

LOCAL AUTHORITY OR THE STATE. REFORESTATION SHALL BE REQUIRED WHEN THE FINAL REGENERATION HARVEST IS COMPLETE OR IF DETERMINED TO BE NECESSARY DUE TO THE LACK OF ADEQUATE NATURAL REGENERATION.

~~5-1609. 5-1608.~~

(A) THE REVIEW OF THE FOREST CONSERVATION PLAN SHALL BE CONCURRENT WITH THE REVIEW PROCESS OF THE STATE OR LOCAL AUTHORITY FOR THE SUBDIVISION PLAN, OR THE GRADING; OR SEDIMENT CONTROL, ~~OR BUILDING PERMIT,~~ WHICHEVER MAY BE SUBMITTED FIRST.

(B) BEFORE THE APPROVAL OF THE FINAL SUBDIVISION PLAN, OR THE ISSUANCE OF THE GRADING; OR SEDIMENT CONTROL, ~~OR BUILDING PERMIT~~ BY THE STATE OR LOCAL AUTHORITY, THE APPLICANT SHALL HAVE AN APPROVED FOREST CONSERVATION PLAN THAT SHALL INCLUDE THE ~~MINIMUM~~ REQUIREMENTS IN ~~§§ 5-1606, 5-1607, AND 5-1608~~ §§ 5-1605, 5-1606, AND 5-1607 OF THIS SUBTITLE.

(C) (1) ANY PERSON FOUND TO BE IN NONCOMPLIANCE WITH THIS SUBTITLE, REGULATIONS ADOPTED ~~PURSUANT TO IT~~ UNDER THIS SUBTITLE, THE FOREST CONSERVATION PLAN OR THE ASSOCIATED ~~5-YEAR 2-YEAR~~ MANAGEMENT AGREEMENT; SHALL BE ASSESSED BY THE DEPARTMENT OR LOCAL AUTHORITY, THE PENALTY OF ~~30 45 30~~ CENTS PER SQUARE FOOT OF THE AREA ~~OF~~ FOUND TO BE IN NONCOMPLIANCE WITH REQUIRED FOREST CONSERVATION.

(2) THIS AMOUNT SHALL BE PAID INTO THE APPROPRIATE LOCAL OR STATE FOREST CONSERVATION FUND ~~AND SHALL BE REIMBURSED TO THE APPLICANT UPON COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND TIMETABLE OF THE FOREST CONSERVATION PLAN AND 5-YEAR MANAGEMENT AGREEMENT.~~

~~(D) FOR ANY ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF THIS SUBTITLE, IF A FOREST CONSERVATION PLAN AND ANY REQUIRED PERMITS HAVE BEEN APPROVED FOR THE ACTIVITY AND THE ACTIVITY HAS BEGUN, ANY SUBSEQUENT FOREST CONSERVATION REQUIREMENTS IMPOSED BY A STATE OR LOCAL AGENCY THAT ARE DIFFERENT FROM, OR IN ADDITION TO, THE REQUIREMENTS OF THE APPROVED FOREST CONSERVATION PLAN SHALL BE THE RESPONSIBILITY OF THAT AGENCY.~~

~~5-1610. 5-1609.~~

(A) BY DECEMBER 31, 1991, THE DEPARTMENT, AFTER CONSULTING WITH LOCAL GOVERNMENT AND THE REAL ESTATE DEVELOPMENT, BUILDING, AND ENVIRONMENTAL COMMUNITIES, SHALL ADOPT REGULATIONS AND DEVELOP, INCLUDING THE DEVELOPMENT OF GUIDANCE MANUALS TO: