

State Specific TSP Training Module for Illinois

Certified Conservation Planner

Updated February, 2016

Purpose of this Module

This module will provide some general information that Technical Service Providers (TSPs) need to conduct conservation planning in Illinois. This information 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 the Illinois Forest Development Act
 - <http://www.dnr.illinois.gov/adrules/documents/17-1537.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
 - <http://www.epa.illinois.gov/topics/forms/air-permits/open-burning/index>

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]

<http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1344&ChapAct=225%26nbsp%3BILCS%26nbsp%3B325%2F&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATION+S&ActName=Professional+Engineering+Practice+Act+of+1989%2E>

Illinois Structural Engineering Act [225 ILCS 340]

[http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1347&ChapAct=225 ILCS 340/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Structural+Engineering+Practice+Act+of+1989.](http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1347&ChapAct=225%26nbsp%3BILCS%26nbsp%3B340%2F&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Structural+Engineering+Practice+Act+of+1989)

Review of State Laws

- Practice of Engineering: CNMP/CAP
 - 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 Comprehensive Nutrient Management Plan (CNMP), must possess a license to practice engineering in Illinois.
 - The PE assists the conservation planner in developing engineering related elements associated with the CNMP
 - The TSP certified to develop the CNMP/CAP **must**:
 - Be a certified CNMP Planner

Review of State Laws

- Practice of Engineering: CNMP
 - The “Qualified Individual” 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
http://www.farmdoc.illinois.edu/legal/pdfs/drainage_law1.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”
<http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-Title35.aspx>
 - Environmental Protection Agency Nonpoint Pollution Discharge Elimination System (NPDES) regulations for Confined Animal Feeding Operations (CAFOs)
<http://www.epa.illinois.gov/topics/water-quality/watershed-management/cafos/index>
 - 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”.
<http://dnr.state.il.us/Wetlands/ch4b.htm>
 - 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 <http://www.dnr.illinois.gov/adrules/Pages/default.aspx>
 - US Army Corps of Engineers (USACE): 5 Districts with jurisdiction in Illinois
 - Illinois EPA
 - Illinois NRCS maintains an interpretation of relevant rules for construction within stream channels at
http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1143163.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
<http://www.dnr.illinois.gov/adrules/Pages/default.aspx>

Review of State FOTG Requirements

- 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 job sheets 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 I 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 climatic information about average frost depth, precipitation and runoff in Section II, FOTG and in Illinois engineering guidance.

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

http://www.nrcs.usda.gov/wps/portal/nrcs/detail/il/technical/engineering/?cid=nrcs141p2_030545

http://www.nrcs.usda.gov/wps/portal/nrcs/detail/il/technical/engineering/?cid=nrcs141p2_030600

Review of Important Resource Issues

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

- Refer to Section II 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 II 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 II 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

- The Indiana Bat is a federal and state listed endangered species that is on the USFWS list for every county in Illinois.
- Refer to the Section II 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 the Indiana bat, 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 II 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 II 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 II 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.

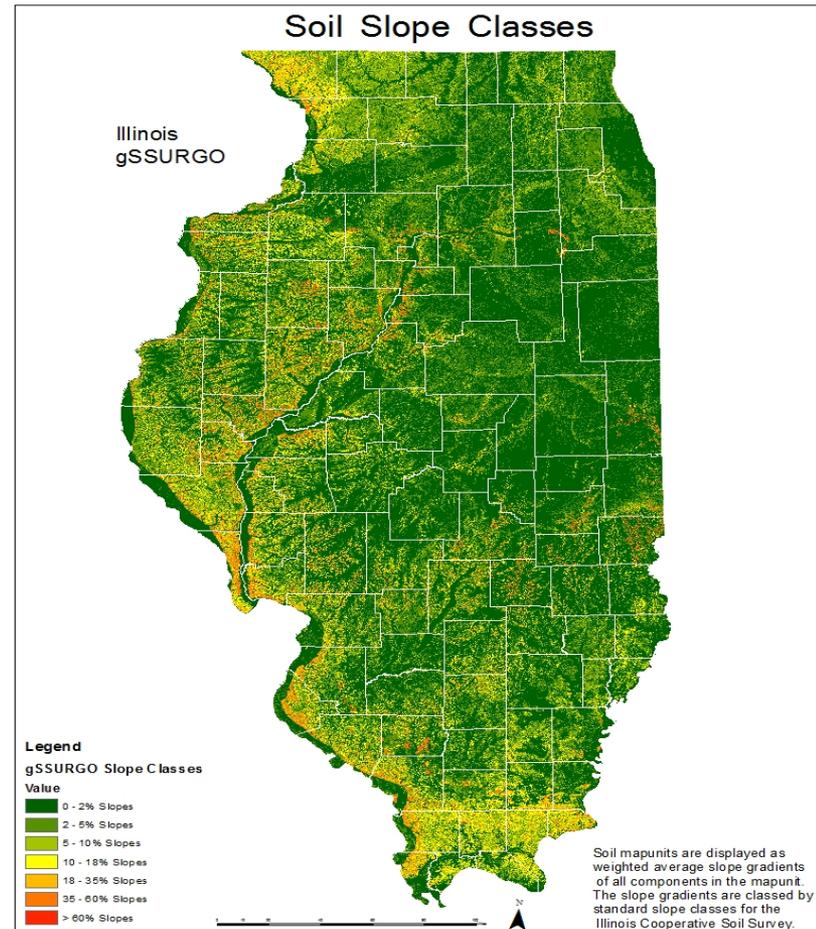
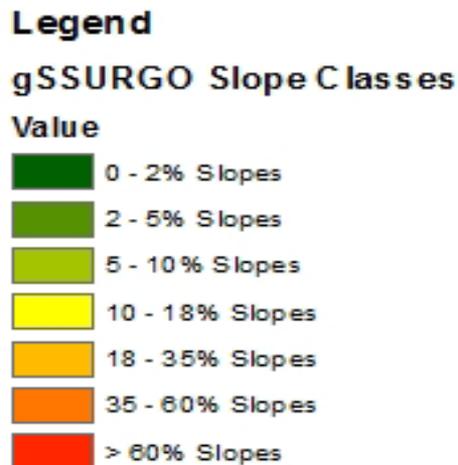
Review of Major Land Uses or Agronomic Practices

- Illinois has approximately 26.9 million acres of farmland
 - 88% Cropland
 - 5% Woodland
 - 4% Pasture
 - 3% Farmsteads, Buildings, Livestock Facilities, Ponds, Roads, etc
- Statewide, primary crops produced include:
 - Corn (12,263,000 acres) ^{1/}
 - Soybeans (8,933,000 acres) ^{1/}
 - Wheat (646,000 acres) ^{1/}
 - Hay, and other forages (514,000 acres) ^{1/}
- There are areas where specialty crops such as fruit and vegetable production is localized, but significant:
 - Vegetables, Melons (72,000 acres) ^{1/}
 - Fruits and tree nuts (5,800 acres) ^{1/}

^{1/} Source: 2012 Census of Agriculture

Review of Major Land Uses or Agronomic Practices

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



Review of Major Land Uses or Agronomic Practices

- 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.



Review of Major Land Uses or Agronomic Practices

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: 87%
- Owned by a Partnership: 6%
- Owned by a Family held Corporation: 4%
- Owned by a Corporation, Other than family held: <1%
- Owned by an Estate, Trust, Institution, or Cooperative: 3%

Source: 2012 Census of Agriculture

Additional Illinois Information

- Over 17 Billion in value of ag production(2012)
- Over 75,000 farms
- 82% of IL commercial farmland 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.
 - If the TSP Certified Conservation Planner candidate is a resident of Illinois, the TSP should notify the Illinois TSP coordinator that a RMS plan has been completed.
 - The TSP Coordinator will work with the State Resource Conservationist (SRC) to identify an NRCS Certified Conservation Planner so that a field review of the RMS plan may be completed.
 - The candidate will be accompanied to the field by the NRCS Certified Conservation Planner to meet with the plan decisionmaker.
 - 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 for concurrence by the State Conservationist. The plan will be submitted with a letter from the reviewer acknowledging the field review and recommendation for certification.

Expected TSP Workflow

- Upon certification, subsequently developed conservation plans will be submitted for review by the District Conservationist (DC) at the local USDA Service Center.
- 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

Expected TSP Workflow

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 Certified Conservation Planner, Level III
- 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 for review.

- TSPs obtaining the national certified conservation planner designation will be certified to conduct conservation planning in all States where they have completed the State-specific training module.

- The Illinois TSP Coordinator is Bryon Kirwan.
- Bryon can be reached at bryon.kirwan@il.usda.gov

- This PowerPoint training fulfills the requirements for the development of state specific training for Technical Service Provider Conservation Planner Certification as called for in National Bulletin 180-15-1 CPA
- Print this slide to document completion.

• NAME

DATE

Non-Discrimination Statement

Non-Discrimination Policy

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases apply to all programs and/or employment activities.)

To File an Employment Complaint

If you wish to file an employment complaint, you must contact your agency's EEO Counselor within 45 days of the date of the alleged discriminatory act, event, or in the case of a personnel action. Additional information can be found online at http://www.ascr.usda.gov/complaint_filing_file.html

To File a Program Complaint

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9419, by fax at (202) 690-7442, or email at program.intake@usda.gov

Persons with Disabilities

Individuals who are deaf, hard of hearing or have speech disabilities and you wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

Persons with disabilities, who wish to file a program complaint, please see information above on how to contact us by mail or by email. If you require alternative means of communication for program information (e.g., Braille, large print, audiotope, etc.), please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Supplemental Nutrition Assistance Program

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish, or call the State Information/Hotline Numbers.

All Other Inquiries

For any other information not pertaining to civil rights, please refer to the listing of the USDA Agencies and Offices.

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.

Send the signed certificate to the State TSP Coordinator. Copy the below link to your browser for a list of State TSP Coordinators.

<https://techreg.sc.egov.usda.gov/RptStateContact4Admin.aspx>



STATE SPECIFIC TRAINING MODULE COMPLETION CERTIFICATE

I, _____, hereby verify I have viewed and understand the
TSP Name
content of the Illinois State Specific Training Module and affirm I have the
knowledge, skills and ability to conduct conservation planning services in that
state.

TSP signature

Date