

Responsibilities

The purpose of this guide is to help all parties understand their responsibility in all phases of conservation system construction from, planning and design, through construction and maintenance.

By understanding roles in the project and providing adequate time for each phase of the job, inconvenient and costly delays may be avoided.

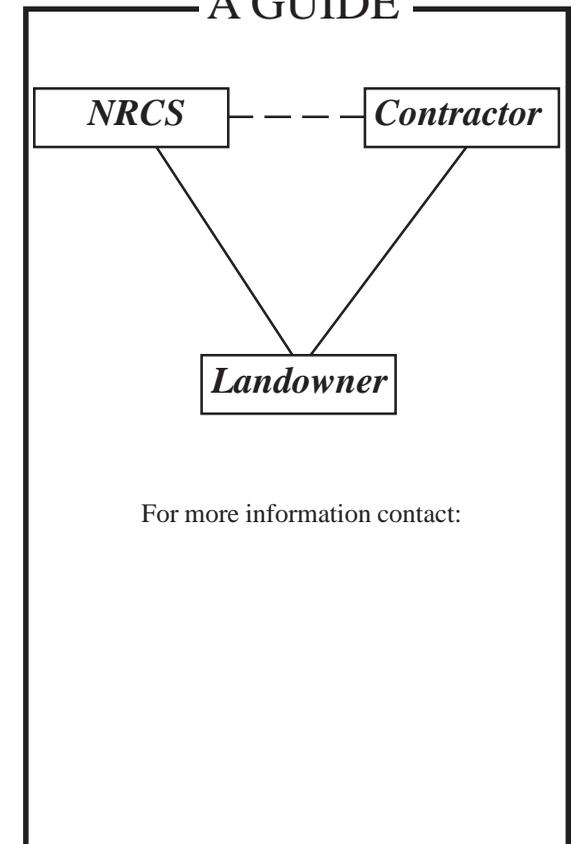
The “Landowner” as used here is the person responsible for making decisions for the property. In most cases, that is the owner, but it may also be an operator or farm manager.

	Landowner	Contractor	NRCS
During Planning	<ul style="list-style-type: none"> Identifies problems and objectives Checks utility location Assists with survey and site investigation as needed Identifies needed permits Notifies state historical society, if needed Selects from conservation system alternatives Reviews requirements of U.S. Environment Protection Agency (EPA) and National Pollution Discharge Elimination System (NPDES) Applies for cost-share, if desired Make arrangements for preliminary site investigation and evaluations, if needed 		<ul style="list-style-type: none"> Provides resource information and technical requirements Develops alternatives to protect resources and meet other objectives of landowner Informs landowner of potential operation and maintenance requirements Conducts site investigation and surveys as needed Informs landowner of apparent wetlands, utilities, and archeological sites Informs landowner of potential EPA and NPDES construction requirements Informs landowner of known needed permits and cost-share assistance Develops plan for landowner’s selected alternative
During Design	<ul style="list-style-type: none"> Is available for consultation Follows up with historical society, if required Obtains needed permits and easements and provide copies to NRCS prior to construction Obtains EPA, NPDES, and Storm Water Pollution Prevention Plan (SWPPP), if required Identifies utilities and contacts utility companies to locate buried utilities; Universal Notification Number 800-545-6005 to be directed to an agency to advise of utility locations Reviews design for agreement and signs construction specifications Concurs in Operation and Maintenance Plan Ensures utilities are located prior to design survey Maintains survey stakes until construction 	<ul style="list-style-type: none"> May provide assistance for survey and site investigation 	<ul style="list-style-type: none"> Surveys site, if needed Designs system planned to meet NRCS Field Office Technical Guides (FOTG) Prepares cost estimates for construction Provides review and approval by qualified personnel Develop and review construction drawings and specifications with landowner Develop Operation and Maintenance Plan Informs landowner of safety responsibility Provides information to landowner for complying with EPA and NPDES As requested, assists landowner with development of SWPPP
During Construction	<ul style="list-style-type: none"> Files Notice of Intent (NOI), 2 days prior to beginning construction, if required. Is available for consultation if construction changes needed Follows all Federal/State/local laws, zoning regulations Host pre-construction conference and provides plans to contractor Hires qualified contractors Obtains specified construction materials Notifies contractor of utility location(s) Notifies NRCS before construction start (if NRCS does not approve construction start, cost-share could be withdrawn) Notifies utilities about construction Authorizes contractor to begin work Directs all work of the contractor Protects cultural and historical resources, as required Assures compliance with design Informs NRCS of unexpected site conditions Certifies Project Complete 	<ul style="list-style-type: none"> Participates in pre-construction conference Observes and verifies located utilities prior to construction Works safely in accordance with Occupational Safety and Health Administration (OSHA) requirements Informs landowners of planned construction schedule Assists landowner in securing specified construction materials, equipment, and appropriately skilled people to complete construction Complies with SWPPP Implements Quality Control and Safety May provide layout and construction check surveys Builds to meet drawing and construction specifications Provides required material certifications Furnishes measurements and other needed information for certification of completion Informs landowner and NRCS of unexpected site conditions 	<ul style="list-style-type: none"> Assists landowner with pre-construction conference Provide practice layout (as requested) Implements Quality Assurance Informs landowner and contractor of inspection results Informs landowner of presence of unexpected conditions or unexpected cultural and historic resources Assesses need for construction changes and provides alternatives as appropriate Certifies proper completion of construction Reviews SWPPP for compliance, withdraws assistance if SWPPP is not being followed.
Maintenance	<ul style="list-style-type: none"> Follows Operation and Maintenance Plan and updates it as needed Contacts NRCS for additional assistance, if needed Files Notice of Termination (NOT), if needed 	<ul style="list-style-type: none"> Provides warranties to landowner as agreed 	<ul style="list-style-type: none"> Follows up with Operation and Maintenance Plan periodically and assists landowner update plan as requested
	The landowner is ultimately responsible for the proper construction and maintenance of a conservation system.	The contractor is responsible for constructing the system according to construction drawings and specifications.	The NRCS is responsible for inspecting and certifying that project plans and specifications are met.



