

reduced by the area found to be within the boundaries of the 100-year floodplain] REDUCED BY THAT AREA WHERE FOREST CLEARING IS RESTRICTED BY ANOTHER LOCAL ORDINANCE OR PROGRAM; AND

(3) FOR A LINEAR PROJECT:

(I) THE AREA OF A RIGHT-OF-WAY WIDTH, NEW ACCESS ROADS AND STORAGE; OR

(II) THE LIMITS OF DISTURBANCE AS SHOWN ON AN APPLICATION FOR SEDIMENT AND EROSION CONTROL APPROVAL OR IN A CAPITAL IMPROVEMENTS PROGRAM PROJECT DESCRIPTION.

(ff) (1) "Reforestation" or "reforested" means the creation of a biological community dominated by trees and other woody plants containing at least 100 trees per acre with at least 50% of those trees having the potential of attaining a 2 inch or greater diameter measured at 4.5 feet above the ground, within 7 years.

(2) "Reforestation" includes landscaping of areas under an approved landscaping plan that establishes a forest that is at least 35 feet wide and covering 2,500 square feet of area.

(3) "REFORESTATION" FOR A LINEAR PROJECT WHICH INVOLVES OVERHEAD TRANSMISSION LINES MAY CONSIST OF A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND WOODY SHRUBS WITH NO MINIMUM HEIGHT OR DIAMETER CRITERIA.

5-1602.

(b) The provisions of this subtitle do not apply to:

(7) Any activity conducted on a single lot of any size OR A LINEAR PROJECT 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 OR LINEAR PROJECT 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;

(C) FOR AN APPLICATION FOR SUBDIVISION OR SEDIMENT AND EROSION CONTROL OR GRADING FOR A SITE WITH MORE THAN 50% OF THE NET TRACT AREA GOVERNED BY TITLE 8, SUBTITLE 18 OF THIS ARTICLE, THE DEPARTMENT OR LOCAL AUTHORITY MAY ALLOW AN APPLICANT TO EXTEND CRITICAL AREA FOREST PROTECTION MEASURES IN LIEU OF MEETING THE REQUIREMENTS OF THIS SUBTITLE.

5-1603.

(a) (4) A municipality which has planning and zoning authority may, with the concurrence of the county and the Department, assign its obligations under this subtitle to the county [by December 31, 1991].