

02 NCAC 59F .0106 NONCOMPLIANCE WITH CREP AGREEMENT

(a) If noncompliance with any CREP agreement is determined, the landowner shall return the enrolled area to the condition that meets the guidelines of the CREP upon receiving written notification of noncompliance from the Division. The notice shall include:

- (1) a detailed description of the enrolled area;
- (2) a description of the area in noncompliance;
- (3) recommended measures to correct the noncompliance; and
- (4) a schedule for correcting the noncompliance.

The Division shall not reimburse any expense incurred to correct the noncompliance. If the noncompliance involves a cost-shared practice that is within the state cost share contract maintenance period, then the requirements in 02 NCAC 59D .0107 shall be followed.

(b) From the date of the notice of noncompliance, the landowner shall be given 30 days to reply in writing to the Division with a plan to correct the noncompliance. The Division shall work with the landowner to ensure that the plan meets the CREP objectives. After a plan is approved in writing by the Division, the landowner shall correct the noncompliance within 90 days after the date of approval. For vegetative practices, applicants shall re-establish vegetation within one year after the date of approval. An extension may be granted by the Division if it is determined that compliance cannot be met due to circumstances beyond the landowner's control.

*History Note: Authority G.S. 106-840; 106-850(a); 139-4;
Temporary Adoption Eff. October 1, 2000;
Eff. August 1, 2002;
Transferred from 15A NCAC 06G .0106 Eff. May 1, 2012;
Readopted Eff. November 1, 2017.*