

5-101.

(a) In this title[,] the following words have the meanings indicated.

(d) "Person" includes the State, any county, municipal corporation, or other political subdivision of the State, or any of their units, or an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any other entity.

5-103.

(a) (1) In this section the following words have the meanings indicated.

(2) "CONSTRUCTING AGENCY" MEANS:

(I) A UNIT OF STATE GOVERNMENT; OR

(II) ANY OTHER PERSON WHO USES STATE FUNDING AND PERFORMS ANY CONSTRUCTION ACTIVITY WITH THE STATE FUNDING.

[(2)] (3) (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)] (4) "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 OR ANY OTHER PERSON USING STATE FUNDING FOR THE CONSTRUCTION PROJECT:

(1) May cut or clear only the minimum number of trees and other woody plants 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) (1) If the total area of forest cut or cleared in connection with a construction activity by a unit of State government OR ANY OTHER PERSON USING STATE FUNDING FOR THE CONSTRUCTION PROJECT equals 1 acre or more, the constructing agency shall locate an equivalent area of State-owned OR OTHER PUBLICLY OWNED land to be reforested by the Department at a rate not to exceed [\$200] \$500 an acre.