

**Environmental Technical Manual
Comments and Responses
April 2011**

The table below summarizes comments provided by members of the M-NCBIA, staff, and various applicants since the approval of the Environmental Technical Manual (TM) published September 22, 2010. A meeting was held on December 1, 2010 to receive initial comments on the technical manual and are incorporated herein. The page numbers in the table refer to the current manual pages. These page references may change when the proposed edits are added to the text.

Introduction to the Environmental Technical Manual

PAGE REFERENCE	COMMENT	RESPONSE	STAFF RECOMMENDATION
I-7	Table I-3 should be revised to address CBCA. Same comment on page A-2.	CBCA submission requirements do not fit well with this table because they are different based on the level of review and approval.	Part E is a future work program item and is under development. Part E will reflect the submittal requirements for CBCA review.
I-7	Should grading permit include FSD?	The table shows what is required to be submitted by application type. An FSD is a submission requirement for TCP2 review, not permit review. When applying for a grading permit, a TCP2 or Letter of Exemption (LOE) is required and prior to the completion of the TCP2, the FSD or NRI is done.	No change.
I-7	A “stand alone” TCP2 needs to be added as an application type to show what is required with this submission.	Agreed.	Add TCP2 as a stand alone submission type and check “FSD required”.
I-8	Recommended data sources: what property boundary comes from M-NCPPC? If it’s plats, it should state this.	Property boundary information is from the Prince George’s County Land Records.	Text will be changed to read, “or from Prince George’s County Land Records.”

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I-8	Soils info – be specific (Web Soil Survey) if that is what is required	Agreed.	Text will be changed to read, “(NRCS) Web Soil Survey(WSS)”
I-8	Recommended Data Sources seems to imply that one could look at the web site and provide only that information. Page B-13 requires the DNR letter. (hyperlink provided does not work)	Letters must accompany the NRI as stated on B-13. Text will be revised for clarity.	Text will be revised to add a period after the DNR address and the second sentence will start: “For additional information see their web site...”. Link will be corrected both on I-8 and on B-13.
I-8	Scenic and historic roads layer is not available on PGAtlas.com as of 10/31/10.	The Master Plan of Transportation has been published and is available on the web.	Text will be revised to reference the MPOT.
I-9	Provide additional information on how Prince George’s County will qualify professionals that are not qualified through the state program – where is the list available and should it include all qualified professionals other than licensed individuals?	Certified arborists will need to take a DNR approved course to become qualified professionals and will not be designated separately by Prince George’s County. When the legislation is changed to delete appropriate references to certified arborists this section will be removed.	Keep text for now and remove when new legislation is changed.
I-10	Certification and seal are both required, why?	The professional’s seal is a confirmation of their professional status. The QP certification block certifies that the plan is in compliance with the current requirements of Subtitle 25 and provides a place for a signature. Both are required to be shown.	No change.

Part A: Woodland and Wildlife Habitat Conservation Ordinance Technical Manual

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-1	A section on grandfathering of valid, approved tree conservation plans would be helpful	The grandfathering provisions are in Section 25-119(g). It will not be possible to provide grandfathering language that addresses all possible situations; however, some clarification language will be provided in Section 3.0 Process and Applicability.	Clarification language will be provided with regard to grandfathering of valid, previously approved TCPs.
A-1	Under “Process and Applicability” add a short section on the variance application process	Agreed. Text needs to include that variances are not noted on the plans until they are approved, so there isn’t a checklist item for plan preparation. Provide standard notes for plans that have approved variances. Add a new appendix for variance-related forms and number this appendix A-5.	Revise as noted.
A-1	Need a template for a “Statement of Justification”	Agreed. Text will be added to the “Process and Applicability” section on this. Add standard template in Appendix A-5.	Add information as noted.
A-2	Provide description of the acronyms used in Table A-1	Agreed.	A description of the acronyms used in Table A-1 will be provided.
A-3	Second paragraph – should indicate only if no valid TCP	Agreed.	Text will be revised to read “...previously approved and valid ”
A-3	4.0 FSD – FSD is detailed accounting of woody vegetation not buffers, etc. as in checklist-buffers should not be required on the FSD	Wetlands, streams and their associated buffers are required to be shown on the FSD because they are priority areas for woodland conservation (see 25-121(b)).	No change.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-3	4.0 FSD – clarify that an FSD is required only when a Basic Plan or Letter of Exemption is being applied for.	Table A-1 shows correct information. Can add additional text.	Text will be revised to read: “An FSD is required with a basic plan or zoning map amendment (ZMA) application and with applications for a letter of exemption. Refer to Table A-1.”
A-4	Third bullet grammar is not correct	Will revise text for clarity.	Revise third bullet to read “... (NRI) which shows no regulated features and limited areas of woodland on-site...”
A-4	4.1.2 – do all the bullets need to apply or should there be an “or” at the end of each sentence?	First two bullets are “and” the third is “or.”	The text shall be revised to read: “An intermediate forest stand delineation may be submitted when the site does not have an existing tree conservation plan and the proposed development will disturb more than 5,000 square feet of woodlands but less than ten percent of the property or the site will be established as a woodland conservation bank.”
A-4	4.1.3 – Detailed FSD needed when NRI is submitted is contrary to Section 4.1.2.	Clarification to be provided.	Revise 4.1.3 introduction sentence to read: “A Detailed Forest Stand Delineation shall be submitted...” and delete the second paragraph and two bullets.
A-5	Step 1 – request DNR Letter – page I-8 indicates website info OK	General information may be obtained from the website but the letter must accompany the NRI as stated on B-13. DNR letter required for FSDs so text will be added here.	Add text about DNR letter required with FSD. Link will be corrected both on I-8 and on B-13. http://dnr.maryland.gov/wildlife/ . Edits to this bullet will clarify requirement.
A-5	Step 3 –Field map created before sampling?	The two bullets in the graphic are reversed.	Revise the graphic to place “Create a Field Map” above “Conduct Sample Plots”. Add text to page A-10 to describe “Create a Field Map.”

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-8	Three sample plots for a site 4 acres in size works well but not for sites that are fully wooded and 12,000 sf in size.	The minimum number of sample plots as required by the state Forest Conservation Technical Manual is one plot per four acres of forest stand area, 2 plots minimum per stand, and three plots minimum per the total forested area of the site. The state manual seeks a defensible confidence level regarding the number of plots on a site. If the qualified professional determines that fewer plots could result in an accurate analysis of the site because the forest stand comprises a small area then fewer sample plots may be provided.	Revise the text at the bottom of page A-8 to read: “Using these standards, there will always be at least three sample plots for the entire forested area on a site and at least two sample plots for each stand. If there is only one forest stand on the site and the total forested area comprises a small area, the qualified professional may decide that fewer plots could result in an accurate analysis of the woodland and fewer sample plots may be provided.”
A-9	Map A-2: - shows a sample point labeled as “F” that appears to be leftover from a previous version - the stream and topo do not extend 100 feet off property - soils table does not show the required information - does not show all 15% slopes	On Map A-2: - sample point “F” will be removed - topo extends off property 100 feet as indicated in the scaled distance; PMA shown 50-75 feet off the property - soils info to be corrected - all 15% or greater slopes are shown	Stream and PMA will be revised and dimensions shown to illustrate that all features are shown extending 100 feet off of the property. Soils information will be corrected.
A-10	Last paragraph reads: “Sample point data is to be collected by both a fixed plot sampling method and the variable plot wedge prism or angle gauge method.” Could this be revised to make any of the three a choice?	Agreed. Note that the text also states that alternative methods are accepted as long as they produce realistic and statistically viable information as noted in the text.	Revise the first sentence of the last paragraph to read: “Sample point data is to be collected by a fixed plot sampling method, the variable plot wedge prism method or angle gauge method.”
A-10	It appears that Section 4.2.3 neglected to include champion or historic trees.	This was an oversight; specimen, champion and historic trees are treated similarly throughout the manual.	Text to be revised to include champion and historic trees.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-11	Last sentence – “Biltmore stick or D-tape may be used to measure trees for accuracy.” Is this so that the Basal Area (BA) can be calculated? If so, provide clarification that each tree’s DBH within sample point may be measured to determine the BA. Suggest “Please note that, when a Biltmore stick or diameter tape are used to measure the DBH of each tree so as to calculate the basal area that the measurements must be accurate.”	Full text of the last sentence is: “A Biltmore stick or diameter tape may be used to measure the diameter of all trees within the sample plot. Please note that, if a Biltmore stick or diameter tape is used, it is important that each individual tree be measured within the plot because using a general size class will give an inaccurate measurement of basal area.” The clarification requested is in the last part of the second sentence.	No change

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-12	Timing of the condition analyses of specimen, champion and historic trees can be problematic if there are many trees in these categories on a site. Consider allowing the condition analysis to be done later, during the review process.	The existing condition of specimen, champion and historic trees is information that is critical to the design of a site. Because it is needed by the designer, it is needed as early in the design process as possible. Providing this information at time of first TCP review is too late in the process. Applicants may choose not to do condition analyses for trees within the PMA at time of FSD preparation. If trees within the PMA are within 100 feet of the limits of disturbance when the plan is designed, the qualified professional will be required to return to the site and conduct a second site visit to provide the condition analyses of the trees located within 100 feet of the LOD. The specimen, champion and historic tree table will show a condition of "unknown," the reason why a condition analysis was not performed and a standard note shall be provided under the table. The FSD (and NRI if one is required) shall be revised to reflect the additional information at time of plan design and must receive approval prior to the approval of the associated case or permit.	Revise text on pages A-12 and A-13 as needed to reflect this change. Clarify table information with regard to condition categories and condition ratings as needed.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-12	Add definition of historic tree to 4.2.3a	4.2.3a is on page 10 and addresses General Site Conditions. Text to be revised to include champion and historic trees. 4.2.3c on page 12, 1 st . par. includes definitions of Specimen, Champion and Historic trees	4.2.3a 1 st par. text to be edited to read, "...and note the location of regenerating areas hedgerows, specimen trees, champion and historic trees, and any other significant environmental features." 4.2.3c to be revised to reference Code definition for Historic trees- this definition to be elaborated on for clarity.
A-12	Section 4.2.3c, third paragraph states that "Possible condition ratings are provided in Table A-2 (below)." Use of the word "possible" is confusing.	Revise text for clarity.	Revise the first sentence to read: "Condition ratings to be used are provided in Table A-2."
A-12	Revise the name of Table A-2 to "Condition Analysis Categories and Numerical Ratings" and revise the headings to include "Condition Rating" to replace "Rating" and "Condition Scores" to replace "Appraisal Guide Ratings"	Agreed.	Revise as noted.
A-13	The TM does not state that the condition analysis score sheets are required to be submitted as part of the FSD report.	The condition analysis score sheets are required to be submitted as part of the FSD report. Text to be added under Table A-2 to address this. Score sheets to be added to the appendix.	Add the following paragraph under Table A-2: "There are two types of specimen, champion and historic tree score sheets that can be used to conduct the condition evaluations required by this section. Appendix ___ contains the simplified score sheet that should be used when only a few trees are to be evaluated for a site. Each tree is evaluated on a separate sheet. Appendix ___ contains a score sheet that can be used to evaluate multiple trees on a single site. The condition score sheets are required to be submitted as part of the FSD report."

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-13 and A-14	Since a rating number is required for the condition of a specimen, champion or historic tree, a column should be added to the FSD and NRI Specimen, Champion and Historic Tree Tables to add rating number.	Tables A-3A, A-3B and A-3C will be revised to add a column for the “Condition Rating” number.	Revise as noted.
A-15	4.2.4 seems to contain a phrase that is out of place because it says that forest stand summary sheets are used to evaluate forest structure, etc.	Need to delete reference to “forest stand summary sheets”	Revise the fourth sentence to read: “The worksheet uses the information from the individual data sheets [and forest stand summary sheets].…”
A-16	Indicate if “Forest Stand Summary” sheets are required to be included on the plan	The Forest Stand Summary sheet is not required to be shown on the plan. The sheets are required to be submitted as part of the FSD report. The forest stand summary table is required to be shown on the plan as well as included in the report.	Text to be added to 4.2.4a to read “the individual data sheets and forest stand summary sheets are not required to be shown on the plan but are required to be submitted as part of the FSD report. The forest stand summary table (see Appendix A-1, FSD 11, Page 2) is required to be shown on the plan as well as included in the report.”
A-16	4.2.4b – Stand Condition - need to provide successional stage descriptions	Forest or woodland successional stages are defined differently by different professional sources. To simplify the successional stage definitions for the purpose of preparing an FSD, clarification of successional stages for forests will be added to page A-16 or the appendix.	Add forest successional stage descriptions to the text or the appendix as appropriate.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-17	<p>Priority 1, Item 1 – any GI element including Network Gap?</p> <p>Provide clarification on how stands will be handled if bisected by one or more of the plan elements.</p>	<p>The legislation does not differentiate between GI Plan elements for prioritization so all elements apply. Typically, Network Gaps are not wooded so this is not an issue for assigning forest stand priorities.</p> <p>The lead-in paragraph provides the flexibility and guidance sought: “Best judgment should be used by the preparer in assigning priorities that reflect the overall character of the stand.”</p>	<p>Add after the lead-in paragraph: “If these elements are only present in a portion of a stand, the delineations of the forest stands should be re-evaluated because the presence of these characteristics can influence stand boundaries. If these characteristics are only present in a small portion of a stand after the boundaries have been re-evaluated, the stand does not need to be characterized as containing the specific element throughout its boundaries. Clarification should be provided by the preparer in the FSD text.”</p>
A-17	<p>Priority 2, Item 1: Provide clarification on how the word “adjacent” will be interpreted with an example.</p>	<p>Adjacent is defined as “in the vicinity of” in the Zoning Ordinance. The sample provided in Map A-3 provides the guidance sought in this comment.</p>	<p>No change.</p>
A-17	<p>Priority 2, Item 3 states that land adjacent to special roadways and their associated buffers are considered Priority 2 areas. The term “special roadways” is new; please clarify. Does this include arterial roadways or greater that are evaluated for noise impacts?</p>	<p>“Special roadways” is a new term defined in the Master Plan of Transportation as scenic and historic roads, scenic byways, and parkways. A list of the designated special roadways will be available shortly. The buffers vary based on site-specific characteristics. Because this is limited to an exercise in assigning priorities for preservation, it is not an exact science but a guide for designers to make decisions about areas for preservation and planting.</p> <p>It does not include arterial roadways related to noise attenuation.</p>	<p>Clarification on the definition of “special roadways” will be provided in the recommended data sources, page I-8.</p>

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-18	Priority 3 – states that a Forest Analysis Worksheet is to be included on the FSD/NRI. Does this mean on the plan or in the report?	As stated above, the “Summary Table - Forest Analysis and Priorities” as currently shown and labeled in Appendix A-1, on FSD 11, page 2 is to be shown on the plan (see note provided under the title); the Forest Analysis Worksheet found in Appendix A-1, on FSD 11, page 1 is to be included in the FSD report. The text provided states “This worksheet must be included in the FSD report for each stand and the Summary Table (below) must be shown on the plan.”	Text will be revised on page A-18 to provide clarification. “Summary Table -Forest Analysis and Priorities” will be changed to read “Forest Stand Summary Analysis and Priorities Table.”
A-18	Conservation priorities are assigned (pages A-17 -18) then Preservation and Restoration priorities are assigned. Which of this info needs to be in the FSD Narrative and on the FSD/NRI plan?	The Forest Analysis Worksheet should be included in the FSD report along with a brief discussion on the assigned priorities and a statement of the QP’s professional opinion on the assigned priorities (this is where the QP can elaborate on why a stand was given one rating over another). The Summary Table at the end of the Forest Analysis Worksheet should be included on the FSD/ NRI plan.	The following sentence will be added at the bottom of page A-18: “Preparers can elaborate on why one stand was given a certain conservation, preservation or reforestation priority if the designation provided is not clear or varies from the guidance provided in this section.”

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-20	Next to last paragraph – first and fourth lines change to “no valid TCP.”	Will add “and valid” and keep the rest of the wording. It is important to leave in the wording “previously approved” because there are instances where there may be an expired plan that was approved, but was never implemented and/or existing conditions have changed since the original approval which may warrant the issuance of the exemption.	Text will be revised to read “ with no previously approved and valid TCP”.
A-21	Section 5, paragraph 3: LOEs are sometimes approved at time of NRI review. Will this continue? Should add that this does not require a fee.	Will add a paragraph to describe process. Cannot add “no fee” as the Planning Department’s fee schedule is a separate document.	Text will be added to clarify.
A-22	Figure A-3 --- change matrix Step 1 to “valid TCP”	Agreed. Matrix will be revised. Step 1 will read “Does the site have a previously approved and valid TCP?”	As noted.
A-22	Figure A-3, step 3 – how will portions outside CBCA be handled if no proposed impacts?	This decision matrix was developed to address LOE only and to address the majority of cases. Properties that are both inside and outside the CBCA are rare and will be dealt with individually. Text in Part E – CBCA, will address the issue of split properties.	No change.
A-23	5.2 paragraph 3 – indicate that the properties in the CBCA may qualify for LOE or a TCP is needed	See notation above. The text that exists on this page states “If a portion of the property is outside the CBCA, that portion must conform to the regulations of the WCO.” This is a correct statement because a Letter of Exemption is a requirement of the WCO. This text addresses the question asked.	No change.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-23	5.3 last line of first paragraph - add "valid TCP"	Agreed.	Text will be revised to read, "Standard letters of exemption (LOE) are issued for sites without a valid, previously approved TCP that meet one or more of the following conditions:..."
A-23	5.3 paragraph 2 - add "no other application other than grading or building permit"	Building permits do not require a letter of exemption.	Text will be revised to read, "No other applications are required as part of the land development process for the activity proposed with the exception of a grading permit."
A-23	5.3 paragraph 3 – Numbered Letters of Exemption are required for forest harvesting along with an approved Forest Management Plan. Who approved FMPs? What happens in zones other than the ones listed?	DNR has requested that the legislation be changed to state that the Forestry Board will approve forest management plans as appropriate.	The Technical Manual will be revised as needed after the legislation is changed to reflect the approval process for forest harvesting.
A-27	Last sentence – indicate that government worksheet can only be used for government projects	Agreed.	Text to be added which states, "This worksheet is to be used for government projects only."
A-28	Section I – fifth line should read "application for a valid Tree Conservation Plan."	"Valid" doesn't fit here because the text states "prior to the first application for a tree conservation plan." It is not referring to an approved and valid plan.	No change.
A-29	Does worksheet line 7 still apply?	Yes. There are still valid TCPs that are subject to the 1989 ordinance.	No change.
A-29	Worksheet line 8 – state law was revised to only allow 20,000 sf of clearing for a single-family home. The worksheet may need to be revised to reflect this.	Agreed. Worksheet revisions are in progress. The revised basic standard worksheet will address this issue.	Revisions will be made to the worksheet and the text as noted.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-29	Worksheet line 10 - should read "Is any portion of the property a WC Bank?"	Agreed. Worksheet revisions are in progress. The revised basic standard worksheet will address this issue.	Revisions will be made to the worksheet and the text as noted.
A-30	Worksheet line 26 - can natural regeneration be added to this line or a new line?	Suggest that it be a separate line because many folks may reference the afforestation/reforestation line to determine the amount of planting proposed and natural regeneration does not require planting.	The worksheets will be revised to add a line for natural regeneration.
A-30	There needs to be a line for free standing specimen tree credits and for restoration credits for habitat enhancement.	Suggest adding separate lines for free standing specimen, champion or historic tree credits and habitat enhancement credits. Boxes would not be shaded but would have a formula that adds the credit to the total.	The worksheets will be revised as noted.
A-32	7.1 last paragraph - "major changes that include proposing the use of fee-in-lieu or off-site woodland conservation" This appears to conflict with Page A-31 list of changes allowable.	The third sentence was added to provide greater clarity.	Delete the third sentence.
A-33	First paragraph, last two sentences – revise to clarify when an FSD is required and when an NRI is required.	Text could be revised to provide greater clarity.	Text will be edited to state "Refer to Table A-1, Required Submittals by Application Type, to determine whether an FSD or NRI is required to be submitted with the submission of a TCP2."

