

PART IN-502 RESPONSIBILITIES
SUBPART A – ENGINEERING ASSISTANCE

IN-502.00 General

- (a) The NRCS will provide available engineering assistance through soil and water conservation districts (SWCD's), sponsoring local organizations (SLO's) for project activities, and other state and federal agency programs.
- (b) The NRCS provides information and general technical assistance to individuals, groups, and units of government concerned with natural resources in urban areas but normally does not perform detailed surveys, planning, design, or supervision of installation of work in urban areas. Details of planning and implementation are completed by private engineers or consultants employed by those receiving the assistance. NRCS policy for assisting in urban areas is stated in General Manual, TECHNOLOGY, Title 450, Part 408-Technical Assistance In Urban Areas.
- (c) The NRCS encourages the use of qualified private engineers and contractors for surveys, designs, specification writing, construction of soil and water management installations and construction check documentation. Private engineers may be used where feasible (see NEM 505, Subpart B). The SWCD's should be encouraged to compile a list of qualified private engineers and contractors who are able to perform types of work common in the district. This list should be provided to landowners upon request. NRCS personnel shall not recommend any one engineer or contractor over another.
- (d) The NRCS encourages conservation district clients and others whom it assists to follow applicable NRCS standards when conservation work is done for them by private engineers. If federal or state cost share is involved and technical responsibility for the work is assigned to NRCS, the work performed by the private engineer shall comply with NRCS standards. A professional engineer shall certify the plans as meeting all applicable NRCS standards. The NRCS will review plans, construction, and finished work as needed to insure compliance. The original copy of the plans will be maintained in the land user's case file in the field office.
- (e) Considering the amount of engineering assistance available and the over-all program, it will sometimes be necessary to limit NRCS assistance on conservation practices that require considerable input of engineering time. Priority ranking should be given to providing engineering assistance on practices that are (1) congressional earmarks, (2) USDA cost share programs, (3) special initiatives, (4) non-USDA cost share programs, and (5) other resource concerns. The procedure in IN-502.06 shall be used in providing assistance.

IN-502.01 Assistance to sponsoring local organizations

- (a) Engineering services will be provided on watershed structural measures as outlined in a watershed work plan. Technical assistance to RC&D areas will be based on the current fiscal year short-term plan for each RC&D area. Services to other special projects will be handled similar to RC&D areas or as outlined in work plans, cooperative agreements, or memorandums of understanding. The procedure established in IN-502.06 will be followed in providing assistance.

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- (b) Assistance to not-for-profit organizations will generally be provided when the conservation measure created will be used exclusively by not-for-profit organizations such as Boy Scouts, Girl Scouts, welfare camps, etc., through the concerned SWCD. The amount of assistance will be dependent on available workforce and workload.

IN-502.02 Assistance to participants in other federal agencies programs

- (a) Technical assistance will be provided to participants in federal cost share programs as required by program rules, regulations and other congressional legislation.

IN-502.03 Assistance to units of governments

- (a) Engineering assistance provided to units of government will be coordinated with the SWCD. All assistance will contribute to and become a part of a sound coordinated program of natural resource conservation.
- (b) For jobs that require a considerable amount of engineering, Memorandums of Understanding (MOU), cooperative agreements or other similar instruments shall be used to specify extent of work and responsibilities of all involved.

IN-502.04 Assistance to private engineers

- (a) When NRCS assistance is requested by private engineers, they will be advised of NRCS responsibilities, standards and criteria. Sources of NRCS handbooks and technical materials will be made available to them according to IN-506.06. Formal training and consultative services in regard to natural resources conservation measures shall be requested in writing to the State Conservation Engineer.
- (b) Copies of available NRCS information, such as preliminary investigation reports and surveys, shall be made available to private engineers upon request to the State Conservationist in accordance with the Freedom of Information Act.

IN-502.05 Responsibilities

- (a) NRCS personnel will not act as agents for a Sponsoring Local Organization (SLO) or SWCD or its cooperators in collecting, holding or disbursing any funds. NRCS personnel will not give legal advice on matters of water management or control. NRCS personnel will not recommend or act in any way to influence the purchase of any particular brand of material or equipment or hiring of any one particular contractor or engineer, nor act as an agent for the landowner/user in contracting for any material or service.

