

term and short-term adverse effects associated with the occupancy and modification of base flood plains. In addition, NRCS will also avoid direct or indirect support of development in the base flood plain wherever there is a practicable alternative. Where appropriate, NRCS will require design modifications to minimize harm to or within the base flood plain. NRCS will provide appropriate public notice and public participation in the continuing planning process in accordance with NRCS NEPA process.

(vi) NRCS may require the local government to adopt and enforce appropriate flood plain regulations as a condition to receiving project financial assistance.

(3) *Actions on property and facilities under NRCS ownership or control.* For real property and facilities owned by or under the control of NRCS, the following actions will be taken:

(i) Locate new structures, facilities, etc., outside the base flood plain if there is a practicable alternate site.

(ii) Require public participation in decisions to construct structures, facilities, etc., in flood plains that might result in adverse effects and incompatible development in such areas if no practicable alternatives exist.

(iii) New construction or rehabilitation will be in accordance with the standards and criteria of the National Flood Insurance Program and will include floodproofing and other flood protection measures as appropriate.

[44 FR 44462, July 30, 1979]

PART 651 [RESERVED]

PART 652—TECHNICAL SERVICE PROVIDER ASSISTANCE

Subpart A—General Provisions

- Sec.
- 652.1 Definitions.
- 652.2 Applicability.
- 652.3 Administration.
- 652.4 Technical service standards.
- 652.5 Program participant acquisition of technical services.
- 652.6 Department delivery of technical services.
- 652.7 Quality assurance

Subpart B—Certification

- 652.21 Certification criteria and requirements.
- 652.22 Certification process for individuals.
- 652.23 Certification process for private-sector entities.
- 652.24 Certification process for public agencies.
- 652.25 Alternative application process for individual certification.
- 652.26 Certification renewal.

Subpart C—Decertification

- 652.31 Policy.
- 652.32 Causes of decertification.
- 652.33 Notice of proposed decertification.
- 652.34 Opportunity to contest decertification.
- 652.35 State Conservationist decision.
- 652.36 Appeals of decertification decisions.
- 652.37 Period of decertification.
- 652.38 Scope of decertification.
- 652.39 Mitigating factors.
- 652.40 Effect of decertification.
- 652.41 Effect of filing deadlines.
- 652.42 Recertification.

AUTHORITY: 16 U.S.C. 3842.

EFFECTIVE DATE NOTE: At 67 FR 70128, Nov. 21, 2002, part 652 was added effective Mar. 1, 2003.

Subpart A—General Provisions

§ 652.1 Definitions.

The following definitions apply to this part and all documents issued in accordance with this part, unless specified otherwise:

Approved list means the list of individuals, private sector entities, or public agencies certified by the State Conservationist in each State to provide technical services to a program participant or to the Department.

Chief means the Chief of NRCS or designee.

Certification means the action taken by NRCS to approve:

(1) An individual as meeting the minimum NRCS criteria for providing technical service for conservation planning or a specific conservation practice or system; or

(2) An entity or public agency as having an employee or employees that meet the minimum NRCS criteria for providing technical service for conservation planning or a specific conservation practice or system.