United States Department of Agriculture

NRCS

Natural Resources Conservation Service
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SUBJECT: ECS – Guidance on the Implementation of the Lesser Prairie-Chicken Conference Report

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A Lesser Prairie-Chicken Conference Report (Conference Report) was developed with the U.S. Fish and Wildlife Service to support the Lesser Prairie-Chicken Initiative (LPCI). The purpose of the conference was to enable the Natural Resources Conservation Service (NRCS) to provide recommendations to its clients that would increase the abundance and distribution of the lesser prairie-chicken and its habitat while promoting the overall health of grazing lands and the long-term sustainability of ranching operations. The Conference Report also provides certainty to landowners that their implementation of conservation practices and measures as described in the Conference Report will be in compliance with the Endangered Species Act while the lesser prairie-chicken is a candidate species.

Since it was issued, questions have arisen about how the Conference Report applies to NRCS clients in the initiative action area who are not participating in the LPCI. This memo provides clarification on how to carry out NRCS program activities.

Core Practices. The report identifies two core conservation practice standards (CPS) to be implemented under the LPCI: Upland Wildlife Habitat Management (CPS Code 645), which is the primary core management practice required for all clients participating in the LPCI, and Prescribed Grazing (CPS Code 528), which is a secondary core management practice required for LPCI participants only when livestock are present. These practices have been modified from the national NRCS practice standards to avoid potential adverse effects or to create additional benefits for the lesser prairie-chicken. ***Only NRCS clients participating in the LPCI are required to have the primary core CPS Code 645 and the secondary core CPS Code 528 when livestock are present.*** Clients who are located within the LPCI action area but who are NOT participating in the LPCI are not required to have these core practices.

Facilitating Practices and Special Rules for CPS Code 528. In addition to core practices, the Conference Report includes a number of facilitating conservation practices. These are practices needed to make core practices function properly or to address other threats to the lesser prairie-chicken. They, too, have been modified from national NRCS practice standards to avoid potential adverse effects or to create additional benefits for the lesser prairie-chicken.

Though core practices are ***required*** ONLY for clients who are participating in the LPCI, ***all clients in the LPCI action area who implement a practice addressed in the Conference Report must follow the modified CPS described in the report, regardless of whether the client is participating in the LPCI.*** The only exception to this is for clients who want to implement CPS Code 528, Prescribed Grazing, and do not wish to be covered by the certainty provided by the Conference Report. In that case only, NRCS may implement CPS Code 528 according to the practice standards and specifications in the State's Electronic Field Office Technical Guide (eFOTG) and *without* the modifications included in the Report. However, ***when ranking applications for regular Environmental Quality Incentives Program (EQIP) within the LPCI action area, States must ensure the ranking criteria award significant positive points to eligible applications that include the Conference Report modifications for CPS Code 528.*** Eligible applications for regular EQIP within the LPCI action area that do not include the Report modifications will receive a "zero" ranking score. If a screening tool is used, applications that include the Report modifications will receive a "high priority" for funding and those that do not will receive a "low priority" for funding.

Actions Outside LPCI Action Area. Clients outside the LPCI action area need not follow the additional conservation measures in the Conference Report; instead, NRCS practice standards and specifications as described in State's eFOTG should be followed.

Summary. If an NRCS client is located within the LPCI action area and does not want to do a core LPCI practice (upland wildlife habitat and, if livestock are present, prescribed grazing), the landowner may still participate in NRCS programs, including the regular Environmental Quality Incentives Program. However, should that landowner want to implement a conservation practice addressed in the Conference Report, they would have to follow the conservation measures for that practice as described in the Report unless they are implementing CPS Code 528 and do not want to be covered by the certainty provided by the Report. For example, if a client receives regular EQIP funding to install a fence within the LPCI action area, in addition to the requirements of the normal fence standard, they would also have to mark fences and use other modifications as described in the Conference Report.

Conservation practices not covered in the Conference Report would be implemented using the existing State NRCS practice standards and specifications.

The following table summarizes the applicability of the Lesser Prairie-Chicken Conference Report to NRCS activities.

LPCI Participation		Are Core Practices Required?	Conservation Practices Covered in the Conference Report	Conservation Practices NOT Covered in the Conference Report
Participating in LPCI		YES	Practice must be implemented in accordance with the conservation measures outlined in the report.	NRCS State practice standards must be followed.
NOT Participating in LPCI	**In LPCI Action Area**	NO	Practices other than CPS Code 528, Prescribed Grazing, must be implemented in accordance with the conservation measures outlined in the report. CPS Code 528 may be implemented without additional conservation measures, however, the client must be informed that the application will be ranked lower and they will not be covered by the certainty provided by the report. This shall be documented in the case file.	NRCS State practice standards must be followed.
	Outside LPCI Action Area	NO	NRCS State practice standards must be followed.	NRCS State practice standards must be followed.

If you have questions, please contact Andrée DuVarney, National Environmental Coordinator, at (703) 235-8091, or andree.duvarney@wdc.usda.gov, or Jon Ungerer, LPCI Coordinator, at jon.ungerer@ks.usda.gov.

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