

## ***Critical Area Commission***

### **STAFF REPORT**

January 14, 2026

**APPLICANT:** Anne Arundel County

**PROPOSAL:** Refinement: Habitat Enhancement Plan

**COMMISSION ACTION:** Concurrence with the Chair's Determination of Refinement

**STAFF RECOMMENDATION:** Approval

**STAFF:** Jamileh Soueidan

**APPLICABLE LAW/REGULATIONS:** Natural Resources Article §8-1809(p)  
COMAR 27.01.02

### **DISCUSSION**

Anne Arundel County is requesting approval of a text amendment related to vegetative management practices and processes within the County. On October 28, 2025, Anne Arundel County Council approved County Bill No. 67-25 which amends Article 16 of the Anne Arundel County Code. The bill establishes new local processes and clarifies existing local processes for pruning and clearing, including in the Critical Area Buffer and on steep slopes in the Critical Area. A copy of Ordinance No. 67-25 is attached (Attachment 1). This bill was presented to the Program Committee for information only on May 23, 2025.

### **Summary of Proposed Text Amendment**

The Bill clarifies existing County practices regarding tree trimming and pruning, particularly in the Critical Area. It defines "Clearing," "Pruning," and "Woody Vegetation" as a means of separating and clarifying categories of vegetative management methods. Additionally, it creates new grading permit categories that allow for streamlined processes when addressing vegetative management concerns within the County.

### **Definitions**

Per Anne Arundel County Code §16-1-101, the proposed definitions are as follows:

***Clearing:*** the process of removing trees, shrubs, woody vegetation, ground cover, stumps, or roots whether by manual, mechanical, or chemical means and does not include gardening maintenance of an existing grass lawn or removal of hazardous trees. Clearing includes the trimming of trees, shrubs, or woody vegetation in a way that is not authorized as an acceptable pruning practice in the most recent version of the American National Standards Institute (ANSI) A300.

***Pruning:*** the selective removal of tree, shrub, and woody vegetation parts to meet specific goals and objectives while maintaining or improving plant health and structure as set forth and authorized in the most recent version of the ANSI A300 standards.

*Woody Vegetation:* a vine or woody perennial plant other than a shrub or tree that typically lies along the ground, or that rises above the ground by attaching to other plants or objects with tendrils or by twining.

#### Anne Arundel County Permit Processes

The Bill amends Anne Arundel County Code §16-3-201, §16-3-202, and §16-3-207 to clarify existing and newly established permitting processes, including the general provisions:

- Establishing the Habitat Enhancement Plan (HEP), which may authorize up to one (1) acre of clearing or pruning for managing existing forest or natural areas to enhance the habitat and ecological balance<sup>1</sup>;
- Clarifying that a Vegetation Management Plan (VMP) may be authorized for pruning or clearing of shrubs, woody vegetation, or trees in an area of less than 5,000 square feet;
- Codifying that the Vegetative Management and Habitat Enhancement Plans may be used in lieu of grading permits, provided they meet the following criteria:
  - Earth disturbance or root extraction is only allowed with County approval;
  - Mitigation is required at a 1:1 rate for trees and shrubs, to be replaced with trees and shrubs, as approved in the plan. No mitigation for pruning is required; and
  - Standard sediment and erosion control plans approved by the Soil Conservation District are required for plans greater than 5,000 square feet and up to one (1) acre;
- Prohibiting an applicant from performing piecemeal clearing, grading, and/or pruning activities authorized without approval that cumulatively exceed the allowable thresholds (under 2,500 square feet on a steep slope or 5,000 square feet outside the Critical Area Buffer); and
- Clarifying that activities approved under an HEP or VMP shall not include clearing of vegetation for activities related to development or in preparation of a development application.

Within the Critical Area, additional provisions include:

- Explicitly requiring local approval for any amount of pruning in the Critical Area Buffer; and
- Requiring local approval for pruning over 2,500 square feet in the Critical Area on steep slopes<sup>2</sup>.

The County has developed accompanying guidelines, which outline the vegetation management processes, including their scope and purpose. A copy of the draft guidelines is attached (Attachment 2).

#### **PROGRAM COMMITTEE**

A draft of this bill was presented to the Program Committee for information only and to allow for the Committee to provide feedback. At that time, the committee asked the County to consider the following:

- To tie the definition of pruning to the ANSI A300 standards; and
- Provide additional mitigation in excess of 1:1 for clearing in Habitat Protection Areas (HPAs), including Forest Interior Dwelling Bird Habitat (FIDS)

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<sup>1</sup> Currently, a grading permit is required for clearing or pruning over 5,000 square feet. The proposed Habitat Enhancement Plan may be used in lieu of a grading permit.

<sup>2</sup> A permit is not required for pruning less than 2,500 square feet on a steep slope in the Critical Area; however, if the County determines that pruning in an area less than 2,500 square feet will negatively impact the safety of the steep slope, local approval is required

The County has since updated the definition of pruning to include these standards. The County has also provided additional clarification to ensure that any clearing under this bill is not associated with development, as noted above. Higher mitigation will be required if clearing in HPAs, including FIDS, is associated with development activities.

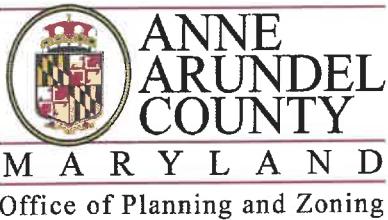
**RECOMMENDATION**

Given that the proposed text amendment is consistent with the purposes, policies and goals of the Critical Area and law and regulations, Commission staff recommend the Program Committee concur with the Chair's determination that this text amendment be processed as a refinement to the Anne Arundel County Critical Area program. Staff further recommend the Chair approve this text amendment as proposed.

**ATTACHMENT**

1 Anne Arundel County Bill No. 67-25

2 DRAFT County Guidelines Document



2664 Riva Road, P.O. Box 6675  
Annapolis, MD 21401  
410-222-7450

Jenny B Dempsey  
Planning and Zoning Officer

December 4, 2025

Erik Fisher, Chair  
Critical Area Commission  
1804 West Street  
Annapolis, MD 21401

Re: Anne Arundel County Bill 67-25  
Request for Refinement Review and Approval

We would like to present Anne Arundel County Bill 67-25 for review and approval by the Critical Area Commission as a Program Refinement. Currently there are perceivable ambiguities in the Anne Arundel County Code that make certain permit applications complicated and enforcement difficult. This Bill clarifies existing County practices regarding tree trimming or pruning, particularly in the Critical Area ("CA") buffer and steep slopes. It also separates and defines various categories of vegetative management methods and creates new grading permit categories that allow for streamlined processes when addressing management concerns within the County. The Bill was approved by the Anne Arundel County Council on October 28, 2025.

This legislation does the following:

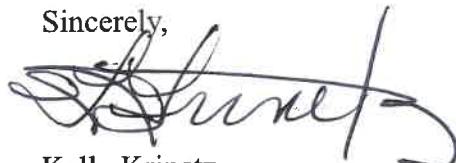
1. Creates a separate category for pruning to separate the activity of pruning from clearing or grading, including a definition tied to the American National Standards Institute ("ANSI") A300 Standard, which defines pruning as "the selective removal of plant parts to meet specific goals and objectives";
2. Creates a definition of "clearing" separate from Art. 17 for purposes of Article 16, to untie it from "development", which causes confusion in enforcement cases;
3. Defines "woody vegetation" as a vine or woody perennial plant other than a shrub or tree that typically lies along the ground, or that rises above the ground by attaching to other plants or objects with tendrils or by twining;
4. Specifically states that approval is needed for clearing or grading in the steep slopes in the critical area outside the buffer (the law has always been enforced this way per Article 17, however this clears up any ambiguity and codifies current practice);
5. Provides that a person may not prune trees in the buffer, in the CA within steep slopes, or in a forest conservation easement ("FCE"), without approval,

which has always been the case, however confusion has arisen in enforcement cases, as this activity is currently labeled as “clearing”;

6. For all other areas (outside the CA buffer, outside a forest conservation easement or not on steep slopes), approval is needed for pruning over a 5,000 SF area (this is a clarification of existing law/practices);
7. Allows for the pruning or removal of trees, shrubs or woody vegetation, or removal of woody vegetation in an area of more than 5,000 SF without a grading permit (which will lessen the burden on applicants and allow for a more streamlined approval process) as follows:
  - a. Outside the critical area buffer, approval is needed for more than 5,000 SF by either grading permit, standard grading plan (“SGP”) which has a permit application fee of \$75, VMP, or the new HEP
  - b. Inside the critical area buffer, steep slopes, or FCE: approval needed for any size area by either grading permit, SGP, VMP or the new HEP
8. Sets forth that a VMP or HEP can be used in lieu of a grading permit and sets forth criteria:
  - a. Codifies that a VMP only applies for less than 5,000 SF (this is the current practice, but the criteria are not currently codified)
  - b. Creates the HEP and establishes that it can be used for up to one acre
  - c. Sets forth criteria for approval:
    - i. Pruning as set forth in the ANSI
    - ii. Earth disturbance or root extraction only with approval
    - iii. No mitigation for pruning; mitigation at 1:1 required for clearing of trees and shrubs. Mitigation required for clearing of vegetation by planting of trees and shrubs as approved in plan
    - iv. Standard sediment and erosion control plan approved by Soil Conservation District required for more than 5000 SF and up to 1 acre

It is our opinion that these changes/additions are consistent with our current regulations with regard to clearing/pruning/grading activities. We request that the Chairman review and approve this as a Program Refinement. If you have any questions or wish to discuss this request further, please contact me at [pzkrin00@aacounty.org](mailto:pzkrin00@aacounty.org).

Sincerely,



Kelly Krinetz  
Critical Area Planning Administrator

Attachment: Copy of Bill 67-25

# FINAL

AMENDED  
September 15, 2025  
October 6, 2025

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2025, Legislative Day No. 15

Bill No. 67-25

Introduced by Ms. Hummer, Chair  
(by request of the County Executive)

By the County Council, July 21, 2025

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Introduced and first read on July 21, 2025

Public Hearing set for and held on September 15, 2025

Public Hearing on AMENDED bill set for and held on October 6, 2025

Public Hearing on AMENDED bill set for and held on October 20, 2025

Bill Expires October 24, 2025

By Order: Kaley Schultze, Administrative Officer

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### A BILL ENTITLED

1 AN ORDINANCE concerning: Floodplain Management, Erosion and Sediment Control,  
2 and Stormwater Management – Clearing and Pruning

3 FOR the purpose of defining “pruning” and “woody vegetation”; modifying the definitions  
4 of “clearing” and “standard grading plan”; requiring certain approved permits or plans  
5 to clear or grade property on certain steep slopes in the critical area; adding a habitat  
6 enhancement plan to those plans required for approval to clear or grade in certain  
7 circumstances; ~~requiring certain approved permits or plans to prune on property outside~~  
8 ~~of the critical area, outside of a forest conservation easement, or not on steep slopes~~  
9 ~~inside the critical area in certain circumstances;~~ requiring certain approved permits or  
10 plans to prune on property inside the critical area buffer, inside a forest conservation  
11 easement, or on steep slopes in the critical area in certain circumstances; providing for  
12 the use of and establishing the requirements for a standard grading plan in lieu of a  
13 grading permit that proposes pruning or clearing under certain circumstances; ~~adding~~  
14 ~~certain fees;~~ providing for the use, criteria, and requirements of a habitat enhancement  
15 plan and a vegetation management plan; making the effective date of this Ordinance  
16 contingent on the approval of the Maryland Critical Area Commission; and generally  
17

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EXPLANATION: CAPITALS indicate new matter added to existing law.

[[Brackets]] indicate matter deleted from existing law.

Captions and taglines in **bold** in this bill are catchwords and are not law.

Asterisks \*\*\* indicate existing Code provisions in a list or chart that remain unchanged.

Underlining indicates matter added to bill by amendment.

~~Strikeover~~ indicates matter removed from bill by amendment.

1        relating to floodplain management, erosion and sediment control, and stormwater  
2        management.

3  
4        BY renumbering: § 16-1-101(74) through (84) and (86) through (98), respectively, to be  
5        § 16-1-101(75) through (85) and (87) through (99), respectively  
6        Anne Arundel County Code (2005, as amended)

7  
8        BY repealing, reenacting, and renumbering, with amendments: § 16-1-101(85) to be  
9        § 16-1-101(86), respectively  
10        Anne Arundel County Code (2005, as amended)

11  
12        BY adding: §§ 16-1-101(74) and (100); and 16-3-214  
13        Anne Arundel County Code (2005, as amended)

14  
15        BY repealing and reenacting, with amendments: §§ 16-1-101(13); 16-3-201; 16-3-202; and  
16        16-3-207  
17        Anne Arundel County Code (2005, as amended)

18  
19        SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
20        That 16-1-101(74) through (84) and (86) through (98), respectively, of the Anne Arundel  
21        County Code (2005, as amended) is hereby renumbered to be § 16-1-101(75) through (85)  
22        and (87) through (99), respectively.

23  
24        SECTION 2. *And be it further enacted*, That Section(s) of the Anne Arundel County  
25        Code (2005, as amended) read as follows:

26  
27        **ARTICLE 16. FLOODPLAIN MANAGEMENT, EROSION AND SEDIMENT  
28        CONTROL, AND STORMWATER MANAGEMENT**

29  
30        **TITLE 1. DEFINITIONS AND GENERAL PROVISIONS**

31  
32        **16-1-101. Definitions.**

33  
34        In this article, the following words have the meanings indicated.

35  
36        \*\*\*

37  
38        (13) “Clearing” [[has the meaning stated in Article 17 of this Code]] MEANS THE  
39        PROCESS OF REMOVING TREES, SHRUBS, WOODY VEGETATION, GROUND COVER, STUMPS,  
40        OR ROOTS WHETHER BY MANUAL, MECHANICAL, OR CHEMICAL MEANS, AND DOES NOT  
41        INCLUDE GARDENING, MAINTENANCE OF AN EXISTING GRASS LAWN, OR REMOVAL OF  
42        HAZARDOUS TREES. “CLEARING” INCLUDES THE TRIMMING OF TREES, SHRUBS, OR  
43        WOODY VEGETATION IN A WAY THAT IS NOT AUTHORIZED AS AN ACCEPTABLE PRUNING  
44        PRACTICE IN THE MOST RECENT VERSION OF THE AMERICAN NATIONAL STANDARDS  
45        INSTITUTE (ANSI) A300.

46  
47        \*\*\*

48  
49        (74) “PRUNING” HAS THE MEANING MEANS THE SELECTIVE REMOVAL OF TREE, SHRUB,  
50        AND WOODY VEGETATION PARTS TO MEET SPECIFIC GOALS AND OBJECTIVES WHILE

1 MAINTAINING OR IMPROVING PLANT HEALTH AND STRUCTURE, AS SET FORTH AND  
2 AUTHORIZED IN THE MOST RECENT VERSION OF THE AMERICAN NATIONAL STANDARDS  
3 INSTITUTE (ANSI) A300.

4 \*\*\*  
5  
6

7 [(85)] (86) "Standard grading plan" means a plan that may be used in lieu of a grading  
8 permit only for certain PRUNING OR minor grading and earth disturbance associated with  
9 minor commercial and residential construction, and, if necessary, may include a standard  
10 soil and erosion control plan.

11 \*\*\*  
12  
13

14 (100) "WOODY VEGETATION" MEANS A VINE OR WOODY PERENNIAL PLANT OTHER  
15 THAN A SHRUB OR TREE THAT TYPICALLY LIES ALONG THE GROUND, OR THAT RISES  
16 ABOVE THE GROUND BY ATTACHING TO OTHER PLANTS OR OBJECTS WITH TENDRILS OR  
17 BY TWINING.

18  
19 **TITLE 3. EROSION AND SEDIMENT CONTROL**

20  
21 **16-3-201. Approval required; exceptions.**

22  
23 (a) **Approval required.** Except as provided in subsection (b), a person may not:

24  
25 (1) grade without a grading permit issued by the Department;  
26  
27 (2) clear or grade in the critical area buffer, expanded buffer, or buffer modification  
28 area described in § 18-13-104 of this Code, OR ON STEEP SLOPES OF 15% OR GREATER IN  
29 THE CRITICAL AREA, without a standard grading plan, a grading permit, [(or]] an approved  
30 vegetation management plan, A buffer management plan, [(or]] A forest management plan,  
31 OR A HABITAT ENHANCEMENT PLAN; or

32  
33 (3) do logging without a grading permit issued by the Department.

34  
35 (b) **Exceptions.** Approval is not required for clearing or grading associated with:

36  
37 (1) agricultural land management practices or agricultural buildings, as defined  
38 in Article 15, except that an approved standard grading plan that is also approved by the  
39 Anne Arundel Soil Conservation District is required for agricultural buildings that involve  
40 disturbing between 5,000 square feet and one acre of land. In addition, an erosion and  
41 sediment control plan approved by the Anne Arundel Soil Conservation District is required  
42 in lieu of a standard grading plan or grading permit for agricultural buildings that involve  
43 disturbing more than one acre of land;

44  
45 (2) the laying of water, sewer, gas, electrical, telephone, or cable television lines  
46 that disturbs less than 100 linear feet, or 500 linear feet for individual single family  
47 residential lots provided the overall disturbance is less than 5,000 square feet;

48  
49 (3) activities that are subject exclusively to State approval and enforcement under  
50 State law;

(4) activities under a standard grading plan approved by the Department under § 16-3-202; or

(5) disturbing less than 5,000 square feet of land or unless prohibited by subsection (a)(2) of this section or other applicable State or federal law.

~~(C) Pruning—Property outside of the critical area buffer or a forest conservation easement, or not on steep slopes inside the critical area.~~

(1) THIS SUBSECTION APPLIES ONLY TO PROPERTY: (I) OUTSIDE OF THE CRITICAL AREA BUFFER, BUFFER MODIFICATION AREA, OR EXPANDED BUFFER DESCRIBED IN § 18.13-104 OF THIS CODE; (II) OUTSIDE OF A FOREST CONSERVATION EASEMENT; OR (III) NOT ON STEEP SLOPES OF 15% OR GREATER INSIDE OF THE CRITICAL AREA.

(2) A PERSON MAY NOT PRUNE SHRUBS, WOODY VEGETATION, OR TREES OVER AN AREA OF MORE THAN 5,000 SQUARE FEET OF LAND WITHOUT AN APPROVED GRADING PERMIT, STANDARD GRADING PLAN, VEGETATION MANAGEMENT PLAN, OR HABITAT ENHANCEMENT PLAN.

(D) (C) **Pruning - Property inside the critical area buffer or a forest conservation easement.** A PERSON MAY NOT PRUNE SHRUBS, WOODY VEGETATION, OR TREES ON PROPERTY INSIDE THE CRITICAL AREA BUFFER, BUFFER MODIFICATION AREA, OR EXPANDED BUFFER AS DESCRIBED IN § 18-13-104 OF THIS CODE OR INSIDE A FOREST CONSERVATION EASEMENT WITHOUT AN APPROVED GRADING PERMIT, STANDARD GRADING PLAN, VEGETATION MANAGEMENT PLAN, OR HABITAT ENHANCEMENT PLAN.

**(D) Pruning - Property on steep slopes inside the critical area or inside a forest conservation easement.** A PERSON MAY NOT PRUNE SHRUBS, WOODY VEGETATION, OR TREES ON PROPERTY INSIDE THE CRITICAL AREA ON STEEP SLOPES OF 15% OR GREATER OR INSIDE A FOREST CONSERVATION EASEMENT OVER AN AREA OF MORE THAN 2,500 SQUARE FEET OF LAND WITHOUT AN APPROVED GRADING PERMIT, STANDARD GRADING PLAN, VEGETATION MANAGEMENT PLAN, OR HABITAT ENHANCEMENT PLAN; EXCEPT THAT, IF THE DEPARTMENT DETERMINES THAT PRUNING OVER AN AREA OF LESS THAN 2,500 SQUARE FEET WOULD NEGATIVELY IMPACT THE SAFETY OF A STEEP SLOPE, AN APPROVED GRADING PERMIT, STANDARD GRADING PLAN, VEGETATION MANAGEMENT PLAN, OR HABITAT ENHANCEMENT PLAN MAY BE REQUIRED.

(F) (E) **Limitations.** THE 2,500 OR 5,000 SQUARE FOOT AREA AUTHORIZED FOR CLEARING, GRADING, OR PRUNING WITHOUT APPROVAL UNDER SUBSECTIONS (B)(5), (C), AND (E) AND (D) APPLIES TO ONE OR MORE AREAS ON A PROPERTY OR CONTIGUOUS PROPERTIES UNDER COMMON OWNERSHIP UP TO THE TOTAL AMOUNT INDICATED.

**(F) Exception.** APPROVAL IS NOT REQUIRED FOR CLEARING, GRADING, OR PRUNING ASSOCIATED WITH THE ROUTINE MAINTENANCE OF A BEST MANAGEMENT PRACTICE.

**16-3-202. Standard grading plan.**

(a) **Generally.** A standard grading plan may be used in lieu of a grading permit if [ ]:

(1)] the applicant files a standard grading plan application that is approved by the Department[[;]] AND

1        [(2)] (1) the applicant certifies that construction will meet the conditions and  
2 limitations established on the standard grading plan and will be carried out in compliance  
3 with this title[;] and

4        [(3)] the total area disturbed is less than 5,000 square feet of land; OR

5        (2) THE STANDARD GRADING PLAN PROPOSES PRUNING OR CLEARING OF SHRUBS,  
6 WOODY VEGETATION, OR TREES OVER AN AREA OF LESS THAN 5,000 SQUARE FEET OF  
7 LAND.

8        (b) **When required.** A standard grading plan is required for agricultural buildings that  
9 involve disturbing between 5,000 square feet and one acre of land.

10        (c) **Review; County report.** As promptly as possible after the filing of a standard  
11 grading plan, but no later than 30 days after the filing of the plan, the Department shall  
12 provide the applicant with a written report of the findings, comments, and  
13 recommendations of County agencies unless the plan is approved within the 30 day time  
14 period.

15        (D) **Requirements.** A STANDARD GRADING PLAN ISSUED UNDER SUBSECTION (A)(2)  
16 SHALL MEET THE SAME REQUIREMENTS AS A VEGETATION MANAGEMENT PLAN OR  
17 HABITAT ENHANCEMENT PLAN AS SET FORTH IN § 16-3-214(C), SHALL BE VALID FOR THE  
18 PERIOD OF TIME INDICATED ON THE PLAN, AND MAY BE RENEWED UPON REQUEST. IF NEW  
19 WORK IS PROPOSED THAT SUBSTANTIALLY DIFFERS FROM THE ACTIVITY APPROVED IN A  
20 PRIOR PLAN, A NEW APPLICATION MAY BE REQUIRED.

21        **16-3-207. Fees; refunds.**

22        (a) **Fees.** The fees set forth in the chart in this subsection apply to all grading permits  
23 OR PLANS UNDER THIS SUBTITLE other than those issued for work on property owned or  
24 leased and developed by the County or the Board of Education. ~~THE DEPARTMENT MAY~~  
25 ~~CHARGE ONE APPLICATION FEE FOR MULTIPLE HABITAT ENHANCEMENT PLANS OR~~  
26 ~~VEGETATION MANAGEMENT PLANS SUBMITTED BY THE SAME OWNER OF MULTIPLE~~  
27 ~~PROPERTIES WITHIN THE SAME SUBDIVISION. THERE IS NO FEE FOR AN APPLICATION TO~~  
28 ~~RENEW A STANDARD GRADING PLAN, VEGETATION MANAGEMENT PLAN, OR HABITAT~~  
29 ~~ENHANCEMENT PLAN THAT PROPOSES SUBSTANTIALLY THE SAME ANNUAL~~  
30 ~~MAINTENANCE OR ACTIVITY APPROVED IN A PRIOR PLAN.~~

Grading Permit Category	Fee
Application	\$43
Single family dwelling on lot of 20,000 square feet or less	\$692
Single family dwelling on lot over 20,000 square feet	\$1,124
Churches, parsonages, incorporated nonprofit eleemosynary and community associations, and fire stations on properties owned by a volunteer fire company formed pursuant to §12-1-201 of this Code	\$112
Forest harvest operation	\$173
Grading permit, other than for a single family dwelling, a church or nonprofit agency, or standard logging plan, is based on an approved cost estimate, as follows:	

\$0 to \$500	\$69
\$500.01 to \$1,250	\$138
over \$1,250	\$138 plus 7% of costs over \$1,250
<b>GRADING PLAN, STANDARD</b>	\$75
<b>HABITANT ENHANCEMENT PLAN</b>	\$250
<b>VEGETATION MANAGEMENT PLAN</b>	\$75
Additional work	Difference between the fee for the original permit and the fee required for the entire grading and sediment control project
Renewal of expired permit	\$50

### 16-3-214. Vegetation management plans and habitat enhancement plans.

(A) **Generally.** A VEGETATION MANAGEMENT PLAN OR HABITAT ENHANCEMENT PLAN MAY BE USED IN LIEU OF A GRADING PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. THE DEPARTMENT SHALL PUBLISH VEGETATION MANAGEMENT PLAN AND HABITAT ENHANCEMENT PLAN STANDARDS. THE DEPARTMENT SHALL PROVIDE REFERENCE MATERIALS AND GUIDANCE UPON REQUEST.

### (B) Criteria.

(1) A VEGETATION MANAGEMENT PLAN MAY BE APPROVED FOR PRUNING OR CLEARING OF SHRUBS, WOODY VEGETATION, OR TREES OVER AN AREA OF LESS THAN 5,000 SQUARE FEET OF LAND.

(2) A HABITAT ENHANCEMENT PLAN MAY BE APPROVED TO MANAGE EXISTING FOREST OR NATURAL AREAS TO ENHANCE THE HABITAT AND ECOLOGICAL BALANCE AND MAY AUTHORIZE THE PRUNING OR CLEARING OF SHRUBS, WOODY VEGETATION, OR TREES OVER AN AREA UP TO ONE ACRE OF LAND.

**(C) Requirements.** THE APPLICANT SHALL FILE AN APPLICATION ON A FORM APPROVED BY THE DEPARTMENT. A HABITAT ENHANCEMENT PLAN AND VEGETATION MANAGEMENT PLAN SHALL BE VALID FOR THE PERIOD OF TIME INDICATED ON THE PLAN, AND A PLAN MAY BE RENEWED UPON REQUEST. IF NEW WORK IS PROPOSED THAT SUBSTANTIALLY DIFFERS FROM THE ACTIVITY APPROVED IN A PRIOR PLAN, A NEW PLAN MAY BE REQUIRED. THE CONDITIONS FOR A VEGETATION MANAGEMENT PLAN OR HABITAT ENHANCEMENT PLAN ISSUED UNDER THIS SECTION ARE:

(1) PRUNING SHALL BE IN A MANNER SET FORTH AS AN ACCEPTABLE PRUNING PRACTICE IN THE MOST RECENT VERSION OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A300, EXCEPT THAT NO MORE THAN 25% OF LIVING CANOPY OF A TREE OR SHRUB MAY BE REMOVED;

(2) NO DISTURBANCE OF THE EARTH MAY OCCUR UNLESS APPROVED IN A VEGETATION MANAGEMENT PLAN OR HABITAT ENHANCEMENT PLAN;

(3) NO EXTRACTION OF ROOT SYSTEMS MAY OCCUR UNLESS APPROVED IN A VEGETATION MANAGEMENT PLAN OR HABITAT ENHANCEMENT PLAN;

(4) NO MITIGATION IS REQUIRED FOR PRUNING APPROVED IN ACCORDANCE WITH THIS SECTION;

1 (5) MITIGATION IS REQUIRED FOR THE CLEARING OF SHRUBS OR TREES AT A RATIO  
2 OF ONE-TO-ONE.

3 (6) MITIGATION IS REQUIRED FOR THE CLEARING OF WOODY VEGETATION BY THE  
4 PLANTING OF SHRUBS OR TREES IN THE CLEARED AREA AS APPROVED IN A VEGETATION  
5 MANAGEMENT PLAN OR HABITAT ENHANCEMENT PLAN; AND

6 (7) A STANDARD SEDIMENT AND EROSION CONTROL PLAN APPROVED BY THE  
7 ANNE ARUNDEL SOIL CONSERVATION DISTRICT IS REQUIRED FOR A HABITAT  
8 ENHANCEMENT PLAN AUTHORIZING THE CLEARING OF SHRUBS, WOODY VEGETATION, OR  
9 TREES OVER AN AREA OF MORE THAN 5,000 SQUARE FEET OF LAND.

10 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days  
11 from the date it becomes law, or upon approval of the Maryland Critical Area Commission  
12 under the authority granted by §§ 8-1801, et. seq., of the Natural Resources Article of the  
13 State Code, whichever is later. If approved after the 45 days, the Ordinance shall take effect  
14 on the date of the notice of approval is received by the Office of Planning and Zoning. If  
15 disapproved, the Ordinance shall be null and void without the necessity of further action  
16 by the County Council. The Office of Planning and Zoning, within five days after receiving  
17 a notice from the Maryland Critical Area Commission, shall forward a copy to the  
18 Administrative Officer to the County Council.

19 AMENDMENTS ADOPTED: September 15, 2025 and October 6, 2025

20 READ AND PASSED this 20<sup>th</sup> day of October, 2025

21 By Order:



Kaley Schultze  
Administrative Officer

PRESENTED to the County Executive for his approval this 22<sup>nd</sup> day of October, 2025



Kaley Schultze  
Administrative Officer

APPROVED AND ENACTED this 28<sup>th</sup> day of October, 2025



Steuart Pittman  
County Executive

EFFECTIVE DATE: December 12, 2025\*

\*Pending approval by the Critical Area Commission

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 67-25 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



Kaley Schultze  
Administrative Officer



2664 Riva Road  
Annapolis MD 21401  
<https://www.aacounty.org/inspections-and-permits/forestry>  
Phone: (410) 222-7741

## Habitat Enhancement Plan Application

Tax Account Number \_\_\_\_\_

Subdivision Name (if applicable) \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Location \_\_\_\_\_  
Number \_\_\_\_\_ Street \_\_\_\_\_

Owner \_\_\_\_\_  
Name \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Proposed Work \_\_\_\_\_

Critical Area Designation \_\_\_\_\_ Distance from water to disturbed area \_\_\_\_\_ ft.

Steepest slope disturbed \_\_\_\_\_ % Lot size \_\_\_\_\_ Area to be disturbed \_\_\_\_\_ sq. ft.

I/we certify that I/we have the authority to make this application; that the proposed work is authorized by the owner in fee; that the information above is correct and that I/we have chosen this method to satisfy our sediment control obligation. I/we certify that the proposed construction meets the conditions and limitations established and contained in the *Anne Arundel Soil Conservation District Standard Sediment and Erosion Control Plan*; and I/we have the ability and will meet all the limitations and conditions set forth by said plan.

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Name (please print) \_\_\_\_\_  
Company Name – if a corporation \_\_\_\_\_

Approved - Compliance with the Habitat Enhancement Plan for Anne Arundel County, and:

the attached Standard Plan allows for site grading without a separate grading permit and is subject to any special conditions listed below. Approval is granted for two years unless otherwise noted.

Not Approved - Grading permit required. Site fails to meet the conditions as detailed in the *Anne Arundel Soil Conservation District Standard Sediment and Erosion Control Plan*.

Inspector \_\_\_\_\_  
Sign and Print \_\_\_\_\_ Date \_\_\_\_\_

SPECIAL CONDITIONS:



Mark Wedemeyer, Director

2664 Riva Road  
Annapolis MD 21401  
<https://www.aacounty.org/inspections-and-permits/forestry>  
Phone: (410) 222-7741

## Habitat Enhancement Plan Submittal Requirements

### **Not** Associated with a Building/Grading Permit/Development Application

The submittal package must include:

- ◆ A cover letter with a contact name, phone number and email address.
- ◆ A completed Habitat Enhancement Plan Application with the tax account of the property.
- ◆ (1) copy of a Scaled Site Plan. The Plan must include, at a minimum, the following items:
  - Scaled drawing of the property with dimensions drawn at a specific ratio relative to the actual size of the proposed work. (i.e. 1" = 20', 1" = 40', 1" = 50' maximum)
  - The Limit of Disturbance (LOD) as well as on-site location of the vegetation to be removed, including shrub layer and invasive materials, or individual invasive trees.
  - Existing structures (i.e. building, deck, shed, driveway, sidewalk, etc...)
  - Areas classified as Critical Area, Buffer, FIDS, Wetland, Forest Conservation, Streams, Steep Slopes or any other type of environmentally protected zone.
  - Location or address of the property.
- ◆ A description of the existing conditions and proposed work to be accomplished, including:
  - size of the area to be disturbed
  - eradication methods (pesticide types, level of use, how many applications, etc.)
  - replanting or enhancement work (number and species of plants to be installed)
  - when the work will be done and who is doing the work.
- ◆ Invasive plants often require multiple applications of an herbicide or multiple cuttings to ensure 100% eradication. Please include a timeline indicating the total time expected to completely eradicate the invasive plants, including proposed scheduling. In some instances, grubbing of roots may also be required. Erosion and Sediment controls are required and maintained.
- ◆ A management plan to ensure maintenance and management of areas (short term and long term) is required. This is critical to growth of native vegetation, eradication and management of invasives, overall health of the forests and project success.

The submittal package is to be delivered to the Department of Inspections & Permits, Permit Center Reception Desk, 1st Floor, 2664 Riva Road, Annapolis, MD 21401 or emailed as a .pdf to [forestry@aacounty.org](mailto:forestry@aacounty.org)



## Habitat Enhancement Plan Guidelines – Version 12.23.25

The purpose of the Habitat Enhancement Plan (HEP) is to help interested voluntary participants (e.g., non-profits, HOAs, etc.) manage existing forest or other natural areas to enhance the habitat and ecological balance. Activities may include pruning for health and safety of vegetation, non-commercial timber stand improvement, and eradication of non-native invasive vegetation and planting of native species in those areas. Removal of existing impervious areas and foresting these areas may be reviewed on a case by case basis. The Habitat Enhancement Plan (HEP) is separate from a Vegetation Management Plan or a Standard Grading Plan. **Activities shall not include clearing of vegetation for any activities related to development or work in preparation of a development application.** **Invasive Vegetation** can be defined as plants that threaten native plant health and biodiversity in both agricultural and natural systems in Maryland.

The Habitat Enhancement Plan must be completed and submitted to the Anne Arundel County Department of Inspections and Permits / Forestry Program for approval ***prior to beginning work. Application and submittal requirements can be found at (add link to the application)*** Post the approved HEP (or have a copy available on-site) when work is being performed. This is required for inspection purposes. ***For activities that involve less than 5,000 SF of disturbance contact our Forestry Program at (410) 222-7441 or [forestry@aacounty.org](mailto:forestry@aacounty.org).***

Any required State and federal permits shall be obtained prior to approval of this plan.

A security bond/planting agreement may be required to ensure completion of work. For Non-Commercial Timber Stand Improvement, please include a copy of the forest management plan. Requests submitted without all of the required items will be rejected. A pre-construction meeting will be required to ensure the quality and understanding of the proposed work.

Contracted tree removal or pruning may only be performed by a State of Maryland **Licensed Tree Expert\***. Work not performed to industry standards (ANSI A300) may be reported to Anne Arundel County and/or the State Department of Natural Resources. Topping of trees and lions-tailing is not permitted, only pruning using ANSI A300 Standards.

**\* A list of Licensed Tree Experts may be obtained at the DNR Forest Service Website found at <https://dnr.maryland.gov/forests/Pages/licensed-tree-experts.aspx>**

If planning to use herbicides or pesticides to eradicate non-native invasive vegetation, please include the Maryland licensed pesticide applicator information with license # in the description of the work area. Please include the application method (cut stump, foliar, basal bark), active ingredient, and application rate.

