

Subpart C - State Technical Committees

501.20 Purpose

In accordance with 7 CFR Part 610, Subpart C, NRCS has established a technical committee in each State to assist in making recommendations relating to the implementation and technical aspects of natural resource conservation activities and programs.

501.21 Responsibilities of State Technical Committees

It is the responsibility of the State Technical Committee to –

- (1) Provide information, analysis, and recommendations to USDA on conservation priorities and criteria for natural resources conservation activities and programs, including application and funding criteria, recommended practices, and program payment percentages.
- (2) Identify emerging natural resource concerns and program needs.
- (3) Recommend conservation practice standards and specifications.
- (4) Recommend State and national program policy based on resource data.
- (5) Review activities of the local working groups to ensure State priorities are being addressed locally.
- (6) Make recommendations to the State Conservationist on requests and recommendations from local working groups.
- (7) Assist NRCS with public outreach and information efforts and identify educational and producers' training needs.

501.22 State Technical Committee Membership

A. Each State Technical Committee will be composed of agricultural producers, owners and operators of nonindustrial private forest land, and other professionals who represent a variety of interests and disciplines in the soil, water, wetlands, plant, and wildlife sciences.

B. Each State Technical Committee must include representatives from all of the following:

- (1) NRCS
- (2) Farm Service Agency (FSA)
- (3) FSA State Committee
- (4) U.S. Forest Service
- (5) National Institute of Food and Agriculture (formerly the Cooperative State Research Education and Extension Service)
- (6) Each of the federally recognized American Indian Tribal governments and Alaskan Native Corporations encompassing 100,000 acres or more in the State
- (7) Association of Soil and Water Conservation Districts
- (8) State departments and agencies within the State, including the following:
 - (i) Agricultural agency
 - (ii) Fish and wildlife agency
 - (iii) Forestry agency
 - (iv) Soil and water conservation agency
 - (v) Water resources agency
- (9) Agricultural producers representing the variety of crops and livestock or poultry raised within the State
- (10) Owners of nonindustrial private forest land
- (11) Nonprofit organizations (as defined under section 501(c)(3) of the Internal Revenue Code of 1986) that demonstrate conservation expertise and experience working with agricultural producers in the State
- (12) Agribusiness
- (13) Other Federal agencies and persons knowledgeable about economic and environmental impacts of conservation techniques and programs as determined by the State Conservationist.

C. To ensure that recommendations of the State Technical Committee take into account the needs of diverse groups served by USDA, membership will include, to the extent practicable, individuals with demonstrated ability to represent the conservation and related technical concerns of particular historically underserved groups and individuals including but not limited to women, persons with disabilities, and socially disadvantaged and limited-resource groups.

D. Individuals or groups wanting to become members of a State Technical Committee within a specific State may submit a request that explains their interest and outlines their credentials for becoming a member to the State Conservationist. The State Conservationist will respond to requests for State Technical Committee membership in writing within a reasonable period of time, not to exceed 60 days. Decisions of the State Conservationist concerning membership on the committee are final and not appealable. State Technical Committee membership will be posted on the NRCS State Web site.

501.23 Responsibilities of the State Conservationist

The State Conservationist will—

- (1) Chair the committee.
- (2) Ensure representation of all interests, to the extent practicable.
- (3) Give strong consideration to the committee's advice on NRCS programs, initiatives, and activities.
- (4) Call and provide notice of public meetings.
- (5) Follow the standard operating procedures.
- (6) Provide other USDA agencies with recommendations from the State Technical Committee for programs under their purview.
- (7) Ensure that recommendations, when adopted, address natural resource concerns.
- (8) Extend membership to any agency or persons knowledgeable about economic and environmental impacts of conservation techniques and programs.
- (9) Respond to requests for membership as outlined in Title 440, Conservation Programs Manual (CPM), Part 501, Subpart C, Section 501.22D.

501.24 Specialized Subcommittees of State Technical Committees

A. Introduction

In some situations, specialized subcommittees composed of State Technical Committee members may be needed to analyze and refine specific issues. The State Conservationist may assemble certain committee members, including members of local working groups and other experts to discuss, examine, and focus on a particular technical or programmatic topic, or combination of such.

B. Public Involvement

Specialized subcommittees are open to the public and may seek public participation, but they are not required to do so. Recommendations of specialized subcommittees will be presented in general sessions of State Technical Committees, where the public is notified and invited to attend.

C. Examples of Specialized Subcommittees

Figure 501-C1 provides examples of specialized subcommittees.
Figure 501-C1

Examples of Specialized Subcommittees	Program or Topic	Task
Environmental Quality Incentives Program Ranking Criteria Subcommittee	Environmental Quality Incentives Program	Provide input to develop State ranking criteria and make recommendations to the State Technical Committee.
State Forestry Subcommittee	All programs	Provide recommendations to the State Technical Committee on forestry conservation practices and payment rates to be supported in conservation programs.
Conservation Easement Geographic Rate Subcommittee	Wetlands Reserve Program and Grassland Reserve Program	Develop recommendations for the geographic area rate cap and present it to the State Technical Committee.
Payment Schedule Subcommittee	Financial assistance programs	Provide recommendations for practices and program payment percentages for conservation programs that support program objectives and State and local priorities.
State Wildlife Subcommittee	Wildlife Habitat Incentive Program (WHIP)	Provide recommendations (to the State Technical Committee) for the State WHI plan that incorporates priorities of the State comprehensive wildlife action plan and similar plans and initiatives.
Priority Watershed Subcommittee	Chesapeake Bay Watershed Program	Recommend priority watersheds for focusing funding for effective use of available resources.

501.25 Standard Operating Procedures for State Technical Committees

A. Organization and Function

The State Conservationist chairs the State Technical Committee. State Technical Committees are used to provide information, analysis, and recommendations to NRCS and other USDA agencies responsible for natural resource conservation activities and programs under title XII of the Food and Security Act of 1985, as amended.

B. Meeting Scheduling

The State Technical Committee should meet at least twice a year at a time and place designated by the State Conservationist. Other meetings may be held at the discretion of the State Conservationist. The State Conservationist will call a meeting whenever he or she believes that there is business that should be brought before the committee for action. However, any USDA agency may make a request of the State Conservationist for a meeting.

C. Public Notification

- (1) State Technical Committee and subcommittee meetings are open to the public. The State Conservationist must provide public notice of and allow public attendance at all State Technical Committee meetings.
- (2) The State Conservationist must publish a meeting notice at least 14 calendar days prior to the meeting. Notification may exceed the 14-calendar-day minimum where State open meeting laws exist and require a longer notification period. The minimum 14-calendar-day notice requirement may be waived in the case of exceptional conditions, as determined by the State Conservationist.
- (3) The State Conservationist will publish this meeting notice in one or more widely available newspapers, including recommended Tribal publications, to achieve statewide and Tribal notification. The meeting notice will also be posted to the NRCS State Web site.
- (4) The meeting notice will include meeting time, location, agenda items, and point of contact.

D. Meeting Information

- (1) The State Conservationist must prepare a meeting agenda and provide it to the committee members at least 14 calendar days prior to a scheduled meeting. Additional background materials may be provided before the meeting at the discretion of the State Conservationist. The minimum 14-calendar-day requirement may be waived in the case of exceptional conditions, as determined by the State Conservationist. Additional agenda items will be considered if submitted in writing to the State Conservationist at least 5 working days prior to the meeting.
- (2) The State Conservationist may amend the agenda prior to the meeting without notice to the State Technical Committee or at the meeting based on suggestions from participating members. The agenda will be posted to the NRCS State Web site.

E. Public Participation

- (1) Individuals attending State Technical Committee meetings will be given the opportunity to address the committee and present their opinions and recommendations. While presenters are encouraged to provide written copies of their comments, they are not required to do so. State Conservationists are encouraged to request written comments on agenda items from all members of the State Technical Committee whether they are in attendance at the meeting or not.
- (2) Subsequent to the meeting, if the State Conservationist determines that additional comments and recommendations are needed on specific topics, the State Conservationist will mail a request for written comments to all members of the State Technical Committee within 7 calendar days of the meeting. The letter will fully explain the nature of the request for information and provide at least 14 calendar days for a response.
- (3) Comments received will be summarized and presented at the next State Technical Committee meeting and will be directly posted on the NRCS State Web site.
- (4) If time allows, opportunity to discuss nonagenda items will be provided at the end of the meeting.

F. Conducting Business

- (1) The meetings will be conducted as an open discussion among members. Discussion will focus on the programs and activities identified in 440-CPM, Part 501, Subpart A, Section 501.0C. All recommendations will be considered.
- (2) The following guidelines will govern meeting discussions:
 - (i) The State Conservationist or his or her designee will lead the discussion.
 - (ii) Only one person may speak at a time. Every participant should have an opportunity to speak.
 - (iii) The State Conservationist or his or her designee is responsible for recognizing speakers.
 - (iv) State Technical Committees are advisory in nature and all recommendations are considered.
 - (v) Members may be polled, but voting on issues is not appropriate.
 - (vi) The State Conservationist, in consultation with those members present, may establish time limits for discussion on individual agenda items.
 - (vii) The State Conservationist will defer those agenda items not covered because of time limits to the next meeting.

G. Record of Meetings

Summaries for all State Technical Committee meetings must be available within 30 calendar days of the committee meeting and distributed to committee members. The summaries must be filed at the appropriate NRCS State office and posted to the NRCS State Web site.

H. Response to State Technical Committee Recommendations

The State Conservationist must inform the State Technical Committee as to the decisions made in response to all State Technical

Committee recommendations within 90 days. This notification must be made in writing to all State Technical Committee members and posted to the NRCS State Web site.

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