

FOREST AND THE PROVISIONS FOR AFFORESTATION AND REFORESTATION SET FORTH IN THIS SUBTITLE TOGETHER WITH ALL APPLICABLE ELECTRICAL SAFETY CODES, WHEN REVIEWING APPLICATIONS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED PURSUANT TO ~~§ 54A AND 54B~~ §§ 54A AND 54B OR § 54-1 OF ARTICLE 78 OF THE CODE.

~~5-1605; 5-1604.~~

(A) AFTER DECEMBER 31, 1992, OR AFTER THE DATE ON WHICH A LOCAL PROGRAM HAS BEEN ~~APPROVED~~ ADOPTED UNDER ~~§ 5-1604~~ § 5-1603 OF THIS SUBTITLE, WHICHEVER OCCURS FIRST, A PERSON MAKING APPLICATION FOR SUBDIVISION OR ~~GRADING~~, GRADING OR SEDIMENT CONTROL ~~OR BUILDING PERMITS ON LAND PARCELS~~ AREAS GREATER THAN 40,000 SQUARE FEET SHALL SUBMIT A FOREST STAND DELINEATION PREPARED BY A LICENSED FORESTER ~~OR~~, LICENSED LANDSCAPE ARCHITECT, OR OTHER QUALIFIED PROFESSIONALS THAT MAY BE APPROVED BY THE STATE OR A LOCAL AUTHORITY ON THE ENTIRE SITE TO THE STATE OR LOCAL AUTHORITY ADMINISTERING THE LOCAL FOREST CONSERVATION PROGRAM.

(B) THE FOREST STAND DELINEATION SHALL BE USED DURING THE PRELIMINARY REVIEW PROCESS TO DETERMINE THE MOST SUITABLE AND PRACTICAL AREAS FOR FOREST CONSERVATION AND SHALL CONTAIN THE FOLLOWING COMPONENTS:

(1) A TOPOGRAPHIC MAP DELINEATING INTERMITTENT AND PERENNIAL STREAMS, AND STEEP SLOPES OVER 25 PERCENT %;

(2) A SOILS MAP DELINEATING SOILS WITH STRUCTURAL LIMITATIONS, HYDRIC SOILS, OR SOILS WITH A SOIL K VALUE GREATER THAN ~~.35 ON SLOPES OF 15 PERCENT~~ 0.35 ON SLOPES OF 15% OR MORE;

(3) FOREST STAND MAPS INDICATING SPECIES, AGE, STOCKING LOCATION, AND SIZE OF TREES AND SHOWING DOMINANT AND CODOMINANT FOREST TYPES, ~~AND THE MAKEUP OF SUBCANOPY AND HERBACEOUS LAYERS OF THE FOREST;~~ AND

(4) ANY OTHER REQUIREMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT OR IMPOSED BY A LOCAL AUTHORITY.

~~(C) UPON RECEIPT OF THE FOREST STAND DELINEATION, THE STATE OR LOCAL AUTHORITY SHALL HAVE 10 WORKING DAYS TO ISSUE A NOTICE TO THE APPLICANT THAT THE SUBMITTAL REQUIREMENTS HAVE BEEN MET. THIS NOTICE DOES NOT CONSTITUTE NOTICE THAT THE FOREST STAND DELINEATION IS CORRECT.~~