

(A) -- CLEAN WATER IS ONE OF THE MOST VALUABLE RESOURCES OF THE STATE. MANY OF THE PRACTICES NECESSARY TO CONTROL AGRICULTURAL SOURCES OF POLLUTION ARE COSTLY TO INSTALL AND HAVE NO INCOME PRODUCING POTENTIAL FOR THE FARMER. IN ORDER TO ASSIST IN THE CONTROL OF POLLUTION OF THE WATERS OF THE STATE, THE SECRETARY IS AUTHORIZED TO COST SHARE IN INSTALLING ENDURING IMPROVEMENT FOR THE CONTROL OF SEDIMENT AND ANIMAL WASTES. THE SECRETARY SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS PROGRAM.

(B) -- THIS PROGRAM SHALL BE CARRIED OUT IN CONJUNCTION WITH THE "AGRICULTURE WATER QUALITY MANAGEMENT PROGRAM FOR THE CONTROL OF SEDIMENT AND ANIMAL WASTES" WHICH HAS BEEN DEVELOPED BY THE STATE SOIL CONSERVATION COMMITTEE AND APPROVED BY THE ENVIRONMENTAL PROTECTION AGENCY AS MEETING REQUIREMENTS OF § 208 OF THE CLEAN WATER ACT OF 1977.

8-702-

(A) - (1) -- EXCEPT FOR CRITICAL AREAS, THE STATE MAY PROVIDE UP TO 50 PERCENT OF THE COST OF ESTABLISHING ELIGIBLE PRACTICES, NOT TO EXCEED \$5,000 PER OPERATING FARM UNIT EACH YEAR.

(2) -- FOR CRITICAL AREAS, THE STATE MAY PROVIDE UP TO 75 PERCENT OF THE COST OF ESTABLISHING ELIGIBLE PRACTICES, NOT TO EXCEED \$10,000 PER OPERATING FARM UNIT EACH YEAR.

(3) -- THE CAPITAL EXPENDITURES OF AN ELIGIBLE PRACTICE SHALL EXCEED THE ECONOMIC RETURNS TO THE OWNER OR OPERATOR.

(4) -- IF OTHER PUBLIC FUNDS ARE INVOLVED IN COST SHARING FOR AN ELIGIBLE PRACTICE, STATE FUNDS MAY BE USED ONLY TO THE EXTENT THAT COMBINED PUBLIC FUNDS AMOUNT TO 50 PERCENT OF THE COST OF ESTABLISHING THE ELIGIBLE PRACTICE, HOWEVER, PAYMENTS TO ANY ONE OPERATING FARM UNIT MAY NOT EXCEED \$5,000 PER YEAR EXCEPT FOR CRITICAL AREAS FOR WHICH THE LIMIT IS \$10,000 PER YEAR.

(B) - (1) -- A PERSON SHALL BE ELIGIBLE FOR COST SHARING IF:

(i) -- THE AGRICULTURAL PRACTICE IS APPROVED PRIOR TO CONSTRUCTION BY THE APPROPRIATE DISTRICT,

(ii) -- THE AGRICULTURAL PRACTICE MEETS CONSTRUCTION STANDARDS AND SPECIFICATIONS OF THE UNITED STATES DEPARTMENT OF AGRICULTURAL SOIL CONSERVATION SERVICE,

(iii) -- THE OPERATING FARM UNIT IS UNDER AN APPROVED CONSERVATION PLAN BEFORE APPLYING FOR COST SHARING UNDER THIS SUBTITLE,