

- ~~(1) THE FORESTED BUFFERS OF INTERMITTENT AND PERENNIAL STREAMS;~~
- ~~(2) FORESTED 100 YEAR FLOODPLAINS;~~
- ~~(3) FORESTED NONTIDAL WETLANDS;~~
- ~~(4) FORESTED SLOPES MEASURING GREATER THAN 25 PERCENT;~~
- ~~(5) LARGE BLOCKS OF CONTIGUOUS FOREST;~~
- ~~(6) CRITICAL HABITAT AREAS;~~
- ~~(7) NATIONAL, STATE, OR LOCAL CHAMPION TREES; AND~~
- ~~(8) TREES PART OF A HISTORIC SITE.~~

~~5-1603.~~

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS SUBTITLE SHALL APPLY TO ANY PUBLIC OR PRIVATE SUBDIVISION ~~OR GRADING PROJECT OF ANY PERSON~~ PLAN OR APPLICATION FOR A GRADING OR SEDIMENT CONTROL PERMIT BY ANY PERSON, INCLUDING A UNIT OF STATE OR LOCAL GOVERNMENT ON AREAS 40,000 SQUARE FEET OR LARGER GREATER.

(B) THE PROVISIONS OF THIS SUBTITLE DO NOT APPLY TO:

(1) ANY ~~DEVELOPMENT PROJECT~~ CONSTRUCTION ACTIVITY THAT IS SUBJECT TO ~~SECTION 5-103~~ § 5-103 OF THIS SUBTITLE TITLE;

(2) ANY CUTTING OR CLEARING OF FOREST IN AREAS GOVERNED BY THE CHESAPEAKE BAY CRITICAL AREA PROTECTION LAW (TITLE 8, SUBTITLE 18 OF THIS ARTICLE);

(3) COMMERCIAL LOGGING AND TIMBER HARVESTING OPERATIONS, INCLUDING ANY HARVESTING CONDUCTED UNDER THE FOREST CONSERVATION AND MANAGEMENT PROGRAM UNDER § 8-211 OF THE TAX - PROPERTY ARTICLE:

(I) THAT WERE COMPLETED BEFORE JULY 1, 1991; OR

(II) THAT WERE COMPLETED ON OR AFTER JULY 1, 1991 ON PROPERTY THAT IS NOT THE SUBJECT OF AN APPLICATION FOR A GRADING PERMIT FOR DEVELOPMENT WITHIN 5 YEARS AFTER THE LOGGING OR HARVESTING OPERATION. HOWEVER, AFTER THIS 5-YEAR PERIOD, THE PROPERTY SHALL BE SUBJECT TO THIS SUBTITLE;