

# **Process to Successfully Build a Poultry Operation**

**Steps to complying with regulatory requirements  
for the construction of a poultry house on  
Maryland's Eastern Shore**



Brought to you by the Maryland Association of Soil Conservation Districts in partnership with the Maryland Department of Agriculture and translated using USDA Conservation Innovation Grant funding.

**Poultry Construction Process**  
**(Guidance provided by Maryland's Soil Conservation Districts)**

1. Identify your desired location for your poultry house or houses and meet with your local Soil Conservation District (SCD), county planning agency, and site designer about any site restrictions.
2. Determine who your integrator will be and their requirements for house dimensions including length and width. Once you have your site and house dimensions, check with your local Planning Agency to determine setback requirements.
3. Work with the Soil Conservation District, engineer or a contractor to address the following:
  - Public drainage setbacks and Maryland Department of the Environment (MDE) New Source Design Criteria Setbacks from regulated waters of the State.
  - National Wetland Inventory Impacts – if located within a wetland area, the project may require determinations by Natural Resources Conservation Service (NRCS), MDE or the Army Corps of Engineers.
  - Examine soils and topography to identify drainage and natural slopes.
  - Determine if proposed location is in a flood plain or Critical Area. If the poultry house is to be located in a flood plain or Critical Area, it will require further permitting from MDE and the county planning authority.
  - Address any State or Federal Sensitive Species. If sensitive or endangered species impacts are identified, construction may require Department of Natural Resources (DNR) approval.
  - If trees are to be removed and stumps excavated, a wetland determination will need to be requested from the Farm Services Agency (FSA) or a Wetland Consultant. A poultry house is considered to be a land use change for wetland regulation purposes.
  - Check with FSA and MDE to determine if there are any existing violations on the land you wish to build on.
4. If the site is determined to be viable for construction, have soil borings conducted to determine suitable base and clay cap material for construction.
5. Engage your Soil Conservation District (only Caroline SCD offers this service) or a private contractor to complete site design.
6. Meet with Soil District Conservation Planner or a Technical Service Provider (TSP) to start process of developing or updating a Soil Conservation and Water Quality Plan (SCWQP) or a Comprehensive Nutrient Management Plan (CNMP), depending which is needed. New construction and expansions require updating these plans.
7. Work with a University of Maryland Extension (UME) Nutrient Management Advisor or a private nutrient management consultant to create or update the Nutrient Management Plan for the new poultry house or houses. New construction and expansion will require updating these plans.

8. Have your Erosion and Sediment Control Plan approved by your Soil Conservation District. Fees will apply. Develop a plan and a timetable for submission of both MDE Notice of Intent (NOI): National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOI) for Construction Activity and NPDES/State Discharge Permit for Animal Feeding Operations (AFO) NOI.
9. Work with your site planner to address all of the Maryland Animal Feeding Operation (MAFO)/ Concentrated Animal Feeding Operation (CAFO) New Source Design Criteria and MDE Poultry Stormwater Plan Guidelines.
  - Design the site for new construction that does not allow placement of structures within 100 feet of any perennial stream, regulated water body, tidal wetland, non-tidal wetland, mean high water line, tax ditch, or public ditch.
  - Design the site to have impervious discharge drain through vegetation equal to the length/width of contributing impervious area.
  - Design a 3 to 5 foot splash strip around the structures built without gutters.
  - Access roads designed at 12 feet and 15 feet wide. Check with the County roads agency for entrance width minimum.
  - Design storm water systems for disturbances over an acre.
  - Provide on the plan, property lines, road frontage, location and size of existing and proposed structures (barns, access roads, existing home, storage buildings, include septic/sewage reserve and well locations), location of all waters of the State (Critical Area buffers, tidal wetlands, perennial streams, open water, etc.) limits of disturbance, direction of flow, erosion and sediment controls necessary to prevent off site sedimentation.
  - Design Heavy Use Areas for Poultry Houses (cost share available through NRCS Environmental Quality Incentive Program (EQIP) and/or MDA Maryland Agricultural Cost share Program (MACS)) and maintain regulated setbacks.
  - Verify the appropriate sizing of the Manure Storage Structure and Animal Mortality Facility with your SCD. Design Manure Storage Structure with Heavy Use Pads per New Source Design Criteria. (Cost Share available through EQIP and/or MACS.)
  - Design Animal Mortality Facility with a Heavy Use Area per New Source Design Criteria. (Cost Share available through EQIP and/or MACS.)
  - Information about the EQIP and MACS cost share programs is available from your local SCD.
10. Additional design items to consider:
  - Can the house(s) be oriented East/West to allow for maximum air movement?
  - Be conscious of your neighbors. Can fans be directed away from existing homes?
  - Can house(s) be located away from public roads or behind existing hedgerows or swales?
  - Has adequate room been left between houses (Minimum of 60 feet) for roads and swales?
  - Does your integrator require a loop road? If so, is there adequate room in your site design?
11. Meet with your site planner to make adjustments and finalize construction drawings.
12. Complete information for MAFO/CAFO NOI Permit and send them to the Maryland Department of the Environment AFO Division, ATTN: Gary Kelman, 1800 Washington Boulevard, Suite 610,

Baltimore, MD 21230-1719. It is advisable to mail the application certified with a return receipt as soon as you define the AFO's concept plan. Birds will not be allowed in the houses until registered with the MAFO/CAFO permit.

