

(II) IS NOT RECEIVING OR USING FEDERAL FUNDS FOR IMPLEMENTATION OF AN APPROVED PRACTICE ON THE SAME ACRE OF LAND OR LANDS DESCRIBED IN THE APPLICATION; AND

(III) IF THERE IS JOINT TENANCY, TENANCY IN COMMON, OR GROUP OWNERSHIP, HAS NO KNOWLEDGE OF ANOTHER APPLICATION THAT IS PENDING FOR COST-SHARE ASSISTANCE TO BE USED ON THE LAND DESCRIBED IN THE APPLICATION; AND

(4) SUBMIT OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

5-305.

AN APPROVED APPLICANT MAY RECEIVE COST-SHARE ASSISTANCE IN THE AMOUNT DETERMINED AND APPROVED BY THE DEPARTMENT, PROVIDED:

(1) NO ASSISTANCE MAY EXCEED 75 PERCENT OF THE ACTUAL COST INCURRED BY THE APPLICANT IN IMPLEMENTING THE APPROVED PRACTICE ON A PARTICULAR TRACT OF LAND;

(2) AN ELIGIBLE LANDOWNER MAY NOT RECEIVE MORE THAN \$5,000 IN A CALENDAR YEAR FOR ALL APPROVED PRACTICES IMPLEMENTED BY THE LANDOWNER, UNLESS THE OWNER HAS SUBMITTED A 3-YEAR PLAN FOR WOODLAND RESOURCE DEVELOPMENT UNDER PARAGRAPH (3) OF THIS SECTION; AND

(3) IF THE DEPARTMENT HAS APPROVED A 3-YEAR PLAN FOR WOODLAND RESOURCE DEVELOPMENT, AN ELIGIBLE LANDOWNER MAY NOT RECEIVE MORE THAN \$15,000 DURING THE 3-YEAR PERIOD FOR ALL APPROVED PRACTICES IMPLEMENTED BY THE LANDOWNER.

5-306.

AN ELIGIBLE LANDOWNER WHO RECEIVES COST-SHARE ASSISTANCE UNDER THIS SUBTITLE TO IMPLEMENT AN APPROVED PRACTICE SHALL EXECUTE A WRITTEN AGREEMENT WITH THE DEPARTMENT, THAT SPECIFIES:

(1) THE PRACTICE TO BE IMPLEMENTED;

(2) A DESCRIPTION OF THE LAND ON WHICH THE PRACTICE IS TO BE IMPLEMENTED;

(3) THE LANDOWNER'S COMMITMENT TO USE THE COST-SHARE ASSISTANCE TO IMPLEMENT THE PRACTICE;

(4) THE ABILITY OF THE SECRETARY OR THE DESIGNEE OF THE SECRETARY TO INSPECT THE LAND ON WHICH THE PRACTICE IS TO BE IMPLEMENTED IN ORDER TO DETERMINE COMPLIANCE; AND

(5) THE LIABILITY OF THE LANDOWNER FOR THE FULL AMOUNT OF COST-SHARE ASSISTANCE IF THE PRACTICE IS NOT IMPLEMENTED BECAUSE OF THE LANDOWNER'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE.