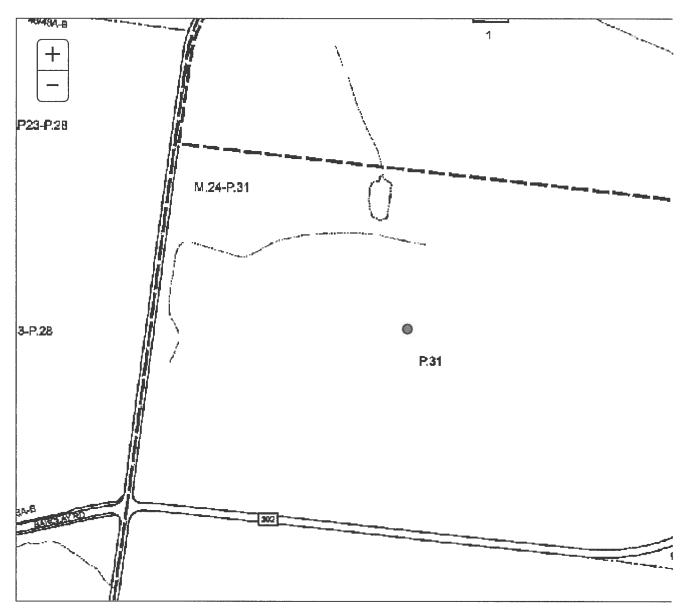


Queen Anne's County

New Search (https://sdat.dat.maryla

District: 01 Account Number: 008293

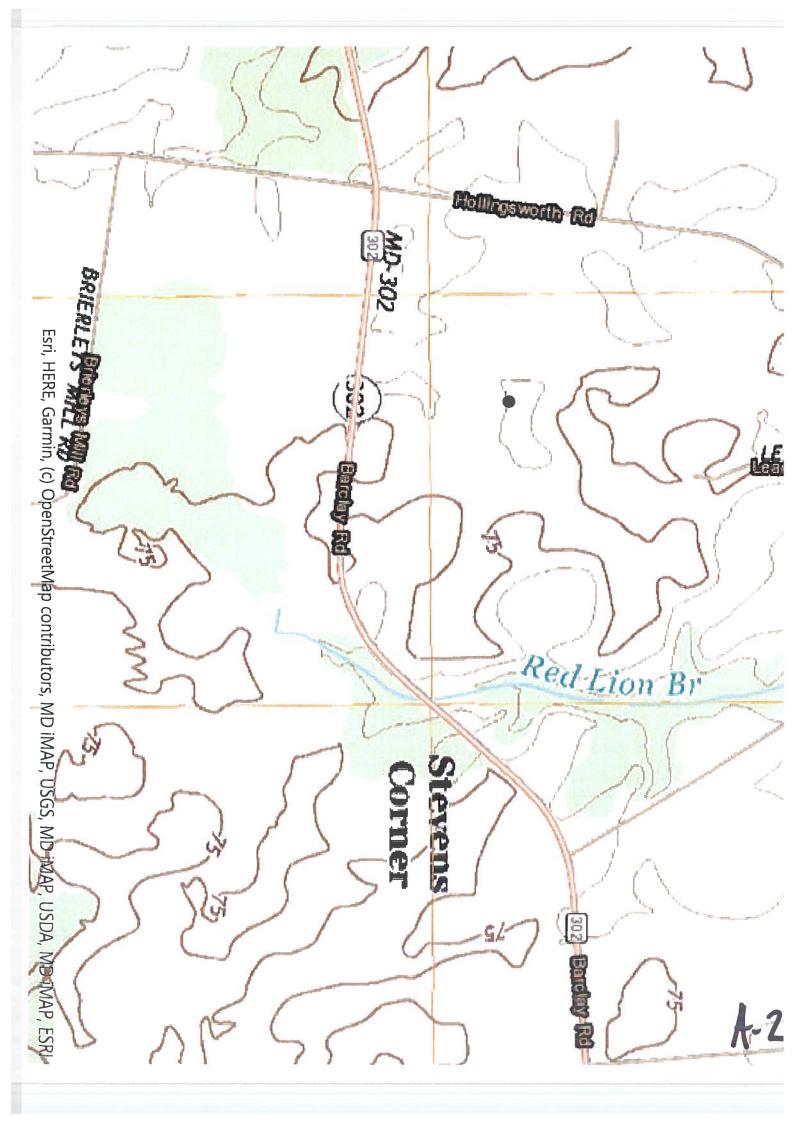


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 2

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through Archives at www.plats.net (https://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at http://planning.maryland.gov/Pages/OurProducts/Ou





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- SIE ANALYSIS POWLTRY HOUSE STANDARD PLAN TOTAL AREA - ±172.89 Acres
- SIZE OF POULTRY HOUSES = 83 + 600. HSG SOIL TYPE (on shown)

2. NUMBER OF POULTRY HOUSES - 3

- 5. ESDv WETLAND FOREBAY RECURRED # 3,129 ou ft ESD AND STORMWATER COMPUTATIONS 6. ESD WE'TLAND FOREBAY PROVIDED = 3,259 cu.ft. ± DRY STORAGE REQUIRED - 25,509 cu.ft
- 9. THIS PROJECT HAS BEEN COMPUTED BY USE OF THE POULTRY HOUSE CALCULATION THE SET OCCUPANTED USING 3 HOUSE'S WITH "C" HISC. B. DRY STORAGE PROVIDED - 42,132 cu.ft +

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ALEX MOORE

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3. PROPOSED POND (STATE GRO): NORTH: 463,410 9597 SOUTH: 1,595,873,5498 2. CENTROID OF PROJECT SITE (STATE CRIO): NDRTH: 483,469.5065 SOUTH: 1,596,363.448D

4 SOIL TYPE: AS SHOWN

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NPOCS # MORCROACT

DINNER: ALEX MODDRE 403 BARCLAY ROAD BARCLAY MD 22507 PHONE: 410-974-5495 PROJECT ADDRESS 403 BARCLAY ROAD BARCLAY, ND 22607

PROFESSIONAL_CERTIFICATION

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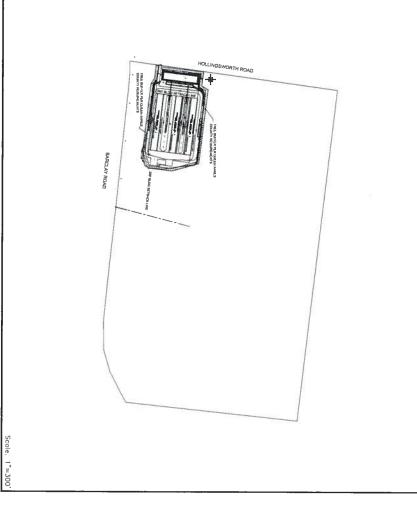
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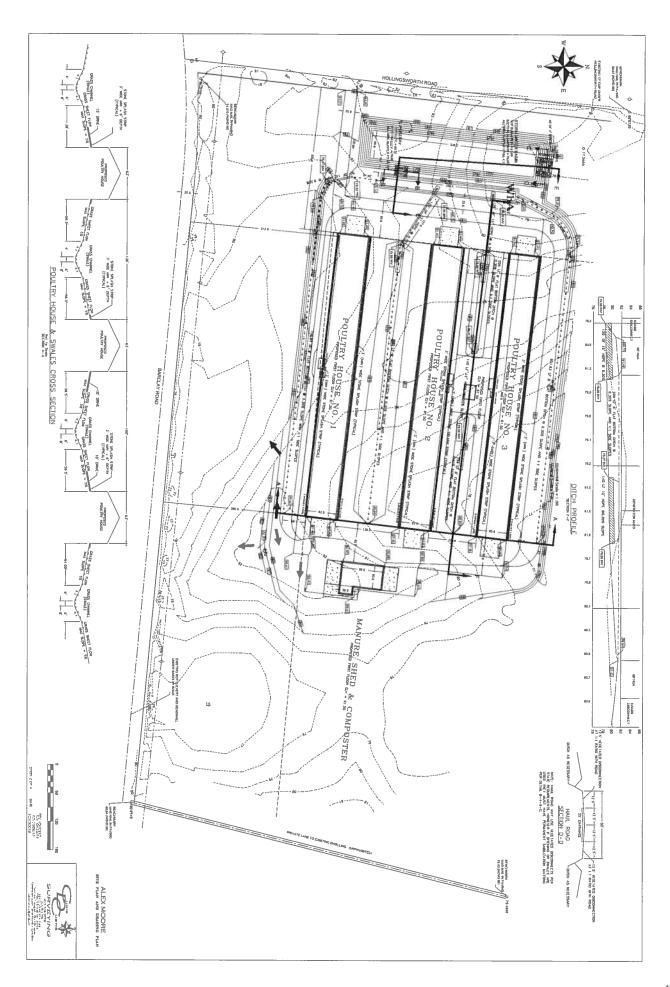
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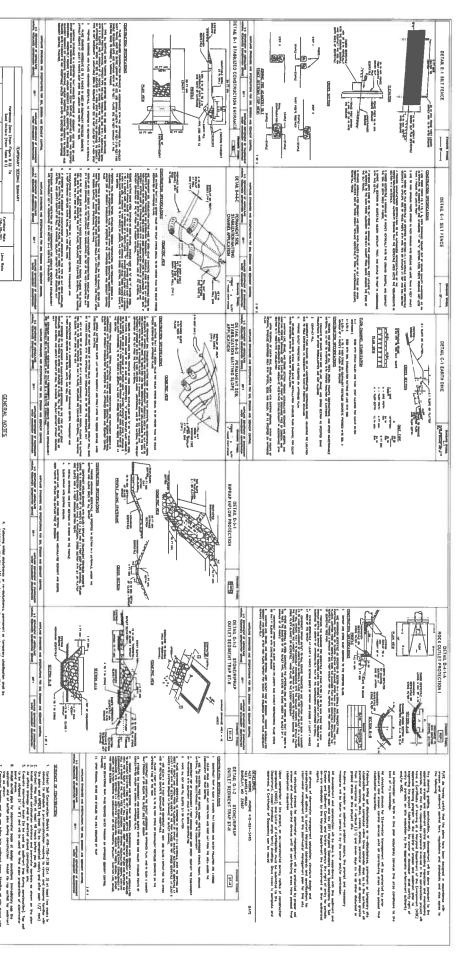




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HEET 2 OF 4	2	욱	Jan.	SITE PLAN & GRADING PLAN
HEET 3 OF 4	L	묶	-	EROSION AND SEDIMENT CONTROL PLAN
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TOP SOIL NOTE

MULCHING REQUIREMENTS

Species

Seeding Dates

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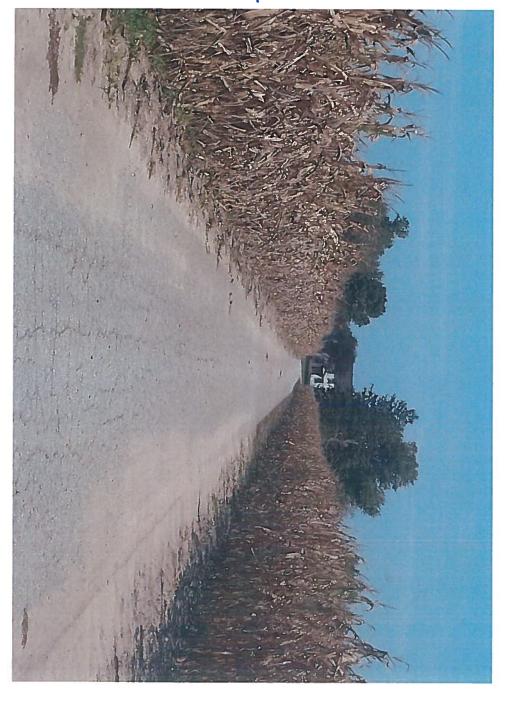
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GENERAL NOTES

ALEX MOORE

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Houses &



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Farm
Production
and
Conservation

Farm Service Agency Somerset Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 410-621-9309

January 15, 2020

Maryland Department of Planning 301 W Preston Street, Suite 101 Baltimore, MD 21201

Ref: Request for Concurrence

The USDA Farm Service Agency (FSA) has received an application to provide direct and guaranteed loan financing for an applicant to construct (3) three poultry houses each being 61' x 600', a 50' x 92' manure shed, 40' x 60' pole building for the generator and pump room and related infrastructure required for permitting. They are proposing to demolish the existing residence located on the farm and rebuild a 30' x 54' rancher with a 26' x 26' garage. The property is located 403 Barclay Road Barclay, MD 21607; or more specifically Queen Anne's County Tax Map 0024 Grid 0001/ Parcel 0031. The area consists of a homestead and cropland.

As part of our environmental review, FSA is requesting your assistance in identifying any cultural, environmental, or wildlife resources that might be adversely affected by this undertaking and or confirmation of any required permits for the project to move forward.

Accordingly, we are both officially consulting with you in regard to any additional information or comments you may wish us to consider in regard to this project, as well as seeking your confirmation/concurrence that there are no specific impediments or restrictions that will impede or limit this project or adversely affect the environment or other natural or cultural resources. Attached please find copies of supporting documentation and information for use in evaluating the impact of the proposal.

If we do not hear from you within thirty (30) days, we will assume there is no additional information to be considered in regard to the proposed project and the applicant may proceed. Thank you for your time and attention to this issue of mutual concern. If you have any questions or concerns in regard to this project, please be assured of our cooperation.

Sincerely,

April L. Bentan

Digitally signed by APRIL BENTON DN: c=US, o=US. Government, o==Department of Agriculture, cn=APRIL BENTON. BENTON. D9 2342 19200300.100.1 1=12001000234 466 Date: 2020.01 15 13 32.34 -05'00" Adobe Acrobat-version: 2019 021.20061

April L. Benton
Farm Loan Manager

EN: aerial map, location map, USGS map, site plan, scope of project, project review form



PROJECT REVIEW FORM

MHT USE ONLY
Date Received:

Log Number:

Request for Comments from the Maryland Historical Trust/ MDSHPO on State and Federal Undertakings

Section A: Gene	eral Project In	formation	Submit hard copy of Beth Cole, MHT, 100			D 21032		Print Form
Project Name County Queen Anne's						Anne's		
X This is a new	submittal O	R This is ac	Iditional information re	lated Project Log Nu	mber:			
Section B: Primary Contact Information								
Contact Name April Benton Company/Agency USDA Farm Service Agency								
Mailing Address	30730 Park D	rive						
City	Princess Ann	e		State Maryland		Zip	21853	
Email	april.benton	@usda.gov		Phone Number	+1 (410) 62	1-9309	Ext.	9273
Section C: Desc	ription of Unc	dertaking						
Location - Attac	h a map, pref	erably a sec	tion of a USGS quad, s	howing the location	and boundar	ies of the _l	project	
Address 403 Ba	arclay Road				City/Vicinity	y Barclay	/	
List all federal an agencies / progra	ıms (funding,	Agency Type	Agency/Progr	am/Permit Name	Proj		t/Track oplicab	ing Number le)
permits, licenses) this project (e.g.		Federal	USDA/Direct & Guaran	teed Loan Program				
Loan of 2009, Cha Transportation E								
Grant; HUD/CDB								
permit; etc.).								
1 -		•	on, scope of work, site	plans / drawings	·			
This project inclu			_	ion 🔀 Demolition	Remod	eling/Reha	abilitat	ion
This project invol			Rehabilitation Tax Cr					
			ect to an easement he	id by MHT, MET, or	another entity	,		
Section D: Ident This project invol				1			• •	
Tilis projectiiivo	, , , ob		nated as historic by a ory of Historic Proper		listea in the Na	itional Reg	gister, c	or included in
Pro	perty/District	Name						
The subject prop	erty 🔲 has	🔀 has not	been the subject of pro	evious archeological,	, architectural, o	or historica	l investi	gations.
Please describe	Proposing to	demolish ex	isting residence and co	nstruct a new reside	nce in the vicin	ity		
Attachments [⊠ Map	⊠ Project	: Description/Scope of	Work 🔀 Site P	lans/Drawings	;		
			orints or digital photogr	aphs showing the pr	roject site inclu	ding image	es of all	buildings and
	Condition	s - Attach a b	rief description of past uses, etc) including cor				oded, n	nined,
MHT Determina	tion MHTF	Reviewer:			Date:			
			area of potential effect				CONDI	TIONS
Ine project wil	The project will have NO EFFECT on historic properties MHT REQUESTS ADDITIONAL INFORMATION							

Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 1:57 PM

To:

'clearinghouse@mdp.state.md.us'

Subject:

Consultation 403 Barclay Road

Attachments:



Please see the attached. Let me know if you have any questions. Have a great week. Pictures to follow.

April L. Benton MD & DE Farm Loan Manager **USDA Farm Service Agency** 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273 MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:















USDA is an equal opportunity provider, employer, and lender.

MARYLAND Coastal Zone Management Program - Agriculture Policies Checklist Name of Project:

403 Barclay Road Barclay, MD

5.3 COASTAL USES

5.3.8 Agriculture

Agriculture Policy 1 – Soil Conservation & Sediment Control to Protect Water Quality. Agricultural land management practices may not add, introduce, leak, spill, or otherwise emit soil or sediment into waters of the State unless a plan is being implemented on the property that is designed to conserve soil and protect water quality. MDA (C4) Md. Code Ann., Envir. § 4-213.

Select appropriate response:

- Project will be consistent with policy requiring Soil Conservation & Sediment Control to Protect Water Quality.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits and comply with recommendations.

Agriculture Policy 2 – Use of Best Management Practices to Protect Non-Tidal Wetlands. A person conducting an agricultural activity shall implement best management practices to protect non-tidal wetlands. MDE (C3) COMAR 26.23.05.02.

Select appropriate response:

- Project will be consistent with policy requiring the Use of Best Management Practices to Protect Non-Tidal Wetlands.
- Not Applicable.

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MARYLAND Coastal Zone Management Program - Agriculture Policies Checklist

Agriculture Policy 3 – Use of Best Management Practices at Animal Feeding Operations. Animal feeding operations shall use best management practices designed and approved by a local soil conservation district to limit livestock access to surface water. MDA (C4) COMAR 26.08.03.09.

Select appropriate response:

- Project will be consistent with policy requiring the Use of Best Management Practices at Animal Feeding Operations.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits and comply with recommendations.

Agriculture Policy 4 – Nutrient Management Shall Minimize Water Quality Impacts. An agricultural operation with \$2500 a year in gross income or more than 8000 pounds of livestock that uses chemical fertilizers, sludge, or animal manure shall use these nutrients in a way that minimizes impacts on water quality. MDA (C4) Md. Code Ann., Agric. § 8-803.1.

Select appropriate response:

- Project will be consistent with policy requiring Nutrient Management to Minimize Water Quality Impacts.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits and comply with recommendations.

Agriculture Policy 5 – Agricultural Drainage Projects Shall Provide Substantial Agricultural Benefits, Minimize Environmental Impacts, & Be Consistent with Soil Conservation Plans. Agricultural drainage projects shall provide substantial agricultural benefits, prevent direct over bank flow into the ditch, be truncated as far upstream as possible, minimize adverse environmental impacts, and implement and maintain approved soil conservation district conservation plans. MDE (C3) COMAR 26.17.04.11.

Select appropriate response:

- Project will be consistent with policy requiring Agricultural Drainage Projects to Provide Substantial Agricultural Benefits, Minimize Environmental Impacts & Be Consistent with Soil Conservation Plans.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits and comply with recommendations.



Name of Project:

403 Barclay Road Barclay, MD

5.3 COASTAL USES

5.3.9 Development

Development Policy 1– Sediment & Erosion Control. Any development shall be designed to minimize erosion and keep sediment onsite. MDE (C4) COMAR 26.17.01.08.

Select appropriate response:

- Project will be consistent with policy requiring Sediment & Erosion Control.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 2 – Erosion and Sediment Control Plan. An erosion and sediment control plan is required for any grading activity that disturbs 5,000 square feet of land area and 100 cubic yards of earth or more, except for agricultural land management practices and agricultural best management practices. MDE (C9) COMAR 26.17.01.05.

Select appropriate response:

- Project will be consistent with policy requiring an Erosion & Sediment Control Plan.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



Development Policy 3 – Stormwater Management. Development or redevelopment of land for residential, commercial, industrial, or institutional use shall include stormwater management compliant with the Environmental Site Design sizing criteria, recharge volume, water quality volume, and channel protection storage volume criteria. MDE (C9) COMAR 26.17.02.01, -.06

Select appropriate response:

- Project will be consistent with policy requiring Stormwater Management.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 4 – First Avoid then Minimize Wetland Impacts, Minimize Water Quality, Habitat & Forest Damage & Preserve Cultural Resources. Development must avoid and then minimize the alteration or impairment of tidal and non-tidal wetlands; minimize damage to water quality and natural habitats; minimize the cutting or clearing of trees and other woody plants; and preserve sites and structures of historical, archeological, and architectural significance and their appurtenances and environmental settings.

MDE/DNR/CAC (D6) Md. Code Ann., Envir. §§ 4-402, 5-907(a), 16-102(b); Md. Code Ann., Nat. Res. §§ 5-1606(c), 8-1801(a); Md. Code Ann., Land Use § 8-102; COMAR 26.24.01.01(A).

Select appropriate response:

- Project will be consistent with policy that requires to First Avoid, then Minimize, Adverse Impacts to Tidal & Non-Tidal Wetlands, Water Quality, Natural Habitats, & Forests & Preserve Cultural Sites & Resources.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Development Policy 5 – Proposed Development Projects Must Be Sited Where Adequate Water Supply, Sewerage and Solid Waste Services & Infrastructure Are Available. Any proposed development may only be located where the water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area and any water supply system, sewerage system, or solid waste acceptance facility described in the application and will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste. MDE (C9) Md. Code Ann., Envir. § 9-512.

Select appropriate response:

- O Project will be consistent with policy requiring that Proposed Development Projects Be Sited Where Adequate Water Supply, Sewerage and Solid Waste Services Are Available.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Development Policy 6 - Proposed Construction Must Have Water and Wastewater Allocation or Provide
Onsite Capacity. A proposed construction project must have an allocation of water and wastewater from the
county whose facilities would be affected or, in the alternative, prove access to an acceptable well and on-site
sewage disposal system. The water supply system, sewerage system, and solid waste acceptance facility on
which the building or development would rely must be capable of handling the needs of the proposed project is
addition to those of existing and approved developments. MDE (D6) Md. Code Ann., Envir. § 9-512.

Select appropriate response:

- Project will be consistent with policy requiring Proposed Construction to Have Water & Wastewater Allocation or Provide Onsite Capacity.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Development Policy 7 – Structures Served by On-Site Water and Sewage Waste Disposal Systems Must Demonstrate Capacity Prior to Construction or Alteration. Any residence, commercial establishment, or other structure that is served or will be served by an on-site sewage disposal system or private water system must demonstrate that the system or systems are capable of treating and disposing the existing sewage flows and meeting the water demand and any reasonably foreseeable increase in sewage flows or water demand prior to construction or alteration of the residence, commercial establishment, or other structure. MDE (D6) COMAR 26.04.02.03F.

Select appropriate response:

- Project will be consistent with policy that requires Structures Served by On-Site Water & Sewerage Disposal Systems to Demonstrate Capacity Prior to Construction or Alteration.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 8 - Grading or Building in the Severn River Watershed Requires Approved Development Plan. Proponents of grading or building in the Severn River Watershed must create a development plan and have it approved by the soil conservation district. The plan shall include a strategy for controlling silt and erosion and must demonstrate that any septic or private sewer facility will not contribute to the pollution of the Severn River. MDE (D4) Md. Code Ann., Envir. § 4-308(a).

Select appropriate response:

- O Project will be consistent with policy requiring an Approved Development Plan prior to Grading or Building in the Severn River Watershed.
- Not Applicable.

Development Policy 9 - Siting Requirements for Industrial Facilities. Industrial facilities must be sited and planned to ensure compatibility with other legitimate beneficial water uses, constraints imposed due to standards of air, noise and water quality, and provision or availability of adequate water supply and wastewater treatment facilities. MDE (D4) Md. Code Ann., Envir. §§ 2-102, 4-402, 9-224(b), 9-512(b); COMAR 26.02.03.02; COMAR 26.11.02.02B.

Select appropriate response:

- O Project will be consistent with policy that defines Siting Requirements for Industrial Facilities.
- Not Applicable.

De	escribe situation a	and/or actions to n	nake project or a	ctivity consistent	with the above po	olicy:
Г						

Development Policy 10 - Citizen Engagement in Planning & Development. Local citizens shall be active partners in planning and implementation of development. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy requiring Citizen Engagement in Planning & Development.
- Not Applicable.

MARYLAND Coastal Zone Management Program - Development Policies Checklist Development Policy 11 - Protect Existing Community Character & Concentrate Growth. Development shall protect existing community character and be concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02. Select appropriate response: Project will be consistent with policy that Protects Existing Community Character & Concentrates Growth. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: Development Policy 12 - Site Development Near Available or Planned Transit. Development shall be located near available or planned transit options. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02. Select appropriate response: O Project will be consistent with policy that requires Site Development to Be near Available or Planned Transit. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: Development Policy 13 - Design for Walkable, Mixed Use Communities. Whenever possible, communities

shall be designed to be compact, contain a mixture of land uses, and be walkable. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy that requires Communities to Be Compact, Include Mix Land Uses, & Be Walkable.
- Not Applicable.

Development Policy 14 – Communities Must Identify Adequate Water Supply, Stormwater & Wastewater Services & Infrastructure to Meet Existing & Future Development. To meet the needs of existing and future development, communities (geographically defined areas with shared interests, values, resources, and goals) must identify adequate drinking water and water resources and suitable receiving waters and land areas for stormwater management and wastewater treatment and disposal. MDE (D6) Md. Code Ann., Land Use § 3-106.

Select appropriate response:

- O Project will be consistent with policy that requires Communities to Identify Adequate Water Supply, Stormwater & Wastewater Services & Infrastructure to Meet Existing & Future Development.
- Not Applicable.

Describe situation a	nd/or actions to	make project or a	ctivity consistent v	with the above policy:	



Name of Project:

403 Barclay Road Barclay, MD

5.3 COASTAL USES

5.3.9 Development

Development Policy 1– Sediment & Erosion Control. Any development shall be designed to minimize erosion and keep sediment onsite. MDE (C4) COMAR 26.17.01.08.

Select appropriate response:

- Project will be consistent with policy requiring Sediment & Erosion Control.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 2 – Erosion and Sediment Control Plan. An erosion and sediment control plan is required for any grading activity that disturbs 5,000 square feet of land area and 100 cubic yards of earth or more, except for agricultural land management practices and agricultural best management practices. MDE (C9) COMAR 26.17.01.05.

Select appropriate response:

- Project will be consistent with policy requiring an Erosion & Sediment Control Plan.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

MARYLAND C

MARYLAND Coastal Zone Management Program - Development Policies Checklist

Development Policy 3 – Stormwater Management. Development or redevelopment of land for residential, commercial, industrial, or institutional use shall include stormwater management compliant with the Environmental Site Design sizing criteria, recharge volume, water quality volume, and channel protection storage volume criteria. MDE (C9) COMAR 26.17.02.01, -.06

Select appropriate response:

- Project will be consistent with policy requiring Stormwater Management.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 4 – First Avoid then Minimize Wetland Impacts, Minimize Water Quality, Habitat & Forest Damage & Preserve Cultural Resources. Development must avoid and then minimize the alteration or impairment of tidal and non-tidal wetlands; minimize damage to water quality and natural habitats; minimize the cutting or clearing of trees and other woody plants; and preserve sites and structures of historical, archeological, and architectural significance and their appurtenances and environmental settings.

MDE/DNR/CAC (D6) Md. Code Ann., Envir. §§ 4-402, 5-907(a), 16-102(b); Md. Code Ann., Nat. Res. §§ 5-1606(c), 8-1801(a); Md. Code Ann., Land Use § 8-102; COMAR 26.24.01.01(A).

Select appropriate response:

- Project will be consistent with policy that requires to First Avoid, then Minimize, Adverse Impacts to Tidal & Non-Tidal Wetlands, Water Quality, Natural Habitats, & Forests & Preserve Cultural Sites & Resources.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

MARYLAND Coastal Zone Management Program - Development Policies Checklist Development Policy 5 – Proposed Development Projects Must Be Sited Where Adequate Water Supply, Sewerage and Solid Waste Services & Infrastructure Are Available. Any proposed development may only be located where the water supply system, sewerage system, or solid waste acceptance facility is adequate to

Sewerage and Solid Waste Services & Infrastructure Are Available. Any proposed development may only be located where the water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area and any water supply system, sewerage system, or solid waste acceptance facility described in the application and will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste. MDE (C9) Md. Code Ann., Envir. § 9-512.

Sele	ct appropriate response:
(Project will be consistent with policy requiring that Proposed Development Projects Be
	Sited Where Adequate Water Supply, Sewerage and Solid Waste Services Are Available
(Not Applicable.

Describe situation and/or	actions to make project of activity	y consistent with the above poncy.	

Development Policy 6 - Proposed Construction Must Have Water and Wastewater Allocation or Provide Onsite Capacity. A proposed construction project must have an allocation of water and wastewater from the county whose facilities would be affected or, in the alternative, prove access to an acceptable well and on-site sewage disposal system. The water supply system, sewerage system, and solid waste acceptance facility on which the building or development would rely must be capable of handling the needs of the proposed project in addition to those of existing and approved developments. MDE (D6) Md. Code Ann., Envir. § 9-512.

Select appropriate response:

- Project will be consistent with policy requiring Proposed Construction to Have Water & Wastewater Allocation or Provide Onsite Capacity.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Development Policy 7 – Structures Served by On-Site Water and Sewage Waste Disposal Systems Must Demonstrate Capacity Prior to Construction or Alteration. Any residence, commercial establishment, or other structure that is served or will be served by an on-site sewage disposal system or private water system must demonstrate that the system or systems are capable of treating and disposing the existing sewage flows and meeting the water demand and any reasonably foreseeable increase in sewage flows or water demand prior to construction or alteration of the residence, commercial establishment, or other structure. MDE (D6) COMAR 26.04.02.03F.

Select appropriate response:

- Project will be consistent with policy that requires Structures Served by On-Site Water & Sewerage Disposal Systems to Demonstrate Capacity Prior to Construction or Alteration.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Development Policy 8 - Grading or Building in the Severn River Watershed Requires Approved Development Plan. Proponents of grading or building in the Severn River Watershed must create a development plan and have it approved by the soil conservation district. The plan shall include a strategy for controlling silt and erosion and must demonstrate that any septic or private sewer facility will not contribute to the pollution of the Severn River. MDE (D4) Md. Code Ann., Envir. § 4-308(a).

Select appropriate response:

- Project will be consistent with policy requiring an Approved Development Plan prior to Grading or Building in the Severn River Watershed.
- Not Applicable.



Development Policy 9 - Siting Requirements for Industrial Facilities. Industrial facilities must be sited and planned to ensure compatibility with other legitimate beneficial water uses, constraints imposed due to standards of air, noise and water quality, and provision or availability of adequate water supply and wastewater treatment facilities. MDE (D4) Md. Code Ann., Envir. §§ 2-102, 4-402, 9-224(b), 9-512(b); COMAR 26.02.03.02; COMAR 26.11.02.02B.

Select appropriate response:

Q	Project will	be consistent	with policy that	defines S	Siting Requi	irements for	Industrial
	Facilities.						

	Not	App.	licabl	e.
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Describe situation and/or actions to make project or activity consistent with the above policy:						
	_					

Development Policy 10 - Citizen Engagement in Planning & Development. Local citizens shall be active partners in planning and implementation of development. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy requiring Citizen Engagement in Planning & Development.
- Not Applicable.

Development Policy 11 - Protect Existing Community Character & Concentrate Growth. Development shall protect existing community character and be concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy that Protects Existing Community Character & Concentrates Growth.
- Not Applicable.

Describe situation and/or actions to	make project of acti	ivity consistent with the a	авоче ропсу:

Development Policy 12 - Site Development Near Available or Planned Transit, Development shall be located near available or planned transit options. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy that requires Site Development to Be near Available or Planned Transit.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Development Policy 13 - Design for Walkable, Mixed Use Communities. Whenever possible, communities shall be designed to be compact, contain a mixture of land uses, and be walkable. MDP (D6) Md. Code Ann., St. Fin. & Proc. §§ 5-7A-01 to -02.

Select appropriate response:

- Project will be consistent with policy that requires Communities to Be Compact, Include Mix Land Uses, & Be Walkable.
- Not Applicable.



Development Policy 14 – Communities Must Identify Adequate Water Supply, Stormwater & Wastewater Services & Infrastructure to Meet Existing & Future Development. To meet the needs of existing and future development, communities (geographically defined areas with shared interests, values, resources, and goals) must identify adequate drinking water and water resources and suitable receiving waters and land areas for stormwater management and wastewater treatment and disposal. MDE (D6) Md. Code Ann., Land Use § 3-106.

Select appropriate response:

- Project will be consistent with policy that requires Communities to Identify Adequate Water Supply, Stormwater & Wastewater Services & Infrastructure to Meet Existing & Future Development.
- Not Applicable.

	- Tot Application		
Describe situation and/or actions to make project or activity consistent with the above policy:			
1			
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Name of Project:

403 Barclay Road Barclay, MD

5.1. CORE POLICIES

5.1.1. Quality of Life

Quality of Life Policy 1- Air Quality. It is State policy to maintain that degree of purity of air resources which will protect the health, general welfare, and property of the people of the State. MDE (C9) Md. Code Ann., Envir. §§ 2-102 to -103.

Select appropriate response:

- Project will be consistent with Air Quality policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

The proposed project has the potential to impact air quality during operations by the generation of odors primarily associated with poultry litter and possibly mortality management. However, these potential impacts would be addressed by the proper design and management of the facility. Design features would include the proper sizing of manure storage areas to ensure sufficient capacity for the operation, installation of roofs and covers to prevent infiltration of rainwater, stabilized surfaces to cover areas where manure would be handled, and a properly designed and operated ventilation system.

Quality of Life Policy 2 – Noise. The environment shall be free from noise which may jeopardize health, general welfare, or property, or which degrades the quality of life. MDE (C9) COMAR 26.02.03.02.

Select appropriate response:

- O Project will be consistent with Noise policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Effects to noise were eliminated from detailed analysis because the project would not create noise that would interfere with communication, is intense enough to damage hearing, or is otherwise annoying.

Quality of Life Policy 3—Protection of State Wild Lands. The unique ecological, geological, scenic, and contemplative aspects of State wild lands shall not be affected in a manner that would jeopardize the future use and enjoyment of those lands as wild. DNR (C7) Md. Code Ann., Nat. Res. §§ 5-1201, -1203.

Select appropriate response:

- O Project will be consistent with State Wild Lands Protection policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Project is not located near state land.

Quality of Life Policy 4 – Protection of State Lands & Cultural Resources. The safety, order, and natural beauty of State parks and forests, State reserves, scenic preserves, parkways, historical monuments and recreational areas shall be preserved. DNR (B1) Md. Code. Ann., Nat. Res. § 5-209.

Select appropriate response:

- Project will be consistent with Protection of State Lands & Cultural Resources policy.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Consultation has been requested from SHPO/THP for concurrence that the project does not have the ability to affect said resources.

Quality of Life Policy 5 – Natural Character & Scenic Value of Rivers & Waterways. The natural character and scenic value of a river or waterway must be given full consideration before the development of any water or related land resources including construction of improvements, diversions, roadways, crossings, or channelization. MDE/DNR (C7) Md. Code Ann., Nat. Res. § 8-405; COMAR 26.17.04.11.

Select appropriate response:

- O Project will be consistent with policy protecting Natural Character & Scenic Value of Rivers & Waterways.
- Not Applicable.

Quality of Life Policy 6 -Natural Flow of Scenic & Wild Rivers. A dam or other structure that impedes the natural flow of a scenic or wild river may not be constructed, operated, or maintained, and channelization may not be undertaken, until the applicant considers alternatives less harmful to the scenic and wild resource. Construction of an impoundment upon a scenic or wild river is contrary to the public interest, if that project floods an area of unusual beauty, blocks the access to the public of a view previously enjoyed, or alters the

stream's wild qualities. MDE/DNR (C7) Md. Code Ann., Nat. Res. § 8-406; COMAR 26.17.04.11.
Select appropriate response:
O Project will be consistent with policy protecting Natural Flow of Scenic & Wild Rivers.
Not Applicable.
Describe situation and/or actions to make project or activity consistent with the above policy:
Quality of Life Policy 7 – Atlantic Coast Development. Any land clearing, construction activity, or the construction or placement of permanent structures is prohibited within the Beach Erosion Control District except the construction and installation of a qualified submerged renewable energy line, if the project does not

constructed or installed within the Assateague State Park, and any project or activity specifically for storm control, beach erosion and sediment control, or maintenance projects designed to benefit the Beach Erosion Control District. MDE/DNR (B1) Md. Code Ann., Nat. Res. § 8-1102.

Select appropriate response:

- Project will be consistent with policy ensuring Environmentally Beneficial Atlantic Shoreline Development.
- Not Applicable.

Quality of Life Policy 8 – Integrity & Natural Character of Assateague Island. Activities which will adversely affect the integrity and natural character of Assateague Island will be inconsistent with the State's Coastal Management Program, and will be prohibited. MDE/DNR (B1) Md. Code. Ann., Nat. Res. §§ 5-209, 8-1102.

Select appropriate r	esn	onse	ğ

0	Project will be consistent w	ith policy protecting	the Integrity	& Natural	Character of
	Assateague Island.				

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(C)	Not A	nnlin	abla
	MOLT	DDIIC	auic.

Describe situation and/or actions to make project or activity consistent with the a	above policy:
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Quality of Life Policy 9 – Public Outreach. An opportunity for a public hearing shall be provided for projects in non-tidal waters that dredge, fill, bulkhead, or change the shoreline; construct or reconstruct a dam; or create a waterway, except in emergency situations. MDE (A3) COMAR 26.17.04.13A.

Select appropriate response:

- Project will be consistent with Public Outreach policy for relevant projects.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Quality of Life Policy 10 – Erosion & Sediment Control. Soil erosion shall be prevented to preserve natural resources and wildlife; control floods; prevent impairment of dams and reservoirs; maintain the navigability of rivers and harbors; protect the tax base, the public lands, and the health, safety and general welfare of the people of the State, and to enhance their living environment. MDA (C4) Md. Code Ann., Agric. § 8-102(d).

Select appropriate response:

- Project will be consistent with Erosion & Sediment Control policy.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

The applicant will comply with state and county requirements for sediment and erosion control.



Quality of Life Policy 11 – Safeguards for Outer Continental Shelf Development. Operations on the Outer Continental Shelf must be conducted in a safe manner by well-trained personnel using technology, precautions, and techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstruction to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or property, or which may endanger life or health. (B2) Md. Code Ann., Envir. §§ 17-101 to -403; COMAR 26.24.01.01; COMAR 26.24.02.01, .03; COMAR 26.24.05.01.

Select	appro	priate	response:
Deicet	abbro	prince	response.

\bigcirc	Project will be consistent	with policy ensuring	Safeguards for	Outer Continental	Shelf
	Development.				

Not Applicable		Not	App	lica	ble
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Describe situation and/or actions to make project or activity consistent with the above policy:		



5.1.2. Waste & Debris Management

Waste & Debris Management Policy 1 – Hazardous Waste Management. Controlled hazardous substances may not be stored, treated, dumped, discharged, abandoned, or otherwise disposed anywhere other than a permitted controlled hazardous substance facility or a facility that provides an equivalent level of environmental protection. MDE (D4) Md. Code Ann., Envir. § 7-265(a).

Select appropriate response:

- Project will be consistent with Hazardous Waste Management policy.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will adhere to all policies and regulations required.

Waste & Debris Management Policy 2 – Hazardous Waste Management in Port of Baltimore. A person may not introduce in the Port of Baltimore any hazardous materials, unless the cargo is properly classed, described, packaged, marked, labeled, placarded, and approved for highway, rail, or water transportation. MDOT (D3) COMAR 11.05.02.04A.

Select appropriate response:

- Project will be consistent with Hazardous Waste Management in Port of Baltimore policy.
- Not Applicable.



5.1.3. Water Resources Protection & Management

Water Resources Protection & Management Policy 1 – Pollution Discharge Permit. No one may add, introduce, leak, spill, or emit any liquid, gaseous, solid, or other substance that will pollute any waters of the State without State authorization. MDE (A5) Md. Code Ann., Envir. §§ 4-402, 9-101, 9-322.

Select appropriate response:

	Project will be consistent with water policy requiring a Pollution Discharge Permit.
	Not Applicable.
Desc	ribe situation and/or actions to make project or activity consistent with the above policy:
Арр	licant will obtain the required state and county permits to be in compliance.

Water Resources Protection & Management Policy 2 – Protection of Designated Uses. All waters of the State shall be protected for water contact recreation, fish, and other aquatic life and wildlife. Shellfish harvesting and recreational trout waters and waters worthy of protection because of their unspoiled character shall receive additional protection. MDE (A1) COMAR 26.08.02.02.

Select appropriate response:

- O Project will be consistent with Protection of Designated Uses policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy.

bescribe situation and of actions to make project of activity consistent with the above policy.	
not located near waters of the state.	

Water Resources Protection & Management Policy 3 – Prohibition of Harmful Toxic Impacts. The discharge of any pollutant which will accumulate to toxic amounts during the expected life of aquatic organisms or produce deleterious behavioral effects on aquatic organisms is prohibited. MDE (A4) COMAR 26.08.03.01.

Select appropriate response:

- Project will be consistent with water policy Prohibiting Harmful Toxic Impacts.
- Not Applicable.

Water Resources Protection & Management Policy 4 – Pre-Development Discharge Permit Requirement. Before constructing, installing, modifying, extending, or altering an outlet or establishment that could cause or increase the discharge of pollutants into the waters of the State, the proponent must hold a discharge permit issued by the Department of the Environment or provide an equivalent level of water quality protection. MDE (D6) Md. Code Ann., Envir. § 9-323(a).

Select appropriate response:

- Project will be consistent with water policy requiring a Pre-Development Discharge Permit.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required permits necessary to move forward with construction.

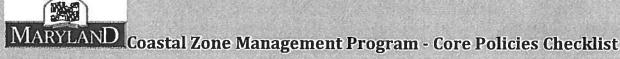
Water Resources Protection & Management Policy 5 — Use of Best Available Technology or Treat to Meet Standards. The use of best available technology is required for all permitted discharges into State waters, but if this is insufficient to comply with the established water quality standards, additional treatment shall be required and based on waste load allocation. MDE (D4) COMAR 26.08.03.01C.

Select appropriate response:

- Project will be consistent with Use of Best Available Technology or Treat to Meet Standards water policy.
- Not Applicable.

Water Resources Protection & Management Policy 6 – Control of Thermal Discharges. Thermal discharges shall be controlled so that the temperature outside the mixing zone (50 feet radially from the point of discharge) meets the applicable water quality criteria or discharges comply with the thermal mixing zone criteria. MDE (D4) COMAR 26.08.03.03C.

criteria. MDE (D4) COMAR 26.08.03.03C.
Select appropriate response:
Project will be consistent with Control of Thermal Discharges water policy.
Not Applicable.
Describe situation and/or actions to make project or activity consistent with the above policy:
Water Resources Protection & Management Policy 7 – Pesticide Storage. Pesticides shall be stored in an area located at least 50 feet from any water well or stored in secondary containment approved by the Department of the Environment. MDA (C4) COMAR 15.05.01.06.
Select appropriate response:
Project will be consistent with Pesticides Storage water policy.
Not Applicable.
Describe situation and/or actions to make project or activity consistent with the above policy:



Water Resources Protection & Management Policy 8 – Stormwater Management. Any development or redevelopment of land for residential, commercial, industrial, or institutional purposes shall use small-scale non-structural stormwater management practices and site planning that mimics natural hydrologic conditions, to the maximum extent practicable. Development or redevelopment will be consistent with this policy when channel stability and 100 percent of the average annual predevelopment groundwater recharge are maintained, nonpoint source pollution is minimized, and structural stormwater management practices are used only if determined to be absolutely necessary. MDE (C9) Md. Code Ann., Envir. § 4-203; COMAR 26.17.02.01, .06.

Select appropriate response:

- Project will be consistent with Stormwater Management policy.
- O Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.

Water Resources Protection & Management Policy 9 – Unpermitted Dumping of Used Oil. Unless otherwise permitted, used oil may not be dumped into sewers, drainage systems, or any waters of the State or onto any public or private land. MDE (D4) Md. Code Ann., Envir. § 5-1001(f).

Select appropriate response:

- O Project will be consistent with Unpermitted Dumping of Used Oil water policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Water Resources Protection & Management Policy 10 — Toxicity Monitoring. If material being dumped into Maryland waters or waters off Maryland's coastline has demonstrated actual toxicity or potential for being toxic, the discharger must perform biological or chemical monitoring to test for toxicity in the water. MDE (A5) COMAR 26.08.03.07(D); COMAR 26.08.04.01.

Select appropriate response:

- O Project will be consistent with Toxicity Monitoring water policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

MARYLAND Coastal Zone Management Program - Core Policies Checklist

Water Resources Protection & Management Policy 11 – Public Outreach. Public meetings and citizen education shall be encouraged as a necessary function of water quality regulation. MDE (A2) COMAR 26.08.01.02E(3).

Select appropriate response:

- OProject will be consistent with Public Outreach water policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Water Resources Protection & Management Policy 12 - No Adverse Impact from Water Appropria	

Any water appropriation must be reasonable in relation to the anticipated level of use and may not have an unreasonable adverse impact on water resources or other users of the waters of the State. MDE (C9) COMAR 26.17.06.02.

Select appropriate response:

- Project will be consistent with policy ensuring No Adverse Impact from Water Appropriations.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Applicant will obtain the required state and/or county permits.



5.1.4. Flood Hazards & Community Resilience

Flood Hazards & Community Resilience Policy 1 – No Adverse Impact. Projects in coastal tidal and non-tidal flood plains which would create additional flooding upstream or downstream, or which would have an adverse impact upon water quality or other environmental factors, are contrary to State policy. MDE (C2) Md. Code Ann., Envir. § 5-803; COMAR 26.17.05.04A.

Select appropriate response:

- Project will be consistent with No Adverse Impact flood hazard policy.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Flood Hazards & Community Resilience Policy 2 - Non-Tidal Waters and Non-Tidal Floodplains. T	he
following policies apply to projects in non-tidal waters and non-tidal floodplains, but not non-tidal	
wetlands. MDE (C2) COMAR 26.17.04.01, .07,.11.	

Flood Hazards & Community Resilience Policy 2a — 1-Foot Freeboard Above 100-year Flood. Proposed floodplain encroachments, except for roadways, culverts, and bridges, shall be designed to provide a minimum of 1 foot of freeboard above the elevation of the 100-year frequency flood event. In addition, the elevation of the lowest floor of all new or substantially improved residential, commercial, or industrial structures shall also be at least 1 foot above the elevation of the 100-year frequency flood event.

Select appropriate response:

- Project will be consistent with policy requiring a 1-Foot Freeboard Above 100-Year Flood for Construction in flood hazard areas.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Coastal Zone Management Program - Core Policies Checklist Flood Hazards & Community Resilience Policy 2b - Stability of Unlined Earth Channels. Proposed unlined earth channels may not change the tractive force associated with the 2-year and the 10year frequency flood events, by more than 10 percent, throughout their length unless it can be demonstrated that the stream channel will remain stable. Select appropriate response: O Project will be consistent with policy ensuring Stability of Unlined Earth Channels. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: Applicant will follow the recommendations required through a site plan and a stormwater manangement plan will be implemented. Flood Hazards & Community Resilience Policy 2c - Stability of Lined Channels. Proposed lined channels may not change the tractive force associated with the 2-year and the 10-year frequency flood events, by more than 10 percent, at their downstream terminus unless it can be demonstrated that the stream channel will remain stable. Select appropriate response: Project will be consistent with policy ensuring Stability of Line Channels. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: Applicant will obtain a stormwater management plan.

Flood Hazards & Community Resilience Policy 2d – Prohibition of Dam Construction in High Risk Areas. Category II, III, or IV dams may not be built or allowed to impound water in any location where a failure is likely to result in the loss of human life or severe damage to streets, major roads, public utilities, or other high value property.

Select appropriate response:

0	Project will be consistent with policy Prohibiting Dam Construction in High Risk Areas.
	Not Applicable.
	Describe situation and/or actions to make project or activity consistent with the above policy:

MARYLAND Coastal Zone Management Program - Core Policies Checklist Flood Hazards & Community Resilience Policy 2e - Prohibition of Projects That Increase Risk Unless Mitigation Requirements Are Met. Projects that increase the risk of flooding to other property owners are generally prohibited, unless the area subject to additional risk of flooding is purchased, placed in designated flood easement, or protected by other means acceptable to the Maryland Department of the Environment. Select appropriate response: Project will be consistent with policy Prohibiting Projects That Increase Flood Risk Unless Mitigation Requirements Are Met.

escribe situat	ion and/or action	ns to make projec	t or activity consis	stent with the al	bove policy:
					oo e poneji

Flood Hazards & Community Resilience Policy 2f – Prohibition of Construction or Substantial Improvements in 100-Year Floodplain. The construction or substantial improvement of any residential, commercial, or industrial structures in the 100-year frequency floodplain and below the water surface elevation of the 100-year frequency flood may not be permitted. Minor maintenance and repair may be permitted. The modifications of existing structures for flood-proofing purposes may be permitted. Flood-proofing modifications shall be designed and constructed in accordance with specifications approved by the Maryland Department of the Environment.

Select appropriate response:

- Project will be consistent with policy Prohibiting Construction or Substantial Improvements in 100-Year Floodplain.
- Not Applicable.

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MARYLAND Coastal Zone Management Program - Core Policies Checklist Flood Hazards & Community Resilience Policy 2g - Channelization Is Discouraged. Channelization shall be the least favored flood control technique. Select appropriate response: • Project will be consistent with policy Discouraging Channelization. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: Project will comply with Sediment and Erosion control plan and a stormwater management plan. Flood Hazards & Community Resilience Policy 2h - Preference of Multi-Purpose Use Projects, Project Accountability, & 50% Reduction in Damages. Multiple purpose use shall be preferred over single purpose use, the proposed project shall achieve the purposes intended, and, at a minimum, project shall provide for a 50 percent reduction of the average annual flood damages. Select appropriate response: Project will be consistent with policy that ensures a Preference to Multi-Purpose Use Projects, Project Accountability & 50% Reduction in Damages. Not Applicable. Describe situation and/or actions to make project or activity consistent with the above policy: COMAR 26.17.02.07.

Flood Hazards & Community Resilience Policy 3 – Development-Related Runoff Restrictions for the Gwynne Falls and Jones Falls Watersheds. Development may not increase the downstream peak discharge for the 100-year frequency storm event in the following watersheds and all their tributaries: Gwynns Falls in Baltimore City and Baltimore County; and Jones Falls in Baltimore City and Baltimore County. MDE (C2)

Select appropriate response:

- Project will be consistent with policy that Restricts Development-Related Runoff in the Gwynne Falls & Jones Falls Watersheds.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



Farm
Production
and
Conservation

Farm Service Agency Somerset Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 410-621-9309

January 15, 2020

Maryland Department of Environment Wetlands and Waterways Attn: Heather Nelson 1800 Washington Boulevard Baltimore, MD 21230

Ref: Federal Consistency Determination

The USDA, Farm Service Agency (FSA) is completing an environmental review of a proposed poultry operation. The owner proposes to build 3 poultry houses each being 61' x 600', a 50' x 92' manure shed, 40' x 60' pole building for the generator and pump room, and the related infrastructure required for permitting. They are proposing to demolish the current residence located on the farm and rebuild a 30' x 54' rancher with a 26' x 26' garage. The property is currently cropland and a homestead and is located at 430 Barclay Road, Barclay, MD 21607.

As part of our environmental review, FSA is requesting a federal consistency determination from your department.

We request a response within thirty (30) day from receipt of this letter. Thank you for your time and attention to this issue of mutual concern. If you have any questions or concerns in regard to this project, please be assured of our cooperation.

Sincerely,

April L. Benten

Digitally signed by APRIL BENTON
DN: cul5, ond 15. Government,
our Department of Agriculture, cn=APRIL
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Adobe Acrobat version: 2019.021.20061

April L. Benton Farm Loan Manager

EN: aerial map, location map, site plan, scope of project

Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 2:27 PM

To:

Heather Nelson -MDE-; Tymika.brown@maryland.gov

Subject:

Federal Consistency

Attachments:



Please see the attached, let me know if you have any questions. Hope you have a great week.

April L. Benton MD & DE Farm Loan Manager USDA Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273 MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:

















Farm
Production
and
Conservation

Farm Service Agency Somerset Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 410-621-9309

January 15, 2020

To:

Erin Thompson Paden, Director

Delaware Nation P.O. Box 825 Anadarko, Ok

epaden@delawarenation-nsn.gov

FROM:

April Benton

Farm Loan Manager April.benton@usda.gov

REQUEST FOR CONCURRENCE- USDA DIRECT & GUARNATEED LOAN REQUEST:

The USDA, Farm Service Agency (FSA) is completing an environmental review of a proposed poultry operation. The owner proposes to build 3 poultry houses each being 61' x 600', a 50' x 92' manure shed, 40' x 60' pole building for the generator and pump room, and the related infrastructure required for permitting. They are proposing to demolish the current residence located on the farm and rebuild a 30' x 54' rancher with a 26' x 26' garage. The property is currently cropland and a homestead and is located at 430-Barclay Road, Barclay, MD 21607.

In considering FSA's responsibilities pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations in 36 CFR Part 800, "Protection of Historic Properties (Section 106), we are requesting your assistance in identifying historic properties and/or other cultural resources that might be affected by this undertaking.

FSA has reviewed the National Register of Historic Places list and have completed a site visit. To the best of our knowledge, there is no indication of the presence of a cultural resource at the site. Attached for reference are:

- Aerial view of property for current use
- Site Plan
- Parcel map

FSA has made a finding that no effect by this proposed project. Your concurrence with this determination is requested within thirty (30) days of the email delivery receipt. If we do not hear from you within the specified time frame, it will be assumed you are in agreement and have no further interest in this matter.

Please feel free to contact me at 410-621-9273 or <u>april.benton@usda.gov</u> should you have any questions or need further information.

April L. Benton Farm Loan Manager

Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 1:25 PM

To:

epaden @ delaware nation-nsn.gov

Cc:

DKelly@DelawareNation.com

Subject:

Consultation

Attachments:

Please see the attached. If you need anything let me know. Have a great week. I had to correct the address in the letter. It should be 403 Barclay Road Barclay, MD 21607.

April L. Benton MD & DE Farm Loan Manager USDA Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273 MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:















Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 12:25 PM

To:

'epaden@delawarenation-nsn.gov'

Cc:

'DKelly@DelawareNation.com'

Subject:

Attachments:

Consultation

Please see the attached. If you need anything let me know. Have a great week.

April L. Benton MD & DE Farm Loan Manager **USDA Farm Service Agency** 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273

MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:

















Farm Production and Conservation Farm Service Agency Somerset Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 410-621-9309

January 15, 2020

To:

Ms. Susan Bachor

Delaware Tribe Historic Preservation Representative

P.O. Box 64

Pocono Lake, PA 18347 sbachor@delawaretribe.org

FROM:

April Benton

Farm Loan Manager April.benton@usda.gov

REQUEST FOR CONCURRENCE- USDA DIRECT & GUARNATEED LOAN REQUEST:

The USDA, Farm Service Agency (FSA) is completing an environmental review of a proposed poultry operation. The owner proposes to build 3 poultry houses each being 61' x 600', a 50' x 92' manure shed, 40' x 60' pole building for the generator and pump room, and the related infrastructure required for permitting. They are proposing to demolish the current residence located on the farm and rebuild a 30' x 54' rancher with a 26' x 26' garage. The property is currently cropland and a homestead and is located at 430 Barclay Road, Barclay, MD 21607.

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- Site Plan
- Parcel map

FSA has made a finding that no effect by this proposed project. Your concurrence with this determination is requested within thirty (30) days of the email delivery receipt. If we do not hear from you within the specified time frame, it will be assumed you are in agreement and have no further interest in this matter.

Please feel free to contact me at 410-621-9273 or <u>april.benton@usda.gov</u> should you have any questions or need further information.

April L. Benton Farm Loan Manager

Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 1:24 PM

To:

SBACHOR@DELAWARETRIBE.ORG

Subject:

Consultation

Attachments:

Please see the attached. Let me know if you have any questions. Have a great week. I had to correct the address in the letter, it should be 403 Barclay Road Barclay, MD.

April L. Benton MD & DE Farm Loan Manager **USDA Farm Service Agency** 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273 MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:













Benton, April - FSA, Princess Anne, MD

From:

Benton, April - FSA, Princess Anne, MD

Sent:

Wednesday, January 15, 2020 12:36 PM

To:

SBACHOR@DELAWARETRIBE.ORG

Subject:

Consultation

Attachments:

Please see the attached. Let me know if you have any questions. Have a great week.

April L. Benton MD & DE Farm Loan Manager USDA Farm Service Agency 30730 Park Drive Princess Anne, MD 21853 PHONE: 410-621-9273 MAIN OFFICE: 410-621-9309

FAX: 855-312-7202

Stay Connected with USDA:

















Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

8/15/2019



RE: Registration of Application Number: MDRCR04CT

Dear

This letter confirms your authorization for coverage under the 2014 General Permit for Stormwater Associated with Construction Activity (MDRC) for discharges into:

Upper Choptank (02130404)

In signing the eNOI, providing Certification of an approved Erosion and Sediment Control (E&SC) plan and paying the permit fee, you have certified your agreement to comply with the terms of this permit for:

for

13.01 acres at property located at

403 BARCLAY ROAD BARCLAY, Maryland 22607

The permit coverage is identified by the Registration Number MDRCR04CT. This coverage will continue under the terms of the General Permit until the permit is renewed by MDE (Part VI.B).

You should print the full permit text by going to MDE's website or from this link "mdewwp.page.link/CGP". You must become thoroughly familiar with the content of the permit and post a copy onsite. A summary of the permit requirements and provision are provided below:

In addition to stormwater associated with construction activity, Per Part III.A.4 of the permit, non-stormwater discharges from: dewatering from construction excavations, which must be managed by controls in accordance with the 2011 Standards and Specifications for Soil Erosion and Sediment Control (ES&C); fire fighting activities; air conditioning condensate; uncontaminated spring water; and foundation or footing drains where flows are not causing an erosive condition or contaminated with process materials such as solvents are permissible. Any discharges not authorized by the General Permit may require additional permit coverage (Part III.A.3).



RE: Registration of Application Number: MDRCR04CT Page 2 of 2

The permit requirements include:

- (Part III.C) Notification requirements in the event of a hazardous substances or oil spill onsite.
- (Part III.D) Training requirements of all site personnel to understand aspects of permit and plan compliance relevant to their specific duties.
- (Part IV.A) Effluent Limitations, including selecting, installing, implementing and maintaining control measures (i.e., BMPs, controls, practices, etc.) at the construction site that minimize pollutants in the discharge, as well as requirements to modify controls or ceasing those discharges as required.
- (Part IV.B) Prevention of the discharge of sediment to surface waters, or conveyance systems leading to surface waters, including required corrective actions and on-site documentation.
- (Part IV.C.1) Mandatory inspection and frequency requirements. (Part IV.C.2) Requirements for posting information regarding this registration.
- (Part IV.C.3) Onsite record maintenance, including that the approved E&SC plan, the
- approved stormwater management plan, a copy of the general permit, the eNOI and a copy of this registration letter.
- (Part IV.C.3.b) Written report requirements including use of the form as provided by MDE (available on MDE's website "mdewwp.page.link/CGP" as a fillable Microsoft Word from and as an Adobe Acrobat file.
- (Part IV.D) Upon request, reporting requirements that may apply to you.

Remember to contact the compliance program to schedule a preconstruction meeting 2 weeks prior to starting construction. If the current E&SC plan approval covers only part of the entire site, be advised that this registration does not authorize discharges from the other portions for the site until the appropriate E&SC approval authority approves the E&SC plan for those portions. The responsible party is required to submit any Modifications to this coverage, Transfers of Authorization, or Notices of Termination via the ePermits portal. If your contact information changes, update it through the ePermits portal.

If you have any questions, please call the administrative team for the General Permit at (410) 537-3019.

Sincerely,

Paul Hlavinka

Industrial and General Permits Division

Wastewater Permits Program



MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land Management Administration
1800 Washington Boule vard • Suite 610 • Baltimore Maryland 21230-1719
410-537-3314 • 800-633-6101 x3314 • www.mde.maryland.gov

GENERAL DISCHARGE PERMIT FOR ANIMAL FEEDING OPERATIONS

Maryland Permit No. 14AFA

NPDES Permit No. MDG01A

Effective Date: August 1, 2016

Expiration Date: November 30, 2019

Pursuant to the provisions of Title 9 of the Environment Article, <u>Annotated Code of Maryland</u>, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seg. and Implementing regulations 40 CFR Parts 122, 123, 124, 125, and 412 the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes Animal Feeding Operations (AFOs) registered under this General Discharge Permit to discharge animal waste, including manure, poultry litter, and process wastewater, to waters of the State in accordance with the following conditions.

Part i. Applicability and Authorized Discharges

A. Permit Required

- 1. Every concentrated animal feeding operation (CAFO) in Maryland shall have a discharge permit issued by the Department under both State and federal permitting authority. Medium and large AFOs in the AFO Table in Part I.A.6. of this permit are CAFOs if they discharge or propose to discharge pollutants including, but not limited to, menure, pouttry litter, or process wastewater to surface waters of the State (as defined in paragraph (1) of Part II.JJ of this General Discharge Permit). Medium or Large AFOs where contact of confined animals with surface waters occurs are included in the definition of CAFOs and require a discharge permit. Any large CAFO, not otherwise required to obtain coverage under this General Discharge Permit, that land applies manure, litter, or process wastewater in a manner not in accordance with a NMP is a CAFO that is discharging or proposing to discharge Permit.
- 2. A small AFO may be designated a CAFO by the Department after a site inspection reveals that animals or animal waste come into contact with surface water. A small AFO using best management practices designed and approved by the local Soil Conservation District (SCD) to limit animal access to surface water will not be designated a CAFO unless animal waste comes into contact with surface water.
- 3. Pursuant to federal law, the Regional Administrator ("RA") of Region III of the U.S. Environmental Protection Agency may designate an arimal feeding operation (AFO) as a CAFO if the RA has determined that one or more pollutants in the AFO's discharge contributes to an impairment in a downstream or adjacent State water that is impaired for that pollutant. If the RA designates an AFO a CAFO, the Department shall also designate the AFO a CAFO.
- 4. An AFO that does not meet the criteria of Parts I.A.1 through I.A.3 of this General Discharge Permit but meets the "Large" size category threshold in the AFO Table in Part I.A.6 based on either the number of animals or house capacity (ft") is a Maryland Animal Feeding Operation (MAFO). Every MAFO in Maryland is required to obtain a State discharge permit issued by the Department under State permitting authority.

Permit Number: 14AFAMDG01/ Date: August 1, 2016 TTY Users: 800-735-2258 Page 1 of 27

(A) Recycled Paper

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land and Materials Administration • Resource Management Program

1800 Washington Boulevard • Suite 610 • Baltimore, Maryland 21230-1719 410-537-3314 • 800-633-6101 x3314 • http://www.mde.maryland.gov

Notice of Intent

General Discharge Permit for Animal Feeding Operations (14AFA, MDG01A)

Authority: Title 9, Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations (COMAR) 26.08.04

Submission of this Notice of Intent (NOI) constitutes notice that the person identified in Section I of this form has the intent to be authorized by a State/NPDES General Discharge (GD) Permit issued for the discharges from the animal feeding operation (AFO) identified in Section II of this form. Authorization to discharge shall commence upon notification to the applicant of acceptance of this NOI and the required plans by the Maryland Department of the Environment (the "Department").

X MAFO Permit (for large AFOs only. Medium AFOs may be required to

		submit Certification of Conformance. See AFO Website for more information.)
ason for NOI? (check or	ne) □ Renewal of Register	red AFO □ New Owner/Operator of Registered AFO
Proposed New AFO (no	ot yet constructed) 🛭 🗖	roposed New AFO (newly constructed) 🛛 *Modification of Existing AFC
uch as addition of poultry h	iouses, manure storage facil	lities, fields receiving manure, increase in number of animals, No-Land to Land,
d to No-Land, CAFO to MA	NFO, MAFO to CAFO, etc. (Ple	ease explain modification on Page 2 or use added sheets of paper.)
Al Number:	MANDATOF	RY FIELDS ARE MARKED WITH AN ASTERISK (*)
	Section I. Appli	cant/Owner/Operator Information
* Applicant's Legal Name	(Name of Company (if corpo	oration] or Individual Operator [if Sole Proprietor]:
' Applicant's Cell Phone I	Va:() -	
Applicant o con i nonc i	·····(/ <u></u>	
* Emergency Contact Nan	ne & Title:	
		n:
		rietorship ID No.:
Proof of workers' compen	sation coverage is required un	(refer to איני סאיני עומי (refer to איני Dept. of Assessments and Taxation for ID No.) Ider § 1-202 of the Environment Article. Please provide one of the following:
(1) A copy of a Certificat (2) Workers' Compensal	e of Compliance issued by the tion Insurance Policy/Binder No	Maryland Workers' Compensation Commission; or
	,	
* BOX 2: For a Corporat	lon or Government, please p	rovide the following information:
Federal Tax Identification	No.:	
Maryland State Departme	ent of Assessments and Taxati	ion (SDAT) ID No.:
		to do business in Maryland before coverage under this permit can be issued. The st match the information in the SDAT register.

PCA 13734 / AGY-OBJECT 5651 / SUFFIX 605

Form Number: MDE/LMA/PER.0006c

NOI for (check one): □ CAFO Permit

Date: October 2, 2017 TTY Users: 1-800-735-2258 Page 1 of 5

Section II. Lot/Facility (Farm) Information

Lot/Facility (Farm) Location: Enter the lot/facility (farm's) legal name and complete street address including the nearest town or city (the actual location of the lot/facility (farm), not the mailing address). Provide the latitude and longitude of the production area to the nearest 15 seconds of the approximate center of the lot/facility (farm). The latitude and longitude can be found on a relatively detailed map such as an ADC (book) county map. Attach a map of the lot/facility (farm) including at least one named street. Provide the type and number of animals at the lot/facility (farm), and the type of housing.

Please fill out the following information for all lots/facilities (farms) associated with the AFO, starting with the primary lot/facility (farm) and continuing with all associated lots/facilities (farms). Associated lots/facilities (farms) are those that you have control over the application of the litter, manure, or process wastewater by ownership, lease, or agreement. All of these associated lots/facilities (farms) must be included in the required plans (either a Comprehensive Nutrient Management Plan (CNMP) or Nutrient Management Plan (NMP) combined with a Soil Conservation and Water Quality Plan (CP)). You may photocopy the associated lot/facility (farm) information sections to provide information for all associated lots/facilities (farms).

The required plans are important parts of your AFO. They document the planning decisions and operation and maintenance for the AFO. CNMPs are developed by USDA-Natural Resources Conservation Service or their Certified Technical Service Providers. The NMP and CP must be prepared for the lot/facility (farm) and the associated lots/facilities (farms) by a certified and licensed nutrient management consultant or a certified operator in accordance with the Maryland Department of Agriculture requirements of COMAR 15.20.04, and is in compliance with COMAR 15.20.07 and 15.20.08.

* Lot/Facility (Farm) Address: 403 Barclay Road * County: Queen Anne's County Zoning Map No.: 0024 L Bay Tributary Watershed Code: 02130508 Latitude/Longitude	City: Barclay		
		State: MD	Zip Code: 21607
02120508	ot/Parcel No.: 0031	Deed/Liber/Fol	io No.: 03069/99
Bay Tributary Watersned Code: 02130306 Latitude/Longitude	(Deg/Min/Sec):39	8 -36.96 / 75	5431.24
USDA Farm Services Agency (FSA) Tract Nos. 9			
* Primary Type (From Animal Type/AFO Size Table) and Actual Nur	mber of Animals Raised:	Chicken Dry, 11	2,000
* Other Animal Types (From animal Type/AFO Size Table) and Actu	al Numbers:		
* Type of Confinement? (Enclosed, under roof, outdoor): under re	oof		
* Date(s) of Construction: 7/2020 (estimated date ca		tructures)	
* For poultry only: Number of houses: 3 Total square footage	or dimensions of all hou	ses: 113,400	(square feet)
* How many lots/facilities (farms) are associated with this animal fe	eeding operation?	(fill in below t	for each associated far
Associated Lot/Facility (Farm) Name:			
Lot/Facility (Farm) Address:	City:		_ Zip Code:
County: Lo	t/Parcel No.:	//Liber/Foli	o No.:
Bay Tributary Watershed Communication Latitude/Longitude	(Deg/Min/Sec):	/	
USDA Farm Services Agency (Nos			
Primary Type (From Animal Type/A. ble) and Actual Number	ber of Animal		
Other Animal Types (From animal Types Table) and Actua	l Number		_
Type of Confinement? (Enclosed, under rough):			
Date(s) of Construction:	pre-2000 str	uctures)	
For poultry only: Number of houses: Total tage			(square feet)
Associated Lot/Facility (Farm) Name:		 	
Associated Lot/Facility (Farm) Name:Lot/Facility (Farm) Address:			Zip Code:
	City:		
Lot/Facility (Farm) Address:	cel No.:		o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.:	cel No.:	_ Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.: Bay Tributary Watershed Code: Lati	cel No.:	_ Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address:County:County Zoning Map No.:Bay Tributary Watershed Code:Lati USDA Farm Services Agency (FSA) Tract Nos.	cel No.:	_ Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address:County:County Zoning Map No.:Bay Tributary Watershed Code:Lati USDA Farm Services Agency (FSA) Tract Nos. Primary Type (From Animal Type/AFO Size) Actual Number	cel No.:	_ Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.: Bay Tributary Watershed Code: Lati	cel No.:	_ Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.: Bay Tributary Watershed Code: Lati	rcel No.: //Sec): ber o. Raised: I Numbe.	Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.: Bay Tributary Watershed Code: Lati	ber c. Paised: I Numbe. I be used for plan of all houses:	Deed/Liber/Foli	o No.:
Lot/Facility (Farm) Address: County: County Zoning Map No.: Bay Tributary Watershed Code: Lati	ber c. Paised: I Numbe. I be used for plan of all houses:	Deed/Liber/Foli	o No.:
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Form Number: MDE/LMA/PER.0006c

Date: October 2, 2017 TTY Users: 1-800-735-2258

Section III. Manure Storage/Use and Mortality Management

Manure Storage - Indicate the amount and type of storage on each Lot/Facility (Farm) associated with your animal feeding operation, starting with the primary Lot/Facility (Farm). Also record the total typical amount of litter, manure, or process wastewater generated each day or each year by all of the lots/facilities (farms) under your control, the total amount of litter, manure, or process wastewater transported off the properties under your control, and the total amount of land available for land application on all of the associated lots/facilities (farms). Describe the type of mortality management used on each lot/facility (Farm).

* Total Litter Manure/Wastewater generation 101	2 Tons Pounds/Gallons + Frequency (p	per day per year)
	(circle one)	(circle one)
* Tota Litter/ lanure/Wastewater Transported Offs	site: quantity _{2019.0, 2020: 3} ions/pounds/gallon ^{2021:87, 2022:24} (circle one)	s + Frequency (per day per year (circle one)
* Total Land Application Area Controlled by Applic	cant: 0 (acres)	0 (acres)
Total Land Application Area controlled by Applic	(under same ownership)	
Storage Type Instructions: Write the type of litter, the line provided. To provide the capacity of the li liquid or dry manure circle "ft3", For liquid manure storage facility.	manure, or process wastewater storage uniter. manure, or process wastewater stora	tilized at each Lot/Facility (Farm) on ge facility, where appropriate, For
* Primary Lot/Facility (Farm): * Storage Type roofed storage shed (anaerobic lagoon, roofed storage shed, storage p	* Capacity 25,300 onds, under floor pits, above ground store	ft3 gal / LxW (circle units) ge tanks, other)
7/0000	(estimated date can be used for pre-200	
	Capacity	ft3 / gal / LxW (circle units)
(anaerobic lagoon, roofed storage shed, storage p	onds, under floor pits, above ground store	nge tanks, other)
* Date(s) of Construction:		
* Mortality Management: Composter	(con	poster, rendering, incineration, other)
Associated Lot/Facility (Farm): Name:		#9 / mal / L vM/ (alvala
Associated Lot/Facility (Farm): Name: Storage Type units) (anaerobic lagoon, roofed storage shed, storage p	Capacity	
Storage Type	Capacity onds, under floor pits, above ground stora	ge tanks, other)
Storage Type	Capacity onds, under floor pits, above ground stora (estimated date can be used for pre-2000 Capacity	nge tanks, other) structures)ft3 / gal / LxW (circle units)
Storage Type	Capacity onds, under floor pits, above ground store (estimated date can be used for pre-2000Capacity onds, under floor pits, above ground store	nge tanks, other) structures) ft3 / gal / LxW (circle units) ge tanks, other)
Storage Type	Capacity onds, under floor pits, above ground stora (estimated date can be used for pre-2000Capacity onds, under floor pits, above ground stora(estimated date can be used for pre-2000	ge tanks, other) structures) ft3 / gal / LxW (circle units) ge tanks, other) structures)
Storage Type	Capacity onds, under floor pits, above ground stora (estimated date can be used for pre-2000Capacity onds, under floor pits, above ground stora(estimated date can be used for pre-2000	ge tanks, other) structures) ft3 / gal / LxW (circle units) ge tanks, other) structures)
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Storage Type	Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000(com	ge tanks, other) structures) ft3 / gal / LxW (circle units) ge tanks, other) structures) poster, rendering, incineration, other)
Storage Type	Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000(com	ge tanks, other) structures) ft3 / gal / LxW (circle units) ge tanks, other) structures) poster, rendering, incineration, other)
Storage Type	Capacity onds, under floor pits, above ground store (estimated date can be used for pre-2000Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000(com Capacity onds, under floor pits, above ground store	age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other) structures) poster, rendering, incineration, other)ft3 / gal / LxW (circle units) age tanks, other)
Storage Type		age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other) structures) poster, rendering, incineration, other)ft3 / gal / LxW (circle units) age tanks, other) O structures)
Storage Type	Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000Capacity onds, under floor pits, above ground store(estimated date can be used for pre-2000(com	age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other) structures) poster, rendering, incineration, other)ft3 / gal / LxW (circle units) age tanks, other) 0 structures)ft3 / gal / LxW (circle units)
Storage Type		age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other) structures) poster, rendering, incineration, other)ft3 / gal / LxW (circle units) age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other)
Storage Type		age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other) structures) poster, rendering, incineration, other)ft3 / gal / LxW (circle units) age tanks, other) structures)ft3 / gal / LxW (circle units) age tanks, other)

Form Number: MDE/LMA/PER.0006c

Date: October 2, 2017 TTY Users: 1-800-735-2258

Section IV. CAFOs Only - Fees ARE CURRENTLY WAIVED Section V. CAFOs and MAFOs Required Plan Information CAFO and MAFO applicants must submit required plans with the NOI. Please check off the type(s) of plan(s) submitted with NOI and indicate the date of the plan. Also record the name, telephone number, and the certificate # of the person who prepared the Plan. X CNMP □ NMP and □ Conservation Plan Date(s) Plans completed: __ * CNMP or Plan Writer's Telephone No.: 410-758-0166 * CNMP o NMP Writer's Name: Casey Foreman * CNMP or NMP Writer's Certificate No.: 4269 Soil Conservation and Water Quality Plan (CP) Writer's Name: Tara Krick/Nancy Metcalf CP Writer's Telephone No.: 410-758-1380 CP Writer's Certificate No.: 112 If no required plan is attached, please explain. Section VI. Certification By signing this form, I the applicant or duly authorized representative, do solemnly affirm under the penalties of perjury that the contents reasonable time. I acknowledge that depending on the type of permit applied for, other permits or approvals may be required.

of this application are true to the best of my knowledge, information, and belief. I hereby authorize the representatives of the Department to have access to the AFO and associated lots/facilities (farms) for inspection and to records relating to this application at any

<i>,</i>	10/3/19	
thorized representative)	* Date	
	Owner	
esentative) Name (Print)	* Title	

Privacy Act Notice: This Notice is provided pursuant to the Federal Privacy Act of 1974, 5 U.S.C. §552.a. Disclosure of your Social Security Number or Federal Employer Identification Number on this application is mandatory pursuant to the provisions of §1-203 (2003), Environment Article, Annotated Code of Maryland, which requires the Department to verify that an applicant for a permit has paid all undisputed taxes and unemployment insurance. The Department is also mandated by §10-119.3, Family Law Article, Annotated Code of Maryland, to require each applicant for a license to disclose the Social Security Number of the applicant and record the applicant's Social Security Number on the application. Pursuant to §10-119.3(a)(2), the definition of "license" means any license, certificate, registration, permit, or other authorization that: (i) is issued by a licensing authority; (ii) is subject to suspension, revocation, forfeiture, or termination by a licensing authority; and (iii) is necessary for an individual to practice or engage in a particular business, occupation, or profession. Social Security or Federal Employer Identification Numbers will not be used for any purposes other than those described in this Notice.

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Form Number: MDE/LMA/PER.0006c

Date: October 2, 2017 TTY Users: 1-800-735-2258 Page 4 of 5

Animal Type and Animal Feeding Operation Size Table

Size of Animal Feeding Operations based on Number of Animal Type Animal Type und Animal Feeding Operations based on Number of Animal Type und Animal Feeding Operations based on Number of Animal Type und Animal Feeding Operations based on Number of						
Animal Type	Α	В	С			
	Large	Medium	Small			
Cattle (includes heifers)	1000 or more animals	300—999 animals	less than 300 animals			
Dairy cattle	700 or more animals	200—699 animals	less than 200 animals			
Horses	500 or more animals	150—499 animals	less than 150 animals			
Veal	1000 or more animals	300—999 animals	less than 300 animals			
Swine ≥ 55 pounds	2500 or more animals	750—2499 animals	less than 750 animals			
Swine < 55 pounds	10,000 or more animals	3,000—9,999 animals	less than 3,000 animals			
Sheep and lambs	10,000 or more animals	3,000—9,999 animals	less than 3,000 animals			
Ducks with liquid manure handling	5,000 or more animals	1,500—4,999 animals	less than 1,500 animals			
Chickens with liquid manure handling	30,000 or more animals	9,000—29,999 animals	less than 9,000 animals			
Ducks with dry manure handling	30,000 or more animals	10,000—29,999 animals	less than 10,000 animals			
Laying hens with dry manure handling	82,000 or more animals	25,000—81,999 animals	less than 25,000 animals			
Chickens (other than laying hens) with dry manure handling	125,000 or more animals or greater than or equal to 100,000 ft ²	37,500—124,999 animals and less than 100,000 ft ²	less than 37,500 animals			
Turkeys	55,000 or more animals	16,500—54,999 animals	less than 16,500 animals			

Form Number: MDE/LMA/PER.0006c Date: October 2, 2017 TTY Users: 1-800-735-2258

COMPREHENSIVE NUTRIENT MANAGEMENT PLAN



PREPARED BY THE

Queen Anne's Soil Conservation District 211 East Water Street Centreville, MD 21617

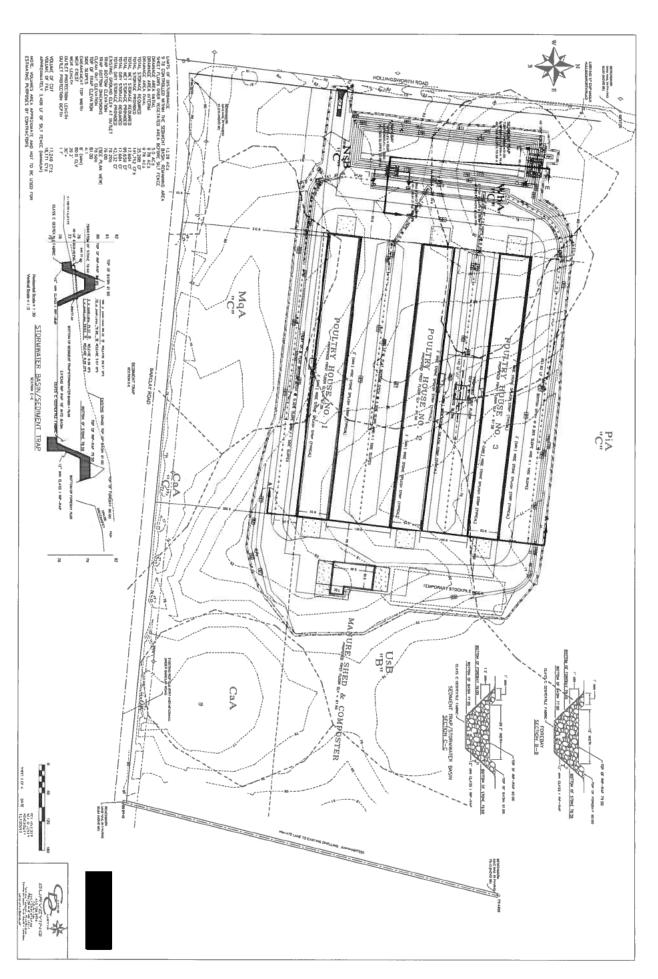
Plan Date: August 2019



Queen Anne's County Department of Planning and Zoning 110 Vincit St, Suite 104 Centreville, MD 21617 410-758-4088

SEDIMENT CONTROL PERMIT

PERMIT NO.:						
	OWNER INFORM	ATION .				
	OWNER INFORM	ATION		PROPERTY INFOR	MATION	
OWNER:			TAX MAP 0024	BLOCK	PA	ARCEL 0031
			LOT	SECTION		
OWNER ADDRESS:			ZONED AG	CRITICAL AREA NO	0	
ADDITEGO.			SUBDIVISION ACREAGE 172.89			
HOME PHONE:			ACKEAGE 172.03			
	ENGINEER/CONTRACTOR	INFORMATION	PERMIT FEES	\$55 X \$150	\$65	N. W. A. V. S. S.
NAME:	CHRIS CUSTIS		BOND REQUIRED	YES	x NO	
			BOND AMOUNT	_		
ADDRESS:	11457 SOMERSET AVE		BONDING COMPANY			
	PRINCESS ANNE, MD 2	1853	BUFFER MANAGEMENT	PLAN	☐ YES	☑ NO
PHONE: (410) 726-3576		BUFFER ESTABLISHMENT PLAN		☐ YES	⊠ NO	
			SEDIMENT CONTROL PL	LAN	☑ YES	□ NO
Work Class: DEV	ELOPMENT PLAN					
Work Description	SITE GRADING FOR 3 P	OULTRY HOUSES AND ASSO	CIATED MANURE BUIL	DING AND STORM	NWATER	
AGENCY APPROV	/ALS:					
Name				Completed Date		
ENTRANCE				12/16/2019 706	3	
S.W. MGT.				10/24/2019 Sy		
SCS				10/04/2019 A		
ZONING INSPE	CTION			10/08/2019	5	
TENTATIVE DATE	S	Start Grading:				
Laying Pavement:		Finishing Grading:		Complete Stor	m Drainage:	
Conditions:						
MUST APPLY FOR	R A SEPERATE ZONING CER	TIFICATE FOR EACH POULTRY H	OUSE AND MANURE BUI	ILDING PRIOR TO CO	NSTRUCTIO	N.
POST 3 INCH 911	NUMERS AT PROJECT	INSTALLED PRIOR TO START OF				- ER
	TRATOR APPROVAL:	hren Q E	ursn	DATE: /-	10-2	-020



Version 3.0



COMPREHENSIVE NUTRIENT MANAGEMENT PLAN

403 Barclay Road Barclay, MD 21607 Queen Anne's County

PREPARED IN COOPERATION WITH THE

United States Department of Agriculture, Natural Resources Conservation Service

AND THE

Queen Anne's Soil Conservation District 211 East Water Street Centreville, MD 21617

Plan Date:

August 2019

Poultry Operation (New Construction No Land Plan)

Maryland Animal Feeding Operation (MAFO)
Animal Identification Number



SECTION 1: CNMP Purpose and Agreement

The Comprehensive Nutrient Management Plan (CNMP) is an important part of the conservation management system (CMS) for your Animal Feeding Operation (AFO). This CNMP documents the planning decisions and operation and maintenance for the AFO.

This CNMP is valid as long as there are no major changes to the operation. A plan revision will be needed when the numbers of animals deviates by 10% from the planned amount or when the operation changes from one type of livestock to another. Annual revisions will be necessary for the nutrient management system in order to account for crop changes and soil sample result changes.

This CNMP was developed paying special attention to the USEPA's required nine minimum practices for water quality protection. This plan when implemented by Alex Moore will ensure clean runoff is diverted from manure storage and production areas and livestock are prevented from making direct contact with waters.

Owner/Operator

As the owner/operator of this CNMP, I, as the decision-maker, I have been involved in the planning process and agree that the items/practices listed in each element of the CNMP are needed. I understand that I am responsible for keeping all necessary records associated with the implementation of this CNMP. It is my intent to implement/accomplish this CNMP in a timely manner as described in the plan.

10/3/19	
Date	

Certified Comphrensive Nutrient Management Plan (CNMP) Planner

As an approved Comprehensive Nutrient Management Plan (CNMP) Planner, I certify that I have reviewed the Comprehensive Nutrient Management Plan and that the elements of the documents are technically compatible, reasonable and can be implemented.

Nanus Smetral	10/2/19
Nancy Metcalf U	Date

NRCS Planner Certification # 112

Nutrient Management Certification #1309

Queen Anne's Soil Conservation District

As the Queen Anne's Soil Conservation District Manager, I certify that I have reviewed this CNMP and concur that the plan meets the Queen Anne's Soil Conservation District's conservation goals.

	Tr	· e	ī.	
Anthony	Riggi			Date

SECTION 2: Farmstead (Production Area)

This element addresses the components and activities associated with the production facility, feedlot or animal loafing facilities, manure and wastewater storage and treatment structures and areas, animal mortality facilities, feed and other raw material storage areas, and any areas used to facilitate transfer of manure and wastewater.

Farm Locations

Farm Name	Tax Account ID	Farm #	Tract #	Account ID Acres	Watershed
	18-01-008293	7	9	172.89	02-13-05-08- 0401

Description of Operation / Additional Information

This is a proposed no-land poultry operation consisting of 3 - 63'x600' poultry houses holding 112,000 broilers per flock and 6 flocks per year. All manure will be exported off site.

Sensitive Environmental Areas

Streams, HEL land, 100 year floodplain, the Chesapeake Bay Critical Area, and sensitive species are not located on site. The production area is located 990' from any waters of the State. Some of the site is labeled as hydric soils. Non-tidal wetlands are present on the tract but will be unaffected by the construction and management of the poultry operation. All stormwater management will be routed through a non-rooftop disconnect or 8' flat bottom wetland forebay, and a stormwater management pond which is sized to contain a 100 year storm event before discharging through an outlet structure. The discharge will then run through grass and cropland prior to reaching any waters of the State.

Animal Production

Doultry

rould	Y					
Bird Type	Average Bird Weight (lbs)	Number of Houses	Total Number of Birds (All Houses)	Number of Flocks per year	Manure Generated/Produced (tons/year)*	Manure Available for Utilization/Removed (tons/year)**
Broiler	7.5	3	112,000	6	1012	2019: 0T 2020: 33T 2021: 67T 2022: 2429T

^{*} See poultry litter quantity estimation sheets in the "Nutrient Management" section of this plan.

Operators must keep records of the actual:

Quantity estimate of litter removed from production and/or storage facility; and
 Date of removal of litter from production and/or storage facility.

Manure Collection

either crust out or windrow between each flock with a complete clean out every 3 years.

Manure Storage

Manure removed from the houses' crust out will be placed in the waste storage structure planned on the site until it can be removed by the receiving operator for use in land application or sent to alternative use facilities.

Current / Proposed Manure Storage Conditions

Animal Type	Storage Structure	Size of Storage Structure	Storage Capacity	Date Constructed
Poultry	WSS	50'x92'	25300 cf	Proposed

IMPORTANT! Manure should not be stockpiled or staged anywhere in the production area other than permanent manure storage structure for any length of time.

Transfer Information

Animal Type	Name	Address	
Poultry			

Animal Mortality Disposal

Animals die because of disease, injury, or other causes in any confined livestock operation. The mortality rate is generally highest for newborn animals because of their vulnerability.

Catastrophic mortality can occur if an epidemic infects and destroys a large portion of the herd or flock in a short time, or if a natural disaster, such as a flood or excessive heat strikes. There are also incidences when an entire herd or flock must be destroyed to protect human health or other farms in the area.

Methods for managing mortality include:

- 1. Rendering
- 2. Composting
- 3. Incineration*
- 4. Sanitary landfills
- Burial**
- 6. Disposal pits**

^{*} Incineration may only be used with proper equipment and permits must be obtained by the producer.

** Burial and Disposal pits should only be considered for catastrophic mortality if all other methods are not possible. Alex Moore will follow local and state guidance if it is determined that burial is an acceptable means of disposal.

Typical Mortality Management

Current Normal Mortality Disposal Method(s)

Animal Type	Disposal Method	Number of Bins/Capacity	Location of Disposal/Facility
Poultry	Composting - Bins/Channels	2-24' Channels	attached to PWSS

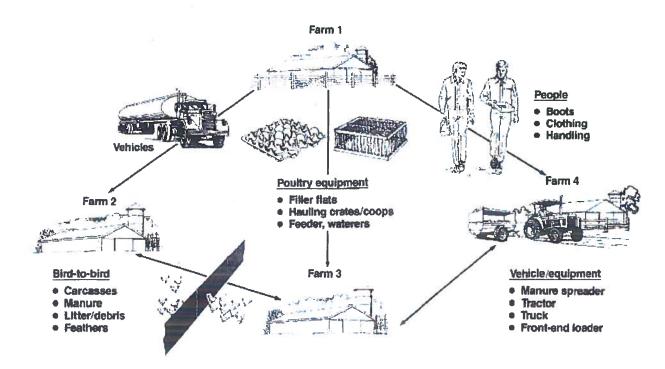
Catastrophic Mortality Management

In the event of catastrophic mortality, the operator will notify MDE, contact the integrator, and follow an "in house" or "in WSS" windrow method of composting as outlined in UMD-Ext fact sheets #723 and #801.

Biosecurity

Biosecurity means doing everything possible to protect the health of livestock by preventing the transmission of disease. An outbreak of animal disease could not only harm your livestock, it could affect other nearby animals and quickly spread through your area. The economic consequences of a disease outbreak could be devastating. Taking common sense precautions to prevent disease from coming onto your farm is the best investment you can make.

How Diseases Spread (Example - Poultry Operation)



Steps to Take to Avoid Disease Spread

To reduce the risk of introducing disease entering into an animal feeding operation, maintain a biosecurity barrier (physical barrier, personal hygiene, and equipment sanitation) between wildlife, animals, animal containment areas, and other commercial facilities. Some examples of good biosecurity practices include:

1. Permit only essential workers and vehicles on the premises.

2. Give germs the boot

a. Keep a pair of shoes or boots to wear only around your animals.

b. Clean and disinfect your shoes often.

c. Always ask visitors and employees to clean their boots and shoes.

3. Don't haul home disease

a. Always clean and disinfect vehicles used for moving animals.

b. Limit traffic of incoming people, products and vehicles that could bring in a disease.

c. Clean and disinfect all equipment that comes in contact with your animals.

4. Keep your farm secure

a. Restrict access to your property and animals.

b. Keep doors and gates locked.

c. Have tracking records on animals.

5. Give germs space - Newly acquired animals should be isolated for at least two weeks to ensure you don't introduce disease to your main herd or flock. As an added protection, isolate and quarantine new animals for 30 days before putting them with your other animals. Keep show animals segregated for at least two weeks after they've been to a fair or exhibit.

Look for signs

a. Unusual animal health symptoms or behavior

b. Sudden, unexplained death loss in the herd or flock
 c. Severe illness affecting a high percentage of animals

d. Blisters around an animal's mouth, nose, teats or hooves

e. Staggering, falling or central nervous system disorders that prevent animals from rising or walking normally.

f. Large number of dead insects, rodents or wildlife

7. Don't wait - call in signs of disease immediately. Do not self-diagnose. Seek veterinary services, as early detection is your best protection. If you have animals with signs of suspect disease, call your local veterinarian, UMD extension agent (Aly Valentine) or the state veterinarian. Rapid response and investigation are the only ways to control and eliminate disease and stop large numbers of casualties or damage to our economic system.

Farm Contact Information

The following tables contain important contact information specific to this CNMP for Alex Moore.

Emergency Contact Information

Farm Name	
Farm Address	403 Barclay Road, Barclay MD 21607
Directions to the farm	On NE side of the intersection of Hollingsworth Rd. and MD Route 302, approximately .4 miles east of MD 301

Farm Contacts

	Name	Farm Phone	Cell Phone
Farm Owner			
Farm Operator			
Fire or Ambulance		911	

State Agency Contacts

	Phone	Emergency
Natural Resources Conservation Service	410-757-0861	410-757-0861
MDA Nutrient Management	410-841-5959	1-800-492-5590
Maryland Department of the Environment	1-800-633-6101	1-866-633-4686
USDA Veterinary Services State Veterinarian	1-866-536-7593	301-854-5699

Queen Anne's County Agency Contacts

Day Phone	Emergency Number
410-822-8126	410-822-8126
(410) 758-0720	410-758-4500
(410) 758-0770	911
410-758-0166	410-758-0166
	410-822-8126 (410) 758-0720 (410) 758-0770

Integrator Information

Name	Address	Phone
Perdue-Coleman	, P.O. Box 768 Kings Mountain, NC 28086	1-800-442-8666

TARA KRICK CONSERVATION PLANNER

Conservation Plan



Animal Mortality Facility(316)

Construct a dead poultry composting facility according to NRCS standards and specifications at the approximate location shown on the plan map, to provide for the composting of the normal daily accumulation of dead birds from the operation. This is a 2-24' Channel Composter located on the east side of the PWSS.

		Planned			Applied	
Tract	Field	Amount	Month	Year	Amount	Date
9	1	1. No	7	2020		
	Total:	1. No			, NO	

Heavy Use Area Protection(561)

A heavy use area will be established in front of poultry waste storage shed and channel composter shown on the plan map to protect area from erosion and improve water quality by providing a stable area for handling manure during partial or total cleanout. The area will be established according to NRCS standards and specifications

Œ.		Planned			Applied	
Tract	Field	Amount	Month	Year	Amount	Date
9	1	2160. SqFt	7	2020		
	Total:	2160. SqFt			¥5	

Heavy Use Area Protection(561)

A heavy use area will be established in the front and back of poultry houses shown on the plan map to protect areas from erosion and improve water quality by providing a stable area for handling manure during partial or total cleanout. The area will be established according to NRCS standards and specifications.

		Planned			Applied	
Tract-	Field	Amount	Month	Year	Amount	Date
9	1	1600. SqFt	7	2020		
.9	1	1600. SqFt	7	2020		
9	1	1600. SqFt	7	2020		
9	1	1600. SqFt	7	2020		
9	1	1600. SqFt	7	2020		
9	1 "	1600. SqFt	7	2020		
	Total:	9600. SqFt				

Hedgerow Planting(422)

Establish a living fence with a double row of trees around the perimeter of the poultry production area.

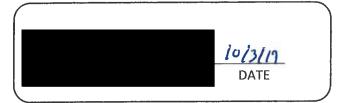
Planned					Applied	
Tract	Field	Amount	Month	Year	Amount	Date
9	1	3379. Ft	7	2020		
	Total:	3379. Ft				

Waste Storage Facility(313)

Construct a manure storage structure at the location shown on the plan map. The structure will be built according to NRCS design, and operated and maintained in accordance with a Comprehensive Nutrient Management Plan or a Waste Management System plan developed for this operation. All necessary permits and notifications will be obtained before construction. There is one Poultry Waste Storage Structure located on the premise, its dimensions are 50' x 92'.

		Planned	***		Applied	
Tract	Field	Amount	Month	Year	Amount	Date
9	⁸ 1	1. No	7	2020		
	Total:	1. No				

CERTIFICATION OF PARTICIPANTS



CERTIFICATION OF:

DISTRICT CONSERVATIONIST

Namy Shotcay 10/2/19 NANCY DETCALF 10/2/19 CONSERVATION DISTRICT

QUEEN ANNE'S SCD

DATE

PUBLIC BURDEN STATEMENT

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collections is 0578-0013. The time required to complete this information collection is estimated to average 45/0.75 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection information.

PRIVACY ACT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 522a). Furnishing this information is voluntary; however failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

USDA NON-DISCRIMINATION STATEMENT

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USDA Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW.

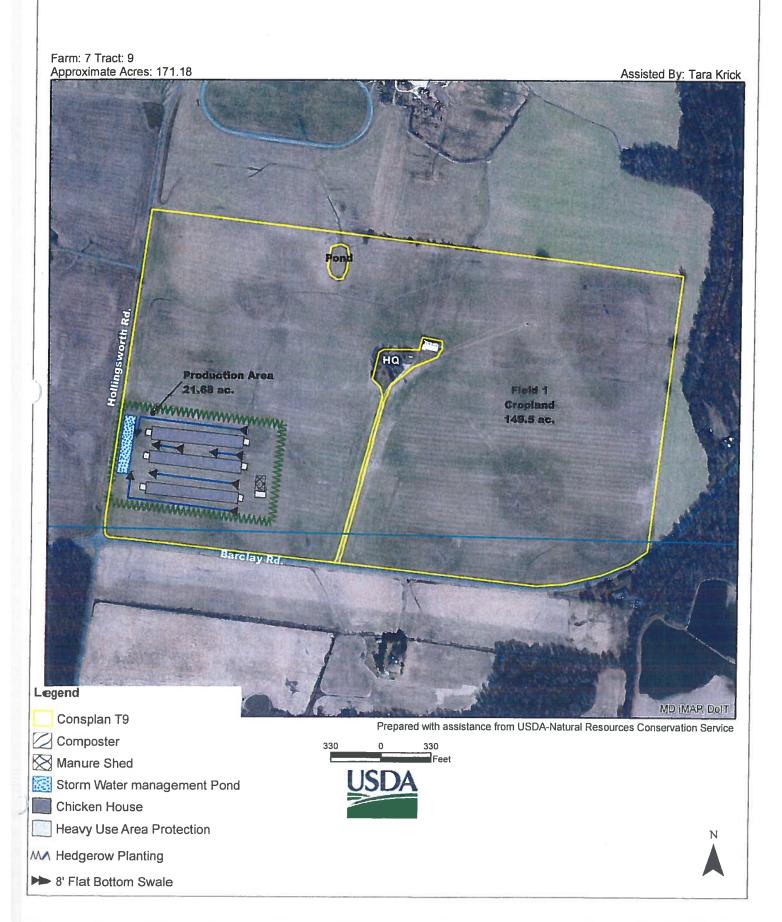
Washington, DC 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer, and lender. Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

OWNER/OPERATOR:

Conservation Plan Map Queen Anne's SCD

Date: 9/19/2019



OWNER/OPERATOR:

New Construction Map

Queen Anne's SCD Date: 9/19/2019

Farm: 7 Tract: 9





Chicken House

Composter

Manure Shed

Storm Water Management pond

Heavy Use Area Protection

M Hedgerow Planting

▶ 8' Flat Bottom Swale



OWNER/OPERATOR:

UsB W WhA

Soils Map

Queen Anne's SCD Date: 10/1/2019

Farm: 7 Tract: 9 Approximate Acres: 171.18 Assisted By: Tara Krick HnA HVA WhA NsB GaA MqA Barclay Rd. Legend Consplan T9 CaA MD IMAP, DOIT Prepared with assistance from USDA-Natural Resources Conservation Service HnA 330 HvA Feet MqA NsB PA

Soils Inventory Report

Tue Oct 01 2019 13:41:42 GMT-0400 (Eastern Daylight Time)

ALEX MOORE

	T	T				
erest.	Land Unit	Map Unit Symbol	Wap Unit Name	Prime Permiand Indicator	Acres	Percent
9	1	W	Water	Not prime farmland	0	0%
9	1	HnA	Hammonton sandy loam, 0 to 2 percent slopes	All areas are prime farmland	1.4	1%
9	1	WhA	Whitemarsh silt loam, 0 to 2 percent slopes	Not prime farmland	3.6	2%
9	1	MqA	Mattapex-Butlertown silt loams, 0 to 2 percent slopes	 All areas are prime farmland 	4	2%
9	1	HvA	Hurlock sandy loam, 0 to 2 percent slopes	Farmland of statewide importance	12.8	7%
9	1	CaA	Carmichael loam, 0 to 2 percent slopes	Farmland of statewide importance	20.4	12%
9	1	PiA	Pineyneck silt loam, 0 to 2 percent slopes	All areas are prime farmland	25.3	15%
9	1	UsB	Unicorn-Sassafras loams, 2 to 5 percent slopes	All areas are prime farmland	44.3	26%
9	1	NsB	Nassawango silt loam, 2 to 5 percent slopes	All areas are prime farmland	59.4	35%
			Prime Farmland Total:	Total: 134.4	171.2 79%	100%
9	2	UsB	Unicorn-Sassafras loams, 2 to 5 percent slopes	All areas are prime farmland	0	0%
9	2	W	Water	Not prime farmland	0.5	100%
				Total:	0.5	100%
			Prime Farmland Total:	0	0%	
9	HQ	NsB	Nassawango silt loam, 2 to 5 percent slopes	All areas are prime farmland	0.6	25%
9	HQ	UsB	Unicorn-Sassafras loams, 2 to 5 percent slopes	All areas are prime farmland	1.8	75%
				Total:	2.4	100%
			Prime Farmland Total:	2.4	100%	

Total: 174.1 100%

Implementation Schedule for Farmstead

This element addresses the need for and implementation of appropriate conservation practices to meet the quality criteria for soil erosion, air and water quality.

Note: The table below is your Conservation Practice and Facility Implementation Schedule. The practices listed in this schedule **must** be implemented according to the dates indicated. If these practices are not implemented according to schedule, please contact Tara Krick.

Practice and Facility Implementation Schedule

ridetice and rac		Tentation Schedule	
Identify Resource Concern	Practice Name (NRCS Code)	Description of Practice	Date to be Implemented
PWSS Uncollected manure/litter or improperly stored manure/litter has the potential to runoff & create a resource concern. Facility will be built according to NRCS standards & specs. Structure is designed to hold crust/cake outs for 180 days.	Waste Storage Facility (313)	Construct a 50'x92' manure storage structure according to NRCS design.	7/1/2020
DBCF Mishandled mortalities create a potential resource concern. Structure is designed to manage normal mortalities. The structure will be constructed according to NRCS standard & specs and will be attached to the PWSS.	Animal Mortality Facility (316)	An on-farm facility for the treatment or disposal of livestock and poultry carcasses.	7/1/2020
Uncollected manure/litter at the ends of the houses/PWSSs/DBCFs after livehaul & cleanout events has the potential to runoff & create a resource concern. HUAs will be built of reinforced 4000psi concrete & will allow the cleanup of the areas after such ev	Heavy Use Area Protection (561)	The stabilization of areas frequently and intensively used by people, animals or vehicles by establishing vegetative cover, by surfacing with suitable materials, and/or by installing needed structures.	7/1/2020
Trees & shrubs planted around poultry houses to			

provide shelter from winter winds; reduce particulates, ammonia, & other odors from ventilation fans; create visual screens; & provide shade to reduce extreme summer heat.	Hedgerow Planting (422)	Establishing a living fence of shrubs and/or trees in, across, or around a field.	7/1/2021	
---	-------------------------------	---	----------	--

The schedule of conservation practices presented here has been reviewed by Alex Moore, who is responsible for compliance with the requirements of the agricultural farm operation.

I, Alex Moore, certify that as the decision-maker, I have been involved in the planning process and agree that the items/practices listed in the table above are needed on my farm operation. I understand that I am responsible for implementing these practices according to the scheduled above. Should I not be able to implement any of the above items according to the schedule, I will contact the Queen Anne's Soil Conservation District and have this schedule revised.



Implementation Schedule Comments

*** If cost-share funding is not available, funding for the PWSS and DBCF will come from the lending agency.***

This CNMP is written with the assumption that the approved construction design will be followed and the following BMP's will be constructed before bird placement:

313 - Poultry Waste Storage Structure

316 - Animal Mortality Facility

Operation and Maintenance for BMP's in Farmstead

This section addresses the operation and maintenance for the structural, non-structural, and land treatment measures for your farm. These documented measures require effort and expenditures throughout the life of the practice to maintain safe conditions and assure proper functioning. Operation includes the administration, management, and performance of non-maintenance actions needed to keep a completed practice safe and functioning as planned. Maintenance includes work to prevent deterioration of practices, repairing damage, or replacement of the practice if one or more components fail.

Waste Storage Facility (313)

Check backfill areas around structure (concrete, steel, timber, etc) often for excessive settlement. Determine
if the settlement is caused by backfill consolidation, piping, or failure of the structure walls or floor.
Necessary repairs must be made.

Check walls and floors often - minimum of 2 times a year when facility is empty - for cracks and/or separations. Make needed repairs immediately.

3. Outlets of foundations and sub-drains should be checked frequently and kept open. The outflow from these drains should be checked when the facility is being used to determine if there is leakage from the storage structure into these drains. Leakage may be detected by the color and smell of the out-flowing liquid, by lush dark-green growth of vegetation around the outlet, by the growth of algae in the surface ditch, or by the vegetation being killed by the out-flowing liquid. If leakage is detected, repairs should be planned and made to prevent the possible contamination of groundwater. To prevent erosion, a good vegetative cover should be established and maintained on berms and embankments. Plantings should be clipped 3 times a year to kill noxious weeds and encourage vigorous growth. If the vegetative is damaged, berms and embankments will need to be re-vegetated as soon as possible.

4. Fences should be inspected and maintained in order to exclude livestock from the berms and embankments

and to exclude unauthorized entry by people.
5. Check the channels and berms of the clean water diversions around the barnyard, buildings and storage structure frequently. Channels must be protected from erosion and berms must be maintained at the proper height to ensure adequate capacity. These channels and berms should not be used as haul roads unless they are designed and constructed for this purpose.

Check frequently for burrowing animals around buildings, structures, and in the berms and embankments. Remove them when they are found and repair any damage.

 Inspect haul roads and approaches to and from the storage facility frequently to determine the need for stone, gravel or other stabilizing material.

8. Do not allow runoff from loading areas and from spills to flow into streams or road ditches.

9. Examine and repair all warning and hazard signs as needed.

 Install and maintain a marking gauge post, which clearly shows the design levels of one-half and full for manure storage pits, ponds, and lagoons.

11. Clear blockages from roof gutters and outlets as needed.

12. Roof of feed area must be maintained and operate as intended for the life of the practice (15 years). The function of the roof is critical since the manure storage facility is sized accordingly.

Animal Mortality Facility (316)

Normal Mortality - Animal mortality facilities will normally be operated or used on a daily basis. At each operation or use, the facility shall be inspected to note any maintenance needs or indicators of operation problems. Develop an operation and maintenance plan prior to design approval that is consistent with the purposes of the practice, its intended life, safety requirements, and the criteria for its operation.

The plan must include but is not limited to the following:

1. Objective of the landowner or operator and the operation requirements;

2. The mix proportions, moisture requirements, and materials used;

- The sizing requirements;
- 4. The timing of the disposal/utilization process including loading, unloading, and turning or aeration of the material:

5. Temperature monitoring requirements, including a temperature log;

6. What must be done to prevent scavenging animals and leachate problems;

Bio-security requirements;

Catastrophic Mortality - Possible locations for catastrophic animal mortality facilities shall be located during the planning process to be operated as needed.

Burial of catastrophic mortality shall be timed to minimize the effects of mortality expansion during early stages of the decay process. Where possible and permitted by state law, mortality shall remain uncovered or lightly covered until bloating has occurred. Some topsoil shall be retained to re-grade the disposal site after the ground has

settled as the decay process is largely completed.

Where composting is used for catastrophic mortality disposal, the operation and maintenance plan shall identify the most likely compost medium, possible compost recipes, operational information, and equipment that will need to be readily available.

Heavy Use Area Protection (561)

Inspect the Heavy Use Area at least twice a year;
 Scrape the surface as needed to remove ex-cess manure and/or sediment;

Repair paved areas by repairing holes and replacement of paving materials.
Replace loose surfacing material such as gravel, cinders, sawdust, tanbark etc as needed when removed by livestock or equip-ment traffic or by scraping;

5. Maintain all vegetation that is part of the plan by fertilization and liming according to soil test recommendations and reseeding or re-planting as necessary.

Hedgerow Planting (422)

- 1. Inspect the hedgerow at least annually. If tree shelters are used, remove them before they impede the growth of the trunk. Removal should not occur until the seedling has adequate girth to support itself (usually 3 to 5 years after planting). Follow the maintenance recommendations in the attached fact sheet(s) for additional information.
- 2. If survival is less than expected during the first two years, replant as needed to achieve the intended
- purpose of the practice.

 3. Shape and replant areas damaged by heavy rainfall, animals, chemicals, tillage, or equipment traffic, and any other areas where the vegetation is not adequate.
- 4. Check for insects and diseases, and if an incidence threatens stand survival, take corrective action to keep the pest under control.
- 5. Control undesirable plants by pulling, mowing, or spraying with a selective herbicide. Control noxious weeds as required by state law.

SECTION 3: Land Treatment Area (Crop and/or Pasture)

This element addresses evaluation and implementation of appropriate conservation practices on sites proposed for land application of manure and organic by-products from an Animal Feeding Operation. On fields where manure and organic by-products are applied as beneficial nutrients, it is essential that runoff and soil erosion be minimized to allow for plant uptake of these nutrients.

This CNMP is considered a "No Land" plan, therefore no additional documents have been included in this section.

SECTION 4: Nutrient Management

This element addresses the Nutrient Management component of the CNMP. The nutrient management plan is developed by a Maryland Department of Agriculture certified nutrient management consultant.

Soil Sampling and Testing

Maryland Department of Agriculture regulations require up-to-date soil analyses be included in the Nutrient Management Plan. To fulfill this requirement you must follow these guidelines:

Soil test(s) are required to be taken every 3 years or sooner for each management unit;
 It is recommended that soil sampling be conducted consistently at the same time of the year;
 Soil sampling depth for P and K shall be 8 inches;
 pH testing sampling depth for no-till is only 4 inches.

Soil testing shall include analysis for any nutrients for which specific information is needed to develop the plan. The minimum analysis for Maryland is to include: pH, organic matter, phosphorus, potassium, calcium, magnesium, and CEC.

Manure and Wastewater Testing/Analysis

Maryland Department of the Environment and the Environmental Protection Agency require an analysis of manure generated on your operation be obtained to meet conditions in a General Discharge Permit for Animal Feeding Operations under CAFO regulations. If you land-apply manure, it is a required component of your NMP according to MDA regulations. To fulfill this requirement you may do one of the following:

1. Collect a sample of manure and obtain an analysis OR

2. If exported, obtain a copy of the manure analysis from one of the farmers who will be receiving the manure from your operation

Manure should be analyzed on an annual basis from each storage structure for: % Solids or % Moisture, Total N, Organic N, NH₄ or NH₃, P₂O₅, K₂O, and pH. These analyses are part of the required Record Keeping and are stored under the Record Keeping element of this CNMP.

Description of Chemical Handling:

1. All chemicals are custom applied and no chemicals are stored at the operation.



Queen Anne's County 505 Railroad Avenue, Suite 4 Centreville, MD 21617 Phone: (410) 758-0166 Fax: (410) 758-3687 cforemal@umd.edu

Queen Anne's County

NUTRIENT MANAGEMENT PLAN

Farm Address: 403 Barclay Road Barclay, MD 21607

BRIEF DESCRIPTION OF OPERATION:

acres of cropland in Queen Anne's County where he grows corn. Commercial fertilizer is his only nutrient source. This plan also covers his proposed organic poultry operation. There will be 3 houses that have a holding capacity of 112,000 broilers per flock. He plans to start receiving birds in July 2019. All manure will be exported off the farm.

This nutrient management plan is one of the required plans needed for a CAFO permit 14AF.

Tesponsibility to send a copy of this plan to Maryland Department of the Environment (MDE).

