

(i) determine is necessary for an effective county agricultural land preservation program; and

(ii) require by regulation.

(d) (1) To apply for certification under this section, a county shall file with the Maryland Agricultural Land Preservation Foundation and the [Office] DEPARTMENT an application in the form that the [Office] DEPARTMENT and the Foundation jointly require by regulation.

(2) Within 45 days after notification of an application for certification:

(i) the Foundation shall advise the [Office] DEPARTMENT as to whether it approves the application; and

(ii) the [Office] DEPARTMENT shall notify the county as to whether the county's application for certification has been approved.

(e) The [Office] DEPARTMENT and the Foundation may not certify a county under this section unless the [Office] DEPARTMENT and the Foundation determine that:

(1) the proposed county program for the purchase of development rights or financial enhancements related to the purchase of development rights is likely to be successful; and

(2) either:

(i) local expenditures prior to July 1, 1990, for the purchase of development rights or financial enhancements related to the purchase of development rights have equaled or exceeded the additional funds that will be available to the county as a result of certification; or

(ii) the county has committed to spend additional local funds for the purchase of development rights or enhancements related to the purchase of development rights in an amount equal to or exceeding the amount of the additional funds that will be available as a result of certification.

(f) (1) A county that has been certified under this section as having established an effective county agricultural land preservation program is eligible for the additional funds available to certified counties under § 2-508.1 of the Agriculture Article 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 for the purposes stated under § 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article.

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

(2) At the request of the county, the [Office] DEPARTMENT and the Foundation shall recertify under this section a county that has maintained a