

Poultry CAFOs Committee Recommendations
September 12,2017

The following draft recommendations were discussed and approved by the majority of members:

1. Definitions

a. "CAFO" is a Animal Feeding Operation, a lot or facility (other than an aquatic animal production facility) where (1) animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period; (2) crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. A CAFO is an AFO that is a medium or large AFO (for poultry at least 37,500 birds per flock) that discharges or proposes to discharge pollutants including, but not limited to, manure, poultry litter, or process wastewater to surface waters of the State.

b. "Surface waters of the State" are surface waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, tidal and non-tidal wetlands, public ditches, tax ditches, and public drainage systems within this State, other than those designated and used to collect, convey, or dispose of sanitary sewage; and the flood plain of free-flowing waters determined by the Department on the basis of the 100-year flood frequency.

c. "Production area" means that part of an AFO that includes, but is not limited to, the animal confinement area, compost area, the manure storage area, the raw materials storage area, the waste containment areas, and any area used in the storage, handling, treatment, or disposal of mortalities. The animal confinement area includes open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storage, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials. The waste containment area includes settling basins, and areas within berms and diversions which separate uncontaminated storm water.

d. A "setback" means an area where no animal waste is applied between the fertilized field and waters of the State.

e. A "buffer" means a management area closest to a sensitive environmental site (e.g., wetland, water body, etc.) in which human activities are prohibited or limited in order to minimize the negative impacts from adjacent land uses (like erosion, filter runoff pollutants, disturbances of wildlife) affecting the sensitive environmental site.

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2. Location:
 - a. Poultry CAFOs are permitted use in NAR and SAR zones
 - b. Poultry CAFOs can be in any other zoning district by special exception
3. Lot size:

Minimum lot size for Poultry CAFOs is 10 acres.
4. Buffer

30' wide vegetative buffer surrounding the production area including where poultry loaded, unloaded, at feed bins, tunnel ventilation fans, compost and manure sheds, which is composed of selected trees, tall grasses and shrubs for the purpose of blocking any potential negative effects of visual, environmental (including water, air, and soil) and density.
5. Buffer must accommodate height of structure in order to protect air, water and soil.
6. Setbacks:
 - a. At least 400 feet from all property lines
 - b. Tunnel ventilation fans at least 600 feet from dwelling on adjacent property, school, church, or day care