

1. What is the Critical Area?

The Critical Area is all land area within 1,000 feet of the mean high water line of tidal waters or the landward edge of tidal wetlands of the Chesapeake and Coastal Bays and their tidal tributaries. The exact limits of the Chesapeake Bay Critical Area are established on official maps.

2. What is the 100-Foot Buffer?

The Critical Area Buffer is an area of natural vegetation of at least 100 feet, measured landward from the mean high water line of tidal waters, tributary streams and tidal wetlands. The 100-foot buffer is expanded to include any contiguous sensitive areas, including steep slopes, hydric soils and highly erodible soils.

3. How do I know whether my property is in the Critical Area?

Maps delineating the Critical Area have been formally approved as part of Calvert County's Critical Area program and are available in the Department of Planning and Zoning office.

4. I live in the Critical Area and I have a dead tree that I want to remove. Do I need a permit?

Yes. All vegetation removal including dead or damaged trees requires a permit and sometimes an approved planting plan or Buffer Management Plan will be required as determined by the Department of Planning & Zoning. Outside the Buffer, dead trees do not have to be mitigated.

5. Do I need a permit to cut trees on my waterfront lot that are less than 4 inches in diameter?

All trees of any size, as well as shrubs, ground cover and vines are considered habitat in the Critical Area and are subject to the Critical Area regulations. BEFORE you cut any trees or other vegetation on your property call the Department of Planning & Zoning. A permit is required for all vegetation removal in the Critical Area. If you are required to do replanting as part of a mitigation plan, a bond or other financial surety is required to insure compliance with the mitigation plan.

6. Can I remove trees from my property if they are located in the Critical Area 100-foot Buffer?

That depends. No trees may be removed from the Buffer unless they are dead or diseased, are a safety hazard to person or property, or for permitted development. A County approved permit and Buffer Management Plan are required prior to removal.

7. When is a Buffer Management Plan required in the Critical Area? Who prepares this plan?

Any disturbance in the 100-foot or expanded Buffer must be mitigated through a Buffer Management Plan approved by the Department of Planning & Zoning. For removal of several individual trees and tree pruning, the property owner can prepare and sign a plan. For proposed larger tree removal and removal of vines & briars and replacement with desirable understory plants, the property owner may need the assistance of a professional.

8. Can I remove invasive species (phragmites, English ivy, and kudzu) from the Buffer?

Yes, with a permit. The County encourages the removal of invasive species. However, you must have a Buffer Management Plan approved by the Department of Planning & Zoning to replant the area with native species and control the re-growth of the

invasive species.

9. Do I need a permit to plant trees and shrubs in the Buffer?

Department of Planning & Zoning approval is required and planting native vegetation is encouraged. Sometimes a permit may be required depending on the scope of proposed work, i.e. using heavy machinery. When planting trees and other vegetation in the Buffer, be sure to use native species and avoid exotic and invasive species.

10. What is a "grandfathered lot"? If my lot is grandfathered, am I exempt from the Critical Area regulations?

You are not exempt from the regulations but there are provisions which allow certain pre-existing uses to continue even though they may be inconsistent with Critical Area regulations. It is important that you always check with the Department of Planning and Zoning before undertaking any development activity in the Critical Area.

11. If I buy a lot in the Critical Area, can I build a house on it?

Yes, as long as it is compliant with the County Zoning Ordinance and meets Health Department requirements. Contact the Department of Planning and Zoning for more information.

12. If my home is in the Critical Area, will I be able to build an addition such as a deck, garage or swimming pool?

Usually, provided the proposed construction meets development requirements. If your lot is in the Buffer, there will be additional considerations and restrictions.

13. Can I take measures to stabilize my shoreline?

Yes with the proper permits. You should contact the Maryland Department of the Environment at (410) 537-3745 for information on shore erosion control permits. All shoreline erosion control projects and shoreline structures require Federal and State approvals prior to applying for County permits.

14. Are farmers exempt from the Critical Area regulations? Is logging and timber harvesting allowed in the Critical Area?

Farmers are not exempt from the Critical Area regulations. All farms in the Critical Area must have a Soil Conservation and Water Quality Plan (SCWQ) in place. Other restrictions on agriculture within the Buffer also exist. All timber harvesting and cutting in the Critical Area requires a Timber Harvest Plan, and that which exceeds 5,000 square feet requires a Sediment and Erosion Control Plan. Any commercial timber harvesting of any size within the Buffer requires a Buffer Management Plan as well.

15. What are FIDS?

FIDS is an acronym for Forest Interior Dwelling Species. These are bird species that require large forested tracts in order to live and reproduce. Many neotropical migrant songbirds are FIDS and rely on large forested areas in the Chesapeake Bay watershed for breeding and nesting.

16. If I think I see a clearing violation near the water, who do I call?

Contact the Department of Planning & Zoning, Code Enforcement to report alleged illegal clearing