

(IV) -- COST -- SHARE -- FUNDS -- ARE -- NOT -- USED -- TO REESTABLISH AGRICULTURAL PRACTICES WHICH HAVE DETERIORATED DUE TO NEGLIGENCE OR MISMANAGEMENT.

(2) -- A -- PERSON -- MAY -- USE -- A -- MORE -- ELABORATE -- OR EXPENSIVE AGRICULTURAL PRACTICE IF THE DISTRICT CERTIFIES THE AGRICULTURAL PRACTICE WILL CONTROL WATER POLLUTION; HOWEVER, COST SHARING SHALL BE BASED ON THE LEAST EXPENSIVE AGRICULTURAL PRACTICE.

(C) - (1) -- THE -- DISTRICT -- SHALL -- IMPLEMENT -- THE -- COST -- SHARING PROGRAM.

(2) -- A -- PERSON -- SHALL -- SUBMIT -- REQUESTS -- FOR ASSISTANCE -- TO -- THE -- DISTRICT -- BOARD -- OF -- SUPERVISORS. -- THE DISTRICT, THROUGH ITS TECHNICAL REPRESENTATIVES, SHALL MAKE AN INVESTIGATION -- TO -- DETERMINE -- THE -- NEED, -- ELIGIBILITY -- AND ESTIMATED COST OF THE PRACTICE. -- BASED -- UPON -- THE -- TECHNICAL STAFF -- REPORT, -- THE -- DISTRICT -- SHALL -- RECOMMEND -- TO -- THE -- SECRETARY APPROVAL OR DISAPPROVAL OF THE REQUEST.

(3) -- THE -- SECRETARY, -- BASED -- ON -- AVAILABILITY -- OF FUNDS -- AND -- RECOMMENDATION -- BY -- THE -- DISTRICT, -- MAY -- ENTER -- INTO -- AN AGREEMENT -- TO -- COST -- SHARE -- WITH -- THE -- APPLICANT -- TO -- ESTABLISH -- THE PRACTICE. -- SUCH -- AGREEMENT -- SHALL -- PROVIDE -- FOR -- MAINTENANCE -- OF THE PRACTICE -- AND -- SHALL -- REMAIN -- IN -- EFFECT -- FOR -- A -- MINIMUM -- OF -- 3 YEARS.

(4) -- TECHNICAL -- REPRESENTATIVES -- OF -- THE -- DISTRICT SHALL PREPARE THE DESIGN AND CONSTRUCTION PLANS FOR APPROVED PRACTICES AND THE DISTRICT SHALL APPROVE ALL OTHER DESIGN AND CONSTRUCTION PLANS. -- THE -- DISTRICT -- SHALL -- DETERMINE -- AND PROVIDE -- THE -- DEGREE -- OF -- LAYOUT -- AND -- CONSTRUCTION -- SUPERVISION NEEDED FOR CERTIFICATION OF THE COMPLETED PRACTICE.

(5) -- UPON -- NOTIFICATION -- OF -- THE -- COMPLETION -- OF -- A COST SHARE PRACTICE BY THE OWNER OR OPERATOR, THE TECHNICAL REPRESENTATIVE OF THE DISTRICT SHALL INSPECT THE PRACTICE AND IF FOUND ADEQUATE, SHALL CERTIFY THE PRACTICE TO THE DISTRICT AS MEETING THE TECHNICAL STANDARDS. -- THE -- DISTRICT SHALL NOTIFY THE SECRETARY THAT THE APPLICANT IS ELIGIBLE FOR PAYMENT.

(D) - (1) -- A -- RECIPIENT -- OF -- COST -- SHARE -- FUNDS -- SHALL -- MAINTAIN THE -- ELIGIBLE -- PRACTICE -- IN -- GOOD -- OPERATING -- CONDITION -- FOR -- THE LIFE -- EXPECTANCY -- AS -- DETERMINED -- BY -- THE -- DISTRICT. -- THE RECIPIENT -- MAY -- CONTRACT -- WITH -- A -- NEW -- OWNER -- TO -- ASSUME -- THE RESPONSIBILITY OF MAINTAINING THE PRACTICE IN GOOD OPERATING CONDITION. -- THE -- STATE -- MAY -- RECOVER -- UP -- TO -- THE -- FULL -- AMOUNT -- OF COST SHARE FUNDS PAID FOR PRACTICES THAT ARE NOT MAINTAINED.

(2) -- A -- PERSON -- MAY -- NOT -- BE -- HELD -- LIABLE -- FOR -- THE FAILURE OF A COST SHARED PRACTICE IF THE FAILURE WAS CAUSED BY AN ACT OF NATURE THAT COULD NOT REASONABLY BE ANTICIPATED BY THE OWNER.