TSP Express

A report for Technical Service Providers
March 2005   Report No. 6

NRCS Final Rule for Technical Service Providers Enhances Process

A technical service provider and a Kansas landowner visit as the landowner Is inspecting his no-till drill.

U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) has released the final rule that will allow the certification of technical service providers (TSPs) to provide conservation technical services to the Nation's farmers and ranchers.

The final rule details the process NRCS will follow to administer technical assistance through TSPs. It distinguishes between the certification of individuals and public and private entities. The rule ensures certified TSPs will deliver high quality technical services to producers and allows NRCS to decertify those who fail to meet these quality standards. It also details the process NRCS will use to pay for TSP-provided services.

The final rule contains several changes of significance to TSPs. It specifies that TSPs are responsible for the services that they and their subcontractors provide. New liability language continues to protect USDA and program participants while removing the indemnification and warranty provisions.

TSPs have two methods to acquire work and receive payment. They can compete for contracts by responding to Requests for Proposals published by USDA or directly with a program participant. With Requests for Proposals, USDA pays TSPs directly for their services. When program participants hire TSPs, landowners pay for technical services with funds provided by USDA.

The final rule eliminated the program participant's cost-share credit associated with obtaining technical services below the not-to-exceed rate.

The final rule can be found at http://techreg.usda.gov under "On-Line Resources."

States Are Responsible for Verifying TSP Certifications

States began to verify that TSP applicants met NRCS criteria to provide technical assistance to conservation program participants in January 2005. The TSP final rule specifies that the state conservationist or designee must ensure that TSPs meet the certification criteria outlined in TechReg. They must certify that TSPs within their jurisdiction are qualified to provide technical assistance, including design, layout, installation and checkout of approved conservation practices, on behalf of USDA.

Currently, TSPs applying for certification are notified when the NRCS State Offices have received their applications. NRCS has 60 days to review the application. The review process includes the verification of the following:

- training, education and experience requirements;

- references (documenting technical service work and locations);
- state requirements such as licensing, permits, etc.;
- certification history.

States will check each application manually. As a result, TSPs must be prepared to document information provided in their applications.

Following the review, the state conservationist or director will certify or defer the application. If certified, an applicant will receive an e-mail notification and congratulatory letter. If deferred, the applicant will receive a written explanation of the application deficiencies and possible remedies.

NRCS will review the credentials of certified TSPs only when they renew their current certifications or apply for new certifications.

Can TSPs Charge Different Amounts Than Not-to-Exceed Rates for Technical Services?

Many TSPs think they cannot charge more than the NRCS not-to-exceed rates for technical services. That is simply not the case; TSPs can negotiate any rate with a program participant.

Current policy directs NRCS to pay the program participant for the technical services obtained up to the NRCS not-to-exceed rates contained in the program participant's conservation contract with USDA. The rates are based on the time and hourly rate, plus overhead, needed for NRCS staff to deliver technical assistance to program participants. These rates reflect the natural resource, regulatory, social, and economic conditions that exist within each of the 214 regions the agency uses to collect data and calculate not-to-exceed rates.

If the costs to use a TSP exceed the maximum NRCS payment rate, the program participant must pay the difference.

Some situations warrant an exception to using the published not-to-exceed rates. For instance, NRCS may approve a higher rate for a one-time, specific need or when not-to-exceed rates are not available for a particular practice. The agency also may approve a higher rate when unique environmental or other natural resource conditions complicate practice implementation. NRCS National Bulletin 450-5-6 has additional information on exceptions, including forms. Please visit http://policy.nrcs.usda.gov/.

TSPs responding to NRCS Requests for Proposals may, but are not required to, use not-to-exceed rates as they prepare their proposals.

For more information on the 2004 not-to-exceed rates, please visit http://www.tsp-nte.nrcs.usda.gov/. The 2003 rates are archived at http://www.tsp-nte.nrcs.usda.gov/TSPNTE03Archive/. These archived rates should be used for checking contracts beginning in fiscal year 2003 or earlier.

NRCS Allocates $45 Million for TSPs in Fiscal Year 2005

NRCS has set aside $45 million to fund TSPs in 50 states, the Caribbean Area and Pacific Basin in fiscal year 2005.

The agency budgeted $40 million in fiscal year 2004, but obligated $49.2 million. NRCS obligated 57 percent of that funding last year to private sector TSP such as consultants and firms.

