Montgomery Planning

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

2425 Reedie Drive Floor 14 Wheaton, MD 20902

MontgomeryPlanning.org

MCPB Item No. Date: 10-14-2021

# South Lake Elementary School, Preliminary/Final Forest Conservation Plan, MR2022005

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Completed: 10/1/21

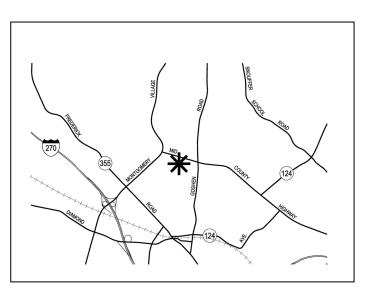
#### Description

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Request to demolish all but a small portion and rebuild a new approximately 106,000 square-foot elementary school at 18201 Contour Road, Gaithersburg.

**Staff Recommendation:** Approval with Conditions Preliminary/Final Forest Conservation Plan MR2022005

Location: Contour Road 100 feet south of Horizon Run Road, Gaithersburg Acreage: 10.20 acres Zone: R-200 Master Plan: 2016 *Montgomery Village Master Plan* Applicant: Montgomery County Public Schools Accepted Date: August 12, 2021 Review Basis: Chapter 22A



#### Summary

- There are two items for Planning Board review for this project: The Preliminary/Final Forest Conservation Plan and the Mandatory Referral.
- This memorandum covers Planning staff review and recommendations for the Forest Conservation Plan. The Planning Board's action on the Forest Conservation Plan is regulatory and binding. The review and recommendations for the Mandatory Referral are covered in a separate memorandum.
- Staff recommends approval with conditions of the Preliminary/Final Forest Conservation Plan.
- Meets requirements of Chapter 22A, Forest Conservation Law.
- Staff has not received community correspondence on this Application.

### STAFF RECOMMENDATION:

Approval of the Preliminary/Final Forest Conservation Plan with the following conditions:

- 1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- 2. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- 3. Prior to Certification of the Final Forest Conservation Plan, the Applicant must amend the Final Forest Conservation Plan to reflect any changes to the Mandatory Referral plan, including pedestrian and frontage improvements, changes to the Limits of Disturbance, and any changes to the worksheet and mitigation total that may result.
- 4. Prior to Certification of the Final Forest Conservation Plan, the Applicant must adjust the storm drain connection at the northeast corner of the property to avoid disturbance of the specimen trees along the northern property boundary.
- 5. Prior to the issuance of a building permit for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed.
- 6. Prior to issuance of a building permit for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Great Seneca Creek watershed to satisfy the reforestation requirement for a total of 1.01 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Great Seneca Creek watershed or by making a fee-in-lieu payment if mitigation credits are not available at any bank.
- 7. Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- 8. Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install the permanent conservation easement fencing along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- 9. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

#### SITE DESCRIPTION

The South Lake Elementary School site consists of 10.20 acres, Parcel 764, located at 18201 Contour Road, Gaithersburg ("Site") and zoned R-200. The site is bounded to the west, north, and southeast corner by residential development, to the southwest by Contour Road, and to the east by a conservation easement. The Montgomery Village Plaza shopping center is located just to the south. A forested stream valley on a tributary of Whetstone Run (a tributary of Great Seneca Creek) exists on the east side of the Site. Additionally, individual trees grow in places around the boundary of the property. Open space and play areas are located east of the school building, and topographically are lower than the main building. All vehicular access, including the bus and parent drop-off areas, are from Contour Road. The Site is within the boundaries of the 2016 *Montgomery Village Master Plan*.



Figure 1: Aerial Photograph of the Vicinity



Figure 2: Aerial Photograph of the Site

# **PROJECT DESCRIPTION**

Montgomery County Public Schools (MCPS) proposes to construct a new South Lake Elementary School, which includes retaining a portion of the existing school built in 2005. The new school will accommodate up to 796 students, but is forecast to be beyond its enrollment capacity upon completion. To accommodate additional capacity, a future portable is shown on the submitted plan.

The new building is approximately 106,842 square feet in size and it is organized around a central courtyard. The new addition has two-levels and it will join a retained one-level structure. A pre-Kindergarten play area is west of the courtyard and a public plaza is along the western and southern portions of the addition.

#### FOREST CONSERVATION PLAN AMENDMENT ANALYSIS AND FINDINGS

The Application meets all applicable requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

#### Review for Conformance to the Forest Conservation Law

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(d) as a project by *"a government entity subject to a mandatory referral on a tract of land 40,000 square feet or larger..."* The Site included in the Application is 10.20 acres in size.

A combined Stormwater Management Concept and Site Development Stormwater Management Plan was approved by the Montgomery County Department of Permitting Services for this project on July 20, 2021.

