

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency
Carolyn County FSA Office
9194 Legion Road, Suite 2
Denton MD 21629
(410) 479-1202

**ENVIRONMENTAL ASSESSMENT
FOR FARM LOAN PROGRAM PROJECT**

**Class II Assessment
for Maryland based producer with operations in
Queen Anne's, Maryland at
Tax Map 61 Grid 2, Parcel 58**

September 4, 2012

COVER SHEET

Proposed Action: The Farm Service Agency of the United States Department of Agriculture proposes to issue a guaranteed loan to fund the construction of three poultry houses in Queen Anne's County, Maryland on a farm tract identified as Tax Map 61, Grid 2, Parcel 58. Based on comments received during the initial Environmental Assessment (EA) scoping and consultation process, the Farm Service Agency (FSA) has prepared the attached addressing said comments and related concerns, and proposes establishing a Finding of No Significant Impact (FONSI.)

Type of Statement: This is a Class II site-specific Environmental Assessment performed in conformation with the scope and limitations of the National Environmental Policy Act (NEPA.)

Lead Agency: Farm Service Agency (FSA) United States Department of Agriculture (USDA).

Cooperating Agencies: USDA, Farm Service Agency is tasked with completing the environmental analysis concerning this project. Input and assistance were provided by USDA's Natural Resource Conservation Service (NRCS) who has worked with the applicant in regard to formulating an appropriate / nutrient waste management plan, as well as an appropriate conservation plan and related land clearing and wetland assessments as warranted.

The Maryland State Clearinghouse for Intergovernmental Assistance was consulted and input requested from their cooperating agencies including (but not limited to) the Maryland Historical Trust /State Historical Preservation Officer (SHPO,) State Departments of Agriculture, Natural Resources and Environmental which also encompasses those charged with Coastal Zone Management (CZM.)

The U.S. Fish and Wildlife Service was similarly consulted as was the Maryland Department of the Environment in regard to the requisite Notice of Intent (NOI) for the Maryland General Discharge Permit for Animal Feeding Operations, applicable to Concentrated Animal Feeding Operations (CAFO's) and Maryland Animal Feed Operations (MAFO's) which became effective December 1, 2009.

The Maryland Department of the Environment, Maryland Department of Natural Resources and the U.S Army Corp of Engineers was consulted regarding the disturbance of a nontidal wetland.

Further Information: Deanna Dunning, Farm Loan Officer
Caroline County Farm Service Agency
9194 Legion Road, Suite 2
Denton, MD 21629
Deanna.dunning@md.usda.gov
(410) 479-1202 ext 107

Abstract (Summary): The purpose of the project is to produce integrated poultry in Queen Anne County, Maryland. Construction of three poultry houses, (each being 60' x 560' inside dimension) is proposed at the site. Upon completion of the proposed construction, the farm is projected to have the capacity to house a maximum of 134,400 birds based on the industry standard density of 0.75 birds per square foot of interior space. The proposal also includes provisions for the construction of a structure to provide for the farm's manure storage capacity.

Comments: While not required, it is recommended that comments be put in writing. Comments from interested parties concerning the environmental impact of this proposal should be directed thru:

UDSA, Farm Service Agency
Farm Loan Programs
Attn: Deanna Dunning
9194 Legion Road, Suite 2
Denton MD 21629

The comment period will conclude fifteen (15) days from the final publication of the Notice of Availability (NOA) of the findings of this evaluation. No further action will be taken on this proposal until after the conclusion of the comment period. Said comments will be considered and incorporated into the final assessment.

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Introduction:

1. Project Description and Need

The applicant will be a new integrated poultry producer with the operation to be located at 312 Thisitville Circle, Queen Anne's County, Maryland where the sole member of the LLC resides with her family. The applicant will produce poultry per a contractual agreement with Mountaire Farms, LLC (Mountaire Farms) in 3 poultry houses having capacity to house approximately 134,400 birds. In the interest of generating additional income to sustain the member's family, the applicant is seeking to initiate operations on property that is currently owned by the sole member of the LLC, her husband, mother and father; the property currently serves as the residence for all four. The proposed construction will enable the applicant to engage in poultry production on their farm.

The site of the proposed project is located in Queen Anne's Maryland at 312 Thisitville Circle, south east of the town of Centreville. The integrator (Mountaire) has agreed to place birds in the proposed facility and provided an appropriate contract for this purpose. The proposed project entails the construction of three, 60 'x 560' (inside dimension) poultry houses having the capacity to house a maximum of 134,400 birds based on the industry standard density of 0.75 birds per square foot of interior space. The proposal also includes provisions for the construction of a litter / manure waste storage shed of sufficient capacity for this size farm.

