

1 **15A NCAC 02B .0264 is adopted with changes as published in 21:24 NCR 2265-2270 as follows:**

2
3 **15A NCAC 02B .0264 JORDAN WATER SUPPLY NUTRIENT STRATEGY: AGRICULTURE**

4 This Rule sets forth a process by which agricultural operations in the Jordan watershed will collectively limit their
5 nitrogen and phosphorus loading to the Jordan Reservoir, as prefaced in Rule 15A NCAC 02B .0262. This process
6 is as follows:

- 7 (1) PURPOSE. The purposes of this Rule are to achieve and maintain the percentage reduction goals
8 defined in Rule 15A NCAC 02B .0262 for the collective agricultural loading of nitrogen and
9 phosphorus from their respective 1997-2001 baseline levels, to the extent that best available
10 accounting practices will allow. This Rule aims to achieve the ~~initial~~ goals set out in Rule 15A
11 NCAC 02B .0262 within ~~five to eight~~six to nine years, as set out in (5)(b) of this Rule.
12 Additionally this Rule will protect the water supply uses of Jordan Reservoir and of designated
13 water supplies throughout the Jordan watershed.
- 14 (2) PROCESS. This Rule requires accounting for agricultural land management practices at the
15 county and subwatershed levels in the Jordan watershed, and implementation of practices by
16 farmers in these areas to collectively achieve the nutrient reduction ~~goals~~goals on a county and
17 subwatershed basis. Producers ~~will~~may be eligible to obtain cost share and technical assistance
18 from the NC Agriculture Cost Share Program and similar federal programs to contribute to their
19 counties' nutrient reductions. A Watershed Oversight Committee, and if ~~needed~~needed Local
20 Advisory Committees, will develop strategies, coordinate activities, and account for progress.
- 21 (3) LIMITATION. This Rule may not fully address significant nutrient sources relative to agriculture
22 in that it does not directly address atmospheric sources of nitrogen to the Jordan watershed from
23 agricultural operations located both within and outside of the Jordan watershed. As better
24 information becomes available from ongoing research on atmospheric nitrogen loading to the
25 Jordan watershed from these sources, and on measures to control this loading, the Commission
26 may undertake separate rule-making to require such measures it deems necessary from these
27 sources to support the goals of the Jordan Reservoir Nutrient Sensitive Waters Strategy.
- 28 (4) APPLICABILITY. This Rule shall apply to all persons engaging in agricultural operations in the
29 Jordan watershed, including those related to crops, horticulture, livestock, and poultry. This Rule
30 applies to livestock and poultry operations above the size ~~threshold~~thresholds in this Item in
31 addition to requirements for animal operations set forth in general permits issued pursuant to G.S.
32 143-215.10C. Nothing in this Rule shall be deemed to allow the violation of any assigned surface
33 water, groundwater, or air quality standard by any agricultural operation, including any livestock
34 or poultry operation below the size thresholds in this Item. This Rule does not require specific
35 actions by any individual person or operation if the county or counties in which they conduct
36 operations can ~~otherwise collectively~~ achieve their ~~initial~~ nutrient reduction targets, in the manner
37 described in Item (5) of this Rule, within ~~five~~six years of the effective date of this Rule. For the

1 purposes of this Rule, agricultural operations are activities that relate to any of the following
2 pursuits:

- 3 (a) The commercial production of crops or horticultural products other than trees. As used in
4 this Rule, commercial shall mean activities conducted primarily for financial profit.
- 5 (b) Research activities in support of such commercial production.
- 6 (c) The production or management of any of the following number of livestock or poultry at
7 any time, excluding nursing young:
 - 8 (i) 5 or more horses;
 - 9 (ii) 20 or more cattle;
 - 10 (iii) ~~150-20~~ or more ~~swine; swine not kept in a feedlot, or 150 or more swine kept in a~~
11 ~~feedlot;~~
 - 12 (iv) 120 or more sheep;
 - 13 (v) 130 or more goats;
 - 14 (vi) 650 or more turkeys;
 - 15 (vii) 3,500 or more chickens; or
 - 16 (viii) Any single species of any other livestock or poultry, or any combination of
17 species of livestock or ~~poultry~~poultry, that exceeds 20,000 pounds of live weight
18 at any time.