#### **Environmental Guidelines**

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420212430 for this Property was approved in June 2021. The site includes a stream and associated stream buffer. A small area of wetlands and associated wetland buffer occur within the stream buffer area. The Site includes no 100-year floodplain, hydraulically adjacent steep slopes, or known occurrences of Rare, Threatened, or Endangered species. The Property drains to the Great Seneca Creek watershed, which is a State Use Class I-P stream. This Site does not lie within a Special Protection Area.

There is a very small (approximately 740 square feet) temporary encroachment into the stream valley buffer proposed to construct a connection to the existing storm drain system. The *Environmental Guidelines* permit infrastructure uses in stream buffers that are found to be necessary, unavoidable, and minimized (*Environmental Guidelines* Section V.A.1.b).

#### Forest Conservation

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law ("FCL"). As required by Chapter 22A, a Preliminary/Final Forest Conservation Plan was submitted with this Mandatory Referral Application (Attachment 1).

There are 0.67 acres of forest on the Site outside of utility easements. The Final Forest Conservation Plan proposes clearing 0.08 acres of forest and retaining 0.59 acres. This results in a mitigation requirement for 0.16 acres of reforestation for clearing below the conservation threshold and an afforestation requirement of 0.85 acres, for a total mitigation requirement of 1.01 acres. The Applicant proposes to fulfill the mitigation requirement either through off-site forest banking or through the payment of a fee-in-lieu of planting.

All of the retained forest and the environmental buffer areas on the Property will be protected by a Category I Forest Conservation Easement (Figure 3).

The Applicant's initial submission included a variance request to disturb the Critical Root Zone (CRZ) of two specimen trees. Since the initial plan submission, the Applicant has worked with Planning staff to relocate a storm drain connection out of the CRZ of the two trees. This eliminated the need for a variance approval with this Forest Conservation Plan. A condition of approval is included requiring that the relocated storm drain connection be shown on the Certified Final Forest Conservation Plan.

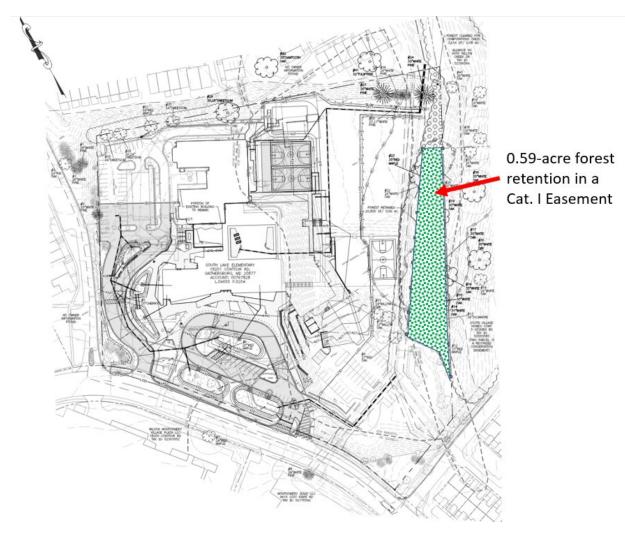


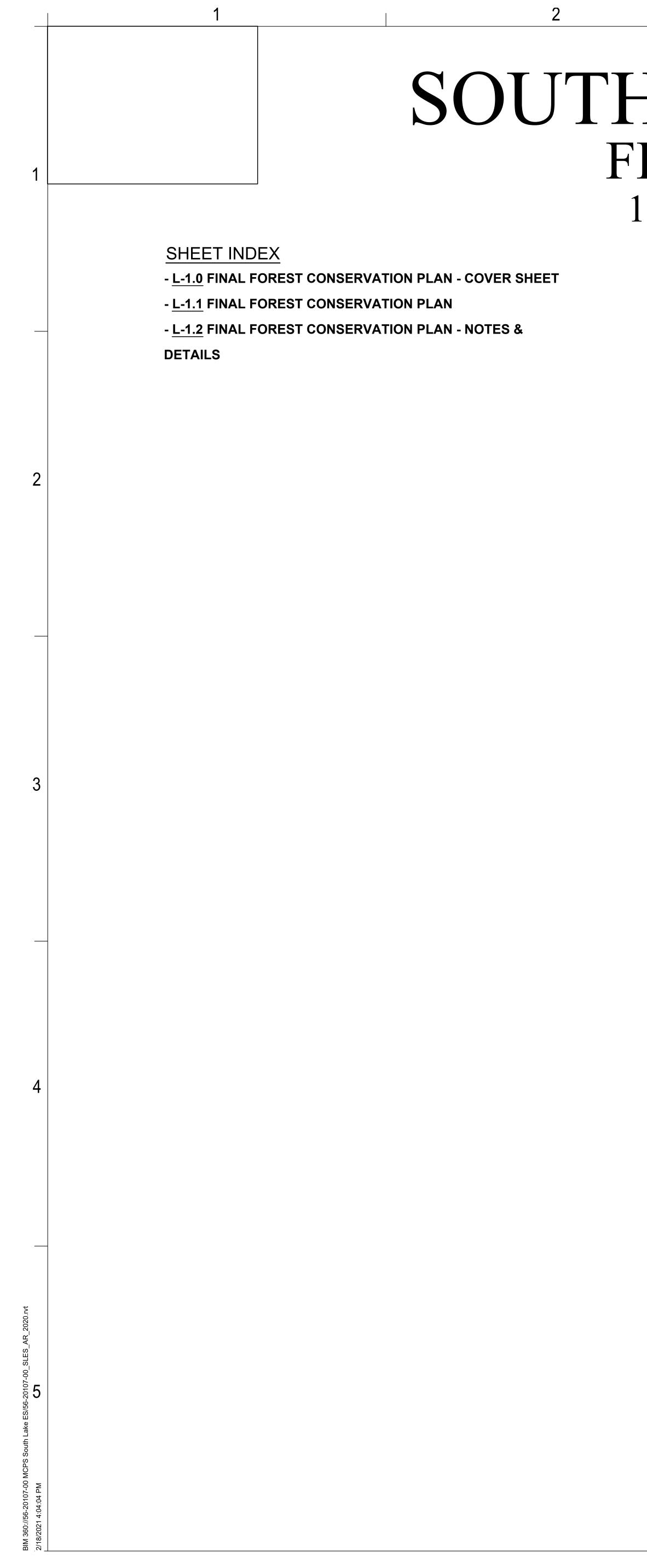
Figure 3: Category I Forest Conservation Easement

