

(C) The Secretary may determine whether the Department should assist a landowner in the management and control of the spread of phragmites based on:

(1) The magnitude of the area [of current growth for phragmites] TO BE MANAGED AND CONTROLLED; and

(2) The possibility of the spread of phragmites into adjoining land and wetland areas.

(D) (1) (I) SUBJECT TO THE REQUIREMENTS OF THIS SUBSECTION, THE DEPARTMENT SHALL PAY A LANDOWNER 50% OF THE COSTS ASSOCIATED WITH THE ERADICATION AND CONTROL OF THE SPREAD OF PHRAGMITES.

(II) THE LANDOWNER SHALL BE RESPONSIBLE FOR ANY REMAINING COSTS.

(III) MONEYS PAID TO A LANDOWNER UNDER THIS SECTION MAY BE PAID FROM ~~THE NONTIDAL WETLAND COMPENSATION FUND, THE WETLANDS COMPENSATION FUND, THE WILDLIFE MANAGEMENT AND PROTECTION FUND, OR FEDERAL FUNDS.~~ THE DEPARTMENT SHALL COORDINATE COST SHARING ASSISTANCE PAID FROM THE ~~FUND~~ FUNDS UNDER THIS SECTION WITH THE DEPARTMENT OF THE ENVIRONMENT.

(IV) THE DEPARTMENT SHALL REQUIRE VERIFICATION OF A LANDOWNER'S EXPENSES BEFORE THE LANDOWNER MAY RECEIVE MONEY FROM THE COST SHARING PROGRAM.

~~(2) THE DEPARTMENT MAY NOT EXPEND MORE THAN \$100,000 EACH YEAR FROM THE NONTIDAL WETLAND COMPENSATION FUND FOR THE COST SHARING PROGRAM ESTABLISHED IN THIS SECTION.~~

~~(3) THE DEPARTMENT MAY NOT PAY MORE THAN \$12,000 EACH YEAR TO A SINGLE LANDOWNER, OR TO A PERSON IN THE IMMEDIATE FAMILY OF THE LANDOWNER, OR TO AN ENTITY IN WHICH THE LANDOWNER HAS A SUBSTANTIAL OWNERSHIP INTEREST, UNDER THE COST SHARING PROGRAM ESTABLISHED IN THIS SECTION.~~

~~(4) (3) THE DEPARTMENT MAY NOT EXPEND MORE THAN \$60 PER ACRE PER YEAR FOR ANY COST SHARING PROJECT UNDER THIS SECTION.~~

~~(5) (4) IN LIEU OF CASH PAYMENTS TO LANDOWNERS, THE DEPARTMENT MAY SUBSTITUTE IN-KIND SERVICES OF EQUAL VALUE.~~

~~(5) (6) (5) THE DEPARTMENT SHALL ESTABLISH PRIORITIES TO TARGET COST SHARING ASSISTANCE TO WETLANDS RESTORATION AND ENHANCEMENT PROJECTS WITH THE GREATEST POTENTIAL FOR IMPROVING WILDLIFE HABITAT AND WETLANDS FUNCTIONS. WHERE:~~

(I) PHRAGMITES THREATEN RARE OR ENDANGERED WILDLIFE OR PLANTS;

(II) THE HIGHEST DIVERSITY AND ABUNDANCE OF NATIVE PLANTS, WILDLIFE, OR FISH EXIST; AND