The project is needed to generate annual income necessary for the support of the farm family and will also contribute to the integrator's ability to meet the demands for a supply of poultry for human consumption.

2. Primary Beneficiaries and Related Activities

The primary beneficiary of this project will be the sole member of the LLC, who is the farm co-owner and operator. The income produced by the project will provide the applicant with an economically viable means of support to pay mortgage payments to lenders, to pay operating expenses to utility companies and various suppliers, as well as to provide for reasonable and necessary family living expenses of the farm family to maintain a fundamental standard of living.

The integrator, will in turn, provide additional employment for local people in jobs such as field representatives, feed mill operators, processing plant workers, truck drivers, and construction workers. In addition, the increased volume of poultry production will help contribute toward providing a readily available low cost food supply for the American public.

3. Description of the Project Area

The project site is located on a tract of land containing approximately 127.04 acres, located in the south eastern section of Queen Anne's County, Maryland. A location map, aerial photo and layout drawing can be found in Appendix E. Copies of these documents were attached to the scoping letters sent to potentially interested agencies as part of this assessment. Appendix E also contains a copy of the legal deed description and other pertinent maps and information.

The tract currently consists of 127.04 acres of wooded ground, with a small area cleared for the owner's residence and a secondary residence that is occupied by the daughter of the LLC member. The property has no history of being used for any agriculture purpose; the property is zoned agricultural. There is a blue-line stream located at least 300' north of the proposed poultry operation. A shallow overgrown field ditch leads away from the site towards the stream. With guidance and approval from the Natural Resource Conservation Service, a "Highly Erodible and Wetland Conservation Determination" was completed and with guidance and approval from the Maryland Department of Environment and Army Corp of Engineers a mitigation plan was approved for the disturbance of the 1600 sq ft of nontidal wetlands and 5,663 square feet of nontidal wetlands buffer.

The site is improved with two double wide mobile homes that serve as the primary residence for the owners of the property and for the daughter of the property owners. There is a two story dwelling that is used for storage, a shop, and an enclosed pole building that has served as housing for the back yard poultry flock, which will be eliminated once birds are placed within the proposed houses.

Surrounding lands for several miles are comprised of both wooded and crop acreage interspersed with rural residences. There are currently similar poultry operations in the general area.

The proposed construction site is located in a wooded area on the west side of the farm with a wooded buffer surrounding the site. The proposed construction will conform with all applicable Queen Anne's County Maryland building setback requirements as well as applicable requirements of the Maryland Department of the Environment and Maryland (MDE) Department of Natural Resources which encompasses Coastal Zone Management (CZM.) The proposal has been submitted to the Queen Anne's County Maryland Planning and Zoning Office for review and issuance of the requisite Building Permit, which must be received before the project can be approved. An application for MDE General Discharge

Permit for Animal Feeding Operations, General NPDES Permit and Storm Water Discharge Permit has also been submitted. Documentation can be found in Exhibit E.

4. Alternatives Including the Proposed Action

4.1 Description: There were five alternatives considered for this project. These alternatives were developed after careful consideration of the proposed project and determining the best possible location for the proposed project that would produce the least possible environmental impact and minimize impact on the operation itself. These alternatives represent a range of alternatives, with three alternatives being eliminated from further analysis.

The following sections examine and compare the alternatives in terms of their potential environmental impact and their ability to achieve the purpose of the project.

4.1.1 Alternative A – No Action Alternative: The no action alternative would consist of FSA not approving the loan and thus, not allowing the construction of the proposed project. This alternative would not allow the applicant to generate the additional farm income required to support the family and debt service.

4.1.2 Alternative B – Proposed Action Alternative: Under the proposed action alternative, FSA would approve the loan as proposed, allowing the proposed construction to provide related farm income for the applicant.

4.1.3 Alternatives C, D, E - Optional Alternatives Considered: In the search for reasonable alternatives none could be identified. The following alternatives were eliminated from further analysis as not being practical:

- Alternative C - Relocate on Current Property: This alternative would involve the applicant placing the operation in a different location on the farm tract. This would require that the poultry houses be built in an area that would disturb a larger area of wetlands than what is currently being affected.
- Alternative D - Relocate on a Different Property: The applicants currently own and have made this 127.046 acre tract their primary residence for the past 5 years. In considering the cost of real estate in the Queen Anne's

County area it would not be feasible for the applicants to purchase another tract of property and construct the poultry houses and doing so would create a financial burden on the applicant. A poultry operation must have the care taker living within close proximity to the operation; as this tract serves as the residence for the care takers it would not be suitable for them to construct the houses at a different location and to find another site that is suitable within a close proximity is unlikely.

There is currently no other appropriate financially feasible property available in the area that would be as well suited for the proposed project. Without a specific location and description of a different site, it is difficult to fully analyze potential environmental impacts with the proposed project.

- Alternative E – Engage in a Different Form of Agricultural Production: The applicants could consider utilization of the site for crop or other livestock production as an alternative means of generating annual farm income. Such an alternative may require additional land clearing. Given the farm tract is a wooded area, use of the area for cropping would not be possible, and the rate of return the family would receive from another form of livestock production would be nominal and would not justify the related costs and chattel acquisition expenditures: therefore it would not achieve the intended purpose of the project.

4.2 Cumulative Effects: This is a localized project of limited scope; therefore the environmental factors will be minimal and further mitigated by the conformance with the provisions of a site specific and approved comprehensive nutrient management plan (CNMP) designed to address the animal waste generated by confined animal feeding operations (CAFOs.), along with authorization from the State of Maryland Department of the Environment and the U.S. Army Corps of Engineers to conduct regulated activity on a nontidal wetland or nontidal wetland buffer.

4.3 Summary of Environmental Consequences: Any minor localized negative impacts the creation of this poultry operation may have on the human environment will be minimized by the proper implementation and adherence with the provisions of the approved CNMP devised for the CAFO operation and on file with the Maryland Department of Agriculture (MDA) and Maryland Department of the Environment (MDE), as well as compliance with applicable State and County permitting processes and setback requirements.

- 4.4 Preferred Alternative:** The most beneficial alternative is that FSA approve the loan as proposed, allowing the construction of the poultry houses at the site of the proposed operation and providing the requisite annual farm income for the applicant.

5. Environmental Impact

The following section examines the potential environmental impacts associated with the proposed action alternative. The no action alternative is considered the current condition and provides a baseline in which to evaluate the potential impacts of the proposed action against.

- 5.1 Air Quality:** The Maryland Department of the Environment (MDE) monitors and regulates air quality in the State per the mandates of the Federal Clean Air Act, the Maryland Healthy Air Act and the Code of Maryland Regulations for Air and Radiation (COMAR.) The project as proposed will fully comply.

Open burning is strictly regulated by the state and accordingly the waste and refuse generated on site from construction, or ongoing operations, will be removed and not burned. If burning is conducted it will be with an approved burning permit from the Maryland Department of Natural Resource Forest Service. Bird mortality will not be incinerated but disposed of via the more environmentally favorable method of composting. The 200 KW emergency generator does not require a permit, will meet applicable EPA emissions standards and will use only low sulfur fuel. The existing vegetation and woodland surrounding the construction site will be preserved intact to the maximum extent possible to provide a vegetative buffer.

The poultry houses will be built in a location that meets all set-back requirements from property lines, structures, ditches, etc as required by State of Maryland and Queen Anne's County regulatory agencies and the U.S. Environmental Protection Agency (EPA). This will serve to reduce the public's contact or exposure to odors.

Odor from the poultry facility is not measurable or regulated in the County. Dilution of odors is caused through the mixing of odors with ambient air. This dilution of odorous air is a function of distance, topography, and meteorological conditions. The existing site is currently wooded and the proposed poultry operation will be situated in the middle of the property, completely surrounded by a forested area. Odors and particulate drift are unlikely to be significant and also the existing forest acts as a filter for dust and odorous compounds. By maximizing the distance between potential

odor sources and the public, the potential for odor complaints will be minimal.

The use of the management practices specified in the approved CNMP will also serve to reduce objectionable odors. The poultry houses will be cleaned out per integrator specifications and top crusted between flocks on an as-needed basis. Poultry waste / litter will be removed from the site, and will only be stored on the property in a temporary or emergency situation. The plan provides for the construction of adequate litter / manure storage capacity and addresses the proper handling of this stored material.

Dust generated while the poultry facility is in operation will occur mostly during feeding, with the dust being controlled by a mist system in the houses and interior fans. Good management of the ventilation system within the poultry houses will aid in the reduction of humidity, which is a cause of objectionable odors.

Topographical features can either enhance dilution or reduce dilution of odors depending on the particular features. Wind breaks, vegetative buffers or tree lines like those found on the farm tract will enhance CO₂ / O₂ exchange and thus encourage mixing of the odorous air with clean air, and when coupled with the distance of the poultry houses from the public, shall result in intermittent local minimal odor impacts. Based on the climate of the eastern seaboard of the United States, there will be a few days in the year where weather conditions can cause odor to hang in the area, however, this will be a short term non-significant impact.

Construction activities will generate minor localized dust problems that will be temporary in nature with no significant long-term impact on air quality after completion of the construction phase. If conditions become too dusty during construction, soil may be wet down to control fugitive dust. Short term localized temporary air pollution will occur from the potential heavy machinery associated with constructing pads for the poultry houses; however, these emissions will not have a significant or even long-term adverse impact on the local community or surrounding environment. Appropriate driveways are in place but will be upgraded using best management practices to allow for delivery trucks one to three times per week and for others to enter and exit the farm as needed while minimizing dust impacts.

Existing air quality in the area is considered good and will remain so after the proposed poultry operation is up and running.

- 5.2** Water Quality: The project was reviewed to determine migratory pathways for surface and ground water and potential impacts on both

surface water and groundwater. The two major nutrients of concern are phosphorus and nitrogen which are water soluble. The subject property is located within the Wye River Watershed which is part of the larger Chesapeake Bay Watershed. The subject site is not situated within the 100 year flood plan.

The major concern with a contained animal feeding operation (CAFO) is the contamination of surface and groundwater by animal waste. Accordingly, the project's operators will be required to follow the approved, site specific, CNMP which addresses animal waste management. It was developed by NRCS for the operation, and reviewed and approved by both NRCS and the Queen Anne's County Soil Conservation District. The document is on file with the Maryland Department of Agriculture. It is also part of the requirements of the Maryland Department of the Environment for their Maryland Animal Feeding Operation (MAFO) permit. The practices outlined in this approved plan will allow the operators to sufficiently control any runoff from the operation so that water quality will not be adversely impacted.

5.2.1 Ground Water: This farm will be operated under the specifications of an approved CNMP. This is a dry litter operation and not a wet litter operation. Litter will be removed from the farm and the requisite records kept for inspection and monitoring. Any litter stored will be done so in accordance with the NRCS and MDE approved CNMP plan in a fashion that prevents the litter from being leached until it can be properly disposed of.

5.2.2 Surface Water: There are no roadside ditches bordering the property. There are tax and private ditches on and bordering the project site. The nearest source of surface water is the Wye East River situated about 300' to the north of the project site and the Norwich Creek situated about eight tenths of a mile to the southeast of the project site. The site specific measures outlined in the approved CNMP will ensure that surface water is not significantly adversely impacted by the proposed poultry operation in that it is required to meet specific technical standards designed to minimize the transport of nitrogen and phosphorus to surface water. In addition, a Water Pollution Prevention Plan, along with a Stormwater Management Plan approved by Queen Anne's County, has been approved and must be followed.

5.2.3 Sole Source Aquifer: There are no sole source aquifers on this property.

- 5.3** Solid Waste Management: Semi-solid waste will be generated from the poultry that will be produced by this project in the form of litter. Litter is the animal waste mixed with wood shavings. Clean out of litter is periodically required per the integrator's schedule, with the material to be handled and stored in accordance with the approved NRCS Comprehensive Nutrient Management Plan. All litter will be removed from the farm by a handler using appropriate safeguards and records maintained of its disposition. Deceased birds will produce solid waste, which will be disposed of by composting, which is an environmentally safe manner, according to all federal, state and local laws. This is not a liquid waste operation.
- 5.4** Land Use: The Farmland Protection Policy Act (FPPA) requires that Federal agencies consider alternative sites when applicant's proposal would result in the conversion of important farmland to nonagricultural uses. The United States Department of Agriculture Regulation 9500-3, Land Use Policy, addresses the conversion of other land resources such as prime rangeland and prime forestland.

The project site is currently zoned for agricultural use. Nearby properties are also zoned agricultural and are interspersed with a smattering of single family homes having appropriate residential zoning. The land where the new poultry houses will be constructed is presently wooded area zoned agriculture. Land clearing will be limited to the minimal amount needed to construct the poultry houses, provide for adequate transportation space around the houses and appropriate conservation measures to be implemented as approved by the Maryland Department of Natural Resources, Maryland Department of Agriculture, Maryland Department of Environment and the U.S. Army Corp of Engineers. (Letter of Authorization can be found attached in Appendix E). An approved plan has been developed by the Maryland Department of the Environment and the U.S. Army Corps of Engineers to address the disturbance of the nontidal wetland and the nontidal wetland buffer. There is a current AD 1026, Highly Erodible Land Conservation and Wetland Conservation Certification, and a NRCS-CPA-026, Highly Erodible Land and Wetland Conservation Determination on file, and copies can be found attached in Appendix E.

There are no unique or sensitive areas located on, or contiguous to the project site, or otherwise located in immediate proximity. The land is presently not considered important farmland, prime rangeland, or prime forestland. Therefore, the project will not adversely impact any of these important land resources.

- 5.5** Transportation: Traffic volume in the immediate area of the proposed project is only expected to change slightly with the addition of occasional increased deliveries of feed and supplies to the proposed operation.

Currently, vehicular traffic generated by communities situated in the southeast portion of Queen Anne's County and western portion of Caroline County Maryland regularly travel the county roads near the proposed project area, and the minimal additional traffic added to these county roads by the proposed operation is not considered excessive.

Feed trucks will make weekly visits to the farm to deliver feed. Service men and flock supervisors will also visit the farm on a periodic basis in much the same fashion as they are currently doing in supplying and servicing existing area operations. Additional transport trucks will make several visits to the property each year to deliver new chicks and transport grown poultry to the processing plant. All traffic to and from the farm will use existing public roads and existing entryways for the farmstead. No new traffic patterns will be developed. At the time the construction plan is submitted to Queen Anne's County Planning and Zoning, the Queen Anne's County Roadway Department will review the plan and determine if the Stafford Road, currently a county maintained dirt road will need to be upgraded to a gravel or paved road maintained by the county. Existing bridges should be sufficient to handle the volume of truck traffic associated with this proposed project.

The driveway entrance to the proposed project site is a shared private drive with two other residential land owners. According to the Deed filed in Liber 648 Folio 674 an easement area for ingress and egress to the said property was conveyed and at the time the applicant purchased said property (recorded in Deed filed in 657 Folio 564) all and every rights, alleys, ways, waters, privileges, appurtenances and advantages were granted and conveyed. The easement does not state any restrictions to the type or quantity of motor vehicle traffic. (Referenced Deeds can be found in Appendix E)

Slight improvements will be made to the existing driveway on the property in order to provide trucks with surface traction and allow for adequate turn ratios in accessing the new poultry houses. Two existing drain pipes will be replaced and length of pipe extended over the minor stream beds that run through the property to accommodate for the heavier vehicle traffic. This activity is being conducted in compliance with the approved plan by the Maryland Department of Environment (MDE) and the U.S. Army Corp of Engineers (ACE) per Authorization Number 12-NT-2051/201260971. The proposed action will not significantly adversely impact human health and safety.

- 5.6** Natural Environment: The farm is currently improved by two manufactured homes. The first manufactured home is occupied by the owner and caretaker of the propose project which was placed on the property in 1991. The second manufactured home occupied by an

immediate family member of the owner was placed on the property in 1997. There is an associated shed and several storage buildings located on the project site. The project site is not within a National Natural Landmark or State or Federal wildlife area.

The projected site does contain State protected wetlands. A mitigation plan has been developed to accommodate for the disturbance of the 1600 square feet of forested nontidal wetlands and 5,663 square feet of regulated nontidal wetlands buffer to be disturbed by MDE and ACE per Authorization Number 12-NT-2051/201260971.

An area involving 10 – 12 +/- acres will be cleared for construction of the proposed project. The Forest Conservation Act of 1991 specifies that any clearing of more than 1 acre is subject to the Forest Conservation Act and will require a Forest Conservation Plan, unless the activity is subject to one of the exemptions. This proposal falls under the exemption of agriculture activity that does not result in a land use change and will therefore only require a Declaration of Intent be filed. The Declaration of Intent must be filed prior to final approval of the proposed project. The owners are working with the Maryland Department of Natural Resources Forest Specialist in developing a timber clearing and harvest management plan. The balance of the property lines on both sides and rear of the site will remain intact as vegetative buffers and to provide wildlife habitat.

Wildlife movement around and near this operation would not be adversely impacted.

5.7 Human Population:

5.7.1 Social-economic Impacts: This project will not adversely impact the human population of the site area. The existing residence will be occupied by the farm owner/operator and the additional residential dwelling is currently occupied by the owner's immediate family member. The proposal will not change the population in the area; therefore it will not have any impact on the public, community schools, hospitals, social services, etc. Basic land use will not change. It is not expected that any significant long-term adverse impact will exist because of this project.

5.7.2 Environmental Justice: This proposed operation has been reviewed to ensure that all people without regard to race, color, national origin, or income:

are provided with fair treatment and meaningful involvement with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies

have the opportunity to express comments or concerns before decisions are rendered on Federal programs, policies, procedures, or activities affecting them share in the benefits of, are not excluded from, and are not adversely or disproportionately affected by Federal programs, procedures, policies, or activities.

Per 2010 census the county's population was comprised of 47,798 individuals, living in 18,016 households of which 13,314 were comprised of family units. The average household contained 2.63 individuals. The population density of the county was 128.5 people per square mile of land area.

Racially, the county is comprised of 88.7% White, 6.9% Black or African American, 0.3% Native American, 1.0% Asian, 0% from other races and 1.7% from two or more races. The 2010 Census reported the ancestry of the County's population to be 3.0% Hispanic or Latino.

Out of the households reported, 30.9% had children under the age of 18 living with them, 60.3% were married couples, 9.2% were female households with no husband present, 26.1% were non-families and 28.1% had someone living alone who was 65 years of age or older. The population's median age was 42.0 years The average household size was 2.63 and the average family size was 3.04.

The median household income estimate reported by the Census Bureau for 2009 was \$75,146 while the per capita income was \$35,870. About 7.3% of the population had income below the poverty line.

While the area has a diverse population consisting of several minorities, this project will have no significant adverse impact on them, or the surrounding farms and businesses near the subject farm. No one is being displaced from their jobs or homes because of the loan. This project will not displace minorities or low income families in the area.

The following adverse environment or human health effects have been considered:

Bodily impairment, infirmity, illness or death: This operation presents basically no concern for adverse affects on anyone

outside the farm family that will operate this poultry farm. Safety for the farm owner should be a top priority for the operator.

Air, noise, water pollution and soil contamination: This farm will operate under an approved Comprehensive Nutrient Management Plan that provides site specific operating guidance to guard against any potential for water or soil contamination. No significant long-term air, noise, water pollution or soil contamination impacts are anticipated.

Destruction or disruption of manmade or natural resources: None

Destruction or diminution of aesthetic values: None as the new poultry houses will be situated behind a wooded area and not visible from the public roadway nor nearby residences.

Destruction or disruption of public and private facilities and services:

Destruction or disruption of community cohesion or economic vitality: This is a family farming operation that will only employ a very limited amount of labor outside the farm family; therefore, it will not destruct or disrupt community cohesion or economics.

Displacement of persons, businesses, farms, or nonprofit organization: None.

Isolation, exclusion, or separation of individuals within a community or from the broader community: None.

The denial, reduction in, or significant delay in the receipt of, benefits of USDA programs or activities: Delay or denial of this loan request will have a negative financial effect on the applicant; rising costs of equipment and materials will be costly if approval is not expedient.

This farm is similar to other poultry farms in an area that is populated with similar poultry operations. This loan will have no negative environmental impact on the surrounding communities. This is an undertaking project that will not affect historical properties. This proposed action would not cause any adverse

human health or environmental effects to minority or low-income communities in accordance with Executive Order 12898.

- 5.8** Construction: This project will involve the construction of three 60' x 560 poultry houses and a, 40' x 120' manure shed and a 24' x 16' dual channel composter. Some minor localized soil will be disturbed for the installation of the pads and slight driveway improvements, but will be short-term and not significant. Pads will be constructed of fill dirt and compacted to support the poultry houses. The poultry houses and related infrastructure will span an area of 10-12 acres located at the western boundary of the property

The proposed construction will require removal of vegetation, filling, grading and building structures that will permanently disturb approximately 1,600 square feet of nontidal wetlands and 5,663 square feet of regulated nontidal wetlands buffer. A mitigation plan has been authorized by the Maryland Department of Environment and U.S. Army Corp of Engineers (Authorization Number: 12-NT-2051/201260971). The proposed project will not contain highly erodible soils, or produce significant erosion impacts and thus will be in compliance with all provisions of the Clean Water Act (CWA.) Two drainage pipes allowing for vehicle access will be depressed and extended along the existing road to allow for hydrologic wetland connection on both sides of the entry way to the proposed construction site. The nearby streams and ditches, known to be connected to the navigable waters of the U.S., will not be impacted as a result of this project. In addition, further measures have been incorporated into the design of the project to grade the site to a swale like holding basin to contain runoff. There will be minor localized temporary air quality and noise impacts associated with the brief period of construction; however, it will be short-term and no greater than normal agricultural construction projects of this scale.

- 5.9** Energy Impact: The project will utilize moderate amounts of energy during operation. The energy used will be electricity, propane gas, and low sulfur fuel for the back up generator. Vehicles used to transport material and supplies to and from the farm will use modest amounts of gasoline. Existing power lines can handle the electrical load utilized by the proposed operation. An adequate supply of propane is available in the area. Power outages sometimes occur due to weather; however, outages rarely occur because of over usage. The poultry houses will have a backup generator that will operate the houses should there be a loss of electrical power in the area. The most recent technology and construction standards will be utilized to minimize energy consumption. Utility services are readily available in the area. The project will not adversely affect the energy supply to the surrounding area.

5.10 Other Special Issues

5.10.1 Noise: Noise issues were reviewed based on both temporary and long-term impacts. During the construction period, low level noise associated with trucks, backhoes, trenchers, forklifts, hammers, movement of materials etc. will be generated. This construction noise will be localized and should occur only during daylight hours, Monday through Friday, except in an emergency. The construction period should not last more than 6 months. Additionally, based on the level of construction associated with poultry houses and the distance of the houses from surrounding landowners, the noise levels should not be significantly disturbing.

During operation of the proposed project, some noise will occur from the use of the back up generator; however, this will only occur during power outages and once per week for 10-15 minutes for preventative maintenance. Little noise will occur from the poultry, and will have minimal impact as the houses are in compliance with all applicable building setback laws from property lines. The closest residential area to be affected by the noise other than the residency of the owner/operator is approximately two-tenths of a mile from the houses and buffered by a wooded area. The area within a 1 mile radius of the farm is sparsely populated with residential homes. Some noise associated with truck traffic is expected, but it will only occur on an infrequent basis as feed is delivered and poultry is transported to and from the proposed project.

5.10.2 Aesthetic Considerations: The proposed poultry houses will be constructed using best management practices and industry standards. The proposed poultry houses will be built in compliance with the Queen Anne's County zoning ordinances and all set back requirements. The new poultry houses will be separated from the County road by an existing forested area. The proposed project area is buffered by the current vegetation and tree line eliminating any visual impact from neighboring properties. The proposed operation will not produce any significant aesthetic impact.

5.10.3 Rodent/Pest Control: The proposed poultry operation will incorporate rodent/pest management control that is required per the integrators contract.

6. Coastal Zone Management Act

FSA will not participate in any action that does not preserve and protect the nation's coastal resources. Policy is to conform with the goals and objectives of the Coastal Zone Management Act (CZMA) and the Executive Orders of the State of Maryland. The Maryland Department of Natural Resources, Maryland Coastal Program, Watershed Services, Tawes State Office Building, E-2, 580 Taylor Avenue, Annapolis, Md, 21401 and (410-260-8732) administers this program and maintains area boundary maps. This project is located within the Coastal Zone Management area

The project has been reviewed by the Maryland Department of Natural Resources and Maryland Department of Environment as per documents contained in Appendix D. This project per Authorization Number 12-NT-2051/201260971 was found to be consistent with the Maryland Coastal Zone Management Program. A CNMP has been developed and approved for the project, there will be neither adverse impacts on estuaries nor roadside or public ditches, and there not any known State rare or endangered species found on the project site and forest fragmentation will be limited.

7. Historic Preservations Regulations

A review of the National Register of Historic Places did not indicate any listed properties within the Area of Potential Effect of the project. The Maryland Historic Trust (State Historic Preservation Office) has reviewed the project site as part of the Maryland State Clearinghouse review process and no objections or issues were raised in opposition to the project.

The home with a projected construction year of 1925 is located along the private drive shared by the projected project site. The current homeowner has expressed concern with the structural damage that the residence will suffer due to the additional truck traffic that will be experienced. While traffic will increase during the construction period, the truck traffic once operation begins will be limited to feed deliveries making weekly visits to the farm and service men and flock supervisors who visit the farm on a periodic visit. Additional transport trucks will make several visits to the property each year to deliver new chicks and transport grown poultry to the processing plant. The impact of these trucks will be minimal. The driveway is unpaved and will not allow for trucks to pass the home at excessive speeds.

8. Wild and Scenic Rivers

The project will not impact a designated wild or scenic river or portion of it, since there are no wild and scenic rivers in the direct project area. A check of the National Rivers Inventory indicated no listed rivers flow through the property.

9. Threatened and Endangered Species

Section 7 of the Endangered Species Act (ESA) requires that for every proposed project, FSA must make a determination whether the action “may effect” a listed species or its habitat.

The US Fish and Wildlife (USFWS) endangered species listing for Maryland was used to identify documented endangered species and copy can be found in Appendix E. Endangered species of potential concern were the Delmarva Fox Squirrel, Dwarf Wedge Mussel and a plant known as the Canby’s Dropworth. The Canby’s Dropworth are associated with natural ponds dominated by pond cypress, shallow pineland ponds or ponds that are wet throughout most of the year but which have little or no canopy cover. The Dwarf Wedge Mussel can be found in stream banks. The proposed construction site does not contain any natural ponds, shallow pineland ponds, or stream banks. The Delmarva Fox Squirrel lives in mature hardwood and pine forests with a closed canopy.

