

Chesapeake and Atlantic Coastal Bays Critical Area Training Day 2



Intro to the Buffer & Buffer Management Plans
September 15, 2022





Overview

Critical Area Buffer

- Expansion
- Establishment
- Mitigation

Buffer Management Plan (BMP) Requirements

Local Planner Presentation

Q & A

Critical Area Buffer

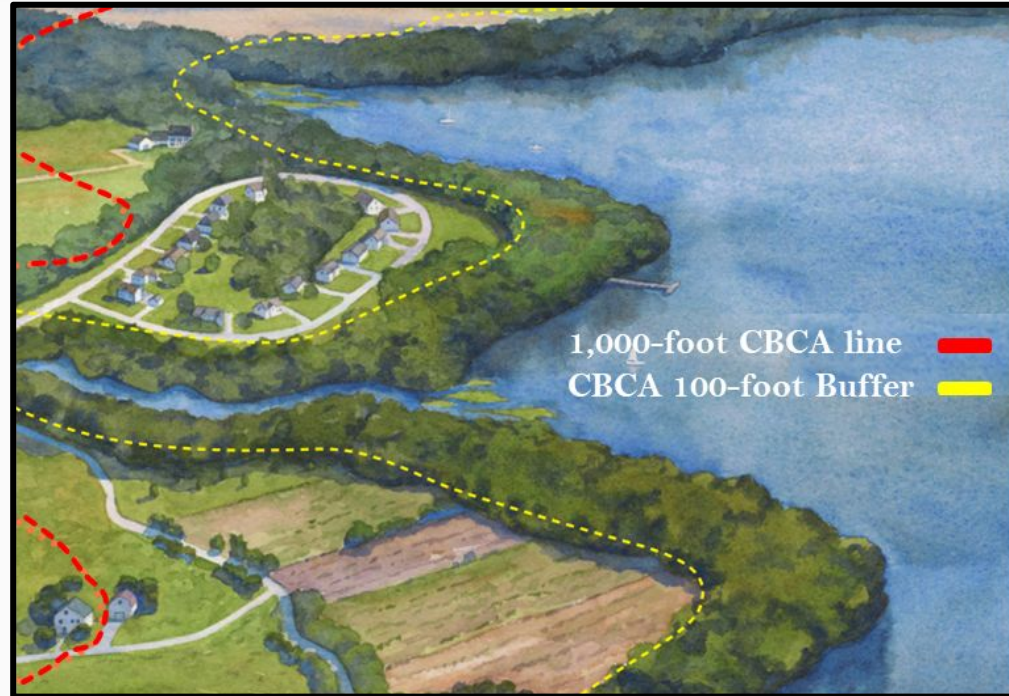
COMAR 27.01.09.01



Delineated in the field based on site conditions at the time of application

Minimum width = 100 feet

- From mean high water of tidal waters
- From upland boundary of tidal wetlands
- From edge of bank of perennial and intermittent tributary streams





What's so great about the Buffer?

- Reduces amount of sediment, excess nutrients, and harmful substances/chemicals in stormwater runoff**
- Helps prevent or reduce shoreline erosion**
- Maintains vital wildlife habitat along shores and streams**

