

Maryland Register

Issue Date: August 30, 2019

Volume 46 • Issue 18 • Pages 763—804

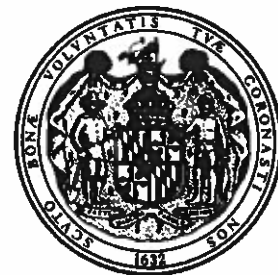
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General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before August 12, 2019, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of August 12, 2019.

Gail S. Klakring
Administrator, Division of State Documents
Office of the Secretary of State



Coordinates in the Bush River described in COMAR 08.02.21.03K(2) are updated due to erosion. A coordinate described in COMAR 08.02.21.03K(3) is corrected because the coordinate currently described is located in Virginia. The name of the county is corrected in COMAR 08.02.21.03K(4) because the point defined as "a point on the Kent County shore" falls on the Queen Anne's County side of the river. All changes to the regulation are housekeeping changes.

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 Yellow Perch Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, B-2, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through September 30, 2019. A public hearing has not been scheduled.

.03 Commercial.

A.—J. (text unchanged)

K. Gear Restriction Areas. From February 1 through March 31, inclusive, a person may not set a fyke net in any of the following areas:

(1) (text unchanged)

(2) Bush River upstream of a line beginning at a point at or near the mouth of Church Creek defined by [Lat. 39°28.05'N and Long. 76°13.35'W] *Lat. 39°28.04'N and Long. 76°13.33'W*; then running approximately [135°] 100° True to a point defined by Lat. 39°28.03'N and [Long. 76°13.39'W] *Long. 76°13.22'W*;

(3) Chester River upstream of a line beginning at a point at or near Indian Point defined by Lat. 39°14.28'N and Long. 75°56.17'W; then running approximately 360° True to a point on the Kent County shore defined by Lat. 39°14.54'N and Long. 75°56.16'W; and then upstream to a line, beginning at a point upstream of the mouth of Red Lion Creek defined by [Lat. 36°14.62'N] *Lat. 39°14.62'N* and Long. 75°54.63'W; then running 360° True to a point on the Kent County shore at Lat. 39°14.80'N and Long. 75°54.63';

(4) Chester River upstream of a line beginning at a point at or near Ford's Landing defined by Lat. 39°15.04'N and Long. 75°53.70'W; then running 270° True to a point on the [Kent] *Queen Anne's* County shore defined by Lat. 39°15.04'N and Long. 75°53.64'W;

(5)—(15) (text unchanged)

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Subtitle 19 FOREST CONSERVATION

Notice of Proposed Action

[19-160-P]

The Secretary of Natural Resources proposes to amend:

- (1) Regulations .02, .04, and .05 under COMAR 08.19.02 State Review and Approval of a Local Program; and
- (2) Regulation .01 under COMAR 08.19.03 Model Forest Conservation Ordinance.

Statement of Purpose

The purpose of this action is to amend the regulations to reflect statutory changes that were adopted during the 2019 Legislative Session.

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 Marian Honecny, Supervisor Urban and Community Forestry, Department of Natural Resources, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8511, or email to marian.honecny@maryland.gov, or fax to 410-260-8111. Comments will be accepted through September 30, 2019. A public hearing has not been scheduled.

08.19.02 State Review and Approval of a Local Program

Authority: Natural Resources Article, §§5-1601—5-1613, Annotated Code of Maryland

.02 Criteria for Evaluating Local Programs.

A.—H. (text unchanged)

I. Local Forest Conservation Fund.

(1) A local forest conservation fund may be established for:

(a) Payments by a person made instead of afforestation or reforestation after demonstrating to the satisfaction of the local authority that the requirements of afforestation or reforestation onsite or offsite cannot be reasonably accomplished *and appropriate credits generated by a forest mitigation bank in the same county or watershed are not available*; and

(b) (text unchanged)

(2)—(4) (text unchanged)

(5) *A local authority that has an established forest conservation fund shall provide to the Department and make available to the public:*

(a) *A general plan identifying appropriate and potentially available areas for mitigation projects; and*

(b) *Detailed accounting procedures for accurately tracking money received into and expended out of the forest conservation fund.*

J.—R. (text unchanged)

.04 Biennial Review.

