

~~(H) THE AREA THAT IS REQUIRED BY THE LOCAL AUTHORITY TO BE CLEARED OF FOREST TO MEET CERTAIN RECREATIONAL OPEN SPACE REQUIREMENTS SUCH AS BALLFIELDS, PICNIC AREAS, AND OTHER RECREATIONAL AREAS THAT ARE FOUND TO BE NECESSARY, BUT THAT ARE NOT LIKELY TO IMPAIR WATER QUALITY; AND~~

~~(H) THE AREA THAT IS NECESSARY FOR THE CONSTRUCTION OF STORMWATER MANAGEMENT RETENTION OR DETENTION FACILITIES.~~

(2) 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 AGRICULTURAL ACTIVITIES, REDUCED BY:

(H) THE AREA FOUND TO BE WITHIN THE BOUNDARIES OF THE 100-YEAR FLOODPLAIN;

~~(H) THE AREA THAT IS REQUIRED BY THE LOCAL AUTHORITY TO BE CLEARED TO MEET CERTAIN RECREATIONAL OPEN SPACE REQUIREMENTS SUCH AS BALLFIELDS, PICNIC AREAS, AND OTHER RECREATIONAL AREAS THAT ARE FOUND TO BE NECESSARY BUT THAT ARE NOT LIKELY TO IMPAIR WATER QUALITY; AND~~

~~(H) THE AREA THAT IS NECESSARY FOR THE CONSTRUCTION OF STORMWATER MANAGEMENT RETENTION OR DETENTION FACILITIES.~~

(w) (Y) (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) 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.

(3) "NONTIDAL WETLANDS" DO NOT INCLUDE TIDAL WETLANDS REGULATED UNDER TITLE 9 OF THIS ARTICLE.