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- (b) There are cases where contemplated work (1) involves land or rights-of-way owned by or under the jurisdiction of a separate entity other than the one receiving assistance, or (2) requires approval or permits of a state or other federal agency. NRCS personnel will not act as agents of a landowner/user to secure permits, easements or rights-of way for proposed improvements, but will inform the landowner/user when permits, easements, etc. may be required. The NRCS may be listed as engineer on permit applications for plans that are developed by the Conservation Partnership under the job authority of the State Conservation Engineer. Where public or private utilities are involved, NRCS responsibilities will be carried out in accordance with NEM Part 503, Subpart A. NRCS personnel will obtain and file with the field office copy of the plans a copy of required approvals or permits from the landowner/user before providing construction assistance when permits or approvals are required by local, state or federal agencies.
- (c) A copy of the drawings and specifications for an engineering practice will be provided to the landowner/user or representative with the IN-ENG-49 transmittal letter. All drawings and specifications will be sufficiently explained to the landowner/user or representative to insure they are understood and are acceptable, including operation and maintenance responsibilities (see the National Operations and Maintenance Manual). The landowner/user or representative will indicate receipt of the drawings and specifications on a copy of the letter, which will be filed with the field office copy of the plans.

N502.06 Procedure for providing engineering assistance

(a) Assistance to SWCD'S

(1) The following procedure shall be used:

- i. Assistance on practices, within the job approval authority of field office personnel, can be provided upon approval by the district conservationist or his/her representative.
- ii. The district conservationists of the work teams that are served by the field engineer shall coordinate assistance on practices larger than the job approval authority of the field office personnel. Conflicting priorities shall be resolved by the applicable assistant state conservationist for field operations.

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iii. For jobs that (1) may have a high hazard potential, (2) are estimated to exceed \$ 50,000 in construction costs, and (3) with the concurrence of the assistant state conservationist for field operations; the field engineer shall prepare an Inventory and Evaluation (I&E) report. If the job exceeds his/her I&E approval authority, the report shall be forwarded to the state conservation engineer for approval. Upon approval of the I&E Report, the SWCD shall make a written request to the state conservationist for design and construction assistance. The request should include the overall impacts to the SWCD program, the likelihood of the landowner/producer to follow through with the project, and the availability of private engineers to do the design and construction. The report shall be forwarded to the assistant state conservationist for field operations for consideration and recommendation to the state conservationist. If approved by the state conservationist, the leadership team and the engineering staff will develop final scheduling.

b. Assistance to RC&D Areas

(1) The following procedure will be followed:

i. Preliminary Report - NRCS will usually prepare a preliminary report to assist the sponsors in their development of planned projects. Preliminary reports for projects, which include practices involving engineering design and construction layout, shall be approved by the individual with engineering approval authority for the highest level of engineering work included in the report. For engineering work above the approval authority of the field engineer, the report with supporting engineering data, computations, and an environmental evaluation shall be submitted to the state conservation engineer for approval before submitting it to the project sponsors.

ii. Drawings and Specifications.- Projects that involve engineering design and construction layout will be reviewed and approved in accordance with Part 501, Subpart A. The leadership team and the engineering staff will then develop final scheduling. The engineering staff will coordinate with the administrative staff the preparation of plans for inclusion into contract documents that may be required for formal contracts. Under no circumstances shall any cost-shared construction work start prior to administrative approval.

(2) Applications for technical assistance for projects not in the current plan of work shall be forwarded to the assistant state conservationist for field operations for consideration and recommendation to the state conservationist. Technical assistance for these projects will not be given prior to approval by the state conservationist.

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IN502-07 Geological assistance

- (a) The assistant state conservationist for field operations is administratively responsible and the state conservation engineer has technical responsibility for ensuring that the geologic explorations are adequate for the planning and design of all systems or structures. The engineer, soil conservationist, or technician responsible for the development of detail plans is directly responsible for obtaining adequate geological information. The staff geologist provides guidance to the state conservation engineer in geological matters and provides technical guidance to field personnel and others assigned responsibility for providing the necessary geologic information requested by the person responsible for the engineering plan.
- (b) Where the services of a geologist are required, the request for services must be made sufficiently in advance be properly scheduled. The engineer responsible for the design shall request a geologist's services from the state conservation engineer.

IN-502.08 Request for State Conservation Engineer Approval

- (a) IN-ENG-35 may be used to request the State Conservation Engineer approval. Other methods are permitted as long as all the necessary information is submitted with the request.
- (b) Construction drawings, specifications and supporting documentation shall be submitted with the request. An environment evaluation (page 2 of IN-ENG-1) shall be included with the request. All computations are to be checked by a competent person with the appropriate technical expertise. Drawings shall show the designer and checker's name on all sheets.
- (c) The state conservation engineer will make the needed assignments for reviews, comments, and recommendations.
- (d) Upon approval of the design, all materials submitted will be returned to the field office for filing with the landowner/user case file.