

Part 600 – Watershed Program Management

Subpart B – Responsible Parties

600.10 NRCS Responsibilities

A. NRCS State Responsibilities

Title 390, National Watershed Program Manual (NWPM), Part 500, Subpart B, Section 500.10, outlines NRCS responsibilities for Watershed Program management. The State Conservationist (STC) provides oversight for plan development in accordance with the plan of work (POW). The POW is to be used throughout the plan development to schedule and coordinate planning activities and to monitor progress. If project objectives change, unforeseen problems or delays arise, or opportunities to accelerate completion of the process occur, the POW should be revised.

(i) Adherence to State and Federal Requirements

- Public Law 83-566 projects are local projects installed with Federal assistance, not Federal projects, and are exempt from the provisions of the Fish and Wildlife Coordination Act (FWCA). However, Public Law 85-624, which contained the 1958 amendments to the FWCA, also added section 12 to Public Law 83-566. Section 12 (16 U.S.C. Section 1008) applies the principles of the FWCA to the Public Law 83-566 program. The U.S. Fish and Wildlife Service (FWS) should be invited to carry out surveys and investigations and to prepare a report with recommendations concerning the conservation and development of wildlife resources. The report should include technical and economically feasible works of improvement for wildlife.
- With the concurrence of the project sponsors the FWS may also be invited to assist with the preparation of a watershed plan that meets the sponsors' goals. If components of the report are incorporated into the final plan, the FWS may request that the initial report accompany the plan when funding authorization is requested from the Chief of the NRCS or when the plan is submitted to Congress for approval.

(ii) Watershed Program Information Assistance

The NRCS should take all reasonable actions to ensure that sponsoring local organizations (SLOs) understand the responsibilities and obligations expected of them. Specifically, SLOs must be willing and able to carry out short-term and long-term financial commitments regarding non-cost-share obligations (for example—land rights acquisition, permits, licenses, operation and maintenance, etc.). Regarding long-term commitments (for example, operation and maintenance of structural components for 50-100 years), NRCS should take all reasonable actions to ensure that SLOs understand their responsibilities as outlined in the operation and maintenance (O&M) agreement. Specifically, the SLO responsible for funding should understand and be aware of the affect such long-term funding commitments will have on parties responsible for funding of non-cost-share obligations in the future.

(iii) Preparation of the Watershed Project Plan

- The NRCS has leadership responsibility for providing technical assistance to the SLO. As part of this responsibility, NRCS coordinates input of other agencies and groups in the formulation of the plan. The U.S. Forest Service has coordination responsibility for the forestland part of the plan.
- The NRCS ensures compliance with the National Environmental Policy Act of 1969 (NEPA). The STC is the responsible Federal official who ensures that the watershed Plan-EIS or Plan-EA complies with NEPA. Chapter III of the P&G contains procedures to establish the process for identifying environmental quality (EQ) problems. The procedures are intended to aid in complying with NEPA requirements.
- The NRCS ensures compliance with the National Historic Preservation Act (NHPA) of 1966, as amended. The STC is the responsible Federal official who ensures that the watershed Plan-EIS or Plan-EA complies with NHPA. This includes a nation-to-nation consultation with Tribal governments regarding cultural resources, sacred, and cultural sites.
- The NRCS ensures compliance and consultation with Tribal Governments in regard to natural and other resource concerns in accordance with Executive Order 13007, Executive Order 13175, Secretarial Order 3206, and Presidential Memoranda (April 29, 1994 and November 5, 2009).
- All planning efforts by NRCS and the SLO should include well-publicized public meetings to obtain public input and views on the project (see Title 390, National Watershed Program Handbook (NWPH), Part 601, Subpart C, Section 601.24, for more information on public participation).

(iv) Implementation Assistance

To ensure fund integrity, technical assistance (TA) should not be charged to a project unless funds have been allocated in the Program Operations Information Tracking System (POINTS).

(v) Real Property Rights Work Maps

Acquisition of real property is a major step in project implementation. Because real property acquisition is one of the most important responsibilities of the SLO, NRCS should develop real property work maps using the most accurate information possible. Work maps should be prepared in close communication with the SLO, giving attention to detail and followup as needed.

(vi) Operation and Maintenance Assistance

Field personnel should review the O&M agreement with the SLO as outlined in the agreement or at a predetermined frequency determined by State policy. NRCS should assist the SLO in completing inspection reports, if so requested.

B. NRCS National Headquarters Responsibilities

See 390-NWPM, Part 500, Subpart B, Section 500.10 B, for NRCS National Headquarters' responsibilities. There is no further guidance in the handbook corresponding to this section in the manual.

600.11 Sponsor Responsibilities

See 390-NWPM, Part 500, Subpart B, Section 500.11, for SLO responsibilities. There is no further guidance in the handbook corresponding to this section in the manual.