13. Obtain cost share paperwork from the Soil Conservation District for Manure Storage Building, Animal Mortality Facility and Heavy Use Areas and get the Imminent Start up Certificate to be completed by your poultry integrator to be eligible for cost share.
14. Obtain signatures for Comprehensive Nutrient Management Plan and associated documentation.
15. Complete construction plans to include all Stormwater Management and Erosion and Sediment Controls.
  - Obtain a complete set of the Stormwater Management and Erosion and Sediment Control plans from the contractor or Soil Conservation District for signature.
  - Provide a filled out copy of the MDE Standard Stormwater Management Plan for Agricultural Structures for landowner to submit to the county planning agency.
  - Submit a signed copy to your county planning agency for county stormwater approval and building permit (30-day turnaround).
  - Obtain a site map to submit to your county health department for Environmental Health for Water & Sewer Verification and New Well.
16. Submit your NOI's.
  - First, the construction NOI for disturbances greater than 1 acre to be submitted to MDE Water Management or completed online (ePermits). Once this is processed, a 14-day comment period is opened. If there are no comments, disturbance may begin.
  - Second, if not yet completed in step #12, submit the MAFO.CAFO NOI which is delivered to MDE Land Management (Gary Kelman).
17. Select a site contractor. It is your responsibility to make sure the site contractor is bidding on a complete and current set of plans. Make sure the site contractor's quote includes all Erosion & Sediment Control measures on the plan. The poultry house construction contractor and the Waste Storage Structure may be different. Your SCD can provide you with a list of suitable Waste Storage Structure contractors suitable for cost share funding.
18. Set up a Pre-construction meeting with MDE, your Soil Conservation District, poultry integrator, general contractor, site contractor, county roads, electrician, propane company and other relevant stakeholders.
19. A weekly inspection report must be kept on a site under an NOI Binder. It is also required that an inspection report must be completed after each ½inch rain event.
20. Talk with your insurance agent about Construction and Loss of Income Insurance.
21. All permits and plans must be approved **BEFORE** construction **AND** bird placement.

## Important Phone Numbers

Maryland Department of Agriculture AFO Coordinator  
 Maryland Department of the Environment MAFO/CAFO  
 Maryland Department of the Environment Construction Activity  
 MISS UTILITY

Colin McAllister 410-667-0802  
 Gary Kelman 410-537-4423  
 Kathy Mohan 410-537-3529  
 811

Caroline County		Cecil County	
Office	Phone Number	Office	Phone Number
Soil Conservation District	410-479-1202 x3	Soil Conservation District	410-398-4411 x3
University of MD Extension	410-479-4030	University of MD Extension	410-996-5280
County Planning	410-479-8100	County Planning	410-996-5220
Health Department	410-479-8000	Health Department	410-996-5550
Roads Department	410-479-4011	Roads Department	410-996-6270
County Forester	410-479-1623	County Forester	410-287-5777
Dorchester County		Kent County	
Soil Conservation District	410-228-5640 x3	Soil Conservation District	410-888-5150 x3
University of MD Extension	410-228-8800	University of MD Extension	410-778-1661
County Planning	410-228-3234	County Planning	410-778-7423
Health Department	410-228-3223	Health Department	410-778-2142
Roads Department	410-228-2920	Roads Department	410-778-4252
County Forester	410-228-1861	County Forester	410-778-4439
Queen Anne's County		Somerset County	
Soil Conservation District	410-758-1671 x3	Soil Conservation District	410-651-1575 x3
University of MD Extension	410-758-0166	University of MD Extension	410-651-1350
County Zoning (Permits)	410-758-4088	County Planning	410-651-1424
Health Department	410-758-2281	Health Department	443-523-1700
Roads Department	410-758-0920	Roads Department	410-651-1930
County Forester	410-819-4121	County Forester	410-651-2004
Talbot County		Wicomico County	
Soil Conservation District	410-822-1577 x3	Soil Conservation District	410-546-4777 x3
University of MD Extension	410-822-1244	University of MD Extension	410-749-6141
County Planning	410-770-8030	County Planning	410-548-4860
Health Department	410-819-5600	Health Department	410-749-1244
Roads Department	410-770-8150	Roads Department	410-548-4872
County Forester	410-479-1623	County Forester	410-543-1950
Worcester County			
Soil Conservation District	410-638-5439 x3		
University of MD Extension	410-632-1972		
County Planning	410-632-1200		
Health Department	410-632-1100		
Roads Department	410-548-4872		
County Forester	443-235-1636		

## Website Addresses

Maryland Department of the Environment	<a href="http://www.mde.state.md.us">www.mde.state.md.us</a>
Maryland Department of Agriculture	<a href="http://www.mda.maryland.gov">www.mda.maryland.gov</a>
Maryland Department of Natural Resources	<a href="http://www.dnr.state.md.us">www.dnr.state.md.us</a>
Maryland Association of Soil Conservation Districts	<a href="http://www.mascd.net">www.mascd.net</a>

## Acronyms

AFO	Animal Feeding Operation
BMP	Best Management Practice
CAFO	Concentrated Animal Feeding Operation
CNMP	Comprehensive Nutrient Management Plan
DNR	Maryland Department of Natural Resources
EPA	Environmental Protection Agency
EQIP	Environmental Quality Incentives Program
FSA	Farm Service Agency
HUA	Heavy Use Area (concrete pad)
MACS	Maryland Agricultural Cost Share Program
MAFO	Maryland Animal Feeding Operation
MDA	Maryland Department of Agriculture
MDE	Maryland Department of the Environment
NOI	Notice of Intent
NRCS	Natural Resource Conservation Service
SCD	Soil Conservation District
UME	University of Maryland Extension

Additional copies of this brochure in English, Korean and Vietnamese can be downloaded from the MASCD website, [www.mascd.net](http://www.mascd.net).