

387-1 (text unchanged)									
387-2 [Vacant]	<i>Trespass Trespass on posted property or private property, 1st offense</i>	2-2210 2-2220	CR, §6- 402(b)(1) CR, §6- 403(c)(1)	Misd.	3M		Property	VII	\$500
387-3 [Vacant]	<i>Trespass Trespass on posted property or private property, 2nd offense within 2 years after first violation</i>		CR, §6- 402(b)(2) CR, §6- 403(c)(2)	Misd.	6M		Property	VII	\$1,000
387-4 [Vacant]	<i>Trespass Trespass on posted property or private property, 3rd and subsequent offense within 2 years after preceding violation</i>		CR, §6- 402(b)(3) CR, §6- 403(c)(3)	Misd.	1Y		Property	VII	\$2,500
388 Vacant	[Trespass] [Trespass on posted property]	[2- 2210] [2- 2220]	[CR, §6-402]	[Misd.]	[3M]		[Property]	[VII]	[\$500]
388-1—420 (text unchanged)									

Footnotes (text unchanged)
General Rules (text unchanged)



DAVID A. SOULE
Executive Director
State Commission on Criminal Sentencing Policy

Title 27 **CRITICAL AREA** **COMMISSION FOR THE** **CHESAPEAKE AND** **ATLANTIC COASTAL BAYS** **Subtitle 01 CRITERIA FOR LOCAL** **CRITICAL AREA PROGRAM** **DEVELOPMENT**

Notice of Proposed Action **[10-236-P]**

The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays proposes to amend:

- (1) Regulation .01 under COMAR 27.01.01 General Provisions;
- (2) Regulation .04 under COMAR 27.01.02 Development in the Critical Area; and
- (3) Regulation .01 under COMAR 27.01.05 Forest and Woodland Protection.

This action was considered by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays at a public meeting held on July 7, 2010, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend the forest and developed woodland regulations to clarify the definition of developed woodlands, to ensure that the protection and mitigation standards afforded to forests are consistently applied to developed woodlands, and to require mitigation for the clearing of a single tree when it is associated with a development activity that results in a structure or lot coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Hoerger, Regulations Coordinator, Critical Area Commission for the Chesapeake and Atlantic Coastal Bays, 1804 West Street, Suite 100, Annapolis, MD 21401, or call (410) 260-3478, or email to lhoerger@dnr.state.md.us, or fax to (410) 974-5338. Comments will be accepted through September 13, 2010. A public hearing has not been scheduled.

PROPOSED ACTION ON REGULATIONS

1196

27.01.01 General Provisions

Authority: Natural Resources Article, §8-1806, Annotated Code of Maryland

.01 Definitions.

- A. (text unchanged)
 B. Terms Defined.

(1) — (19) (text unchanged)

(20) "Developed woodlands" means an area of trees or an area of trees and natural vegetation that is interspersed with residential, commercial, industrial, institutional, or recreational development.

(20-1) — (78) (text unchanged)

27.01.02 Development in the Critical Area

Authority: Natural Resources Article, §8-1806, Annotated Code of Maryland

.04 Limited Development Areas.

- A. — B. (text unchanged)

C. In developing their Critical Area programs, local jurisdictions shall use all of the following criteria for limited development areas:

(1) — (2) (text unchanged)

(3) For the alteration of forest and developed [woodland] woodlands in the limited development area, the jurisdiction shall apply all of the following criteria:

[(a)] Developed woodland vegetation shall be conserved to the greatest extent practicable;

[(b)] The total acreage in forest [coverage] and developed woodlands within a jurisdiction in the Critical Area shall be maintained or, preferably, increased;

[(c)] (b) All forests and developed woodlands that are allowed to be cleared or developed shall be replaced in the Critical Area on not less than an equal area basis;

[(d)] (c) If a developer is authorized to [remove from forest use] clear more than 20 percent of a forest or developed [woodland] woodlands on a lot or parcel, the developer shall replace the forest or developed [woodland] at a ratio of 1.5 acres for each acre within the total acreage of woodlands at 1.5 times the areal extent of the forest or [woodland removed] developed woodlands cleared, including the first 20 percent of the forest or developed [woodland removed] woodlands cleared;

[(e)] (d) A developer may not [remove from forest use] clear more than 30 percent of a forest or developed [woodland] woodlands on a lot or parcel, unless the local jurisdiction:

(i) — (ii) (text unchanged)

[(f)] (e) If a developer is authorized to [remove] clear any percentage of forest or developed [woodland] woodlands from forest use under §C(3) of this regulation, the remaining percentage shall be maintained through recorded, restrictive covenants or similar instruments.

(4) In addition, local jurisdictions shall adhere to the following criteria for forest and woodland development:

(a) (text unchanged)

(b) [Grading] Local permits shall be required before forest or developed woodland is cleared;

(c) Forests and developed woodlands which have been cleared before obtaining a [grading] local permit, or that exceed the maximum [area] clearing allowed in §C(3) of this regulation shall be replanted at three times the areal extent of the cleared forest and developed woodlands;

(d) If the areal extent of the site limits the application of §C(3) and (4)(c) of this regulation, alternative provisions or reforestation guidelines may be developed by the local jurisdiction, if they are consistent with the intent of COMAR 27.01.05, to conserve the forest and developed woodland resources of the Critical Area; alternative provisions may include fees-in-lieu provisions if the fee is

adequate to ensure the restoration or establishment of an equivalent forest or developed woodland area;

(e) — (h) (text unchanged)

(5) — (9) (text unchanged)

D. (text unchanged)

27.01.05 Forest and Woodland Protection

Authority: Natural Resources Article, §8-1806, Annotated Code of Maryland

.01 Policies.

In developing their Critical Area programs, local jurisdictions shall follow these policies in regard to forest and developed woodland protection:

A. Maintain and increase the [forested] forest and developed woodland vegetation of the Critical Area;

B. (text unchanged)

C. Provide that the [removal] clearing of trees associated with a development [activities shall be minimized and, where appropriate,] activity that includes a structure or lot coverage shall be mitigated in accordance with the requirements of COMAR 27.01.02.04; and

D. (text unchanged)

MARGARET G. McHALE

Chair

Critical Area Commission for the
Chesapeake and Atlantic Coastal Bays

Title 34

DEPARTMENT OF PLANNING

Subtitle 04 HISTORICAL AND CULTURAL PROGRAMS

34.04.02 Maryland Historical Trust Historic Preservation Loan Program

Authority: State Finance and Procurement Article, §§5-7B-01—5-7B-10, and § 5-3A-327, Annotated Code of Maryland; Executive Orders 01.01.1992.27C and 01.01.1998.04

Notice of Proposed Action

[10-240-P]

The Maryland Department of Planning proposes to amend Regulations .05 and .07 under COMAR 34.04.02 Maryland Historical Trust Preservation Loan Program.

Statement of Purpose

The purpose of this action is to bring COMAR 34.04.02.05 and .07 into compliance with a certain Board of Public Works directive which requires that awards of all loans, and expenditures (under Regulation 34.04.02.05 for acquisition, restoration, rehabilitation, or refinancing), to be funded from the sale of State general obligation bonds, be approved by the Board of Public Works.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.