DATE OF PLAN: September 12, 2018

DURATION OF PLAN: September 12, 2018 through February 29, 2020

SOIL SAMPLING AND TESTING: Soil samples were collected by Crop Production Services of Centreville, MD and analyzed by Spectrum Analytic in November 2017. Soil samples are valid for three years.

MANURE SAMPLING AND TESTING: Maryland Department of the Environment and the Environmental Protection Agency require that CAFO operations have a copy of an analysis of the manure generated on the operation in their records. Operator may either collect a sample of manure before it is transported off-farm and obtain an analysis or obtain a copy of the manure analysis from one of the farmers who will be receiving the manure from the operation. A copy of each year's manure analysis must be submitted with each year's Annual Implementation Report (AIR).

MANURE MANAGEMENT: Mr. Moore plans to crust out the houses half the time and windrow half the time between each flock. Mr. Moore plans to start receiving birds in July 2019 and have a complete cleanout every 3 years. All collected manure will be stored in the manure storage building until it can be exported off the farm.

The operator must keep records of the quantity, date, and destination of manure removed from the houses and off the farm. Manure is exported to the following

receiving facility or farm as available:

BASIS OF RECOMMENDATIONS: Nutrient recommendations are both nitrogen & phosphorus based, as required by State of Maryland regulations.

PHOSPHORUS SITE INDEX (PSI) AND UM-PHOSPHORUS MANAGEMENT TOOL (UM-PMT): A Phosphorus Site Index risk assessment is not required at this time as no fields have a Fertility Index Value (FIV-P) greater than or equal to 150.

NUTRIENT APPLICATION EQUIPMENT CALIBRATION: Application equipment must be calibrated <u>annually</u> to estimate actual application rates for all nutrient applications. Equipment must be recalibrated when equipment settings, ground speed, consistency or density of a product varies from the original calibration. Documentation of the calibrations must be recorded and made available during an implementation review conducted by EPA, MDE or MDA. This documentation must include any of the necessary calculations to attain the nutrient rate that was determined.

SOURCE OF YIELD GOAL INFORMATION: Yield goals were determined by No records were offered for observation.

TIMING: Guidance on the timing of fertilizer applications is included on the recommendations sheet(s). Also note that nutrient application is prohibited when the soil is saturated, when the ground is covered with snow greater than one inch, or when the ground is hard-frozen greater than two inches. Additional information of a general nature is included in the "NUTRIENT APPLICATION REQUIREMENTS" and "GENERAL PRINCIPLES OF NUTRIENT MANAGEMENT" sections of this plan.

FIELD STORAGE OF LITTER: Refer to the *General Discharge Permit for Animal Feeding Operations* for information for the requirements for field storage or stacking of litter.

BEST MANAGEMENT PRACTICES: Information and requirements for implementation of Best Management Practices are addressed in the: Soil Conservation Water Quality Plan or Comprehensive Nutrient Management Plan.

CUSTOM APPLICATION OF NUTRIENTS: If any nutrient sources are customapplied, it is imperative that the farmer/operator inform the custom applicator(s) of the recommendations contained in this plan as well as any setbacks that are required. The farmer/operator is solely responsible for ensuring that the nutrient recommendations and setback requirements contained in this plan are followed by all hired contractors and employees.

RECORD KEEPING REQUIREMENTS: The Water Quality Improvement Act requires that producers keep records on fertilizer and/or manure usage. Consult the model

form and directions included in the record keeping section of this plan for the type of information required. Refer to the *General Discharge Permit for Animal Feeding Operations* for information for the type of records that are required by MDE and EPA.

CAFO MANURE SETBACK REQUIREMENTS:

Setbacks (areas where manure may not be applied) are required as follows:

a. A setback of at least 100' from waters of the State, including field ditches, other conduits, intermittent streams, and drinking water wells, shall be maintained; or an approved alternative may be substituted for the 100' setback.

b. A setback of at least 100' from property lines shall be maintained, unless an approved alternative setback for property lines is established with the consent of the adjacent property owner.

MDE has approved alternatives to setbacks from waters of the State. These are listed in the document "Maryland Setback Standards and Approved Alternatives Consistent with CAFO/MAFO Requirements", a copy of which is included in this nutrient management plan

In your records, indicate whether you observed the setbacks or one of the approved alternatives.

Farm Identification Summary

Farm Name	Tax Account ID Numbers	Watershed Location Code	Total Acres Farmed (Cropland and Pastures)
		0045	149.5

149.5 total acres

Manure Summary Table

Animal Type and Number	Total Manure Generation (T/yr)*	Manure Avail. for Utilization (T/yr)*	Manure Storage Capacity/Conditions	Timing of Application
112,000 birds/flock x 6 flocks/yr = 672,000 birds/yr	1012 T	2019: 0T 2020: 33 T 2021: 67 T 2022: 2429 T	50' x 92' Manure Building	Exported

^{*}See manure generation sheets

Plan Update Requirements

As stated in the cover sheet, this plan was developed for use from September 12, 2018 through February 29, 2020

The following is a list of situations that will impact whether or not the attached Nutrient Management Plan will need updating **before** the end of the time period for which the plan was developed.

- 1) A change to the planned crop or cropping rotation, or introduction of a new crop not currently addressed in the existing nutrient management plan.
- 2) A change in nutrient source or soil test results.
- 3) A change in **acreage** managed of 10 percent or greater, or 30 acres, whichever is less.
- 4) A change in **animal units** of 10 percent or greater if resultant manure production will require significant management adjustments.

Agricultural Science Educator

Jennifer L. Rhodes Certification # 1368

License # 2030

Nutrient Management Advisor

Casey Foreman

Certification # 4269

License # 2030

NUTRIENT APPLICATION SETBACKS FROM SURFACE WATER:

(5-19-15)

Setbacks for Nutrient Application are required in the development of nutrient management plans. Application and livestock setback regulations are contained under the Nutrient Application Requirements, Maryland Department of Agriculture 2012, COMAR 15.20.07.02, Maryland Nutrient Management Manual, 1-D1.

A minimum of a 10' vegetative setback must be in place next to surface water. The chart below indicates if surface water is present that requires a setback on any farm/operation and identifies the fields that are required to have a nutrient application setback. An application of crop nutrients using a broadcast method either with or without incorporation requires a 35'setback. A directed spray application or the injection of crop nutrients only requires a 10'setback. Excepting perennial forage crops grown for hay and pasture, vegetation in the 10' setback area may not include plants that would be considered part of the crop grown in the field (i.e. row crops). Pastures and hayfields are subject to a 10' and/or a 35' nutrient application setback depending on application methods. Nutrients may not be applied within the 10' setback.

Livestock on pasture are required to meet the minimum 10' setback by means of fencing unless a Best Management Practice (BMP) is approved by MDA or a Soil Conservation and Water Quality Plan is developed and implemented that prescribes an alternative to fencing animals 10' from surface water. Alternative BMP's may include stream crossings, watering facilities, pasture management, or other practices that are equally protective of water quality. Sacrifice lots for livestock require a 35' setback from surface water.

If nutrients are custom-applied, it is the operator's responsibility to inform the applicator of the setback distance based on the method of application.

	Is Surface Water	Field(s) requiring		Application Setba	ack Required oriate column(s).)
Farm Name(s)	Present on the farm that requires a setback (Yes or No)	a Nutrient Application Setback*	Livestock on Pasture ≥ 10 ft.	Directed Application** ≥ 10 ft.	Broadcast Application or Sacrifice Lots*** ≥ 35 ft,
	No				
			*		
8					
					<u>t</u>

^{*}If a field contains multiple sources of surface water (i.e. a pond and a stream), list each separately or identify on the map.

^{**}Directed Application = Directed Spray Application (Vertical Fan or Drop Nozzle), Air Flow Application, Knifed/Injected application of Nutrients, Planter Applied nutrients

^{***}Broadcast Application or Sacrifice Lots = Spinner Spreaders (Manure or Fertilizer), High Volume Horizontal Nozzles, Manure Spreaders (Box type with beaters, Splasher plates for liquid, Side Discharge V-Type)

MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Suite 605 • Baltimore, Maryland 21230-1719 410-537-3375 • 800-633-6101 x3375 • http://www.mde.state.md.us

Land Management Administration • Solid Waste Program

Maryland Setback Standards and Approved Alternatives Consistent with CAFO/MAFO Requirements

Introduction:

The Maryland Department of the Environment (MDE) current Regulations Governing the Control of Water Pollution to address permit requirements for Concentrated Animal Feeding Operations (CAFOs) and Maryland Animal Feeding Operations (MAFO) include options for manure application setback standards in the Code of Maryland Regulations (COMAR) 26.08.03.09b(1). These setbacks for CAFOs are also included in 40 CFR Part 412.4(c)(5).

As written in Part IVB8 of the General Discharge (GD) Permit for Animal Feeding Operations (NPDES Permit No. MDG01, Maryland Permit No 09AF), the current "Protocols for the Land Application of Manure and Wastewater" include, for both CAFOs and MAFOs, the following setback provisions:

- a. A setback of at least 100' from waters of the State, including field ditches, other conduits, intermittent streams, and drinking water wells, shall be maintained; or an approved alternative may be substituted for the 100' setback.
- b. A setback of at least 100' from property lines shall be maintained, unless an approved alternative setback for property lines is established with the consent of the adjacent property owner.

I. Alternative Setback Option Applicable to Poultry MAFOs ONLY which is included in the GD Permit:

For slopes of 2% or less, a MAFO may satisfy the land application setback and buffer requirements of this permit by maintaining: 1) a vegetated filter strip at least 10 feet wide along field ditches and in the final 35 feet of the field ditches (applicable to ditch embankments and, to the maximum extent practicable, the channel) adjoining the receiving waters or the facility boundary, whichever occurs first, 2) a 35' vegetated filter strip or 3) a 50' setback from all other surface waters of the State.

II. Approved Alternative Setback Options to the Requirement in COMAR 26.08.03.09B(1)(a) for all CAFOs and MAFOs.

The following are the approved alternatives to the 100-foot setback, which have been established by MDE in consultation with the Maryland Department of Agriculture (MDA), Natural Resources Conservation Service (NRCS) and the University of Maryland Extension (UME).

Option 1: A 35-foot vegetative buffer strip established in accordance with the NRCS Practice Standards 390, 391, or 393, or systems as approved by MDE in coordination with the MDA, NRCS and UME which is included in the GD Permit.

The buffer strip shall consist of a permanent vegetative planting that is not part of a cropland or pasture rotation. The location, layout, and density of the buffer strip shall reflect the intended purpose of the practice, conditions of the site, and the objectives of the land user. Site preparation and planting to establish the buffer strip shall be done at a time and manner to insure survival and growth of the selected species. Select plant species that are native to Maryland, or are introduced and are non-invasive (i.e., not likely to spread beyond the planted area and displace native species). See Maryland NRCS 390, 391, and 393 Conservation Practice Standards for more details. Existing naturally vegetated areas may also qualify as buffers if they meet the criteria in the applicable standard.

Page 1 of 2

Date: March 30, 2011 TTY Users: 800-201-7165 Note: For any fields was slopes 8% or above, the NRCS approves soil loss prediction tool shall be used to determine risk. If significant risk (above tolerable soil loss) is determined, the appropriate Best Management Practices to reduce soil loss risk will be implemented according to NRCS standards.

Option 2: 10-foot no nutrient application zone from Surface Waters Plus One of Three Land Treatment Practices

The producer (CAFO or MAFO) shall maintain a minimum 10-foot setback from surface waters on which no manure, chemical fertilizer or any other nutrient containing soil amendments are applied AND must implement at least ONE additional of the following Best Management Practices:

Option 2A: Winter crop establishment including small grains, brassicas, or other species in accordance with MDA Nutrient Management Plan (NMP) requirements with <u>no nitrogen or phosphorus</u> applications before March 1st.

Such crops shall be planted during the fall in the year manure application took place. The winter crop shall be applied to the entire field that received manure.

Option 2B: Subsurface injection or surface application of manure with incorporation within three days (72 hours) of manure or wastewater surface application.

If vertical tillage is used to minimally incorporate manure with surface residue, soil loss needs to be "T" or less as determined by RUSLE 2. Plug or spike aerators (such as Aerway®), seed bed conditioners and vertical till (such as Turbotill TM) may be used for incorporation.

Option 2C: Dry Manure Injection.

Injection of poultry litter and dry manure application (Subsurfer®).

Option 3: Other – Must be approved in writing by MDE in coordination with NRCS, UME and MDA. Applicant must demonstrate to the satisfaction of MDE and the other agencies that this option conserves and protects public health, natural resources, and the environment of the State, and controls water and land pollution to at least the same extent as would be obtained by compliance with the applicable requirements.

Policy for Part IV B(8b) of the GD Permit for Animal Feeding Operations

In accordance with 40 CFR Part 412.4(c)(5), and Part IV B(8b) of the GD Permit for Animal Feeding Operations, which states: "Protocols for the Land Application of Manure and Wastewater ... the following requirements for setbacks shall be maintained: ... b. A setback of at least 100' from property lines shall be maintained, unless an approved alternative setback for property lines is established with the consent of the adjacent property owner."

Policy: If the property line is coincident with a hydrologic conveyance to the waters of the State, then the setback requirements of Part IV B(8a) apply: A setback of at least 100' from waters of the State, including field ditches, other conduits, intermittent streams, and drinking water wells shall be maintained; or an approved alternative including options 1 through 5 may be substituted for the 100' setback."

Date: March 30, 2011 TTY Users: 800-201-7165 Page 2 of 2



(Note: Location of surface waters and their setbacks were estimated using national or state databases and/or personal knowledge of the Nutrient Management Advisor. Actual surface water locations may be different than indicated on the map. Refer to the Maryland Department of Agriculture's NUTRIENT APPLICATION SETBACKS FROM SURFACE WATER form in your Nutrient Management Plan for more information.)

As a CAFO, you have additional setback requirements for manure application. A setback of 100 feet is required from any water of the state, including field ditches, unless you utilize one of the approved alternatives to setbacks. A copy of Maryland Setback Standards and Approved Alternatives Consistent with CAFO/MAFO Requirements is included in this plan.

Farmer/Operator			Field	Field Information Sheet	on Sheet				
Street Address						Plan Year	72	2019	
City, State, Zip, County	-					Tier - Phase		N/A	
Tract No. / Farm	Field No	667				Date Plan Prepared	9-1	9-12-2018	
		3	Crops	Yield Goal	Tillage Method	Past	Nutrient Source	urce	
10						N Oredit	Manure/Sludge Field History	eld History	
						Las	Last Year	2 Years Ago	0
4)		59.3 Acres	Corn grain, contin. no-till	200	No-till, res > 70%	Type 15	Rate	Туре	Rate
Α)	74	90.2 Acres	Сот grain, contin. no-ti]]	200	No-till, res > 70%	15			,

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SOIL TESTS

Soil Analysis Report

Washingon Court House, OH 43160-8748

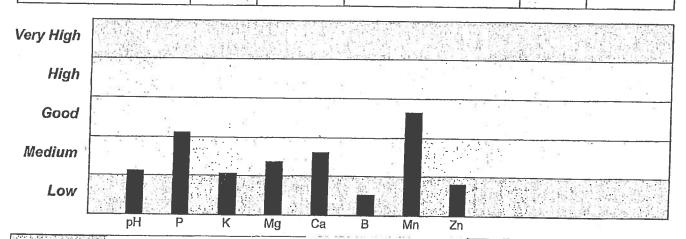
www.spectrumanalytic.com

CROP PRODUCTION SERVICES 1003 HOPE RD CENTREVILLE, MD 21617

Prepared For

		A to the control of t	
Sample Lab Number	STE 1L 1 A22620	Sampled Tested	10-26-2017 11-01-2017
Acres			

Analysis	AT IN SOCI	Result	Optimal	Analysis	14. 基键	Result	Optimal
Soil pH		5.6	6.3-7.0	Boron	m3-ppm		0.9-1.7
Buffer pH		6.9		Manganese	m3-ppm		Varies
Organic Matter	%	0.9		Zinc	m3-ppm		3.9-10.9
CEC		3.5		UMD Phosphorus FIV	pp.,,,	57	51-100
K Saturation	%		2.0-4.0	- The Prior Go T TV			315100
Mg Saturation	%		10-20		1	- A	
Ca Saturation	%	42.7	50-70		8		
K/Mg Ratio		0.7		20	- 1	Er. 5	
Ca/Mg Ratio		4.4	22		ł		
Phosphorus	m3-ppm	45	40-90			x = 5	
Potassium	m3-ppm	65	120-210		}		
Magnesium	m3-ppm	. 90	130-270				
Calcium	m3-ppm	397	500-1000				
					4	: i i i	
						8 8 9	
	150	- 11.2-4				3 . g %	
	- 1				ľ		
	10				P	1955	



Recommendations 18 UMD Soybear

UMD Soybeans: §

Maryland Nutrient Management regulations require that nutrient management plans utilize University of Maryland crop nutrient recommendations. The recommendations on this page are not consistent with the regulations and should be disregarded.

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3	S	В	Си	Fe.	. Mn	Zn
1		0.50			0	9
						-
	i					I

Adjust accordingly. D=Dolomitic. C=Calcitic. ations, and additional information.

Soil Analysis Report



7087 Jamison Road NW Washingon Court House, OH 43160-8748

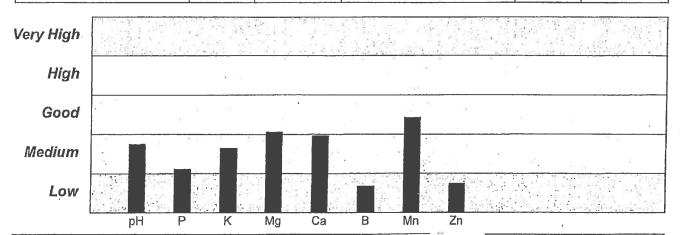
www.spectrumanalytic.com

CROP PRODUCTION SERVICES 1003 HOPE RD CENTREVILLE, MD 21617



Sample Information	today to a service of the service	And Address and the Con-	entrant in the contract of the second of the contract of the c	en subsectuurestingsteenk
Sample	STE-1R	2	Sampled	10-26-2017
Lab Number Acres	A22619		Tested	11-01-2017

Analysis	X. 1 X	Result	Optimal_	Analysis		Result	Optimal
Soil pH		6.1	6.3-7.0	Boron	m3-ppm	0.4	0.9-1.7
Buffer pH		6.9		Manganese	m3-ppm		Varies
Organic Matter	%	0.7		Zinc	m3-ppm	1.3	3.9-10.9
CEC		4.4		UMD Phosphorus FIV		28	51-100
K Saturation	%	4.9	2.0-4.0				
Mg Saturation	%	23.5	10-20			-, ,	
Ca Saturation	%	44.2	50-70			5 m 2 m	1
K/Mg Ratio	ĺ	0.7				**	
Ca/Mg Ratio		3.7		6			
Phosphorus	m3-ppm		40-90	1			
Potasslum	m3-ppm	100	120-210				
Magnesium	m3-ppm	140	130-270	1,2			
Calcium	m3-ppm	516	500-1000				
8							
	1		r: 8				
	1						
	1					9	
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Recommendations - Yr 18 UMD Soybeans

UMD Soybeans: See N

Maryland Nutrient Management regulations require that nutrient management plans utilize University of Maryland crop nutrient recommendations. The recommendations on this page are not consistent with the regulations and should be disregarded.

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S	В	Си	Fe	Mn	Zn		
_	0.50 0 9						

st accordingly. D=Dolomitic. C=Calcilic. ps, and additional information.

ramer/Operator					SOU LEST RESUITS	sams							
	-					Plan Year			2019				
Street Address	il a												
City. State Zin County	,dank					Tier - Phase			N/A				
						Date Plan Prepared	repared		9-12-2018				
Tract No.	Field No.	Lab	Test Date	Soil Texture	Test Number	풘	O.M	p.	<u> </u>	Μ,	ć	:	1
	Н	SP2	71/1/17	,	1				4	PIA	2	₹	Fe
		!	17/7/77	7	A22620	5.60	6,0	45	65	90	397		
					Conversion to FIV	5.60		57 (0)	35 (M)	(0) 92	600		
	c	Ç Ç	1				2. 2.			(2)	(IAI) 67		
	N	0 74 27	11/1/11	Sil	A22619	0.10	0.7	13	100	140	516		
					Conversion to FTV	6.10	0,7	28 (M)	54 (0)	114 (E)	43 (M)		

FERTILITY INDEX VALUE (FIV)
(L)- Low: 0-25
(M)-Medium: 26-50
(O)-Optimum: 51-100

(E)-Excess: >100



Agricultural Nutrient Management Program
Department of Environmental Science and Technology
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7998 Regents Dr.
College Park, MD 20742
TEL 301-405-1319 | FAX 301-314-7375
www.extension.umd.edu/anmp

Soil Test Levels (FIVs), Soil Test Category and Yield Response

Soil Test	Soil Test	Likelihood of Yield Response
Fertility Index Value	Category	
(FIV)		
0-25	low	yield response likely
26-50	medium	yield response possible
51-100	optimum	yield response unlikely
>100	excessive	yield response very unlikely

Your soil tests have been converted to the Maryland Fertility Index Value (FIV) scale.

Not all soil testing laboratories use the same extraction methods. There are also a number of ways in which the results can be reported (i.e., pounds per acre or ppm; P or P_2O_5). Converting soil test results from several laboratories to a common scale simplifies the process of making recommendations for agricultural crops grown in Maryland.

For more information about converting soil test results to the FIV scale and the basis for the conversions, please consult Soil Fertility Management 4 (SFM-4), *Converting Among Soil Test Analyses Frequently Used in Maryland*.

7-25-17

NUTRIENT RECOMMENDATIONS

			Lime		1.5 VA					0.8 t/A						
				Mg	45											
				K20	136 #/A	96 #/A	40 #/A	V/# C		72 #/A	36 #/A	36 #/A	0 #/A		the soil	
			Be Applied	P205	47 #/A	24 #/A	23 #/A	0 #/A		107 #/A	67 #/A	40 #/A	0 #/A		since t lime valid.	
			Fertilizer To Be Applied	z	185 #/A	30 #/A	30 #/A	125 #/A	-	185 #/A	30 #/A	30 #/A	125 #/A		ndation applied en, the	
2019	N/A	9-12-2018		Method	Total	oroadcast	banded w/planter	sidedress		Total	broadcast	banded w/planter	sidedress		Lime Recommendations: If Lime has been applied since the soil samples were taken, the lime recommendations are invalid.	
S				Slu.	0 #/A			<u>-l</u>		0 #/A		<u> </u>		L	Lin If Li San reco	
пдацоп	*	epared	Nitrogen Credits	Man.	0 #/A	•				0 #/A						
Plan Year	Tier - Phase	Date Plan Prepared	ig -	Legi	15 #/A				•	15 #/A						
r er unzer Kecommendations Plan Year			Ĩ	Plant Nutrients Needed N-P2O5-K2O		200-47-136 #/A					200-107-72 #/A					Lim If Lin sam reco
			Yield Goal		200 Bu/A					200 Bu/A					**	
			Area		59.3 Acres	-			6	Acres						
			Crops & Note Numbers		3 Com grain, contin. no-till 7 1 2 4 27 60 92 93					Com grain, contin. no-till 7 1 2 4 27 60 92 93						
ator	55	ip, County	Field No.		2019 [*]				,	2019 [*]			as Q			
Farmer/Operator	Street Address	City, State, Zip, County	Tract No. / Farm Name	-											* * * * * * * * * * * * * * * * * * * *	

Notes

	2019	7 / 1	A/N	9-12-2018
Inotes	Plan Year	Tier - Phase		Date Plan Prepared
	railler/Operator	Street Address	City State Zin County	

To satisfy TOTAL recommendation for many crops, it may be necessary to adjust SUGGESTED TIMING AND METHODS of application, (i.e. broadcast, topdress, sidedress, row, etc.) to be compatible with available equipment and materials. These recommendations assume that the highest level of nitrogen (N) management will be utilized and that N losses due to leaching, volatilization and denitrification are minimized by utilizing management practices. 2

When topdressing ag-lime, and soil mixing is not possible, do not apply more than 1500 lbs per acre of oxides in any one application. The balance can be applied the next year. It would be best to do a If topdressing ag-lime without tillage, reduce the total amount of oxides recommended by 50 percent. soil test before making the second application.

Magnesium will be recommended when the soil test indicates a low or very low level. Use dolomitic acidity. The magnesium (Mg) recommendation is expressed as elemental Mg when lime is not required. lime as a liming material when magnesium is recommended AND when lime is needed to correct soil

phosphorus is allowed. A starter may be beneficial in stimulating early plant growth, especially on If soil test FIV-P is 150 or greater, a phosphorus risk assessment (Phosphorus Site Index [PSI] or Phosphorus Management Tool [PMT]) must first be conducted to determine if a starter containing cold, wet soils. A good starter fertilizer should supply 20-30 lbs/A of N, P205, and K20. 27.

If the nitrogen requirement is met by surface broadcasting UAN either prior to or at planting, use of proven urease and nitrification inhibitors is recommended to minimize nitrogen loss via volatilization and/or denitrification pathways. 60.

If UAN is dribbled or streamed on the soil surface, use a proven urease inhibitor to help minimize nitrogen loss via volatilization. 92.

93. If nitrogen source is granular urea, use a proven urease inhibitor to help minimize loss via

Documentation of Records

Operators should maintain the following records to document plan implementation, as applicable.

		1
Record	Description	Agency Requiring
Animal Mortality & Disposal	Date and number of dead animals collected and disposal method.	MDE
Documentation of Manure Storage Conditions	Design volume and days of capacity; any deficiencies in the manure handling system and actions taken to correct (for example: damage due to fire or storm, date occurred, how damage was fixed and date of repair).	MDE
Documentation of Discharges	Date, time, and estimated quantity of any discharges and steps taken to correct.	MDE
Manure Available for Use/Removal	Estimate of removal of manure from poultry house (crust-out, total cleanout, center cut, etc) and destination (manure shed or export).	MDA/MDE
Manure Analysis	Copy of laboratory nutrient analysis of sample of manure produced on-farm (taken annually).	MDA/MDE
Animal Information	Type and number of animals kept on-farm and any changes in animal numbers.	MDA/MDE
Manure Export/Transfer	Record of manure that leaves the farm - date, quantity (tons/gallons), and destination (Name/Address).	MDA/MDE
Comprehensive Nutrient Management Plan (CNMP)	Retain approved CNMP and documentation related to updates or changes to your CNMP.	MDA/MDE
Nutrient Management Plan (NMP)	Retain certified Maryland NMP and documentation related to updates or changes to your NMP.	MDA/MDE
Calibration Record for Spreading Equipment	Time of year, calibration method used (load area, weight area). Must calibrate annually.	MDA
Soil test results	Who collected the samples and when, appropriate management units.	MDA/MDE
Results of Pre-Side Dress Nitrogen or Pre-Plant Soil Nitrate Testing	Any alternative sampling technique used to address specific crop requirements that lead to a change in the applied amounts should be documented.	MDA
Crop records	Crops planted and planting/harvesting dates, by field.	MDA
Nutrient Application Summary by Field	Nutrient application records for each application event, including commercial fertilizers that are applied to supplement manure.	MDA
Reviews by third parties	Records associated with any reviews by NRCS, third-party consultants, or representatives of regulatory agencies.	MDE
Annual Implementation Report	Annual reports which summaries nutrient application activities.	MDA/MDE

SECTION 5: Additional Documentation

This section is included if there are additional documents needed for the Comprehensive Nutrient Management Plan.

The following documents are located in this section:

- Water Conveyance Map Around Production Area
- Poultry Litter Estimation Worksheet
- Online References
- Animal Waste Management System Plan
- Manure Export Form
- Monthly Animal & Mortality Count
- Inspection/Monitoring Records

OWNER/OPERATOR:

Water Conveyance Map

Queen Anne's SCD Date: 10/1/2019

Farm: 7 Tract: 9 Approximate Acres: 171.18 Assisted By: Tara Krick Hollingsworth Rd. Barclay Rd. Legend Consplan T9 MD IMAP, DOIT M Hedgerow Planting Prepared with assistance from USDA-Natural Resources Conservation Service



Composter
Wetland Fo

Wetland Forebay

▶ 8' Flat Bottom Swale

Manure Shed

Storm Water management Pond

Chicken House

Heavy Use Area Protection



Manure Info



POULTRY LITTER QUANTITY ESTIMATE

Name:	Tract / Farm: Date	: 9/7/2018
	Houses included: 3 Bird type:	Broiler
	Average Bird Market Weight (lbs)	7.5
Α.	Years between total cleanouts: Yr. next total cleanout:	2020
il	- Yr. last total cleanout:	2019
	= Years in cleanout cycle:	1
B.	Total # of birds per flock (for all houses on this cleanout cycle):	112,000
C.	Flocks per year	3
D.	Number of flocks per cleanout cycle (A x C):	3
E.	Estimated tons of cake/crust per 1000 birds per flock: *	0.2
F.	Estimated tons of litter + cake/crust per 1000 birds per flock: *	1.50565
G.	Tons cake/crust produced per flock (B x E/1000):	22
H.	Tons cake/crust produced per cycle (G x D)	67
1.	Tons litter + cake/crust produced per cycle (B x D x F/1000):	506
J.	Tons of litter produced per cycle (less cakeout/crustout) (I - H):	439
K.	Tons of litter produced per year (less cakeout/crustout) (J/A):	439
L	Tons of litter + cake/crust produced per year (I/A)	506

L Tons of litter + cake/crust produced per year (I/A) 506
*2007 Delmarva Poultry Litter Production Estimates, George W. Malone, University of Delaware, Georgetown Delaware.

Quantity of Poultry Litter, Cake/Crust Available per Year

Q	uanti	ty of Poultry L	itter, Cake/Crus	it Avallable per Ye	ar				
		М	N	0	Р	Q	R.	S	T
		Tons of litter		% of partial or			464		
		remaining	Total	total litter to be	Tons of	Flocks	Tons	Tons	Tons litter +
		in the house	tons of litter	removed this year	litter	this	Cake/Crust	Cake/Crust	cake/crust
		from last year	present in the	in excess of	removed	Year	Produced	removed	removed
1	'ear	(N-P) + (R-S)	house this year	cakeout/crustout	this year		this Year	this Year	this year
		(previous year)	(K) + (M, this year)	(enter % of N removed)	(N x O)/100		(Q x G)		(P + S)
2	020	0	439	0	0	3	67	33	33
								0	
_				8					
			N.						13
<u> </u>			±S						
3									
				8					
									=
_									
					0	3	67	33	33

^{***} Cake/Crust not removed due to windrowing, is added with the litter remaining in the house the following year. Windrowing may likely result in actual quantities of litter being less than the estimates shown here. The actual amount of Cake/Crust removed may also be less than the estimated amounts produced due to improved drinker systems, ventilation, etc.



POULTRY LITTER QUANTITY ESTIMATE

	Houses included: 3 Bird type:	Broiler
	Average Bird Market Weight (lbs):	7.5
Α.	Years between total cleanouts: Yr. next total cleanout:	2022
10	- Yr. last total cleanout:	2020
ļ	= Years in cleanout cycle:	2
В.	Total # of birds per flock (for all houses on this cleanout cycle):	112,000
C.	Flocks per year	6
D.	Number of flocks per cleanout cycle (A x C):	12
E.	Estimated tons of cake/crust per 1000 birds per flock; *	0.2
F.	Estimated tons of litter + cake/crust per 1000 birds per flock: *	1.50565
G.	Tons cake/crust produced per flock (B x E/1000):	22
H.	Tons cake/crust produced per cycle (G x D)	269
1.	Tons litter + cake/crust produced per cycle (B x D x F/1000):	. 2,024
J.	Tons of litter produced per cycle (less cakeout/crustout) (I - H):	1,755
К.	Tons of litter produced per year (less cakeout/crustout) (J/A):	877
LL	Tons of litter + cake/crust produced per year (I/A)	1,012

* 2007 Delmarva Poultry Litter Production Estimates, George W. Malone, University of Delaware, Georgetown Delaware.

· Quantity of Poultry Litter, Cake/Crust Available per Year

	M	Litter, Cake/Crus	st Available per Ye	T				
11	IVI	l N	0	P	Q	R	S	T
	Tons of litter		% of partial or	1		***		
	remaining	Total	total litter to be	Tons of	Flocks	Tons	Tons	Tons litter +
1	in the house	tons of litter	removed this year	litter	this	Cake/Crust		cake/crust
j j	from last year	present in the	in excess of	removed	Year	Produced	removed	removed
Year	(N-P) + (R-S)	house this year	cakeout/crustout	this year		this Year	this Year	this year
	(previous year)	(K) + (M, this year)	(enter % of N removed)	(N x O)/100		(Q x G)	7,041	(P + S)
2021	473	1,350	0	0	6	134	67	67
2022	1,418	2,295	100	2,295	6	134	134	2,429
								21120
			25					
		965						8
						-		
						31		0.50
(1)								
	-							
			e litter remaining in the house t	2,295	12	269	201	2,496

*** Cake/Crust not removed due to windrowing, is added with the litter remaining in the house the following year. Windrowing may likely result in actual quantitles of litter being less than the estimates shown here. The actual amount of Cake/Crust removed may also be less than the estimated amounts produced due to improved drinker systems, ventilation, etc.

Agricultural Nutrient Management Program - (301) 405-1319 - ENST - 0116 Symons Hall - College Park, MD 20742 Local Governments, US Department of Agriculture Equal Opportunity Programs

Online References

1. MDE Regulations and General Permit for Animal Feeding Operations (AFO) http://www.mde.state.md.us/programs/Land/SolidWaste/CAFOMAFO/ Pages/Programs/LandPrograms/Solid Waste/cafo/index.aspx

2. Environmental Protection Agency (EPA) Concentrated Animal Feeding Operations (CAFO) - Final Rule

http://cfpub.epa.gov/npdes/afo/cafofinalrule.cfm

3. Crop Fertilizer Recommendations
"Soil Fertility Management," Maryland Cooperative Extension, SFM-1, Oct. 2002 http://www.anmp.umd.edu/Pubs/Pubs_Crops.cfm

4. Nutrient Management Information Sheets http://www.anmp.umd.edu/Pubs/index.cfm

5. Manure Nutrient Availability

Maryland Department of Agriculture, COMAR 15.20.08.05 http://mda2.maryland.gov/ resource_conservation/ Documents/consultant_information/ 2009%20I-C%20p1-3%20s6.pdf

6. Calibrating Manure Spreaders
University of Maryland Extension Fact Sheet 416 and Worksheets http://www.anmp.umd.edu/Pubs/Pubs_Manure.cfm

http://www.anmp.umd.edu/Pubs/Pubs_Equip.cfm

7. Phosphorus Assessment

"The Maryland Phosphorus Site Index: An Overview," Maryland Cooperative Extension SFM-6, April 2005

http://www.anmp.umd.edu/files/SFM-6.pdf

"The Maryland Phosphorus Site Index: Technical Users Guide," Maryland Cooperative Extension SFM-7, March 2008

http://www.anmp.umd.edu/files/SFM-7.pdf

8. Mid-Atlantic Nutrient Management Handbook http://www.mawaterquality.org/Publications/pubs/manhcomplete.pdf

9. Maryland Pesticide Regulation http://www.mda.state.md.us/plants-pests/pesticide_regulation/index.php

10. Maryland Practice Standards eFOTG Section IV - Practice Standards and Specifications http://www.nrcs.usda.gov/technical/efotg/

11. Oueen Anne's County University of Maryland Extension Office http://www.aueenannes.umd.edu/

12. Oueen Anne's Soil Conservation District http://www.gascd.com/

13. Perdue-Coleman

POULTRY OPERATION WASTE MANAGEMENT PLAN

PREPARED FOR

ву

Matt Yoash

USDA-Natural Resources Conservation Service

QUEEN ANNE'S Soil Conservation District

September 2019



TABLE OF CONTENTS

WASTE MANAGEMENT SYSTEM PLAN

General

System Description

Installation Schedule

Owner/Operator Responsibilities

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Animal Waste Production

Animal Waste Transfer

Animal Waste Testing

Animal Waste Application

Operation and Maintenance

Certification

GENERAL

Location: North side of Md. Rt. 302. 0.5 mi. east of Rt. 301

Watershed: Upper Chester River

Type of Enterprise: Full time poultry & grain operation.

Size (Acres): 173

Crop Rotation: Corn, Small Grain, Soy Beans.

General Soil Type(s):Piney Neck, Unicorn, Mattapex

Topography: Flat to gently sloping.

Size of Operation (# of birds/type): 112,000 Broilers

Waste Generated Annually: 1,012 Tons

Present Concerns:

- 1) The storage of waste generated during the winter, during the period when crops are in the field and cannot be spread on, and during times of adverse field conditions.
- 2) The potential pollution, to surface and groundwater, from stockpiled manure and litter and/or dead bird carcasses.
- 3) The coordination with local farmers to haul away and properly utilize the waste.
- 4) The proper utilization of manure and disposal of dead bird carcasses.

SYSTEM DESCRIPTION

SYSTEM COMPONENTS

- 1) Roofed waste storage structure to contain litter and manure and thus reduce nutrient losses.
- 2) Dead bird composter to dispose of carcasses and thus reduce groundwater pollution.
- 3) Erosion control, drainage, and vegetative filter strips, if needed.
- 4) Heavy Use Area Protection, if needed.

COMPONENT DETAIL

- 1) Waste Storage Structure (See NRCS standard plan) (+ additional WSS as needed)
 - a) Size: $92' \times 50'$ feet b) Storage area: 4,600 square feet
 - c) Storage time: 180 days
- 2) Dead Bird Composting Facility (designed for normal mortality rates)
 - a) Stand alone inside PWSS N/A .
 - b) Attached 1
 - c) Stand Alone
 - N/A d) # of bins N/A
 - e) channel
- 24' x 20'
- 3) Grading to control runoff and sediment.
- 4) Removal of excess surface and subsurface water.
- 5) Vegetative stabilization of all disturbed areas.
- 6) Heavy Use Area Protection.
 - a) Pad sizes at the end of each poultry house. (+ additional houses as needed)
 - $40' \times 40'$ front end front end 40' x 40' back end i) House #1 40' x 40' House #2 ii)
 - back end 40' x 40' front end 40' x 40' iii) House #3 back end
 - House #4 iv) front end X back end X
 - _ front end v) House #5 X back end
 - House #6 _ front end vi) X back end vii) House #7 Х back end
 - x front end viii) House #8 front end Х back end
 - b) Pad sizes at end of each waste storage structure ____X i) back end
 - PWSS #1 $32' \times 50'$ front end PWSS #2 \times front end ii) X back end c) Pad sizes at end of dead bird composting facility
 - i) $\underline{40' \times 20'}$ front end $\underline{\qquad}$ back end $\underline{\qquad}$ travel lane

INSTALLATION SCHEDULE:

7 / 7 /	ne Poultry Waste Storage Structure(s) will be completed by 1/2020
Th	ne Dead Bird Composting Facility will be completed by 7/1/2020 .
Th	e Heavy Use Area Protection will be completed by7/1/2020
Th	e Vegetative Filter Strip will be completed on 7/1/2020.
Th	e Soil Fertility Test will be completed on See nutrient management plan.
Th	e Manure Sampling & Testing will be completed on See nutrient management plan.
Th	e Comprehensive Nutrient Management Plan will be completed on 9/12/18

OWNER/OPERATOR RESPONSIBILITIES:

- 1) Before construction begins, all necessary approvals need to be obtained. Contact the Queen Anne's Planning and Zoning office at (410)758-4088 for building permit and zoning requirements. Any non-tidal wetlands on the property need to be avoided.
- 2) Erosion and sediment needs to be controlled. Runoff from the construction area shall be managed to prevent sediment pollution. After construction, all disturbed areas shall be stabilized. Permanent vegetation is most commonly used to stabilize the area. If needed, vegetative filter strips shall be maintained between the structure and any drainage ditch or body of water.
- 3) Livestock needs to be excluded from the structure.
- 4) In filling the structure, load from the rear to the front. Use a loader or 'stacker to evenly pile the litter manure. WHEN POSSIBLE, STACK LITTER IN A CONICAL SHAPE STARTING AT THE BASE OF THE WALL AND PEAK NO HIGHER THAN 8'. DO NOT COMPACT THE MANURE. KEEP LITTER SEPARATED BASED ON MOISTURE CONTENT. COMPACTION AND MOISTURE VARIATIONS INCREASE THE RISK OF FIRE.
- 5) In emptying the structure, unload from the front to the rear. Remove all litter manure at time of cleanout, if possible. Re-grade floor, adding more fill if needed.
- 6) Prior to spreading, obtain manure and soil test results and calibrate the spreader. Determine the amount of manure to be applied to supplement crop nutrient requirements. Remember, the amounts of nitrogen, phosphorus, potassium and other nutrients may vary greatly. Apply litter manure at rates that do not exceed the nutrient needs of the crops to be grown according to nutrient management plan. NO SPREADING SHOULD OCCUR BETWEEN NOVEMBER 15 AND MARCH 1, ON

FROZEN OR SNOW COVERED FIELDS, OR WHEN HEAVY RAINS ARE EXPECTED. Following these guidelines should help control pollution and protect water quality.

SAFETY:

- 1) Safety is a primary concern. Care should be taken when operating loaders and other equipment in and around the storage structure. Lower the bucket when traveling on uneven ground. Avoid hitting the walls and posts.
- 2) The structure should have safety posts or cables to protect against equipment, operators, and laborers from falling into the structure.
- 3) Waste storage structures must be considered *HIGH HAZARD AREAS*. The natural breakdown of waste forms noxious gasses such as methane, hydrogen sulfide, ammonia, and carbon dioxide. They can be fatal to both animals and humans. Be careful with open flames, welding torches, and electric motors that may spark. All waste storage structures should be posted with signs that offer the following warning or similar message:

"DANGER-KEEP OUT-THIS IS A WASTE STORAGE STRUCTURE AND PROLONGED EXPOSURE MAY BE HAZARDOUS"

4) Maintenance of the structure and around the structure is important. Noxious and other undesirable weeds and vegetation shall be controlled by mowing or other recommended means. When using herbicides, follow label directions. Inspect the area around the structure for needed maintenance. Check for rotted or broken boards and other structural deficiencies at least annually and after severe storms. NO ALTERATION TO THE STRUCTURE IS ALLOWED WITHOUT PRIOR APPROVAL FROM THE NATURAL RESOURCES CONSERVATION SERVICE.

AVOID COMPACTION: IMPROPER LOADING OF THE STORAGE STRUCTURE, OR COMPACTION OF THE LITTER MANURE, MAY RESULT IN DAMAGE AND SUBSEQUENT FAILURE OF STRUCTURE COMPONENTS. COMPACTION MAY ALSO INCREASE THE RISK OF FIRE BECAUSE OF SPONTANEOUS COMBUSTION.

ANIMAL WASTE PRODUCTION:

WASTE UTILIZATION

- ${\hspace{0.25cm}\hbox{-}\hspace{0.25cm}}$ Many of the issues discussed below can also be found in the Nutrient Management Plan.
- 1) Nutrient content
- The amounts of available nutrients in poultry manure can vary greatly, depending on the type of operation, amount of water spillage, and the methods of handling and storage.
- The University of Maryland, Cooperative Extension, offers a program of testing and analyzing manure.

ANIMAL WASTE TESTING:

TO BE USED WITH THE NUTRIENT MANAGEMENT PLAN:

NUTRIENT MANAGEMENT PLAN

The Certified Nutrient Management Consultant will produce a nutrient management plan that outlines nutrient sources and content, rates and timing of application(s), area, and realistic yield goals and will be as part of the overall waste management system plan.

Sampling procedure (use test kit)

- a) Dig into the manure pile and put the sample in a clean tub or bucket.
- b) Repeat this process in several different areas in the pile.
- c) Mix these samples thoroughly and place a representative sample in a zip-lock plastic bag or in the kit's plastic bottle.
- d) Representative samples of manure, which are taken directly from the house to the field, and samples of stored or stockpiled manure, should be tested separately.
- e) Submit manure samples, along with soil samples or current soil analyses, to the Cooperative Extension.

ANIMAL WASTE APPLICATION:

APPLICATION RATES

- a) Use the nutrient content of manure to estimate the amounts of nutrients available to the crops being grown.
- b) Compare the manure analysis with the soil test results, and determine the amounts of additional fertilizer needed, based on crop yield goals and available cropland acres.
- A REGULAR MANURE LITTER AND SOIL TESTING PROGRAM IS THE BEST METHOD TO INSURE THAT NUTRIENTS CONTAINED IN MANURE ARE FULLY UTILIZED BY THE CROP.
- MOST APPLICATION RATES ARE BASED ON NITROGEN NEEDS. OVER TIME, IT'S LIKELY THAT PHOSPHORUS AND POTASSIUM WILL BE APPLIED AT RATES HIGHER THAN CROP NEEDS. PHOSPHORUS CAN BE A SIGNIFICANT WATER POLLUTION ELEMENT. HIGH PHOSPHORUS SOILS WILL NEED TO HAVE LITTER APPLIED ACCORDING TO PHOSHORUS NEEDS. FOLLOW YOUR CONSERVATION PLAN OR REQUEST THAT THE QUEEN ANNE'S SOIL CONSERVATION DISTRICT WORK WITH YOU IN PREPARING A CONSERVATION PLAN.



EQUIPMENT CALIBRATIONS

- a) Be sure that manure handling equipment is in good operating condition.
- b) Use a measured (10'x 10') sheet of plastic, canvas, or other suitable material to catch manure, as its being applied.
 - c) Determine the weight of the manure collected on the sheet.
- d) Multiply the weight of the manure by 435.6. This will give you the amount of manure being applied per acre.

(Example: 11.5 lbs. times 435.6 = 5,000 lbs. per acre, or 2.5 tons) This procedure should be repeated several times to get an average, and to determine application rates for various spreader settings and speeds.

BY FOLLOWING THE PROCEDURES OUTLINED IN #3 AND #4, THE DANGER OF SURFACE AND GROUNDWATER POLLUTION WILL BE REDUCED AND COMMERCIAL FERTILIZER COSTS WILL BE GREATLY REDUCED.

LAND AVAILABILITY

- 1) If insufficient agricultural land is available to utilize the total amount of manure produced, following the above prescribed program, the Extension Service or NRCS should be consulted for alternative recommendations.
- 2) Since the manure is applied to land which is not owned or operated by the corporation for whom this plan was prepared, then the Queen Anne's Soil Conservation District needs to be notified. The District needs to know who is receiving the waste, where it's being spread, and on what crop it's being used on. The utilizers will be given a copy of this plan and they need to agree with the guidelines.

OPERATION AND MAINTENANCE PLAN

- 1) The waste storage structure is designed to hold 180 days or 506 tons of accumulated manure and litter. Therefore, it should be cleaned out when it's capacity is reached (IDEALY IN THE SPRING WHEN IT CAN BE LAND APPLIED).
- 2) Manure will be removed from the structure when it's nutrients can best be utilized by crops. Incorporation into the soil, just prior to planting, (WITHIN 48 HOURS OF APPLICATION) helps to reduce nutrient losses and pollution. Avoid spreading manure close to ditches, streams, and bodies of water (FOLLOW MDA NUTRIENT APPLICATION SETBACK GUIDELINES). A Nutrient Management Plan shall developed and followed by a Certified Nutrient Management Consultant.
- 3) Stored manure should not exceed eight (8) feet high in the center and three (3) feet deep on the sides. No manure shall be stacked outside of the storage structure.
- 4) The structure is to be used for the storage of poultry litter manure. However, during times when the structure is not filled with poultry manure, the temporary storage of mobile farm equipment may be permitted, if allowed in the Maryland Department of Agriculture maintenance guidelines that have been furnished to you previously.
- 5) No alterations to the approved structure are allowed without prior approval from NRCS.
- 6) The structure shall be maintained for a minimum of 15 years, in accordance with NRCS and MDA maintenance guidelines. Use of the structure should be documented. Inspections will be made periodically to confirm that the structure is being used and maintained properly.
- 7) Changes in farming operations, which may effect your ability to comply with the approved waste management plan or other guidelines, shall be reported to the Queen Anne's Soil Conservation District ((410)758-3136x3). A revised Waste Management Plan may be developed, or other action taken, to retain compliance with program guidelines.
- 8) A log detailing storage structure usage, including dates the structure was used, and when it was emptied, should be maintained.
- 9) Heavy use area pads at end of poultry houses/ waste storage structure are used for cleanout operation and to reduce pollution potential during live haul events. No manure may be stored on the pad for any period of time, including manure enrolled in the Manure Transport Program.

DEAD POULTRY COMPOSTING FACILITY REQUIREMENTS:

- 1) Only carcasses from flocks on this farm will be placed in the composter. Compost ingredients, finished compost, and equipment needed for composting may also be stored in the composter/waste storage structure.
- 2) Composting of carcasses will comply with the Cooperative Extension's composting recipe (Compost recipe signs are available at the Soil Conservation District).
- 3) Have available for regular use a 36' composting thermometer, a tractor, front-end loader or other equipment which will be adequate to load, turn over and empty the compost from the composter.
- 4) The compost facility must be built to comply with NRCS standards and specifications.
- 5) The applicant will be required to attend operator training offered by the Cooperative Extension(UMDCE) at LESREC in Princess Anne (usually offered in January). MDA may not pay the "Claim for Payment" under the MACS program until certification is provided by UMDCE that the applicant has completed the training program.
- 6) The applicant will provide all equipment and materials which will be needed for proper compost operation.
- 7) As a condition of the grant, the applicant must obtain and implement a Waste Management System Plan (prepared by the District and NRCS) and a Nutrient Management Plan (prepared by a Certified Nutrient Management Consultant) for the farm which address all poultry waste being generated on the farm, including the stabilized carcass compost. This practice will have a 15-year life. A copy of the Waste Management System Plan must accompany the MACS application, and key portions of the Nutrient Management Plan must accompany the MACS Agreement when it is returned to MDA by the District. The Applicant understands that MDA will not process or sign the Agreement for the composter if either plan is missing.

CERTIFICATIONS

I, certify that I have read and understand the guidelines, I may have to pay back the funds received in cost sharing. I also agree to inform both the Queen Anne's Soil Conservation District and the Certified Nutrient Management Consultant regarding who receives the poultry waste generated on my farm.



This Waste Management Plan meets the requirements of the Queen Anne's Soil Conservation District and the U.S. Natural Resources Conservation Service.

<u> </u>		Nany & Mutzalf	(0/2/19
District Manager	Date	District Conservationsst	bate

MANURE EXPORTS Year: Farm Name: Operator: Amount Receiving Operation Manure (Gal or Address Contact Date Phone Source Ton)

MONTHLY ANIMAL & MORTALITY COUNT

Farm Nam	e:	Ye	ear:	
Operator:				
Month	Animal Count and Weight	Mortality	Mortaliy %	Comments
8	`			
	2			
TE .				
	8			
			-	
				- XI
				
	<u> </u>			
		= 9		
			×	

INSPECTION / MONITORING RECORDS Farm Name: Year: Operator: Operator / Inspector **Activity Description** Date **Activity Data**

Status: Registered

AFO Registered Date: 11/25/2019

NMP Received Date: 10/3/2019 CNMP Received Date: 10/3/2019

AFO Registration Number: 2019-MCD-0996

Farm Zip Code	Queen Anne's County 💌
Permit Status	Show All
AFOs Under Public Comment	olic Comment
	Search Reset
AFO Database La	AFO Database Last Update: April 9, 2020 12:00 AM

Your search returned: 1 record(s)

Sort by: None

Farm Name: STRUCTION)
Al Number: 166201
Farm Designation: MAFO
Farm Address: 403 Barclay Rd, Barclay MD 21607
Farm County: Queen Anne's
Primary Animal Type: Chickens-not laying hens-dry
Number of Animals: 112,000
NOI Received Date: 10/3/2019



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 Phone: (410) 573-4599 Fax: (410) 266-9127

http://www.fws.gov/chesapeakebay/

http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html



January 14, 2020

In Reply Refer To:

Consultation Code: 05E2CB00-2020-SLI-0426

Event Code: 05E2CB00-2020-E-01100

Project Name: 403 Barclay

Subject: List of threatened and endangered species that may occur in your proposed project

location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.



A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands



Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 (410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2020-SLI-0426

Event Code: 05

05E2CB00-2020-E-01100

Project Name:

403 Barclay

Project Type:

AGRICULTURE

Project Description: 173 acre farm, currently cropland with a homestead

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.14411650131751N75.91029483016527W



Counties: Queen Anne's, MD



Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.



Wetlands

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

PEM1A

OTHER

Pf

Actual project is not in the area where were are WL.



February 13, 2020

To Whom It May Concern:

The Delaware Nation Historic Preservation Department received correspondence regarding the following referenced project(s).

Project: USDA Direct & Guarnateed Loan Request at 430 Barclay Road, Barclay, MD 21607

Our office is committed to protecting tribal heritage, culture and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects.

The Lenape people occupied the area indicated in your letter during prior to European contact until their eventual removal to our present locations. According to our files, the location of the proposed project does not endanger cultural, or religious sites of interest to the Delaware Nation. Please continue with the project as planned keeping in mind during construction should an archaeological site or artifacts inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made.

Please note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Cultural Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405-247-2448.

Erin Paden

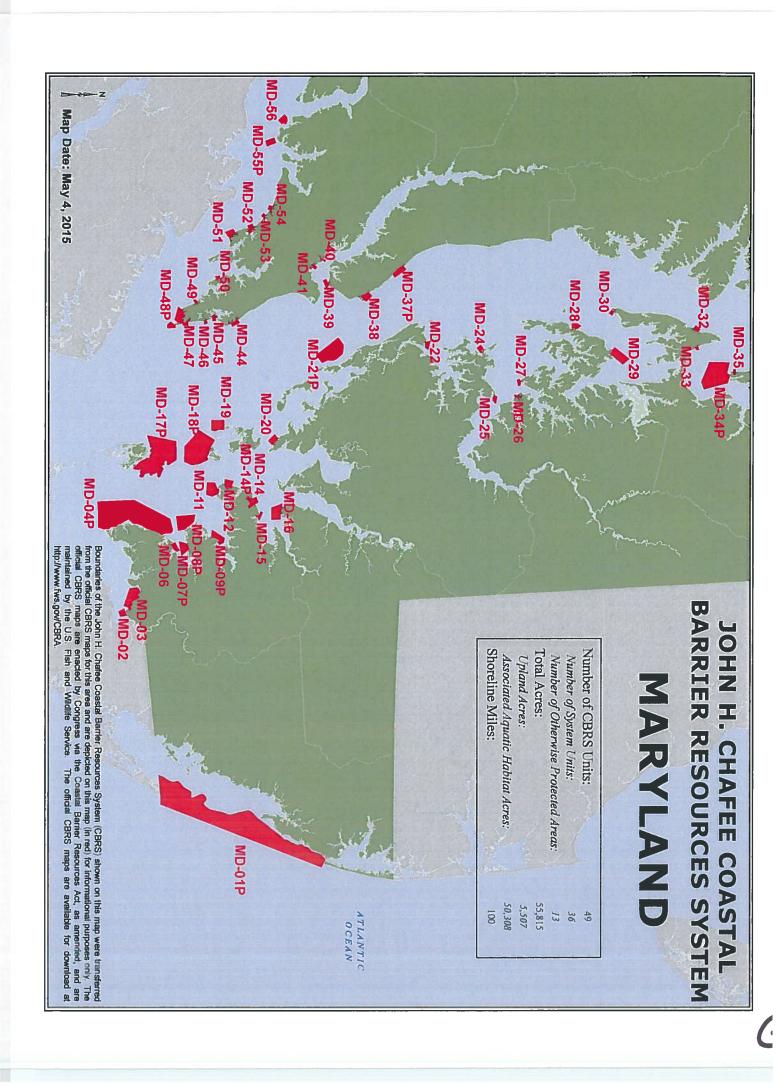
Director of Historic Preservation

Crie M. Paden

Delaware Nation 31064 State Highway 281 Anadarko, OK 73005 Ph. 405-247-2448 ext. 1403

epaden@delawarenation-nsn.gov

FI



Benton, April - FSA, Princess Anne, MD

From:

Joseph Abe -DNR- <joseph.abe@maryland.gov>

Sent:

Friday, March 27, 2020 9:38 PM

To:

Benton, April - FSA, Princess Anne, MD

Cc:

Heather Nelson -MDE-

Subject:

Re: 403 Barclay road Barclay, MD

Hi April:

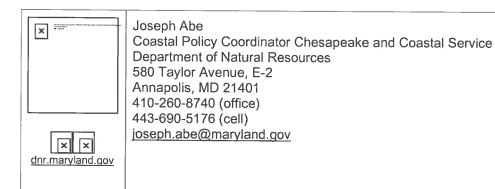
I am responding to your request for CZM consistency concurrence for the following project:

Construction of 3 Poultry Houses, Rancher & Garage in Queen Anne's County (403 Barclay Road Barclay, MD)

Based on our review of the information provided, the above project is consistent with the enforceable coastal policies of the Maryland Coastal Zone Management Program.

Please note that this determination does not obviate the applicant's responsibility to obtain any other State or local approvals that may be necessary for the project.

Best Regards and Stay Safe!



<u>Click here</u> to complete a three question customer experience survey.

RECEIVED

MAR 30 2020

Benton, April - FSA, Princess Anne, MD

From:

Heather Nelson -MDE- <hnelson@maryland.gov>

Sent:

Wednesday, January 15, 2020 3:11 PM Benton, April - FSA, Princess Anne, MD

To: Cc:

Tymika.brown@maryland.gov; Joseph Abe -DNR-

Subject:

Re: Federal Consistency

Maryland is in receipt of your CZM Determination request on this date. It has been forwarded to Mr. Joseph Abe with Maryland Department of Natural Resources on this date for a response per below. Mr. Abe is cc'd on this email.

Please be advised that as of October 1, 2019, the Maryland Coastal Management Program, a network of Maryland state planning and regulatory agencies led by the Maryland Department of Natural Resources (DNR), has made some staffing changes to handle federal consistency review and concurrence requests. If your project or activity falls under one of the following Federal Consistency Categories:

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C) (generally a direct federal action, including federal funding to a private entity)

Outer Continental Shelf Exploration, Development & Production (15 C.F.R. Part 930, Subpart E)

Federal Financial Assistance to State and Local Governments (15 C.F.R. Part 930, Subpart F) (includes grant or contractual arrangements, loans, subsidies, guarantees, insurance, or other forms of financial aid)

Please send your <u>future</u> consistency concurrence requests to Joseph Abe (DNR) at <u>joseph.abe@maryland.gov</u> For projects in the Critical Area, consistency requests should also be sent to Lisa Hoerger at Critical Area Commission at lisa.hoerger@maryland.gov in addition to DNR.

If your already submitted project does fall into one of the above categories, I have already forwarded your concurrence request to Mr. Joseph Abe with DNR who will manage your request with the Network Partners and respond to your request for this project. You do not need to resubmit this request. Mr. Abe will respond to your request.

If your project falls under the following Federal Consistency Category:

Federal License or Permit Activity (15 C.F.R. Part 930, Subpart D)

Please send your consistency concurrence request to the Maryland Department of the Environment (MDE)'s Wetlands and Waterways Program c/o Denise Keehner at denise.keehner@maryland.gov with a cc: to Heather Nelson at hnelson@maryland.gov.

For more information on the Maryland Coastal Management Program, please visit the Maryland Department of Natural Resources website at https://dnr.maryland.gov/ccs/Pages/coastalpolicies.aspx

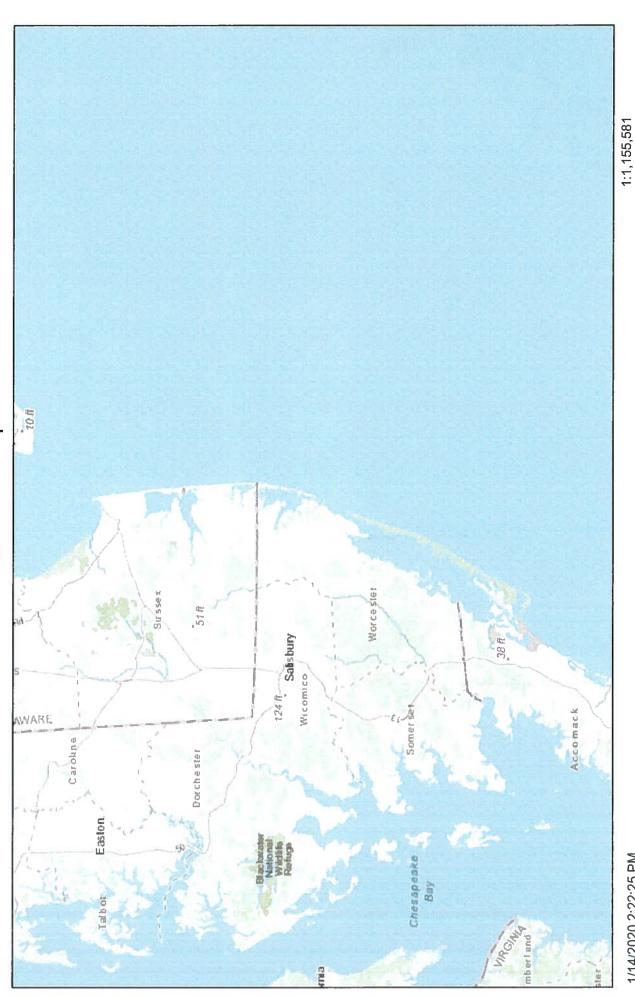
Heather Nelson, Associate Program Manager Wetlands and Waterways Program Water and Science Administration Maryland Department of the Environment 1800 Washington Blvd. Baltimore, MD 21230

office: (410) 537-3528 fax: (410) 537-3751

email: hnelson@maryland.gov

<u>Click here</u> to complete a three question customer experience survey.





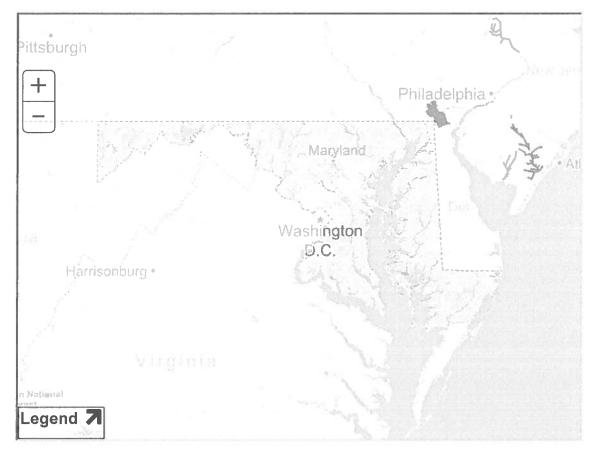
1/14/2020 2:22:25 PM

Wildemess Institute, College of Forestry and Conservation, University of

NATIONAL SYSTEM MANAGEMENT RESOURCES PUBLICATIONS CONTACT US 50 YEAR

MARYLAND

Maryland has approximately 16,839 miles of river, but no designated wild & scenic rivers.



+ View larger map

S

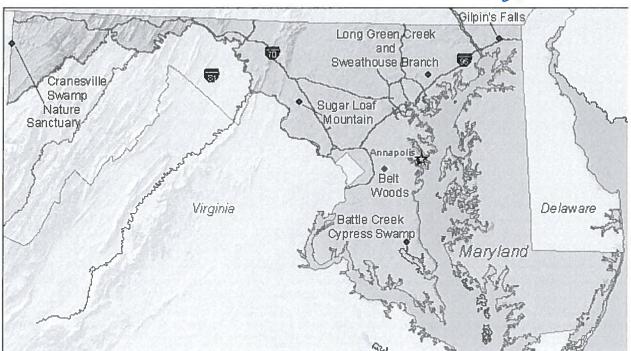
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NTI Landmarks



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75°55'18.80"W

9 8'43.40"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT Legend

Regulatory Floodway

With BFE or Depth Zone AE AO, AH, VE, AR

Without Base Flood Elevation (BFE) Zone A, V. A99

SPECIAL FLOOD HAZARD AREAS

Chance Flood Hazard Zone X

Future Conditions 1% Annual

areas of less than one square mile zone x

of 1% annual chance flood with average

depth less than one foot or with drainage

0.2% Annual Chance Flood Hazard, Areas

FLOOD HAZARD Area with Reduced Flood Risk due to

OTHER AREAS OF

Area with Flood Risk due to Levee Zone D Levee. See Notes. Zone X

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone D

OTHER AREAS

GENERAL --- Channel, Culvert, or Storm Sewer

STRUCTURES | 1111111 Levee, Dike, or Floodwall

(B) 20.2 Cross Sections with 1% Annual Chance

Water Surface Elevation

Base Flood Elevation Line (BFE) Coastal Transect

Limit of Study Jurisdiction Boundary

Coastal Transect Baseline **Profile Baseline**

Hydrographic Feature

FEATURES

OTHER

Digital Data Available

No Digital Data Available

MAP PANELS

Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent

an authoritative property location.

The flood hazard information is derived directly from the was exported on 1/14/2020 at 2:40:13 PM and does not authoritative NFHL web services provided by FEMA. This map accuracy standards The basemap shown complies with FEMA's basemap digital flood maps if it is not void as described below. This map complies with FEMA's standards for the use of

unmapped and unmodernized areas cannot be used for regulatory purposes. FIRM panel number, and FIRM effective date. Map images for legend, scale bar, map creation date, community identifiers, elements do not appear: basemap imagery, flood zone labels, This map image is void if the one or more of the following map become superseded by new data over time.

time. The NFHL and effective information may change or

reflect changes or amendments subsequent to this date and





National Wetlands Inventory



January 14, 2020

Wetlands

Estuarine and Marine Deepwater



Estuarine and Marine Wetland



Freshwater Forested/Shrub Wetland

Freshwater Pond



Lake

Other



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

SCS-CPA-26

U.S. DEPARTMENT OF AGRICULTURE Soil Conservation Service

reptel.

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

	AME OF USDA AGENCY OR PRODUCER REQUESTING DETERMINATION	2. DATE	OF REQUEST		* *
••	ASC S	1	2/16/56		
-	NAME AND ADDRESS OF PRODUCER 4. PARM NO.		6. COUNTY		
3.	A-9		QA	!	
				YES	NO
6.	Is a soil survey now available for making a highly erodible land determination?			/	
7.	Are highly erodible soil map units on this farm?				V
8 .	a. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodi 1981-1985.		74		
1.	b. Is an approved conservation plan being actively applied on all of these fields? If "no," list the fields (fi which a plan is not being applied.	rom the AS	CS records) on	-	
9.	were not used for this purpose in any crop year during 1981-1985, and were not enrolled in a USDA set a	raige ot give	ermon program.		
•	b. Is an approved conservation system being used on these fields? If "no," list the fields (from the ASCS re is not being used.	ecords) on	which a system		_
10.	Are there other fields that (1) have highly erodible map units, (2) were not used to produce an agricultural coafter 1980, and (3) were not enrolled in a USDA set-aside or diversion program in any crop year during 1981.	mmodity is -1985?	any crop year		
17	ERTIFICATION: The conservation plan and system(s) were approved by the	i office ted	hnical guide for ti	_Conser	vetion
12.	Are hydric soils on this farm? If "yes," list the fields (from the ASCS records) in which they occur.			VES	NO
13.	Are wetlands on this farm? If "yes," list the fields, outline the wetland areas within fields on the ASCS pho	tograph(s),	and mark with	/	
14.	Are converted wetlands on this farm that have been converted since December 23, 1985? If "yes," list the wetlands on the ASCS photograph(s), and mark with "cw".	ne fjelds, ou	tline converted		/
15.	Are converted wetlands covered by exemptions? If "yes," list those fields, outline the exempt converted we graph(s), and mark with "ecw". Note the exemptions for each area:	tlands on th	he ASCS photo-		
	a. Field No				
	b. Exemption d. Exemption				
16	The wetland determination was done in the office Tield			-30-	
17.	This determination was hand delivered mailed to the producer on 6/6/6/			100	
Die	(DATE) y producer who does not agree with this determination may request reconsideration from the person ma requisite for any further appeal. The request must be in writing and must set forth reasons for the request, et the producer receives the determination.	king the de	e received by SCS	his reque within 1	st is a 5 days
-	REMARKS				
	in the second se				
			1 1		• 1
10	, SIGNATURE OF SES DISTRICT CONSERVATIONIST	DATE	11		PRODUCTION OF THE PARTY OF THE
-	Som LE Bert	1 3/	17/87		-
1	ssistence and programs of the Soll Conservation Service are evallable without regard to race, religion, color, sex,	, agr, handi	cap, or national o	rigin.	

N-



PROPERTY NOT TO SCALE

This form is available electronically.

(See Page 2 for Privacy Act and Paperwork Reduction Act Statements)

AD-1026 (10-30-14) U.S. DEPARTMENT OF AGRICULTURE FarmServiceAgency

HIGHLY ERODIBLE LAND CONSERVATION (HELC) AND WETLAND CONSERVATION (WC) CERTIFICATION

Rea	d attached AD-1026 Appendix before completing form.		<u> </u>
	RT A – BASIC INFORMATION		
1. 1	2. Tax Identification Number (Last 4 digits) 3. C	op Yea	r
4. 1	if applicable.		
Affil	lated persons with farming interests must also file an AD-1026. See Item 7 in the Appendix for a definition of an affiliated person.		
5. 0	Check one of these boxes if the statement applies; otherwise continue to Part B.		
,	A. The producer in Part A does not have interest in land devoted to agriculture. Examples include bee keepers who place their hives person's land, producers of crops grown in greenhouses, and producers of aquaculture AND these producers do not own/lease at land themselves. Note: Do not check this box if the producer shares in a crop.	on and ny agric	other ultural
E	The producer in Part A meets all three of the following: does not participate in any USDA program that is subject to HELC and WC compliance except Federal Crop Insurance. only has interest in land devoted to agriculture which is exclusively used for perennial crops, except sugarcane, and has not converted a wetland after February 7, 2014.		
	Perennial crops include, but are not limited to, tree fruit, tree nuts, grapes, olives, native pasture and perennial forage. A producer that personal should contact the Natural Resources Conservation Service at the nearest USDA Service Center to determine whether such production of a perennial crop.	roduces alifies a	s alfalfa s
1	Note: If either box is checked, and the producer in Part A does not participate in Farm Service Agency (FSA) or Natural Resources Conserva (NRCS) programs, the full tax identification number of the producer must be provided, but establishment of detailed farm records with Farequired. Go to Part D and sign and date.	tion Ser SA is no	vice t
PAF	RT B - HELC/WC COMPLIANCE QUESTIONS		
1	ndicate YES or NO to each question. If you are unsure of whether a HEL determination, wetland determination, or NRCS evaluation has been completed, contact your local JSDA Service Center.	YES	NO
6. D	ouring the crop year entered in PartA or the term of a requested USDA loan, did or will the producer in PartAplant or produce an gricultural commodity (including sugarcane) on land for which an HEL determination has not been made?		X
7. F	las anyone performed (since December 23, 1985), or will anyone perform any activities to:		/-
A	A. Create new drainage systems, conduct land leveling, filling, dredging, land clearing, or excavation that has NOT been evaluated by NRCS? If "YES", indicate the year(s):		У
E	3. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s):		1/
	C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): Note: Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.		У
	Note: If "YES" is checked for Item 7A or 7B, then Part C must be completed to authorize NRCS to make an HELC/WC and/or certified wetland determination on the identified land. If "YES" is checked for Item 7C, NRCS does not have to conduct a certified wetland determination.		
8. C	heck one or both boxes, if applicable; otherwise, continue to Part C or D.		
Α	Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the <u>first time</u> the propert A, including any affiliated person, has been subject to HELC and WC provisions.	ducer ir	ח
E	 Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to allow compotent farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be completed). Is a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant on the other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request, must be 	at farm	hut all
	T C – ADDITIONAL INFORMATION		
9. If "\	YES" was checked in Item 6 or 7, provide the following information for the land to which the answer applies:		
Α.	Farm and/or tract/field number: ———————————————————————————————————		
В.	Activity:		
C.	Current land use (specify crops):		
D.	County:		

PART D- CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I
 understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences.
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility
 for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification: I hereby certify that the information on this form is true and correct to the best of my knowledge.					
10A. Producer's Signature (By)	10B. Title/Relationship (If Signing in Representative Capacity)	10C. Date (MM-DD-YYYY)			
FOR FSA USE ONLY (for referral to NRCS) Sign and date if NRCS determination is needed	11A. Signature of FSA Representative	11B. Date (MM-DD-YYYY)			

IMPORTANT: If you are unsure about the applicability of HELCand WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any drainage or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whether you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.

NOTE:

The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12, the Food Security Act of 1985 (Pub. L. 99-198), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to certify compliance with HELC and WC provisions and to determine producer eligibility to participate in and receive benefits under programs administered by USDA agencies. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under programs administered by USDA agencies.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

N-2

(See Page 2 for Privacy Act and Paperwork Reduction Act Statements)

AD-1026 (10-30-14) U.S. DEPARTMENT OF AGRICULTURE

FarmServiceAgency

HIGHLY ERODIBLE LAND CONSERVATION (HELC) AND WETLAND CONSERVATION (WC) CERTIFICATION

Read attached AD-1026 Appendix before completing form.		
PART A - BASIC INFORMATION		
1. Name of Broducer 2 Tay Identification Number (Last 4 digits)	Cmn Vear	
4. Affiliated persons with naming interests must also life an אם- זטבס. See item 7 in the Appendix זטר a delimiton of an anniated person.		
5. Check one of these boxes if the statement applies; otherwise continue to Part B.		
A. The producer in Part A does not have interest in land devoted to agriculture. Examples include bee keepers who place their person's land, producers of crops grown in greenhouses, and producers of aquaculture AND these producers do not own/lealand themselves. Note: Do not check this box if the producer shares in a crop.		
B The producer in Part A meets all three of the following: otherwise does not participate in any USDA program that is subject to HELC and WC compliance except Federal Crop Insurance. only has interest in land devoted to agriculture which is exclusively used for perennial crops, except sugarcane, and has not converted a wetland after February 7, 2014.		
Perennial crops include, but are not limited to, tree fruit, tree nuts, grapes, olives, native pasture and perennial forage. A producer should contact the Natural Resources Conservation Service at the nearest USDA Service Center to determine whether such product production of a perennial crop.	that produces on qualifies as	alfalfa s
Note: If either box is checked, and the producer in Part A does not participate in Farm Service Agency(FSA) or Natural Resources Cor (NRCS) programs, the full tax identification number of the producer must be provided, but establishment of detailed farm records to required. Go to Part D and sign and date.		
PART B - HELC/WC COMPLIANCE QUESTIONS		
Indicate YES or NO to each question.		
If you are unsure of whether a HEL determination, wetland determination, or NRCS evaluation has been completed, contact your loc USDA Service Center.	al YES	NO
6. During the crop year entered in Part A or the term of a requested USDA loan, did or will the producer in Part A plant or produce an agricultural commodity (including sugarcane) on land for which an HEL determination has not been made?		X
7. Has anyone performed (since December 23, 1985), or will anyone perform any activities to:	1 453	
A. Create new drainage systems, conduct land leveling, filling, dredging, land clearing, or excavation that has NOT been evaluated by NRCS? <i>If "YES"</i> , <i>indicate the year(s)</i> :	1	X
B. Improve or modify an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s):		X
C. Maintain an existing drainage system that has NOT been evaluated by NRCS? If "YES", indicate the year(s): Note: Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.	to the	×
Note: If "YES" is checked for Item 7A or 7B, then Part C must be completed to authorize NRCS to make an HELC/WC and/or cert wetland determination on the identified land. If "YES" is checked for Item 7C, NRCS does not have to conduct a certified we determination.	fied tland	•
8. Check one or both boxes, if applicable; otherwise, continue to Part C or D.		
A. Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the <u>first time</u> Part A, including any affiliated person, has been subject to HELCand WC provisions.	he producer	in
B. Check this box if either of the following applies to the producer and crop year entered in Part A: • Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to alloother farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be complete by a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant	eted). t on that farm	n, but all
other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request	nust be comp	oleted).
PART C – ADDITIONAL INFORMATION		
9. If "YES" was checked in Item 6 or 7, provide the following information for the land to which the answer applies:		
A. Farm and/or tract/field number:		_
If unknown, contact the Farm Service Agency at the nearest USDA Service Center.		
B. Activity:		_
C. Current land use (specify crops):		_
D. County:		_



PART D - CERTIFICATION OF COMPLIANCE

I have received and read the AD-1026 Appendix and understandand agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:

- all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.
- NRCS may verify whether a HELC violation or WC has occurred.
- a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I
 understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences.
- affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.

Producer's Certification:		
I hereby certify that the information on this fo	rm is true and correct to the best of my knowledge.	
10A. Producer's Signature (By)	10B. Title/Relationship (If Signing in Representative Capacity)	10C. Date (MM-DD-YYYY)
		11/21/19

FOR FSA USE ONLY (for referral to NRCS)
Sign and date if NRCS determination is needed.

11A. Signature of FSA Representative

11B. Date (MM-DD-YYYY)

IMPORTANT: If you are unsure about the applicability of HELC and WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any draina or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whethe you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.

RECEIVED

DEC 0 4 2019

FARM SERVICE AGENCY

NOTE:

The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 12, the Food Security Act of 1985 (Pub. L. 99-198), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to certify compliance with HELC and WC provisions and to determine producer eligibility to participate in and receive benefits under programs administered by USDA agencies. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under programs administered by USDA agencies.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.

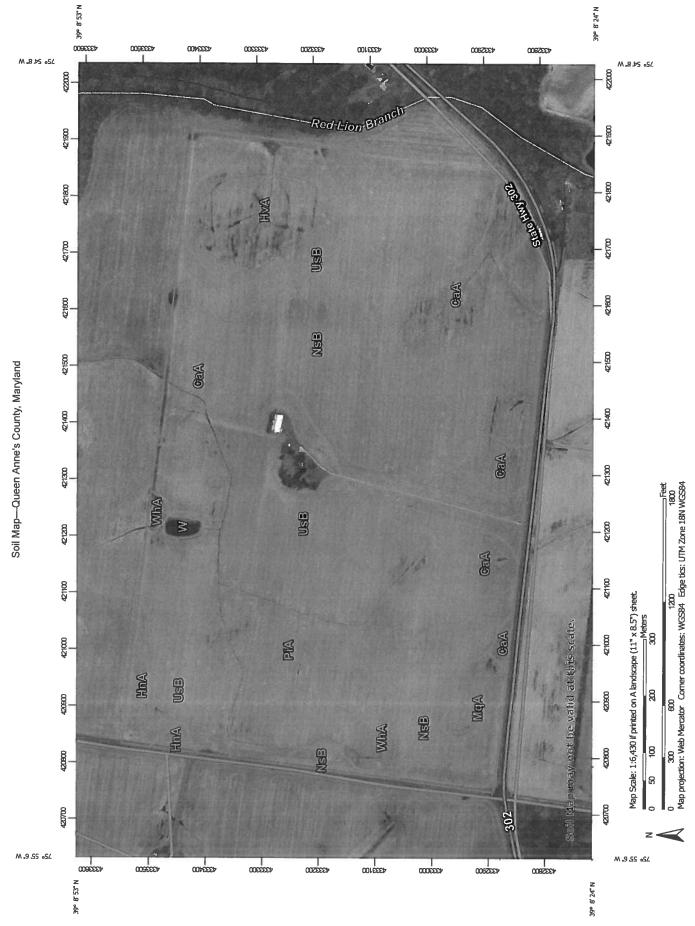
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If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.



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MAP LEGEND

Area of In	Area of interest (AOI)	a	Spoil Area
	Area of Interest (AOI)	Q	Stony Spot
Soils		8	Very Stony Spot
	Soil Map Unit Polygons	4	14/24 5 2224
}	Soil Map Unit Lines	>	vet spot
100	Soil Map Unit Points	◁	Other
l Special	Special Point Features	Ļ	Special Line Feat

Line Features

nd Canals Water Features

Streams and Canais	tation	Rails	Interstate Highways
}	Transportation	Ī	}

Closed Depression

0

Borrow Pit

Blowout

Clay Spot

Interstate Hig	US Routes	Major Roads	Local Roads
}	}	1	V)

Gravelly Spot

Gravel Pit

Marsh or swamp

Lava Flow

Landfill

Mine or Quarry

K

Miscellaneous Water

Perennial Water

Rock Outcrop Saline Spot Sandy Spot

Aerial Photography Background

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

contrasting soils that could have been shown at a more detailed misunderstanding of the detail of mapping and accuracy of soil Enlargement of maps beyond the scale of mapping can cause line placement. The maps do not show the small areas of

Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Coordinate System: Web Mercator (EPSG:3857) Web Soil Survey URL:

Maps from the Web Soil Survey are based on the Web Mercator distance and area. A projection that preserves area, such as the projection, which preserves direction and shape but distorts Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Queen Anne's County, Maryland Survey Area Data: Version 16, Sep 13, 2019 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Date(s) aerial images were photographed: Dec 31, 2009—Oct

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Severely Eroded Spot

Slide or Slip

Sinkhole

Sodic Spot

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CaA	Carmichael Ioam, 0 to 2 percent slopes	19.8	11.2%
HnA	Hammonton sandy loam, 0 to 2 percent slopes	1.8	1.0%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	13.2	7.5%
МqА	Mattapex-Butlertown sitt loams, 0 to 2 percent slopes	8.6	2.2%
NsB	Nassawango silt loam, 2 to 5 percent slopes	60.1	34.1%
PiA	Pineyneck silt loam, 0 to 2 percent slopes	25.5	14.5%
UsB	Unicorn-Sassafras loams, 2 to 5 percent slopes	47.4	26.9%
W	Water	0.6	0.3%
WhA	Whitemarsh silt loam, 0 to 2 percent slopes	9.6	2.2%
Totals for Area of Interest		176.2	100.0%

4/17/2020 Page 3 of 3

WATER QUALITY

Surface water quality can be impacted by point and non-point (direct / indirect) discharge of contaminants or sediments into waterways, as well as construction activities: including but not limited to land clearing, grading, dredging or filling.

FSA funding objectives must be consistent with the intentions of the Clean Water Act, the Safe Drinking Water Act, and the Water Quality Act, as well as State government focuses; therefore, the Agency shall not authorize, fund, or carry out any proposal or project that would adversely affect the unique value, quality, course, flow, current or cross section of a water resource.

Any project that has the potential to create a direct or indirect discharge on the ground or into any water course, or alter the course of water must be reviewed in conjunction with consultation and assistance of Maryland's Department of Natural Resources and Maryland Department of the Environment (MDE). This includes applicants for FSA financial assistance whose plans involve any type of ground disturbance or construction, livestock, changes in farming practices, well drilling or testing.

• Construction or ground disturbance includes but is not limited to: the erection or placement of physical structures of any type, site/ pad work, grading, leveling, filling, drilling, excavating or digging of any type below the existing plow line. There are no longer exemptions for agricultural activities. It also includes any type of land conversion or clearing activities, paving or changes to existing structures, waterways or ditches including culvert installation and well drilling.

All of the above activities serve to affect the flow of water over the surface of the ground in varying degrees and typically require both consultation as well as a Non Point Discharge Elimination System (NPDES) permit.

The permitting process can be considered part of the mitigation measures in the completion of an environmental assessment. Permits required in regard to surface water quality are those associated with NPDES regarding both storm water associated with construction activities as well as animal waste discharges. In addition, well construction/drilling and well use also require permits. The EPA has delegated authority for the various NPDES permits and related issues to state departments of the environments. In Maryland this is the Department of the Environment (MDE) and Department of Natural Resources (DNR). Issues related to wells and water use permits are also the responsibility of these agencies.

Construction or ground disturbance requires a NPDES Storm Water permit for an activity that disturbs
more than 5000 square feet as such activities have the potential to change the flow of storm water and
contribute to erosion and sediment control issues. Farm structures are no longer exempt from this
requirement.

This permit is referred to as an Individual Permit for Construction Activity and is required to be approved prior to commencing any construction activity, and is required in addition to any that may be required by lesser county or municipal jurisdictions.



The permitting process is administered by MDE's Drainage and Storm Water Section and requires the formulation of a site specific "Sediment and Storm Water Pollution Prevention Plan" (SSWPPP) which also addresses the related concerns of erosion and sediment control.

Applicant need to clearly define the project and location, and consult with the Soil and Water Conservation District (SWCD) for their evaluation of the selected site, project and any recommendations or known issues or limitations. If the SWCD does not have staff available to write the SSWPPP, the services of a professional engineer, registered landscape architect or professional land surveyor will need to be procured. (Costs will vary).

