

ECP POND RESTORATION FREQUENTLY ASKED QUESTIONS

1. Will FSA cost-share on the design prepared by a non-NRCS professional engineer on NRCS Class B or C dams?

NO

2. How does NRCS handle work already accomplished by the landowner prior to the site visit?

Any work completed by the landowner prior to an NRCS site visit will not be eligible for cost share without a waiver from FSA. Therefore, no estimate should be made on already completed work. Estimates will be made on any additional required work to rebuild the structure to predisaster conditions.

3. How much checkout is needed on those structures that are not a safety hazard and are only built back to pre-storm conditions (with the possible addition or improvement of some components for safety purposes)?

Elevations should be taken along centerline of top of dam to ensure that 5% has been added to the breached area for settlement. Good compaction is required on any fill put back in disturbed areas. Rubber-tired pans, farm pans, or sheepsfoot rollers are to be used. Compaction from track-mounted equipment is not suitable.

4. What notification is needed if a dam is not a safety hazard and is not rebuilt to meet NRCS specifications?

If the pond is not a safety hazard and is built back to pre-storm conditions (with the possible addition or improvement of some components for safety purposes), the landowner is to be sent a letter stating that the pond does not meet NRCS specs. A copy of the letter should be sent to FSA and the Area Conservationist. In addition, a statement should be included on the AD-862 stating that "POND DAM DOES NOT MEET NRCS SPECS".

5. What do we do about vegetation and mulching on ponds build back only to pre-storm conditions?

All disturbed areas should be vegetated and mulched to NRCS specifications.

6. Does a landowner have to take trees off of dams being built back to pre-storm conditions?

No, unless it is hindering compaction efforts in the disturbed area.

7. If the dam is being built back to pre-storm conditions and the pipe was damaged, what pipe is used to replace it?

Use a pipe system of equal capacity. The pipe material used should meet NRCS specifications according to depth of fill over pipe, pipe gage, etc. When replacing damaged asphalt-coated corrugated steel with less than 25 feet of cover recommend corrugated aluminum pipe. Do not mix steel and aluminum. Section IV of the NRCS Technical Guide should be consulted for pond criteria.

8. What should be done with ponds that are not a safety hazard and did not have a pipe at all?

Contact the NRCS engineer on these cases.

9. What should be done with ponds that are not a safety hazard and the existing pipe was not damaged, but is also not functioning?

It should be cleaned out if possible, or replaced.

10. Can a siphon pipe be used as a replacement pipe?

Yes. However, the pipe will be installed according to NRCS specifications and no larger than a 12 inch pipe will be used.

11. Will concrete be needed to counteract the effects of buoyancy on the riser and portions of the drain pipe?

Yes. Concrete will be needed on all dams in which the conduit pipe is 12 inches or larger.

12. Is any extra documentation required?

Keep a list of all dams rebuilt to pre-storm conditions not meeting NRCS specs to be sent to the Area Office.

13. What other documentation is needed?

Take pictures (slides, photos, digital) of all breached and damaged dams where any assistance is provided, before and after construction. Label the pictures with the name of the pond/landowner and date. Also take pictures of any damage downstream.

14. Does the landowner need to contact the Corps of Engineers?

The landowner does not need to contact the Corps of Engineers concerning 404 permits on any pond structures being rebuilt if the old waterline is maintained.

15. What about notification of the Safe Dams Committee?

On all dams rebuilt to NRCS specs and also meeting the criteria for Category 1 or 2 under the Safe Dams Act, the Safe Dams committee will be sent information prior to construction.

16. Will the landowner be required to submit a sediment and erosion control plan for the construction activity?

The landowner is not required to submit a sediment and erosion control plan on any rebuilt dams. Any construction under the supervision of NRCS is exempt from Erosion and Sedimentation Control Act.

17. If a dam does not have a core and the landowner wants the dam to be rebuilt to NRCS specs, what will have to be done?

The dam must be completely rebuilt at the landowner's expense. ECP funding will only cover the repair costs.

18. What type of survey will be required for dams to be rebuilt to NRCS specifications?

All dams to be rebuilt to NRCS specifications will require a complete survey and design along with soil borings.

19. When NRCS personnel in the field are estimating the cost to replace a pipe to predisaster conditions, what should the estimated cost be based on?

The cost estimate should be based on the replacement cost of the same size and type of pipe that was washed out. For example, if a 24" pipe washed out with a replacement cost of \$480 then the maximum cost estimate would be \$480. If the landowner replaces with some other pipe or system regardless of cost or benefits, the estimate cannot exceed the original pipe replacement cost. If a landowner replaced the 24" pipe with 4-12" pipes (equivalent to a 24" pipe) which could cost more than a 24" pipe, the estimated cost would be based on the 24" replacement cost. Cost share should not exceed the actual cost of the installed pipe.

20. How can smaller earthwork quantities be cost shared so as to be equitable to larger earthwork volumes?

The cost list used for the 2008 Pond program will be used for cost estimates for all ECP pond work. The unit costs for earthwork in this cost list include equipment mobilization costs. The unit costs should be equitable regardless of quantities.

***SAMPLE LETTER TO NOTIFY LANDOWNERS AND FSA THAT REPAIRS TO
POND DAMS WILL NOT MEET NRCS SPECIFICATIONS***

Date

Dear _____:

You have requested cost-share assistance from the Farm Service Agency (FSA) in _____ County to restore a pond dam on tract _____ that was damaged during recent flooding. The Natural Resources Conservation Service (NRCS) has made a determination of the measures needed to repair the pond dam to pre-storm conditions.

The pond dam will be repaired to pre-storm conditions, which you have certified. This structure will not meet the standards and specifications of the Natural Resources Conservation Service. Subsurface investigations, complete redesign, and probable reconstruction would be necessary for the structure to meet NRCS specifications.

Thank you.

NRCS District Conservationist

cc: _____, County FSA Office
_____, NRCS Assistant State Conservationist (FO)
Henry A. McFarland, NRCS State Conservation Engineer
_____, NRCS Area Engineer

**SAMPLE LETTER CERTIFYING COMPLETION OF A POND TO PRESTORM
CONDITIONS WHEN A WAIVER WAS GRANTED BY FSA AND NO NEEDS
DETERMINATION WAS COMPLETED**

Date:

To: FSA and NRCS files

Re: _____Pond Repair completed via a waiver from FSA to begin work before
cost share was approved and prior to NRCS determination of repair needs

The Natural Resources Conservation Service (NRCS) certifies the _____ pond
was repaired to pre-storm conditions based on photographs of the damage provided by
the landowner (if available),visual observations of the completed repairs and quantities
included on a bill quantities furnished by the producer **after** the repairs were completed.

Because work was started before a need determination request could be completed,
NRCS did not make a determination of measures needed to repair the pond dam to pre-
storm conditions.

This structure will not meet the standards and specifications of the NRCS. Subsurface
investigations, complete redesign, and probable reconstruction would be necessary for the
structure to meet NRCS specifications.

NRCS District Conservationist

Cc: _____, NRCS Assistant State Conservationist (FO)
_____, NRCS State Conservation Engineer
_____, NRCS Area Engineer