

WITH REASONABLE MANAGEMENT PLANS, THROUGH METHODS THAT INCLUDE EASEMENTS, COVENANTS, OR SIMILAR MECHANISMS THAT SHALL BE IN PLACE AT THE TIME CREDITS ARE WITHDRAWN.

(F) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DEPARTMENT OR A LOCAL JURISDICTION TO:

- (1) ESTABLISH OR FUND STATE OR LOCAL MITIGATION BANKS;
- (2) FUND THE ESTABLISHMENT OF FOREST MITIGATION BANKING BY THE PRIVATE SECTOR; OR
- (3) USE STATE OR LOCAL GOVERNMENT LAND FOR FOREST MITIGATION BANKING.

(G) (1) CREDITS IN A MITIGATION BANK MAY NOT BE APPROVED FOR DEBITING UNTIL CONSTRUCTION OF THE MITIGATION BANK IS COMPLETE.

(2) A MITIGATION BANK SHALL MAINTAIN SUFFICIENT CREDITS IN RESERVE TO COVER ANTICIPATED EXPENSES OF COMPLETION OF THE MITIGATION BANK.

5-1613.

On or before July 1 of each year, the Department shall submit, subject to § 2-1312 of the State Government Article, to the Senate Economic and Environmental Affairs Committee and the House Environmental Matters Committee a statewide report, compiled from local authorities' reports to the Department, on:

- (1) The number, location, and type of projects subject to the provisions of this subtitle;
- (2) The amount and location of acres cleared, conserved, and planted, INCLUDING ANY AREAS WHICH UTILIZE FOREST MITIGATION BANK CREDITS, in connection with a development project;
- (3) The amount of reforestation and afforestation fees and noncompliance penalties collected and expended; [and]
- (4) The costs of implementing the forest conservation program; AND
- (5) THE SIZE, LOCATION, AND PROTECTION OF ANY LOCAL FOREST MITIGATION BANKS WHICH ARE CREATED UNDER A LOCAL OR STATE PROGRAM.

~~SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Section 2(2) of Chapter 489 of the Acts of the General Assembly of 1993, the Advisory Group on Forest Conservation established under that Act shall be reinstated and shall serve through May 31, 1999.~~

SECTION 4. 3 AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 22, 1997.