19 (5) METHOD FOR RULE IMPLEMENTATION. This Rule shall be implemented initially by a
20 Watershed Oversight Committee and, if needed, through a cooperative effort between the
21 Watershed Oversight Committee and Local Advisory Committees in each ~~county, county or~~
22 ~~subwatershed~~. The membership, roles and responsibilities of these committees are set forth in
23 Items ~~(8)(7)~~ and ~~(9)(8)~~ of this Rule. Committees' activities shall be guided by the following
24 constraints:

- 25 (a) ~~The Commission shall determine whether agricultural operations have achieved the~~
26 ~~collective nitrogen goals within two years of rule effective date based on input from the~~
27 ~~Watershed Oversight Committee, which shall use the accounting process described in~~
28 ~~Items (8) and (9) of this Rule. Within three years after the effective date of this Rule, the~~
29 ~~Watershed Oversight Committee shall provide the Commission with an initial assessment~~
30 ~~of the extent to which agricultural operations in each subwatershed have achieved the~~
31 ~~nitrogen goals identified in Item (1) of this Rule through activities conducted since the~~
32 ~~baseline period. The Watershed Oversight Committee shall use the accounting process~~
33 ~~described in Items (7) and (8) of this Rule to make its assessment. Should the~~
34 Commission determine at that time that a subwatershed nitrogen goal has not been
35 achieved ~~within two years~~, ~~the Commission shall require the formation of then~~ Local
36 Advisory Committees shall be formed in that subwatershed according to Item (8) of this
37 Rule to further progress toward the goal by developing local strategies to guide

1 implementation, or consider alternative recommendations from the Watershed Oversight
2 Committee on a management strategy for the subwatershed. The

3 (b) For any subwatershed identified in Sub-Item (5)(a) of this Rule as not having achieved its
4 nitrogen goal within three years, the Commission shall within six years after the effective
5 date of this Rule again determine, with input from the Watershed Oversight Committee,
6 whether the subwatershed has achieved its nitrogen goal. Should the Commission
7 determine at that time that a subwatershed has not achieved its goal, then it shall require
8 additional best management practice (BMP) implementation as needed to ensure that the
9 goal is met within nine years after the effective date of this Rule. The Commission may
10 also consider alternative recommendations from the Watershed Oversight Committee
11 based on its assessment of the practicability of agricultural operations meeting the
12 subwatershed goal. Should the Commission require some form of individual compliance,
13 then it shall also subsequently approve a framework proposed by the Watershed
14 Oversight Committee for allowing producers to obtain credit through offsite measures.
15 Such offsite measures shall meet the requirements of Rule 15A NCAC 02B .0273(2) –
16 (4). The Commission shall review compliance with the phosphorus goals within six
17 years of the effective date and shall require additional BMP implementation within any
18 subwatershed as needed to meet its goal within an additional three years from that date.

19 ~~(b)(c)~~ Should a committee called for under Sub-Item (5)(a) of this Rule not form nor follow
20 through on its responsibilities such that a local strategy is not implemented in keeping
21 with Item ~~(9)~~(8) of this Rule, the Commission shall require all persons subject to this
22 Rule in the affected area to implement BMPs as ~~set forth in Item (7)~~ needed to meet the
23 goals of this Rule.

