

15A NCAC 01T .0106 INSTRUMENT OF AGREEMENT

(a) For a project sponsored by a unit of local government, the applicant shall provide a resolution from the local government's governing board and, per G.S. 143-6-23(b), a copy of their conflict of interest policy prior to the Department beginning any approved cost share project or fund disbursement. The resolution shall include:

- (1) the specific waterbody or location in which the proposed project will occur;
- (2) the aquatic weed(s) associated with the project;
- (3) a statement of assumption for the full obligation for payment of the balance of project costs, to be no less than fifty percent of the total cost of the project;
- (4) a statement of agreement to assist the Department in determining the full scope of the aquatic weed control project.
- (5) when applicable, assurance that the public will have access to the waters that are included in the proposed project;
- (6) a statement that the Department will be held harmless from any damages that may result from the implementation of the project.
- (7) when applicable, a statement that the applicant will be responsible for notifying all landowners with property adjacent to the waterbody on which the project will be located, providing details of the project to those landowners, and for sponsoring any necessary public information meetings and outreach; and
- (8) when applicable, an agreement to notify the public of any temporary water-use restrictions associated with the project.

(b) For a project sponsored by an entity that is not a unit of local government, the applicant shall sign a binding written agreement with the Department prior to the Department beginning any approved cost share project or fund disbursement. The cost sharing agreement shall include the items listed in Paragraph (a) of this Rule.

History Note: Authority G.S. 113A-223; 143-215.73; 143-215.73F; 143-6-23; Temporary Adoption Eff. February 8, 2023.