



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Forest Conservation Plan

For a Park Facility Plan or a

Sediment Control Permit

**Application Upload Checklist &
Submission Requirements**

Application Upload Checklist for New Plans and Amendments

The following items are required for a Forest Conservation Plan submission that will be reviewed concurrently with a project proposed by the Parks Department or a project proposed with a sediment control permit application that has had no previous review under the Forest Conservation Law. Should revisions be requested, each document should keep the same filename. ePlans will track versions of the files from submittal to submittal. Plan amendments may require redlined drawings for some items.

Pre-Screen Submittal Items	File Type	Filename
Required Documents and Drawings		
General Information		
Narrative	PDF or Microsoft Word	01-DESC-SC20XXXXX or PP20XXXXX*
Required Plan Drawing(s)		
Forest Conservation Plan Drawing	Vector PDF (individual pages)	02-FCP-SCXXXXXX-00X or 02-FCP-PP20XXXXX*
Required Supporting Functional Information/Drawings		
Approved NRI/FSD Plan or Existing Conditions Plan	PDF	03-NRI-420XXXXXX or 03-EXCOND-420XXXXXX**
Proposed Sediment Control Plan or Park Facility Plan Drawing (if required)	Vector PDF (individual pages)	04-SED-SC20XXXXX-00X or 04-PARK-PP20XXXXX-00X*
Supplemental Drawings & Documents (required if applicable)		
Potential Items		
Justification for Tree Variance	PDF or Microsoft Word	05-VAR-SC20XXXXX or PP20XXXXX*
Legal Document (legal restrictions, deeds, easements, etc.)	PDF	06-LEGAL-SC20XXXXX or PP20XXXXX*
Qualified professional verification	PDF	07-QUALIF-SC20XXXXX or PP20XXXXX*

* Use applicable plan number ** Use number of the previously approved plan

The following items will/may be uploaded as part of or after the initial document upload task.

Other Submittal Items	File Type	Filename
At Any Point in the Process		
Updated Application Information	PDF	08-UPDATE-SC20XXXXX or PP20XXXXX* 09- -SC20XXXXX or PP20XXXXX*
Additional Item	As appropriate	Use descriptor code of choosing that seems appropriate for the additional item(s) you wish to submit.
With Approved Plan		
Proposed Forest Conservation Maintenance and Management Agreement	PDF or Microsoft Word	10-FCPMAINT-SC20XXXXX or PP20XXXXX*
Proposed Category I or II Conservation Easement Agreement	PDF or Microsoft Word	11-CONSESMT-SC20XXXXX or PP20XXXXX*
Performance Bond/Letter of Credit	PDF or Microsoft Word	12-(FCPBOND/FCPLOC)-SC20XXXXX or PP20XXXXX*
Cost Estimate for Planting	PDF or Microsoft Word	13-FCPESTIM-SC20XXXXX or PP20XXXXX*
Fee-In-Lieu	PDF or Microsoft Word	14-FEEINLIEU-SC20XXXXX or PP20XXXXX*
Forest Bank Certificate of Compliance	PDF or Microsoft Word	15-FBCOC-SC20XXXXX or PP20XXXXX*

Amendment Upload Checklist

If an applicant proposes to make changes to an approved Forest Conservation Plan, an application to amend the Forest Conservation Plan must be submitted. The submission materials for a Forest Conservation Plan Amendment application include the following:

Amendment Items	File Type	Filename
Required Documents and Drawings		
General Information		
Statement of Justification	PDF	01-SOJ-SC20XXXXX or PP20XXXXX*
Approved Forest Conservation Plan	PDF	03-PBFCP-SC20XXXXX or PP20XXXXX*
Planning Board Resolution or Staff/Director Approval Letter	PDF	04-PBRES/DLTR-SC20XXXXX or PP20XXXXX*
Amended Drawings		
Forest Conservation Plan Drawing (Black & White)	Vector PDF (individual pages)	02-BFCP-SC20XXXXX-00X or PP20XXXXX-00X*
Forest Conservation Plan Drawing (Redlined)	PDF (individual pages)	02-RFCP-SC20XXXXX-00X or PP20XXXXX-00X*
Required Supporting Functional Information/Drawings if required		

In addition to the items listed above, any typical plan item may be required with a Forest Conservation Plan Amendment. These additional items may be requested during the review process. Use the filename conventions from the previous page and the top of this page for naming these items.

Submission Requirements

The files on the Application Upload Checklist appear below in the same order as above. Under each item is a description detailing the format and content requirements for each uploaded file. These submission requirements must be met to move beyond the ePlans Intake Review stage.

Standard Drawing Components

In general, all Forest Conservation Plan drawings have the following standard components for the tract area of the development project:

1. *Scaled Drawing with North Arrow*

A scaled drawing at a scale of 1" = 100' or greater (that is, less than 100 feet per inch) is required. The minimum printable drawing size is 24" x 36". All drawings shall be north-oriented to the extent possible. A graphic scale bar and north arrow must be displayed.

2. *Title Information*

The title information includes the name of the plan, the plan number, revision block to identify plan revision dates, the identity of the plan preparer, the preparer's address and telephone number, and the applicant's name. The WSSC and the tax map grid numbers should be included in the title block. The plan name shown in the title block should match the name used when submitting the application. If an amendment application is submitted with a new name, include the former name in parentheses after the plan name in the title block.

3. *Vicinity Location Map*

The vicinity location map must be at a scale no smaller than 1" = 2,000' and must have a north arrow. The vicinity map should identify, for reference, the nearest major road(s) and intersections, proposed master plan roads, nearby local streets and major features such as schools, libraries, shopping centers, etc. that are located near the property.

4. *Forest Conservation Plan Notes*

Plan notes should include the zoning, watershed, and whether the site is in a Special Protection Area or Patuxent River Primary Management Area.

5. *Legend*

All symbology must be included in a legend.

6. *M-NCPPC Approval Stamp Placeholder*

The top left corner of all drawings must be reserved for the Planning Department's electronic stamp (dimensions: 4" width x 3" height). For amendments to pre-ePlans-approved plans, if you cannot fit a 4" x 3" block in the top left corner on every drawing, choose one of the other corners of the plan set; ePlans requires a consistent spot on every plan drawing for the electronic approval stamp.

7. *Name, Address, and Signature and Stamp of Qualified Professional*

The plan drawing must contain the name, address, and signature of a Qualified Professional [as defined by the Department of Natural Resources](#) (Md. DNR) for the preparation of a NRI/FSD and Forest Conservation Plan.

8. For a Final Forest Conservation Plan, the plan drawing must include a developer/property owner's certificate indicating that the developer/owner will execute all features of the approved Plan including tree protection, forest and tree planting, maintenance and management of planted areas, and other applicable requirements. Download the [Forest Conservation Developer's Certificate Template](#). The Developer's Certificate should not be signed until requested at the end of Intake.

Required Documents and Drawings

General Information

Narrative | PDF or Microsoft Word File | 01-DESC-SC20XXXXX or PP20XXXXX

The Applicant must submit with each application a written statement listing the facts and reasons that, according to the Applicant, would support approval of the application. This Narrative must address each major finding required under Chapter 22A of the [Montgomery County Code](#), the Forest Conservation Law.

If an application includes a request for any waiver of any law or regulation, the Narrative must detail the facts and legal basis that support the granting of the requested waiver. The applicant must identify any waivers of any requirements of the County Forest Conservation Law or Regulations that are necessary for the plan to be approved as proposed. The statement of justification must specifically identify the section number(s) for the applicable standards/regulations to be waived with justification for the request.

Required Plan Drawing(s)

Forest Conservation Plan Drawing | Vector PDF (individual pages) | 02-FCP-SC20XXXXX-00X or PP20XXXXX-00X

Unless there is a confirmed Forest Conservation Plan Exemption for the project, the applicant must submit a Forest Conservation Plan (FCP) that complies with the Forest Conservation [Law](#) and [Regulations](#), and pay the appropriate fee. The FCP must be prepared and certified by a qualified professional as defined in the regulations. A Forest Conservation Plan that is filed for a Sediment Control Permit must be a Final Forest Conservation Plan. A Forest Conservation Plan submitted with a Park Facility Plan can be either a Preliminary Forest Conservation Plan or a Final Forest Conservation Plan. If a Preliminary Forest Conservation Plan is submitted for review with the Park Facility Plan, a Final Forest Conservation Plan must be submitted for review and approval at a later step before a sediment control permit for the Park project can be issued.

The Forest Conservation Drawing contains the following elements:

1. *Standard Drawing Components*

Refer to [list above](#).

2. *Forest Conservation Plan Notes*

Plan notes should include the zoning, watershed, and whether the site is in a Special Protection Area or Primary Management Area.

3. *Developer/Property Owner's Certificate*

For a Final Forest Conservation Plan, the plan drawing must include a developer/property owner's certificate indicating that the developer/owner will execute all features of the approved Plan including tree protection, forest and tree planting, maintenance and management of planted areas, and other applicable requirements. Download the [Forest Conservation Developer's Certificate Template](#). The Developer's Certificate should not be signed until requested at the end of Intake.

4. *Additional FCP Information*

The following items are required. A Forest Conservation Plan that is filed for a Sediment Control Permit must include items in Group 2 (Final Forest Conservation Plan). A Forest Conservation Plan filed with a Park Facility Plan can include either items in Group 1 (Preliminary Forest Conservation Plan) or Group 2 (Final Forest Conservation Plan).

Group 1

- a. The shape and dimension of lots, showing locations of existing structures and improvements including paved areas.
- b. Locations and dimensions of all existing and proposed rights-of-way (ROWs), setbacks, easements, stockpile areas, and stormwater management facilities. Road and utility ROWs which will not be improved as part of the development application must be identified.
- c. Location of building restriction lines and areas to be conserved, including floodplains, wetlands, and stream buffers.
- d. Conceptual locations of proposed structures and improvements, drainage systems, and sediment control measures.
- e. Proposed locations and acreage, where applicable, of clearing and retention of forest, tree stands and other individual trees.
- f. Proposed locations of afforestation and reforestation, including acreage, if required.



- g. Forest Conservation Data Table. Download the [Data Table template](#). For forest conservation land use categories and thresholds use these [reference tables](#).
- h. *Forest Conservation Worksheet showing calculation* of forest conservation requirements. Download the [Worksheet template](#).

Group 2

- a. Final grading plans which include building locations and footprints, retaining walls, road and parking layout, sidewalks and pathways, and location of recreation facilities.
- b. A limit of disturbance line that reflects the limits of all clearing and grading on the tract, and the location of sediment and erosion control devices.
- c. Survey of trees 24 inches and greater at 4.5 feet over ground for 50 feet on either side of the LOD, and delineation of their critical root zones. A survey of other trees may be necessary to determine the feasibility of proposed retention areas.
- d. Identification of retention areas including forest, tree stands and other individual trees to be saved, including acreage.
- e. A tree or forest protection plan which shows:
 - o Location of temporary and permanent protection devices which must be installed if clearing, grading, or construction occurs within 50 feet of a retention boundary area
 - o Stockpile areas and borrow pits
 - o Specifications and details for protection devices, such as root pruning and tree protection details.
 - o A narrative of stress reduction or other measures which are needed for specific trees
 - o A [field inspection schedule](#) pursuant to Section 22A.00.01.10 of the Regulations.
- f. An afforestation/reforestation planting plan, if required, which contains:
 - o Location and acreage of areas to be planted
 - o An analysis of the suitability of the site for planting and a description of necessary methods
 - o A list of target tree and shrub species, chosen based on analysis of site conditions, which can be used for site planting
 - o A plant materials table including size and quantities of plants to be installed
 - o Planting and inspection schedule
 - o [Forest conservation sequence of events](#)
 - o If the project requires an SPA Water Quality Plan where forest planting is also required, locations of and planting schedule for accelerated forest planting must be displayed.
 - o A maintenance plan which includes provisions for necessary watering, control of competing vegetation, protection from disease, pests, and mechanical injury, and reinforcement planting if plant survival falls below the requirements of the subsection 22A.00.01.08E(3)(c) of the Regulations.
 - o Planting area protection measures (at a minimum, fencing and deer control)
- g. Permanent protection easement boundaries, including acreage.

5. *Post-Approval Documents*

The following documents must be uploaded with the certified plan set after the plan has been approved. They are not required for initial submission. See [this section](#) for information on naming these files for ePlans.

- a. Maintenance and Management agreement. See [onsite](#) and [offsite](#) agreement examples
- b. If offsite location is required, all the items under **Error! Reference source not found.** above, plus a map of the proposed planting site showing location, soils, and environmental features which are priority planting areas as stated in Section 22A.00.01.08E(2) of the Regulations.
- c. [Calculations for the fee-in-lieu](#) of reforestation or afforestation, where appropriate
- d. Calculations for financial security which is to be provided in an amount equal to the estimated cost for the required planting and maintenance, or equal to the fee-in-lieu for the area to be planted and the proposed financial instrument ([Performance Bond](#) or [Letter of Credit](#)). [This document](#) provides more information on security bonds.
- e. Long-term protection agreement, where appropriate. See Section 22A.00.01.15 of the Regulations.
- f. [Certificate of compliance](#), recorded in the Montgomery County land records, for the purchase of credits from an established forest mitigation bank.

Required Supporting Functional Information/Drawings

Approved NRI/FSD or Existing Conditions Plan | PDF | 03-NRI or EXCOND-420XXXXXX

The NRI/FSD Plan shows existing natural and man-made features on and adjacent to the project site. It also delineates any regulatory, natural area buffers (e.g., stream or wetland buffers) on the site that have the highest priority for preservation. An approved Existing Conditions Plan may be submitted instead of a NRI/FSD, but it covers only a sites that contains no environmentally-sensitive features or natural area buffers.

Proposed Sediment Control or Park Facility Plan | Vector PDF | 04-SED or PARK-SC or PP20XXXXX-00X

For a Forest Conservation Plan reviewed with a Sediment Control Permit, a copy of the plan drawing that is prepared for the Sediment Control Permit application is uploaded as part of the Forest Conservation Application. This plan drawing shows the proposed Limits of Disturbance and the sediment and erosion control measures for the project site. For a Park project, the Park Facility Plan Drawing is uploaded if it is required by the Forest Conservation Plan reviewer.

Supplemental Drawings & Documents (required if applicable)

Potential Items

Justification for Tree Variance | PDF or Microsoft Word File | 05-VAR-SC or PP20XXXXX

If required, a variance request must be submitted with the initial forest conservation plan submission. A variance is required for properties that propose to remove any:

- a. tree 30 inches and greater in diameter at breast height (dbh)
- b. tree with a dbh equal to or greater than 75% of the current state champion
- c. tree designated as the county champion tree
- d. tree that is part of a historic site or associated with a historic structure
- e. tree, shrub or plant identified on the list of rare, threatened and endangered list of the U.S. Fish and Wildlife Service or the Maryland Department of Natural Resources

All forest conservation plans requiring a variance must request the variance in writing. The applicant must demonstrate that enforcement would result in unwarranted hardship.

The variance requests must include narrative discussion on the following:

- a. describe the special conditions peculiar to the property which would cause the unwarranted hardship
- b. describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas
- c. verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance
- d. provide any other information appropriate to support the request

Legal Documents | PDF | 06-LEGAL-SCorPP20XXXXX

Copies of documents that cover existing legal restrictions, deeds, easements, etc. on the project site must be part of the Forest Conservation Plan application.

Qualified Professional Verification | PDF | 07-QUALIF-SC or PP20XXXXX

A Forest Conservation Plan must be prepared by a Qualified Professional, as defined by the Maryland Department of Natural Resources. If a plan reviewer requires proof that a plan preparer is a Qualified Professional, documentation, such as a DNR letter confirming the preparer's qualifications or the preparer's current Maryland licensing information as a forester or landscape architect, may be a required submission item.

Other Submittal Items

At Any Point in the Process

Updated Application Information | PDF | 08-UPDATE-SC or PP20XXXXX

After a plan is accepted and moves into the plan review stage, major changes, either agreed upon in discussions with staff or in response to agency review comments may occur. If critical information originally entered through the Dynamic Portal needs

to change, a plan revision is required. Critical information includes changes in acreage; number of lots or units; type of use or units proposed; a change in ownership, applicant or engineer; or method of development proposed. The applicant must prepare a letter and/or traditional application form highlighting all changes and after discussion with lead reviewer upload it to ePlans.

Additional Item | Appropriate file type | 09- -SC or PP20XXXXX

For file name, use descriptor code of choosing, suitable for the additional item(s) you wish to submit. Example: The filename for a Md. DNR letter providing guidance on habitat requirements for protecting and preserving a plant species designated as a Maryland rare plant and found on the project site could be 09-DNRGUIDE-SC or PP20XXXXX.

The applicant may provide additional files to staff as required by specific applications, or after a plan is accepted and moves into the plan review stage. This could include photographs, renderings, other exhibits, and minutes from meetings.

With Approved Plan Being Certified

The following items may be needed as part of the certified plan set.

FCP Maintenance and Management Agreement | PDF or Microsoft Word | 10-FCPMAINT-SC or PP20XXXXX

Draft or final copy of the [Maintenance and Management Agreement](#). (For FCP: [onsite](#) and [offsite](#))

Category I or II Conservation Easement Agreement | PDF or Microsoft Word | 11-CONSESMT-SC or PP20XXXXX

Draft or final copy of the conservation easement agreement, either a Category I or Category II.

FCP Performance Bond/Letter of Credit | PDF or Microsoft Word | 12-(FCPBOND/FCPLOC)-SC or PP20XXXXX

Draft or final copy of the [Performance Bond](#). (For FCP: [Bond](#) or [Letter of Credit](#))

Cost Estimate for Planting | PDF or Microsoft Word | 13-FCPESTIM-SC or PP20XXXXX

Draft or final copy of the [Cost Estimate](#).

Fee-In Lieu Calculations | PDF or Microsoft Word | 14-FEEINLIEU-SC or PP 20XXXXX

Draft copy of calculations to determine the amount for the fee-in-lieu to be paid instead of planting to meet afforestation or reforestation requirements.

Forest Bank Certificate of Compliance | PDF or Microsoft Word | 36-FBCOC-SC or PP20XXXXX

Draft or final copy of the [Forest Conservation Bank Certificate of Compliance](#).

Amendment Submittal Item Details

The redlined versions of the plan drawings should be drawn on top of the previously approved plans. Only highlight the plan elements that have changed—do not redline previous approval stamps, developer’s certificates, or other administrative plan details. Changes to figures in tables should be redlined by crossing out the old figure and writing the new one next to it in red. Only provide redlined drawings for sheets that have changed with this amendment.

The black and white versions of the plan drawings show the final plan drawings without change clouds. Include numbered change triangles near amended areas to reference a numbered list of items on that page describing what has changed.

Forest Conservation Plan Drawing | Vector PDF (individual pages) | 10-BFCP-SC20XXXXX-00X or PP20XXXXX-00X (Black & White)

The approved Forest Conservation Plan drawing modified, as appropriate, for the specific amendment as a final version without highlighted changes. If an amendment does not include all of the previous plan’s lots, a new Forest Conservation Plan drawing of just the effected lot(s) needs to be submitted.

Forest Conservation Plan Drawing | PDF (individual pages) | 10-RFCP-SC20XXXXX-00X or PP20XXXXX-00X (Redlined)

The approved Forest Conservation Plan drawing modified, as appropriate, for the specific amendment. Redline the modifications to highlight them in the drawing. If an amendment does not include all the previous plan’s lots, a new Forest Conservation Plan drawing of just the effected lot(s) needs to be submitted.