

(i) A policy document and all applicable new and amended local ordinances relating to implementation of the regulated activities, exemptions, the review, approval and appeal processes, incentives, legal instruments for protection, enforcement program, and penalties; and

(ii) A technical manual which outlines submittal requirements for forest stand delineations, required information for the approval of a forest conservation plan, specific forest conservation criteria and protection techniques.

[(2)](3) A local authority shall review and amend, as appropriate, all current local ordinances, policies and procedures that are inconsistent with the intent and requirements of this subtitle such as parking, road width, set-back, curb and gutter, grading, and sidewalk requirements.

(d) Failure to submit a proposed local forest conservation program [pursuant to § 5-1603 of this subtitle,] UNDER SUBSECTION (A) OF THIS SECTION or failure to adopt a program approved by the Department prior to December 31, 1992[,] UNDER SUBSECTION (B) OF THIS SECTION shall result in the Department's assumption of review and approval of all forest conservation plans within the jurisdiction of that local authority.

DRAFTER'S NOTE:

Error: In § 5-1603 of the Natural Resources Article, stylistic errors in (a) and (c), and stylistic error, extraneous commas, and omitted internal reference in (d).

Occurred: Ch. 255, § 1, Acts of 1991.

5-1606.

(b) There is a forest conservation threshold established for all land use categories as provided in subsection [(d)] (C) of this section. The forest conservation threshold means the percentage of the net tract area at which the reforestation requirement changes from a ratio of 1/4 acre planted for every 1 acre removed to a ratio of 2 acres planted for every 1 acre removed.

(c) After every reasonable effort to minimize the cutting or clearing of trees and other woody plants is exhausted in the development of a subdivision plan and grading and sediment control activities and implementation of the forest conservation plan, the forest conservation plan shall provide for reforestation, or payment into the Forest Conservation Fund, according to the formula set forth in subsection [(c)] (B) of this section and consistent with the following forest conservation thresholds for the applicable land use category:

- (1) agricultural and resource areas: 50% of net tract area;
- (2) medium density residential areas: 25% of net tract area;
- (3) institutional development areas: 20% of net tract area;