

**For:** State Offices

**State Environmental Coordinator (SEC) Duties**

**Approved by:** Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

All Federal agencies are required to ensure that Federal actions and programs comply with the requirements of the National Environmental Policy Act (NEPA). Recent actions impacting FSA program delivery, including litigation alleging a violation of NEPA, demonstrate the need for diligence in carrying out all NEPA compliance requirements.

SED's serve as the responsible approving official to ensure NEPA compliance for all FSA and CCC actions in their State. SEC's act as program coordinators to facilitate completing NEPA compliance requirements.

**Note:** SEC duties are collateral.

**B Purpose**

This notice provides the following about SEC's:

- revised roles and responsibilities
- guidance for SED's to ensure that adequate NEPA compliance coverage in each State
- authority to establish multiple collateral duty SEC's.

**Note:** 1-EQ will be amended to include these changes.

**C Concurrence**

DAFLP concurs with this notice.

<b>Disposal Date</b>	<b>Distribution</b>
January 1, 2008	State Offices

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### 2 SEC Roles and Responsibilities

#### A SEC Responsibilities for NEPA Compliance

This notice reinforces and revises SEC responsibilities for carrying out NEPA compliance according to 1-EQ, subparagraph 4 C. SEC's are responsible to:

- advise SED's on environmental matters and coordinate the appropriate 1-EQ requirements
- provide guidance to State Office, District, and County Office staff about environmental issues, requirements, and procedures
- represent SED's at conferences and meetings dealing with environmental matters of a State Office nature
- act as liaison on State Office environmental and historic preservation matters with interested public groups and local, State, and other Federal agencies
- serve as SED's alternate on State-level USDA committees dealing with environmental and historic preservation matters
- solicit the expert advice and assistance of other professional staff members within the State Office to adequately implement 1-EQ requirements
- provide technical assistance on a project-by-project basis to State Office, District, and County Offices staffs
- develop controls for avoiding or mitigating adverse environmental impacts and monitor their implementation, as needed
- review FSA actions that are **not** categorically excluded from further environmental review according to 1-EQ and recommend to responsible approving official either approval, disapproval, or modification after analyzing and considering:
  - anticipated adverse environmental impacts
  - anticipated benefits
  - consistency with environmental requirements defined in 1-EQ
- as needed, conduct environmental assessments for FSA action in the State
- provide assistance in resolving post-approval environmental matters at the State Office level
- maintain records of actions as required by 1-EQ
- coordinate development of the State Natural Resources Management Guide (State Environmental Guide (SEG))

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### 2 SEC Roles and Responsibilities (Continued)

- provide direction and training to State Office, District, and County Office staffs on 1-EQ requirements and, as necessary, draft and issue State amendments
- coordinate, for SED, monitoring of the State Office's compliance with 1-EQ and keep SED advised of the results of the monitoring process.

### 3 Ensuring Adequate NEPA Coverage

#### A Collateral Duties

SEC assignment is a collateral duty. Responsibilities are:

- assigned in addition to the primary responsibilities
- not grade-determining.

#### B Survey Results

SEC's were asked to complete a survey in summer 2006, and 29 SEC's responded. More than 55 percent of SEC's responding indicated that adequately carrying out NEPA duties in their State would require more than 25 percent of their time.

#### C Multiple SEC Positions Authorized

To ensure that requirements for NEPA compliance are met, SED's are authorized to assign collateral SEC duties to more than 1 employee. However, as provided in 7 CFR §1940.307, no more than 1 FLP employee may be assigned SEC duties.

Therefore, if collateral SEC duties are assigned to 2 or more employees in a State, only 1 may be an FLP employee. Any additional collateral SEC duty assignments must be FP employees.

#### D Coordination Among Multiple SEC's in a State

To ensure consistency in 1-EQ interpretation and application, multiple SEC's in a State will coordinate efforts including, but not limited to:

- consultation with regulatory agencies
- SEG preparation and updating
- review and approval of environmental evaluations and assessments on FSA's behalf
- conducting appropriate environmental training for program staff and field employees
- monitoring State Office compliance with 1-EQ.

#### E Cross-Training with Rural Development SEC's

All FSA SEC's must be cross-trained with RD SEC's.

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### **4 Administrative Requirements of SEC Appointments**

#### **A Position Description and Performance Standards**

Revised position description language and performance standards will be issued in a future PM notice.

#### **B Notifying National Environmental Compliance Manager**

SED's shall notify CEPD, Attention: Matthew Ponish, Environmental Compliance Manager, by FAX at 202-720-4619, within 30 calendar days of appointment, any new collateral duty SEC's. Notification should include:

- employee's name
- employee's telephone number
- employee's position, series, and grade.