

~~(G) MONEY COLLECTED BY THE LOCAL AUTHORITY FOR NONCOMPLIANCE WITH THIS STATUTE OR REGULATIONS ADOPTED PURSUANT TO IT OR FOR NONCOMPLIANCE WITH A FOREST CONSERVATION PLAN OR THE ASSOCIATED 5 YEAR MANAGEMENT AGREEMENT, MAY BE DEPOSITED IN THE LOCAL FUND. THE RATE SHALL BE 30 CENTS PER SQUARE FOOT OF THE AREA OF REQUIRED FOREST CONSERVATION, AT A MINIMUM.~~

~~(H) MONEY DEPOSITED IN THE FUND SHALL REMAIN IN THE FUND UNTIL APPROPRIATED OR SPENT FOR PURPOSES DIRECTLY APPLICABLE TO AND MEETING THE REQUIREMENTS OF THIS SUBTITLE.~~

~~(I) THE LOCAL AUTHORITY MAY MAKE PAYMENTS FROM THE LOCAL FOREST CONSERVATION FUND INTO THE STATE'S FOREST CONSERVATION FUND WHEN THE LOCAL AUTHORITY HAS DEMONSTRATED THAT ALL REASONABLE OPPORTUNITIES FOR RETENTION AND AFFORESTATION WITHIN THE JURISDICTION HAVE BEEN EXHAUSTED.~~

(D) (1) THE DEPARTMENT SHALL ACCOMPLISH THE REFORESTATION OR AFFORESTATION FOR WHICH THE MONEY IS DEPOSITED WITHIN 1 YEAR OR 2 GROWING SEASONS, AS APPROPRIATE, AFTER RECEIPT OF THE MONEY.

(2) MONEY DEPOSITED IN THE FOREST CONSERVATION FUND UNDER SUBSECTION (B) OF THIS SECTION SHALL REMAIN IN THE FUND FOR A PERIOD OF 1 YEAR OR 2 GROWING SEASONS, AND AT THE END OF THAT TIME PERIOD, ANY PORTION THAT HAS NOT BEEN USED TO MEET THE AFFORESTATION OR REFORESTATION REQUIREMENTS SHALL BE RETURNED TO THE PERSON WHO PROVIDED THE MONEY.

(E) (1) MONEY DEPOSITED IN THE FUND UNDER SUBSECTION (B) OF THIS SECTION MAY ONLY BE SPENT ON REFORESTATION AND AFFORESTATION, INCLUDING SITE IDENTIFICATION, ACQUISITION, AND PREPARATION, AND MAY NOT REVERT TO THE GENERAL FUND OF THE STATE.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE REFORESTATION OR AFFORESTATION REQUIREMENT UNDER THIS SUBSECTION SHALL OCCUR IN THE COUNTY AND WATERSHED IN WHICH THE PROJECT IS LOCATED.

(II) IF THE REFORESTATION OR AFFORESTATION CANNOT BE REASONABLY ACCOMPLISHED IN THE COUNTY AND WATERSHED IN WHICH THE PROJECT IS LOCATED, THEN THE REFORESTATION OR AFFORESTATION SHALL OCCUR IN THE COUNTY OR WATERSHED IN THE STATE IN WHICH THE PROJECT IS LOCATED.