

(B) BY DECEMBER 31, 1992, THE DEPARTMENT SHALL PREPARE AND PROVIDE TO LOCAL AUTHORITIES A STATEWIDE FOREST RESOURCE INVENTORY THAT SHALL:

(1) BE UPDATED EVERY 5 YEARS OR AS DEEMED APPROPRIATE BY THE DEPARTMENT; AND

(2) INCLUDE A LIST OF POTENTIAL SITES FOR REFORESTATION OR AFFORESTATION OF BOTH PUBLICLY AND PRIVATELY OWNED LAND ON A COUNTY BY COUNTY BASIS.

~~5-1611. 5-1610.~~

(A) THERE IS A FOREST CONSERVATION FUND IN THE DEPARTMENT.

(B) EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, IF ANY PERSON SUBJECT TO THIS SUBTITLE DEMONSTRATES TO THE SATISFACTION OF THE APPROPRIATE STATE OR LOCAL AUTHORITY, THAT ~~FOREST CONSERVATION REQUIREMENTS OF THE REQUIREMENTS FOR REFORESTATION OR AFFORESTATION ON-SITE OR OFF-SITE ARE INFEASIBLE~~ CANNOT BE REASONABLY ACCOMPLISHED, THE PERSON SHALL CONTRIBUTE MONEY AT A RATE OF ~~40~~ 15 10 CENTS PER SQUARE FOOT OF THE AREA OF REQUIRED ~~FOREST CONSERVATION~~ PLANTING TO THE FOREST CONSERVATION FUND.

(C) MONEY COLLECTED BY THE STATE ~~PURSUANT TO SUBSECTION (C) OF § 5-1609 UNDER § 5-1609(C) § 5-1608(C)~~ OF THIS SUBTITLE FOR NONCOMPLIANCE WITH THIS SUBTITLE OR REGULATIONS ADOPTED ~~PURSUANT TO IT~~ UNDER THIS SUBTITLE, OR FOR NONCOMPLIANCE WITH A FOREST CONSERVATION PLAN OR THE ASSOCIATED ~~5-YEAR~~ 2-YEAR MANAGEMENT AGREEMENT, SHALL BE DEPOSITED IN THE FOREST CONSERVATION FUND.

~~(D) MONEY DEPOSITED IN THE FOREST CONSERVATION FUND SHALL REMAIN IN THE FUND UNTIL APPROPRIATED AND SPENT AND MAY NOT REVERT TO THE GENERAL FUND.~~

~~(E) THE DEPARTMENT SHALL USE THE FOREST CONSERVATION FUND FOR PURPOSES RELATED TO IMPLEMENTING THIS SUBTITLE.~~

~~(F) ANY LOCAL AUTHORITY MAY ESTABLISH A FOREST CONSERVATION FUND TO BE ADMINISTERED BY THE LOCAL AUTHORITY TO ALLOW A PAYMENT BY ANY PERSON WHO HAS DEMONSTRATED TO THE SATISFACTION OF THE LOCAL AUTHORITY THAT RETENTION OF FOREST AND AFFORESTATION, BOTH ON SITE AND OFF SITE, ARE INFEASIBLE. THE RATE SHALL BE 10 CENTS PER SQUARE FOOT OF THE AREA OF REQUIRED FOREST CONSERVATION, AT A MINIMUM.~~