- A. (text unchanged)
- B. The review shall consist of:
 - (1) Documentation from the local authority which includes the:
 - (a)—(b) (text unchanged)
 - (c) Amount of reforestation and afforestation fees and noncompliance penalties collected and expended, *the number of acres for which the fees were collected, and the number of acres reforested, afforested, or conserved using the fees;* and
 - (d) (text unchanged)
 - (2)—(3) (text unchanged)
- C.—J. (text unchanged)

.05 Annual Report.

- A. On or before March 1 of each year, a local government shall submit an annual report to the Department which contains the:
 - (1)—(2) (text unchanged)
 - (3) Amount of reforestation and afforestation fees and noncompliance penalties collected and expended, *the number of acres for which the fees were collected, and the number of acres reforested, afforested, or conserved using the fees;*
 - (4)—(8) (text unchanged)
- B. (text unchanged)

08.19.03 Model Forest Conservation Ordinance

Authority: Natural Resources Article, §§5-1601—5-1613, Annotated Code of Maryland

.01 Ordinance for Local Program.

The following Model Ordinance shall be to assist and guide in the development of a local program. This Model Ordinance will further enable each unit of local government with planning and zoning authority to determine the size, location and orientation of forest to be retained, and prioritize tracts of land for reforestation and afforestation. Although it is the intention of the Department that this chapter be liberally construed to accomplish its purpose, a local authority shall demonstrate that the substantive provisions of each article are incorporated in the local program. Some local authorities may be able to adopt this Ordinance with only minor changes appropriate to each jurisdiction. Other local authorities may choose to use elements of this Ordinance to amend existing laws, statutes, or Ordinances.

Model Forest Conservation Ordinance Ordinance Number _____

An Ordinance for the purpose of prohibiting certain development projects from cutting or clearing certain forests within the Community of _____ unless a forest stand delineation and a forest conservation plan are in effect.

Article I—Article IX (text unchanged)

Article X Payment Instead of Afforestation and Reforestation.

10.1 Forest Conservation Fund.

A. There is established a forest conservation fund in the local program that meets the requirements of Natural Resources Article, §5-1610(h-1), Annotated Code of Maryland.

B. If a person subject to this Ordinance demonstrates to the satisfaction of the Department that requirements for reforestation or afforestation onsite or offsite cannot be reasonably accomplished *and appropriate credits generated by a forest mitigation bank in the same county or watershed are not available*, the person shall contribute money into the county forest conservation fund:

- (1)—(2) (text unchanged)

C. (text unchanged)

D. The county shall accomplish the reforestation or afforestation for the equivalent number of acres for which the money is deposited

within 2 years or 3 growing seasons, whichever is a greater time period, after receipt of the money.

E.—G. (text unchanged)

Article X-1—Article XV (text unchanged)

Article XVI Annual Report.

16.1 On or before March 1 of each year, the Department shall submit to the Department of Natural Resources a report which contains the:

A.—B. (text unchanged)

C. Amount of reforestation and afforestation fees and noncompliance penalties collected and expended, *the number of acres for which the fees were collected, and the number of acres reforested, afforested, or conserved using the fees;*

D.—E. (text unchanged)

F. Number of acres debited from each forest mitigation bank since the last annual report; [and]

G. Forest mitigation banks inspected since the last annual report[.];

H.—I. (text unchanged)

JEANNIE HADDAWAY-RICCIO,
Secretary of Natural Resources

Title 09

MARYLAND DEPARTMENT OF LABOR

Subtitle 15 STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS

09.15.05 Compliance with International Mechanical Code

Authority: Business Regulation Article, §§9A-205 and 9A-310(a)(1)(iii), Annotated Code of Maryland

Notice of Proposed Action

[19-164-P]

The State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors proposes to amend Regulations .01—.03 under COMAR 09.15.05 Compliance with International Code. This action was considered at a public meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors held on July 10, 2019, notice of which was given by posting on the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors' website, pursuant to General Provisions Article, §3-302(c)(3)(ii), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 09.15.05.01—.03 reflect the Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors' adoption of the 2018 editions of the International Mechanical Code and certain chapters of the International Residential Code for One- and Two-Family Dwellings. The Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors further proposes to adopt revised modifications to the 2018 International Mechanical Code.