

Fee-in-lieu payments to meet forest mitigation requirements

In general, applicants with approved Forest Conservation Plans may make a fee-in-lieu payment to meet a requirement when:

1. A person satisfactorily demonstrates that he or she cannot reasonably accomplish the reforestation or afforestation requirements on site or off site;
2. A person has shown that on-site afforestation using forest cover is not appropriate;
3. The use of landscaping is not appropriate to meet the afforestation or reforestation requirement; and
4. There are no credits available from a forest mitigation bank in the same watershed or a priority area, and there are no credits available in a forest mitigation bank located anywhere in the County, or
5. A property of any size has a reforestation and/or afforestation requirement of less than ½ acre and no on-site planting area is present.

For more information on when property is eligible to make a payment in-lieu of planting, please see section 22A-12(g) of the Montgomery County code.

Fee-in-lieu Rate

Applicants submitting an in-lieu fee payment after July 1, 2025 must pay at a rate equal to \$1.55 per square foot of forest mitigation requirement.