Top Recommendations for updates to MoCo Forest Conservation Law (FCL)

1. **Protect existing Forest Ecosystems**. All remaining pre-existing Forests in MoCo are to be designated & treated as priority forest in FCL. First priority is to protect existing forest ecosystems.
   - All remaining forest cover is considered priority and may only be removed upon appropriate findings by the Planning Director or Planning Board.
   - Certain types of forests may only be removed with a variance granted by the Planning Board or Planning Director. Types of forests and trees that would receive a stronger level of protection and require a variance to be removed include forested: Floodplains; Stream Buffers; Forested Stream Buffers along Ephemeral Streams; Steep Slopes; Critical Habitats; Contiguous Forests; Forest Connective Corridors; Rare, Threatened, & Endangered Species; Historic Site trees; Champion Trees and other exceptionally large trees; areas designated as "Priority Save Areas" in Master Plan or any Functional Plan.
   - Forest removal subject to a variance must be replaced with forest ecosystem at a 2:1 ratio.
2. **Tighten requirements around forest conservation easements so that they may not be so easily extinguished or relocated.**
   - For all existing forest cover subject to an existing forest conservation easement, the area of forest removed must be reforested at a ratio of 5 acres of *forest ecosystem* for every 1 acre removed**.**
   - This deterrent allows forest banks time to become mature forest ecosystems, and also keeps forest banks in the sub-watershed where they were originally intended to be planted.
3. **Strengthen replanting ratios to ensure no-net-loss.**
   - Re-planting requirement strengthened from ¼ acre planted for every 1 acre removed to 2 acres *forest ecosystem* planted for every 1 acre removed; or
   - Re-planting requirement strengthened from ¼ acre planted for every 1 acre removed to 1 acre *forest ecosystem* planted for every 1 acre removed, with no retention credit.
   - Require that at least 75% of the re-planting requirement be satisfied by the newly re-planted forest ecosystem.
4. **Strengthen Re-planting requirements to require the planting of *Forest Ecosystem*, not just trees.** When what's being removed is forest *ecosystem*, what's being replaced should be forest *ecosystem* as well. Reforestation or afforestation of *forest ecosystem* includes consideration of, payment for, and maintenance to establish the following in the re-planting: healthy soil; drainage; healthy fungi in the soil; healthy micro-biotic communities in the soil; biomass; groundcover; shrub layer; tree understory layer; tree canopy layer; diversity of different types of trees and plants.
5. **Strengthen Watershed Considerations**: For meeting afforestation and reforestation requirements, areas obtained *outside* the County or *outside* the sub-watershed where forest was removed for development, the requirement shall be that existing forest retained through forest mitigation bank shall be at a 4:1 ratio, or replanting of forest ecosystem shall be done at a 2:1 ratio .
6. **Forest stand delineation must be evaluated & submitted to Planning *prior to* submitting any application plan for development of a site.**