<https://dnr.maryland.gov/criticalarea/Pages/default.aspx>

Expanded Buffer

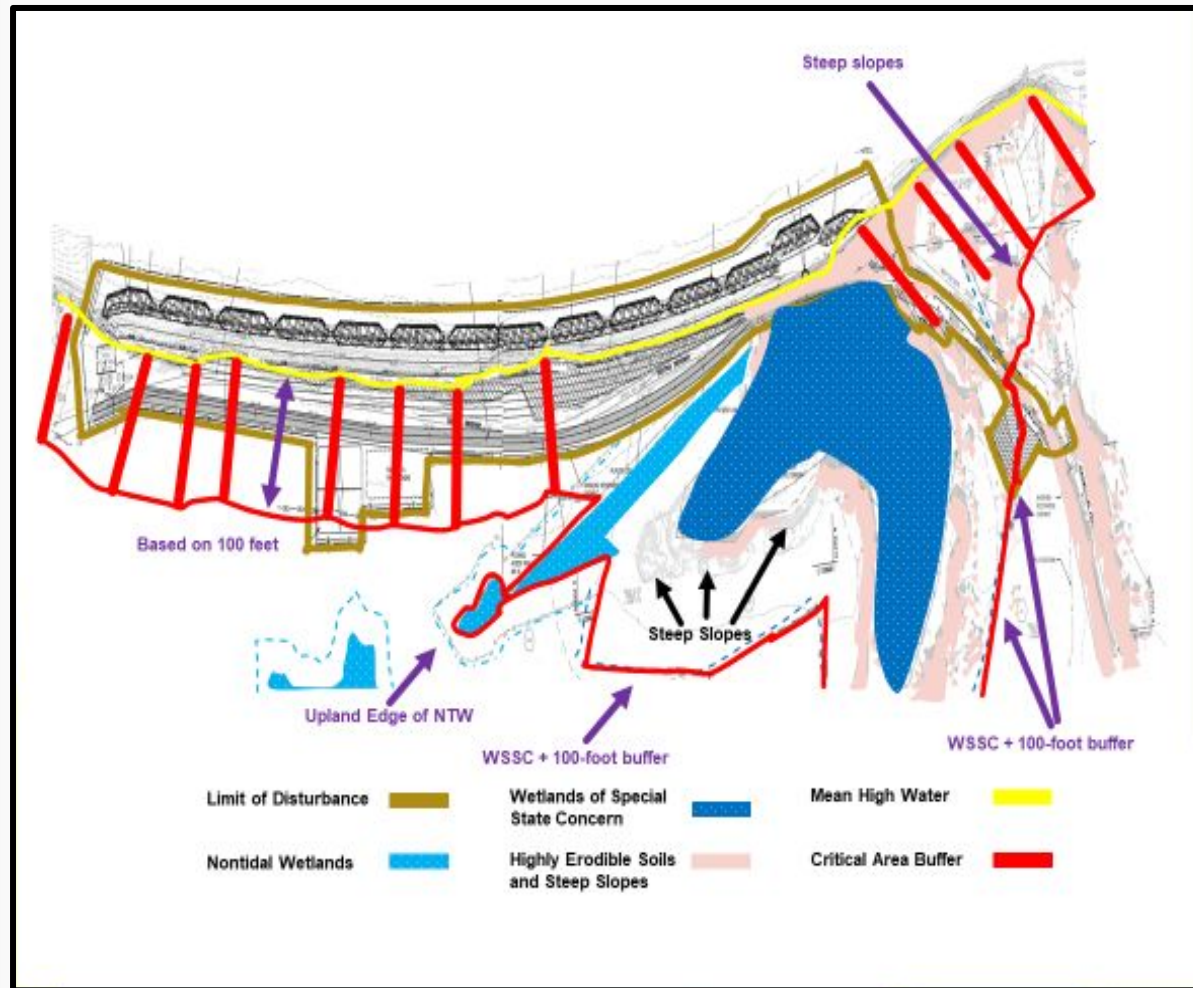
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Nontidal wetlands

Sensitive soils (hydic & highly erodible)

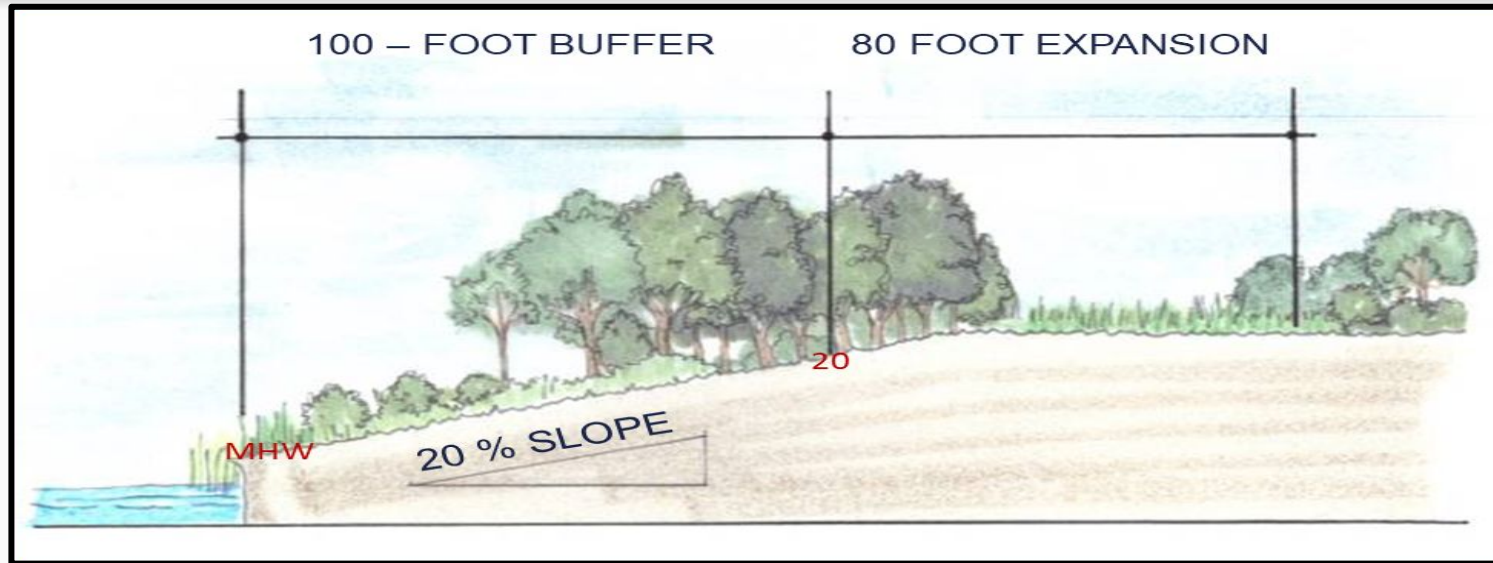
Steep slopes

200-foot Buffer in RCA for new subdivisions & site plans



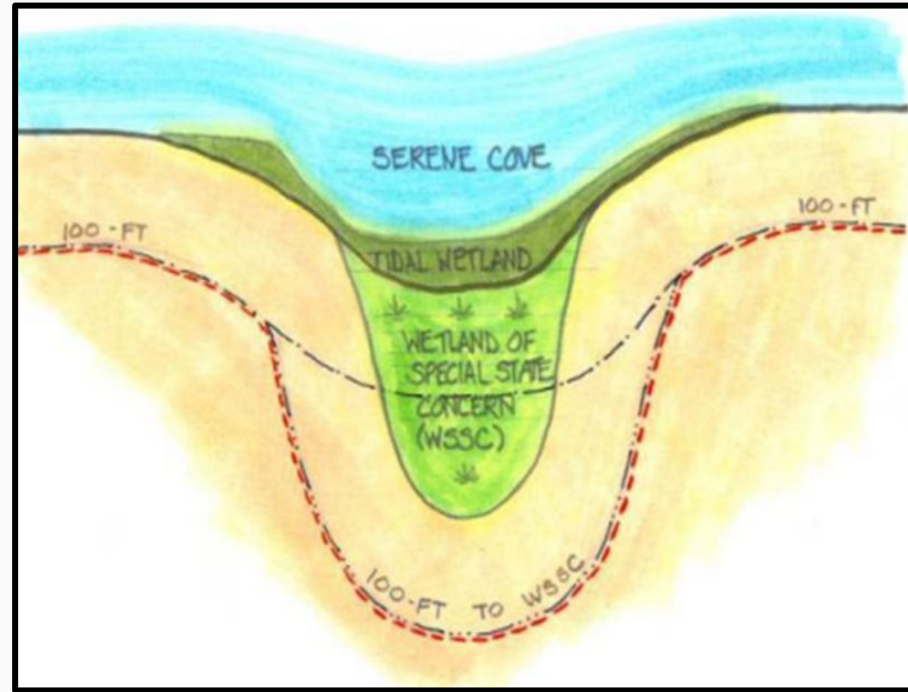
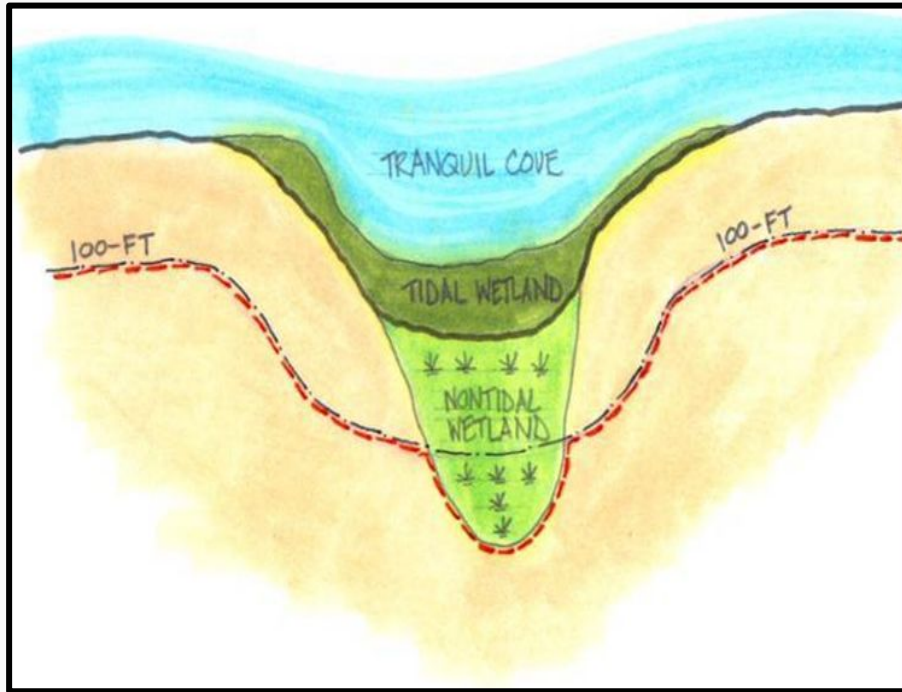


Buffer Expansion: Steep Slopes

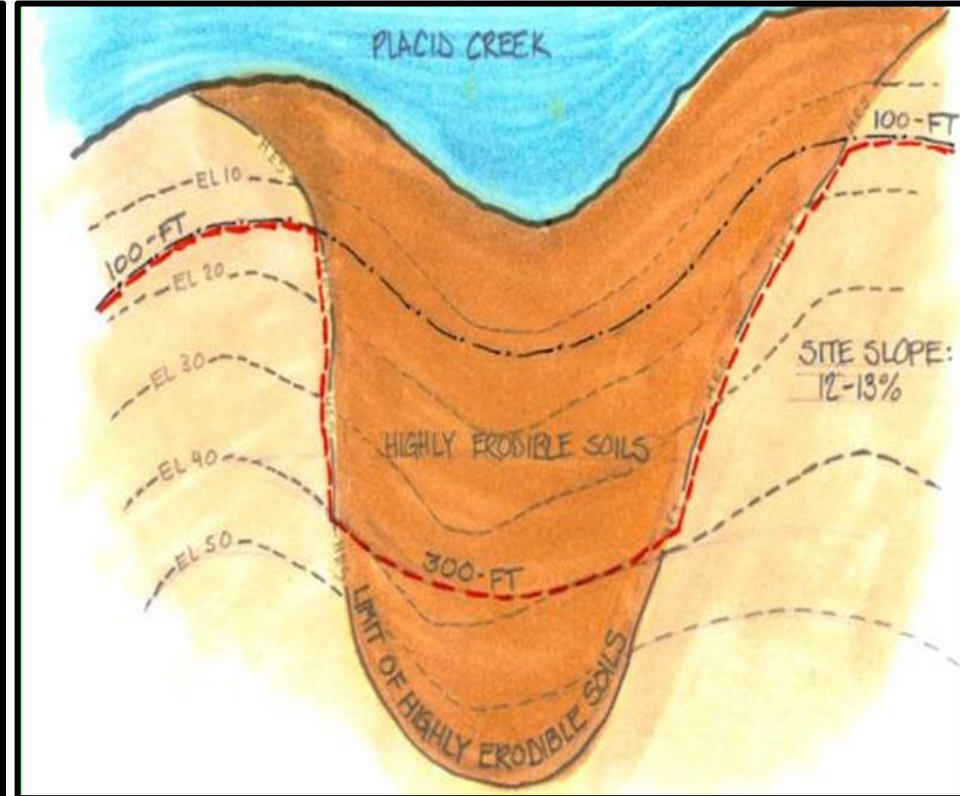
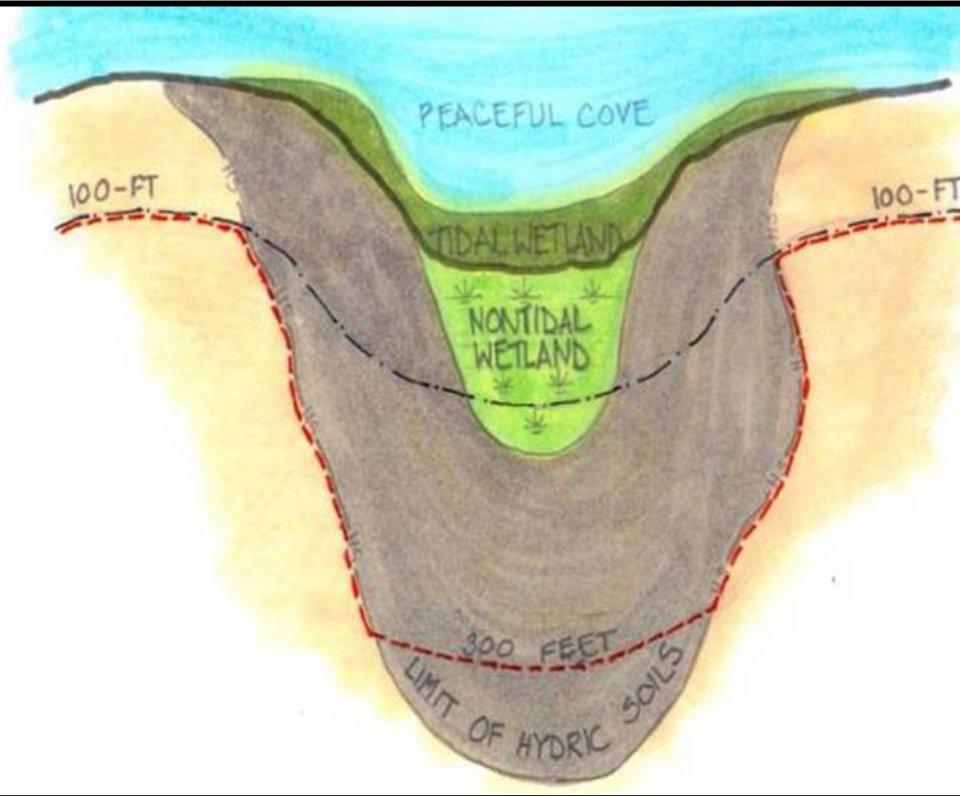