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-33	7.2.2a, first paragraph, last sentence - “All proposed disturbances, whether temporary or permanent, must be within the LOD.” How does this apply to reforestation, afforestation, natural regeneration, and forest enhancement where some limits of work or disturbances may be necessary to accomplish the work?	Any area of disturbance which proposes clearing and/or grading whether it is permanent or temporary will need to be included within the limit of disturbance. If “disturbance” is necessary to accomplish the work then the area will need to be included. Planting may or may not require disturbance for implementation.	Add the following sentence at the end of the first paragraph: “If areas of afforestation, reforestation, natural regeneration, or habitat enhancement do not require the areas to be disturbed, they do not need to be included within the limits of disturbance.”
A-33	7.2.2.b, paragraph 4 – This paragraph states that the limits of disturbance must include “preservation of a sufficient amount of critical root zones...to ensure their survival.” The definition of “sufficient” can be debated by professionals. Some type of guidelines would be helpful.	The condition analysis and construction tolerance for each individual tree determines its ability to survive construction. Survivability is also influenced by the amount of disturbance and hydrologic change proposed by the development. The condition, species and proposed development are the determining factors for survival and are unique to each tree. This text will be added.	Add to the end of paragraph 4: “The ability of an individual tree to survive construction is influenced by its current condition, species, construction tolerance, and the proposed changes in grading and hydrology. These factors must be considered by the designer when determining the sufficient amount of the critical root zone to preserve to ensure survival.”
A-34	The manual does not address habitat enhancement or invasive species control and credits. This needs to be addressed.	Because habitat enhancement is a new option and has not been approved by DNR yet, the TM did not contain provisions previously. Information will be added to address habitat enhancement credits as allowed by Section 25-122(c)(1)(I). The worksheets in Appendix A-2 will be revised to include these credits.	Add a new Section 7.3.3: “Habitat Enhancement” and provide guidance for how the credits can be obtained, how they must be shown on the plans, and how the work will be bonded. Renumber the remaining sections.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-35	7.3.1b states that an NRI is required for a woodland conservation bank. This is not consistent with process prior to the approval of the new regulations.	Prior to the adoption of the recently updated regulations, an NRI was not required for a WC bank. Because the new regulations require the exclusion of at least one building site with a minimum area of one acre, an NRI is the appropriate mechanism to depict the locations of the regulated environmental features. Flexibility could be added that allows for the use of an FSD if the proposed building site is not in the vicinity of a regulated environmental feature or its buffer as shown on an FSD.	Revise the first sentence in Section 7.3.1b to read: “An approved NRI is required for all proposed woodland conservation banks unless the proposed building site is not in the vicinity of any regulated environmental features, in which case an FSD may be substituted for an NRI in the application for a woodland conservation bank.”
A-36	Under “Additional Items” paragraph 4 – “Show the location of the proposed easement with metes and bounds.” Suggest adding: “This may be allowed as a separate plan sheet prepared by a surveyor and indicated as such.”	While the plan sheet showing metes and bounds can be on a separate sheet, the line work showing the easement must be shown on the plan. Text will be added to address this.	Revise this paragraph to read: “Show the location of the proposed easement with metes and bounds. This may be provided on a separate plan sheet prepared by a surveyor and indicated as such. The line work for the easement shall be shown on the TCP2.”
A-38	7.3.1e – first sentence – add natural regeneration for this entire section	Agreed.	Natural regeneration to be included in this section wherever options for meeting the requirements are stated.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-38 and A-42	<p>Next to last paragraph – please consider not requiring annual survival counts. Suggest they be required at two years after planting and at four years at time of bond release.</p> <p>7.3.1e and 7.5.4b should refer to survival check form</p>	<p>Text to be edited to allow flexibility for timing of survival checks.</p> <p>Reference will be made to Survival Check form (Planting Quality Check-MD DNR) in Appendix A-4 in both 7.3.1e. and 7.5.4b and will be consistent with the text in 7.3.1e for timing of checks.</p>	<p>One year after planting a check must be completed. If the check results in a 75% survival rate the second year may be skipped. If success is not achieved in first year, then replant as needed and recheck in third year. Final check in fourth year prior to the release of bond.</p> <p>As noted.</p>
A-39	<p>Provide clarification as to “implemented fully” in the second line. If the site has been planted and support planting has been done but survival falls below acceptable levels due to weather, fire, or other circumstances how would that be handled?</p>	<p>Revise for clarity to delete “implemented fully.”</p> <p>With regard to weather, fire or other circumstances, the Technical Manual’s purpose is to provide general guidelines and cannot be written to address all possible circumstances. As situations arise, the circumstances regarding conformance will be taken into consideration.</p>	<p>Revise the second to last sentence in the first paragraph to read: “The bond or other security may be subject to forfeiture if the requirements of the TCP2 have not been fulfilled within the time frames specified on the plan.”</p>

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A-39	7.3.1h – this suggests that a release cannot be done if any portion of the WC Bank has been used. It should apply to that portion of the WC Bank not committed if a revised TCP2 and metes and bounds description is prepared showing only those areas committed and releasing uncommitted areas.	If any portion of a WC bank has had credits transferred, it cannot be released because it is subject to the original declaration. To obtain a release of an existing declaration on a bank that has used credits, a new declaration must be prepared and recorded prior to the release of the original declaration. The new declaration shall show the area of credits that have already been committed to development projects.	Revise the paragraph under Section 7.3.1h to add the following after the first sentence: “To obtain a release of an existing declaration on a bank that has used credits, a new declaration must be prepared and recorded prior to the release of the original declaration. The new declaration shall show the area of credits that have already been committed to development projects.” Start a second paragraph with the next sentence: “The request for release...”
A-39	There is no declaration of covenants release template in the Technical Manual.	Need to provide the template in the appendix.	Add the existing template for declaration of covenants release to the appendix.
A-39	Where are non-linear government projects addressed? Clarify the circumstances where linear projects and government projects are exempt; (certain projects are exempt under state rules).	The information requested is provided in the regulations. Linear and government projects are defined in Section 25-118. Exemptions are provided in Section 25-119(b). References to Code sections to be added for clarity.	7.3.3 (will be 7.3.4) to be revised to reference Subtitle 25, Sections 25-118 and 25-119(b).
A-40	Add information about habitat enhancement and bonding of invasive plant removal.	Add a new section 7.3.3 and renumber the rest; heading: Habitat Enhancement.	Include in the new Section 7.3.3 a discussion of habitat enhancement, invasive plant removal and planting. Include a discussion on how the bond amount is calculated.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
A-41	Need process for recording woodland conservation easements based on approved TCP and template document and bonding procedures.	Guidelines for recording woodland conservation easements will be provided in a new Section 7.5.1. "Permit Issuance" that will provide guidance on the tasks that must be completed prior to permit issuance. Standard notes and signature blocks for woodland conservation easements to be recorded in the land records will be added to Appendix A-3.	Add new Section 7.5.1 Permit Issuance and address final TCP2 revisions, easement recordation, and bonding procedures. Add bonding amount here at \$0.30 per square foot of reforestation. Easement template to be added to Appendix A-3.
A-41	Section 7.5.2 "Construction" There is no procedure listed for making species substitutions for street trees.	The procedure for making species substitutions for street trees is for the applicant to re-submit the revised street tree plan to the District Engineer. Contact Office of Engineering, 9400 Peppercorn Place, Largo, MD 20774 Phone: 301-883-5710, Fax:301-925-8510	Procedure to be added to Section 7.5.2 for making species substitutions for street trees.
A-43	7.5.4c – "survival rate of 75 percent" should add "or as noted on the approved TCP2" because survival rates may vary with different plantings per the manual.	The State Forest Conservation Manual Site Stocking detail lists the stocking and survival requirements necessary to meet the minimum definition of forest from bare land. The survivability requirement applies to the end of the second growing season. These survivability requirements vary in percentage from 55% for bare root seedlings and whips, to 100% for 1 ½ - 2" caliper trees.	The 75% survival rate is an average that is used for the overall survivability of the reforestation area because most of the time a combination of tree sizes are used. Text to be added to this section to read: "Unless otherwise noted on the approved TCP2, the 75% survival rate must be achieved prior to the release of bond."

Part B – Guidelines for the Preparation of Natural Resource Inventories

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-1	Section 1.1 describes when an NRI is required. DPW&T has revised their process to allow SWM concept plans to be reviewed without an NRI if no stormwater management construction is required. This information should be added to this section to provide clarity.	Section 1.1 to be revised to add reference to Subtitle 4, Section 4-322, and a description of the change in DPW&T's process if no SWM construction will be required.	Clarification of DPW&T process to be added.
B-1	Need more information on when an approved NRI is required to be revised.	Agreed.	Text to be added to read: Approved NRIs are required to be revised when: 1. land is added or subtracted 2. for projects not grandfathered from Subtitle 24 and 27 moving forward 3. for projects not grandfathered from Subtitle 25, Division 2 moving forward
B-1	Section 1.3 states that the review time can include an “additional 15 days.” Should require written notification to the applicant.	Agreed.	Revise text to read: “...this review and comment period may be extended an additional 15 days upon written notice to the applicant.”
B-1 & B-8, 4.4	It is unclear what soils information is required for an NRI and how to obtain this information.	A guidance document for how to obtain the soils information and the format will be provided.	Add the Soils Report Guidance Document to Appendix B-1.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-2	Section 2.0, paragraph 5 – states that the wetland study must be prepared by someone who has “completed a U.S. Army Corps of Engineers approved training course in wetland delineation.” This course is no longer available. Consider revising the text here.	Training can be provided by a variety of sources, but training is required in order to prepare a wetland delineation.	Text will be revised to read: “...by a qualified professional who has been trained in wetland delineation.”
B-2	Specimen tree rating score sheets should be included as a submittal requirement.	Specimen tree score sheets are part of an FSD and do not need to be called out separately. Text is to be added in Section 4.2.3c to address the inclusion of the score sheets into the FSD report.	No change.
B-2	In the text associated with the asterisk, the word “simplified” is missing from the criteria for requiring a detailed FSD.	A detailed FSD is required if the site does not meet the eligibility requirements for a simplified or an intermediate FSD.	Text will be revised to read, “A detailed FSD is required if the site does not meet the eligibility requirements for a simplified or an intermediate FSD.”
B-3	Section 3.0, last paragraph: “Off-site information can be estimated using available information; site visits to properties that are not part of the application are not required.” On rare occasions, features more than 100 feet from the site are being required to be shown. Please clarify.	Off-site information is necessary because buffers from regulated environmental features may extend onto a subject property where the feature creating the buffer exists off-site. On occasion, due to unique circumstances, regulated features are mapped farther than 100 feet beyond the property boundary because the buffers from these features may come close, or even onto the subject site. Additional information, such as showing mapped features beyond the required 100 feet may be required in rare instances.	Section 4.0 text will be revised to state that additional information may be required to be shown on the plan beyond 100 feet from the boundary when buffers of regulated features come close or onto the subject site.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-4	<p>Table B-1 “Existing PMA” – What does this mean? Area or some other measurement?</p> <p>As for linear feet of centerline, does that include only the centerline within the property boundary, along the property boundary or weaving in and out of the property boundary?</p>	<p>The footnote says “Figures are to be provided in acres rounded to the nearest 1/100th of an acre unless otherwise indicated.” The stream centerline row states “linear feet of centerline.”</p> <p>Because the table is labeled “Site Statistics” the measurements are for the site only.</p>	No change.
B-4 & Appendix B-1 & NRI-1 P.4	Revise Table B-1 (Site Stats) in the manual and revise the NRI checklist to show the same categories on both.	Agreed. Checklist for an NRI to include the information in Table B-1. ALL the FSD checklists to be revised similarly to be consistent.	Add a new section to the NRI checklist that includes the required information listed in Table B-1 on page B-4 and label this section “IV. Site Statistics”
B-4	Paragraph below Table B-1 – it appears that the second sentence is not complete. Does this mean valid TCPs and the limits must reflect those of the valid TCP versus the acreage included on this property or both?	<p>The first sentence should be revised to include “valid” Type 1 or Type 2.....</p> <p>The second sentence should be revised to read: “A note should be added to the plan listing the area of the previously approved, valid TCP and the assigned TCP number.”</p> <p>Also should add “If a graphic is needed to depict the previous area(s) of the approval(s), this should be added to the plan.”</p>	As noted.
B-6	Paragraph in the middle of page indicates using standard “wetland of special state concern” symbol but there is no symbol shown in appendix.	The text does not state using a standard “special state concern” symbol. The text reads “standard wetland symbol.” No separate symbol is required for wetlands of special state concern.	No change.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-6	NRI section (page B-6) should be in conformance with the Code for expanded wetland buffer.	The sentence provided does not reflect the complete definition of an expanded wetland buffer. Revise this to include the complete definition: "Wetland Buffer: Where a wetland or a portion of a property containing a wetland is located outside the Chesapeake Bay Critical Areas Overlay Zones, a minimum of twenty-five (25) feet in width measured from the edge of the wetland, and expanded to one-hundred (100) feet in width due to the presence of steep slopes fifteen percent (15%) or greater, highly erodible soils, other soils with development constraints, or the presence of Nontidal Wetlands of Special State Concern as defined by COMAR."	Page B-6 to be revised with correct language as noted.
B-7	Floodplain study responses often include nothing more than referral from DPW&T showing FEMA plus 1 or 2 feet in elevation; this page indicates that cannot be used. Provide direction for this type of occurrence.	The text states that a FEMA floodplain delineation cannot be used. DPW&T letters add one to two feet of additional elevation to the FEMA floodplain, resulting in a different delineation than was provided by FEMA. Sometimes the DPW&T floodplain delineation provides different boundaries than the FEMA delineation, based on the specific circumstances of a site.	No change.
B-8	Who is the contact at DPW&T?	Because DPW&T may change who their contact person is, or may reorganize to change the name of a division or section, a contact was not provided.	Revise text to add "Office of Engineering"

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-8	4.4 -- “areas of soil types” might be better stated as “limits of soil types”	Agreed.	Text to be edited as noted.
B-8	Provide specific information on the preparation of the “Custom Soil Report” and exactly which information needs to be included with the NRI report and on the NRI plan. Keep in mind that the report is often 20 to 40 pages in length.	A draft guidance document was provided on December 1, 2010. To date, no comments have been received on this document.	A guidance document to be added to the appendix for the preparation of the soils report.
B-8	The Soils Table on the plans is sufficient for plan review decisions. Engineers are qualified to make decisions regarding soil suitability for development. Detailed soil reports waste staff and consultant time and developer money on information that may be valuable to engineers but does not provide staff with significant “decision making” information for FCP purposes. Eliminate the custom reports; expand the table somewhat if significant information is missing from the current version.	NRIs are used for a variety of review purposes and are not limited to TCP reviews. The soils information requested is necessary to identify regulated features and for the review of plans by DPW&T and SCD. Guidance for the preparation of the soils report will be added as noted above. DPW&T has stated that the information being collected is sufficient. SCD is still reviewing the table at the time of this publication.	As noted above.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-8	The last paragraph: Marlboro clay can be found on PGAtlas but not Christiana complex, those are only found in the WSS and would be reflected by the soils shown on the plan unless this paragraph requires that information to be shown in a different format in which case that must be clearly stated.	The existing paragraph states: “Through the use of PGAtlas <i>or other available sources</i> [emphasis added], the presence or absence of Marlboro clay and Christiana complex shall be identified. The exact areas do not need to be delineated on the NRI plan; however, the general location of the identified clays shall be stated in the standard NRI notes and included on the plan. (Refer to the NRI checklist for a list of standard NRI notes.)” The text states that a note is to be used.	No change.
B-9	It would be a good idea to provide a couple of examples on how the adjacent slopes are interpreted as a map or figure.	Figures B-3A and B-3B provide examples of how slopes are included into the PMA.	No change.
B-12	Section 4.7- The second sentence states that “All existing forest cover and tree cover...shall be shown on the plan.” Does this mean that each and every free standing tree must be shown? Provide an explanation of exactly what is intended.	Revise the text to clarify that it is required to be in conformance with Part A.	Revise the first sentence as noted: “The forest stand delineation (FSD) is required as part of the NRI <u>and shall be prepared in conformance with</u> Part A, Section 4.0, Forest Stand Delineation. All existing forest cover and tree cover, as determined from fieldwork and up-to-date aerial photos <u>and shown on the FSD</u> , shall be shown on the plan.”

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-13	<p>Section 4.9 - This section clarifies the information on page I-8 under the recommended data sources. (I-8 should be corrected to include the correct link for Maryland Department of Natural Resources, Wildlife and Heritage Service). 4.9 should correctly reflect the amount of time a request to this agency takes for known occurrences of RTEs on a property.</p>	<p>Obtaining an RTE letter from DNR can be a lengthy process. The letter is the preferred method for presenting RTE information on the NRI; however, the approval of an NRI will not be delayed for the submittal of a DNR letter. Review of the DNR Sensitive Species Project Review Area (SSPRA) layer is an acceptable alternative at the time of NRI review and approval if a letter has not yet been obtained. If the letter is not provided with the NRI submission it will be required at the next stage of development review.</p>	<p>Section 4.9, p. B-13 to be revised for clarification.</p>
B-15	<p>In the first paragraph on the fourth line it states that “two copies” of the revised NRI plan are required to be submitted. The initial submission on page B-3 states that three copies are required.</p>	<p>Three copies are required for both submissions.</p>	<p>Text to be revised to read “Three copies of the revised NRI plan and</p>

Preservation, Restoration and Enhancement of Regulated Environmental Features

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
C-1	Nontidal Wetland – why not include the 3 required criteria	This is the definition in the County Code.	No change.
C-1	Wetland buffer – defined differently here from elsewhere in manual where it states presence of slopes 15% or greater and highly erodible soils. This also adds other limitations include soils with development constraints (explain what is meant and how this is allowed)	As noted above, page B-6 does not contain the complete wetland buffer definition and is to be edited for clarity. The complete definition of an expanded wetland buffer is correct as noted on page C-1. This definition existed in Subtitle 4 prior to the adoption of the new regulations.	No change.
C-2	Section 2.0 in the second paragraph it uses the term “designated threshold.” Provide an explanation here of the designated threshold.	This is an introductory paragraph. A reference to the location of the definition of the designated threshold will be added.	Revise this sentence to read: “In the third step, if the cumulative, minimized impacts are above the designated threshold, then mitigation is required for the impacts proposed (see step 3, Mitigation, below).”
C-3	Is the designated threshold of 200 linear feet of stream bed or 0.5 acre of wetlands and buffers in the code?	It is not in the County Code. It is provided in the Technical Manual as guidance to allow the Planning Board to make decisions regarding mitigation.	No change
C-4	How and where can the mitigation database be accessed?	The information is available through EPS staff but is not yet available for the entire county. As the data becomes available, a protocol will be created to address access by the public, if that is deemed to be appropriate. If not, staff will continue to provide the information.	No change at this time. If changes are needed when the data becomes available, changes will be made in a future update.

Part D Guidelines for Tree Canopy Coverage

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
D-1	Add a description in the Introduction section on variances to Division 3 of Subtitle 25. Provide a template for the Statement of Justification.	Section to be added that describes the required findings as those provided in Section 25-119(d). Standard template for Statement of Justification will be added to Appendix A-5.	Revise the text and add the template as noted.
D-4	Does this mean the TCC worksheet is only used to determine if the requirements are being met and does not need to be on the plan? Only the notes are needed?	The revised TCC worksheet will be used in all instances to demonstrate conformance.	Revise this portion of the text and the associated appendix to reflect the use of the revised TCC worksheet for all applications to which TCC applies.
D-4	The heading “Afforestation /reforestation” does not include natural regeneration. Can this be added?	Revise the heading.	Revise the heading of the seventh paragraph on page D-4 to read: “Afforestation/reforestation <u>and natural regeneration</u> : ...”
D-4	The heading “Landscape trees” references appendix D-2. Where is this information? Why does this apply to trees under 6 inches when the worksheet only goes to trees 3.5 inches in caliper?	Appendix D-2 contains the worksheet for tree canopy calculations. The text reflects the American Nursery Standard for measuring landscape trees under six inches in diameter. This is provided so that existing trees in the landscape can be properly measured.	Revise the last paragraph on page D-4 to read: “ <u>Existing</u> landscape trees: ...” and add a section on “ <u>Proposed landscape trees</u> : ...”
D-4	Step 3 is “Calculating the Amount Provided.” This information should be at the front of this section and not at end.	Section 4.3 describes how to calculate the amount of tree canopy provided. In keeping with how woodland conservation is calculated, the requirement is calculated first, and then the amount provided is calculated.	No change.

Introduction Appendices

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix 1 Intro-1	Suggest revising the standard wetland symbol to WL instead of W so that it is not confused with a water line.	The standard wetland symbol will be revised to be WL instead of W to avoid confusion with a water line.	As noted.
Appendix 1 Intro-1	CBCA requires differentiation between tidal and non-tidal wetlands the standard wetland symbols should be revised to NWL and TWL.	Part E will address the requirements for CBCA. The standard symbols for CBCA plans will be added to Part E.	As noted.

Part A Appendices

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-1,FSD-1	Standard FSD Notes and NRI Notes are the same but are listed separately. Combine all the FSD and NRI notes into one set of notes.	The notes are separate because the FSD is done first, and sometimes by a separate professional than the person who does the NRI. There are also instances where only and FSD is prepared.	No change.
Appendix A-1,FSD-3 and FSD-4	Page 2 - Supporting Info - have DNR letter twice, have soils map twice	Duly noted.	Text to be revised.
Appendix A-1,FSD-3	Page 2 - Why are two copies of check list required?	Two copies are required so that staff can use one as a mark-up copy and one remains as part of the official file.	No change.
Appendix A-1, FSD-4 NRI-1	Priority area inset map should be added to the FSD and NRI checklists.	Agreed. Checklists will be revised to include the priority area inset map.	As noted.
Appendix A-1, FSD-5	Forest Sample Plot Field Data Sheet - add information to the FSD Data Sheet to be consistent with information required on the forest analysis sheet	The Forest Sample Plot Field Data Sheet and the Forest Analysis Sheet will be reviewed for consistency and revised as necessary. % damage, % downed woody, and number of shrubs < 20" to be added to the data sheet.	As noted.
Appendix A-1, FSD-5 and FSD-11	Resolve the discrepancies in size classes between the FSD sample plot field data sheet (FSD-5) and the forest analysis worksheet (FSD-11). Add source of this as the State Manual because some items are confusing but it is required by the State Manual.	Agreed.	Revise the forest analysis worksheet (FSD-11) as follows: <ul style="list-style-type: none"> • Revise Part A, number 3 to be 6" dbh • Revise Part A, number 4 categories as follows: <ul style="list-style-type: none"> ○ greater than 18" ○ 6-17.9" ○ 2-5.9" ○ Less than 2" Revise Part A, number 5 to be 3'

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-1,FSD-7	Why different size classes from those in state and elsewhere, this just becomes confusing	Size classes to be reviewed for consistency with the state.	Size classes to be revised on data sheet and analysis worksheet to be consistent.
Appendix A-1,FSD-7	Tree species: shouldn't this say list all tree species within the sample point not observed from each directional point?	The data sheet lists all tree species observed from each directional point and tallies each hit as well as the number in the size class and crown position. "Other" species observed outside the sample plot are noted in the comments.	No change.
Appendix A-1,FSD-7	"Dominant" does not mean largest it typically means tallest in the canopy.	Agreed.	Text will be revised to read, "Trees which are typically the tallest in the canopy. They extend above surrounding individuals with crowns receiving full light from above and partly from the side."
Appendix FSD-9 (p.1)	Items 2, 5 and 7 of the FSD stand summary sheet and preparation guidelines don't make sense.	Item 2: Forest associations: This is from the State Manual which provides no description of the forest associations to be used. Delete. Item 5: Size class of dominant species: revise to state: "Size class with the highest frequency of dominant trees." Item 7: Revise number 7 on the forest stand summary sheet to "average number of tree species per plot" and revise the preparation guidelines for number 7 to read: "For each plot, this is a total of the number of different tree species appearing in the first column of the data sheet."	Delete item 2 and renumber. Revise item 5 as noted Revise item 7 as noted

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix FSD-9 (p.1)	Include acreage of each stand on the summary sheet. The summary "sheet" should be labeled "Table".	Agreed.	Forest Stand Summary Sheet will be changed to Forest Stand Summary "Table". Stand Variable line to be revised as follows: Stand #___/AC
Appendix A-1,FSD-10	Item 2 asks for forest association. Which association type is to be used here?	As noted above, Item 2 is to be deleted.	Revise as noted.
Appendix A-1,FSD-11 P.1	The paragraph at the top references a summary table that is provided "below." It is separated by two other tables and should be referenced "as shown on the next page" or some other reference to be more clear.	The table on page 2 will be revised to avoid confusion with other "summary tables" referred to in the manual. This table will be titled "Forest Stand Analysis and Priorities Table". The paragraph at the top of page 1 will be revised to read "and the Forest Stand Analysis and Priorities Table (shown on next page must be shown on the plan."	As noted.
Appendix A-1,FSD-11 P.1	Part A: #3 --- this is interesting because in larger stands the # of species will increase as the number of sample points increases yet there are many species with only one tree in the sample for more than 100 acres. Not real representative. It might be better to base this on species that comprise a certain percentage.	Agreed. The worksheet was prepared to be consistent with the state manual. The state was contacted for confirmation that a revision could be made to the Forest Sampling data sheet and the Forest Structure Analysis sheet to result in a truer representation of the forest stand.	Confirmation email received from DNR (Marion Honeczy) on 2-11-11, that since the State Technical Manual is for guidance purposes only, changes may be made to the data collection and analysis sheets that will result in a more accurate representation than what is currently in use. The Forest Sampling data sheet and the Forest Structure Analysis sheet will be revised.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-1,FSD-11 P.1	Part A, Item 4: Shows the use of different size classes from those in the data sheet. Suggest matching these size classes.	Agreed.	To be revised. Data sheet and analysis worksheet to be consistent.
Appendix A-1,FSD-11 P.1	In Part A, Item 1 rewards canopy closure and Item 6 penalizes the same. The resulting values throughout will give a score of 12+ in all but a few circumstances.	The worksheet was taken from the state manual. Item 1 scores a closed tree canopy higher because it is more mature. Stocking levels in Item 6 reduce the score when the forest becomes too dense and competition too great, resulting in a potential loss in vigor overall. In Part B of this worksheet, Item 5 allows for the discretion of the preparer to assign additional points provided they include a description with the narrative.	No change.
Appendix A-1,FSD-11 P.1	In Part B, the values ensure scores of 15+ almost all the time, resulting in a Priority 1 status for all stands. Item 2 rewards no dead trees while 3 rewards dead down material and 4 rewards fewer dead?	Item 2 rewards a stand that has few insect and disease problems. Item 3 reflects that in the range of 15-50% downed woody material a forest is in a healthier condition as soil is created from the downed materials. Item 4 rewards fewer standing dead trees as this reflects a different stage of forest health. Scores of less than 15 could easily be recorded for stands in poor condition or stands with high invasive plant populations.	No change.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-1,FSD-11 P.2	Part C: references priority and Summary Table references priority but these are different priorities. This can and does become confusing maybe a different term for one or the other would help. Add references to the County Code and the TM that are missing.	The locational priority results in a score that is added to determine the preservation and restoration priorities. The use of the term “priority” is appropriate and consistent. The summary table is the only information from this section that is provided on the plan.	Add references to the County Code and the TM that are missing.
Appendix A-1,FSD-12 P.5	The sample FSD Narrative needs to be revised to add the submittal of the specimen tree condition rating sheets.	Page 4 provides the specimen, champion and historic tree table that provides the condition rating. The text needs to be revised to reference the condition rating sheets.	The sample Narrative will be revised to include all required information.
Appendix A-2,TCP1-1 P.1	Provide all checklists with a similar style format; at this point all are different formats.	Agreed.	Final checklists will be similarly formatted.
Appendix A-2,TCP1-1 & Appendix A-3,TCP2-1	TCP1 and TCP2 checklists indicate that the vicinity maps should be shown at 1” = 100’ and 1” = 50’ respectively	The checklists will be revised to indicate that the vicinity maps should be provided at 1” = 2000’	Revise as noted.
Appendix A-2,TCP1-1 P.2	Specimen tree info includes special preservation treatments, etc. but that is not required per the tables on page A-13	Agreed. The TCP1 table does not have a column for Preservation Comments.	Checklist to be revised to remove “and any comments regarding special preservation treatments or recommendations”.
Appendix A-2,TCP1-1 P.3	3 rd row – dimensions shown on plan, make it clear that this applies only if WC on that lot or parcel only if in close proximity	Agreed.	Text to be edited for clarification.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-2,TCP1-4	All TCP worksheets – address natural regeneration, restoration credits, make afforestation/ reforestation/ natural regeneration same not different on different worksheets (be consistent)	Agreed.	Worksheets will be revised.
Appendix A-3,TCP2-1 P.3	Fee-in-lieu. Provide additional info that in the event of phases the fee will be collected prior to issuance of permits for the phase in which the fee becomes necessary.	This clarification is in the County Code. Some additional text can be provided for clarity.	Additional information will be provided.
Appendix A-3,TCP2-1 P.3	E. Specimen Tree – this is the first location where numeric rating is being required.	The specimen tree tables are being revised to add the numeric rating.	Table samples and checklists will be revised as necessary.
Appendix A-3,TCP2-1 P.4	sign and fence locations (on checklist twice)	Duly noted.	Checklist will be corrected.
Appendix A-3,TCP2-2 P.2	“e.” This note is not consistent with TCP2 checklist which states that preservation signs may be removed after owner occupancy.	Signs are to remain in perpetuity as shown on the sign detail.	TCP2 checklist will be corrected.
Appendix A-3,TCP2-2 P.4	“d.” shall not be mowed, this differs from elsewhere in the manual where mowing is allowed	7.5.4b Maintenance of Reforestation does state that maintenance may include mowing. This is an error.	7.5.4b to be revised to read “Maintenance may include measures such as watering and mechanical or hand removal of competing vegetation or invasive species controls.” A-3, TCP2-2 P.4, to be revised for consistency.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-3,TCP2-2 P.5	#3 - plant quality standards are not right and are inconsistent with other info in the manual seedlings will typically not be over 18" as stated here and why would you limit the amount of roots to no more than 25% of normal	Agreed. Consistency is needed with other parts of the manual and with the state planting specs.	Text to be revised to be consistent with state planting specs and other parts of the manual.
Appendix A-3,TCP2-2 P.5	#5 – you do not plant from March through November	Agreed. All other planting time references were revised- this was simply an oversight.	Text will be revised.
Appendix A-3,TCP2-2 P.6	#8 – upon completion of grading soil test yet TCP checklist requires that info on TCP prior to grading	Soil testing to be conducted upon the completion of grading. TCP checklist will be revised for consistency.	As noted.
Appendix A-3,TCP2-2 P.6	#16 – it is not likely that the source of the trees will be known at time of TCP review and/or approval	Agreed.	Text to be edited to read: 16. Source of seedlings to be supplied from a local nursery. Seedlings shall be native species from the same USDA hardiness zone as the proposed planting area.
Appendix A-3,TCP2-2 P.7	#7 – this requires flagging every seedling – this is foolish and unnecessary, the area should be sampled and documented not flagging of each tree	Agreed.	Note #7 will be revised. Random sampling has always been accepted and will continue to be acceptable.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-3,TCP2-2 P.7	#8 – the 60 sf is not correct. This should indicate an average of one seedling per 83 sf or 525 per acre to be consistent with minimum stocking levels for afforestation/ reforestation. Why would planting be required to be done with container stock versus bare root seedlings? Also, this doesn't address the fact that the regeneration may include numerous trees with 1" caliper or more in which case the density could be less (255 trees with 1" caliper) Sampling should be done that reflects seedlings/ac, 1" caliper/ac, 2" caliper/ac etc. Also a chart of equivalents should be included in the manual. (1" caliper = 2.25 seedlings, etc)	Agreed. Chart of equivalents will be added. Corrections will be made to text to be consistent with stocking levels. Text will be added to address areas of regeneration.	As noted.
Appendix A-3,TCP2-2 P.7	Management Plan – “remove all dead plants” Why? Often the tops may dieback due to stress but the roots remain alive and sprout the following spring, why remove plants?	The four- year management plan to be revised for consistency with other parts of the manual and the state manual. Dead plants can be noted during survival checks and replaced as needed. Removing dead plants provides a planting space for new, live trees.	As noted.
Appendix A-3,TCP2-2 P.8	“Add the applicable invasive plan removal notes” for WC Bank when this plan is using off-site, explain purpose when that WC Bank TCP should address that not benefiting property.	Duly noted.	Clarification will be made that these notes are to be added to the TCP2 for the WC bank.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-3,TCP2-2 P.8	Invasive species notes not realistic – must revise to allow for reasonable control methods dependent on circumstances.	Agreed. Section to be revised to remove b. and c. Item a. to remain.	As noted.
Appendix A-4,DET-1,2,& 3	The note #6 at the bottom of the detail should include 50 feet or as appropriate --- this should be done for all sign details	Agreed. Note #6 to be revised. Additional note to be added for clarification that at least one sign is required per lot.	DET. 1, 2, & 3 will be revised to read. #6.“Locate signs approximately every 50 feet along fencing <i>or as appropriate.</i> ” #8. At least one sign per lot is required
Appendix A-4,DET-4	I assume this is Blaze Orange fence – the type might be added for clarity	Agreed.	Detail will be revised for clarity.
Appendix A-4,DET-5	Is this Blaze Orange fence also – still for preservation or specimen?	This detail is typically used for specimen trees.	Detail will be edited for clarification.
Appendix A-4,DET-6	Are you really suggesting Barb Wire fence (how about smooth wire)	Agreed.	Detail to be revised to indicate smooth wire.
Appendix A-4, DET-11	Why is the source not ANSI-300 versus Fairfax County, VA.? Since references in the manual state ANSI-300 this should be from that source. Also, if this did come from ANSI-300 this could be a copy right issue.	This detail was taken from the state forest conservation manual. Their cited source is Fairfax County, VA	No change.
Appendix A-4, DET-18	Staking Detail - this does not reflect the correct planting method for the larger caliper trees. It could be confusing when details show different info	This detail is consistent with the state forest conservation manual. Staff will be happy to look at any proposed changes and forward them to the state for approval.	To be determined.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
Appendix A-4, DET-20	Provide information on when this “Awareness Certificate” should be used, on all TCPs, TCP2, TCP1, and TCP2 for WC Bank?	The property owners awareness certificate is to be used on all TCP2s. It is not necessary on the TCP1 because the TCP1 is the preliminary for the final TCP2.	More information to be added to Section 7.2.2f of the manual for clarity about when this certificate is used. Will also be added to specialized TCPs and WC Bank section of the manual.

