

- (3) ~~Develop certification programs to ensure uniform and professional standards for the identification, delineation, functional assessment, and mitigation of nontidal wetlands;~~
- (4) ~~Evaluate proposed activities on nontidal wetlands and grant or deny permits or other approvals of proposed activities;~~
- (5) ~~Conduct watershed studies and educational programs and disseminate information concerning the nontidal wetlands program;~~
- (6) ~~Prepare, adopt, and periodically revise guidance maps of nontidal wetlands;~~
- (7) ~~Adopt standards for THE ESTABLISHMENT OF MITIGATION BANKING PROJECTS AND OTHER TECHNIQUES TO [planning, regulating, restoring, creating, and enhancing] PLAN, REGULATE, RESTORE, CREATE, AND ENHANCE nontidal wetlands;~~
- (8) ~~Purchase, restore, and create nontidal wetlands, AND WHERE APPROPRIATE, ESTABLISH MITIGATION BANKING PROJECTS; and~~
- (9) ~~Conduct periodic monitoring, cumulative impact assessment, and evaluation of activities authorized under this subtitle.~~

8-1208.

(A) ~~In cooperation with other State, local, and federal agencies, the Department may prepare comprehensive watershed management plans [which] AND ESTABLISH MITIGATION BANKING PROJECTS IN ORDER TO address nontidal wetland protection, creation, and restoration, cumulative impacts, flood protection, and water supply concerns.~~

(B) ~~Completed watershed management plans AND MITIGATION BANKING PROJECTS, WHEN APPROPRIATE, will be used as the [basis] BASES for consistent permitting decisions and creating and restoring nontidal wetlands.~~

8-1209.

(a) ~~An applicant shall take all necessary steps to first avoid significant impairment and then minimize losses of nontidal wetlands. If the applicant demonstrates to the Department's satisfaction that all necessary steps were taken and losses or significant impairment of nontidal wetlands are unavoidable, the Department shall require the applicant to EVALUATE THE APPLICABILITY OF MITIGATION BANKING TO THE DEVELOPMENT PROJECT AND TO adopt THE OPTIMUM APPLICABLE mitigation practices.~~

(b) (1) ~~[By December 31, 1989 the] THE Department shall consistent with the goals established in § 8-1202 of this subtitle adopt by regulation standards and procedures for the mitigation of nontidal wetlands losses, including [practices for nontidal wetland] THE ESTABLISHMENT OF MITIGATION BANKING PROJECTS, OTHER creation, restoration, AND enhancement METHODS, [or] AND monetary compensation.~~