



## **CARROLL COUNTY BUREAU OF RESOURCE MANAGEMENT CARROLL SOIL CONSERVATION DISTRICT**

### **Stormwater Management and Grading and Sediment Control requirements for Agricultural Structures Effective Date: August 31, 2020**

July 2019, the Maryland stormwater management regulations (COMAR 26.17.02.08) were revised to allow for the use of a Soil Conservation and Water Quality Plan (SCWQP) or "Conservation Plan" to meet the requirements of stormwater management for agricultural structures. The Carroll County Bureau of Resource Management (County) and the Carroll Soil Conservation District (SCD) cooperatively developed the following guidance to assist agricultural landowners to meet the applicable state and local stormwater regulations in Carroll County.

The agricultural landowner is encouraged to coordinate with the SCD to develop and maintain a Conservation Plan. The Conservation Plan must be updated to indicate all proposed activities including any Sediment and Erosion Control Practices deemed necessary and differentiate agricultural structures from agricultural Best Management Practices (BMPs). A list of approved agricultural BMPs, which are exempt from stormwater management, can be found in the Maryland Field Office Technical Guide.

Proposed agriculture structures whose disturbance is less than 5,000 square feet are exempt from stormwater management and grading and sediment control requirements. Property owners should coordinate with the SCD on any required documentation. Note that the proposed disturbance includes all associated work with the structure, including access roads and parking.

When consecutive projects on the subject property cumulatively reach 5,000 square feet, stormwater management must be addressed for the total cumulative disturbed area.

Agriculture structures whose proposed disturbance is between 5,000 square feet and 1 acre (43,560 square feet) must address stormwater management. However, they may be able to utilize a Standard Plan to simplify the process. Property owners should coordinate with the SCD to discuss stormwater management for their site. Depending on the complexity of the site, the property owner may need to hire a surveyor or engineer to assist in developing a plan.

A Standard Plan for disturbance between 5,000 square feet and an acre is designed to address stormwater runoff from agricultural structures and associated grading and improvements within a single limit of disturbance (LOD). Where there are multiple structures and areas of disturbance that are not contiguous, individual Standard Plans may be used to address stormwater management requirements. Existing development does not need to be included in the application of a Standard Plan if it is not part of the same project or land disturbance or if stormwater management has already been addressed.

A Standard Plan may be used for the construction of agricultural structures and associated grading and improvements if all the following limitations are met:

1. The intended use of the proposed structure is in connection with implementing agricultural land management practices as defined in COMAR 26.17.02. This includes the storage and basic processing of products produced on the farm where the structure is located, and livestock propagation. Basic processing includes the cutting, drying, storing, and packaging necessary for storage and use on the farm.
2. The agricultural structure is not to be used for human occupancy or be open to the general public for commercial, recreational, or other uses.
3. The agricultural structure and associated grading and improvements will not cause flooding of adjacent property, structures, or roadways.
4. No more than 1 acre (43,560 square feet) of earth will be disturbed during construction.
5. No structural stormwater facility meeting MD-378 requirements may be proposed.
6. No disturbance or construction shall occur within 100 feet of any perennial stream or water body.

If the proposed activity cannot meet these limitations, a Standard Plan may not be used and the property owner must coordinate with the Carroll County Bureau of Development Review (BDR) at 410-386-2722 for the development of a grading only plan or site plan to meet all applicable County Codes.

If a Standard Plan is applicable, the property owner must submit with their County building permit application a scaled drawing showing all applicable property features, including:

- Existing features pertinent to the project including existing structures, property extents, and road frontage
- Sensitive areas such as water bodies
- Proposed features with dimensions
- Limit of disturbance
- Flow arrows indicating direction of surface flow
- Representation of all measures to provide stormwater management
- Certification block with signature and date from the landowner certifying the following:

“I hereby certify that I have the authority to make application to this Standard Stormwater Management Plan; that the information contained herein is correct and accurate; and that all development will be conducted per the Limitations and Conditions documented in the August 31, 2020 Carroll County *Stormwater Management Requirements for Agricultural Structures*”

The design to address stormwater management represented on the drawing must meet the following conditions:

1. To the extent practical, all impervious areas shall drain and discharge continuously through vegetation in a non-erosive manner. Concentrated runoff should be avoided.
2. All rooftop discharge shall drain continuously through at least 75 linear feet of vegetation at a slope not exceeding five (5) percent.
3. A 4 foot wide, 6 inch thick splash strip of CR-6 stone shall be provided at the roof drip line of any proposed structure built without gutters and downspouts to prevent erosion.
4. Access roads shall be open section and no wider than 15 feet.
5. Non-rooftop impervious areas shall be graded such that sheet flow is established and flows through a length of vegetation at least equal to the length of the contributing impervious area.
6. Any road swales or ditches shall be properly stabilized and sized to accommodate the 10-year storm.
7. Environmental Site Design (ESD) practices from Chapter 5 of the MDE Stormwater Manual may be used in lieu of the required vegetation lengths provided they are designed according to Carroll County Standards and Specifications.
8. Operation and maintenance of all stormwater management practices shall be assured in perpetuity. Specific operation and maintenance schedules shall be provided in the plans for each type of practice utilized in the plan.

The Standard Plan will be reviewed by the Carroll County Bureau of Resource Management (BRM). The BRM may reject the use of a Standard Plan if it is determined that downstream flooding problems or danger to health and safety, or damage to property or the environment exist or may be created by runoff from the project. The BRM reserves the right to deny approval of a Standard Plan and require that a design be prepared according to the County Ordinance.

If ESD practices are proposed as part of the Standard Plan, such as drywells, the practices will be bonded for construction as part of the building permit approval process. The stormwater bond will be returned upon receipt of asbuilt certification from the design engineer or land surveyor.

Upon receipt of building permit approval, the landowner shall submit the Standard Plan to the SCD for incorporation into the Conservation Plan. By incorporation into the Conservation Plan, the approved Standard Plan will be considered an Agricultural Land Management Practice and thereby exempt from Carroll County Stormwater Code, Chapter 151.

The landowner may proceed with construction following all guidance and requirements dictated by the approved building permit and guidance from the SCD. Nothing in the Standard Plan relieves the applicant from complying with any and all federal, state, and local laws and regulations.

All ESD practices shall be installed and maintained according to the Standard Plan and the requirements of Carroll County Code. Practices will be inspected by the SCD as part of Conservation



Plan inspections and the landowner may be required to perform maintenance activities in accordance with the specific schedules for that type of practice.

Use and Occupancy will not be issued by the County for the agricultural structure until verification has been received from SCD that the Standard Plan has been incorporated into the Conservation Plan.

If the stormwater practices are not implemented or maintained in operational condition, the property will no longer be exempt from the County stormwater code, and the County may deny the issuance of any permit on any project to the applicant until the site is back in compliance with the approved plan.

Agriculture structures implemented as per this standard plan are considered agricultural land management practices and are thereby exempt from County grading and sediment control requirements. However, the SCD may require the installation of erosion and sediment control features and document them in the Conservation Plan. Should the SCD observe that requirements of the Conservation Plan are not being implemented, including erosion and sediment control features or stormwater management features, the SCD will report the non-compliance to a County compliance inspector. If the County determines the property is out of compliance with the Conservation Plan, the property may be out of compliance with Chapter 152 – Grading and Sediment Control as well as Chapter 151 – Stormwater Management. The property owner may be subject to penalties and fines as per the subject codes.

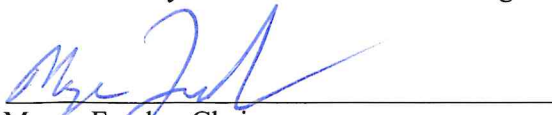
Agriculture structures whose proposed disturbance is greater than 1 acre will need to coordinate with the BDR. The project will need a grading only plan or site plan and will need to address all applicable County Codes, including stormwater management and grading and sediment control.



Martin B. Covington, III, P.E., CFM, D.WRE – Stormwater Management Program Engineer  
Carroll County Bureau of Resource Management



Christopher Heyn, PE – Bureau Chief  
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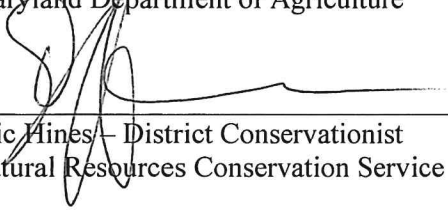


Myron Frock – Chairman  
Carroll Soil Conservation District



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Matthew McMahon – District Manager  
Maryland Department of Agriculture



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Eric Hines – District Conservationist  
Natural Resources Conservation Service



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Timothy Burke – County Attorney  
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