Coastal Zone Management Program - Forest Policy Checklist

Name of Project:

5.2 COASTAL RESOURCES

5.2.4 Forests

Forest Policy 1 – Projects Impacting More Than 40,000 Square Feet Must Generally Identify & Protect Habitat & Mitigate for Impacts. The Forest Conservation Act and its implementing regulations, as approved by NOAA, are enforceable policies. Generally, before developing an area greater than 40,000 square feet, forested and environmentally sensitive areas must be identified and preserved whenever possible. If these areas cannot be preserved, reforestation or other mitigation is required to replace the values associated with them. This policy does not apply in the Critical Area. DNR (C5) Md. Code Ann., Nat. Res. §§ 5-1601 to -1613; COMAR 08.19.01-.06.

Select appropriate response:

○ Project will be consistent with forest policy that requires Projects Impacting More Than 40,000 Square Feet to Identify & Protect Habitat & Mitigate for Impacts.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Forest Policy 2 – Maintain Resource Sustainability & Prevent or Limit Clear-Cutting to Protect Watersheds. Forestry activities shall provide for adequate restocking, after cutting, of trees of desirable species and condition; provide for reserving, for growth and subsequent cutting, a sufficient growing stock of thrifty trees of desirable species to keep the land reasonably productive; and prevent clear-cutting, or limit the size of a tract to be clear-cut in areas where clear-cutting will seriously interfere with protection of a watershed. DNR (C5) Md. Code Ann., Nat. Res. § 5-606.

Select appropriate response:

○ Project will be consistent with forest policy that Maintains Resource Sustainability & Prevents or Limits Clear-Cutting to Protect Watersheds.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Forest Policy 3 –Commercial Timber Cuts of Five Acres or More with Pines Comprising 25% of Live Trees Shall Ensure Pine Resource Sustainability. When any timber is cut for commercial purposes from five acres or more of land on which loblolly pine, shortleaf pine, or pond pine, singly or together occur and constitute 25 percent or more of the live trees on each acre, the person conducting the cutting or the landowner shall leave uncut and uninjured at least eight well distributed, cone-bearing, healthy, windfirm, loblolly, shortleaf, or pond pine trees on each acre cut for the purpose of reseeding. DNR (C5) Md. Code Ann., Nat. Res. §§ 5-501, -504.

Select appropriate response:

○ Project will be consistent with forest policy requiring Pine Resource Sustainability for Commercial Timber Cuts of Five Acres or More with Pines Comprising 25 Percent of Live Trees.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

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Forest Policy 4 – Minimize Forest Removal for Highway Construction Projects & Mitigate with Equivalent Reforestation if over 1 Acre Is Lost. Any highway construction activity, including related off-site environmental mitigation, may only cut or clear the minimum amount of trees and other woody plants necessary to be consistent with sound design principles. If over an acre of forest is lost as a result of the project, an equivalent area of publicly owned property shall be reforested. DNR/MDOT (C5) Md. Code Ann., Nat. Res. § 5-103.

Select appropriate response:

○ Project will be consistent with forest policy that requires Minimizing Forest Removal for Highway Construction Projects & Mitigating with Reforestation if Over 1 Acre is Lost.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

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Forest Policy 5 – Protection of Roadside Trees Unless Removal or Trimming Is Justified.   Roadside trees should not be cut down, trimmed, mutilated, or injured unless the activity will eliminate a hazard to property, public safety, or health; improve or prevent tree deterioration; or improve the general aesthetic appearance of the right-of-way. DNR (C5) COMAR 08.07.02.05.

Select appropriate response:

○ Project will be consistent with forest policy that Protects Roadside Trees Unless Removal or Trimming Is Justified.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Forest Policy 6 – Sediment & Erosion Control in Non-Tidal Wetlands. A person conducting a forestry activity in non-tidal wetlands shall develop and implement a sediment and erosion control plan. MDE (C3) COMAR 26.23.05.02.

Select appropriate response:

○ Project will be consistent with forest policy that requires Sediment & Erosion Control in Non-Tidal Wetlands.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy: