

Part 610 – National Environmental Compliance Handbook

Subpart H – Exhibits

610.140 Example – Privacy Act Statement for NRCS Conservation Program Application (Landowner Consent Form)

Sample Authorization for NRCS Release of Conservation Plan File Information

Persons receiving Federal funding through the USDA Natural Resources Conservation Service (NRCS) to implement conservation projects are required to comply with all Federal, State, and local laws, as well as obtain any required Federal, State, or local permits prior to construction of the project. In order to ensure compliance with Endangered Species Act (ESA) and the Magnuson-Stevens Act (MSA), NRCS is required to consult with US Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) – Fisheries [formerly referred to as the National Marine Fisheries service (NMFS)] (the “Services”) if we determine our actions will affect Threatened or Endangered species or their habitat. A person who receives non-federal funding, and uses NRCS final designs/specifications, may request NRCS to consult with the Services on their behalf, but are not required to do so. The National Historic Preservation Act (NHPA) requires NRCS to cooperate with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (Advisory Council).

I, _____, have control of said project and/or property, and give my consent for NRCS to consult with and/or release pertinent information from my project or construction plan relating to said consultation with the USFWS, NMFS, Advisory Council, and SHPO to ensure compliance with ESA, MSA, and NHPA. This does not authorize access to my private property by non-NRCS agencies, groups or individuals.

I, _____, have control of said project and/or property and choose **not** to give my consent for NRCS to consult with and/or release pertinent information from my project or construction plan relating to said consultation with the USFWS, NMFS, Advisory Council, and SHPO to ensure compliance with ESA, MSA, and NHPA.

If you choose **not** to give your consent, you may work directly with these agencies when the need arises and provide assurance of ESA, MSA and NHPA compliance to the NRCS prior to implementation of your planned project. NRCS will provide you no further assistance until the consultation process has been completed.

NOTE: Failure to provide consent may affect your eligibility to receive USDA funding for your project. You may cancel this consent by written notice.

NAME (Signature)

DATE

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment

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