Expansion for steep slopes of 15% or greater: 4 feet for every 1% of steep slope. In this example, the 100-foot Buffer is contiguous to 20% slopes; therefore, the Buffer must be expanded an additional 80 feet (4 x 20).

Buffer Expansion: NTW and WSSC



Buffer Expansion: Hydric and Highly Erodible Soils



Buffer Establishment

COMAR 27.01.09.01-1



On waterfront lots, Buffer plantings are required for development outside the Buffer:

Development Category	Lot Created Before Local Program Adoption	Lot Created After Local Program Adoption
New development on vacant lot	Total lot coverage	Full establishment
New subdivision or new lot	Full establishment	
New lot with existing dwelling unit	Establishment = total lot coverage	
Conversion of land use to another land use	Full establishment	
Addition, accessory structure, or redevelopment	Establishment = increase in lot coverage	
Substantial alteration	Establishment = total lot coverage	

Buffer Mitigation

COMAR 27.01.09.01-2



Mitigation is required for the area of permanent disturbance in the Buffer plus the square footage of canopy coverage cleared...

Activity	Mitigation Ratio for Permanent Disturbance
Septic on grandfathered lot if no clearing required	N/A
Septic on grandfathered lot where clearing is required	1:1
Shore erosion control	1:1
Riparian water access	2:1
Water-dependent facility	2:1
Variance	3:1
Violation	4:1

Buffer Management Plans (BMP)