**DESCRIPTION OF WORK.** Please read through the instructions above very carefully to ensure you have provided the required information. If the correct information is not provided, we may deny your application request. Please ensure you provide the following:

**What** your scope of work is, **how** you plan to accomplish the work, **who** is going to be doing the work, **where** the work is located and a **timeline** including your treatment schedule.

**What:**

What is the scope of work involved in the Habitat Enhancement Plan?  
If removing invasives, what are the invasives you are proposing to remove?  
What Native vegetation will be planted once invasives are removed?  
What Erosion and Sediment Control measures are proposed?  
If pruning, what are you proposing to prune?

**How:**

How large is the area you are proposing work to be done?  
How are you proposing to remove the invasives? Pesticides? Cutting? Extraction of roots?  
If using pesticides, what application method (cut stump, foliar, basal bark), active ingredient, and application rate are you proposing to use?  
If pruning, how are you proposing to prune?  
If doing Non-Commercial Timber Stand Improvement, please attach a copy of your forest management plan.  
How are you proposing to install and maintain your Erosion and Sediment Control measures?

**Who:**

Who is going to be completing the work? If using a contractor, please list their information. If applying herbicides, please list the pesticide applicator license # of the contractor.

**Where:**

Where on the property is the work being done? Please include a scaled site plan. (see Habitat Enhancement Plan Submittal Requirements)

**Timeline:** List your timeline to completely eradicate the invasives, replant those areas, complete pruning, or improve the timber stand including when you plan to carry out the work.

**Management Plan:** A management plan to ensure maintenance and management of areas (short term and long term) is required. This is critical to growth of native vegetation, eradication and management of invasives, overall health of the forests, and project success.



Anne Arundel Soil Conservation District Board of Supervisors  
Resolution (AA County Version)  
Standard Sediment and Erosion Control Plan for Anne Arundel County  
See the District Web Site at [AAConservation.org](http://AAConservation.org) for the full version  
Date

This Standard Sediment and Erosion Control Plan is issued only when the following limitations, conditions and requirements are met.

Limitations

1. The lot where the work is to be performed is on a paved, graveled or publicly maintained street where storm drains are in operation and roadside ditches are stabilized.
2. Not more than 43560 square feet of ground shall be disturbed.
3. Cuts and fills shall not exceed 10 feet in depth or heights and shall not exceed 100 cubic yards in volume.
4. Slopes with a grade of 15% or greater shall not be disturbed and slopes steeper than 3:1 may not be created.
5. No earth disturbance shall occur within the following:
  - a. the limits of the 100 year floodplain of any stream;
  - b. 100 feet of any perennial stream or water body;
  - c. 100 feet landward of Mean High Water Line of any water body affected by tidal action,
  - d. 100 feet from any tidal wetland or bog; or
  - e. 25 feet of any non-tidal wetland except for an approved Buffer Management Plan approved by the County Forester.
6. The applicant or owner is not the same owner, builder or developer of any contiguous lots undergoing development.
7. The proposed activity is not for the construction of a single family dwelling or in preparation of a development application.
8. Any proposed grading will not impair existing surface drainage, constitute a potential erosion hazard or act as a source of sedimentation to adjacent land or watercourse or impact an erosion and sediment control plan previously approved by the Anne Arundel Soil Conservation District.
9. The site conditions must be such that it is possible to satisfy the required erosion and sediment control requirements by the use of reinforced silt fence, a stabilized construction entrance and vegetative stabilization.
10. The applicant has submitted a site plan adequately showing the property lines, site conditions, and the proposed work which is attached hereto and made a part thereof.
11. For work in the Critical Area, the applicant has submitted a Critical Area Worksheet detailing existing, and proposed lot coverage and impervious cover.
12. The proposed work does not require a State Waterway or Wetland Permit except where the project is a shoreline stabilization project.

### Conditions

1. Nothing herein relieves the applicant from complying with any and all federal, state and county regulatory requirements.
2. This standard plan is valid for two years from the approval date and may not be renewed or extended.
3. The failure to install and properly maintain the required sediment controls shall be considered a violation and shall be enforced in accordance with the Anne Arundel County grading ordinance.
4. The Anne Arundel County Department of Inspections and Permits shall have access to the property for inspection purposes.
5. A Right of Way Permit is obtained from the Anne Arundel County Department of Public Works for all work in or abutting the county right of way if not approved under an issued building permit.
6. The approval of a standard plan may be revoked if the work is found to exceed the limits of the original application.

### Requirements

1. Reinforced Silt Fence must be installed around the perimeter of the disturbed area and a stabilized construction entrance shall be installed prior to any earth disturbance.
2. All erosion and sediment controls must be installed and maintained in accordance with the most recent edition of the Maryland Standards and Specification for Soil Erosion and Sediment Control.
3. All erosion and sediment controls must be continuously maintained and those controls found to be damaged must be repaired or replaced within 24 hours.
4. Any pumping of water must be filtered and performed in accordance with the most recent edition of the Maryland Standards and Specification for Soil Erosion and Sediment Control.
5. Site disturbances that result in impaired drainage, create an erosion hazard or create a source of off-site sediment shall be considered a violation and shall be enforced in accordance with the Anne Arundel County Code.
6. Upon the completion of work, the site must be immediately stabilized and a stand of grass shall have a 95% groundcover of acceptable vegetation to be considered properly stabilized.
7. All work is to be performed in accordance with the Habitat Enhancement Plan guidelines published by the Department of Inspections and Permits