

SUBTITLE 7. COST SHARING - WATER POLLUTION CONTROL

8-701.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BEST MANAGEMENT PRACTICE" MEANS A CONSERVATION OR POLLUTION CONTROL PRACTICE THAT MANAGES SOIL LOSS DUE TO FARMING PRACTICES OR MANAGES ANIMAL WASTES OR AGRICULTURAL CHEMICALS SO AS TO MINIMIZE MOVEMENT INTO THE SURFACE WATERS OF THE STATE.

(C) "ELIGIBLE COST" MEANS A CAPITAL EXPENDITURE FOR INSTALLING, PURCHASING, OR CONSTRUCTING A BEST MANAGEMENT PRACTICE, INCLUDING, BUT NOT LIMITED TO, THE COST OF DESIGN PREPARATION---AND---CONSTRUCTION---SUPERVISION---BY---A---SOIL CONSERVATION-DISTRICT, POLLUTION CONTROL EQUIPMENT, ANIMAL WASTE FACILITIES, WATER CONTROL STRUCTURES, DIVERSION FACILITIES, SEDIMENT BASINS OR GRADE STABILIZATION STRUCTURES, ESTABLISHING PERMANENT VEGETATIVE COVER, OR A CONTOUR, STRIPCROPPING, TERRACE, OR CONSERVATION TILLAGE SYSTEM OF FARMING. IT DOES NOT INCLUDE THE COST OF LAND OR INTERESTS IN LAND, OR THE COSTS OF OPERATING OR MAINTAINING BEST MANAGEMENT PRACTICES.

(D) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION, TRUST, OR OTHER BUSINESS ENTERPRISE WHICH AS AN OWNER, LANDLORD, OR TENANT, PARTICIPATES IN THE OPERATION OF A FARM.

(E) "POOLING AGREEMENT" MEANS A WRITTEN AGREEMENT BETWEEN PERSONS, APPROVED BY THE SECRETARY OF AGRICULTURE, TO PERFORM BEST MANAGEMENT PRACTICES AND WHICH IS INTENDED TO SOLVE A MUTUAL POLLUTION PROBLEM ON DIFFERENT FARMS.

(F) "PROJECT" MEANS A PROJECT TO PREVENT OR CONTROL AGRICULTURALLY RELATED NONPOINT SOURCE WATER POLLUTION BY ESTABLISHING BEST MANAGEMENT PRACTICES ON A FARM.

8-702.

(A) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT AGRICULTURALLY RELATED NONPOINT SOURCES OF WATER POLLUTION MAY POTENTIALLY CONTRIBUTE TO THE DEGRADATION OF THE WATER RESOURCES OF THIS STATE AND THAT PREVENTION AND CONTROL EFFORTS HAVE BEEN HAMPERED BECAUSE OF THE COST AND LACK OF INCOME PRODUCING POTENTIAL IN MANY AGRICULTURAL PRACTICES DESIGNED TO PROTECT WATER QUALITY. TO ASSIST IN THE IMPLEMENTATION OF AGRICULTURAL PRACTICES WHICH MINIMIZE WATER POLLUTION FROM EROSION, ANIMAL WASTES, NUTRIENTS, AND AGRICULTURAL CHEMICALS, A COST SHARING PROGRAM BETWEEN THE STATE AND ELIGIBLE APPLICANTS IS ESTABLISHED FOR THE PUBLIC BENEFIT.