

**FOREST CONSERVATION LAW DECISION TREE
FOR DEVELOPMENT PLANS, MANDATORY REFERRALS, SPECIAL EXCEPTIONS,
AND PLANS ASSOCIATED WITH A SEDIMENT CONTROL PERMIT**

Does the law apply to you?
Answer "Yes" if one of the following situations applies:

- (1) Submitting a development plan on any size parcel
- (2) Submitting a special exception on lot $\geq 40,000$ sq. ft.
- (3) Submitting a mandatory referral on a parcel $\geq 40,000$ sq. ft.
- (4) Required to obtain a sediment control permit (5,000 sq ft of land disturbance)
- (3) Your construction threatens a Champion Tree

YES, the law does apply to me

Does your project qualify for an exemption from submitting a Forest Conservation Plan*?
Answer "Yes" if the application is for:

- (1) Agricultural activity exempt from platting.
- (2) Tree nursery.
- (3) Commercial logging or timber harvest.
- (4) State Project reviewed by MD DNR.
- (5) Routine Maintenance for public utilities
- (6) The property size is less than 1.5 acres.
- (7) Modification to existing developed property.
- (8) Equestrian facilities.
- (9) Existing special exception.
- (10) Conversion of an outlot to recorded lot because of inadequate sewage or water service

NO, I don't qualify for an exemption

Forest Conservation Plan Required

Requirements:

- **Natural Resource Inventory / Forest Stand Delineation**, characterizing the existing natural and manmade conditions on the property and the width of the adjoining property or 100 feet, whichever is less.
- **Forest Conservation Plan** showing how construction on the recorded single lot will comply with the Montgomery County Forest Conservation law and regulation.

NO, the law does not apply to me

**Requirements:
NONE**

YES, the project may qualify for an exemption

Requirements:

- **Submit a Simplified Natural Resource Inventory** characterizing the existing natural and man made conditions on your property and the surrounding area.
- **Submit a Tree Save Plan** showing what trees you will/won't cut and how you will protect retained trees. Plans subject to a tree save plan may be required to mitigate for the loss of specimen trees.

*Must read section 22A-5 of the Forest Conservation Law to ensure that the conditions for the exemption are satisfied.