

Date of request: _____

**SWCD REQUEST FOR ASSIGNMENT
OF
ENGINEERING JOB APPROVAL AUTHORITY**

The _____ requests that NRCS assign
Name of requesting SWCD
Job Approval Authority to _____ for the planning, design,
Name of SWCD Employee
and implementation of conservation practices as shown on the **attached** list of practices.
_____ is a _____, employed by the
Name of employee Job Title
_____.
Name of requesting SWCD

We understand and agree that Job Approval Authority (JAA) will be assigned based upon training, experience, and demonstrated competence, in accordance with NRCS policy, for the purpose of implementing conservation programs on agricultural lands (irrespective of funding sources) and that all work performed under this assigned Job Approval Authority will be:

1. Completed under the direct technical supervision and oversight of an NRCS employee.
2. Supported by a sound conservation plan as stated in the North Carolina Division of Soil and Water Conservation memo regarding conservation planning for Agriculture Cost Share Program contracts dated July 31, 2007 and USDA planning policy requirements contained in the NRCS National Planning Procedures Handbook, General Manual, and supplemental state policies.
3. Completed according to NRCS policies, procedures, standards and specifications; as more specifically defined in the Field Office Technical Guide, National Engineering Manual, the National Planning Procedures Handbook and its North Carolina Supplements.
4. In compliance with the requirements of NC General Statutes GS 89C-25. The certification of engineering practices (as defined by the PE Board) will be restricted to engineering practices installed on agricultural lands.

We also acknowledge that the NRCS State Conservation Engineer has offered the following opinion concerning the understanding of potential district and employee liability associated with the assignment of JAA:

Assigning engineering job approval authority to a district employee by NRCS does not provide liability protection for the district nor does it provide protection to the individual district employee. The federal government cannot provide legal protection for a district employee based solely on the fact that the employee was operating under a job approval authority established by NRCS. However, if a tort claim is brought against a district

employee arising out of district work, the fact that the employee was following NRCS conservation practice standards and had engineering job approval from NRCS for the level of work that was performed, may be helpful in the defense of the suit since NRCS is the acknowledged leader in the field of conservation engineering. Under certain circumstances, the protection of the Federal Tort Claims Act may be extended to district employees when they are carrying out NRCS work. Should the need arise, the determination of Federal Tort Claims Act coverage or protection for districts and district employees will be determined on a case by case basis after an evaluation of the specific facts in each case. The determination is made by the Office of General Counsel (OGC) and not by the NRCS.

We understand that all work performed using NRCS Job Approval Authority must be in accordance with NRCS policies and procedures including compliance with applicable laws and regulations. We will ensure that our conservation activities comply with state and federal laws that address special environmental concerns including Cultural Resources, Threatened and Endangered Species, and Wetlands, and appropriate documentation of these resources shall be properly noted in the case file.

We acknowledge that the above stated requirements and understandings apply to Job Approval Authority assigned for both engineering and non-engineering conservation practices.

We request Job Approval Authority *for the conservation practices listed on the attached form*.

District Chairman

Date

Concurrence of Employee

Date

Concurrence of Employee's Administrative Supervisor

Date

REQUEST FOR ASSIGNMENT OF JAA – List of Practices

Instructions:

- 1 - List the Practice Code and Practice Name.
 - 2 - List all Controlling Factors (as shown in the appropriate JAA chart).
 - 3 - Insert the level of JAA being requested for design approval, if any.
 - 4 - Insert the level of JAA being requested for construction approval, if any.
 - 5 - Attach the required JAA submission (Independently developed, complete, documentation package.)
- Note: Use the sample JAA charts found on the NRCS JAA webpage for this information.

Non-Engineering (Ecological Sciences) Practices:

Practice Code	Practice Name	Controlling Factor	Design Class	Const. Class
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Engineering Practices:

Practice Code	Practice Name	Controlling Factor	Design Class	Const. Class
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____