24 (6) ~~OPTIONS FOR MEETING RULE~~ REQUIREMENTS FOR INDIVIDUAL OPERATIONS.
25 REQUIREMENTS. If agricultural operations do not collectively meet the nitrogen reduction goals
26 within two years as determined under Sub-Item (5)(a) of this Rule, persons subject to this Rule
27 shall register their operations with their Local Advisory Committee according to the requirements
28 of Item (9) of this Rule within three years of the effective date of this Rule. Such persons may
29 elect to implement any Best Management Practices, as set forth in Item (7) of this Rule, they
30 choose that are recognized by the Watershed Oversight Committee as nitrogen reducing or
31 phosphorus reducing BMPs within five years of the effective date of this Rule. Persons who have
32 implemented standard BMPs meeting the requirements of Item (7) of this Rule on all lands under
33 their control within five years of the effective date of this Rule shall not be subject to any
34 additional requirements that may be placed on persons under Item (4) of this Rule. Persons
35 subject to this Rule shall adhere to the following requirements:

36 (a) If the initial accounting required under Sub-Item (5)(a) of this Rule determines that
37 agricultural operations have not already collectively met the nitrogen reduction goals,

1 persons subject to this Rule shall register their operations with their Local Advisory
2 Committee according to the requirements of Item (8) of this Rule within four years of
3 after the effective date of this Rule. Within six years after the effective date of this Rule,
4 such persons are not required to implement any specific BMPs but may elect to
5 contribute to the collective local nutrient strategy by implementing any BMPs they
6 choose that are recognized by the Watershed Oversight Committee as nitrogen-reducing
7 or phosphorus-reducing BMPs.

8 (b) Should a local strategy not achieve its goal after six years, operations within that local
9 area may face specific implementation requirements, as described under Sub-Item (5)(b)
10 of this Rule.

11 (c) Producers may generate nitrogen loading reduction credit for sale to parties subject to or
12 operating under other nutrient strategy rules in the Jordan watershed under either of the
13 following circumstances and only pursuant to the conditions of Sub-Item (7)(b)(vii) and
14 Rule 15A NCAC 02B.0273:

15 (i) If the subwatershed in which they implement nitrogen-reducing practices has
16 achieved its nitrogen goal.

17 (ii) At any point during the implementation of this Rule, a pasture-based livestock
18 operation that implements an excluded buffer BMP on part or all of its operation
19 may sell that portion of the nitrogen reduction credit attributed to the buffer
20 restoration aspect of the practice, while the credit attributed to the exclusion
21 aspect shall accrue to the achievement or maintenance of the goals of this Rule.

22 ~~(7)STANDARD BEST MANAGEMENT PRACTICES (BMPs). Standard BMPs shall be individual~~
23 ~~BMPs or combinations of BMPs that, when implemented to treat all lands under a producer's control,~~
24 ~~achieve a sufficient level of farm stewardship relative to nutrient loss so as to merit individual compliance~~
25 ~~with this Rule. Implementation may have occurred at any time before, during, or after the baseline period,~~
26 ~~and individual compliance shall be contingent on the continued implementation and maintenance of such~~
27 ~~practices. Producers who implement additional practices beyond these requirements may offer any~~
28 ~~nitrogen export reduction credit attributed to the additional practices to parties subject to other rules under~~
29 ~~the Jordan nutrient strategy, subject to approval by the WOC under Sub-Item (8)(b). Standard BMPs shall~~
30 ~~be established for the purposes of this Rule as either of the following:~~

31 ~~(c)Any of the following BMPs and BMP combinations. Technical specifications for these BMPs~~
32 ~~are those approved by the Soil and Water Conservation Commission for the Tar-Pamlico~~
33 ~~agriculture rule.~~

34 ~~(i)Field border and nutrient management;~~

35 ~~(ii)Conservation cover and nutrient management;~~

36 ~~(iii)Riparian herbaceous cover and nutrient management;~~

37 ~~(iv)(20-foot) Forested buffer strip and nutrient management; and~~

1 ~~(v) Combined forested and herbaceous buffer strip.~~

2 ~~(6) Any additional standard BMPs approved by the Watershed Oversight Committee for the Jordan~~
3 ~~watershed based on their nutrient reduction efficiencies and using design criteria for nitrogen and~~
4 ~~phosphorus reducing BMPs as described in rules adopted by the Soil and Water Conservation~~
5 ~~Commission, including 15A NCAC 06E .0104 and 15A NCAC 06F .0104.~~

6 ~~(8)(7)~~ WATERSHED OVERSIGHT COMMITTEE. The Watershed Oversight Committee shall have the
7 following membership, role and responsibilities:

8 (a) MEMBERSHIP. The Director shall be responsible for forming a Watershed Oversight
9 Committee within two months of the effective date of this Rule. Until such time as the
10 Commission determines that long-term maintenance of the nutrient loads is assured, the
11 Director shall either reappoint members or replace members at least every ~~five~~six years.
12 The Director shall solicit nominations for membership on this Committee to represent
13 each of the following interests, and shall appoint one nominee to represent each ~~interest.~~
14 interest except where a greater number is noted. The Director may appoint a replacement
15 at any time for an interest in Sub-Items ~~(8)(7)(a)(vi)~~ through ~~(8)(7)(a)(x)~~ of this Rule
16 upon request of representatives of that interest:

17 (i) Division of Soil and Water Conservation;

18 (ii) United States Department of Agriculture-Natural Resources Conservation
19 Service (shall serve in an "ex-officio" non-voting capacity and shall function as
20 a technical program advisor to the Committee);

21 (iii) North Carolina Department of Agriculture and Consumer Services;

22 (iv) North Carolina Cooperative Extension Service;

23 (v) Division of Water Quality;

24 (vi) Three environmental Environmental interests, at least two of which are
25 residents of the Jordan watershed;

26 (vii) Watershed-General farming interests;

27 (viii) Pasture-based livestock interests;

28 (ix) Equine livestock interests;

29 (ix)(x) Cropland farming interests; and

30 (x)(xi) The scientific community with experience related to water quality problems in
31 the Jordan watershed.

32 (b) ROLE. The Watershed Oversight Committee shall:

33 (i) Develop tracking and accounting methodologies—methods for nitrogen and
34 phosphorus loss, pursuant to Sub Item (8)(c)(i) through (8)(c)(vii) of this Rule.
35 Final methodologies for nitrogen and phosphorus shall be submitted Submit
36 methods to the Water Quality Committee of the Commission for approval based

1 on the standards set out in Sub-Item (7)(c) of this Rule within ~~one year~~two years
2 after the effective date of this ~~Rule~~Rule;

3 (ii) Identify and implement future refinements to the accounting ~~methodologies~~
4 methods as needed to reflect advances in scientific understanding, including
5 establishment or refinement of nutrient reduction efficiencies for ~~BMPs~~BMPs;

6 (iii) Within ~~two~~three years after the effective date of this Rule, collect data needed
7 to conduct initial nutrient loss accounting for the baseline period and the most
8 current year feasible, perform this accounting, and determine the extent to which
9 agricultural operations have achieved the nitrogen loss goal and phosphorus loss
10 trend indicators for each subwatershed. ~~Also evaluate the ability of producers to~~
11 ~~achieve these goals within five years of the effective date, and develop~~
12 ~~recommendations as needed for presentation to the Commission on potential~~
13 ~~alternatives.~~ Present findings to the Water Quality Committee of the
14 Commission~~Commission~~;

15 (iv) Review, approve, and summarize local nutrient strategies if required pursuant to
16 ~~Sub-Items~~Sub-Item (5)(a) ~~and (9)(e)~~ of this ~~Rule~~Rule and according to the
17 timeframe identified in Sub-Item (8)(c)(ii) of this Rule. ~~Present~~Provide these
18 strategies to the ~~Commission in an annual report~~Division;

