

(g) A local authority OR THE DEPARTMENT IN ITS ADMINISTRATION OF A STATE FOREST CONSERVATION PROGRAM IN JURISDICTIONS WHICH DO NOT HAVE AN APPROVED LOCAL PROGRAM IN EFFECT may establish reasonable and appropriate procedures for the recovery of all costs incurred in the development, implementation, administration, and enforcement of the local FOREST CONSERVATION PROGRAM OR THE STATE forest conservation program FOR JURISDICTIONS WITHOUT AN APPROVED FOREST CONSERVATION PROGRAM.

5-1604.

(a) [After] EXCEPT AS PROVIDED IN SUBSECTION (B)(2) AND (3) OF THIS SECTION, AFTER December 31, 1992, or after the date on which a local program has been adopted under § 5-1603 of this subtitle, whichever occurs first, a person making application for subdivision or grading or sediment control permits on areas greater than 40,000 square feet shall submit a forest stand delineation for the entire site prepared by a licensed forester, licensed landscape architect, or other qualified professionals that may be approved by the State or a local authority in the manner required by the approved program.

(b) (1) The forest stand delineation shall be used during the preliminary review process to determine the most suitable and practical areas for forest [conservation and,] CONSERVATION. SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, AND except when waived by the Department during approval or review of a local program, THE FOREST STAND DELINEATION shall contain the following components:

[(1)] (I) A topographic map delineating intermittent and perennial streams, and steep slopes over 25%;

[(2)] (II) A soils map delineating soils with structural limitations, hydric soils, or soils with a soil K value greater than 0.35 on slopes of 15% or more;

[(3)] (III) Forest stand maps indicating species, location, and size of trees and showing dominant and codominant forest types; and

[(4)] (IV) Any other requirements necessary to carry out the purposes of this subtitle established in regulations adopted by the Department or imposed by a local authority.

(2) A CONCEPT PLAT OR PLAN, PRELIMINARY PLAT OR PLAN, SEDIMENT AND EROSION CONTROL PLAN, SITE PLAN, OR OTHER APPROPRIATE DOCUMENT, VERIFIED BY A SITE VISIT IF APPROPRIATE, MAY SUBSTITUTE FOR THE FOREST STAND DELINEATION REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THERE IS NO FOREST ON THE SITE; OR

(II) NO FOREST ON THE SITE IS TO BE CUT, CLEARED, OR GRADED FOR THE PROPOSED USE, AND ALL FOREST ON THE SITE IS TO BE SUBJECT TO A LONG-TERM PROTECTIVE AGREEMENT.

(3) THE DEPARTMENT SHALL PROVIDE FOR, AND A LOCAL AUTHORITY MAY ADOPT, A SIMPLIFIED PROCESS OR PROCESSES FOR FOREST STAND DELINEATION UNDER THIS SECTION, INCLUDING: