

[(c)](B) (1) Except as provided in [subsection (d) (1)] SUBSECTION (C)(1) of this section and except in Baltimore City, at least one half of a local governing body's annual apportionment shall be used for acquisition projects. Local matching funds are not required for acquisition projects. If the local governing body is unable to obtain federal funds pursuant to § 5-906 of this subtitle, for an approved local acquisition project, the total cost of the project shall be defrayed out of the local governing body's annual apportionment of State funds for open space. In Baltimore City any portion of the annual apportionment may be used either for acquisition or development.

(2) A local governing body shall prepare a local land preservation and recreation plan WITH ACQUISITION GOALS BASED UPON THE MOST CURRENT POPULATION DATA AVAILABLE FROM THE MARYLAND OFFICE OF PLANNING and submit it to the Department and to the Maryland Office of Planning for joint approval according to the criteria and goals set forth in the Maryland Land Preservation and Recreation Plan and any revisions thereof. A local governing body shall revise its local land preservation and recreation plan at least every five years concurrently with the revision of the Maryland Land Preservation and Recreation Plan and submit the revised local plan to the Department and to the Maryland Office of Planning for joint approval. Prior to approval of a revised local plan, the Department shall provide the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the revised local plan.

(3) Subject to the approval of the Department, a local governing body may use part of its acquisition funds for initial or periodic updating of local land preservation and recreation plans. The amount that may be used by a subdivision for planning purposes in the local land preservation and recreation plan shall not exceed \$25,000 for any one fiscal year. Local matching funds are not required for planning or updating the local land preservation and recreation plan.

(4) If federal funds are provided on any acquisition project, the State shall provide 100 percent of the difference between the total project cost and the federal contribution.

(5) (i) A local governing body shall use part of its funds reserved for acquisition for a local advance option and purchase fund. The funding level of the local advance option and purchase fund shall be determined on an annual basis and submitted as part of the annual program under subsection [(b)] (A) of this section. The local advance option and purchase fund may be used to obtain an option on any parcel of land identified by the local governing body as facing intense development pressure within that county in advance of purchase or to purchase specific tracts of land.

(ii) Funds available in a local advance option and purchase fund shall be allocated in the following order of priority:

1. First to obtain an option on any parcel of land identified by the local governing body as facing intense or immediate development pressure within that county in advance of purchase, or to purchase a specific tract of land identified by the local governing body as facing intense development pressure within that county; and