

~~agricultural activities 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; and~~

~~[(3)] (III) For a linear project:~~

~~(i) 1. The area of a right of way width, new access roads and storage; or~~

~~(ii) 2. The limits of disturbance as shown on an application for sediment and erosion control approval or in a capital improvements program project description;~~

~~(2) "NET TRACT AREA" INCLUDES A NONTIDAL WETLAND, STREAM BUFFER, AND THE FORESTED AREA OF A 100 YEAR FLOODPLAIN IF THE WETLAND, BUFFER, AND FORESTED 100 YEAR FLOODPLAIN AREA IS PLACED IN A PERPETUAL CONSERVATION EASEMENT AT THE TIME OF RECORD PLAT.~~

~~(aa) (1) "Nontidal wetland" means an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.~~

~~(2) (1) The determination of whether an area is considered a nontidal wetland shall be made in accordance with the publication known as the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands", published in 1989 and as may be amended and interpreted by the U.S. Environmental Protection Agency.~~

~~(II) THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL APPLY, IN THE SAME MANNER, TO ALL JURISDICTIONS OF THE STATE.~~

~~(3) "Nontidal wetlands" do not include tidal wetlands regulated under Title 16 of the Environment Article.~~

~~(bb) (1) "One hundred year floodplain" means an area along or adjacent to a stream or body of water, except tidal waters, that is capable of storing or conveying floodwaters during a 100 year frequency storm event.~~

~~(2) A 100 year flood is a flood which has a 1% chance of being equaled or exceeded in any given year. Except for Class III waters (natural trout streams), a body of water with a watershed less than 400 acres is excluded.~~