

Martin O'Malley  
*Governor*

Anthony G. Brown  
*Lt. Governor*



Margaret G. McHale  
*Chair*

Ren Serey  
*Executive Director*

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

April 20, 2010

Lynn Thomas  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

**Re: Eccleston Pier Access and Buffer Management Plan**

Dear Mr. Thomas:

Thank you for providing a revised Buffer landscaping plan in response to my March 24, 2010 letter. As you are aware, a dual-access pathway has been constructed within the Buffer without permits. Based on our conversation at the site on March 17, 2010, it is my understanding that the pathway was constructed without the necessary permits from the Town, due to a miscommunication between the Town's Department of Public Works and the Town's Planning and Zoning Department.

In the submitted Buffer plan, the applicant is proposing to remove one of the access pathways. In addition, the applicant is providing 21 trees and 120 shrubs within the 100-foot Buffer. An additional 26 trees will be planted outside of the Buffer.

Based on the information provided, Commission staff has the following comments:

1. We recommend that the applicant establish the area where the path has been removed in natural vegetation.
2. Please ensure that the applicant does not mow or clear the area of existing wooded vegetation in order to allow for natural regeneration of understory in this area. We note that the removal of invasive vegetation is allowed, provided that the applicant receives a permit from the Town and also provides the Town a simplified Buffer Management Plan for invasive removal.
3. The understory trees and shrubs must be provided from the list of trees and shrubs found on the original Ratcliffe Farm Buffer Management Plan, dated 9-21-2004.



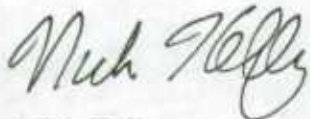
It is our understanding, based on correspondence between the Town and applicant, that the applicant will address all of these comments in an updated plan. Please forward a copy of that revised plan to this office.

In addition, we would like to note from our previous letter that the following information is still required from the Town for not only this project, but also for the Buffer Management Plan related to the entire Ratcliffe Farm Subdivision:

1. The applicant is required to receive an after-the-fact permit for the pathway. We request that the Town provide, in writing, documentation as to the type of permit/review that will be required for this. Review by Commission staff of this application will be required.
2. Please provide the amount of lot coverage on the site. Based on the definition of lot coverage, as found in Chapter 119 of the Natural Resources Article, the entire pathway must be included in lot coverage, as the pathway currently does not provide *direct access* to a private pier. If lot coverage exceeds 15% as a result of the pathway, then lot coverage must be removed.
3. Due to the miscommunication between Town departments that resulted in the creation of this walkway without permits, Commission staff is requiring the that the Town's Planning and Zoning Office provide, in writing, a description of the measures to be undertaken by the Planning and Zoning Department in order to ensure that the Town's Critical Area Program is properly implemented in the future. Part of these measures should include education of the Town's other departments in regard to Critical Area requirements.

Thank you for the opportunity to provide comments on this issue. Please forward the above information at your earliest convenience. If you have questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly  
Natural Resource Planner

cc: EA 39-08  
Alan R. Myers (A.R. Myers and Associates, Inc.)

Martin O'Malley  
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March 24, 2010

Tom Hamilton  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

**Re: Radcliffe Farms, LLC Buffer Management Plan**

Dear Mr. Hamilton:

On March 17, 2010, Commission staff met on Lot 3 (Eccleston property) of the Ratcliffe Farms, LLC subdivision with Town staff to discuss the implementation of the Buffer establishment requirement for this lot. As you know, Ratcliffe Farms, LLC was granted growth allocation by the Critical Area Commission in January, 2004 to re-designate 58.8 acres of land from Resource Conservation Area (RCA) to Limited Development Area (LDA). As part of this approval, a condition was made by the Commission that required a Buffer Management Plan (BMP) for the property to be implemented to ensure that the Buffer on this site was fully established in three-tier vegetation. A plan was reviewed and approved by the Critical Area Commission in October, 2004.

The approved BMP requires the Buffer for each lot to be established prior to the issuance of a final occupancy permit, as stated in the "Surety Requirements" section. At this meeting, Commission staff noticed that, in addition to Lot 3, the Buffer appears to have not been established prior to the issuance of a final occupancy permit on any of the currently developed lots.

Due to the lack of proper implementation of the Buffer Management Plan for this approved growth allocation, Commission staff is requesting that the Town provide a written update that explains how the BMP will be implemented for all currently developed lots during the Spring 2010 planting season. In particular, we request a timeline for Spring 2010 planting that also includes future inspection dates for survivability. Further, we request that the Town provide information as to the provisions (sureties, warranties) it will require from each lot owner to ensure survivability, the actions that it will take to ensure each current lot owner establishes the

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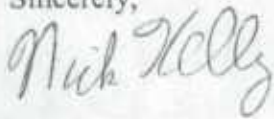
Buffer in accordance with the Plan, and the measures the Town will take to ensure that all future lots have the Buffer established prior to the granting of a final occupancy permit.

In addition to the timeline and other measures requested above, we would like to notify the Town that Commission staff will periodically request updates from Town staff on the status of the implementation of the Buffer Management Plan. In addition, a site visit will be scheduled one year from the date of planting to review the condition of the Buffer. Please be aware that since the BMP was a required component of the growth allocation approval, the Commission's Program Subcommittee may wish to evaluate any problems.

Finally, in our discussion at the site, Lynn Thomas and I spoke about the potential of updating the Buffer Management Plan on certain properties to provide additional plantings in the Buffer than what is shown on the 2004 plan. Commission staff is more than willing to assist the Town in updating these plans to provide plantings within the Buffer that are in accordance with the Commission new Buffer regulations (COMAR 27.01.09.01). If this is still a viable option, please feel free to contact us, and we will be happy to set up a meeting with you to discuss these options.

Thank you for the opportunity to provide comments on this issue. Please provide the information requested above within 30 days of the date of this letter. If you have any questions, please contact me with any questions at (410) 260-3483.

Sincerely,



Nick Kelly  
Natural Resource Planner

cc: EA 39-08 + EA 486-99  
Lynn Thomas, Town of Easton  
Ren Serey, CAC

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

Ren Serey  
Executive Director

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March 24, 2010

Lynn Thomas  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

**Re: Eccleston Pier Access and Buffer Management Plan**

Dear Mr. Thomas:

On March 17, 2010, Commission staff met at the Eccleston property with staff from the Town as well as with the property owner's engineers in order to discuss the implementation of the Buffer Management Plan (BMP) for the property. At this meeting, staff noticed that a dual-access pathway to the pier was constructed within the Buffer. Based on our conversation at this meeting, it is my understanding that the pathway was constructed without the necessary permits from the Town, due to a miscommunication between the Town's Department of Public Works and the Town's Planning and Zoning Department. The Town requested guidance from Commission staff regarding the next steps the applicant should take regarding both the walkway and the planting of the Buffer.

Based on this request, Commission staff has the following comments:

1. The applicant is required to receive an after-the-fact permit for the pathway. We request that the Town provide, in writing, documentation as to the type of permit/review that will be required for this. Review by Commission staff of this application will be required.
2. Please provide the amount of lot coverage on the site. Based on the definition of lot coverage, as found in Chapter 119 of the Natural Resources Article, the entire pathway must be included in lot coverage, as the pathway currently does not provide *direct access* to a private pier. If lot coverage exceeds 15% as a result of the pathway, then lot coverage must be removed.
3. Commission staff recommends removal of a portion of the pathway in order to create only one access point to the pier.

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4. The Buffer for this lot must be established in accordance with the Buffer Management Plan for the Ratcliffe Farm, LLC subdivision (dated 9-21-2004), as approved by the Critical Area Commission as part of the growth allocation submittal for this parcel. In addition, we recommend that the remaining grassed areas of the Buffer that are currently shown on the BMP be established in three-tiered vegetation in order to mitigate for any portions of the pathway that receives a legal permit. These additional plantings should be established in accordance with the Commission's Buffer Regulations (COMAR 27.01.09.01)
5. Due to the miscommunication between Town departments that resulted in the creation of this walkway without permits, Commission staff is requiring the that the Town's Planning and Zoning Office provide, in writing, a description of the measures to be undertaken by the Planning and Zoning Department in order to ensure that the Town's Critical Area Program is properly implemented in the future. Part of these measures should include education of the Town's other departments in regard to Critical Area requirements.

Thank you for the opportunity to provide comments on this issue. Please contact me with any questions at (410) 260-3483.

Sincerely,



Nick Kelly  
Natural Resource Planner

cc: EA 39-08  
Tom Hamilton, Town of Easton  
Alan R. Myers (A.R. Myers and Associates, Inc.)

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February 21, 2008

Lynn Thomas  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

**Re: Eccleston Building Permit**

Dear Mr. Thomas:

Thank you for providing additional information on the above-referenced building permit. The applicant is proposing to fill, grade, and plant marsh vegetation along 157 square feet of eroding shoreline with 205 cubic yards of sand and a low profile, stone, sand containment sill emplaced within a maximum of 10 feet channelward of the mean high water line.

In response to the comments from our February 8, 2008 letter, the applicant has submitted a site plan showing that the 100-foot Buffer was delineated from the current location of Mean High Water (MHW), and not from the proposed location of MHW. Based on this information, we have no additional comments on this project.

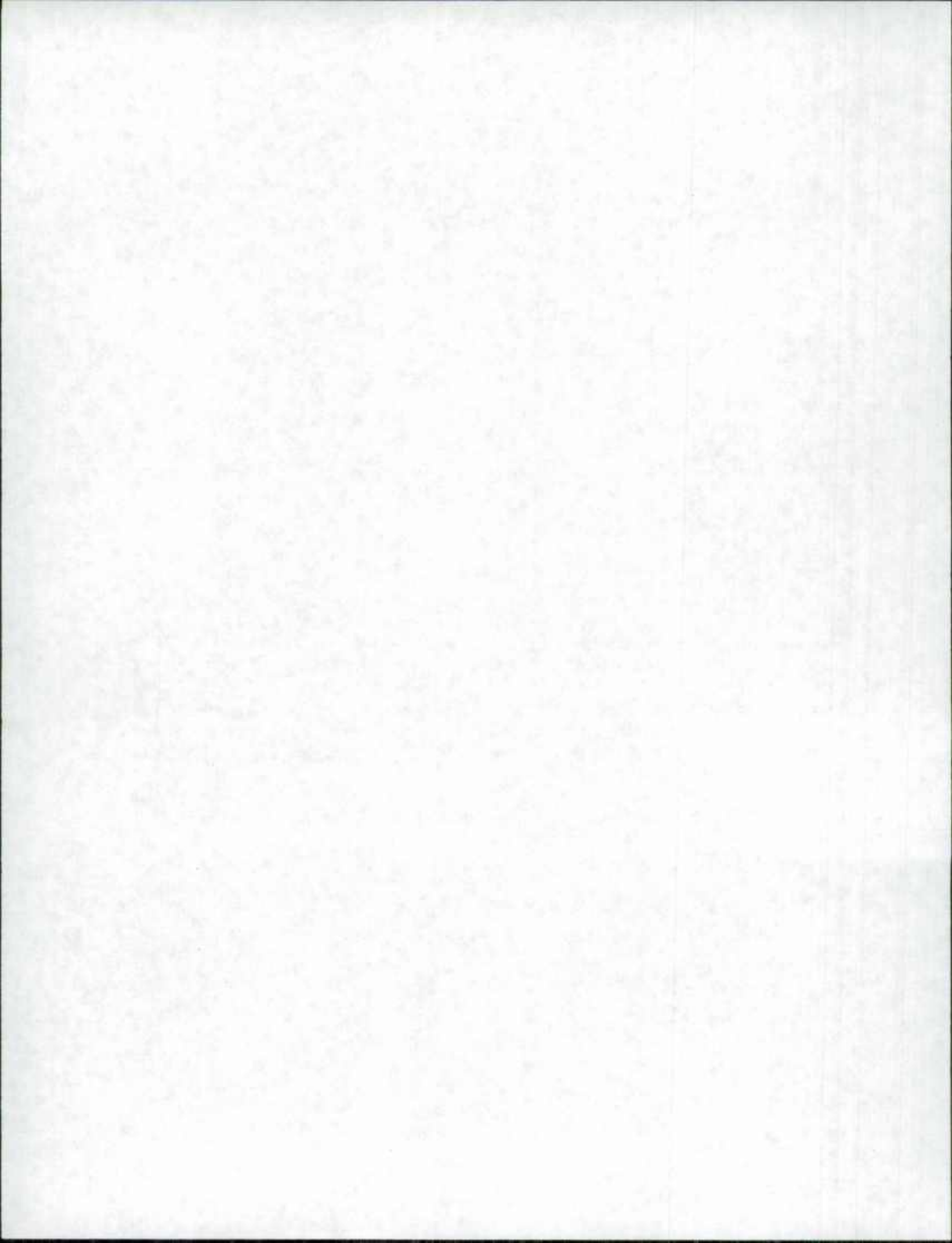
Thank you for the opportunity to provide additional comments on this site plan. Please have the applicant provide the information requested. If you have any questions, please feel free to call me at (410) 260-3483.

Sincerely,

A handwritten signature in cursive script that reads "Nick Kelly".

Nick Kelly  
Natural Resource Planner  
cc: EA 39-08







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February 8, 2008

Lynn Thomas  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

**Re: Eccleston Building Permit**

Dear Mr. Thomas:

Thank you for providing supplemental information on the above-referenced building permit. The applicant is proposing to fill, grade, and plant marsh vegetation along 157 square feet of eroding shoreline with 205 cubic yards of sand and a low profile, stone, sand containment sill emplaced within a maximum of 10 feet channelward of the mean high water line.

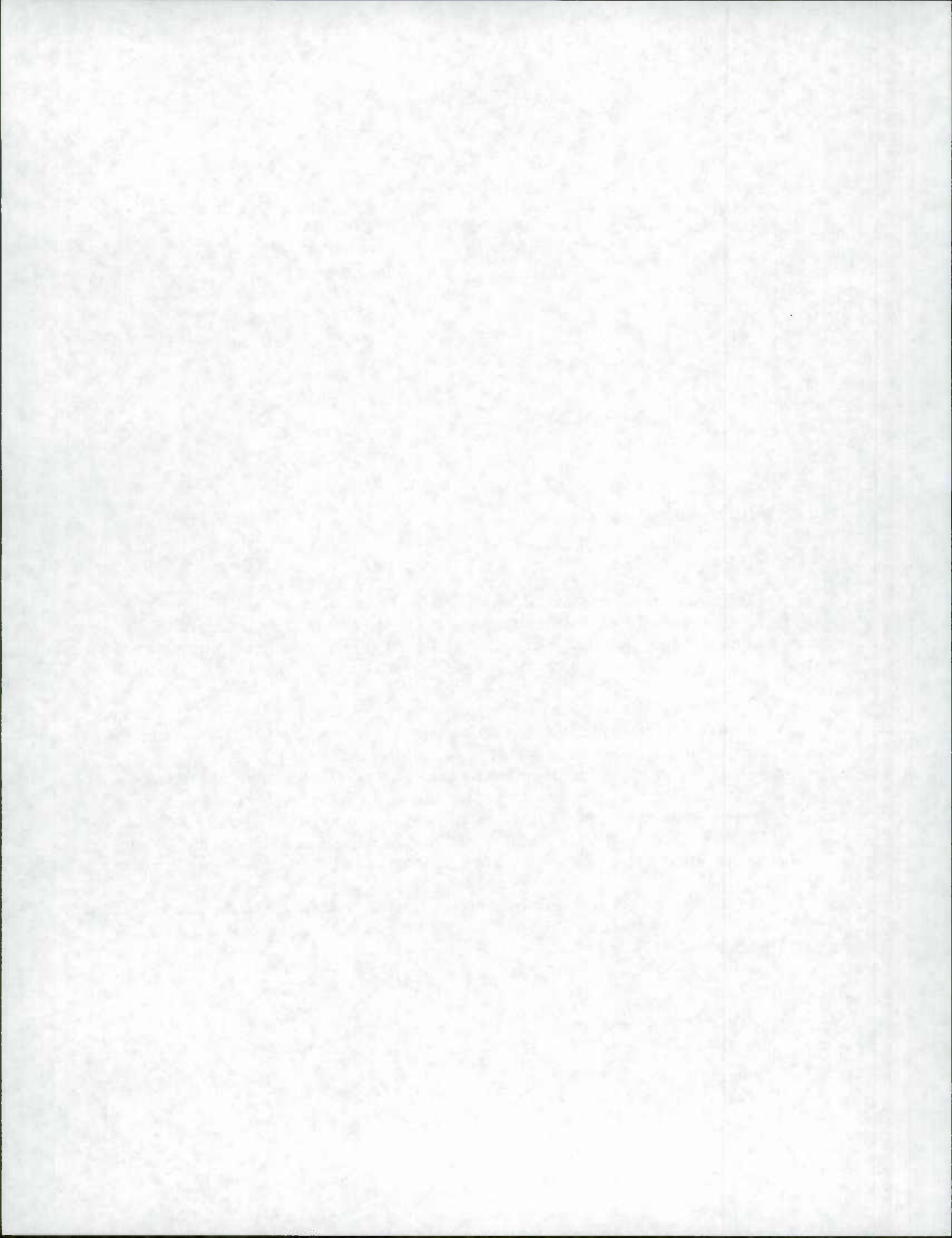
In response to the comments from our January 31, 2008 letter, the applicant has stated that Mean High Water (MHW) for this project will be moved channelward by approximately seven feet. In looking at the information provided, it is unclear as to whether the 100-foot Buffer was delineated using the current location or proposed location for MHW. The 100-foot Buffer must be delineated onsite from the *current* location of the Mean High Water line of tidal waters, tributary streams, and tidal wetlands. Please have the applicant submit a site plan to this office showing the current location of MHW, the proposed location of MHW, and the correct delineation of the 100-foot Buffer using the *current* location of MHW or edge of tidal wetlands.

Thank you for the opportunity to provide additional comments on this site plan. Please have the applicant provide the information requested. If you have any questions, please feel free to call me at (410) 260-3483.

Sincerely,

A handwritten signature in cursive script that reads "Nick Kelly".

Nick Kelly  
Natural Resource Planner  
cc: EA 39-08



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January 31, 2008

Lynn Thomas  
Town of Easton  
14 South Harrison Street  
P.O. Box 520  
Easton, MD 21601

Re: Eccleston Building Permit

Dear Mr. Thomas:

Thank you for providing information on the above-referenced building permit. The applicant is proposing to fill, grade, and plant marsh vegetation along 157 square feet of eroding shoreline with 205 cubic yards of sand and a low profile, stone, sand containment sill emplaced within a maximum of 10 feet channelward of the mean high water line.

This office supports marsh creation as a means of shore protection in areas where long-term sustainability is ensured. The applicant should coordinate with the Town of Easton in the creation of this marsh. In addition, we have the following comments on this project:

1. This site is adjacent to a historic waterfowl concentration area. Prior to project approval, please ensure that the applicant has contacted Lori Byrne of the Maryland Department of Natural Resources Wildlife and Heritage Service at (410) 260-8573 to receive an evaluation of the site, as restrictions may apply as to when and how construction in the marsh will be permitted.
2. It is unclear from the site plan if there will be any change in Mean High Water (MHW) from this project. Prior to project approval, please have the applicant submit information to this office clarifying this concern. Any change in MHW will require additional review by Commission staff.
3. It is unclear from the site plan if there will be any grading to the bank or disturbance to the Buffer. If grading or any other disturbance to the Buffer occurs, mitigation must be provided at a 1:1 ratio.

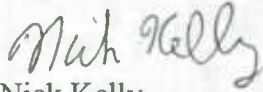
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Thank you for the opportunity to provide comments on this site plan. Please have the applicant provide the information requested above. If you have any questions, please feel free to call me at (410) 260-3483.

Sincerely,

A handwritten signature in cursive script that reads "Nick Kelly". The signature is written in dark ink and is positioned above the printed name.

Nick Kelly  
Natural Resource Planner  
cc: EA 39-08



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March 5, 2007

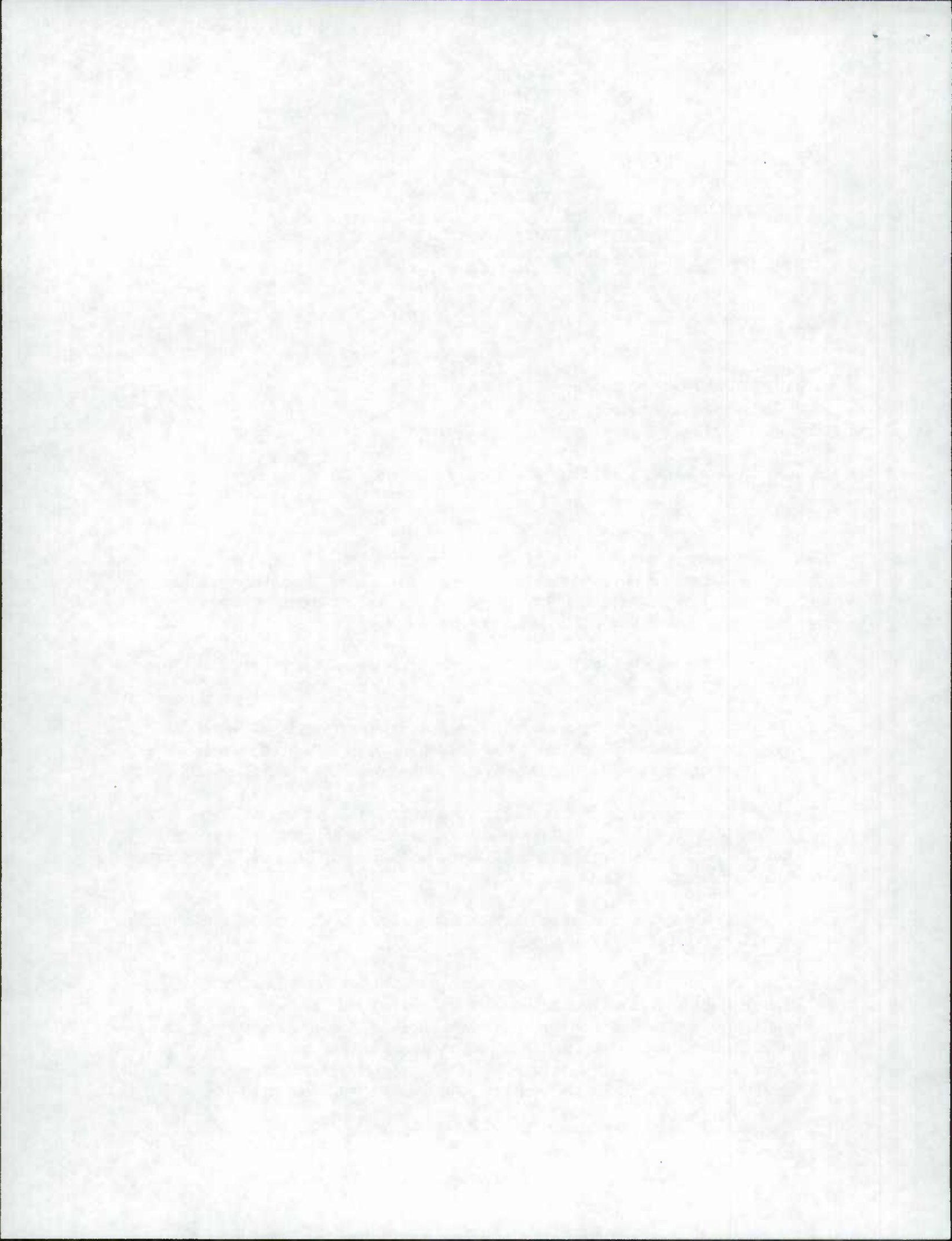
Ms. Anne Kyle  
Maryland Office of Tourism Development  
217 E. Redwood Street, 9<sup>th</sup> Floor  
Baltimore, MD 21202

**RE: Linthicum Property and Harriet Tubman State Park**

Dear Ms. Kyle:

Thank you for arranging a site visit to the Linthicum Property last week and for providing me with some supplemental information about the property. I have done a cursory review of the readily accessible map resources, and I have the following comments on the proposed development of the Park as it relates to the Critical Area Program:

1. It appears that slightly more than half of the property is located within the Critical Area. See attached map with the hatched area indicating the Critical Area.
2. The property is currently designated as a Resource Conservation Area (RCA). If the property is transferred to the State, it would be determined to be "not an area of intense development," and would be regulated by the provisions in COMAR 27.02.05.03.B(3).
3. Impervious surface area within the Critical Area portion of the site will be limited to 15 percent of that area. Assuming that approximately nine acres of the property are within the Critical Area, impervious surface area would be limited to 1.35 acres (58,806 square feet) on that portion of the property.
4. It does not appear that there are any streams, tidal wetlands, or nontidal wetlands within the Critical Area portion of the property.
5. There appear to be tidal wetlands in close proximity to the southeast corner of the site. The Critical Area regulations require a minimum 100-foot Buffer from the edge of tidal wetlands to be established in natural vegetation. The regulations also require expansion of the Buffer beyond 100-feet to include contiguous sensitive areas such as steep slopes, hydric soils, or highly erodible soils, whose development or disturbance may impact streams, wetlands, or other aquatic environments. It is likely that there may be hydric



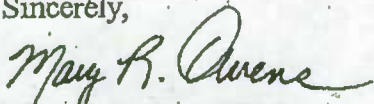
Ms. Kyle  
March 5, 2007  
Page 2

soils contiguous to the 100-foot Buffer. Although expansion of the Buffer may not be necessary if no development is proposed in the southeast corner of the property, it should not be overlooked if the design changes and development is proposed in that area.

6. The provisions of COMAR require that a forest or developed woodland cover be established on 15% of the Critical Area portion of the property. Assuming that approximately nine acres of the property are within the Critical Area, required afforestation would equal 1.35 acres (58,806 square feet).
7. Any development or land disturbance within the Critical Area portion of the property will require review and approval by the Critical Area Commission in accordance with COMAR Section 27.02.05. The Commission meets the first Wednesday of every month. Application materials need to be submitted to the Commission one month prior to the meeting date. A site plan, drawn to scale, and depicting the applicable information set forth in the attached "Critical Area Commission Project Application Checklist" will be required.

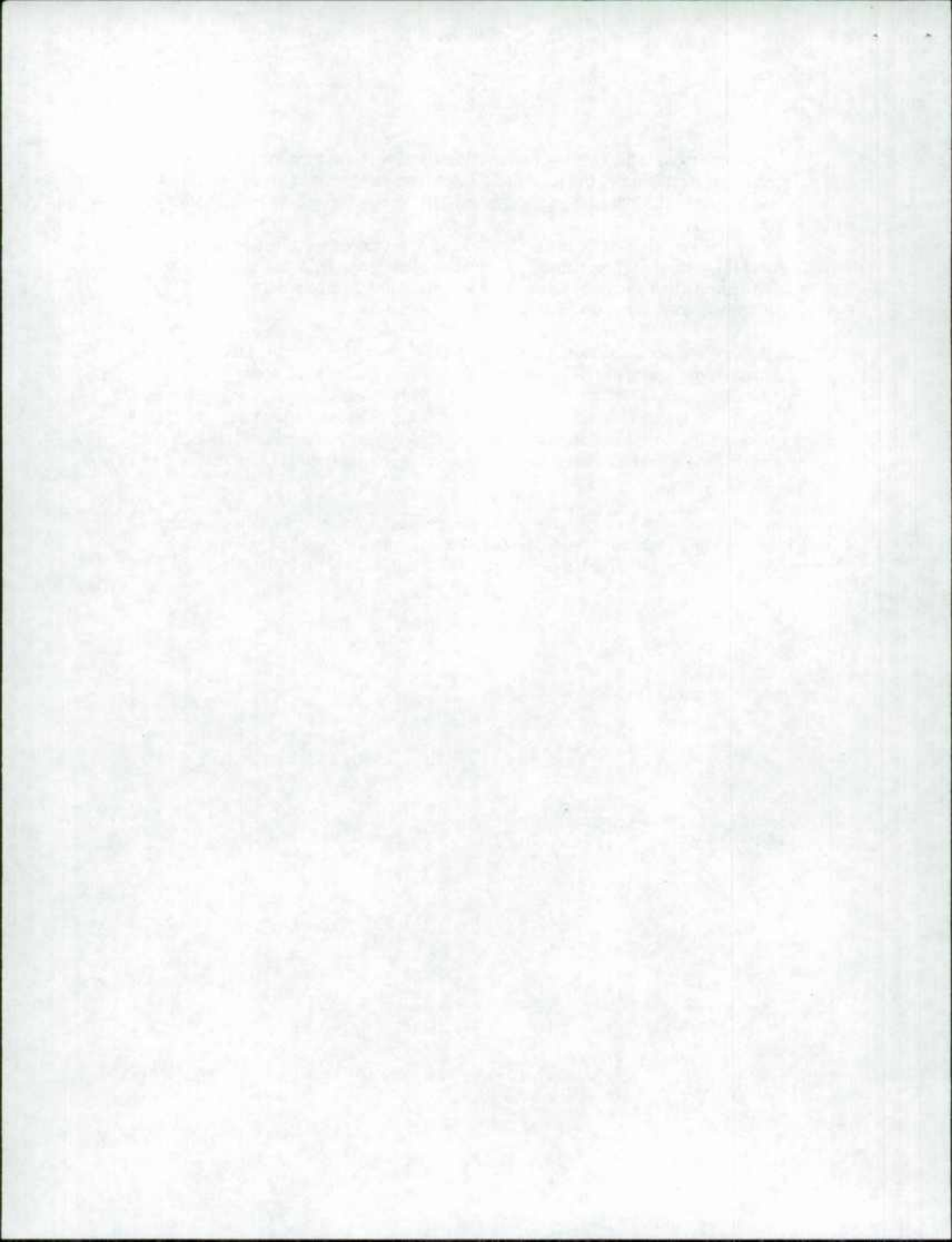
Thank you for the opportunity to provide some very preliminary comments on the proposed park. I look forward to working with you on this interesting project. If you need any additional explanation of these comments or have questions, please call me at (410) 260-3480.

Sincerely,



Mary R. Owens, Chief  
Program Implementation Division

cc: John Wilson, DNR Policy and Planning  
Nick Kelly





**Critical Area Buffer Mitigation Table**

Acreage (x) 0.036731  
 Square Feet 1600

**Establishment Requirement**  
 Less than 1 Acre-Landscaping Stock ONLY

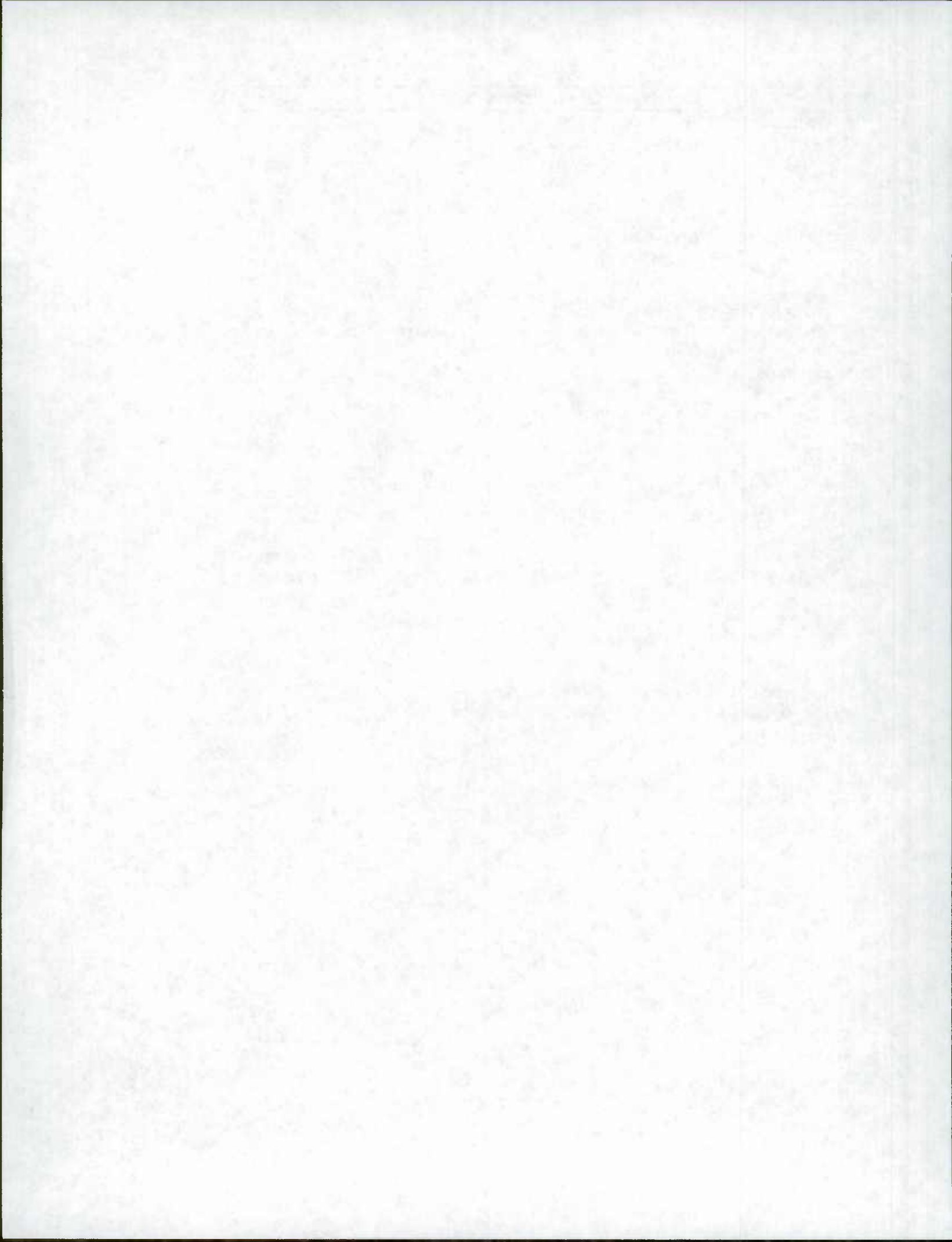
**Landscaping Option: Choose from Options A-D**

Option A	Quantity	Option B	Quantity
25% Canopy	4	20% Canopy	3
25% Understory	5	20% Understory	4
25% Large Shrub	8	30% Large Shrub	10
25% Small Shrub	16	20% Small Shrub	13
		10% Herbaceous Perennials	80

Planting Cluster 1	Quantity	Planting Cluster 2	Quantity
Cluster Total	5	Cluster Total	5
Canopy	5	Understory	9
	AND		AND
Large Shrub	16	Large Shrub	14
	OR		OR
Small Shrub	32	Small Shrub	27

**Flexible Stocking Options: Choose One of the Following**

Flexible Stocking	Quantity
Bare Root Seedling or Whip	N/A
1/2-inch to 1-inch container grown trees	N/A
More than 1-inch container grown trees	N/A



**Ratcliffe Farm- Lot 13- Town of Easton  
Critical Area Buffer Management Plan**

**October 5, 2004**

**Property:** Tax Map 34, Parcel 42, Lot 13  
7929 Ft. Stokes Lane, Easton, Maryland 21601

**Owner:** Ratcliffe Farm LLC  
c/o Hugh Smith 410-820-4104  
218 N. Washington Street, Suite 24  
Easton, Maryland 21601

**Purpose:** The Town of Easton Zoning Ordinance defines the Buffer as "a naturally vegetated area established or managed to protect aquatic, wetland shoreline and terrestrial environments from man-made disturbances....". Natural vegetation is further defined as "plant communities that develop in the absence of human activities". Additionally, Md DNR and USFW believe portions of the Buffer in the Ratcliffe Farm subdivision are used by Delmarva Fox Squirrel. This Buffer Management Plan (BMP) directs planting and maintenance improvements necessary to achieve the preservation and habitat enhancement goals of the Buffer as outlined in Easton's Zoning Ordinance. When this plan is implemented, the resulting Buffer will be a practical, maintainable, and enforceable resource preserving and/or enhancing water quality and wildlife habitat adjacent to residential land use development.

**Property Status/Existing Condition:**

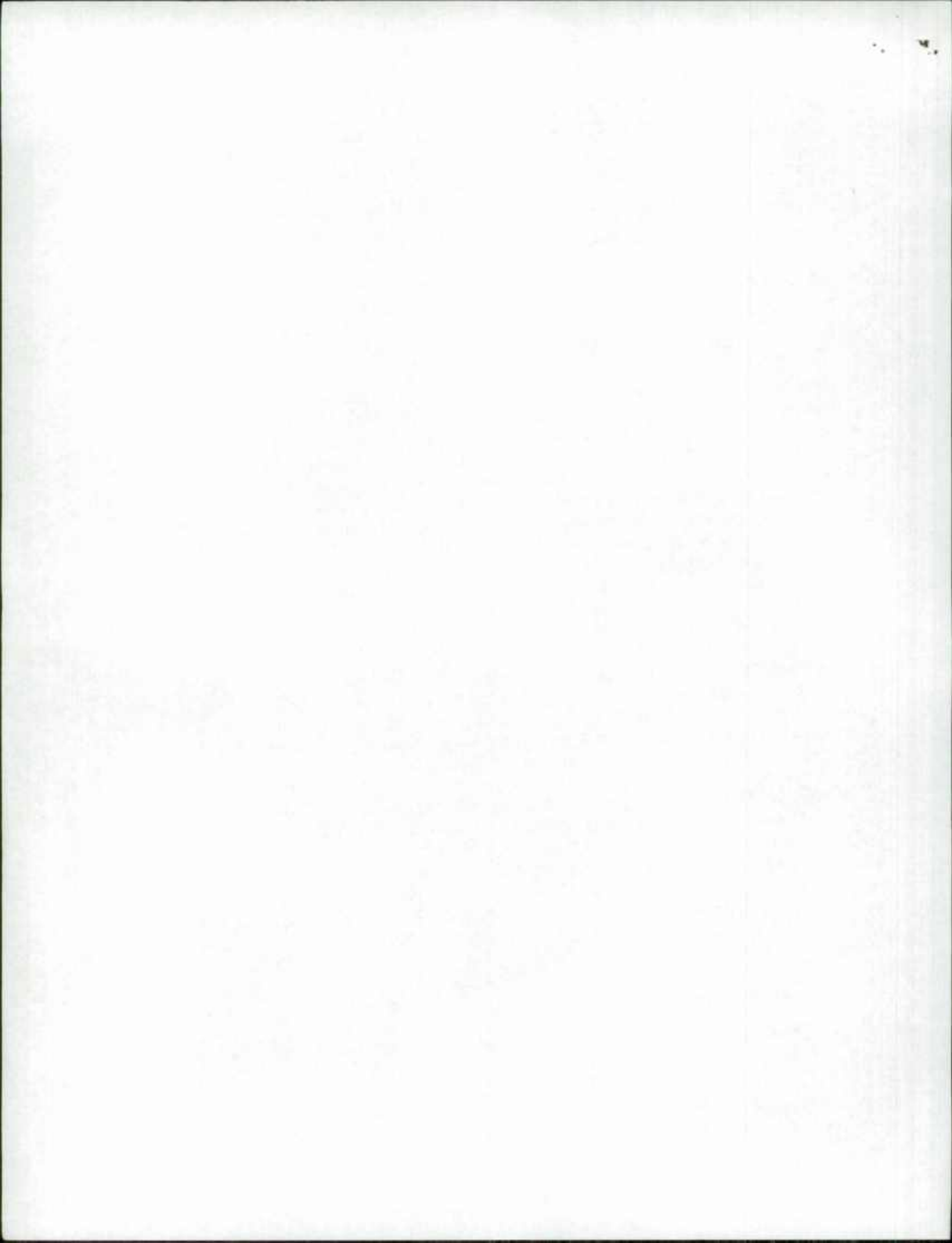
The subject parcel is a 4.507 acre, grassed/fallow farm field lot located totally within the Chesapeake Bay Critical Area in the Town of Easton, Maryland. The site is gently rolling, falling eastward toward the Tred Avon River. The northeast corner of the property crosses a ravine/marsh bottom area. The parcel is surrounded by other similarly sized single family development lots, with lot 14 to the north currently improved.

The site is open field except for the forested ravine described above, a 50'± wide forest fringe along the Tred Avon and a minor hedgerow along the northern property boundary. The balance of the Buffer is established in a natural plant community comprised of warm and cool season grasses, clover and other annual/perennial vegetation. The Buffer forest fringe is dominated by loblolly pine, with a few large red oak (24"+ caliper) along the marsh bottom transition area. Red cedar and black cherry are also found scattered through the forest areas. The loblolly vary from 6" to 15" caliper. This forest area is considered a preferred habitat condition for the Delmarva Fox Squirrel(DFS).

**Proposed Action:**

acres of the 100' Shore Buffer is not forested. This plan proposes to establish this acres to a forest condition. The existing forested Buffer will remain undisturbed.

The non-forested portion of the Buffer shall be planted at a rate equaling 3 canopy trees, 2 understory trees and 2 shrubs per 1000 sq ft. All species shall be native to Maryland, and furnished by nurseries in the Maryland-Delaware-Eastern Virginia coastal region.



The Buffer shall be planted in accordance with a "Critical Area Buffer Establishment & Management Plan, Lots 1-6, 8, 11-13, Ratcliffe Farm, sheets 1 and 2 of 2, dated September 21, 2004, as prepared by Lane Engineering, Inc. and incorporated herein by reference.

**Long Term Buffer Management/Maintenance:**

*1. Existing forested areas in the Buffer, and areas proposed for afforestation shall be left to naturalize with no mowing or plant removal except for the following specific measures:*

*a. invasive species, dead trees, trees impacting shoreline stabilization and trees impacting the healthy growth of adjacent trees may be removed with hand tools subject to Town of Easton approval of a Critical Area Buffer Development Request application (see attached sample form). Review and approval of these items may require consultation with the DNR State Forester as directed by the Town of Easton.*

*2. Additionally, a "View Consideration Area" may be maintained within the forested area of the Buffer adjoining areas within the non-forested portions of the Buffer not proposed for intense afforestation (item 3 below) as shown on the Critical Area Buffer Establishment & Management Plan. This area shall be 50' wide or less. Any shrub or new growth re-sprouting in this area may be removed and maintained with hand pruning tools. The ground plain shall remain in natural forest mulch, pine needles or other natural, shredded mulch.*

*3. The ground plain of the non-forested area of the Buffer not proposed for afforestation shall be established/maintained in turf grass mowed as necessary, warm season grasses or meadow/perennials mowed up to 4 times annually, additional shrubs/perennials and mulch, or some combination of the above.*

4. mowing a 6' wide path as necessary to maintain pedestrian access to a pier. Nothing more than a 20 horsepower mower shall be utilized for this purpose.

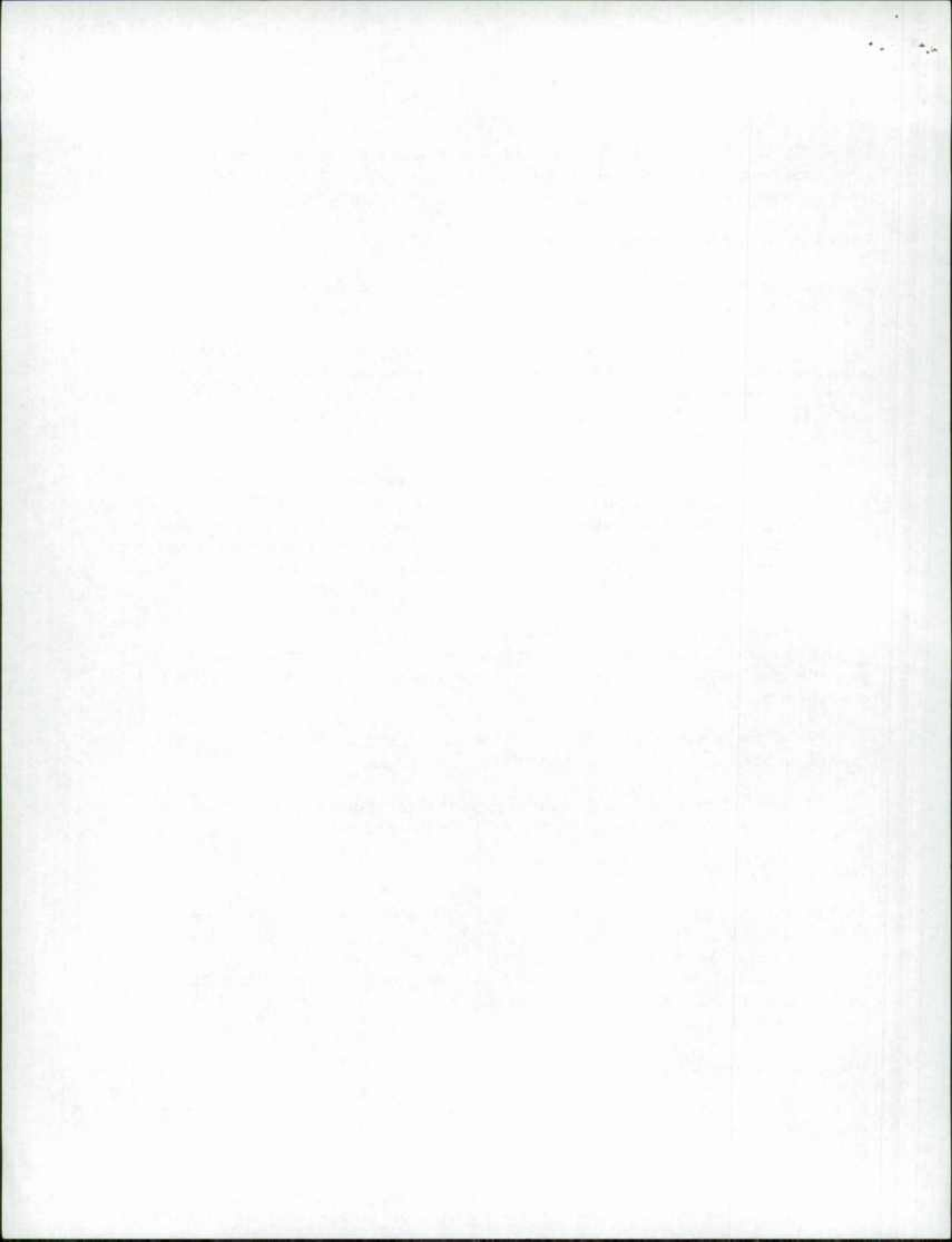
5. Newly planted trees and shrubs shall be watered during drought periods, pruned as required to promote positive plant growth and weeded to minimize competition.

**Warranty Requirements:**

The Buffer tree and shrub plantings *shown on the Critical Area Buffer Establishment & Management Plan* shall be warranted for 100% survival rate for two full years from date of completed installation against plant material death, unhealthy growth characteristics, insect infestation, and deer and rodent damage. Plant material shall be inspected after the first growing season and replaced as necessary. Replacement plant material shall be warranted for two full growing seasons from date of replacement.

**Surety Requirements:**

Prior to the issuance of an occupancy permit for the subject property, the owner/applicant shall implement this Buffer Management Plan. Prior to occupancy, the Town of Easton shall determine if a surety guaranteeing replacement plantings is required. The Town may reduce or waive the surety for land owners who implement this plan early in the construction phase and achieve the required survival rates. Land owners who delay planting until house and site construction is completed shall be required to post a full surety equaling 110% of the estimated



cost of planting implementation (as determined by Town of Easton) guaranteeing the replacement of any failed planting efforts.

The surety shall be in the form of a certified check payable to Town of Easton, or letter of credit or performance bond in favor of Town of Easton. The surety shall be held by the Town of Easton and returned to the applicant at the expiration of the warranty period once the town has completed a site inspection and determined that the required planting are established and have survived to the minimum stocking requirement. If the Town determines that the plantings are deficient, the Town may utilize the surety to implement the plantings in accordance with the Town's enforcement capabilities under the Town of Easton Zoning Ordinance, current edition. Additionally, the Town may enforce penalties or fines as provided in the Zoning Ordinance.

The Town, or its duly authorized representatives shall have the right, at reasonable hours and with advance notice, to enter the Buffer for the sole purpose of inspecting the plantings to determine whether the applicant/owners are complying with the terms of this plan. This provision does not grant the public, in general, any right of access or any right to the use of the planting area, or any other portion of the property.

No failure on the part of the Town to enforce any covenant or provision hereof shall discharge or invalidate such covenant or any other covenant, condition, or provision hereof or affect the right of the Town to enforce the same in the event of a subsequent breach or default.

I hereby adopt this Buffer Management Plan and agree to implement the requirements set forth herein. I hereby grant Town of Easton officials permission to enter my property, subject to notice conditions herein, to inspect the Buffer and Buffer plantings for compliance with this plan.

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Applicant

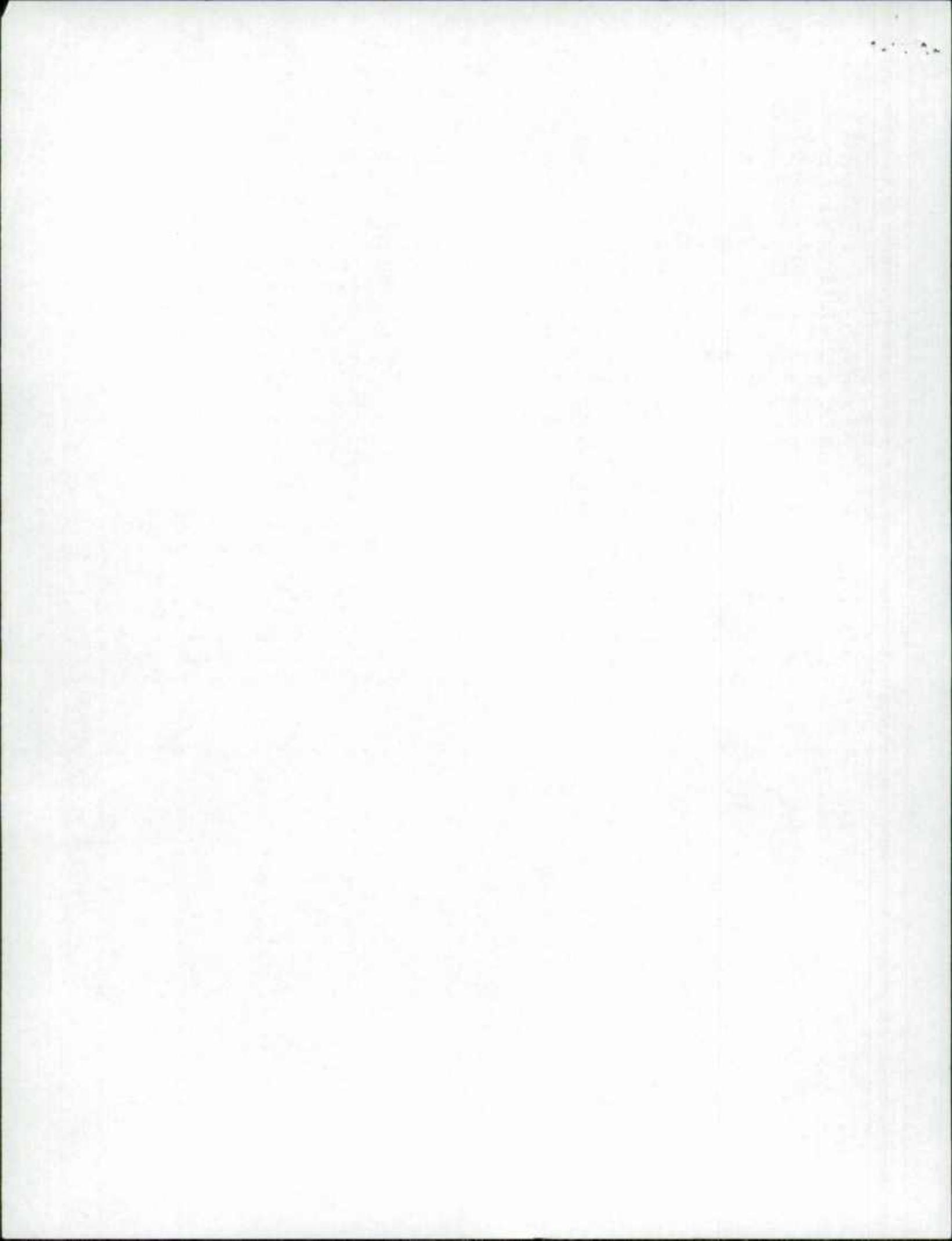
Date

This Buffer Management Plan is approved.

---

Town Planner, Town of Easton

Date





**CRITICAL AREA BUFFER MANAGEMENT PLAN APPLICATION FOR SINGLE LOT**

**PROPERTY INFORMATION**

Owner of property Jane and John Smith  
Address 1523 Elm Road, Fairbank, MD 21325  
Phone number 410-555-1212 Email jsmith@gmail.com  
Project address (if different) \_\_\_\_\_  
Critical Area designation LDA Zoning R3  
Tax Map 3 Parcel 8 Lot 8

**PROPOSED BUFFER DISTURBANCE**

New development/redevelopment (e.g. new building, addition to home, replacement of structures) (Associated permit 2008-01)  
 Shore erosion control (Associated permit \_\_\_\_\_)  
 Shore access  
 Horticultural  
 Other, please explain: \_\_\_\_\_

Is the property in a designated Buffer Exemption Area (BEA)?  Yes  No

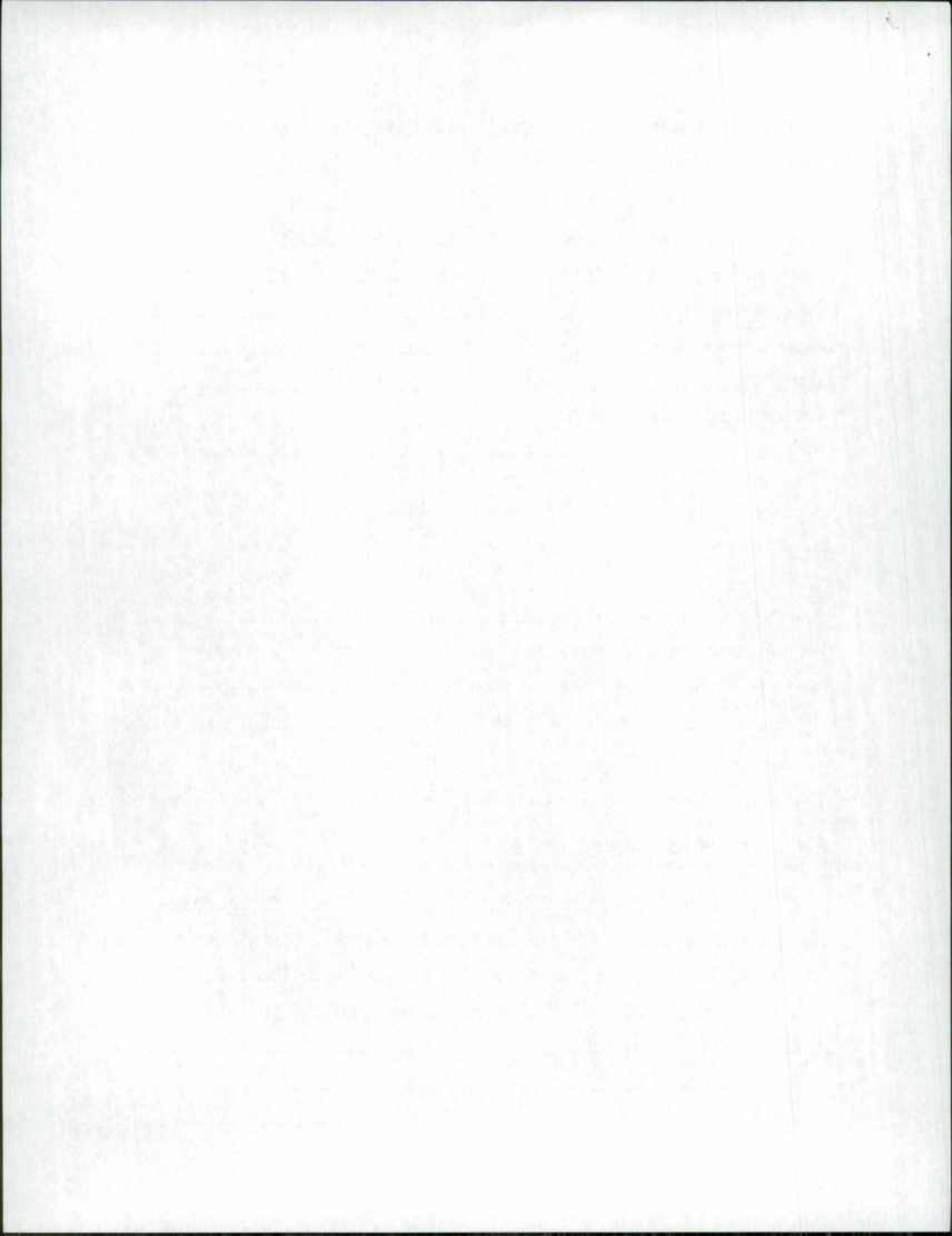
Are there any special plat notes or restrictions concerning your Buffer (e.g., wetlands, habitat protection areas, conservation easements)?

Yes  No If yes, please explain: \_\_\_\_\_

**DESCRIBE PROPOSED PROJECT**

Include area and/or number of trees cleared as well as the type of equipment that will be used.

Plant 15,425 sf of forest in 100' Buffer in an area that is currently lawn and field. Create gravel access path through Buffer to proposed pier. Access path will impact 643 sf of Buffer. Mitigate with forest plantings for the Buffer impact.



Name of Property Owner: Jane and John Smith

**DESCRIBE EXISTING CONDITIONS OF YOUR BUFFER**

Include a description of slopes, vegetation, wetlands, and any Habitat Protection Areas.

Attach photographs.

Buffer is flat and there are no steep slopes. Loblolly pine forest occupies approximately 25% of buffer. Field and lawn occupy remaining 75% of buffer. There are no known tidal or nontidal wetlands, waterfowl breeding grounds, anadromous fish propagation areas, or rare, threatened or endangered species habitat on-site or adjacent to property.

**PROVIDE A JUSTIFICATION FOR ANY PROPOSED BUFFER DISTURBANCE**

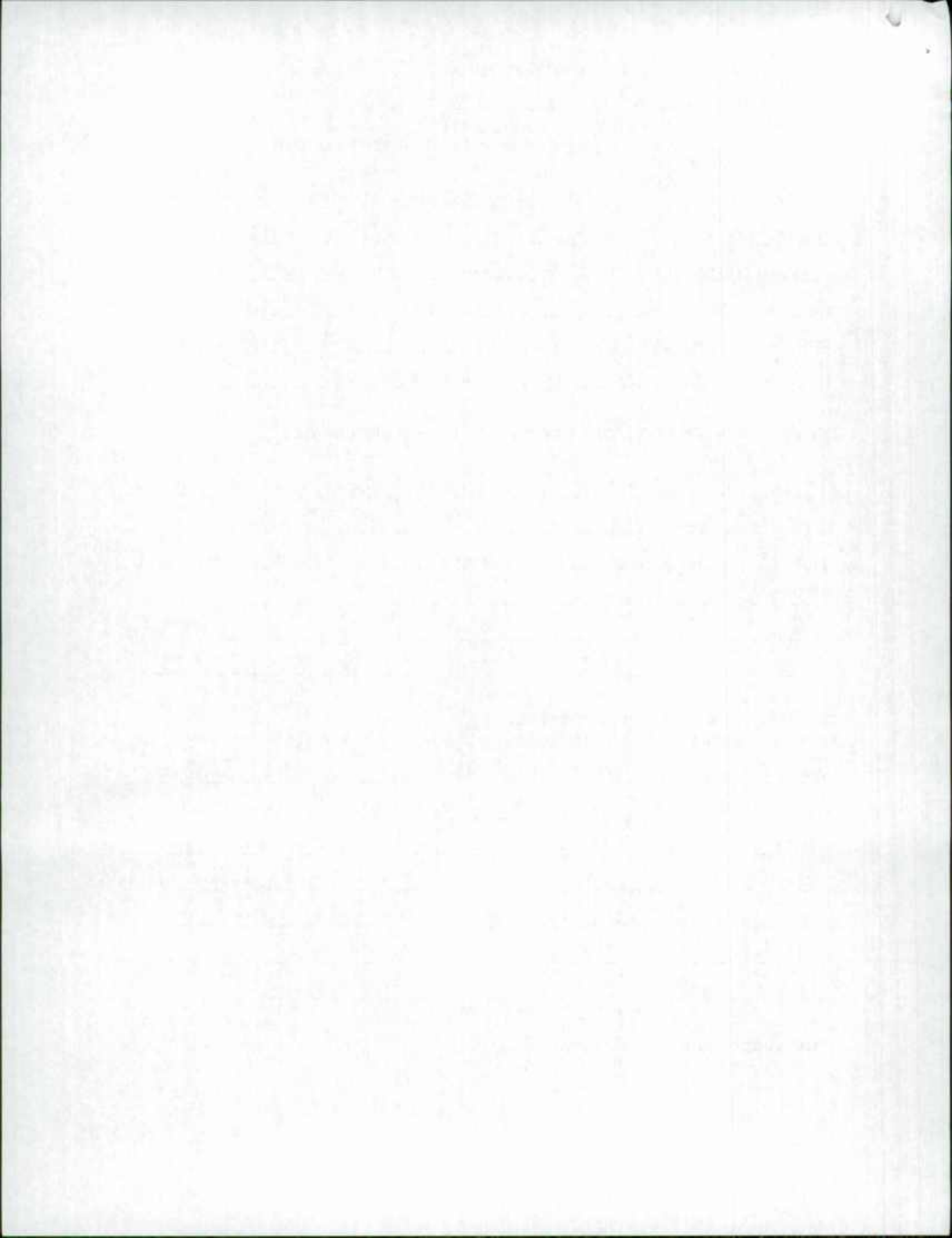
Access is needed to a proposed pier. The footprint of the path was minimized, as it is only 6 feet wide. Gravel may allow for infiltration of rain water and run-off.

**DESCRIBE LONG-TERM MANAGEMENT PLANS**

Include a description of any monitoring and watering of new plants, invasive species control, etc.

Water planted trees and shrubs during dry periods and replace any dead trees or shrubs in the 2 years after planting. Spray Rodeo<sup>®</sup> herbicide on multiflora rose and Japanese honeysuckle as they appear during the growing season in the 2 years after planting.

Attach additional pages if necessary.



Name of Property Owner: Jane and John Smith

**CALCULATION OF MITIGATION**

The following three-step process is used to compute the amount of mitigation needed for impacts to the Buffer. For the purposes of this Buffer Management Plan, mitigation is defined as plantings or similar offsets that will help to negate the effect of the Buffer disturbance. To determine the amount of mitigation for your Buffer disturbance you need to determine the following:

**1. Amount Of Buffer Disturbed For Clearing, Grading, And Placement Of New Structures, Etc.**

There are two ways to calculate the amount of disturbance in the Buffer. Buffer disturbance is based on either the area disturbed or the number of individual trees that will be cut. It is recommended that when an area to be disturbed more closely resembles a natural forest (i.e. canopy cover with multi-layer understory) or when structures or other impervious surfaces are placed within the Buffer or a BEA, even if no trees are cleared, you should quantify the disturbance amount in *area cleared*. On the other hand, if your site more closely resembles a park setting (i.e. scattered trees with little or no understory), it is recommended that you count the *number of trees removed*.

Area of Buffer cleared or disturbed 643 square feet

OR

Number of trees cleared \_\_\_\_\_ trees

**2. Mitigation Ratio For The Type Of Buffer Impact**

Different types of Buffer management activities require different mitigation ratios. Higher ratios are used for activities that have a greater impact upon the Buffer. The purpose of the mitigation is to improve the Buffer functions where possible. The table below provides the mitigation ratio for different types of Buffer management activities.

Type of Buffer Disturbance	Mitigation Ratio
New development/redevelopment	
Non-BEA	3:1
BEA	2:1
Shore erosion control	1:1
Shore access	2:1
Horticultural (removal of exotics, dead or dying trees/shrubs)	1:1
Other:	Contact Planning & Zoning

3. Mitigation amount calculated by multiplying the area disturbed or number of trees by the mitigation ratio.

Square feet 643 by ratio above 2:1 = 1,286 square feet

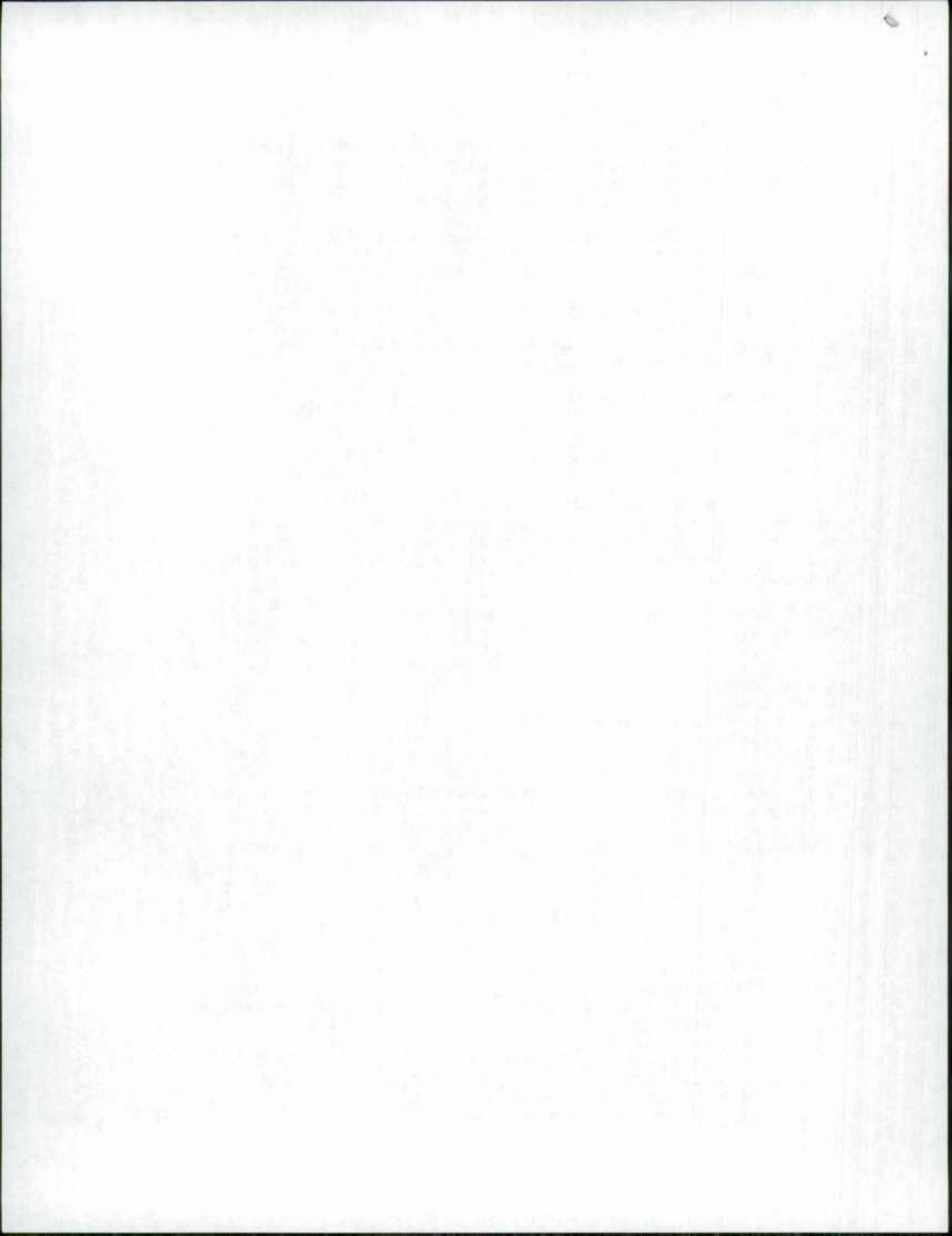
OR

Trees \_\_\_\_\_ by ratio above \_\_\_\_\_ = \_\_\_\_\_ trees

**BUFFER PLANTING PLAN**

All mitigation planting should be located within the Critical Area in the following order of preference:

1. On-site within the Buffer
2. On-site adjacent to the Buffer
3. On-site within the Critical Area
4. On-site outside of the Critical Area, but adjacent to a stream or existing forest.
5. Off-site (follow order of preference 1-3 above)
6. Fee-in-lieu payment (contact Planning & Zoning)



Name of Property Owner: Jane and John Smith

**Mitigation Credits for Various Size Trees and Shrubs**

Credit (square feet)	Plant Size	Approximate Plant Spacing
100 sq. ft.	1 tree (2-inch caliper)	7-10 foot center
400 sq. ft.	1 tree (minimum: 2-inch caliper and either balled and burlapped or container grown) and understory vegetation (minimum: 2 small trees or 3 shrubs)	Tree: 15-20-foot center Understory: 7-10-foot
50 sq. ft.	1 large shrub	3-7 foot
25 sq. ft.	1 small shrub	2-4 foot center

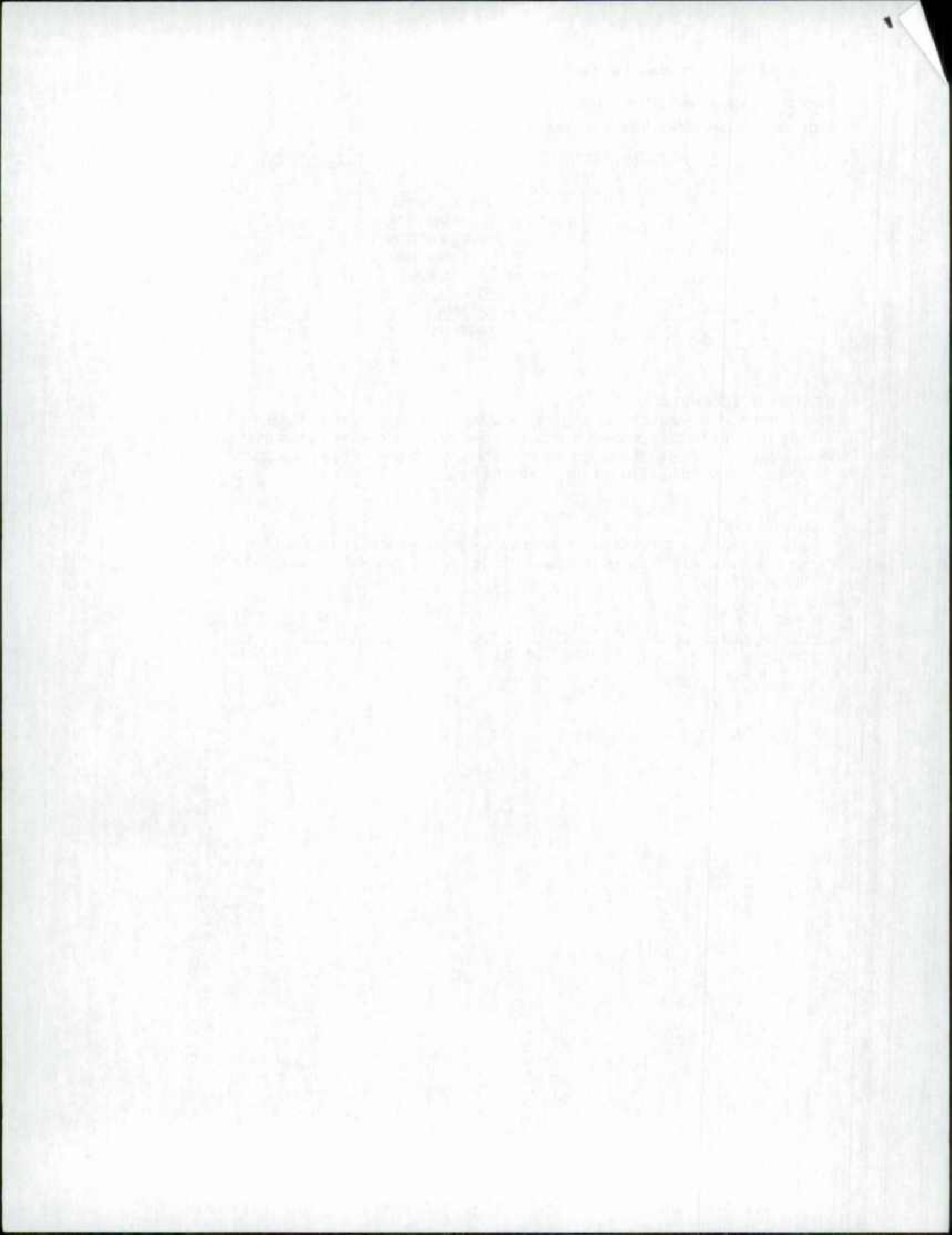
**SCHEMATIC DRAWING**

Please attach a schematic drawing to scale identifying areas of impact to the Buffer, indicate on plan existing trees and shrubs if possible, and the proposed location for replanting within the Buffer. Show the location of the Critical Area Buffer. Indicate on the drawing the specific types of vegetation that will be used for mitigation. Indicate where photos were taken.

**AUTHORIZATION**

*I certify these statements to be true and accurate and that any trees to be removed are on my property. I hereby grant Local Jurisdiction officials permission to enter my property for inspections of this Buffer Management Plan.*

J.A. Smith Applicant signature 4/01/08 Date

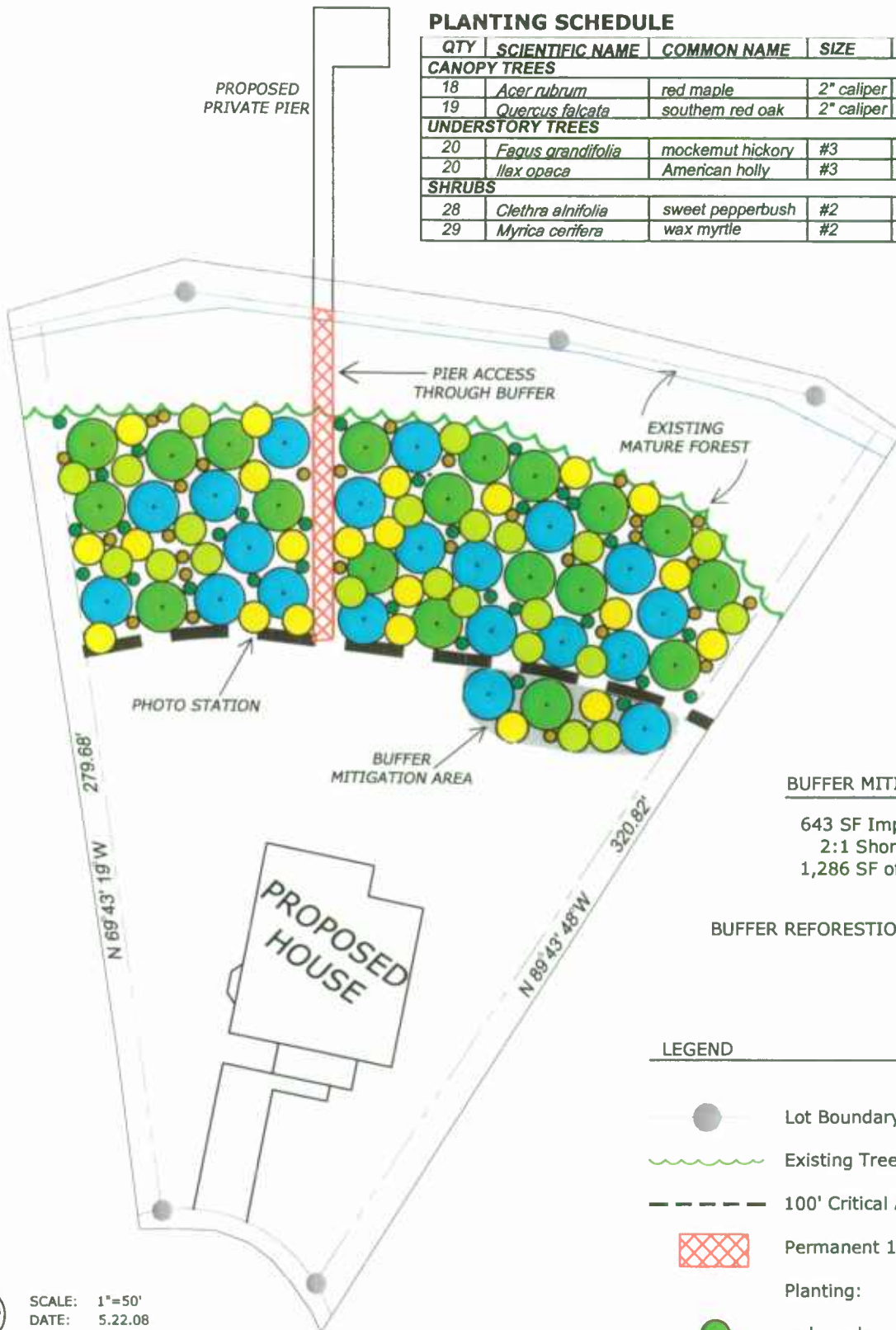




**SAMPLE SITE PLAN:** Single lot homeowner needs to establish buffer and mitigate for shore access impact.

**PLANTING SCHEDULE**

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE	CONDITION	SPACING
<b>CANOPY TREES</b>					
18	<i>Acer rubrum</i>	red maple	2" caliper	container/B&B	10'
19	<i>Quercus falcata</i>	southern red oak	2" caliper	container/B&B	10'
<b>UNDERSTORY TREES</b>					
20	<i>Fagus grandifolia</i>	mockemut hickory	#3	container	5'
20	<i>Ilex opaca</i>	American holly	#3	container	5'
<b>SHRUBS</b>					
28	<i>Clethra alnifolia</i>	sweet pepperbush	#2	container	3'
29	<i>Myrica cerifera</i>	wax myrtle	#2	container	3'



**BUFFER MITIGATION CALCULATION**

643 SF Impact  
 2:1 Shore Access Mitigation Ratio  
 1,286 SF of Mitigation

BUFFER REFORESTION AREA - 15,425 SF

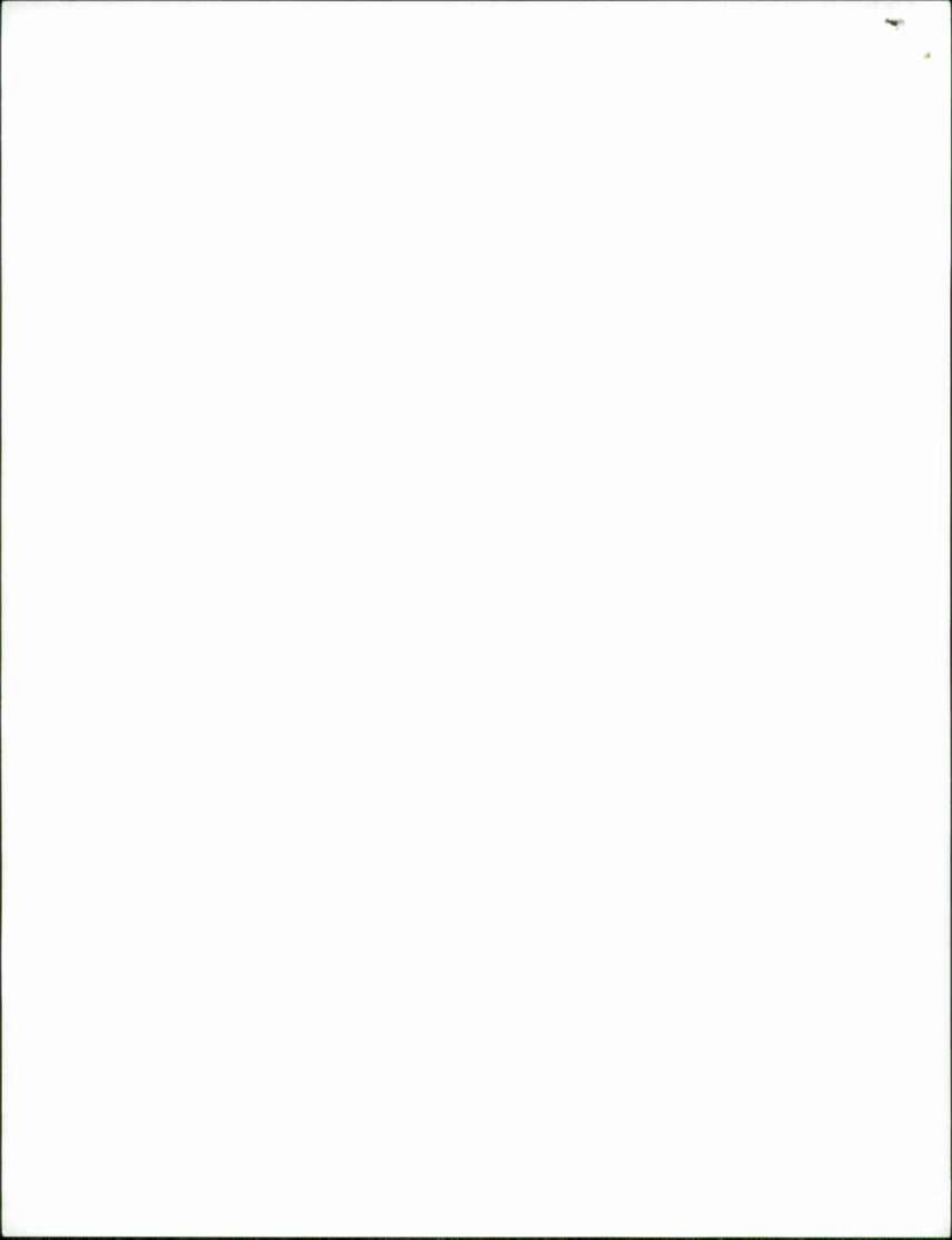
**LEGEND**

- Lot Boundary
- Existing Tree Line
- 100' Critical Area Buffer
- Permanent 100' Buffer Impact
- Planting:**
- red maple
- southern red oak
- mockernut hickory
- American holly
- sweet pepperbush
- wax myrtle



SCALE: 1"=50'  
 DATE: 5.22.08

**BUFFER MANAGEMENT PLAN**  
 FOR THE SMITH PROPERTY  
 1523 Elm Road  
 Fairbank, MD 21325  
 410-555-1212  
 Tax Map 3, Parcel 8, Lot 8





VICINITY MAP  
 Minimum size 4"X4"  
 Minimum Scale 1"=2000'

- LEGEND**
- - - Lot Boundary
  - - - Existing Topography
  - ▾ Tidal Wetland
  - ↓ Nontidal Wetland
  - WB 25' Wetland Buffer
  - ~ Existing Treeline
  - - - 100' Critical Area Buffer
  - Critical Area Boundary
  - 200' Expanded Buffer 2.15 Acres
  - Buffer Management Area I Reforestation
    - Area IA Planting 1.50 Acres
    - Area IB Natural Regeneration 0.38 Acres
  - Buffer Management Area II Forest with Invasive Species Control 1.66 Acres
  - Buffer Management Area III Natural Forest 7.48 Acres
  - Permanent Buffer Impact 0.05 Acres
  - Proposed Buffer Mitigation 0.11 Acres
  - Soils

**SOILS:**  
**Tm** Tidal marsh, hydric, Kw erodibility = 0.43  
**Bp** Bibb silt loam, hydric, Kw erodibility = 0.43  
**SfB2** Sassafras sandy loam, 2 to 5% slopes, not hydric, Kw erodibility = 0.28

REVISIONS			
NO.	BY	DATE	DESCRIPTION

Engineer: \_\_\_\_\_

Prepared for: \_\_\_\_\_

Prepared by:  
 Environmental Systems Analysis, Inc.  
 Natural Resources Management  
 Ecological Restoration  
 162 West Street  
 Annapolis, MD 21401

BUFFER MANAGEMENT PLAN TYPICAL SUBDIVISION

**SUBDIVISION NAME**  
 Election District  
 County, Maryland

SCALE: 1"=200'  
 DATE: 5.15.08  
 SHEET: 1 of 1