19 (v) Establish requirements for, review, approve and summarize local nitrogen and
20 phosphorus loss annual reports as described under Sub-Item ~~(9)(e)~~(8)(e) of this
21 Rule, and present these reports to the ~~Commission~~Division annually, until such
22 time as the Commission determines that annual reports are no longer needed to
23 ~~assure long term maintenance of the nutrient goals~~fulfill the purposes of this
24 Rule. Present the annual report six years after the effective date to the
25 Commission. Should that annual report find that a subwatershed has not met its
26 nitrogen goal, include an assessment in that report of the practicability of
27 producers achieving the goal within nine years after the effective date, and
28 recommendations to the Commission as deemed appropriate;

29 (vi) ~~Approve standard BMPs as described in Sub-Item (7)(b)~~Obtain nutrient
30 reduction efficiencies for BMPs from the scientific community associated with
31 design criteria identified in rules adopted by the Soil and Water Conservation
32 Commission, including Rules 15A NCAC 06E .0104 and 15A NCAC 06F
33 .0104; and

34 (vii) ~~Determine the eligibility of practices implemented by individual producers for~~
35 ~~nitrogen export reduction credit, available to parties subject to other rules within~~
36 ~~the Jordan nutrient strategy, pursuant to Sub-Item (7) of this Rule~~. Quantify the
37 nitrogen credit available from such practices. Approve eligible trades, and

1 ~~ensure that they are accounted for and tracked separately from nitrogen~~
2 ~~compliance accounting for this Rule.~~ Investigate and, if feasible, develop an
3 ~~accounting method to equate implementation of specific nitrogen-reducing~~
4 ~~practices on cropland or pastureland to reductions in nitrogen loading delivered~~
5 ~~to streams. Quantify the nitrogen credit generated by such practices for~~
6 ~~purposes of selling or buying credits. Establish criteria and a process as needed~~
7 ~~for the exchange of nitrogen credits between parties meeting the criteria of either~~
8 ~~Sub-Item (5)(b) or Sub-Item (6)(c) of this Rule with parties subject to or~~
9 ~~operating under other nutrient strategy rules in the Jordan watershed pursuant to~~
10 ~~the requirements of Rule 15A NCAC 02B .0273 Approve eligible trades, and~~
11 ~~ensure that such practices are accounted for and tracked separately from those~~
12 ~~contributing to the goals of this Rule.~~

13 (c) ACCOUNTING ~~METHODOLOGIES~~-METHODS. Success in meeting this Rule's
14 purpose will be gauged by estimating percentage changes in nitrogen loss from
15 agricultural lands in the Jordan watershed and by evaluating broader trends in indicators
16 of phosphorus loss from agricultural lands in the Jordan watershed. The Watershed
17 Oversight Committee shall develop accounting ~~methodologies~~methods that meet the
18 following requirements:

- 19 (i) The nitrogen ~~methodology~~method shall quantify baseline and annual total
20 nitrogen losses from agricultural operations in each county, each subwatershed,
21 and for the entire ~~watershed.~~Jordan watershed;
- 22 (ii) The nitrogen and phosphorus ~~methodologies~~methods shall include a means of
23 tracking implementation of BMPs, including number, type, and area
24 ~~affected.~~affected;
- 25 (iii) The nitrogen ~~methodology~~method shall include a means of estimating
26 incremental nitrogen loss reductions from actual BMP implementation and of
27 evaluating progress toward and maintenance of the nutrient goals from changes
28 in BMP implementation, fertilization, individual crop ~~acres.~~acres and
29 agricultural land use ~~acres.~~acres;
- 30 (iv) The nitrogen and phosphorus ~~methodologies~~methods shall be refined as research
31 and technical advances ~~allow.~~allow;
- 32 (v) The phosphorus ~~methodology~~method shall quantify baseline values for and
33 annual changes in factors affecting agricultural phosphorus loss as identified by
34 the phosphorus technical advisory committee established under 15A NCAC 02B
35 .0256(f)(2)(C). The ~~methodology~~method shall provide for periodic qualitative
36 assessment of likely trends in agricultural phosphorus loss from the Jordan
37 watershed relative to baseline ~~conditions.~~conditions;

