



Participating in AEM Tier 4

This document outlines the criteria for completion of *AEM Tier 4 Conservation Plan Implementation*. Meeting or exceeding these minimum requirements will be the basis for acceptable utilization of state and federal AEM funding.

Funding for assistance to design, install, and check out Best Management Practice (BMPs) systems from the *Agricultural Management Practices Catalogue* on farms participating in AEM is provided according to the hours spent providing technical assistance related to design, installation, and check out. **Funding is available for BMPs that address water quality only.**

To be eligible for funding the farm you are working with must have a completed conservation plan (Tier 3A, B, or C) for a priority concern identified by Natural Resource Issues and Opportunities section, or an NRCS approved conservation plan appropriate for the Farm Bill funded program (i.e. EQIP) addressing the BMP for which you will be providing technical assistance.

The District cannot receive any other payment from any source for the same hours spent on technical assistance related to the BMP to be implemented. This includes the NYS Agricultural NPS Grants Program, NRCS Contribution Agreements, and other sources such as FL-LOWPA.

BMPs to be installed must meet NRCS Standards and Specifications. The BMPs must be approved by an individual with the appropriate NRCS Job Approval Authority, or be designed and approved by a Professional Engineer licensed in New York State.

Payment is for District technical assistance related to design, installation, and check out of BMPs. It does not provide cost share payments to the farmer, nor does it pay for any equipment or materials.

The following NRCS conservation practices will not be eligible for Tier 4 technical assistance payments as stand alone practices.

- 606: Subsurface Drainage
- 326: Clearing and Snagging
- 460: Land Clearing
- 382: Fencing

Objectives

- Install conservation practices identified through the conservation planning process.
- Initiate changes in farm management consistent with NRCS Standards and Cornell Guidelines.
- Secure cost-share funding when needed.
- Document implemented conservation practices.

Procedure – Farmer

- Understand the need for and the purpose of the practices being installed. Be fully committed to success.
- Be involved in the design of their conservation practices.
- Know the estimated cost of the practice and fully understand the responsibilities if accepting cost-share funding.
- Fully understand and agree to the operation and maintenance (O&M) requirements of the practice before installation, and carry out the specific O&M requirements after the practice is completed.
- Work with the SWCD, consultants, and contractors to keep on schedule and keep costs within budget while meeting the goals of the project.
- Maintain the BMPs for their identified lifespan.
- Keep appropriate records.

Procedure – Resource Professional

Design

1. Verify that the BMP to be designed has been planned, is needed and appropriate for the situation, and is consistent with your AEM Strategic Plan as to priority watershed and addressing priority issues.
2. Verify the farmer's commitment to construct or implement the BMP, and then properly operate and maintain the practice. Make sure the farmer understands the purpose of the practice. Review O&M requirements for the BMP from the conservation plan with the farmer.
3. Design the appropriate BMPs to NRCS Standards. The design must be approved by an individual with NRCS Job Approval Authority or a Professional Engineer (PE approval accepted for engineering practices only).
 - a. Written plans and specifications, including sketches and drawings, shall be provided to the farmer that adequately describes the requirements to install the practice.
 - b. Provide a list of required permits to be obtained by the farmer.
 - c. Obtain cultural resources determination on potential ground disturbing activities if required.
 - d. The design must comply with NRCS National and State Utility Safety Policy (NEM Part 503-Safety, Subpart A-Engineering Activities Affecting Utilities 503.00–503.06) if applicable.
 - e. Develop an updated O&M Plan for the designed BMPs specific to the site and the design.
 - f. Update or verify the emergency action plan in the conservation plan based on the design if appropriate.
4. Develop a cost estimate to install the designed BMPs and have the estimate reviewed by an individual with Job Approval Authority.
5. Provide and review the design and cost estimate with the farmer. Review the updated O&M Plan. Make sure the farmer is aware of all policies related to any cost-share funding they may be receiving. Make sure that the farmer is still committed to the project and will properly operate and maintain the practice.
6. In cases where the practice location has changed from the original plan, inform the planner of the change.
7. If a contractor is needed, encourage the farmer to engage in a competitive process for selecting one with the proper experience, equipment, and insurance to do the required work. Make copies of the design available to contractors.
8. Make design modifications, if needed, during installation.

Installation

1. Layout and stake the conservation practices, or provide other application guidance as needed, according to plans and specifications.
2. Hold a pre-installation conference with the farmer and contractor to review appropriate design, permit, and cost-share requirements.
3. Verify that all necessary permits have been obtained and notifications made.
4. Develop an inspection plan for the project identifying critical inspection items. Perform required construction checks to help keep the project on time, within budget, and in line with the design. Note actual materials used and develop inspection records.
5. Facilitate and implement required design modifications with farmer and original designer.
6. When installation of the practice is substantially complete, develop a “punch list” of remaining tasks to be completed and adjustments that need to be made before the project can be checked out. Review the list with the contractor (if applicable) and farmer.
7. Keep the farmer informed and involved.

Check Out

1. Provide as-built documentation or record of application indicating the practice meets the design and the standard.
 - a. Extent of practice units applied
 - b. Surveys and drawings (if applicable)
 - c. Actual materials used (if applicable)
 - d. Final quantities
2. The close out must be reviewed and approved by an individual with appropriate NRCS Job Approval Authority or a Professional Engineer (PE approval accepted for engineering practices only) certifying that the practice(s) complies with practice standard criteria and applicable laws and regulations.
3. Update the farmer’s case file to indicate the application of the appropriate practices.

Deliverables – Tier 4

1. Submit a *Tier 4 BMP System Implementation Documentation Form* (with continuation pages if needed) **for each farm** you have completed BMP(s) on reporting all BMP Systems and component NRCS Conservation Practices you are seeking payment for. You must indicate on the form who provided the appropriate Job Approval Authority for each conservation practice.
2. Document each farm that completes a Tier 4 activity on the Final Report Form, and record the time spent on BMP design, construction inspection, and/or check-out in the Time Log. These forms will be reviewed and approved by your AEA at program close out, and the Final Report will be submitted with all the *Tier 4 BMP System Implementation Documentation Forms* to the SWCC.