

(9) A binding 2-year management agreement that details how the areas designated for afforestation or reforestation will be maintained to ensure protection or satisfactory establishment including:

- (i) Watering; and
- (ii) Reinforcement planting provisions if survival falls below required standards; and

(10) Any other requirement established in regulations adopted by the Department, or imposed by a local authority.

5-1607.

(b) (1) A sequence other than the one described in subsection (a) of this section may be used for a specific project if necessary to achieve the objectives of a local jurisdiction's land use plans or policies or to take advantage of opportunities to consolidate forest conservation efforts.

(2) IN A MUNICIPAL CORPORATION WITH A TREE MANAGEMENT PLAN, IN AN EXISTING POPULATION CENTER DESIGNATED IN A COUNTY MASTER PLAN THAT HAS BEEN ADOPTED TO CONFORM WITH THE ECONOMIC GROWTH, RESOURCE PROTECTION, AND PLANNING ACT OF 1992, AS ENACTED BY CHAPTER 437 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1992, OR IN ANY OTHER DESIGNATED AREA APPROVED BY THE DEPARTMENT AS PART OF A LOCAL PROGRAM, A LOCAL PROGRAM MAY, SUBJECT TO THE APPROVAL OF THE DEPARTMENT, ESTABLISH CRITERIA FOR THE USE OF:

(I) STREET TREES AS A PERMISSIBLE STEP IN THE PRIORITY SEQUENCE FOR AFFORESTATION OR REFORESTATION AND, BASED ON A MATURE CANOPY COVERAGE, MAY GRANT FULL CREDIT AS A MITIGATION TECHNIQUE; AND

(II) THE ACQUISITION OF AN OFF-SITE PROTECTIVE EASEMENT FOR EXISTING FORESTED AREAS NOT CURRENTLY PROTECTED AS A MITIGATION TECHNIQUE, BUT THE AFFORESTATION OR REFORESTATION CREDIT GRANTED MAY NOT EXCEED 50% OF THE AREA OF THE FOREST COVER PROTECTED.

5-1609.

(a) (1) By December 31, 1991, the Department, after consulting with local government and the real estate development, building, and environmental communities, shall adopt regulations, including the development of guidance manuals to:

[(1)](I) Implement this subtitle and set requirements and standards which establish:

[(i)] 1. Standards of performance required in forest stand delineations and forest conservation plans including the submittal process;

[(ii)] 2. Criteria for local forest conservation programs; and

[(iii)] 3. Implementation processes for the Department's administration in the absence of a local forest conservation program;