

Natural Resources - Forest Conservation - Net Tract Area

FOR the purpose of altering the definition of "net tract area" for forest conservation requirements and forest mitigation bank credits to include certain forested areas of certain tracts of land partially within 100-year floodplains or wetlands under certain circumstances; including in the definition of "net tract area" a nontidal wetland, stream buffer, and the forested area of a 100-year floodplain or wetland under certain circumstances; providing for the application of this Act; providing for the termination of this Act; and generally relating to the forest conservation program.

~~BY repealing and reenacting, with amendments,
Article - Natural Resources
Section 5-1601(a) and (ae)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article - Natural Resources
Section 5-1601(bb), (ff), and (jj) and 5-1607(e)(1) through (3) and (d)(1) through (4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows~~; for purposes of the application of Title 5, Subtitle 16 of the Natural Resources Article to a tract of land of at least 350 acres of which at least 15% is within the boundaries of a 100-year floodplain or wetland, the term "net tract area" includes the forested areas within the floodplain or wetland if a perpetual conservation easement is placed on the forested areas at the time the plat of the tract is recorded.

~~Article - Natural Resources~~

~~5-1601.~~

~~(a) (1) "Net tract area" means:~~

~~[(1)] (I) Except in agriculture and resource areas or linear project areas, the total area of a site, including both forested and nonforested areas, to the nearest one tenth acre reduced by that area where forest clearing is restricted by another local ordinance or program, INCLUDING THE FORESTED AREA WITHIN THE BOUNDARIES OF A 100-YEAR FLOODPLAIN OR WETLAND;~~

~~[(2)] (II) In agriculture and resource areas, the portion of the total tract for which land use will be changed or will no longer be used for primarily~~