

Ed Hereth
President
Idiots Delight, Inc. and Idiots Delight Corp. No. II
2551 Florence Road
Woodbine, MD 21797

Joy Levy
Program Administrator
Howard County Planning and Zoning
3430 Courthouse Drive
Ellicott City, MD 21043

October 22, 2019

Dear Ms. Levy:

We are requesting consideration for easement overlays on Idiots Delight, Inc. (account# 1404335198) and Idiots Delight Corp No. II (account# 104335171). We are working with Johnson, Mirmiran and Thompson, Inc. (JMT) on this request. JMT will be providing detailed information about the project.

Idiots Delight, Inc. and Idiots Delight Corp No. II together encompass 177.9 acres or 88.4 and 89.5 acres, respectively. The easement overlay includes little to no land currently in agricultural production, is located in the floodplain, and includes very little USDA Class 1-3 soils (qualifying soils). The maximum easement size will be 52.63 acres or 29% of the properties.

Additionally, the restoration work completed in this easement will improve water quality, address local flooding concerns by lowering the floodplain elevation, and provide passive recreational opportunities for our family and, in additional, allow us lease out the eased area for hunting and fishing.

We ask the Maryland Agricultural Land Preservation Foundation Board to please consider our request for the easement overlays.

Sincerely,

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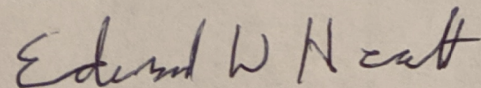
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We ask the Maryland Agricultural Land Preservation Foundation Board to please consider our request for the easement overlays.

Sincerely,

A handwritten signature in black ink that reads "Ed Hereth". The signature is written in a cursive style with a large initial "E".

Ed Hereth
President
Idiots Delight, Inc. and Idiots Delight Corp. No. II

Water Resource Easement Overlays Policy

.1 Purpose.

- A. This chapter establishes the criteria and eligibility standards to approve water resource easement overlays on land subject to an agricultural land preservation easement held by the Maryland Agricultural Land Preservation Foundation.
- B. Water resource easement overlays on farms under easement can compromise or undermine the Foundation's preservation goals by removing land from agricultural or forestry uses.
- C. At the same time, the Foundation recognizes that water resource easement overlays can serve legitimate resource conservation purposes that are compatible with the Foundation's goals of preserving farmland for agricultural or forestry uses, as provided in the Agriculture Article of the Annotated Code of Maryland.

.2 Definitions.

- A. In this chapter the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) "2008 Final Mitigation Rule" refers to 33 CFR Part 332 – "Compensatory Mitigation for Losses of Aquatic Resources."
 - (2) "Foundation" means the Maryland Agricultural Land Preservation Foundation.
 - (3) "Interagency Review Team (IRT)" means representatives from federal, State, and local agencies that meet monthly to discuss mitigation banking, Maryland Department of the Environment's In Lieu Fee Program, and general mitigation policies.

- (4) “Maryland Nutrient Tracking Tool” or “MNTT” means a Maryland Department of Agriculture approved online performance-based calculation platform that enables users to analyze agricultural parcels and their management to determine eligibility for a water resource overlay easement.
- (5) “Mitigation” means the process where the impact of various development activities, such as road construction or residential housing, is mitigated or offset by restoration, enhancement, or creation of streams and wetlands elsewhere.
- (6) “Nutrient Reduction Goals” means goals determined by the United States Environmental Protection Agency and the State to reduce nutrient and sediment run-off into waterways to meet goals under the Chesapeake Bay Total Maximum Daily Load (TMDL) and local TMDLs.
- (7) “Resource conservation purpose” means an activity that preserves soil, preserves natural resources, reduces sediment or nutrient runoff, improves either air or water quality, or any other resource conservation purpose that implements any best management practice.
- (8) “Total maximum daily load (TMDL)” means a calculation for an impaired water body of the maximum amount of a pollutant the water body can receive and still meet applicable water quality standards in accordance with federal Clean Water Act requirements.
- (9) “Water resource easement overlay” means a recorded document that restricts an existing Foundation easement property to create, restore, enhance, or preserve lands that are wetlands or adjacent to streams, shorelines, or other watercourses.

.3 Eligibility.

- A. The Foundation shall review each request to create a water resource easement overlay ("Overlay") on a case-by-case basis to ensure that it will be a legitimate means to practice good stewardship of the land and that it does not compromise the Foundation's goals and interests in promoting farm and forest uses.
- B. The Foundation shall not consider any Overlay request unless all of the following requirements are satisfied:
- (1) The applicable soil conservation district provides written approval stating that the requested Overlay practices will achieve the resource conservation purposes for the farm and are based on Natural Resource Conservation Service standards and specifications;
 - *Approval Letter from Soil Conservation District (Attachment 1)*
 - (2) If any projects on the property that were paid for by the Maryland Agricultural Cost Share project are disturbed as a result of the construction associated with the Overlay, the applicant acknowledges responsibility for re-establishing projects consistent with NRCS standards and specifications as determined by the soil conservation district;
 - *Not applicable to this project. There have been no Cost Share Programs on this property to re-establish.*
 - (3) The county's agricultural land preservation advisory board provides a written recommendation regarding the Overlay;
 - *Comes from County Board.*
 - (4) The applicant must submit the following applicable current plans: soil conservation and water quality plan, nutrient management plan, forest stewardship plan, and/or animal waste management systems plan. The applicant shall

acknowledge that the practices in the Overlay and all recommended “Resource conservation purposes” will be included in any applicable updated plans;

- *Acknowledge that the practices in the Overlay and all recommended “Resource conservation purposes” will be included in any applicable update plans*
- *See Updated Soil and Water Quality Plan (SWQP) **Attachment 2***

(5) The Maryland Department of Agriculture’s Office of Resource Conservation shall provide a written recommendation regarding the Overlay, which recommendation shall assess the Overlay’s compliance with Nutrient Management Regulations and the recommendation shall provide that the Overlay is subject to a Nutrient Management Plan Implementation Evaluation by the Maryland Department of Agriculture;

- *MALPF will coordinate obtaining this information*

(6) The Overlay will not reduce the percentage of the qualifying soils on the remaining Foundation easement property not subject to the Overlay below the soils requirements specified in COMAR 15.15.01.03D;

- *The soil requirements in COMAR 15.15.01.03D specify that there must be at least 51% USDA Class 1-3 soils on the property.*
- *The overlay will not reduce the qualifying soils on the remaining foundation easement below the requirement*
- *Idiots Delight Inc. (South) Class 1-3 soils make up 60% of the soils on the property. Qualifying Soils Analysis (**Attachment 3**) details 53% of Class 1-3 soils will remain after the overlay.*
- *Idiots Delight Corporation II (North) Class 1-3 soils make up 72% of the soils on the property. Attachment 3 details that 70% of Class 1-3 soils will remain*

after the overlay.

(7) The total area of the Overlay shall be determined by the following:

(a) If a buffer is part of the Overlay, it must be a minimum of 35 feet from the edge of the water course;

- *Buffer area will be more than 35 feet from the watercourse. Stream will be restored and surrounded by restored floodplain wetlands. An additional 25 feet or more of buffer will be placed around the wetlands. See Mitigation Unit Map Depicting Buffer (Attachment 4)*

(b) Any acreage beyond the 35-foot buffer area may be no larger than an additional 5 acres or 5 percent of the total acreage of the easement property, whichever is less;

(c) In determining the allowable area for any Overlay, the Foundation shall consider the amount of land removed from agricultural production and whether it will compromise the capacity of the farm to support diverse forms of profitable production of food or fiber;

(d) The Foundation may approve the size of an Overlay above the recommended size limitation if the Foundation determines the proposed size is reasonable and compatible with the Foundation's statutory goals; and

(e) The Foundation Staff has the authority to approve an increase of an Overlay easement size up to 25% of the area originally approved by the Board. Any area increases greater than 25%, shall require Board review and approval.

- *The project JMT proposes to pursue on this site will occupy unused agricultural lands, and not have any permanent negative impacts on the tilled and grazed lands currently in production on the parcels. These lands are:*

- *Located nearly entirely in the 100-year floodplain*

- *In marginal, non-productive forested or scrub areas*
 - *Lay wet through much of the growing season or are classified as wetlands.*
- *The restoration work is intended to compliment and aid in the sustainability of the agricultural uses of the project. The landowner receives significant financial compensation from the project. With nearly every project on a farm we pursue, the landowner intends to utilize these monies for the improvement of the agricultural operation, or other infrastructure on the site which aids in the productivity or sustainability of the agricultural operation. Direct coordination and benefits of this include the following:*
- *Updating existing conservation plans. JMT and the landowner are meeting 9/20/2019 with SCD to coordinate this update at no cost to the landowner.*
 - *Coordinating the beneficial reuse of materials from the restoration project. This can include harvesting timber, updating/ installing/ repairing ag BMPs and addressing erosion adjacent to the easement overlay area.*
 - *Improve water quality*
 - *Addressing localize flooding concerns and increasing resiliency by lowering the floodplain and thus flood elevations*
 - *Updating or adding fencing and crossings where necessary.*
 - *Adding recreation opportunities with economic value. The landowner has the option to monetize these restored habitats through the selling of hunting leases and other compatible enterprises. This includes opportunities for waterfowl, turkey,*

deer and other passive recreational activities.

- *General clean-up of former agricultural structures, tires, and other farm debris in the easement overlay area. These activities limit liability and improve property value of the parcel.*
 - *Correcting historic land use problems which contribute towards sedimentation to the Chesapeake Bay and tributaries. Though the landowner has been a good steward of their land, the opportunity to address significant erosion issues has not been available. The CREP project formerly active on the property had mixed success but did not address the loss of high silt banks due to flow events, and many CREP tree plantings have been lost to erosion.*
 - *Re-marked and resolved metes and bounds survey, protecting the clear title of the property.*
- *The easement overlay has additional benefits which fit with the mission of MALPF and associated agricultural land preservation programs, which includes:*
- *Additional protections for open space which highly discourage the use of eminent domain to condemn this property for infrastructure usage, including funds set aside for legal defense.*
 - *No restrictions on permitted uses on the rest of the property.*
 - *Annual inspection of the easement overlay area, and a perpetual fund to ensure invasive weeds and other maintenance issues do not become a problem.*
 - *Funds for conservation of functions and uses which MALPF did not pay for or consider in their payment. These functions are*

more habitat specific, but compatible with the agricultural uses on the property.

(8) The Overlay document is submitted to the Foundation for review and contains language:

(a) Acknowledging the Foundation's Easement; and

- *MALPF has been provided a draft copy of the easement for review.*

(b) Providing for the control of noxious weeds and invasive species in a timely manner, which may permit the landowner to conduct self-help if the grantee of the Overlay does not control noxious weeds and invasive species in an agreed upon time frame.

- *The project is a mitigation bank with a non-wasting endowment set aside to manage noxious weeds and invasive species.*

(9) When mitigation is involved and the credits are associated with a specific project, then the Overlay shall identify in writing the type and location of the development that requires mitigation, and shall recite that the county either has approved the project or believes that the development project is consistent with all local laws and requirements, including its Master/Comprehensive plan in addition to specifying that all the terms and requirements have been met as mandated by the Interagency Review Team;

(10) When mitigation is involved and the credits will be associated with future projects, the Overlay shall specify that all the terms and requirements mandated by the Interagency Review Team have been satisfied and all future installment withdrawals from the mitigation bank for mitigation requests must offset development in a priority funding area, unless the mitigation credits are to be used by an entity with condemning authority (such as MD Department of

Transportation, County Department of Public Works, Public Utilities, etc.);

- *This project is a mitigation bank and will comply with these guidelines. We ask the board to review requests to buy credits outside of the PFA on a case by case basis. For example, a homeowner may need mitigation to build a garage outside the PFA, or a family may need mitigation to rebuild or renovate a house. There are many cases where an individual or entity will need small amounts of mitigation. We ask the Board to consider requests outside the PFA on a case by case basis.*

(11) For Overlays supporting a Municipal Separate Storm Sewer System (MS4) Discharge Permit for satisfying Nutrient Reduction Goals, and that require a Wetlands and Waterways Permit from the Maryland Department of the Environment (MDE), the applicant shall provide the following information:

- (a) The Agency Interest (AI) Number if a pre-application meeting was conducted for the proposed Project; and/or
- (b) The Permit Application Number and the Tracking Number if the applicant has submitted an application for the proposed project; and
- (c) A copy of the baseline assessment conducted by a Maryland Department of Agriculture certified verifier using the Maryland Nutrient Tracking Tool to confirm that the farm under easement conforms to the requirements under COMAR 15.20.12.03. The applicant has two options to comply with this requirement:
 - (i) The applicant can provide a copy of the baseline assessment that has been completed by a certified verifier; or
 - (ii) Once the applicant provides the plans referenced in subsection B.4. above, the Foundation will submit a request to the Maryland Department of Agriculture's

Office of Resource Conservation to complete the Maryland Nutrient Tracking Tool to provide the baseline assessment of the property within 30 days.

- *Not Applicable to this project*

Depending on the information provided by the applicant in its response to (a) above, MALPF shall request that the MDE provide a written statement confirming the conduct of a pre-application meeting and/or the status of the Wetlands and Waterways Permit Application. If the applicant has not interacted with MDE, MALPF may provide MDE with information on the proposed project and request that MDE provide comments.

(12) For Overlays supporting a permit under Section 404 of the Clean Water Act,

MALPF shall request that an authorized representative of the Interagency Review Team provide a written statement regarding the status of the application under IRT review;

- *See Letter from MDE regarding status of the project (Attachment 5)*

(13) If the Overlay request is for a property subject to a Foundation easement that was approved by the Board of Public Works prior to October 1, 2004, the request shall include a statement that the landowner agrees to amend the deed of easement to waive the right to request termination of the easement after twenty-five years and to state that the Foundation's easement is perpetual;

- *See Letter from Landowner waiving right to terminate easements (Attachment 6)*

(14) For Overlays supporting MS4 permits, the applicant shall partner with a MALPF-approved local partner and establish an appropriate endowment for long-term stewardship and management of the Overlay area, using the

endowment requirements in place under the 2008 Final Mitigation Rule as well as the requirements of Section 404 of the Clean Water Act. The Foundation shall review each project on a case by case basis to determine reasonable endowment requirements that ensure the long-term stewardship and management success of the Overlay area.

- *Not Applicable to this project*

Attachment 1

Approval Letter from Soil Conservation District




Howard Soil Conservation District

14735 Frederick Road - Cooksville, MD 21723 - Phone (410) 313-0680, FAX (410) 489-5674

MEMORANDUM

TO: Joy Levy, Program Administrator
Agricultural Land Preservation Program

FROM: David C. Plummer, District Manager – Howard SCD 

DATE: November 14, 2019

RE: Idiots Delight 1 & 2 (Patuxent Mitigation Site)

The Howard Soil Conservation District (Howard SCD) has reviewed the preliminary plans for the Idiots Delight Mitigation project at 2570 Florence Road Woodbine, MD 21797. We understand that the stream restoration with the requested overlay practices should not conflict with the resource conservation purposes for the farm, and are to be based on Natural Resource Conservation Service (NRCS) standards and specifications. Howard SCD supports wetland creation as a best management practice to reduce sediment and nutrient delivery to the Chesapeake Bay. But we also acknowledge that the forested stream valley that was established as part of the Conservation Reserve Enhancement Program (CREP) has created a number of water quality and habitat benefits.

The Howard SCD will also see this project again during the sediment and erosion control review phase that is required on the entire project before it is permitted by the county. Throughout this process our reviewer will be able to comment and correct anything that is seen to be outside MDE and NRCS standards. The plan to keep most of the more densely forested areas at the upper and lower reaches of this project with minimal impact is acknowledged and preferred because of their maturity and current resource value. In addition, some of these forests were established with public funds as part of the CREP restoration effort, so preserving them to the extent possible is in the public interest.

Between the two heavily forested areas is a legacy sediment area that is proposed to be returned to the gravel substrates and woody structures, with overhead cover to promote cold water fisheries. The soil from this area will likely be removed and utilized elsewhere onsite. Also, the wetland creation and exclusions that are taking place should augment and compliment the functions of existing wetlands. The Howard SCD remains confident that based on the current plan and with future submissions for review, the requested overlay practices will achieve most of the resource conservation goals of the farm and will comply with current NRCS standards and specifications where applicable.

Attachment 2

Updated Soil and Water Quality Plan (SWQP)

CONSERVATION PLAN MAP

Date: 10/17/2019

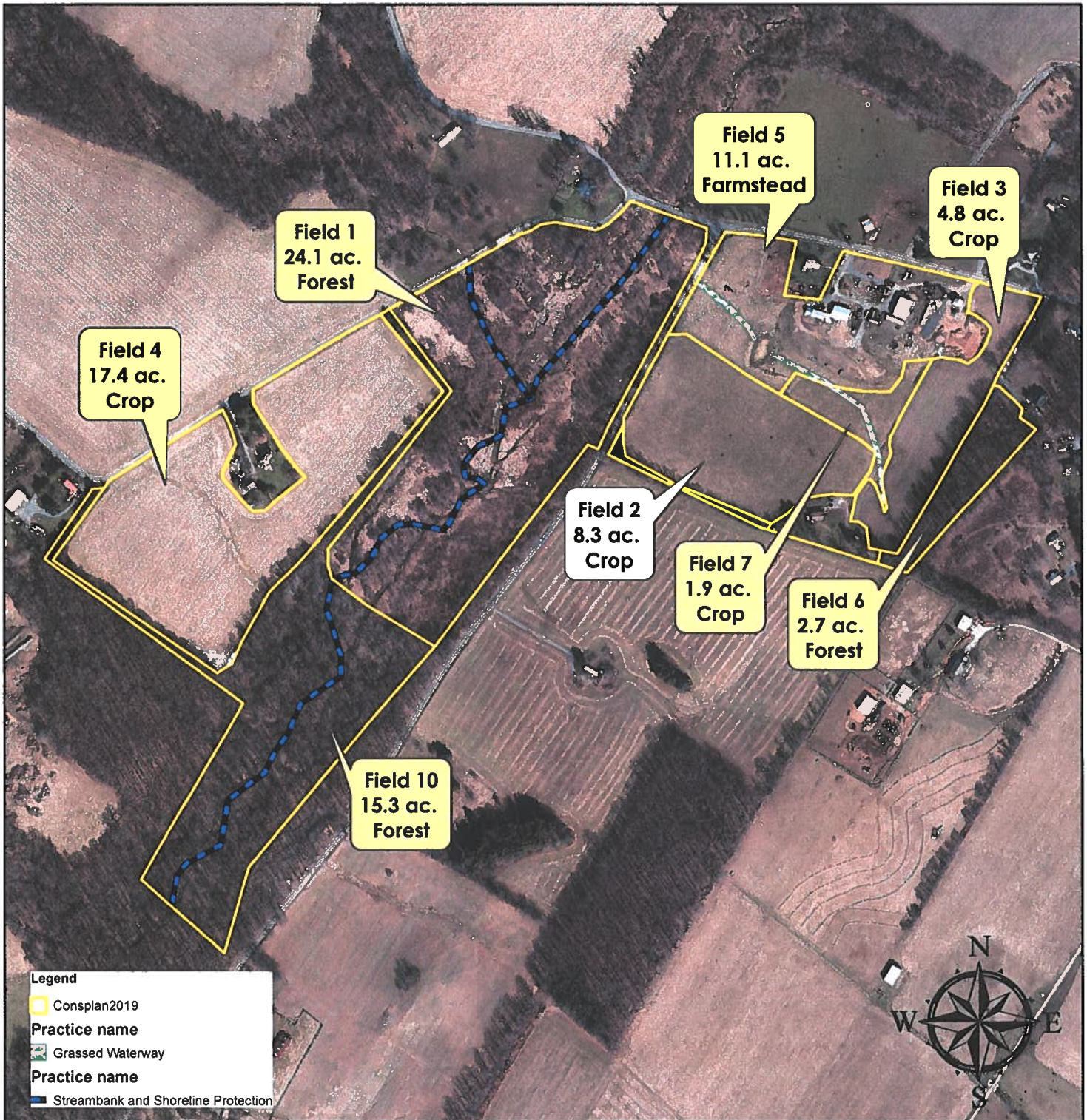
Customer(s): IDIOT'S DELIGHT INC

Field Office: 310

District: HOWARD SCD

Tract #: 607

Assisted By: Kristen Parris



Prepared with assistance from USDA-Natural Resources Conservation Service



SOILS MAP

Date: 10/17/2019

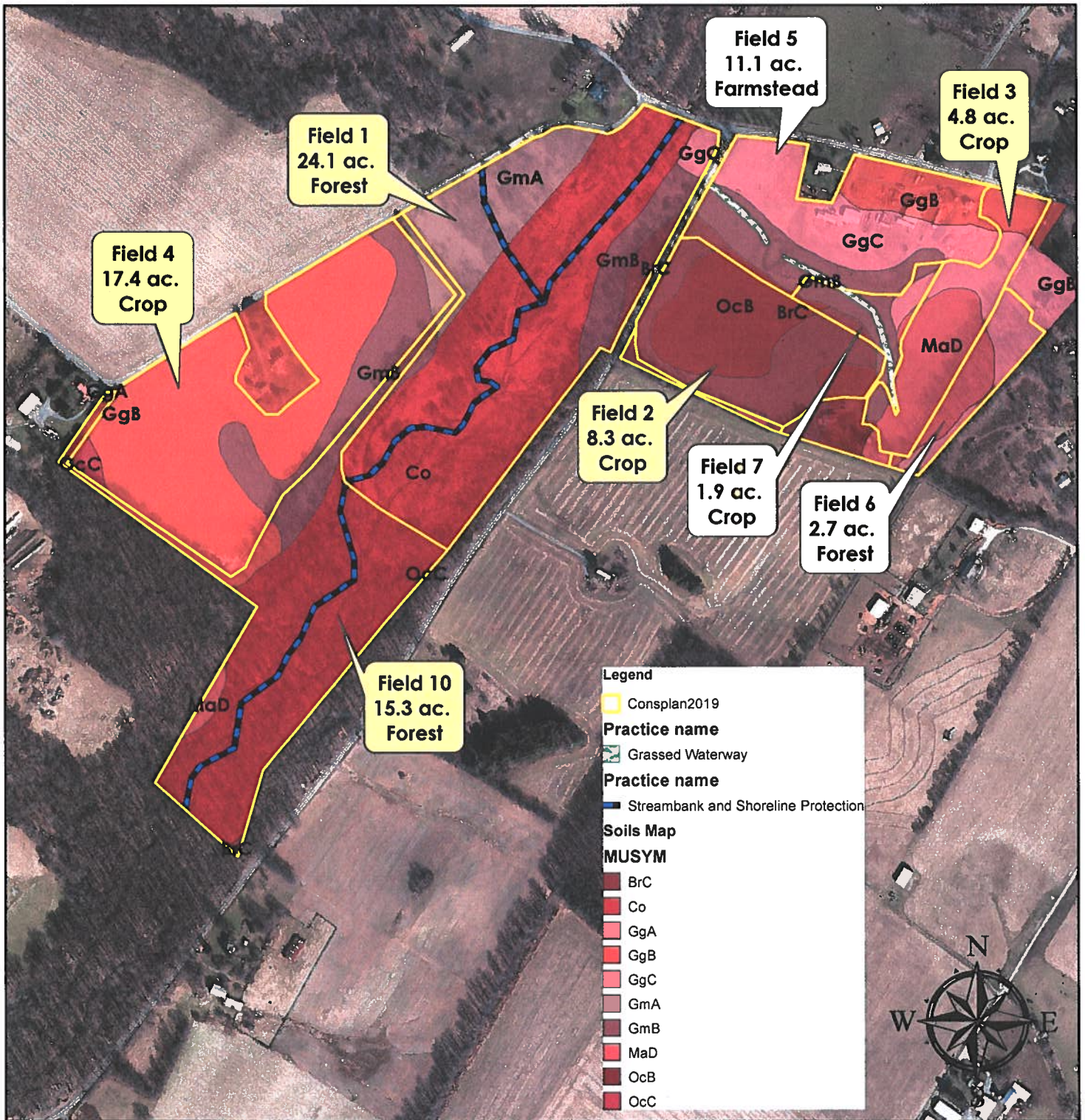
Customer(s): IDIOT'S DELIGHT INC

District: HOWARD SCD

Field Office: 310

Tract #: 607

Assisted By: Kristen Parris



Prepared with assistance from USDA-Natural Resources Conservation Service



Soils Inventory Report

Thu Oct 17 2019 09:51:56 GMT-0400 (Eastern Daylight Time)

MAPLE DELL FARM INC

BrC	Brinklow channery loam, 8 to 15 percent slopes	5.5	6%
Co	Codorus and Hatboro silt loams, 0 to 3 percent slopes	28.8	32%
GgA	Glenelg loam, 0 to 3 percent slopes	0	0%
GgB	Glenelg loam, 3 to 8 percent slopes	18.8	21%
GgC	Glenelg loam, 8 to 15 percent slopes	9	10%
GmA	Glenville silt loam, 0 to 3 percent slopes	4.9	6%
GmB	Glenville silt loam, 3 to 8 percent slopes	11.1	12%
MaD	Manor loam, 15 to 25 percent slopes	4.6	5%
OcB	Occoquan loam, 3 to 8 percent slopes	5.6	6%
OcC	Occoquan loam, 8 to 15 percent slopes	0.5	1%
Total:		88.8	100%

Map Unit Description

Howard County, Maryland

[Minor map unit components are excluded from this report]

Map unit: BrC - Brinklow channery loam, 8 to 15 percent slopes

Component: Brinklow (85%)

The Brinklow component makes up 85 percent of the map unit. Slopes are 8 to 15 percent. This component is on hillslopes on piedmonts. The parent material consists of gravelly residuum weathered from phyllite and/or gravelly residuum weathered from schist. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map unit: Co - Codorus and Hatboro silt loams, 0 to 3 percent slopes

Component: Codorus (50%)

The Codorus component makes up 50 percent of the map unit. Slopes are 0 to 3 percent. This component is on river valleys, flood plains. The parent material consists of loamy alluvium from phyllite, schist, diabase, greenstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during February. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

Component: Hatboro (35%)

The Hatboro component makes up 35 percent of the map unit. Slopes are 0 to 3 percent. This component is on flood plains, river valleys. The parent material consists of loamy alluvium from phyllite, schist, diabase, greenstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 5 inches during January, February, March, April. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 5w. This soil meets hydric criteria.

Map unit: GgA - Glenelg loam, 0 to 3 percent slopes

Component: Glenelg (85%)

The Glenelg component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on nearly level to steeply dissected hillslopes, upland piedmonts. The parent material consists of residuum weathered from mica schist. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 1. This soil does not meet hydric criteria.

Map unit: GgB - Glenelg loam, 3 to 8 percent slopes

Component: Glenelg (85%)

The Glenelg component makes up 85 percent of the map unit. Slopes are 3 to 8 percent. This component is on nearly level to steeply dissected hillslopes, upland piedmonts. The parent material consists of residuum weathered from phyllite. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map Unit Description

Howard County, Maryland

Map unit: GgC - Glenelg loam, 8 to 15 percent slopes

Component: Glenelg (90%)

The Glenelg component makes up 90 percent of the map unit. Slopes are 8 to 15 percent. This component is on hillslopes, piedmonts. The parent material consists of residuum weathered from mica schist. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map unit: GmA - Glenville silt loam, 0 to 3 percent slopes

Component: Glenville (85%)

The Glenville component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on swales, piedmonts, drainageways. The parent material consists of loamy colluvium derived from phyllite and/or loamy colluvium derived from schist. Depth to a root restrictive layer, fragipan, is 24 to 39 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 30 inches during January, February, March, April, November, December. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

Map unit: GmB - Glenville silt loam, 3 to 8 percent slopes

Component: Glenville (75%)

The Glenville component makes up 75 percent of the map unit. Slopes are 3 to 8 percent. This component is on drainageways, piedmonts. The parent material consists of colluvium over schist, gneiss or phyllite residuum. Depth to a root restrictive layer, fragipan, is 29 to 31 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 20 inches during January, February, March, April, November, December. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map unit: MaD - Manor loam, 15 to 25 percent slopes

Component: Manor (85%)

The Manor component makes up 85 percent of the map unit. Slopes are 15 to 25 percent. This component is on hillslopes on upland piedmonts. The parent material consists of residuum weathered from phyllite. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria.

Map unit: OcB - Occoquan loam, 3 to 8 percent slopes

Component: Occoquan (85%)

The Occoquan component makes up 85 percent of the map unit. Slopes are 3 to 8 percent. This component is on hillslopes, piedmonts. The parent material consists of loamy residuum weathered from phyllite and/or loamy residuum weathered from schist. Depth to a root restrictive layer, bedrock, paralithic, is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map Unit Description

Howard County, Maryland

Map unit: OcC - Occoquan loam, 8 to 15 percent slopes

Component: Occoquan (85%)

The Occoquan component makes up 85 percent of the map unit. Slopes are 8 to 15 percent. This component is on piedmonts, hillslopes. The parent material consists of loamy residuum weathered from phyllite and/or loamy residuum weathered from schist. Depth to a root restrictive layer, bedrock, paralithic, is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

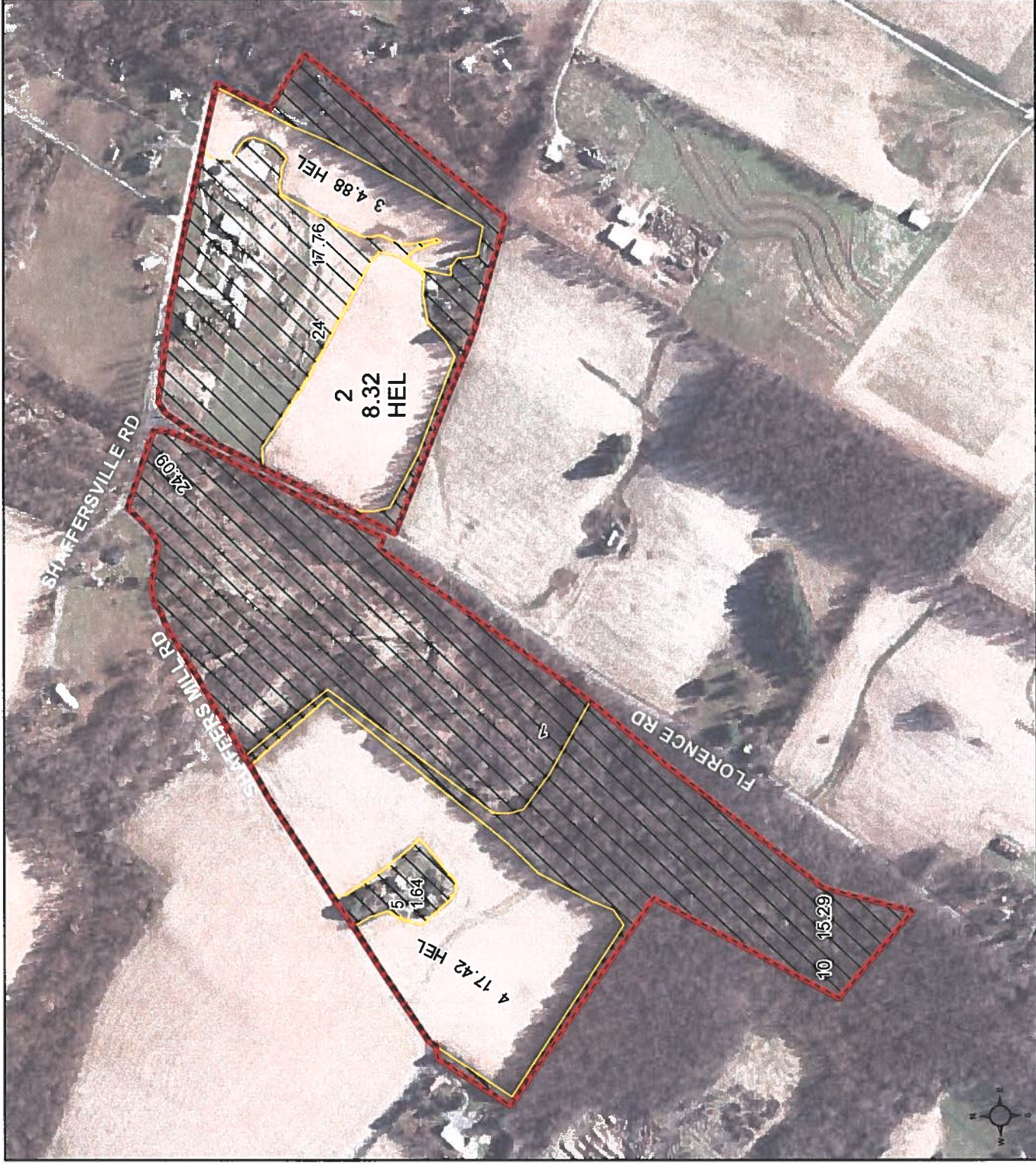
A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

2019 Program Year

Map Created September 12, 2019



Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 30.62 acres

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HOWARD COUNTY SERVICE CENTER
 14735 FREDERICK ROAD
 COOKSVILLE, MD 21723
 (410) 313-0680

CHARLOTTE BREWSTER
 DISTRICT CONSERVATIONIST

Conservation Plan

IDIOT'S DELIGHT INC
 2600 FLORENCE RD
 WOODBINE, MD 21797

Crop

Tract: 607

Conservation Crop Rotation(328)

Grow crops in a planned rotation to protect the soil from erosion; help control weeds, insects, and diseases; and improve the physical condition of the soil. Noxious weeds (Johnsongrass, shattercane, Canada thistle, plumeless thistle, musk thistle, bull thistle) must be controlled as required by State Law and not allowed to go to seed. Use the following rotation on these fields: Corn then Soybeans.

Field	Planned Amount	Month	Year	Applied Amount	Date
2	8.3 Ac	9	2020		
3	4.8 Ac	9	2020		
4	17.4 Ac	9	2020		
7	1.9 Ac	9	2020		
Total:	32.4 Ac				

Farmstead

Tract: 607

Brush Management(314)

These areas will be mowed as deemed necessary by the owner for esthetics and to control weeds and woody plants.

Field	Planned Amount	Month	Year	Applied Amount	Date
5	13. Ac	9	2020		
Total:	13. Ac				

Grassed Waterway(412)

Shape a natural or constructed channel and establish adapted vegetation for the stable conveyance of runoff water. An engineering plan with construction specifications will be provided for the installation of the grassed waterway.

Operation & Maintenance:

Mow or harvest the waterway vegetation at least once annually. Visually inspect waterway after large storms and repair damage as soon as practical.

Field	Planned Amount	Month	Year	Applied Amount	Date
5	0.1 Ac	9	2020		
Total:	0.1 Ac				

Forest

Tract: 607

Forest Stand Improvement(666)

To improve the overall quality of the stands in these fields, the unmerchantable or unwanted trees, shrubs and vines will be removed to allow the desirable species to increase their rate of growth and make optimum use of the site growth potential.

Field	Planned Amount	Month	Year	Applied Amount	Date
6	2.7 Ac	9	2020		
Total:	2.7 Ac				

Grassed Waterway(412)

Shape a natural or constructed channel and establish adapted vegetation for the stable conveyance of runoff water. An engineering plan with construction specifications will be provided for the installation of the grassed waterway.

Operation & Maintenance:

Mow or harvest the waterway vegetation at least once annually. Visually inspect waterway after large storms and repair damage as soon as practical.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	0.3 Ac	9	2020		
Total:	0.3 Ac				

Streambank and Shoreline Protection(580)

Please follow the engineering plan provided by: Johnson, Mirmiran & Thompson for this Stream Restoration Project.

All necessary paperwork, operation and maintenance guidelines are outlined in the documents provided by JMT.

Long-Term Management Template: This document provides information and details on the project and what activities will occur in perpetuity. Please note: TGhe highlighted language in the plan is not correct for this project and is only a place holder.

Conservation Easement Template: This template is currently being reviewed by Michelle Cable at MALPF.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	2059. Ft	9	2020		
1	556. Ft	9	2020		
10	1498. Ft	9	2020		
Total:	4113. Ft				

CERTIFICATION OF PARTICIPANTS

Mark D Hensta 10-17-19
IDIOT'S DELIGHT INC DATE

CERTIFICATION OF:

DISTRICT CONSERVATIONIST

CHARLOTTE BREWSTER DATE

CONSERVATION DISTRICT

HOWARD SCD DATE

PUBLIC BURDEN STATEMENT

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USDA Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW.
Washington, DC 20250-9410

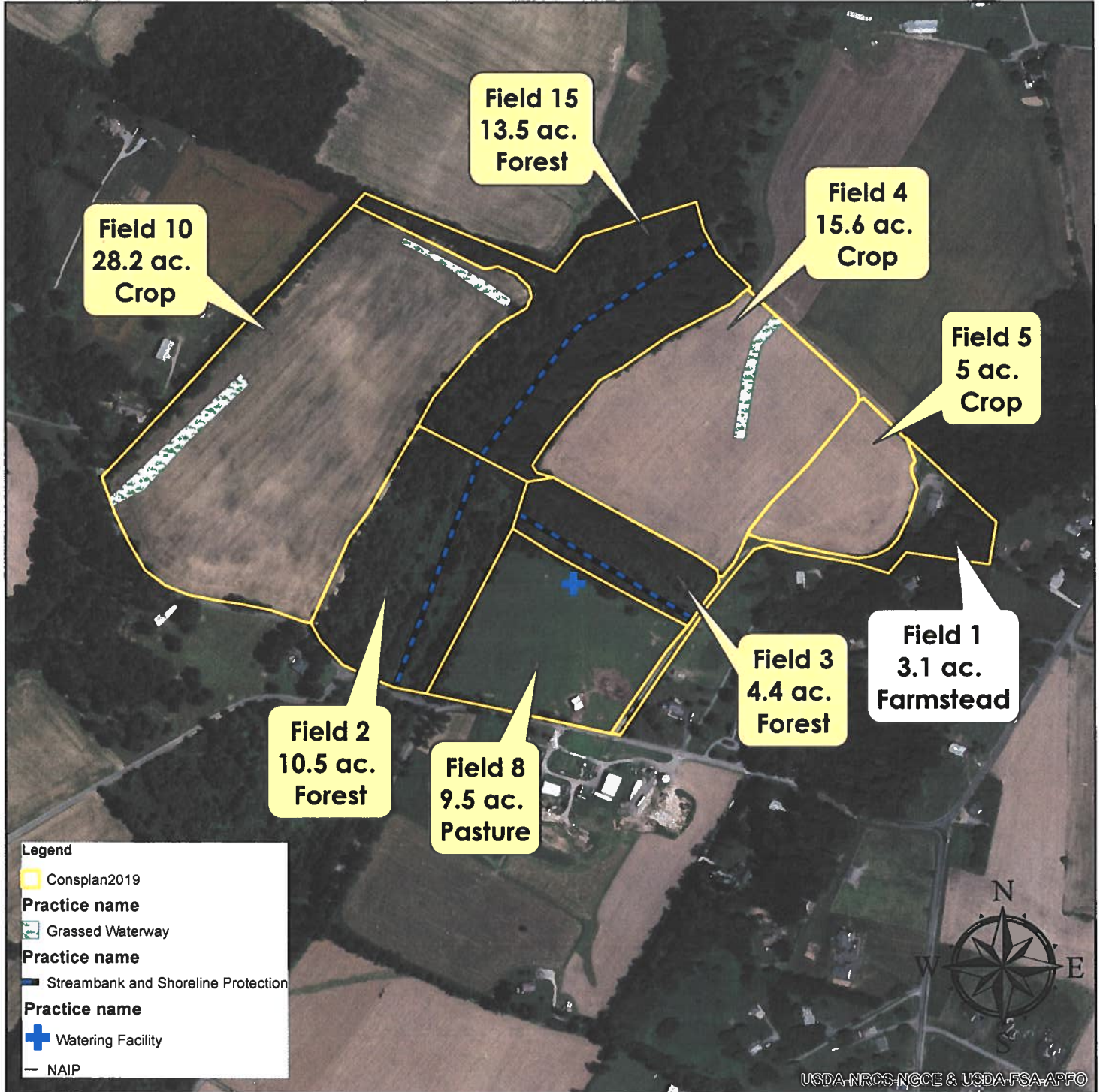
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CONSERVATION PLAN MAP

Date: 10/4/2019

Customer(s): IDIOTS DELIGHT CORPORATION II
District: HOWARD SCD

Field Office: 310
Tract #: 608
Assisted By: Kristen Parris



Prepared with assistance from USDA-Natural Resources Conservation Service



SOILS MAP

Date: 10/4/2019

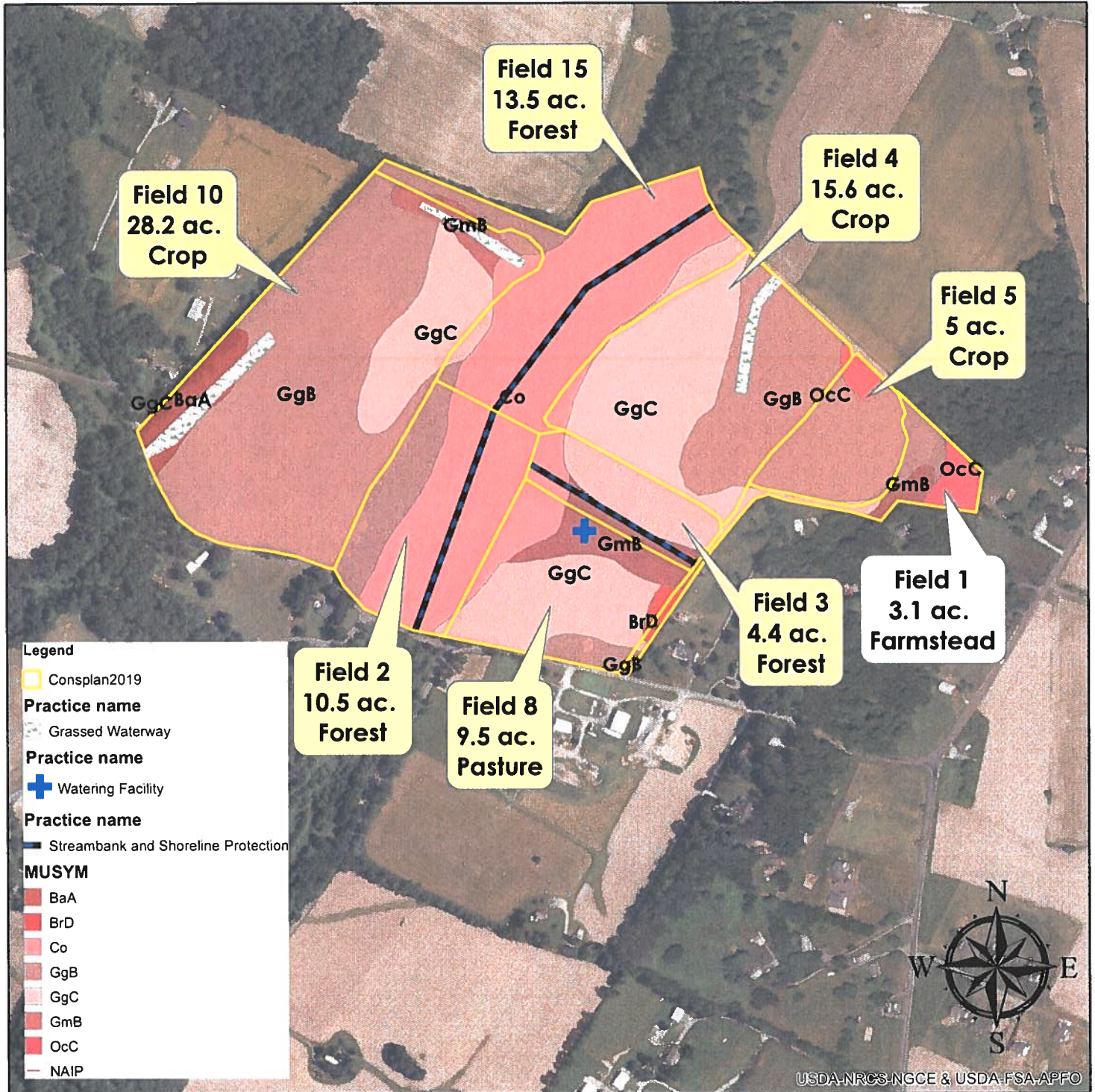
Customer(s): IDIOTS DELIGHT CORPORATION II

Field Office: 310

District: HOWARD SCD

Tract #: 608

Assisted By: Kristen Parris



Prepared with assistance from USDA-Natural Resources Conservation Service



Soils Inventory Report

Fri Oct 04 2019 09:22:00 GMT-0400 (Eastern Daylight Time)

IDIOTS DELIGHT CORPORATION II

BaA	Baile silt loam, 0 to 3 percent slopes	2.1	2%
BrD	Brinklow channery loam, 15 to 25 percent slopes	0.4	0%
Co	Codorus and Hatboro silt loams, 0 to 3 percent slopes	21.4	24%
GgB	Glenelg loam, 3 to 8 percent slopes	37.9	42%
GgC	Glenelg loam, 8 to 15 percent slopes	22.3	25%
GmB	Glenville silt loam, 3 to 8 percent slopes	4.5	5%
OcC	Occoquan loam, 8 to 15 percent slopes	1.4	2%
Total:		90	100%

2019 Program Year

Map Created May 29, 2019



Common Land Unit

- // Non-Cropland
- Cropland
- Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 49.33 acres

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2018 NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.

Real Property Data Search

Search Result for HOWARD COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt: None	Special Tax Recapture: AGRICULTURAL TRANSFER TAX	
Exempt Class: None		
Account Identifier:	District - 04 Account Number - 335171	
Owner Information		
Owner Name:	IDIOTS DELIGHT CORPORATION II	Use: AGRICULTURAL Principal Residence: NO
Mailing Address:	2551 FLORENCE RD WOODBINE MD 21797-7844	Deed Reference: /01057/ 00073
Location & Structure Information		
Premises Address:	2551 FLORENCE RD WOODBINE 21797-0000	Legal Description: 90.948 A. 2551 FLORENCE RD WOODBINE
Map: 0007	Grid: 0024	Parcel: 0471
Neighborhood: 4010102.14	Subdivision: 1002	Block:
Lot:	Assessment Year: 2020	Plat No:
Special Tax Areas: None	Town: None	Plat Ref:
	Ad Valorem: 100	
	Tax Class: None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area 90.9400 AC
County Use		
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
		Last Notice of Major Improvements
		/
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
		As of
		As of
Land:	25,000	25,000
Improvements	0	0
Total:	25,000	25,000
Preferential Land:	25,000	25,000
Transfer Information		
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
		0.00
Tax Exempt: None	Special Tax Recapture: AGRICULTURAL TRANSFER TAX	
Exempt Class: None		
Homestead Application Information		
Homestead Application Status: No Application		

Map Unit Description

Howard County, Maryland

[Minor map unit components are excluded from this report]

Map unit: BaA - Baile silt loam, 0 to 3 percent slopes

Component: Baile (85%)

The Baile component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on drainageways, swales, depressions, piedmonts. The parent material consists of loamy colluvium derived from phyllite and/or loamy colluvium derived from schist. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is not flooded. It is frequently ponded. A seasonal zone of water saturation is at 3 inches during January, February, March, April, November, December. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 5w. This soil meets hydric criteria.

Map unit: BrD - Brinklow channery loam, 15 to 25 percent slopes

Component: Brinklow (80%)

The Brinklow component makes up 80 percent of the map unit. Slopes are 15 to 25 percent. This component is on hillslopes on piedmonts. The parent material consists of gravelly residuum weathered from phyllite and/or gravelly residuum weathered from schist. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria.

Map unit: Co - Codorus and Hatboro silt loams, 0 to 3 percent slopes

Component: Codorus (50%)

The Codorus component makes up 50 percent of the map unit. Slopes are 0 to 3 percent. This component is on river valleys, flood plains. The parent material consists of loamy alluvium from phyllite, schist, diabase, greenstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during February. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

Component: Hatboro (35%)

The Hatboro component makes up 35 percent of the map unit. Slopes are 0 to 3 percent. This component is on flood plains, river valleys. The parent material consists of loamy alluvium from phyllite, schist, diabase, greenstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 5 inches during January, February, March, April. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 5w. This soil meets hydric criteria.

Map unit: GgB - Glenelg loam, 3 to 8 percent slopes

Component: Glenelg (85%)

The Glenelg component makes up 85 percent of the map unit. Slopes are 3 to 8 percent. This component is on nearly level to steeply dissected hillslopes, upland piedmonts. The parent material consists of residuum weathered from phyllite. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.



HOWARD COUNTY SERVICE CENTER
 14735 FREDERICK ROAD
 COOKSVILLE, MD 21723
 (410) 313-0680

CHARLOTTE BREWSTER
 DISTRICT CONSERVATIONIST

Conservation Plan

IDIOTS DELIGHT CORPORATION II
 2551 FLORENCE RD
 WOODBINE, MD 21797

Crop

Tract: 608

Conservation Crop Rotation(328)

Grow crops in a planned rotation to protect the soil from erosion; help control weeds, insects, and diseases; and improve the physical condition of the soil. Noxious weeds (Johnsongrass, shattercane, Canada thistle, plumeless thistle, musk thistle, bull thistle) must be controlled as required by State Law and not allowed to go to seed. Use the following rotation on these fields: Corn then Soybeans.

Field	Planned Amount	Month	Year	Applied Amount	Date
4	15.6 Ac	10	2020		
5	5. Ac	10	2020		
10	28.2 Ac	10	2020		
Total:	48.8 Ac				

Grassed Waterway(412)

Shape a natural or constructed channel and establish adapted vegetation for the stable conveyance of runoff water. Please contact the Howard Soil Conservation District when you are ready to have the grassed waterway designed. An engineering plan with construction specifications will be provided for the installation of the grassed waterway.

Operation & Maintenance:

Mow or harvest the waterway vegetation at least once annually. Visually inspect waterway after large storms and repair damage as soon as practical.

Field	Planned Amount	Month	Year	Applied Amount	Date
4	0.5 Ac	10	2020		
10	0.4 Ac	10	2020		
10	0.8 Ac	10	2020		
Total:	1.7 Ac				

Farmstead

Tract: 608

Brush Management(314)

These areas will be mowed as deemed necessary by the owner for esthetics and to control weeds and woody plants.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	3.1 Ac	10	2020		
Total:	3.1 Ac				

Forest

Tract: 608

Streambank and Shoreline Protection(580)

Please follow the engineering plan provided by: Johnson, Mirmiran & Thompson for this Stream Restoration Project.

All necessary paperwork, operation and maintenance guidelines are outlined in the documents provided by JMT.

Long-Term Management Template: This document provides information and details on the project and what activities will occur in perpetuity. Please note: The highlighted language in the plan is not correct for this project and is only a place holder.

Conservation Easement Template: This template is currently being reviewed by Michelle Cable at MALPF.

Field	Planned Amount	Month	Year	Applied Amount	Date
2	921. Ft	9	2020		
3	765. Ft	9	2020		
15	1199. Ft	9	2020		
Total:	2885. Ft				

Pasture

Tract: 608

Watering Facility(614)

Maintain existing trough to provide access to water. Inspect annually for pipe blockages and sediment accumulation. Flush troughs and supply lines annually and promptly repair leaks and any livestock damage. Keep the vicinity of the trough and all pipelines clear of woody vegetation.

Field	Planned Amount	Month	Year	Applied Amount	Date
8	1. No	10	2020		
Total:	1. No				

CERTIFICATION OF PARTICIPANTS

Maureen D. Asent 10-17-19
IDIOTS DELIGHT CORPORATIO DATE

CERTIFICATION OF:

DISTRICT CONSERVATIONIST

CHARLOTTE BREWSTER DATE

CONSERVATION DISTRICT

HOWARD SCD DATE

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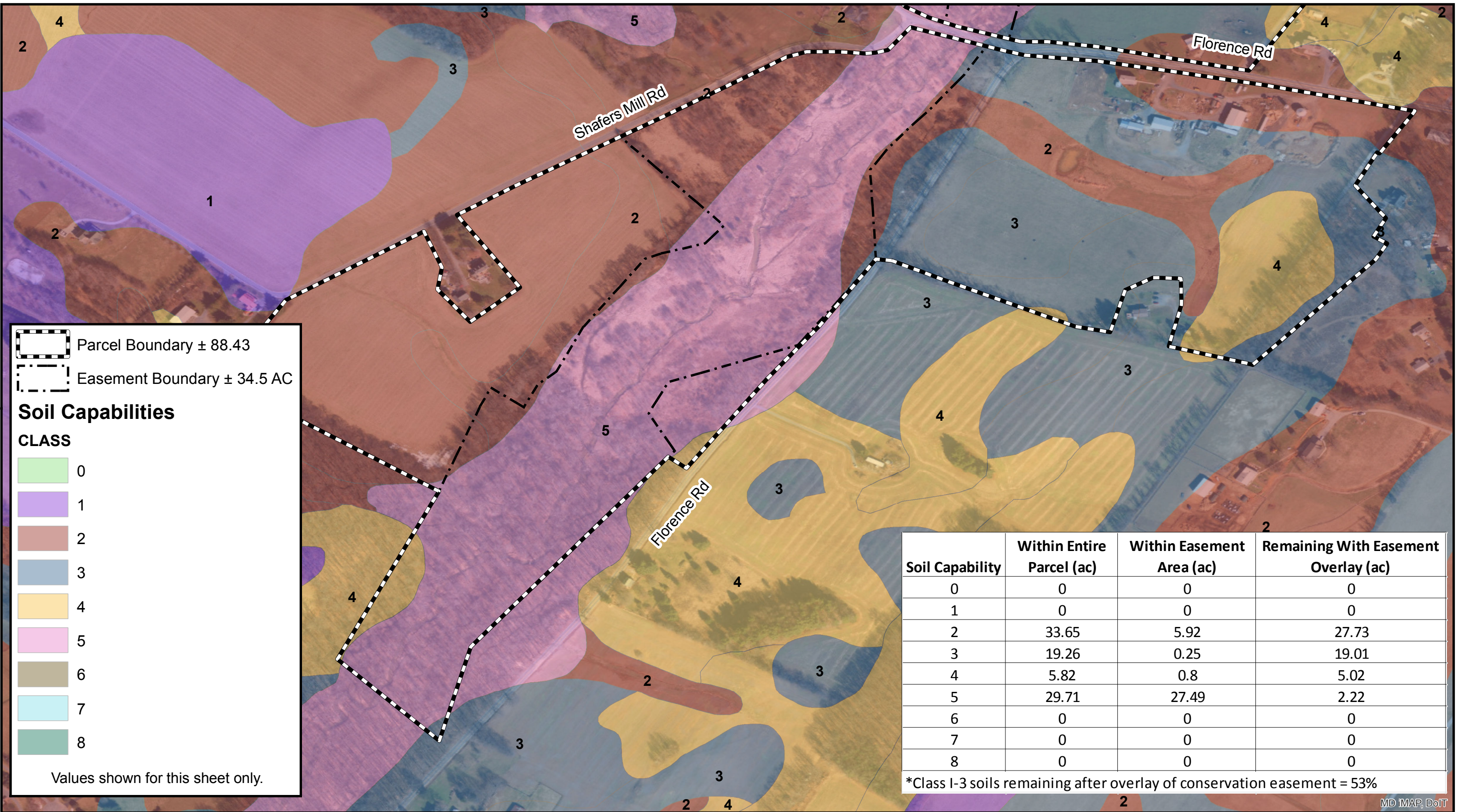
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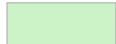




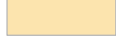



Attachment 3
Qualifying Soils Analysis



 Parcel Boundary ± 88.43
 Easement Boundary ± 34.5 AC

Soil Capabilities

CLASS

-  0
-  1
-  2
-  3
-  4
-  5
-  6
-  7
-  8

Values shown for this sheet only.

Soil Capability	Within Entire Parcel (ac)	Within Easement Area (ac)	Remaining With Easement Overlay (ac)
0	0	0	0
1	0	0	0
2	33.65	5.92	27.73
3	19.26	0.25	19.01
4	5.82	0.8	5.02
5	29.71	27.49	2.22
6	0	0	0
7	0	0	0
8	0	0	0

*Class I-3 soils remaining after overlay of conservation easement = 53%

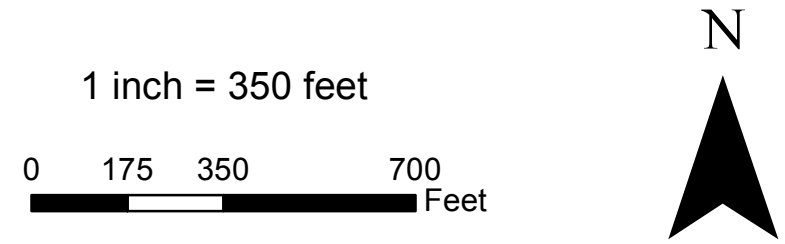
MD IMAP, DoIT



**Patuxent Mitigation Bank
Soil Capabilities Map - South
Howard County, Maryland**

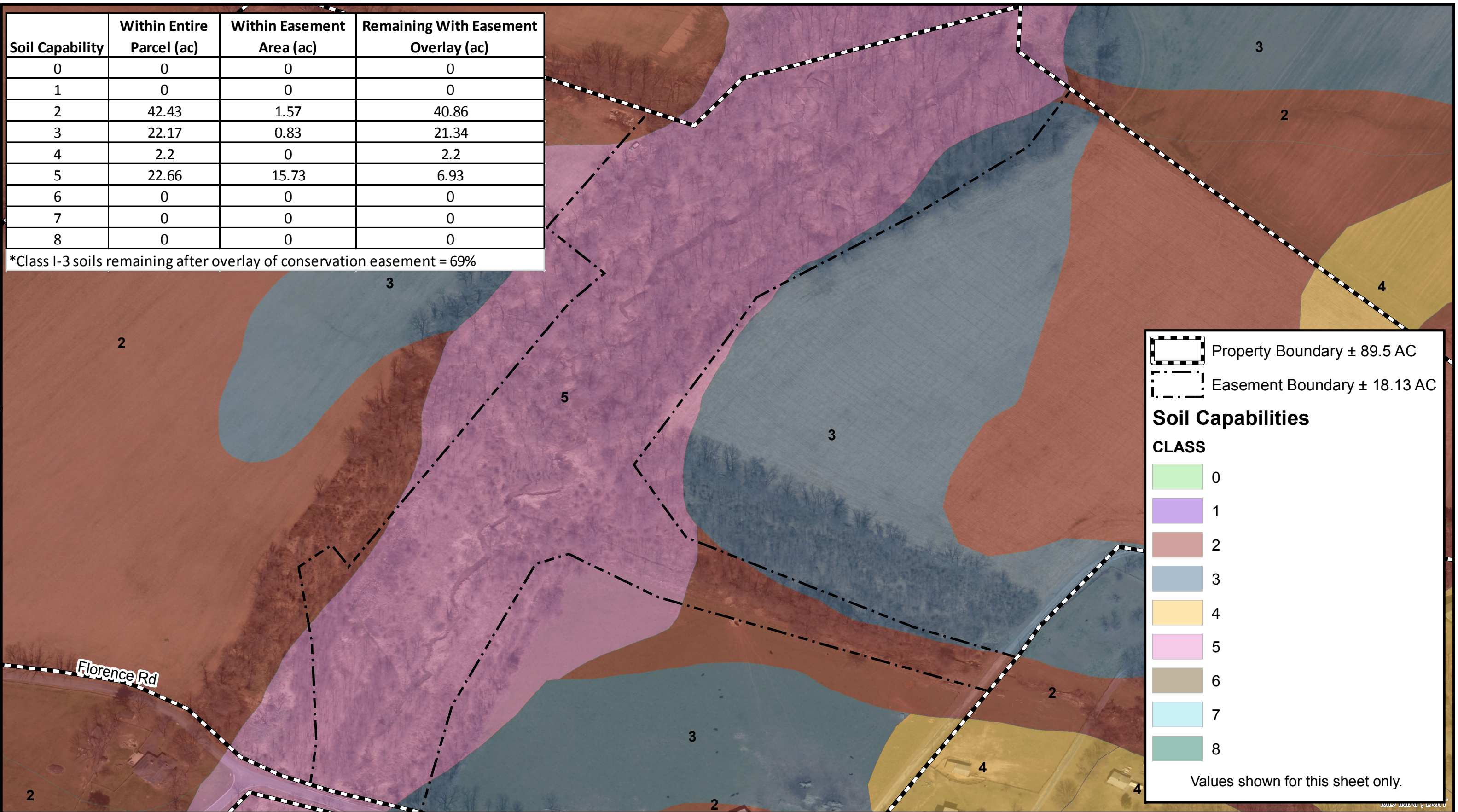
Source: MD IMAP, Howard County GIS



Date: April 2019



Soil Capability	Within Entire Parcel (ac)	Within Easement Area (ac)	Remaining With Easement Overlay (ac)
0	0	0	0
1	0	0	0
2	42.43	1.57	40.86
3	22.17	0.83	21.34
4	2.2	0	2.2
5	22.66	15.73	6.93
6	0	0	0
7	0	0	0
8	0	0	0










*Class 1-3 soils remaining after overlay of conservation easement = 69%



 Property Boundary ± 89.5 AC
 Easement Boundary ± 18.13 AC

Soil Capabilities

CLASS

-  0
-  1
-  2
-  3
-  4
-  5
-  6
-  7
-  8

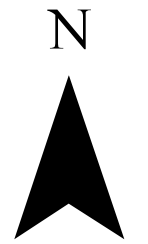
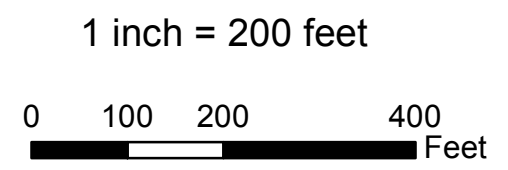
Values shown for this sheet only.



**Patuxent Mitigation Bank
Soil Capabilities Map - North
Howard County, Maryland**

Source: MD IMAP, Howard County GIS




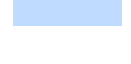




Date: April 2019



Attachment 4

Mitigation Unit Map Depicting Buffer



-  Easement Boundary ± 18.13 AC
 -  Wetland Preservation ± 1.42 AC
 -  Wetland Enhancement ± 0.51 AC
 -  Wetland Restoration ± 12.47 AC
 -  Stream Preservation ± 452 LF
 -  25ft Resource Buffer ± 3.27 AC
 -  Property Boundary ± 89.5 AC
 -  Stream Restoration ± 4,725 LF
- Values shown for this sheet only.

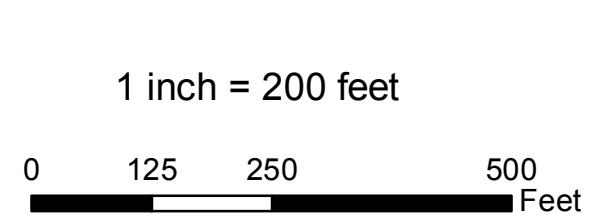
MD IMAP, DoIT

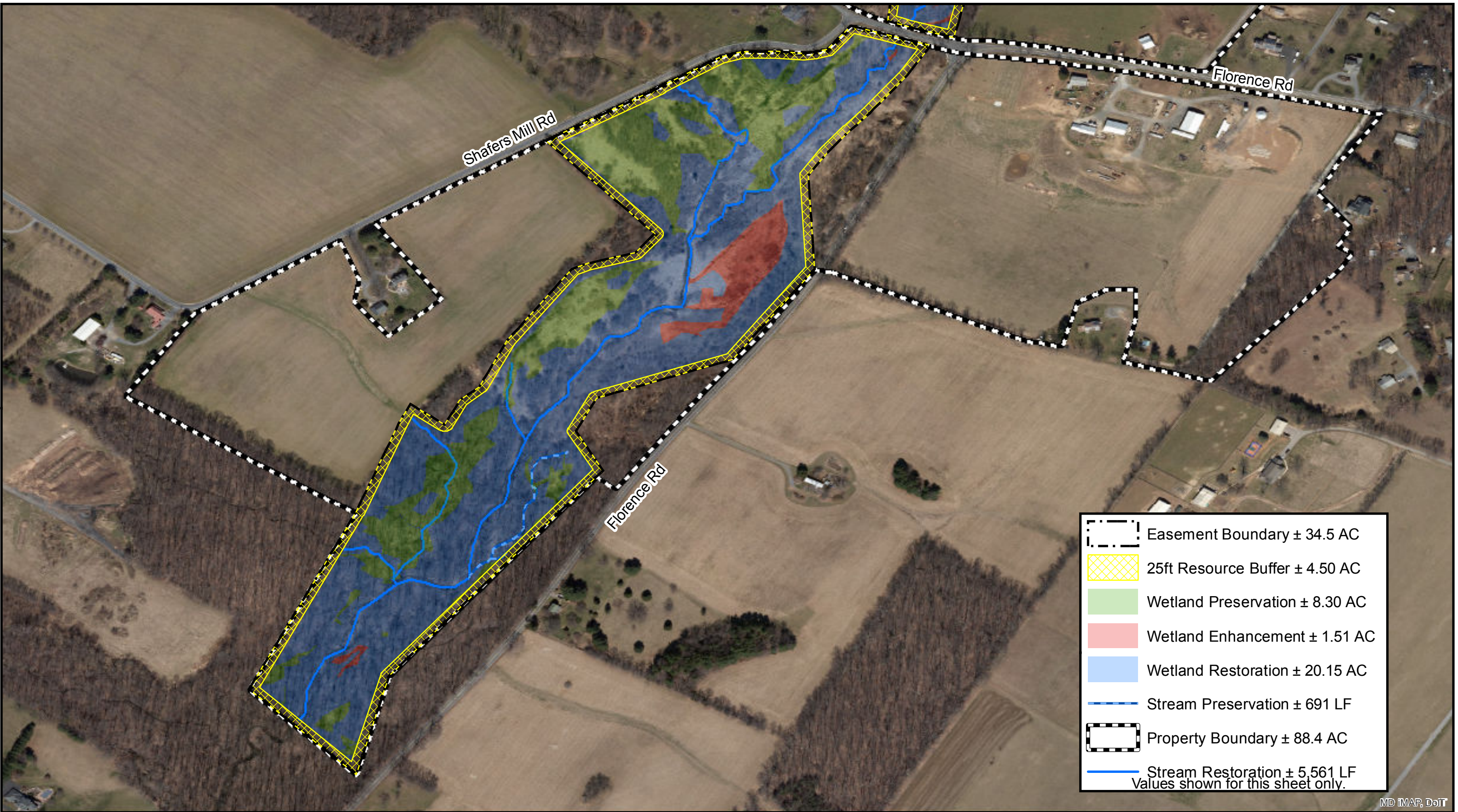


**Patuxent Mitigation Bank
Proposed Mitigation Map - North
Howard County, Maryland**

Source: MD IMAP

Date: May 2019





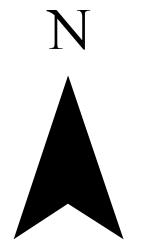
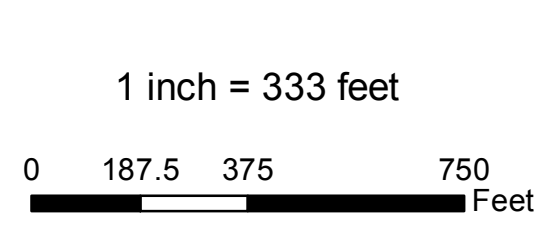
MD IMAP, DoIT



**Patuxent Mitigation Bank
Proposed Mitigation Map - South
Howard County, Maryland**

Source: MD IMAP

Date: May 2019



Attachment 5

Letter from MDE regarding status of the project



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

September 13, 2019

Michelle Cable
Executive Director
Maryland Agricultural Land Preservation Foundation
50 Harry S. Truman Parkway
Annapolis, MD 21401

RE: Patuxent Mitigation Bank

Dear Ms. Cable:

The Interagency Review Team (IRT), with Maryland Department of the Environment (MDE) as a co-chair, is currently reviewing the proposed Patuxent Stream and Wetland Mitigation Bank located at 2551 and 2570 Florence Road, Woodbine. MDE and the IRT recently submitted comments to the bank sponsor on the Prospectus for this proposed bank.

MDE is supportive of mitigation banking in Maryland, as these projects generally result in higher environmental uplift than individual projects completed by a Permittee. If you have any questions, please feel free to contact me at 410-537-4018 or Kelly.neff@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kelly P. Neff".

Kelly P. Neff, Chief
Mitigation and Technical Assistance Section
Wetlands and Waterways Program

cc: Chandler Denison – via email

Attachment 6

Letter from Landowners Waiving Right to Terminate Easement

Ed Hereth
President
Idiots Delight, Inc. and Idiots Delight Corp. No. II
2551 Florence Road
Woodbine, MD
21797

Joy Levy
Program Administrator
Howard County Planning and Zoning
3430 Courthouse Drive
Ellicott City, MD
21043

October 22, 2019

Dear Ms. Levy:

We request consideration for these easement overlays on Idiots Delight, Inc. (account# 1404335198) and Idiots Delight Corp No. II (account# 104335171). For this consideration, we will agree to waive the right to request termination of these easements.

Sincerely,

Ed Hereth
President
Idiots Delight, Inc. and Idiots Delight Corp. No. II

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President
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2551 Florence Road
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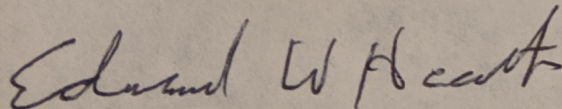
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Sincerely,

A handwritten signature in black ink that reads "Ed Hereth". The signature is written in a cursive style with a large initial "E" and a stylized "H".

Ed Hereth
President
Idiots Delight, Inc. and Idiots Delight Corp. No. II