

~~(D) A FOREST CONSERVATION PLAN SHALL INCLUDE A LEGALLY BINDING PROTECTIVE AGREEMENT FOR AREAS OF FOREST CONSERVATION. THE FOREST CONSERVATION AGREEMENT SHALL PROVIDE, THROUGH CONSERVATION EASEMENTS, DEED RESTRICTIONS AND COVENANTS, OR OTHER SIMILARLY EFFECTIVE MEANS, FOR:~~

~~(1) PRESERVATION IN PERPETUITY OF AREAS DESCRIBED IN SUBSECTION (B) AND IN PARAGRAPHS (1) AND (3) OF SUBSECTION (C) OF THIS SECTION;~~

~~(2) RETENTION AS FOREST IN PERPETUITY OF ALL LAND FORESTED, AFFORESTED, OR REFORESTED UNDER THIS SUBTITLE; AND~~

~~(3) LIMITATION OF USES OF FOREST TO THOSE THAT ARE NOT INCONSISTENT WITH FOREST CONSERVATION, SUCH AS RECREATIONAL ACTIVITIES AND FOREST MANAGEMENT UNDER SUBSECTION (E) OF THIS SECTION.~~

(E) (1) AS PART OF THE DEVELOPMENT OF A FOREST CONSERVATION PROGRAM, A LOCAL GOVERNMENT SHALL DEVELOP PROVISIONS FOR:

(I) PRESERVATION OF AREAS DESCRIBED IN SUBSECTIONS (C) AND (D)(1) AND (3) OF THIS SECTION;

(II) RETENTION AS FOREST OF ALL LAND FORESTED, AFFORESTED, OR REFORESTED UNDER THIS SUBTITLE; AND

(III) LIMITATION OF USES OF FOREST TO THOSE THAT ARE NOT INCONSISTENT WITH FOREST CONSERVATION, SUCH AS RECREATIONAL ACTIVITIES AND FOREST MANAGEMENT UNDER SUBSECTION (F) OF THIS SECTION.

(2) THE PROVISIONS REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE PROTECTIVE AGREEMENTS FOR AREAS OF FOREST CONSERVATION, INCLUDING CONSERVATION EASEMENTS, DEED RESTRICTIONS, AND COVENANTS.

(E) (F) EXCEPT FOR LAND THAT IS PRESERVED UNDER PARAGRAPH (1) OF SUBSECTION (D) SUBSECTION (E) OF THIS SECTION, AN OWNER MAY PLACE LAND THAT IS FORESTED, AFFORESTED, OR REFORESTED UNDER THIS SUBTITLE IN THE FOREST CONSERVATION AND MANAGEMENT PROGRAM UNDER § 8-211 ET SEQ OF THE TAX - PROPERTY ARTICLE. UPON HARVESTING OF ANY TIMBER UNDER A FOREST CONSERVATION AND MANAGEMENT AGREEMENT, THE AFFECTED AREA SHALL BE REFORESTED OR IN A FOREST MANAGEMENT PLAN PREPARED BY A LICENSED FORESTER AND APPROVED BY THE