## CONCLUSION

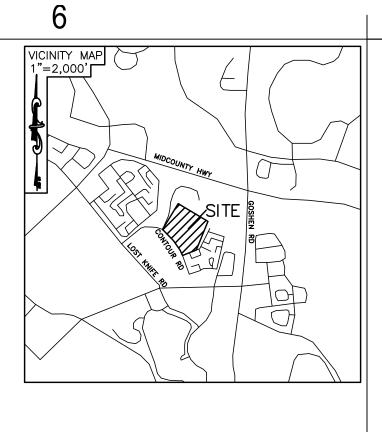
The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of the Preliminary/Final Forest Conservation Plan with the conditions cited in this Staff Report.

# ATTACHMENT

1. Final Forest Conservation Plan



# SOUTH LAKE ELEMENTARY SCHOOL FINAL FOREST CONSERVATION PLAN 18201 CONTOUR ROAD, GAITHERSBURG, MD 20877



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Contact Person or O	Printed Company Name VNET: GARY MOSESMAN DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS		TONL	<b>A I</b> E + E
Address:	45 WEST GUDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850	5146 DORSEY HALL DRI BALT.443.542.9199	IVE, 2ND FLOOR	
Phone and Email:	Gary_D_Mosesman@mcpsmd.org	WATER CLASS I,P TRIBUTARYWHETSTONE		
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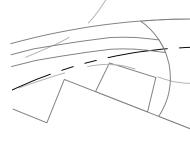
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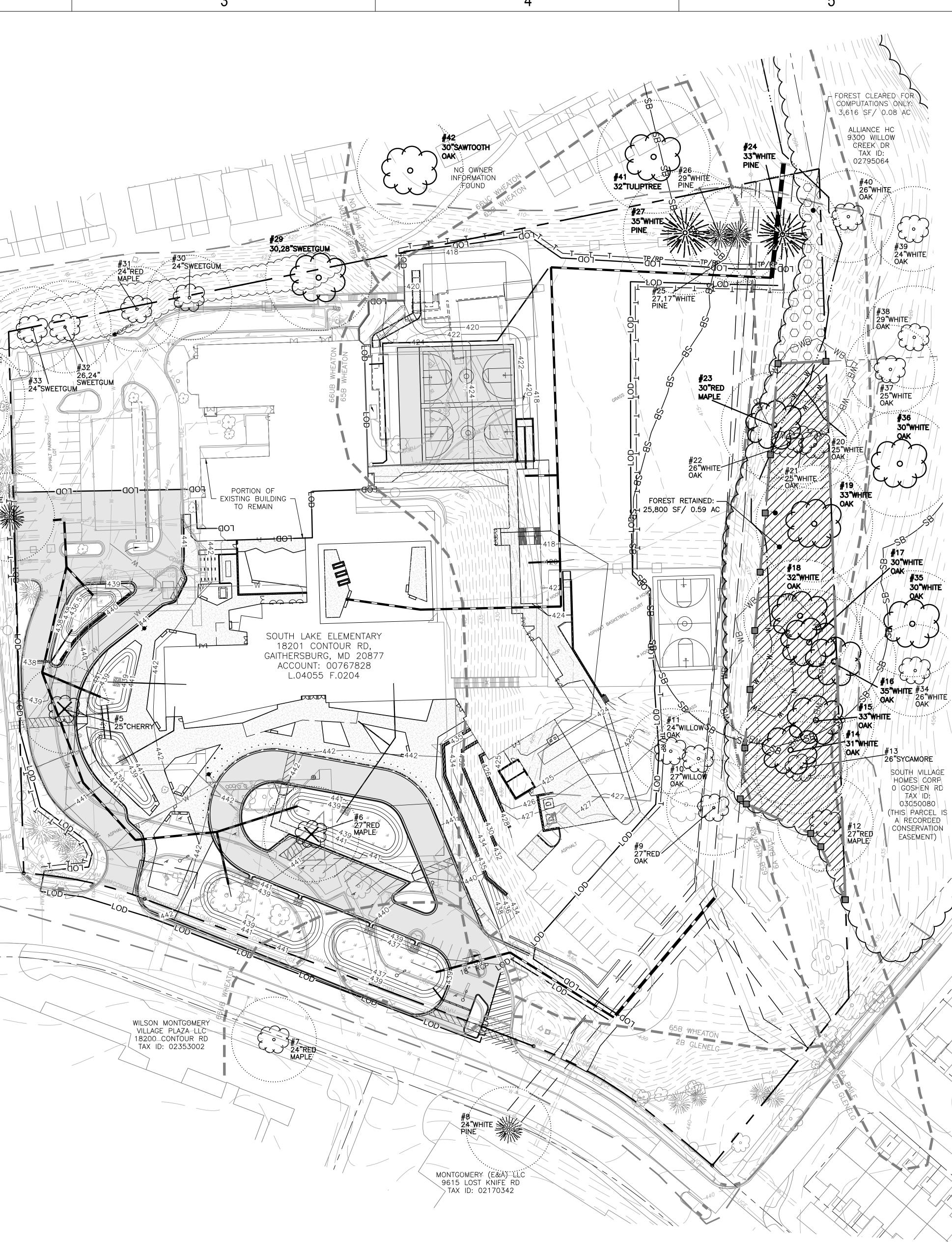
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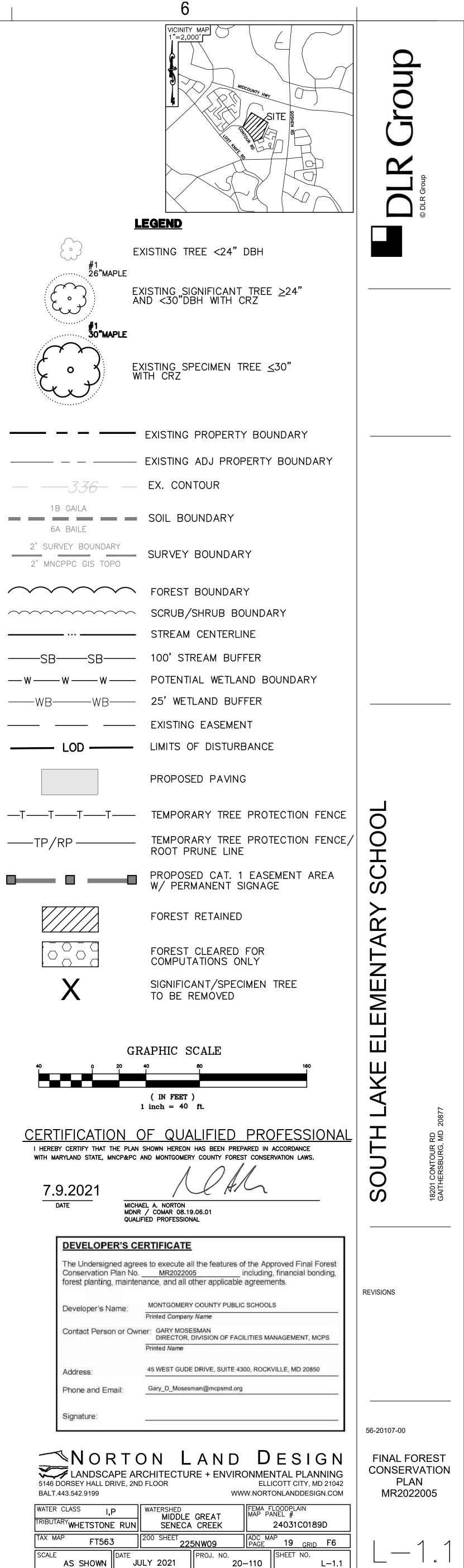
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PLANTED WITHIN 100-YEAR FLOODPLAIN ACREAGE OF FOREST RETAINED, CLEARED, AND 0.59/0.08**/0.00 PLANTED WITHIN STREAM BUFFERS ACREAGE OF FOREST RETAINED, CLEARED, AND 0.00/0.00/0.00 PLANTED WITH PRIORITY AREAS LINEAR EXTENT & AVERAGE WIDTH OF STREAM BUFFER 475'/100' TOTAL DBH INCHES OF SPECIMEN TREES REMOVED 0 X 0.25 = REQUIRED CALIPER INCHES MITIGATION 0 TOTAL AMOUNT OF 3" CAL. TREES FOR SPECIMEN TREE MITIGATION 0 *SEE FCP WORKSHEET FOR LAND DEDICATION AREAS **CLEARED FOR COMPUTATIONS ONLY GENERAL FCP NOTES: - ROOT PRUNE TRENCH IS NOT TO IMPACT UTILITIES. - THE EXTENT OF ROOT PRUNING IS TO BE DETERMINED AT THE PRECONSTRUCTION I - NO CLEARING IS TO TAKE PLACE OUTSIDE OF THE LIMITS OF DISTURBANCE. - AREAS SHOWN TO BE CLEARED OUTSIDE OF THE LIMITS OF DISTURBANCE ARE FOR CALCULATIONS ONLY. SITE PLANTING NOTE: - TREES AND SHRUBS TO BE PLANTED OUTSIDE OF LO.D. ARE TO BE DUG WITH HANDE EQUIPMENT ONLY. NO MACHINERY IS TO GO OUTSIDE OF L.O.D. PLANTS ARE TO BE INSTALLED AND STABILIZED SAME DAY. INSPECTIONS								/ETLANDS	ED WITHIN V	PLANT
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TOTAL DBH INCHES OF SPECIMEN TREES REMOVED       0         X 0.25 = REQUIRED CALIPER INCHES MITIGATION       0         TOTAL AMOUNT OF 3" CAL. TREES FOR SPECIMEN TREE MITIGATION       0         *SEE FCP WORKSHEET FOR LAND DEDICATION AREAS         **CLEARED FOR COMPUTATIONS ONLY         GENERAL FCP NOTES:         • ROOT PRUNE TRENCH IS NOT TO IMPACT UTILITIES.         • THE EXTENT OF ROOT PRUNING IS TO BE DETERMINED AT THE PRECONSTRUCTION I         • NO CLEARING IS TO TAKE PLACE OUTSIDE OF THE LIMITS OF DISTURBANCE.         • AREAS SHOWN TO BE CLEARED OUTSIDE OF THE LIMITS OF DISTURBANCE ARE FOR CALCULATIONS ONLY.         SITE PLANTING NOTE:         • TREES AND SHRUBS TO BE PLANTED OUTSIDE OF L.O.D. ARE TO BE DUG WITH HAND EQUIPMENT ONLY. NO MACHINERY IS TO GO OUTSIDE OF L.O.D. PLANTS ARE TO BE INSTALLED AND STABILIZED SAME DAY.			0.00/0.00	0.	, AND	LEARED	•			
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INSPECTIONS	١D			-	-	TO GO	INERY IS	NO MACH	MENT ONLY.	EQUIP
						Υ.	SAME DA	ABILIZED	_	-
						t.	the applicar	e requested by		
Field Inspections must be conducted as follows:									-	
Plans without Planting Requirements								quirements	thout Planting Re	Plans w
1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.				-					rading begins.	g
<ol> <li>After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.</li> </ol>									After necessary stres ave been installed,	2. A h
<ol> <li>After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest</li> </ol>									After completion of encing, to determine	3. A f
conservation.						1	-		onservation.	С
Additional Requirements for Plans with Planting Requirements 4. Before the start of any required reforestation and afforestation planting.										
<ol> <li>After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.</li> <li>At the end of the maintenance period to determine the level of compliance with the</li> </ol>			fy	od.	as been com ntenance per	n planting l tart the mai	l afforestation prior to the s	forestation and	After the required re nat the planting is a	5. A ti

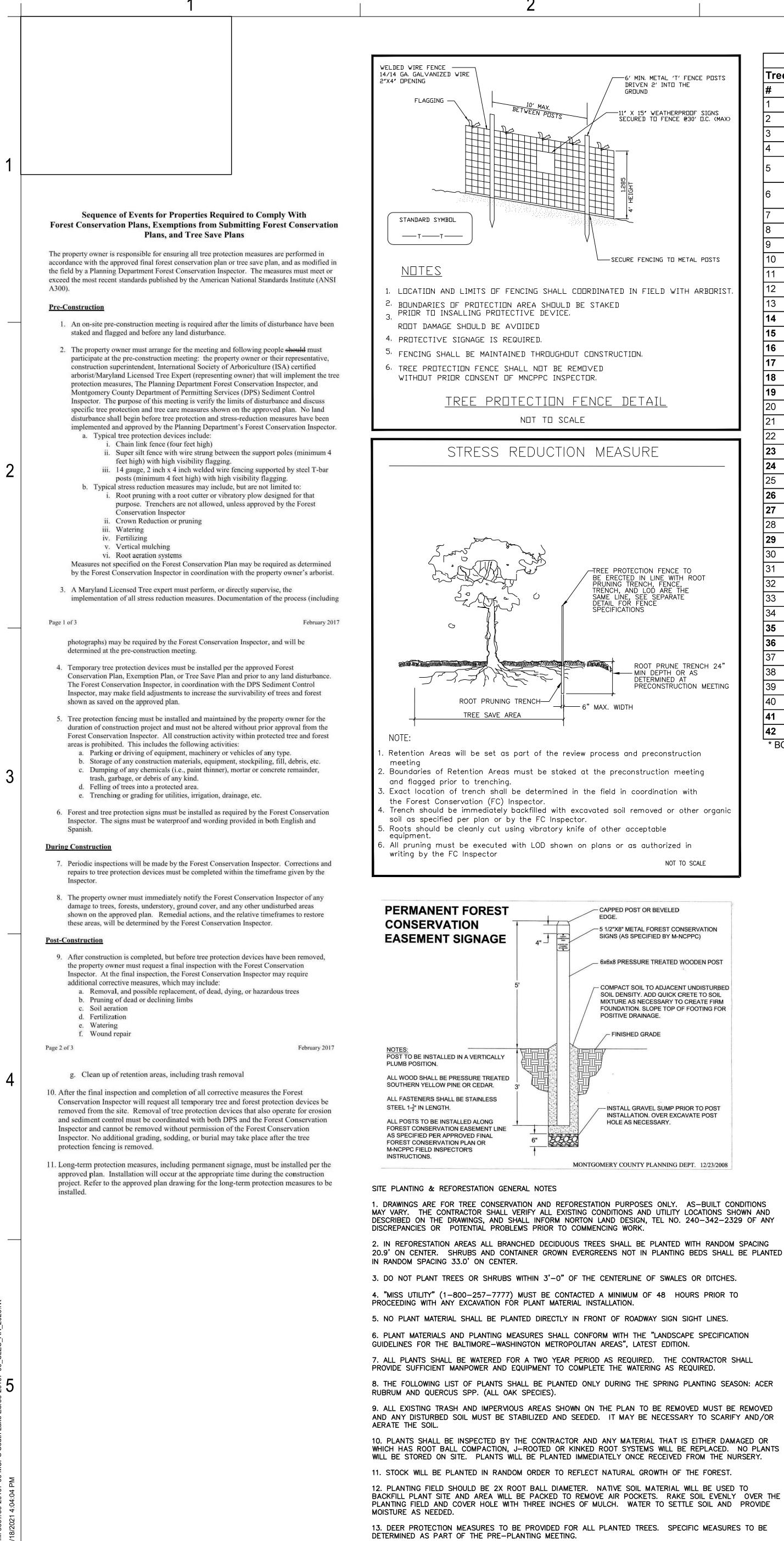
OAK 🔪 . 26"WHITE PINE 25"WHITE \_\_\_\_\_ NO OWNER P INFORMATION FOUND 







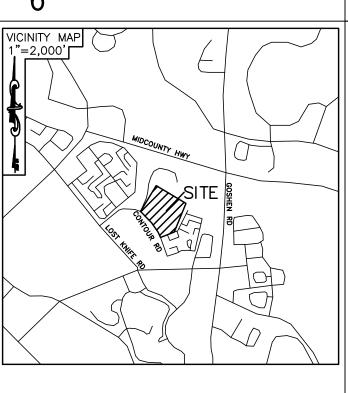
DAL1.443.342.9199	V
WATER CLASS I,P	WATERSHED MIDDLE GREAT
TRIBUTARY WHETSTONE RUN	SENECA CREEK
TAX MAP FT563	200 SHEET 225NW09
SCALE AS SHOWN DATE JU	JLY 2021



-11" X 15" WEATHERPROOF SIGNS SECURED TO FENCE @30' D.C. (MAX)

DETERMINED AT PRECONSTRUCTION MEETING

[ree	Species	Species	D.B.H	CRZ	Impacts	Impacts	Tree	Comments	Disposition	Variance	Mitigatior
‡	(Scientific Name)	(Common Name)		(SF)	(SF)	(%)	Condition			Variance	Intigation
<u></u>	PINUS STROBUS	WHITE PINE	28	5542			FAIR	DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
<u></u>	PINUS STROBUS		26	4778	0	0	FAIR	GIRDLED ROOTS. DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
		PINOAK	24	4072	0	0	GOOD		SAVE & PROTECT	N/A	N/A
	PINUS STROBUS	WHITE PINE	25	4418	1661	38	GOOD		SAVE & PROTECT	N/A	N/A
								MAJOR BARK LOSS, GIRDLED			
5	PRUNUS SP.	CHERRY	26	4778	4778	100	POOR	ROOTS. DEADWOOD IN CNOPY	REMOVE	N/A	N/A
6	ACER RUBRUM	RED MAPLE	27	5153	5153	100	FAIR	GIRDLED & EXPOSED ROOTS. COMPACTED SOILS	REMOVE	N/A	N/A
7	ACER RUBRUM	RED MAPLE	24	4072	0	0	GOOD	EXPOSED ROOTS.	SAVE & PROTECT	N/A	N/A
5	PINUS STROBUS	WHITE PINE	24	4072	0	0	GOOD		SAVE & PROTECT	N/A	N/A
)	QUERCUS RUBRA	RED OAK	27	5153	0	0	FAIR	EXPOSED ROOTS.	SAVE & PROTECT	N/A	N/A
0	QUERCUS PHELLOS	WILLOW OAK	27	5153	183	4	FAIR	EXPOSED ROOTS.	SAVE & PROTECT	N/A	N/A
1	QUERCUS PHELLOS	WILLOW OAK	24	4072	1240	30	FAIR	EXPOSED ROOTS.	SAVE & PROTECT	N/A	N/A
2	A CER RUBRUM	RED MAPLE	27	5153	0	0	GOOD	TRIPLE SPLIT	SAVE & PROTECT	N/A	N/A
3	PLATANUS OCCIDENTALIS	SYCAMORE	26	4778	0	0	GOOD		SAVE & PROTECT	N/A	N/A
4	QUERCUS ALBA	WHITE OAK	31	6793	0	0	FAIR	DEAD BRANCHES	SAVE & PROTECT	NO	NO
5	QUERCUS ALBA	WHITE OAK	33	7698	0	0	GOOD		SAVE & PROTECT	NO	NO
6	QUERCUS ALBA	WHITE OAK	35	8659	0	0	GOOD		SAVE & PROTECT	NO	NO
7	QUERCUS ALBA	WHITE OAK	30	6362	0	0	GOOD		SAVE & PROTECT	NO	NO
8	QUERCUS ALBA	WHITE OAK	32	7238	0	0	FAIR	DEAD BRANCHES. VINES		NO	NO
9	QUERCUS ALBA	WHITE OAK	33	7698	0	0	FAIR	DEAD BRANCHES	SAVE & PROTECT	NO	NO
0	QUERCUS ALBA	WHITE OAK	23	3739	0	0	FAIR	DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
1	QUERCUS ALBA	WHITE OAK	25	4418	0	0	FAIR	THINNED CANOPY	SAVE & PROTECT	N/A	N/A
2	QUERCUS ALBA	WHITE OAK	26	11882	0	0	GOOD		SAVE & PROTECT	N/A	N/A
3	ACER RUBRUM	REDMAPLE	30,28,15,6	6362	0	0	GOOD	SPLIT @ 4'. EXPOSED ROOTS	SAVE & PROTECT	NO	NO
4	PINUS STROBUS	WHITE PINE	33	7698	491	6	FAIR	DEAD BRANCHES	SAVE & PROTECT	YES	NO
5	PINUS STROBUS	WHITE PINE	27,17	5153	474	9	FAIR	DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
26	PINUS STROBUS	WHITE PINE	29	5945	744	13	FAIR	DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
27	PINUS STROBUS	WHITE PINE	35	8659	1555	18	FAIR	DEAD BRANCHES	SAVE & PROTECT	YES	NO
8	VOID SKIPPED IN FIELD										
9	LIQUIDAMBER STYRACIFLUA	SWEETGUM	30,29	6362	0	0	GOOD	SPLIT @ GROUND	SAVE & PROTECT	NO	NO
0	LIQUIDA MBER STY RA CIFLUA	SWEETGUM	24	5542	0	0	GOOD		SAVE & PROTECT	N/A	N/A
1	ACER RUBRUM	RED MAPLE	24	4072	0	0	GOOD		SAVE & PROTECT	N/A	N/A
2	LIQUIDA MBER STY RA CIFLUA	SWEETGUM	26,24	4778	0	0	GOOD		SAVE & PROTECT	N/A	N/A
3	LIQUIDA MBER STY RA CIFLUA	SWEETGUM	24	4072	0	0	GOOD		SAVE & PROTECT	N/A	N/A
4	QUERCUS ALBA	WHITE OAK	26	4778	0	0	GOOD	MINOR DEAD BRANCHES	SAVE & PROTECT	N/A	N/A
5	QUERCUS ALBA	WHITE OAK	30	6362	0	0	GOOD	MINOR DEAD BRANCHES		NO	NO
6	QUERCUS ALBA	WHITE OAK	30	6362	0	0	FAIR	THINNING CANOPY		NO	NO
7	QUERCUS ALBA	WHITE OAK	25	4418	0	0	GOOD	OFFSITE	SAVE & PROTECT	N/A	N/A
8	QUERCUS ALBA	WHITE OAK	29	5945	0	0	GOOD	OFFSITE	SAVE & PROTECT	N/A	N/A
9	QUERCUS ALBA	WHITE OAK	24	4072	0	0	GOOD	OFFSITE	SAVE & PROTECT	N/A	N/A
0	QUERCUS ALBA	WHITE OAK	40	11310	0	0	GOOD	OFFSITE		N/A	N/A
1	LIRIODENDRON TULIPIFERA	TULIPTREE	32	7238	0	0	GOOD	OFFSITE	SAVE & PROTECT		NO
2			30	6362	0	0	GOOD	OFFSITE SPLIT @ 5 '	SAVE & PROTECT		NO
	D TY PE DENOTES SPECIMEN TRE			0002							
	Condition Scoring System		1								
	No Apparent Problems	Excellent	1								
	Minor Problems	Good	4								
	Major Problems	Fair	1								
	Extreme Problems	Poor	1								
			J								



			I LAKE
DEVELOPER'S	ERTIFICATE		
Conservation Plan No	ees to execute all the features of the Approved MR2022005 including, finance enance, and all other applicable agreements.	the second s	SOUTH 18201 CONTOUR RD GAITHERSBURG, MD
Developer's Name:	MONTGOMERY COUNTY PUBLIC SCHOOLS Printed Company Name		SC 18201 GAITH
Contact Person or Ov	VNET: GARY MOSESMAN DIRECTOR, DIVISION OF FACILITIES MANAGEM Printed Name	ENT, MCPS	
Address:	45 WEST GUDE DRIVE, SUITE 4300, ROCKVILLE, M	D 20850	
Phone and Email:	Gary_D_Mosesman@mcpsmd.org		
Signature:			REVISIONS
RTIFICATION	OF QUALIFIED PROFE	SSIONAL	
	AN SHOWN HEREON HAS BEEN PREPARED IN ACCORD C AND MONTGOMERY COUNTY FOREST CONSERVATION		
7.9.2021	NAM		
DATE MIC	CHAEL A. NORTON NR / COMAR 08.19.06.01 ALIFIED PROFESSIONAL		56-20107-00
NORT LANDSCAPE 146 DORSEY HALL DRIVE, 2 ALT.443.542.9199	ON LAND DE ARCHITECTURE + ENVIRONMENTAL ND FLOOR ELLICOTT WWW.NORTONLAN	PLANNING CITY, MD 21042	FINAL FOREST CONSERVATION PLAN MR2022005
<sup>ITER CLASS</sup> I,P <sup>BUTARY</sup> WHETSTONE RU	WATERSHED MIDDLE GREAT SENECA CREEK	LAIN 1C0189D	
<sup>X MAP</sup> FT563	200 SHEET 225NW09 ADC MAP PAGE 19	<sub>GRID</sub> F6	
CALE DATE	PROJ. NO.	F NO.	

DEVELOPER'S C	FRTIFICATE				
The Undersigned agree Conservation Plan No. forest planting, mainte	es to execute all MR2022005	5 in	cluding,	financial bonding,	
Developer's Name:		COUNTY PUBLIC	SCHOOLS		
Contact Person or Ow	Printed Company NET: GARY MOSES DIRECTOR, D Printed Name	SMAN	ITIES MA	NAGEMENT, MCPS	
Address:	45 WEST GUDE	DRIVE, SUITE 430	0, ROCKV	ILLE, MD 20850	
Phone and Email:	Gary_D_Mosesm	an@mcpsmd.org			
Signature:	<u>.</u>				R
ERTIFICATION HEREBY CERTIFY THAT THE PLA ITH MARYLAND STATE, MNCP&PC 7.9.2021	N SHOWN HEREON		T CONSE	ACCORDANCE	-
MDN	HAEL A. NORTON IR / COMAR 08.19 ILIFIED PROFESSION				
NORT LANDSCAPE A 5146 DORSEY HALL DRIVE, 21 BALT.443.542.9199	RCHITECTU	RE + ENVIRO			
VATER CLASS I,P RIBUTARY <b>WHETSTONE RUN</b>	WATERSHED MIDDLE SENECA	GREAT CREEK	FEMA F MAP PA	LOODPLAIN NEL # 24031C0189D	
AX MAP FT563 SCALE AS SHOWN	200 SHEET 22	5NW09 PROJ. NO.	ADC MA PAGE	<sup>AP</sup> 19 <sub>GRID</sub> F6 SHEET NO. L-1.2	



