

## REPAIRS

1. If a BMP is destroyed the applicant must either repair the BMP as agreed in the contract or repay the state a pro-rated amount of the funds received to install the BMP.
2. If a BMP suffers damages beyond the control of the applicant, repairs are cost shareable under the Cost Share Program.
3. Be sure to state the reason for the need to repair the BMP on the contract~~(on the NC-AGSP-11)~~. Up to seventy-five percent (75%) of the actual cost of the repairs, not to exceed the average costs, may be paid. Invoices should be kept in the contract file in the district office (do not send to dDivision). Repair contracts follow the normal contract approval process.
4. Procedures for repair contracts:
  - If sufficient funds remain in the contract to be repaired:
    - a. revise contract in the online contracting system~~NC-AGSP-11~~;
    - b. and use average costs from the original contract.
  - If insufficient funds remain in the contract to be repaired:
    - a. write a new contract with a new agreement number referencing the original contract;
    - b. use current year average cost;
    - ~~c. submit a NC-AGSP-2, 11, 11A, map/sketch;~~
    - ~~d. and include hydrologic unit code, latitude, longitude, District Supervisor status.~~
5. Repair contracts must be limited to a maximum of one (1) year from the date the Agreement~~cost share contract~~ is given final approval. If repairs are not implemented within that year, the funds encumbered to the repair contract will be canceled to the sState Program account. **In addition, the District must provide documentation explaining why the repair has not been implemented and actions the District has taken with regard to non-compliance rules and policies.**

**Note:** If a repair contract expires prior to installation, the operator is required to immediately refund to the State a pro-rated amount of the cost share monies received for that BMP. The amount to be refunded should be based on the life of the BMP from the date of installation to the date the BMP was found to be in need of repair.
6. Remember - The life of the practice is renewed when the landowner/applicant receives cost share to repair a BMP. ~~Thus~~For example:, repairing a gGrassed Waterway that

has been installed for two years will dictate that the landowner/applicant must still maintain the ~~G~~grassed ~~W~~waterway an additional ten years from the date of repair.

7. Repairs for supervisor contracts **must receive** ~~Commission-commission~~ approval ~~on-a case-by-case-basis~~ prior to approval by the ~~D~~division.
8. Note on pro-rated repayment: If a BMP that was repaired using ~~Cost-cost Share-share~~ funds is found out of compliance and not repaired/reimplemented within the allotted time period, a pro-rated repayment of the original cost shared amount (not the repair amount) would be required.
9. Repairs on waste management systems for certified animal operations shall be limited to 50 percent of original cost share payment based on receipts and not to exceed 75 percent of the average cost.