

## WHAT YOU NEED TO KNOW ABOUT FILL DIRT

Have you ever been approached about receiving fill dirt? You start thinking about filling ruts in a field or leveling off an area for a new structure and you say, "Sure, I can use some fill". But do you know the rules about bringing fill onto your farm?

By Maryland State Law and Baltimore County Code, any disturbance over 5,000 square feet or borrow/fill area greater than 100 cubic yards requires a sediment and erosion control (SEC) plan be prepared to protect the site. Then you remember – agricultural operations are exempt from the grading permit process. The grading permit process is part of the Baltimore County development regulations with an exemption for agricultural activities.

So, you figure there is no problem. But, exempted agricultural related activities must directly pertain to management of the farm and may include housing of animals, animal waste management, processing and sale of ag products, and the building of structures and facilities.

The Maryland Department of the Environment (MDE) does not reference the use of the property for an exemption, but the activity that causes the disturbance. MDE states that agricultural land management practices such as plowing, disking, cultivating, planting and harvesting do not require a SEC plan, as well as NRCS approved Best Management Practices. Now it's starting to become unclear if you can take the fill dirt.



Fortunately, there are parameters that will allow the Baltimore County Soil Conservation District (SCD) to assist a landowner to receive fill dirt over the 100 cubic yard limit, as long as it is directly tied to the installation of an approved best management practice or a traditional agricultural practice. An application to receive fill for an agricultural operation is required to be submitted to the Baltimore County SCD. Information will be added to the landowner/operator's current Soil Conservation and Water Quality Plan to document the activity.

**\*\*\*Be sure to contact the Baltimore County Soil Conservation District at (410) 527-5920 ext. 3 before agreeing to receive any fill dirt.\*\*\***