

- (1) ~~Any construction activity that is subject to § 5-103 of this title;~~
- (2) ~~Any cutting or clearing of forest in areas governed by the Chesapeake Bay Critical Area Protection Law (Title 8, Subtitle 18 of this article);~~
- (3) ~~Commercial logging and timber harvesting operations, including any harvesting conducted under the forest conservation and management program under § 8-211 of the Tax Property Article:~~
- (i) ~~That were completed before July 1, 1991; or~~
- (ii) ~~That were completed on or after July 1, 1991 on property that is not the subject of an application for a grading permit for development within 5 years after the logging or harvesting operation. However, after this 5-year period, the property shall be subject to this subtitle;~~
- (4) ~~Any agricultural activity that does not result in a change in land use category, including agricultural support buildings and other related structures built using accepted best management practices;~~
- (5) ~~The cutting or clearing of public utility rights of way or land for electric generating stations licensed pursuant to §§ 54A and 54B or § 54 I of Article 78 of the Code, provided that:~~
- (i) ~~Any required certificates of public convenience and necessity have been issued in accordance with § 5-1603(f) of this subtitle; and~~
- (ii) ~~The cutting or clearing of the forest is conducted so as to minimize the loss of forest;~~
- (6) ~~Any routine maintenance of public utility rights of way;~~
- (7) ~~Any activity conducted on a single lot of any size provided that:~~
- (i) ~~The activity does not result in the cutting, clearing, or grading of more than 40,000 square feet of forest; and~~
- (ii) ~~The activity on the lot will not result in the cutting, clearing, or grading of any forest that is subject to the requirements of a previous forest conservation plan prepared under this subtitle;~~
- (8) ~~Any strip or deep mining of coal regulated under Title 7, Subtitle 5 or 5A of this article and any noncoal surface mining regulated under Title 7, Subtitle 6A of this article;~~
- (9) ~~Any activity required for the purpose of constructing a dwelling house intended for the use of the owner, or a child or grandchild of the owner, if the activity does not result in the cutting, clearing, or grading of more than 40,000 square feet of forest; [and]~~
- (10) ~~A county that has and maintains 200,000 acres or more of its land area in forest cover; AND~~