Part B Appendices

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-1, NRI-1	This and the standard FSD checklist are the same- eliminate one or the other --- another alternative would be a single checklist that can be used for all FSDs and NRI simply by adding columns and shading cells where info is not needed per the desired column	An FSD must be able to stand alone and having to add columns, shade cells etc. would only lend to confusion. Staff does not agree that a single checklist would be more effective.	No change.
B-1, NRI-1	NRI Checklist, p. 1 (A) should include cemeteries as one of the required existing features to be shown on the plan.	Agreed.	NRI checklist will be revised to include cemeteries with the required existing features to be shown on the plan.
B-1, NRI-1	NRI checklist p. 2 under Soil & Slope Information should include location of any geologic conditions (Marlboro Clay and/or Christiana soil complex) present on site.	Marlboro Clay is not required to be mapped on an NRI. It only needs to be referenced in the notes. Christiana soils are reflected in the NRI notes and as mapped soils in the soils table and on the plan.	No change.
B-1, NRI-1	NRI checklist p. 3 (A) should be revised to read “Letter from Maryland <u>DNR, Wildlife and Heritage Services</u> ”	Agreed.	Checklist will be revised to update the reference to DNR from the “Natural Heritage Program” to the “Wildlife and Heritage Service”
B-1, NRI-1	Page 4 – “D” is not consistent with the equivalent in Standard FSD	Agreed.	FSD checklists will be revised for consistency with the equivalent section of the NRI checklist.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-1, NRI-1	Add culverts to the NRI checklist as an existing feature that needs to be shown on the plan	The requirement to show culverts on an NRI is included under existing NRI checklist items as an existing utility. The existing features required to be shown on an NRI are too numerous to list individually and can vary depending on site conditions and location.	No change.
B-1, NRI-1	NRI Checklist p. 2 regarding location of Critical Habitat Areas should be revised to be more consistent with language on p.3 and the manual	The NRI checklist p.2 requires the NRI plan to show the “location of existing Critical Habitat Areas for rare, threatened, and endangered species.” Page 3 of the checklist requires the narrative to include “A statement regarding the presence or absence of rare, threatened, or endangered species including the source of this information”. Because the SSPRA layer is only an overview of the possible presence of RTEs and the letter from Maryland DNR, Wildlife and Heritage Services” is required, page 3 of the checklist will be revised to be consistent with p. B-13 of the manual. The timing of the letter submission will be addressed. The narrative may include a statement that “According to the SSPRA layer there are no apparent RTEs on the subject property. Final confirmation from Maryland DNR, Wildlife and Heritage Services has not yet been obtained.”	As noted.

PAGE REFERENCE	COMMENT	RESPONSE	RECOMMENDATION
B-1, NRI-2	NRI Application – provide info on how to do Custom Soil Resource Report - Does this mean the report only, map only, both? Is anything more than the map really needed? Since soils information probably won't change that much, a quick reference sheet for soils should be added.	A guidance document for how to do the custom reports will be added. A map and report are required to assure accuracy. The only source for soils is a web-site that could be updated at any time. A dated soils report is necessary to document the published soils at the time of plan preparation.	Guidance for preparing a Custom Soil Resource Report will be provided.
B-1, NRI-3 Application Form	To avoid confusion regarding floodplain study submittal requirements for an NRI, the floodplain block under the package contents checklist on the NRI application should be revised to remove the word “or.”	Agreed.	The floodplain portion of the Package Contents Checklist on the NRI application will be revised to read: “____ (2) copies of the 100-year Floodplain Study and notations on the NRI Map stating the source”
B-1, Application Form	The NRI application Form should include the lot or parcel number(s) and the number of lots or parcels included in the application	Agreed.	The application form will be revised to include lot or parcel number(s) and number of lots or parcels included in the application.