

~~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 1980 and as may be amended and interpreted by the U.S. Environmental Protection Agency.~~

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

~~(2) "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.~~

~~(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.~~

~~(jj) "Stream buffer" means all lands lying within 50 feet, measured from the top of each normal bank of any perennial or intermittent stream.~~