Responsibilities For Conservation Systems Constructed with NRCS Technical Assistance

A GUIDE



For more information contact:

Checklist for Owner Before Construction

Have you:

- Hired a backhoe to do soil investigation, if needed?
- Contacted utilities?
- Filed NPDES NOI, if required?
- Contacted One Call Board of Texas?
- Obtained all necessary zoning permits?
- Obtained federal permits (404)?
- Checked with historical society?
- Considered impact on wetlands and drainage restrictions?
- Found a qualified quality control inspector?
- Found a qualified contractor?
- Hosted a pre-construction conference?
- Ordered materials?

During Construction

Have you:

- Followed all plans and specifications?
- Followed SWPPP, if required?
- Started/stopped work as needed?
- Provided safe (OSHA) environment?
- Used only specified materials?

After Construction

Have you:

- Followed Operation and Maintenance Plan?
- Contacted contractor for rework of components that do not meet requirements?
- Filed NPDES NOT, if required?

In Summary

The Landowner:

Makes planning decisions
 Decides among design choices
 Hires qualified contractor
 Ensures plans and specifications are followed
 Provides adequate quality control
 Makes payments
 Acquires permits and easements
 Follows Federal, State, and local laws
 Satisfies archeological and wetland requirements
 Contacts utilities
 Obtains materials, if required
 Inspects work of contractor
 Complies with EPA and NPDES

The Contractor:

Is hired by the landowner
 Conducts and supervises construction
 Purchases and/or processes specified materials
 Follows plans, drawings, and specifications
 Is responsible for quality control and safety
 Verifies compliance with construction requirements
 Trains employees on job safety and health
 Ensures safe, healthy conditions prevail at the construction site
 Follows SWPPP

NRCS:

Explains conservation practices and options
 Provides design assistance
 Provides construction drawings and specifications
 Provides Quality Assurance

The Conservation System:

Is based on your conservation plan
 May be needed for Federal and State program requirements
 Is based on resource needs and your objectives

Construction Quality Assurance

Landowners will be responsible for providing their own quality control to ensure all construction specifications have been met. Landowners can do their own quality control, hire an independent quality control inspector, or work with their contractor. When construction specifications require NRCS personnel to be on site during certain phases of construction for quality assurance, it will be the responsibility of the landowner to make sure the NRCS representative is contacted and available. If the contractor performs items of work during these required phases of construction without NRCS making the quality assurance inspections, NRCS will not certify that the practice meets specifications.

NRCS is responsible for providing quality assurance inspections during key phases of construction. NRCS is responsible for ensuring quantities and dimensions of the project have been met.

Cost-Share Assistance

Cost-Share assistance may be available from several different sources. If requested, NRCS personnel will review with the landowner known sources of cost-share assistance. If the landowner applies for cost-share, it is the responsibility of the landowner to meet all steps and requirements of the source to receive the cost-share assistance.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.