

02 NCAC 59G .0103 APPROVAL OF BEST MANAGEMENT PRACTICES (BMPS)

(a) The Commission may approve individual BMPs or systems of BMPs in conjunction with water quality protection programs for agriculture and other nonpoint sources.

(b) Approved BMPs shall meet the technical standards of the USDA Natural Resources Conservation Service Field Office Technical Guide, Section IV, Raleigh, North Carolina, incorporated by reference with subsequent amendments and additions, except as specified in Paragraph (c) of this Rule. A copy of the NRCS Technical Guide can be found at no cost at https://efotg.sc.egov.usda.gov/efotg_locator.aspx?map=US.

(c) The Commission shall approve alternative BMPs Practices, Technical or Performance Specifications, and Operation and Maintenance requirements if any of the following criteria are met:

- (1) If no existing USDA technical standard exists for water quality protection benefits equivalent to the benefits achieved by an approved BMP as established in Paragraph (a) of this Rule;
- (2) If an existing USDA technical standard includes design or installation requirements for purposes other than those necessary for water quality protection; or
- (3) If there is a need for additional operator flexibility to reduce the initial cost of installing or implementing the BMP while providing water quality protection benefits equivalent to the benefits achieved by an approved BMP as established in Paragraph (a) of this Rule.

(d) In approving BMPs, the Commission shall consider technical input from persons engaged in agriculture or experienced in nonpoint source management.

*History Note: Authority G.S. 106-840; 139-4;
Temporary Adoption Eff. October 22, 2001;
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Transferred from 15A NCAC 06H .0103 Eff. May 1, 2012;
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