

government to consult with the Department concerning certain cutting and replacement activities in forest areas; generally relating to the cutting and replacement of trees in certain areas by a unit of State government; and generally relating to the Reforestation Fund.

BY adding to

Article - Natural Resources
Section 5-103
Annotated Code of Maryland
(1983 Replacement Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

5-103.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "FOREST" MEANS A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND OTHER WOODY PLANTS COVERING A LAND AREA OF 1 ACRE OR MORE.

(II) "FOREST" INCLUDES AN AREA THAT HAS BEEN CUT BUT NOT CLEARED OF TREES AND OTHER WOODY PLANTS.

(3) "WATERSHED" MEANS ALL LANDS LYING WITHIN AN AREA DESCRIBED AS A SUBBASIN IN WATER QUALITY REGULATIONS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) TO ACCOMPLISH A CONSTRUCTION ACTIVITY INVOLVING LAND CLEARING, A UNIT OF STATE GOVERNMENT:

(1) MAY CUT OR CLEAR ONLY THE MINIMUM NUMBER OF TREES AND OTHER WOODY PLANTS NECESSARY TO ACCOMPLISH A CONSTRUCTION ACTIVITY INVOLVING LAND CLEARING THAT ARE NECESSARY AND CONSISTENT WITH SOUND DESIGN PRACTICES; AND

(2) SHALL MAKE EVERY REASONABLE EFFORT TO MINIMIZE THE CUTTING OR CLEARING OF TREES AND OTHER WOODY PLANTS.

(c) IF THE TOTAL AREA OF FOREST CUT OR CLEARED IN CONNECTION WITH A CONSTRUCTION ACTIVITY BY A UNIT OF STATE GOVERNMENT EQUALS 1 ACRE OR MORE, A UNIT OF STATE GOVERNMENT SHALL ESTABLISH AT ITS OWN EXPENSE, AN EQUIVALENT AREA OF FOREST ON LAND THAT: