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March 5, 2026

Council President and Members of the Council  
Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

### **Re: Bill 7-26 – Agricultural Building Exemptions**

Dear Council President and Members of the Council,

My name is **Elshan Bal**, and I am a farmer and partner at **Greenway Farms, LLC**, operating in Montgomery County since 2018. Our farm is certified under the **USDA Harmonized Good Agricultural Practices (USDA HGAP+)** and the **Maryland Certified Local Farm and Fish Program** standards. We operate an 8,000-square-foot greenhouse with a 20,000-gallon aquaponic system, producing approximately 4,000 pounds of tilapia and more than 32,000 pounds of herbs and leafy greens annually. Since 2018, we have successfully grown tilapia, herbs, leafy greens, and cucumbers, and have expanded our market presence by supplying grocery chains such as Harris Teeter, Kroger, and Whole Foods, as well as select restaurants throughout the Washington, D.C. metropolitan area.

I would like to thank the Council for introducing **Bill 7-26**. This legislation is an important step toward recognizing how agriculture is evolving in Montgomery County.

Today, many farms operate not only in open fields or traditional barns, but also in **greenhouses, vertical growing systems, and modular agricultural structures**, including converted shipping containers. These systems allow farmers to produce food year-round, conserve water, reduce nutrient runoff, and strengthen local food security.

However, without clear language, modern farms like mine may still face uncertainty when agricultural production buildings are interpreted as commercial structures rather than agricultural ones.

I respectfully suggest that the bill include several clarifications:

- Explicit recognition of **controlled environment agriculture**, including hydroponics, aquaponics and other indoor farming systems;
- Confirmation that **normal post-harvest activities**—such as washing, cooling, packing, and refrigeration—remain agricultural activities;
- Recognition of **modular and containerized agricultural structures** used exclusively for agricultural production or storage; and
- Acknowledgement that many farms operate as **integrated agricultural operations consisting of multiple working structures rather than a single building**.

These clarifications would not weaken public safety or environmental protections. Rather, they would help ensure that County regulations reflect how farms operate today and allow farmers to invest confidently in local food production.

Bill 7-26 has the potential to make Montgomery County a regional leader in **climate-smart agriculture and next-generation farming**.

Thank you for your leadership and for supporting the future of agriculture in our county.

Sincerely,

A handwritten signature in red ink, appearing to read 'Elshan Bal', with a stylized flourish extending to the right.

Elshan Bal  
Managing partner

Direct phone/text: 310-804-7510

**Proposed Addition to Definitions Section:** *Agricultural purposes include traditional and controlled environment agricultural activities, including but not limited to greenhouse and indoor crop production, hydroponics, aquaponics, aeroponics, RAS (recirculatory aquaculture systems).*

**Purpose:** Clarifies that modern indoor and container-based farming systems qualify as agriculture under County law.

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### **Post-Harvest Agricultural Handling**

**Proposed Clarification:** Expand language referencing “processing to prepare for market” by adding another sentence: *Processing to prepare an agricultural product for market includes washing, trimming, cooling, grading, packing, aggregation, vacuum sealing, icing, refrigeration, and similar post-harvest handling activities conducted by a farm operator prior to wholesale or retail distribution.*

**Purpose:** Ensures farms can legally prepare products for sale without triggering commercial building classification.

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**A new article regarding Modular and Containerized Agricultural Structures:** *Temporary, modular, or containerized structures used exclusively for agricultural production, storage, environmental control, or post-harvest handling shall be considered agricultural buildings when located on land actively used for agriculture.*

**Purpose:** Provides regulatory certainty for modern modular farm infrastructure increasingly used in Montgomery County.

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### **Integrated Agricultural Operations (“Farm Campus”)**

**New Provision:** *Multiple agricultural structures operating together on agricultural land under common ownership or management shall be considered components of a single agricultural operation for purposes of exemption determination.*

**Purpose:** Prevents fragmented permitting requirements for modern diversified farms.

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