



Planning & Zoning: Step-by-Step Guide Buffer Management Plans: Maintenance, Protection & Inspections

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This document provides guidance for Maintenance, Protection, and Inspections of a Professional Buffer Management Plan.

Step 1: Review Planting Plan, Landscape Schedule and Date

The plan must include a planting date. If the Buffer Management Plan is connected to a building permit, the planting date should be prior to the start of construction or be the next available planting season. If the Buffer Management Plan is connected to a subdivision, the planting must occur prior to the sale of a new lot or the next available planting season. The areas around the plantings should be mulched or planted with ground cover to ensure long-term survivability and reduce the threat of invasive species. If full establishment of the Buffer is required, plantings should be distributed throughout the Buffer to optimize Buffer functions.

If the applicant plans to maintain the land in agricultural use after subdivision, then planting of the Buffer may be deferred until a change in land use occurs. However, this must be noted on the Buffer Management Plan. Further, the applicant must have an approved Soil Conservation and Water Quality Plan in effect for the site, and this must be noted on the Buffer Management Plan.

If natural regeneration is used on the site, a supplemental planting plan for subsequent implementation is required in case the natural regeneration does not succeed. This plan must include a financial assurance to cover the cost of planting an area equivalent to the area of natural regeneration. The assurance would specify that release of the assurance could not occur until the latter of 5 years after the date of approval of the natural regeneration plan, or at such time as the area of coverage of the Buffer is at least 300 native woody stems, on a per-acre basis, that are at least 4 feet in height.

Step 2: Review Maintenance Plan

Minor and Major Buffer Management Plans require a maintenance plan to ensure plantings meet the minimum survivability requirements (see Table 1). The plan may include elements like installing tree tubes, spraying for invasive species, amending the soils, or other site preparation techniques.

Monitoring should occur on at least an annual basis, and the plan must include provisions for supplemental plantings if survival rates fall below the minimum standards. Monitoring plans also should include a list of actions in the event of the presence of invasive species or loss of plantings. Landscape stock has 100% survivability requirements for 2 years. Therefore, the plan should include replanting provisions at the end of Year 1 and Year 2. Flexible stocking has a 5-year, 50% survivability requirement for Bare-root seedlings or whips; a 2-year, 75% survivability for 1/2-inch to 1-inch container grown trees; and a 2-year, 90% survivability for container grown trees greater than 1-inch.

Step 3: Review Survivability and Inspection Periods

The Jurisdiction must inspect the planting to determine if survivability thresholds have been met. Replacement planting must be provided if survivability is not met. Arrangements must be included in the Plan that allow for replacing planting as necessary even if there is a change in ownership of the property.

Table 1. Survivability and Financial Assurance

Stocking Type	Survivability	Minimum Monitoring and Financial Assurance Period
Landscape Stock	100%	2 years
Bare-root seedling or whip	50% (350 stems/acre)	5 years
1/2" to 1" container grown trees	75% (338 stems/acre)	2 years
More than 1" container grown trees	90% (315 stems/acre)	2 years
Natural Regeneration	300 stems/acre	5 years

Step 4: Review Inspection Agreement
The plan must include a signature block to be signed by the applicant that gives the jurisdiction permission to inspect the plantings at the appropriate times. The Plan should indicate inspection date and a requirement for the applicant to call the jurisdiction to schedule inspections. It is recommended that in addition to showing all of the above information on a recorded plan, the jurisdiction require a separate document detailing the above information to be held on file with the appropriate department.
Step 5: Review Financial Assurance for Major Buffer Management Plans
For Major Buffer Management Plans, those involving 5,000 square feet or more of mitigation or establishment, the local government must also hold a bond or other financial assurance to ensure that the Buffer establishment or mitigation is implemented and survives the required period. The bond, surety, or letter of credit cannot be released until the monitoring period is complete and survivability thresholds have been met. The plan should calculate the cost of site preparation, equipment and supplies, earthwork, and watering to determine how much financial assurance should be collected. Based on the planting types and monitoring periods, some portions of the financial assurance could be given back at different times.
Step 6: Review Responsible Party Signature
Signature of responsible party is required for all Buffer Management Plans. This person is the primary point-of-contact for all issues relating to implementation, inspection, replacement planting and bonding. Responsibility can be transferred to another party. This requires a formal agreement between the original responsible party, the new responsible party and the local government.