Since TSP is a process, it does not have its own budget. Funds for TSP come from NRCS programs, primarily the Environmental Quality Incentives Program (EQIP). EQIP contributed 58 percent of the total TSP funding in fiscal year 2004. Other programs that contributed toward TSP last fiscal year include Conservation Reserve Program, Wetlands Reserve Program, Conservation Technical Assistance, Grasslands Reserve Program and Wildlife Habitat Incentives Program.

Natural Resources Specialist Joins National TSP Staff

Natural Resources Specialist Renna Young Owens is the newest full-time member of the national TSP Staff. She joins National TSP Coordinator Angel Figueroa and Management Analyst Ivan Graff at NRCS National Headquarters in Washington, D.C.

In her new position, Renna monitors verification and certification of TSPs and develops policy, procedures and guidelines to ensure successful TSP implementation. She also oversees the development of Memoranda of Understanding and related agreements with recommending organizations and helps NRCS offices to implement the TSP process effectively.

Renna has served in various positions throughout NRCS for the past 23 years. She began her career as a soil conservationist trainee in Syracuse, NY. Later, she was promoted to an agricultural economist in the same state and transferred to Florida. Renna also served as a water resources coordinator in Pennsylvania; an assistant state conservationist in Massachusetts; an operations management coordinator in the original East Region, and a management analyst and economist in National Headquarters.

She earned a M.S in Agricultural Economics/Finance from University of Illinois, and a B.S. in Ag Economics from Southern University in Baton Rouge, LA. Also, Renna is a commissioned officer in the Michigan Air National Guard.

Renna can be reached at 202-720-8970 or renna.owens@usda.gov.

Revised Universal Soil Loss Equation, Version 2
Evaluates Farming Systems in Conservation Planning

TSPs use RUSLE2 to plan and apply conservation systems to improve natural resources.

Technical Service Providers can use the Revised Universal Soil Loss Equation, Version 2 (RUSLE2) to evaluate farming systems as part of their conservation planning work with program participants.

This model helps TSPs to develop conservation plans, including nutrient management and Comprehensive Nutrient Management that meet NRCS Field Office Technical Guide quality criteria. RUSLE2 can help TSPs determine whether planned conservation systems meet these quality criteria. RUSLE2 predicts erosion for the selected conservation system.

RUSLE2 computes erosion through the use of factors that represent the effects of climate, soil erodibility, topography, cover management and support practices. It estimates soil loss, sediment yield and sediment characteristics from rill and interrill (sheet and rill) erosion caused by rainfall and its associated overland flow.

NRCS is currently enhancing the extensive climate, soil, vegetation and cropping management databases contained in RUSLE 2. The model has more than 21,000 sample management scenarios. Its "rotation builder" allows TSPs to customize a previous management system to specific farms.

RUSLE2 also contains the Soil Conditioning Index (SCI)—used in conservation planning to track soil organic matter level trends. This index, based on erosion, field operations and organic material produced in the cropping rotation system, is required for some NRCS Conservation Practice Standards. RUSLE2 instructions and training modules, including a user manual, can be found at http://fargo.nserl.purdue.edu/rusle2_dataweb/RUSLE2_Index.htm.

Three Universities Offer TSP Training

Several universities offer training that can benefit TSPs, including Iowa State University, Pennsylvania State University and the University of Idaho.

Iowa State University has a nationally recognized Comprehensive Nutrient Management Planning (CNMP) certification program housed in its Department of Agricultural and Biosystems Engineering. This CNMP Development Course provides links to the required certification course designated by state conservationists. Exams, for each CNMP element associated with the Animal Waste Management Systems course, are given annually along with the course.

The next course is scheduled for Nov. 15-17, 2005 in Portland, Oregon. To receive information about this course, please e-mail lmoody@iastate.edu. You may also view some of the information at http://www.abe.iastate.edu/wastemgmt/cnmpcertification.htm

Pennsylvania State University offers several courses and workshops on nutrient management through its Pennsylvania Nutrient Management Program. They include Nutrient Management Orientation, Managing Manure Nutrients Workshop, Stormwater Management and RUSLE2 Workshop, Phosphorus Index Training, and Plan Writing Workshop.

