REPAIRS

1. If a BMP is destroyed the applicant must either repair the BMP as agreed in the contract or repay the state a pro-rated amount of the funds received to install the BMP.

2. If a BMP suffers damages beyond the control of the applicant, repairs are cost shareable under the Cost Share Program.

3. State the reason for the need to repair the BMP on the contract. ~~Up to seventy-five~~Repairs will be contracted using the ~~percent (75%) of the actual cost of the repairs, not to exceed the~~ current year average costs list~~, may be paid~~. Receipts are not required for average cost components, but are required for actual cost components. Repair contracts follow the normal contract approval process.

4. Contract procedures for repairs:

   - If sufficient funds remain in the contract to be repaired, follow the revision policy.

   - If insufficient funds remain in the contract to be repaired, write a new contract and reference the original contract.

5. Repair contracts must be limited to a maximum of one (1) year from the date the cost share contract is given final approval. If repairs are not implemented within that year, the funds encumbered to the repair contract will be canceled and returned to the state program account. Where repairs are implemented within the allotted timeframe, but extreme weather damages or destroys the repair, the cooperator is eligible to request an extension. **In addition, the district must provide documentation explaining why the repair has not been implemented and actions the district has taken with regard to non-compliance rules and policies.**

   Note: **If a repair contract expires prior to installation, the cooperator is required to immediately refund to the State a pro-rated amount of the cost share monies received for that BMP. The amount to be refunded should be based on the remaining life of the BMP from the date of installation to the date the BMP was found to be in need of repair.**

6. The life of the practice is renewed when the cooperator receives cost share to repair a BMP. For example: repairing a grassed waterway that has been installed for two years will dictate that the cooperator must still maintain the grassed waterway an additional ten years from the date of repair.

7. Repairs for supervisor contracts **must receive** commission approval prior to approval by the division.

8. If a BMP that was repaired using cost share funds is found out of compliance and not repaired/reimplemented within the allotted time period, a pro-rated repayment of the original cost shared amount (not the repair amount) would be required.