



Maryland
Department of
the Environment

**APPROVALS FOR
CONSTRUCTION
OF POULTRY
STRUCTURES**

Type of Permit	Pond Approval	Nontidal Wetlands Construction Permit/ Waterway Construction Permit/Section 401 Water Quality Certification and Tidal Wetlands Permit	Water Appropriation Permit	General Permit for Stormwater Associated with Construction Activity	General Discharge Permit for Animal Feeding Operations (AFO Permit)
Do I need this permit?	Required for most embankment ponds planned in the State. A number of factors dictate whether MDE Dam Safety issues a permit, or if the local Soil Conservation District (SCD) issues an approval. A pond is exempted from the Waterway Construction Permit requirement from MDE Dam Safety if the pond is not located in a Use III watershed (trout waters) and if all of the following apply: the pond has a drainage area less than 640 acres and the pond has an embankment height less than 20 feet and the pond does not present a hazard to infrastructure or public safety (Class "b" or "c"). Embankment ponds that meet the above criteria can be approved by the local SCD. Those that do not, require a Waterway Construction Permit from MDE Dam Safety.	A Letter of Authorization (for permanent impacts to nontidal wetlands less than 5,000 square feet) or a Nontidal Wetlands and Waterways Permit (for permanent impacts to nontidal wetlands greater than 5,000 square feet) is required if the project proposes to impact (either temporarily or permanently) nontidal wetlands, the 25-foot nontidal wetland buffer, waterways or the 100-year floodplain and is not exempt under Code of Maryland Regulations 26.23.05.01.	If you withdraw more than 10,000 gallons per day on an annual average from groundwater sources (approximately 5 poultry houses or more).	If the area of disturbance for the structures is one acre or more.	If your facility is an AFO and the number of animals exceeds the regulatory threshold (37,500 broilers, 25,000 laying hens).
Permit Guidance	http://clktr4ck.com/DamPermit	http://clktr4ck.com/TidalPermits http://clktr4ck.com/WandW	http://clktr4ck.com/WAP	http://clktr4ck.com/construction	http://clktr4ck.com/AFO