COMAR 27.01.09.01-3

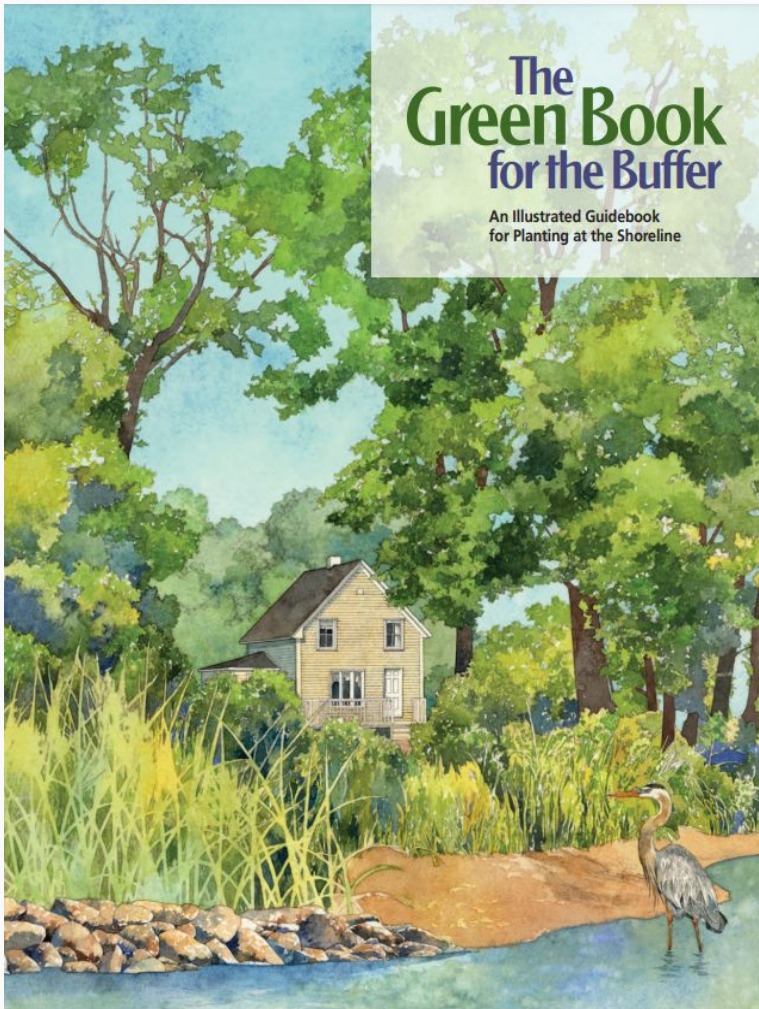
Required for:

- Buffer establishment
- Disturbance to the Buffer

Three types:

- Simplified BMP
- Minor BMP
- Major BMP

[The Green Book for the Buffer](#)





Required Information on a BMP:

Existing vegetation

Location, arrangement & quantity of proposed planting

Species, size & allotted credit

Existing & proposed structures (including paths)

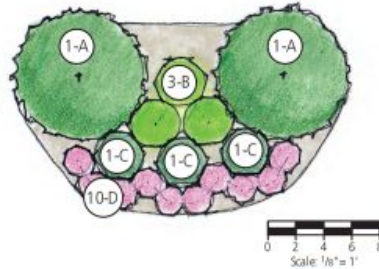
Limit of disturbance

Location of Buffer

Total square footage of mitigation/establishment

Plan 2: 350 SF (Shade) Spring Beauty Cluster Garden

This small cluster garden has beautiful pinkish purple color in the spring, and the American Beautyberry shrubs have royal purple berries in early fall.



Symbol	Common Name	Scientific Name	Size	Plant Type	Total Number	Credit
A	Eastern Redbud	<i>Cercis canadensis</i>	3/4-inch caliper	Understory tree	2	N/A
B	American Beautyberry	<i>Callicarpa americana</i>	18 inches	Small shrub	3	N/A
C	Pink Azalea	<i>Rhododendron periclymenoides</i>	18 inches	Small shrub	3	N/A
D	Wild Geranium	<i>Geranium maculatum</i>	1 quart	Herbaceous plant	10	N/A

Actual Total Credit: 350 SF

Notes: Cluster plantings are designed to be grouped together so credit is given for the cluster as a whole. Native azaleas are required in order to receive credit for Buffer planting. If native azalea species are not readily available, they can be replaced with Steeplebush (*Spiraea tomentosa*).

Buffer Management Plan Review



Review Planting Plan, Landscape Schedule (credits, spacing, species, date)

Review Maintenance Plan-
Invasive Species Control

Survivability & Inspection Periods (duration, frequency, replacement)

Inspection Agreement - include assessment of growing conditions

Financial Assurance for Major BMPs

Responsible Party Signature(s)

Other Buffer Regulations



Natural Regeneration

COMAR 27.01.09.01-4

Numerous specific requirements if a BMP includes natural regeneration:

BMP may not include any new managed lawn or turf;

The natural regeneration area is within 300 feet of a mature forest of at least 1 acre that contains a seed bank of native species adequate for natural regeneration

Fee in Lieu of Buffer Mitigation

COMAR 27.01.09-5

Collect at least \$1.50 per square foot of mitigation

Should only be used if cannot plant in Buffer, adjacent, or at another approved off-site location.

Must be in a special fund that may not revert to general fund

Applied for specific projects

Buffer Management Area (BMA): Areas of the Buffer where existing development prevents the Buffer from fulfilling its functions (COMAR 27.01.09.01-8)



Thank you!

Now here's
Bryan!

