

~~(H) TRACTS HAVING LESS THAN 40 PERCENT OF THE NET TRACT AREA IN EXISTING FOREST COVER SHALL BE AFFORESTED UP TO A LEVEL OF 40 PERCENT OF THE NET TRACT AREA.~~

~~(12) ANY DEVELOPMENT OR NON STRUCTURAL LAND ALTERATION IN ANY MAJOR LAND USE CATEGORY DESIGNATED AS "SENSITIVE AREA" BY THE LOCAL AUTHORITY UNDER TITLE 15, SUBTITLE 2, PART III, SENSITIVE AREAS, OF THE STATE GOVERNMENT ARTICLE SHALL REQUIRE ALL OF THE NET TRACT AREA TO BE CONSERVED IN FOREST EXCEPT DEVELOPMENT OR NON STRUCTURAL LAND ALTERATION AS PERMITTED IN § 15-205 ET SEQ.~~

~~(13) THE STATE OR LOCAL AUTHORITY MAY ACCEPT LAND THAT IS FORESTED, AFFORESTED, OR REFORESTED UNDER THIS SUBTITLE TO SATISFY ANY OTHER REQUIREMENTS OF LAW FOR THE PRESERVATION OF AREAS OF GREAT SCENIC BEAUTY, OR AREAS WHOSE EXISTING OPENNESS, NATURAL CONDITION, AND PRESENT STATE OF USE, IF RETAINED, WOULD ENHANCE THE PRESENT OR POTENTIAL VALUE OF ABUTTING OR SURROUNDING URBAN DEVELOPMENT, OR WOULD MAINTAIN OR ENHANCE THE CONSERVATION OF NATURAL OR SCENIC RESOURCES.~~

~~SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Natural Resources

5-103.

(a) (1) In this section the following words have the meanings indicated.

(2) "CONSTRUCTION ACTIVITY" MEANS CONSTRUCTION OF A HIGHWAY BY A CONSTRUCTING AGENCY.

~~(2)~~ (3) "Constructing agency" means:

(i) A unit of State OR LOCAL government; or

(ii) Any other person who uses State funding and performs any construction activity with the State funding.

~~(3)~~ (4) (i) "Forest" means a biological community dominated by trees and OR other woody plants covering a land area of 1 acre or more.

(ii) "Forest" includes an area that has been cut but not cleared of trees or [and] OR other woody plants.