

afforestation, including the costs directly related to site identification, acquisition, prepurchase, and preparation, and may not revert to any other local general fund.

~~(H) ANY INVESTMENT EARNINGS OF A LOCAL FOREST CONSERVATION FUND MAY NOT BE TRANSFERRED OR REVERT SHALL BE CREDITED TO ANY OTHER LOCAL GENERAL FUND, BUT SHALL REMAIN IN THE LOCAL FOREST CONSERVATION FUND.~~

(2) (i) Except as provided in subparagraph (ii) or (iii) 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.

(iii) If the reforestation or afforestation cannot be reasonably accomplished in the county or watershed in which the project is located, then the reforestation or afforestation shall be accomplished through purchase of credits in, establishment, or maintenance of a forest mitigation bank in accordance with regulations of the local forest conservation program. The Reforestation Fund may not be used to finance administrative activities associated with a mitigation bank and any credits created by the Reforestation Fund may not be sold to compensate for additional forest impacts.

[(j)] (K) Money collected by the local authority under § 5-1608(c) of this subtitle for noncompliance with this subtitle or regulations or ordinances adopted under this subtitle for noncompliance with a forest conservation plan or the associated 2-year management agreement, ~~AND ANY INVESTMENT EARNINGS OF THE LOCAL FOREST CONSERVATION FUND~~, shall be deposited in the local fund. The rate shall be 30 cents per square foot of the area found to be in noncompliance with the required forest conservation.

[(k)] (L) Money deposited in a local forest conservation fund under subsection [(j)] (K) of this section may be used by the local authority for purposes related to implementing this subtitle.

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(a) Any fee and other revenue the Department collects under authority of this subtitle, and any other available income, shall be deposited in the State Treasury and used exclusively for the administration, functions, and objectives of this subtitle. These funds are credited to the Department.

(b) The Department may use the funds credited to its accounts to purchase, rent, and operate any equipment necessary to accomplish the purposes of this subtitle, within budgetary limitations.

(c) Subject to available income, the Department may employ necessary personnel subject to the provisions of the State Personnel and Pensions Article.]