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Environmental and Grading FAQs

Frequently Asked Questions

Critical Area

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Questions

Q: What is the Chesapeake Bay Critical Area?

A: The Critical Area is 1,000 feet inland from tidal water or tidal wetlands. The Chesapeake Bay Critical Area Program promotes more sensitive development within the Critical Area to help protect water quality and wildlife habitat. Of particular importance are restrictions on construction and clearing within the 100-foot buffer along the shoreline.

Q: What is a buffer in the Chesapeake Bay Critical Area?

A: The 100' buffer is a naturally wooded area or a forested area specifically established or managed to protect aquatic, wetland, shoreline, and terrestrial environments from man-made disturbances. The Chesapeake Bay Critical Area buffer is located 100 feet inland from the mean high water line of tidal water, tidal wetlands or tributary streams. The 100-foot buffer is expanded to include any contiguous sensitive areas, including all land within 50 feet of the top of a steep slope.

Q: When is a buffer management plan required in the Chesapeake Bay Critical Area?

A: Any disturbance in the 100-foot or expanded buffer will require a buffer management plan approved by the Office of Planning and Zoning. Disturbance includes cutting or removing vegetation and grading or filling activity.

In addition to a buffer management plan, a property owner may need approval from the Department of Inspections and Permits. This approval comes in the form of a grading permit. For disturbances under 5,000 square feet, a property owner may seek approval of a more simplified, standard grading plan (also known as standard lot sheet) instead of a grading permit.

Q: Who prepares a buffer management plan?

A: For removal of individual trees, construction of nonstructural water access paths, and small-scale tree pruning, the property owner can prepare and sign a standard buffer form. In the case of paths and pruning, a drawing must also be prepared.

For removal of a large number of trees, large scale pruning, and replacing vines and briars with desirable understory plants, the property owner will need a buffer management plan prepared by a professional.

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Q: Can I remove invasive species (phragmites, English ivy, poison ivy, greenbriar) from my buffer?

A: Yes. The County encourages the removal of invasive species. However, you must have a County-approved buffer management plan and plant the area with native species that suppress the re-growth of the invasive species. Contact the Code Compliance Division at (410) 222-7441 for a list of native species plants or see the For more information Link below.

Q: What does the County do with the fees it collects from property owners for the removal of trees in the Chesapeake Bay Critical Area?

A: The County uses that money to replant trees elsewhere within the Chesapeake Bay Critical Area.