

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.

(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.

(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.

(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 be in compliance 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 conservation planning assistance as mutually agreed upon. 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.

(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.

(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.

409.3 Requirements for Providing Conservation Planning Assistance

(a) All NRCS conservation planners will be certified. The COD will establish 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.

(3) State Conservationists may establish additional certification levels and criteria as needed to cover degrees of scope and complexity in planning environments.

(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.

(c) State Conservationists 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 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) Crop production
- (ii) Grazing systems
- (iii) Plant growth
- (iv) Soil-water-plant relationships
- (v) Plant identification
- (vi) Nutrient uptake
- (vii) Erosion processes
- (viii) Water quality
- (ix) Proficiency in scientific tools and models
- (x) Animal production
- (xi) Conservation practices and systems common to the work area
- (xii) Wildlife management
- (xiii) 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.

(4) The State Conservationist will ensure that all NRCS employees that approve conservation plans meet minimum NRCS certified conservation planner requirements.

(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.

(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.

409.4 Planning on Units that Cross a State, County, or FieldOffice 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.

409.6 Conservation Planning Assistance that may have International Impacts

Assistance provided will be in compliance 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.

(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.
- (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.

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

(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.
- (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.
- (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 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.
- (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.
- (4) If multiple certified planner levels exist, an individual could become decertified at a higher designated level while retaining a lower certification level.

409.10 Comprehensive Nutrient Management Plans

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A. Background

- (1) A Comprehensive Nutrient Management Plan (CNMP) describes and documents a conservation system of practices within a conservation plan that is unique to animal feeding operations. CNMPs must be approved by a certified conservation planner, as defined in the General Manual (GM), Title 180, Parts 409 and 411.
- (2) The certified conservation planner will assure that an appropriate planning process has been followed and that all needed elements have been included in the CNMP. For CNMP policy and technical criteria, refer to [GM-190, Part 405](#) and [National Instruction \(NI\), Title 190, Part 304, "Comprehensive Nutrient Management Plan Technical Criteria."](#) For CNMP planning guidance, refer to the "[Comprehensive Nutrient Management Planning](#)" in the NRCS eDirectives system under Handbooks, Title 190.

B. General Requirements

- (1) At a minimum, NRCS-approved CNMP planners, certified conservation planners, and other specialists, certified by NRCS in each State to develop and implement CNMPs, must have understanding and knowledge of the following:
 - (i) The NRCS conservation planning process contained in the NRCS on-line training course, "Conservation Planning: Part I."
 - (ii) The agricultural waste management systems explained in the NRCS course "Agricultural Waste Management Systems: A Primer."
 - (iii) How the FOTG relates to specific elements of the CNMP for which expertise is being provided.
 - (iv) How to apply the technical criteria associated with the various elements of a CNMP as contained in the NRCS FOTG.
 - (v) How local, State, tribal, and Federal laws and regulations affect the elements of a CNMP.
- (2) The State Conservationist must set up the general requirements for a State certification program for NRCS-approved CNMP planners, certified conservation planners, and specialists. The State Conservationist must also establish a method to verify the certification program's competency.
- (3) The State Conservationist must ensure that all pertinent State certification and licensing requirements (e.g., engineering license, engineering approval authority, certified nutrient management consultant/specialist) are met as part of any program established. (See [GM-190, Part 405, Subpart B, Policy, Section 405.11\(C\)](#), for the technical requirements and qualifications of Technical Service Providers (TSPs).)
- (4) The State Conservationist must follow policy found in [GM-190, Part 405, Subpart B, Policy, Section 405.11 D](#), for the following specific elements:
 - (i) Manure and Wastewater Handling and Storage.
 - (ii) Land Treatment.
 - (iii) Nutrient Management.
- (5) The State Conservationist must maintain a list of NRCS-approved CNMP planners, certified conservation planners, as well as any other specialists certified by NRCS in the State to develop and implement CNMPs. Each third party certification program approved by NRCS must maintain a current list of specialists certified by that program and must make it available to the State Conservationist.

C. Specific Elements Required for a CNMP

- (1) NI-190-304 contains the CNMP technical criteria for the minimum specific elements of a CNMP.
- (2) At a minimum, a CNMP must include information on the following specific elements:
 - (i) Background and Site Information.
 - (ii) Manure and Wastewater Handling and Storage.
 - (iii) Farmstead Safety and Security.
 - (iv) Land Treatment Practices.
 - (v) Soil and Risk Assessment Analyses.
 - (vi) Nutrient Management according to the criteria in the Nutrient Management Conservation Practice (Code 590).
 - (vii) Recordkeeping.
 - (viii) References.
- (3) The following elements are not required elements of a CNMP. However, they should be included in the CNMP to help manage the following needs:
 - (i) **Feed Management**—include when helping to manage the farm nutrient balance.
 - (ii) **Other Utilization Options**—include when helping to manage the farm nutrient balance. Examples of Other Utilization Options may include manure, wastewater, or other organic wastes that will be exported off the animal feeding operation, or when the organic waste is treated, processed, or both, for other uses like methane production.
 - (iii) **Air Quality**—include when the agricultural operation creates or has the potential to create an air quality resource concern.

D. Training

(1) Training may 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 requirement. The State Conservationist, in consultation with the Director, National Employee Development Center, must grant approval for course equivalency in lieu of an NRCS formal training course.

(2) Training provided by an NRCS-approved certifying organization may be substituted for NRCS training.

E. Maintaining Certification

NRCS-certified planners and specialists are responsible for maintaining their CNMP certification. Recertification includes completing necessary training to maintain and update skills. Recertification must, at a minimum, occur once every three years. Applicants must present proof of training when seeking recertification. The State Conservationist will determine the type and minimum hours of training necessary to maintain CNMP certification.

F. Quality Assurance

(1) The State Conservationist must include actions in the State Quality Assurance Plan to ensure that the State reviews the CNMP certification program.

(2) The State Conservationist or designee must review and verify the technical adequacy of each certified planner and specialist at least once every three years. If an individual fails to meet the qualifications or criteria established for certified planner or specialist status, the certifying organization, whether it is NRCS or an NRCS-approved certifying organization, must revoke the status. When the organization revokes the status, the individual may seek recertification.

(3) For each NRCS-certified planner or specialist, the State Conservationist or designee must review a sufficient number of that planner's or specialist's CNMPs to find out whether the plans or designs are developed and carried out according to NRCS conservation practice standards, policy, and CNMP technical criteria.

409.11 Minimum Standards for Pest Management Assistance

(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.