After the professional is selected, all parties should meet with SWCD for a Project Planning and Application Meeting to insure an understanding of the scope of the project, requirements and processes. The SSWPPP is prepared and submitted to SWCD for review and approval. Once approved, an application and Notice of Intent (NOI) to discharge is prepared (usually by the consultant or TSP) and submitted to DNR with the appropriate.

DNR will acknowledge receipt of the NOI and upon approval it will be posted to their website for public notice/comment. A confirmation letter outlining any special instructions applicable for the project to proceed will be provided to the applicant. DNR endeavors to respond within 30 days.

Once approved, a preconstruction meeting should be held by all parties, including the contractors involved in performing the work, to insure understanding. Contractors performing the site disturbance must have certification of training from DNR. Throughout construction, a copy of the SWPPP must remain on site, and the owner or owner's representative must maintain a weekly log of self-inspections of erosion and sediment controls and storm water management facilities on the site. The local SWCD may choose to require a Certified Construction Reviewer (CCR) for the site during construction. Upon completion of the project and stabilization of the disturbed area, a Notice of Termination (NOT) must be submitted to DNR.

• Livestock – As livestock present a potential to impact water quality, permits are required for operations where animals come in contact with water or numbers exceed EPA established animal unit tolerances (which are separate and apart from those specified in 1-EQ for determining the level of EA required by FSA.)

An "animal unit" is a term defined by the regulations and varies according to animal type; one animal is not always equal to one animal unit. Those operations with specific livestock numbers in excess of those listed below are required to have a NPDES permit to address potential discharge of animal waste. FSA also encourages small operations to also seek the protection of this permit.

150 horses

210 mature dairy cattle (whether milked or dry)

300 beef cattle or heifer

300 yeal calves

750 swine weighing 55 pounds or more

3,000 swine weighing less than 55 pounds

3,000 sheep or lambs

9,000 broilers or laying hens if liquid manure handling system



16,500 turkeys

24,500 laying hens if other than liquid manure system

37,500 chickens, except laying hens, if other than liquid manure system

Operations having combinations of different types of animals present need to perform a mathematical calculation to convert animal units to pollution equivalents. Contact the State Environmental Coordinator for assistance.

The sources listed below are recommended for assistance and additional information:

- NRCS and the Soil Conservation District staff are the best place to refer applicants for technical guidance and assistance in pursing the various plans and permits which may be required. While they may advise that a TSP will also be required, they will typically work with the applicant to coordinate efforts and similarly advise applicants regarding related cost share programs for which they may be eligible.
- Maryland Department of Environment is the best source of information regarding the General NPDES
 Permit for CAFOs. Information regarding the program is available online
 at: http://www.mde.maryland.gov/programs/Land/RecyclingandOperationsprogram/AFO/Documents/CAFO-FAQs.pdf
- For technical assistance with MDE's Drainage and Storm Water Section contact Karen Smith 410-537-3510. Information is found
- at: http://www.mde.state.md.us/programs/Permits/WaterManagementPermits/
- ACE actions for Maryland: Their contact and related permit information can be found online at: http://www.epa.gov/reg3esd1/wetlands/permits.htm
- TSPs who have been approved to provide services can be located on the NRCS website at: http://techreg.usda.gov/CustLocateTSP.aspx



AIR QUALITY

In general, FP actions have not been found to contribute air quality issues. FLP actions with potential to contribute to air quality issues are primarily those associated with animal feeding operations (AFO) and the related manure storage facilities, animal housing and land application of manure. Projects that generate odors and sites located immediately downwind of such facilities merit special evaluation in this regard. Also see 1-EQ, Paragraph 52D for guidance regarding actions that involve the establishment of, or changes to a CAFO and mitigation measure to reduce odor concerns. While there have not been any established specific air-quality regulations for animal feeding operations, ammonia emissions from poultry houses are a sensitive issue of recent concern. The EPA final ruling published in 2008 clarified the threshold for CAFOs and removed the requirement to notify the National Response Center, but did not change the requirement to "report" the release of ammonia emissions to state and local agencies. Accordingly, poultry operations who exceed established thresholds specified below need to "report" as outlined in Part C.

- 125,000 or more chickens (other than laying hens if not using liquid manure handling system)
- 30,000 broilers or laying hens if using liquid manure handling system
- 82,000 laying hens if not using liquid manure handling system
- 55,000 turkeys

It is also important to note:

- The State limits/restricts open burning of refuse, construction debris etc.
- Permits are required for incinerators even when used for agricultural purposes.
- Farm generators/power units are required to burn low sulfur fuel.
- C: CAFOs require a NPDES permit, which includes provisions within the related management plan to address air quality. In addition, those CAFOs of sufficient size to warrant reporting of ammonia emissions will need to:
- Call Maryland DNR Toxic Release Inventory Program and advise as to location, owner/operator contact, number/type of animals and that there is potential for ammonia emissions.

The sources listed below are recommended for assistance and additional information:

- http://www.dnr.state.md.us/service/
- http://www.epa.gov/air/oaqps/
- For additional information on reporting the continuous release of ammonia or other hazardous release see:

http://www.epa.gov/superfund/policy/release/pdfs/part1-fa.pdf



NOISE

While there may be intermittent noise associated with FSA funded projects, especially those that involve construction, there are typically no lasting or adverse impacts associated; however, a review of each activity that involves machinery or large numbers of livestock should be conducted to identify possible mitigation measures and best management practices.

No Federal or State permits are required.

The sources listed below are recommended for assistance and additional information:

- DNR, 580 Taylor Avenue, Tawes State Office Building Annapolis, MD 21401. Phone 1-877-620-8DNR (8367)
- Noise Pollution Clearinghouse: http://www.nonoise.org/



The 2020 Census is Happening Now. Respond Today.

QuickFacts

Queen Anne's County, Maryland

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more.

Table

ALL TOPICS	Queen Anne's County, Maryland
Population estimates, July 1, 2019, (V2019)	50,381
₽ PEOPLE	
Population	
Population estimates, July 1, 2019, (V2019)	50,381
Population estimates, July 1, 2018, (V2018)	50,251
Population estimates base, April 1, 2010, (V2019)	47,785
Population estimates base, April 1, 2010, (V2018)	47,789
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	5.4%
Population, percent change - April 1, 2010 (estimates base) to July 1, 2018, (V2018)	5.2%
Population, Census, April 1, 2010	47,798
Age and Sex	
Persons under 5 years, percent	▲ 5.1%
Persons under 18 years, percent	21.5%
Persons 65 years and over, percent	18,8%
Female persons, percent	▲ 50.4%
Race and Hispanic Origin	
White alone, percent	▲ 89.7%
Black or African American alone, percent (a)	▲ 6.4%
American Indian and Alaska Native alone, percent (a)	▲ 0.5%
Asian alone, percent (a)	▲ 1.2%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.1%
Two or More Races, percent	▲ 2.1%
Hispanic or Latino, percent (b)	▲ 4.1%
White alone, not Hispanic or Latino, percent	▲ 86.3%
Population Characteristics	
Veterans, 2014-2018	3,639
Foreign born persons, percent, 2014-2018	4.2%
Housing	
Housing units, July 1, 2018, (V2018)	21,315
Owner-occupied housing unit rate, 2014-2018	81,8%
Median value of owner-occupied housing units, 2014-2018	\$348,000
Median selected monthly owner costs -with a mortgage, 2014-2018	\$2,117
Median selected monthly owner costs -without a mortgage, 2014-2018	\$646
Median gross rent, 2014-2018	\$1,398
Building permits, 2018	279
Families & Living Arrangements	
Households, 2014-2018	18,148
Persons per household, 2014-2018	2 69
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	89.0%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	5.3%
Computer and Internet Use	
Households with a computer, percent, 2014-2018	92 2%
Households with a broadband Internet subscription, percent, 2014-2018	86.2%
Education	
High school graduate or higher, percent of persons age 25 years+, 2014-2018	92.1%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	34.9%

Health	
With a disability, under age 65 years, percent, 2014-2018	7.3%
Persons without health insurance, under age 65 years, percent	▲ 5.2%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2014-2018	66 3%
In civilian labor force, female, percent of population age 16 years+, 2014-2018	62.2%
Total accommodation and food services sales, 2012 (\$1,000) (c)	112,975
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	74,091
Total manufacturers shipments, 2012 (\$1,000) (c)	208,329
Total merchant wholesaler sales, 2012 (\$1,000) (c)	353,033
Total retail sales, 2012 (\$1,000) (c)	547,492
Total retail sales per capita, 2012 (c)	\$11,266
Transportation	
Mean travel time to work (minutes), workers age 16 years+, 2014-2018	37.0
Income & Poverty	
Median household income (in 2018 dollars), 2014-2018	\$92,167
Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$42,077
Persons in poverty, percent	▲ 6.5%
M BUSINESSES	
Businesses	
Total employer establishments, 2017	1,411
Total employment, 2017	12,535
Total annual payroll, 2017 (\$1,000)	482,172
Total employment, percent change, 2016-2017	6.2%
Total nonemployer establishments, 2017	4,821
A!! firms, 2012	4,907
Men-owned firms, 2012	2,873
Women-owned firms, 2012	1,463
Minority-owned firms, 2012	216
Nonminority-owned firms, 2012	4,470
Veteran-owned firms, 2012	685
Nonveteran-owned firms, 2012	3,951
⊕ GEOGRAPHY	
Geography	
Population per square mile, 2010	128 5
Land area in square miles, 2010	371.91
FIPS Code	24035

About datasets used in this table

Value Notes

Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info 🐧 icon to the left of each row in TABLE view to learn about sampling error

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). Different vintage years of estimates are not comparable

Fact Notes

Includes persons reporting only one race

Hispanics may be of any race, so also are included in applicable race categories

Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interval of an ended distribution.
Suppressed to avoid disclosure of confidential information

Fewer than 25 firms

Footnote on this item in place of data

Data for this geographic area cannot be displayed because the number of sample cases is too small.

Suppressed, does not meet publication standards

Not applicable
Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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Governments Longitudinal Employer-Household Dynamics (LEHD)

Survey of Business Owners

PEOPLE & HOUSEHOLDS

2020 Census 2010 Census

American Community Survey Income

Population Estimates Population Projections

Health Insurance International Genealogy

SPECIAL TOPICS

Advisors, Centers and Research Programs Statistics in Schools

Tribal Resources (AIAN) Emergency Preparedness Special Census Program

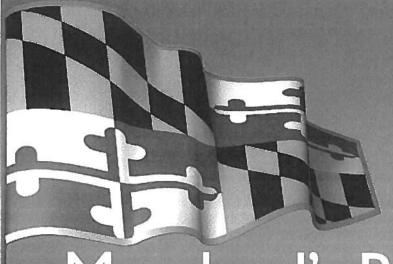
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Maryland's Right to Farm Statute and County Ordinances



Right-to-Farm

Right-to-Farm statutes gained popularity across the country in the 1970s, as state lawmakers became more aware of and concerned about the loss of agricultural land. The intent of right-to-farm laws are to discourage neighbors from pursuing nuisance lawsuits against farmers because of odor, dust, noise from field work, spraying of farm chemicals, slow moving farm equipment or other occasional effects of agricultural production.

Right-to-farm laws provide a measure of security for the established farmer who practices sound best management principles in the day-to-day operation of his/her farm. The laws also put non-farming communities on notice that agriculture is a vital component of the region's economy, character and culture. In this way, right-to-farm laws serve as an educational tool for rural residents who might be new to the area and unaccustomed to living near production agriculture. The laws establish methods by which new residents are notified that their home in the country is in close proximity to a living, working and sometimes fragrant farm.

Right-to-Farm in Maryland

Maryland laws related to nuisance suits against agricultural operations are found in the Maryland Annotated Code, Courts and Judicial Proceedings Article, Section 5-403. The law applies to "agricultural operation" which is defined as "an operation for the processing of agricultural crops or on-farm production, harvesting, or marketing of any agricultural, horticultural, silvicultural, aquacultural, or apicultural product that has been grown, raised or cultivated by the farmer."

The law states that if an agricultural operation has been

- Underway for a period of one year or more;
- ✓ Is in compliance with applicable federal, state, and local health, environmental, zoning and permit requirements related to any nuisance claim; and,
- ✓ Is not conducted in a negligent manner;

Then:

- ✓ The operation, including any noise, dust, or insects from the operation, may not be deemed to be a private or public nuisance; and,
- ✓ A private action may not be sustained on the grounds that the operation interferes with the use or enjoyment of other property, whether public or private.

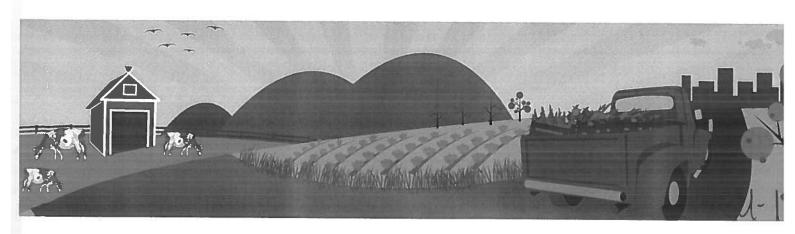
State law does not:

- Prohibit a federal, state, or local government from enforcing health, environmental, zoning or any other applicable law;
- ✓ Relieve any agricultural operation from the responsibility of complying with the terms of any applicable federal, state, and local permit required for the operation;
- Relieve any agricultural operator from the responsibility to comply with any federal, state, or local health, environmental and zoning requirement;

- ✓ Relieve any agricultural operation from liability for conducting an agricultural operation in a negligent manner or
- Apply to any agricultural operation that is operating without a fully and demonstrably implemented nutrient management plan for nitrogen and phosphorus if otherwise required by law.

Effective October 1, 2006 the state law related to nuisance suits against agricultural operations was amended. The amendment added subsection "e" which states:

- ✓ This subsection does not apply to an action brought by a
 government agency.
- ✓ If a local agency is authorized to hear a nuisance complaint against an agricultural operation, a person may not bring a nuisance action against an agricultural operation in any court until:
 - The person has filed a complaint with the local agency; and
 - The local agency has made a decision or recommendation on the complaint.
- ✓ If there is no local agency authorized to hear a nuisance complaint against an agricultural operation, a person may not bring a nuisance action against an agricultural operation in any court until:
 - The person had referred a complaint to the state agricultural mediation program in the Department of Agriculture under Title 1, subtitle 1A of the agricultural article: and
 - The department certifies that mediation has concluded.



The following chart provides a general overview of the key elements found in the various county 'right-to-farm' ordinances, and highlights some of their similarities and differences.

	Good Neighbor Policy	Standard "4" Definitions	Additional Definitions	Limitations of Actions	Resolution of Disputes Process and Procedures	Agriculture Reconcilia tion Board/ Łocal Agency	No Standing Clause	Bad Faith Clause	Transfer Disclosure Statement	Right-to- Farm Notice	Transfer Disclosure Statement- Text Inc.	Right-to- Farm Notice- Text Inc	Local Ordinances Available Online
Allegany													
Anne Arundel				•									
Baltimore	•												•
Calvert				٠	•								
Caroline		Name of the		•									
Carroll				•									
Cecil						•	•						
Charles	•				•		•	•					
Dorchester						•			•				
Frederick				•	14.	•							
Garrett													
Harford										•			
Howard													
Kent		•				•							
Montgomery													٠
Prince George's													
Queen Anne's				• 11									
Saint Mary's					•					ne in			
Somerset		•		•							•		
Talbot			•		020.								
Washington													•
Wicomico				•									
Worcester													

¹Zoning issues

NOTE: Information was provided by the counties and compiled by the Maryland Farm Bureau updated by Maryland Department of Agriculture in June 2012. We provide no warranty expressed or implied, as to the accuracy, reliability or completeness of furnished data. While we make every effort to provide accurate and complete information, information may change. Contact the individual counties for the most recent information.

Local Right-to-Farm Ordinances

In addition to the state right-to-farm statute, there are a number of county right-to-farm ordinances. Several key elements that are often included in a county's right-to-farm ordinances include the following:

A Good Neighbor Policy is generally a statement that pertains to those normal activities associated with agricultural or forestry production that are performed during various times of the year. Statements will often provide that such daily activities shall be performed in a manner that will have minimal impact on the environment as well as human health.

2 Key Definitions often include the "Standard 4 Definitions" which are the most commonly included definitions in comprehensive ordinances. These include definitions for agricultural land, agricultural operations, forestry operations, and generally accepted agricultural and forestry practices.

Limitation of Action set forth the circumstances wherein the agricultural or forestry operation is protected from nuisance complaints.

Resolution of Disputes and Procedures details the procedures that are in place to file a complaint with the appropriate agency. This section also often provides the processes and procedures used to investigate and resolve a complaint.

5 An Agricultural Reconciliation Board is a five or seven member committee of appropriate members of the

(continued)

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community who mediate and sometimes arbitrate disputes between parties resulting from perceived or real nuisance complaints. Authority granted to the committee varies from county to county, but the overall goal of the committee is to resolve the dispute before it reaches the courts.

6 A No Standing Clause is a provision that states the plaintiff would have no standing in court if he/she did not seek and/or obtain a decision on the dispute from the county's Agricultural Resolution Board or from the State Agricultural mediation program.

A Bad Faith Clause states that the plaintiff can be found liable for any/all expenses incurred by the defendant if the Agricultural Resolution Board finds that he/she brought the case in bad faith or without substantive justification.

Method of Notice refers to the method in which the law is communicated to both new arrivals and those already living in an agricultural area. The most common methods are a notice sent out with the yearly property tax bill and a Transfer Disclosure Statement signed when a property is purchased.

Mediate, Don't Litigate

Many counties have an Agricultural Reconciliation Board or similar local agency in place to help resolve agricultural disputes (see chart). County ordinances typically require that a person must contact the local board before bringing a nuisance action against an agricultural operation in any court.

State law provides that if there is no local agency authorized to hear a nuisance complaint against an agricultural operation, a person may not bring a nuisance action against an agricultural operation in any court until the person has referred a complaint to the state agricultural mediation program in the Department

of Agriculture, and the department certifies that mediation has concluded. In accordance with state law, cases brought in counties that do not have provisions for an Agricultural Reconciliation Board, or there are provisions for a board but members have not been appointed, nuisance complaints shall be referred to the state agricultural mediation program in the Department of Agriculture.

Maryland citizens may also contact the state agricultural mediation program directly for assistance in resolving agricultural related concerns or conflict.

Maryland's Agricultural Mediation Program

Maryland Agricultural Conflict Resolution Service (ACReS) is the official U.S. Department of Agriculture (USDA)- certified agricultural mediation program for Maryland. The program offers confidential assistance to Maryland to help resolve agricultural related disputes before they end up in court.

Mediation is a process in which a neutral third party (the mediator) assists farmers, agricultural lenders, agencies, families and citizens to resolve disputes in a non-adversarial setting outside the traditional legal and regulatory processes.

Agricultural mediation may involve conflicts between neighbors or communities, family farm issues and estate planning, agricultural credit issues between the borrower and creditor, adverse decisions by USDA agencies, or any dispute affecting the profitability of an agricultural operation.

ACReS has a roster of skilled mediators trained to serve as non-adversarial, neutral, third parties to help resolve disputes. An initial consultation with program staff and initial mediation session is provided at no charge. If additional mediation sessions are needed, costs are shared by the parties. Full or partial waivers of fees may be available based on income.

ACReS is a service provided by the Maryland Department of Agriculture. For more information, call 410-841-5770 or toll free 800-492-5590 or visit the website at www.marylandacres.com.



Larry Hogan Governor

Boyd Rutherford Lt. Governor Joseph Bartenfelder Secretary

Mary Ellen Setting Deputy Secretary 50 Harry S. Truman Parkway Annapolis, MD 21401 Toll Free: 800.492.5590 Phone: 410.841.5770

www.marylandacres.com

Queen Annes County, MD Tuesday, January 28, 2020

Chapter 19. Nuisances; Conduct of Agricultural and Seafood Operations

Part 2. Right To Farm

[Adopted 8-20-1999 by Ord. No. 99-08; amended in its entirety 11-11-2008 by Ord. No. 08-24]

Article V. Conduct of Agricultural Operations

§ 19-8. Findings and policy.

- A. It is the declared policy of the County to preserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. When nonagricultural land uses extend into agricultural areas, agricultural operations can become the subject of lawsuits. As a result, agricultural operators are sometimes forced to cease or curtail their operations. Others are discouraged from making investments in agricultural improvements to the detriment of the economic viability of the County's agricultural industry as a whole. It is the purpose of this Part 2 to reduce the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance, trespass, or other interference with the reasonable use and enjoyment of land, including, but not limited to, smoke, odors, flies, dust, noise, chemicals, or vibration, providing that nothing in this Part 2 shall in any way restrict or impede the authority of the state and of the County to protect the public health, safety, and welfare.
- B. It is in the public interest to promote a more clear understanding between agricultural operations and nonagricultural residential neighbors concerning the normal inconveniences of agricultural operations which follow generally accepted agricultural practices and do not endanger public health or safety.
- C. This Part 2 is not intended to and shall not be construed as in any way modifying or abridging local, state, or federal laws relating to health, safety, zoning, licensing requirements, environmental standards and the like.
- D. An additional purpose of this Part 2 is to promote a good-neighbor policy by advising purchasers and users of property adjacent to or near agricultural operations of the inherent potential problems associated with such purchase or use. These potential problems include, but are not limited to, noises, odors, dust, flies, chemicals, smoke, vibration, and hours of operation that may accompany agricultural operations. It is intended that, through mandatory disclosures, purchasers and users will better

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understand the impact of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near rural areas. However, this Article V shall be effective regardless of whether disclosure was made in accordance with § 19-11.1.

§ 19-9. Definitions.

As used in this Part 2, the following terms shall have the meanings indicated:

AGRICULTURAL LAND

All real property within the boundaries of Queen Anne's County that is lying in the Agricultural District, or that is lying in other zoning districts if carried on the tax rolls of the State Department of Assessments and Taxation as agricultural or that is lying in other zoning districts if it has been used as an agricultural operation continuously for one year.

AGRICULTURAL OPERATION

Includes, but is not limited to, all matters set forth in the definition of "operation" in the Courts and Judicial Proceedings Article of the Annotated Code § 5-403(a), as amended from time to time; the production of all matters encompassed within the definition of "farm product" in the Agriculture Article of the Annotated Code § 10-601(c), as amended from time to time; the cultivation and tillage of the soil; composting; production, harvesting, and processing of agricultural crops; raising poultry; production of eggs; production of milk and dairy products; production of livestock, including pasturage and equine enterprises; production of bees and their products; production of fish; production of fruit, vegetables, and other horticultural crops; production of aquatic plants; agricultural; production of timber and any commercial agricultural procedure performed as incident to or in conjunction with such operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market; and usage of land in furtherance of educational and social goals, such as 4-H, Future Farmers of America, and the like.

GENERALLY ACCEPTED AGRICULTURAL PRACTICES

Those methods used in connection with agricultural operations which do not violate applicable federal, state, or local laws or public health, safety and welfare and which are generally accepted agricultural practices in the agricultural industry. "Generally accepted agricultural practices" include but are not limited to practices which are recognized as best management practices and those methods which are authorized by various governmental agencies, bureaus, and departments, such as the Queen Anne's County Cooperative Extension Service of the University of Maryland, and the like. If no generally accepted agricultural practice exists or there is no method authorized by those agencies mentioned herein which governs a practice, the practice is presumed to be a generally accepted agricultural practice.

§ 19-10. Limitation of actions.

A. A private action may not be sustained with respect to an agricultural operation conducted on agricultural land on the grounds that the agricultural operation interferes or has interfered with the use or enjoyment of property, whether public or private, if the agricultural operation was, at the time the interference is alleged to arise, conducted substantially in accordance with generally accepted agricultural practices.

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B. Notwithstanding any provision of this section, no action alleging that an agricultural operation has interfered with the reasonable use or enjoyment of real property or personal well-being shall be maintained if the plaintiff has not sought and obtained a final judgment of the Agricultural Reconciliation Committee, as defined in § 19-11 herein.

§ 19-11. Resolution of disputes and procedure for complaints; investigation and declaration.

- A. Nuisances which affect public health.
 - (1) Complaints. A person may complain to the Agricultural Reconciliation Committee to declare that a nuisance which affects public health exists.
 - (2) Investigations. The Agricultural Reconciliation Committee may investigate all complaints of nuisance received against an agricultural operation. When a previous complaint involving the same condition resulted in a determination by the Agricultural Reconciliation Committee that a nuisance condition did not exist, the Agricultural Reconciliation Committee may investigate the complaint, but the Agricultural Reconciliation Committee may also determine not to investigate such a complaint. The Agricultural Reconciliation Committee may initiate any investigation without citizen complaint.
 - (3) Declaration of nuisance. If the Agricultural Reconciliation Committee determines that a nuisance exists, the Agricultural Reconciliation Committee may declare the existence of a nuisance. In determining whether a nuisance condition exists in connection with an agricultural operation, the Agricultural Reconciliation Committee shall apply the criteria provided in this Part 1. Further, the Agricultural Reconciliation Committee may consider the professional opinion of the Queen Anne's County Cooperative Extension Service of the University of Maryland, or other qualified experts in the relevant field in determining whether the agricultural operation being investigated is conducted in accordance with generally accepted agricultural management practices.
- B. Resolution of disputes regarding agricultural operations.
 - (1) Should any matter arise regarding an interference with the use or enjoyment of property from agricultural operations conducted on agricultural land, the parties (not to include third parties other than counsel) to that matter shall submit the matter to the Agricultural Reconciliation Committee by first contacting the Agricultural Land Preservation Program Administrator, Queen Anne's County Department of Economic Development, Agricultural and Tourism.
 - (2) There is hereby established the Queen Anne's County Agricultural Reconciliation Committee, which shall arbitrate and mediate disputes involving agricultural operations conducted on agricultural lands and issue opinions on whether such agricultural operations are conducted in a manner consistent with generally accepted agricultural management practices.
 - (3) The Agricultural Reconciliation Committee shall be composed of six persons that reside in Queen Anne's County. The Queen Anne's County Board of County Commissioners shall appoint the members of the Agricultural Reconciliation

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Committee. One member shall be from a municipality, one member shall be involved in the real estate industry, one member shall be the Queen Anne's County Environmental Health Officer, one member shall be a person who is not engaged or otherwise has a pecuniary interest in the commercial practice of agriculture, and two members shall be from the agricultural community.

- (4) The Agricultural Reconciliation Committee will conduct its proceedings in an informal manner, and the rules of evidence shall not apply. The Agricultural Reconciliation Committee has the power, but is not required hereunder, to hold hearings, to compel testimony under oath and the production of documents. In each case before it, the Agriculture Reconciliation Committee shall issue orders settling or otherwise resolving controversies arising out of agriculture operations, including but not limited to the invasion of property and personal rights by agricultural operations conducted on agricultural land. Proceedings shall be conducted in accordance with the duly adopted Rules of Procedure for the Agricultural Reconciliation Committee which may be amended from time to time. The Agricultural Reconciliation Committee will render a written decision within 30 days of the final proceedings and may extend the decision deadline for one additional thirty-day period.
- (5) Orders of the Agricultural Reconciliation Committee shall be binding on the parties as a matter of law, but their enforcement shall be suspended by operation of law if, within 30 days of the date of the Committee's judgment, a party appeals such order to the Circuit Court for Queen Anne's County. Appeal from orders of the Committee shall be by a trial de novo.
- (6) If the Agricultural Reconciliation Committee or a Court finds that the conduct of a party in bringing or maintaining an action in connection with an agricultural operation conducted on agricultural land was in bad faith or without substantial justification, the Agricultural Reconciliation Committee or court may require that party to pay to the owner of the agricultural operation the costs of the proceeding and the reasonable expenses, including reasonable attorney's fees, incurred by that party in defending against the action.

§ 19-11.1. Right to farm notice and real estate transfer disclosure.

- A. Upon any transfer of real property by any means, the transferor shall provide the purchaser or lessee a statement specifically advising the purchaser or lessee of the existence of this Article V which shall be in substantially the form set forth in Appendix A at the end of this chapter.
- B. Any person who violates any provision of this section is guilty of an infraction punishable by a civil penalty not exceeding \$100. Failure to comply with any provision of this right to farm notice and real estate transfer disclosure section shall not prevent the recording of any document, or the title to real property or any mortgage or deed of trust made in good faith or for value, and it shall not affect the application of this Part 2.

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