For more information about these courses and workshops, please visit **http://panutrientmgmt.cas.psu.edu/to_calendar.htm.**

The University of Idaho sponsors workshops on Integrated Soil Nutrient and Pest Management. More information on these workshops can be found at the following web sites: http://cropandsoil.oregonstate.edu/mn/resources.htm.

Numerous workshops, on-line modules and training sessions are available to help TSPs gain certification or knowledge in CNMP categories. These state-specific workshops are generally sponsored by state Extension offices and can be found on their web sites.

FIELD FOCUS – Illinois

State Resource Conservationist Richard Hungerford demonstrates TechReg to potential TSPs.

NRCS and several Resource Conservation and Development Councils held two day-long workshops to help certified and prospective TSPs better understand the process.

The workshops, held in Tuscoloa and Effingham in east-central Illinois in 2004, attracted 70 participants. More than half were certified or prospective TSPs.

NRCS and University of Illinois Extension staffs instructed the participants. NRCS representatives outlined the roles and requirements of landowners, NRCS and TSPs, including how to register and where to find information on http://techreg.gov. TechReg, an online registry, contains a wealth of information about the TSP process.

Richard Hungerford, NRCS State Resource Conservationist, showed participants how to navigate the TechReg site and explained the types of certification, documentation and forms required of TSPs. He also discussed NRCS policies, standards and expectations for TSPs.
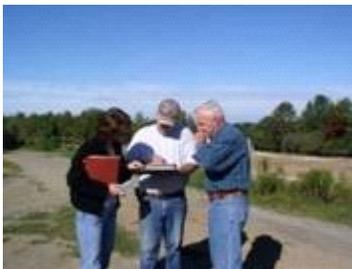
Other NRCS specialists in conservation planning, water quality, agronomy and engineering also presented information about conservation planning requirements and the work elements needed

to develop nutrient management plans and manure storage and handling systems. They also explained the TSP reporting requirements, contract lengths, payment, and programs available to program participants to help pay for TSP services.

University of Illinois Extension specialists developed a workbook and compact disc of forms and other planning materials to help satisfy NRCS, Environmental Protection Agency, and Illinois Department of Agriculture requirements for nutrient management. The workbook was tested on several farms in the fall of 2004. The free workbook and CD can be obtained by calling 1-800-345-6087. However, there is a $7.00 shipping and handling fee.

The workshops were organized and hosted by the following RC&D councils—Lincoln Heritage, Post Oak Flats, Wabash Valley and the Heartland of Illinois, a pending area.

FIELD FOCUS – Maine

EMS staff meets with landowners in Penobscot County, Maine.

Maine landowners have another source to develop Comprehensive Nutrient Management Plans—a technical service provider.

Environmental Management Solutions (EMS), LLC of Iowa will develop CNMPs for 26 livestock farmers as part of its contract with NRCS in Maine. Prior to EMS's initial visit with farmers, NRCS district conservationists inform landowners that they must have current soil and manure tests on fields where manure and residuals will be spread as well as a current soil test for pastures. They also recommend a current soil test for pastures. During the initial visit, the landowner sign a consent form and a biosecurity form before EMS begins its work.

EMS has 10 CNMPs in progress while others are awaiting the results of soil and manure testing.

Maine is using TSPs effectively to provide timely assistance for CNMPs and other conservation practices to landowners.

Connect to TSP Express Online

TSPs can subscribe to TSP Express on the Internet. The electronic subscription service, which NRCS began in 2003, alerts computer users to these information products and includes a link to view and download.

To subscribe to TSP Express, visit http://news-source.nrcs.usda.gov. Enter an e-mail address to receive messages alerting you to these informational products. Select your publications. Click on the "subscribe to selected e-mail lists" bar to submit your selections.

For More Information

For more information on technical service providers, visit the TechReg site at http://techreg.usda.gov; write to Angel Figueroa, National TSP Coordinator, Science and Technology Deputy Area, USDA-NRCS, P.O. Box 2890, Washington, D.C. 20013; or send an e-mail to Angel.Figueroa@usda.gov.

State Technical Service Provider Contacts
http://techreg.usda.gov/RptStateContact4Admin.aspx

Your Feedback is Needed

This is the sixth issue of TSP Express, a report for TSPs. We are seeking topics for future issues. Please send comments to tspg@nrcs.usda.gov.