

*Purpose
And
Contents
Of The
Manual*

THIS TECHNICAL MANUAL OUTLINES THE METHODOLOGY for working through the forest conservation program. It has been prepared to give developers guidance for designing plans which are sensitive to forest and tree resources, and to specify how regulators will review this information. It includes: submittal requirements; criteria for evaluating tree stands; information required for the approval of a forest conservation plan; general guidelines for evaluating applications; and afforestation and reforestation requirements. In addition, it includes tree protection measures and provisions for long term maintenance and protection of tree save areas through easements and/or agreements. The appendices at the end of the manual contain definitions, specific standards for tree planting and protection, general information about County soils and trees, and examples of plans and worksheets.

In addition to the standards described in this manual, the applicant for forest conservation plan approval should refer to Chapter 22A, Forest Conservation, of the Montgomery County Code and the Forest Conservation Regulations. Important terms used in this manual are highlighted with **bold** print in various locations. Definitions are in the glossary on page 63.

A. Overview Of The Requirements

APPLICABILITY

The provisions of the forest conservation law apply to:

- **development plans** approved or amended under Division 59-D-1 of the Zoning Ordinance;
- **project plans** approved or amended under Division 59-D-1 of the Zoning Ordinance;
- **preliminary plans** of subdivision approved by the Planning Board under Chapter 50 of the County Code;
- Division 59-D-3 site plans; and
- **sediment control permits, special exceptions, and mandatory referrals** for a proposed activity on areas of land 40,000 square feet and greater that are not otherwise required to obtain one of the approvals specified above.

EXEMPTIONS

Exemptions to the forest conservation requirements are listed in the Montgomery County Code Chapter 22A, Section 22A-5. Variance provisions are in Section 22A-21.

GENERAL REQUIREMENTS

Specific forest conservation requirements are determined by completing a natural resources inventory and forest stand delineation, and preparing a forest conservation plan for a tract. The procedure for review and approval of these plans is outlined in Figure 1.

GENERAL PROCEDURE

A detailed discussion of the procedure is contained in sections 2 and 3 of this manual. In general, plans should be prepared in the following steps:

- Preparation by a qualified professional, of a **natural resources inventory** which includes a **forest stand delineation**, as described in section 2 of this manual and in the latest version of *Environmental Management of Development in Montgomery County* (M-NCPPC), to be reviewed and approved by planning department staff.
- Identification by a qualified professional, of **forest and tree retention areas**, using the methodology for evaluating tree stands and forest conservation thresholds in sections 2, C. and 3, A & C. of this manual, to be reviewed by planning department staff.
- Preparation by a qualified professional, of a **forest conservation plan** to be reviewed by planning department staff and approved by the Planning Board (or the Planning Director in certain circumstances), including: location of lot lines and sighting of buildings and proposed infrastructure (roads, major

utility easements, etc.) in order to maximize tree save areas; afforestation or reforestation requirements; appropriate measures for protecting and maintaining tree areas; and a timetable for construction and tree planting.

The forest stand delineation and forest conservation plan must be prepared by persons with specific qualifications, as specified by state regulations. Plans prepared by more than one individual are acceptable provided that each individual and their qualifications are identified along with the section of the plan that they prepared.

Prior to establishment of the state certification program, persons submitting forest stand delineations and forest conservation plans to the planning department, must include the resume of the preparer indicating how they meet the minimum qualifications. At a minimum these individuals shall be:

- a) licensed foresters;
- b) licensed landscape architects; or
- c) persons with the following education and experience:
 - Possess a 4-year degree in the natural resources sciences, natural resource management, landscape planning or environmental planning;
 - Have 2 years of professional experience in natural resources sciences, natural resource management, landscape planning or environmental planning, or its equivalent, or have a graduate degree and 1 year of professional experience.

Until the Department of Natural Resources establishes a certification list qualifications will be determined by the Planning Department under sections (a)-(c) above. Review of the plans and field verification will be required. A list of preparers who are pre-certified in this manner will be maintained by the planning department. After the state list is established all preparers must be certified by the state

Qualified preparers must attend the Forest Conservation Act Technical Workshop offered by the State Department of Natural Resources which demonstrates how to:

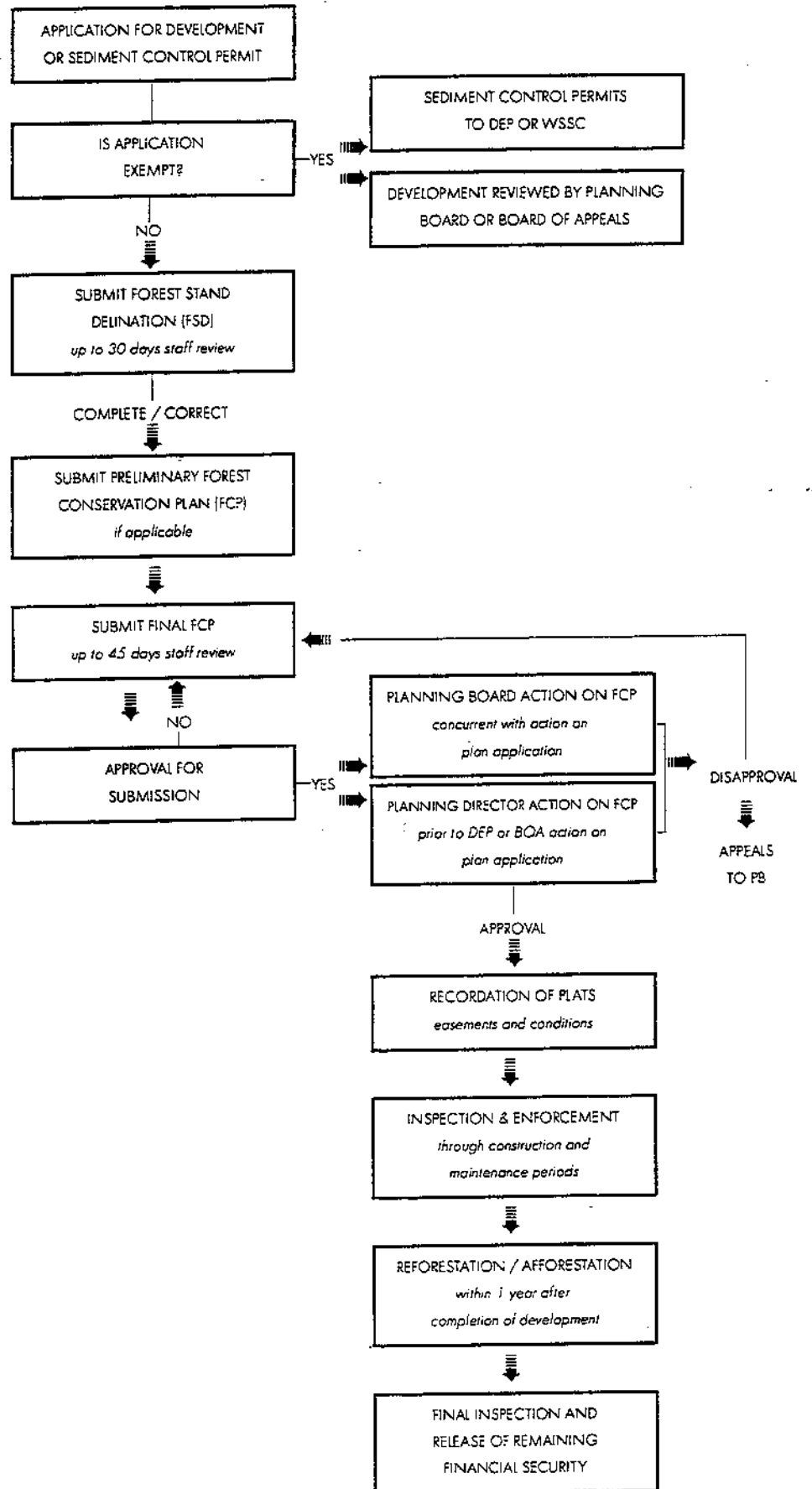
- develop and interpret a forest stand delineation and forest conservation plan according to criteria stated in the Tree Manual;
- prepare and interpret soils, topography, floodplain, wetlands, and site maps;
- prepare afforestation and reforestation plans according to criteria stated in the Tree Manual;

B. Qualifications Of Preparers

PRIOR TO ESTABLISHMENT OF CERTIFICATION PROGRAM

CERTIFICATION COURSE

Figure 1
OVERVIEW
OF
THE
FOREST
CONSERVATION
PROGRAM
REQUIREMENTS



- prepare a sketch map of a site, showing areas of forest retention, proposed reforestation, or afforestation

A copy of the certificate confirming attendance at this workshop must be submitted to the Planning Department. In addition to the topics covered in the Technical Workshop, a qualified preparer must also be able to:

- identify and evaluate protection measures that may be appropriate for forested areas that are sensitive to disturbance;
- diagnose and treat forest pest and disease problems; and
- understand ecosystem interactions including:
 - (a) water regime impacts,
 - (b) soil variations as they affect existing trees and species selection for afforestation and reforestation,
 - (c) wildlife habitats,
 - (d) multi-storied plant canopies, and
 - (e) forest successional stages.

Other elements of the state certification program (*such as a certification exam*) will be required to be submitted as they are developed.

