

[(f)] (H) (1) A county that has been certified under this section as having established an effective county agricultural land preservation program is eligible for:

(I) the additional funds available to certified counties under § 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article; AND

(II) AS OF JULY 1, 2008, FUNDS PROVIDED FOR THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION OVER AND ABOVE THE FUNDING THE FOUNDATION RECEIVES IN ACCORDANCE WITH § 2-508.1 OF THE AGRICULTURE ARTICLE AND §§ 13-209 AND 13-306 OF THE TAX - PROPERTY ARTICLE.

(2) A county that has been certified under this section may use the additional funds available as a result of certification:

(I) for the purposes stated under § 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article;

(II) TO PURCHASE EASEMENTS IN ITS PRIORITY PRESERVATION AREA;

(III) FOR A CRITICAL FARMS PROGRAM APPROVED BY THE FOUNDATION; OR

(IV) FOR AN INSTALLMENT PURCHASE AGREEMENT PROGRAM APPROVED BY THE FOUNDATION; OR

(V) FOR THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM APPROVED BY THE FOUNDATION.

[(g)] (I) (1) A certification under this section is effective for [2] 3 years and the decision by the Department and the Foundation as to certification is final with no right to appeal.

(2) At the request of the county, the Department and the Foundation shall recertify under this section a county [that] AGRICULTURAL LAND PRESERVATION PROGRAM IF:

(I) THE COUNTY has maintained a successful program of purchase of development rights or financial enhancements related to purchase of development rights during the period of certification;

(II) CONDITIONS IN THE COUNTY PRIORITY PRESERVATION AREA REMAIN IN ACCORDANCE WITH THE REQUIREMENTS OF § 2-518 OF THE AGRICULTURE ARTICLE;

(III) THE COUNTY PROVIDES AN UPDATE ON THE METHOD, EVALUATION, SHORTCOMINGS, AND FUTURE ACTIONS THAT THE COUNTY IS USING OR WILL USE TO ACHIEVE PRESERVATION GOALS, AS REQUIRED UNDER SUBSECTION (F)(6) THROUGH (8) OF THIS SECTION; AND

(IV) THE UPDATE DEMONSTRATES SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF PRESERVATION GOALS IN THE PRIORITY PRESERVATION AREA.