1 (vi) Phosphorus accounting may also include a scientifically valid, survey-based
2 sampling of farms in the Jordan watershed for the purpose of conducting field-
3 scale phosphorus loss assessments and extrapolating phosphorus losses for the
4 Jordan watershed ~~as accurately as possible~~ for the baseline period and at
5 periodic ~~intervals; and intervals until such time as the Commission determines~~
6 ~~that such evaluations are no longer needed to assure long term maintenance of~~
7 ~~phosphorus loss goals.~~

8 (vii) Aspects of pasture-based livestock operations that potentially affect nutrient loss
9 and are not captured by the accounting methods described above shall be
10 accounted for in annual reporting by quantifying changes in the extent of
11 livestock-related nutrient controlling BMPs. Progress may be judged based on
12 percent change in the extent of implementation relative to subwatershed
13 percentage goals identified in rule .0262 of this Section.

14 ~~(9)~~ (8) LOCAL ADVISORY COMMITTEES. ~~If deemed necessary two years after the effective date as~~
15 ~~determined in Item (5) of this Rule,~~ Local Advisory Committees required by Sub-Item (5)(a) of
16 this Rule shall be formed for each county within the applicable subwatershed within ~~two~~ three
17 years and three months ~~of~~ after the effective date of this rule, and shall have the following
18 membership, roles, and responsibilities:

19 ~~(d)~~ (a) MEMBERSHIP. A Local Advisory Committee shall be appointed as provided for in this
20 Item ~~for each county within the Jordan watershed.~~ It shall terminate upon a finding by
21 the Environmental Management Commission that ~~the long term maintenance of nutrient~~
22 ~~loads in the Jordan watershed is assured; it is no longer needed to fulfill the purposes of~~
23 this Rule. Each Local Advisory Committee shall consist of:

- 24 (i) One representative of the ~~local~~ county Soil and Water Conservation District;
25 (ii) One ~~local~~ representative of the county office of the United States Department of
26 Agriculture Natural Resources Conservation Service;
27 (iii) One ~~local~~ representative of the North Carolina Department of Agriculture and
28 Consumer ~~Services;~~ Services whose regional assignment includes the county;
29 (iv) One ~~local~~ representative of the county office of the North Carolina Cooperative
30 Extension Service;
31 (v) One ~~local~~ representative of the North Carolina Division of Soil and Water
32 Conservation whose regional assignment includes the county; and
33 (vi) At least two farmers who reside in the county.

34 (b) APPOINTMENT OF MEMBERS. The Director of the Division of Water Quality and the
35 Director of the Division of Soil and Water Conservation of the Department of
36 Environment and Natural Resources shall ~~jointly~~ appoint members described in Sub-
37 Items ~~(9)(8)~~(a)(i), ~~(9)(8)~~(a)(ii), ~~(9)(8)~~(a)(iv), and ~~(9)(8)~~(a)(v) of this Rule. The Director

1 of the Division of Water Quality, with recommendations from the Director of the
2 Division of Soil and Water Conservation and the Commissioner of Agriculture, shall
3 appoint the members described in Sub-Items ~~(9)(8)(a)(iii)~~ and ~~(9)(8)(a)(vi)~~ of this Rule
4 from persons nominated by nongovernmental organizations whose members produce or
5 manage agricultural commodities in each county. ~~county or watershed.~~ Members of the
6 Local Advisory Committees shall serve at the pleasure of their appointing authority.

7 (c) ROLE. The Local Advisory Committees shall:

8 (i) ~~Contingent on the 2 year determination described in Sub-Item (5)(a) of this~~
9 ~~Rule, conduct~~Conduct a registration process for persons subject to this Rule.
10 This registration process shall be completed within ~~36-48~~ months ~~of-after~~ the
11 effective date of this Rule. The registration process shall request the type and
12 acreage of agricultural operations. It shall provide persons with information on
13 requirements and options under this Rule, and on available technical assistance
14 and cost share options;

15 (ii) ~~Contingent on the 2 year determination described in Sub-Item (5)(a) of this~~
16 ~~Rule, develop~~Develop local nutrient control strategies for agricultural
17 operations, pursuant to Sub-Item ~~(9)(8)(d)~~ of this Rule, to meet the nitrogen and
18 phosphorus goals ~~assigned by the Watershed Oversight Committee of this Rule.~~
19 ~~The strategy~~Strategies shall be submitted to the Watershed Oversight Committee
20 no later than ~~34-46~~ months after the effective date of this ~~Rule;~~Rule in order to be
21 ~~included in the third annual report to the Commission;~~

22 (iii) Ensure that any changes to the design of the local strategy will continue to meet
23 the nutrient goals of this Rule; and

24 (iv) Submit ~~annual~~ reports to the Watershed Oversight Committee, pursuant to Sub-
25 Item ~~(9)(8)(e)~~ of this Rule, annually until such time as the Commission
26 determines that annual reports are no longer needed to ~~fulfill the purposes of this~~
27 ~~Rule, assure long term maintenance of the nutrient goals.~~

28 (d) LOCAL NUTRIENT CONTROL STRATEGIES. ~~Contingent on the 2 year~~
29 ~~determination described in Sub-Item (5)(a) of this Rule,~~ Local Advisory Committees
30 shall develop county ~~or watershed~~ nutrient control strategies that meet the following
31 requirements. If a Local Advisory Committee fails to submit a nutrient control strategy
32 required in Sub-Item ~~(9)(8)(c)(ii)~~ of this Rule, the Commission may develop one based
33 on the accounting ~~methodology~~methods that it approves pursuant to Sub-Item ~~(8)(7)(b)(i)~~
34 of this Rule. Local strategies shall meet the following requirements:

35 (i) Local nutrient control strategies shall be designed to achieve the required
36 nitrogen loss reduction goals and qualitative trends in indicators of agricultural
37 phosphorus loss within ~~five~~six years after the effective date of this Rule, and to

1 maintain those reductions in perpetuity or until such time as this Rule is revised
2 to modify this requirement.

3 (ii) Local nutrient control strategies shall specify the numbers, acres, and types of all
4 agricultural operations within their areas, numbers of BMPs that will be
5 implemented by enrolled operations and acres to be affected by those BMPs,
6 estimated nitrogen and phosphorus loss reductions, schedule for BMP
7 implementation, and operation and maintenance requirements.

8 (e) ANNUAL REPORTS. The Local Advisory Committees shall be responsible for
9 submitting annual reports for their counties ~~or watersheds. Annual reports shall be~~
10 ~~submitted~~ to the Watershed Oversight Committee ~~annually~~ until such time as the
11 Commission determines that annual reports are no longer needed to ~~fulfill the purposes of~~
12 ~~this Rule. assure long term maintenance of the nutrient goals.~~ The Watershed Oversight
13 Committee shall determine reporting requirements to meet these objectives. Those
14 requirements may include information on BMPs implemented by individual farms,
15 proper BMP operation and maintenance, BMPs discontinued, changes in agricultural land
16 use or activity, and resultant net nitrogen loss and phosphorus trend indicator changes.

17
18 *History Note:* Authority G. S. 143-214.1; 143-214.5; 143-214.7; 143-215.3(a)(1); 143-215.6A; 143-215.6B;
19 143-215.6C; ~~143-215.8B(b);~~ 143 215.8B; 143B-282(c); 143B-282(d); S.L. 2001-355; S.L. 2005-
20 190; S.L. 2006-259;
21 *Eff. July 1, 2008.*