup>
- There are areas where specialty crops such as fruit and vegetable production is localized, but significant:
  - Vegetables, Melons (61,000 acres) <sup>1/</sup>
  - Fruits and tree nuts (5,600 acres) <sup>1/</sup>

<sup>1/</sup> Source: 2017 Census of Agriculture

# Review of Major Land Uses and Crops Produced

Approximately 2% of Illinois cropland is irrigated

- Parts of the Illinois River valley has areas of very sandy soils and is heavily irrigated using center pivot sprinklers
- Areas used for seed corn production are usually irrigated
  - Irrigated out of luxury, or contract requirements, not out of necessity
- Pasture is primarily vegetated with introduced grass species.
  - The primary grazers are beef cattle.

## Review of Major Land Ownership

Nearly all of Illinois is privately owned

- Owned by an Individual or by a Family: 85%
- Owned by a Partnership: 6%
- Owned by a Family held Corporation: 5%
- Owned by an Estate, Trust, Institution, or Cooperative: 4%

Source: 2017 Census of Agriculture

## Additional Illinois Information

- Over \$17 Billion in value of ag production (2017)
- Over 72,000 farms
  
- 60% of Illinois farmland is rented
  - Typical term is annual
  - Leases beyond 3 years rare
  - About 1/3 of leases are share rents
  - 14% total farmland professionally managed



## Expected TSP Workflow

TSP certified conservation planner candidates must complete one field-reviewed RMS plan for a conservation management unit. The submitted sample plan should cover a minimum of two land uses.

- Samples of work are submitted through NRCS Registry for review.
- Submitted samples of work will be screened for completeness prior to scheduling a field review of the conservation plan.
  - Submitted plans that are incomplete will be deferred and returned to the TSP candidate for additional information.
- If the TSP Certified Conservation Planner candidate is a resident of Illinois, the TSP Coordinator will work with the State Resource Conservationist (SRC) and respective Assistant State Conservationist for Field Operations to identify and assign a NRCS Certified Conservation Planner to complete a field review of the submitted RMS plan.
- The candidate will be accompanied to the field by the identified NRCS Certified Conservation Planner to meet with the plan decisionmaker.

## Expected TSP Workflow (*continued*)

- The candidate will be expected to demonstrate competency in the planning process, to include the appropriate resource assessment tools, and plan development.
- After a field review of the conservation plan has been completed, the conservation plan and review documents will be submitted to the SRC with a recommendation for deferral or certification.
  - NRCS certification policy allows TSP candidates to submit a correction of deficiencies or provide a new sample plan(s)/example(s) of work up to three times.
  - If deficiencies are not corrected on the third attempt, the applicant is prohibited from reapplying for the activities for which certification is sought for a period of 12 months from the date of the third deferral.
- Recommendations for certification will be forwarded to the State Conservationist for concurrence.

## Expected TSP Workflow (*continued*)

- Upon certification, subsequent conservation plans developed by the TSP as part of an NRCS financial assistance contract will be uploaded to the NRCS Registry by the TSP.
- Conservation plans developed by the TSP without NRCS financial assistance will be submitted to the District Conservationist (DC) at the USDA Service Center that services the conservation plan client.
- Illinois NRCS does not provide financial assistance to landusers for conservation planning outside of a contracted Conservation Planning Activity (CPA)
- TSPs will work with the local District Conservationist to make sure the proper plan documentation has been prepared, including the completion of an environmental evaluation utilizing the NRCS-CPA-52
- USDA Service Center addresses and contact information of the DC can be located using the Service Center Locator:  
<https://offices.sc.egov.usda.gov/locator/app>

## Expected TSP Workflow (*continued*)

### Maintaining Certification

- Each TSP certified conservation planner designation will be reviewed at least once every 3 years by the State Conservationist, or designee, in the TSP's resident State.
  - Illinois Designees may be a Level II Technical specialist Planner, or Level III Certified Conservation Planner.
- The review will be based on conservation plans completed by the TSP in the resident State during the time period being reviewed.
- Conservation plans reviewed may be progressive, so an RMS planned level of treatment is not required.
- If a TSP did not do any work in the resident State during the review period, the review will be completed by a State where the TSP did work during the review period.
- If a TSP has not developed any conservation plans in the past 3 years, a new plan must be prepared and submitted for review.

After obtaining the certified conservation planner designation, TSP's requesting certification as a Certified Conservation Planner will be certified to conduct conservation planning in those States for which they have completed the State-specific training module.

Resources for TSPs, including a listing of the current State TSP Coordinators can be found at:

<https://www.nrcs.usda.gov/resources-for-certified-technical-service-providers>

The current Illinois TSP Points of Contact are:

- Matt Bunger – Illinois TSP Coordinator  
[Matt.Bunger@usda.gov](mailto:Matt.Bunger@usda.gov)
- Glen Franke – Illinois TSP Coordinator (back-up)  
[Glen.Franke@usda.gov](mailto:Glen.Franke@usda.gov)

### **Non-Discrimination Statement**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.

## Certificate of Completion

After viewing the State Specific Training module, please print and sign the completion certificate on the following slide.

The certificate is your acknowledgement that based on the information provided in this module, you have the proper knowledge, skills and ability to conduct planning in this State.

Within your NRCS Registry profile, enter the training and upload the signed certificate to verify completion.



## STATE SPECIFIC TRAINING MODULE COMPLETION CERTIFICATE

I, \_\_\_\_\_ hereby verify I have viewed and understand the content of Illinois State  
*TSP Name (printed)*  
Specific Training Module and affirm I have the knowledge, skills, and ability to conduct conservation planning  
services in this state.

\_\_\_\_\_  
TSP Signature

\_\_\_\_\_  
Date