A site visit was made by FSA personnel to the proposed construction site area on November 2, 2011 and no listed threatened or endangered species were identified as present at that time, nor were any nesting Bald Eagles found. Except for occasional transient wildlife, no proposed or federally listed endangered or threatened species are believed to exist within the project impact area.

An additional site visit was made by Scott Smith with the Department of Natural Resources and Heritage Service on April 4, 2012. He observed no threatened or endangered species on the property to be affected by the proposed project.

The USFWS was formally consulted for their concurrence. A copy of their response dated October 27, 2011, is found in Appendix D affirming no further consultation or Biological Assessment is required. Based on these findings, FSA has determined, in coordination with the USFWS, that this project will not affect a listed endangered or threatened species; it will not adversely affect proposed critical habitat for an endangered or threatened species; and the project will not jeopardize the continued existence of a proposed, endangered, or threatened species.

10. Farmland Protection

This proposed project will not convert any important farmland to a nonagricultural use and is therefore exempt from the provisions of this act.

11. Flood Plain Management and Protection of Wetlands

Federal Emergency Management Agency Flood Map 24039C0200E was reviewed. The proposed project will not be located within a 100-year floodplain.

The proposed construction site for the poultry houses and waste management structure does contain nontidal wetlands and nontidal wetlands buffer. A mitigation plan was approved by the Maryland Department of Environment and the U.S. Army Corp of Engineers addressing the removal of vegetation, filling, grading and building structures located on this sensitive area. A fee associated with this project has been paid to the Maryland Department of Environment as part of the approved plan. Disturbance of these areas must comply with the conditions of the authorization which states "All disturbed areas shall be stabilized vegetatively no later than seven (7) days after construction is completed or in accordance with the approved grading or sediment and erosion control plan". Based on this determination, the proposed project will not violate the requirements of Section 363 of the Consolidated Farm and Rural Development Act, which does not allow loan funds to be used to convert or manipulate wetlands. Reference Appendix E for documentation related to the Authorization

12. Coastal Barrier Resource Act

The project is not located within the Coastal Barriers Resource System.

13. State Environmental Policy Act

Maryland environmental policies are implemented and monitored by the Maryland Department of the Environment and the Maryland Department of Natural Resources whose mission it is to protect and manage the state's vital natural resources, protect public health and safety, provide quality outdoor recreation and to serve and educate the citizens of the State about the wise use, conservation and enhancement of the State's environment.

The state requires poultry producers to have a site specific, comprehensive nutrient management plan as part of the permitting process for a Maryland Animal Feeding Operation (MAFO.) The proposed project will be operated under such a plan that was devised and prepared by a NRCS approved Certified Conservation Planner and reviewed and approved by the Queen Anne's County Soil Conservation District. The proposal and related CNMP have been submitted to the Maryland Department of the Environment for review and issuance of the requisite MAFO permit for the proposed operation

14. Consultation Requirements of E012372, Intergovernmental Review of Federal Programs

Consultation requirements of EO 12372 do not apply in this case because there are no local regulations or agencies that affect this type of operation in a rural setting.

15. Environmental Analysis of Participating Federal Agency

Various other Federal, State and County agencies were consulted for information and technical guidance in regard to various aspects of the proposed project; however the USDA, FSA is the lead agency tasked with evaluating the environmental impact of the proposed project.

16. Reaction to Project

The project site is located in an agricultural use zone. Comments were received from various agencies regarding the wetlands, endangered species located on the project site and location of the existing Delmarva bays in the vicinity of the site project as part of the scoping process.

FSA took all comments into consideration and consulted with the applicant to insure understanding and compliance with all requirements and conditions. Various State and County Agencies were consulted and the required permits and plans were obtained or established. All state and county construction/permit criteria will be implemented, along with an approved NRCS conservation/nutrient management plan to ensure, to the extent possible by FSA, that the human environment is protected and that the project is in compliance with all environmental laws and regulations.

In light of compliance, FSA concludes no further review is needed; therefore the assessment process is conditionally concluded with the proposal of a Finding of No Significant impact (FONSI.) Toward finalizing the process, the applicant is required to publish a Notification of Availability of the assessment and the related findings for review and comment. The pending application will not be approved for at least 15 days from the date the public notification is last published. Comments received as a result, will be included and considered before the assessment becomes final.

17. Adverse Impact

FSA findings indicate there will be no significant adverse impacts on the human environment as a result of the proposed project.

18. Mitigation Measures

Mitigation measures have been identified throughout this assessment in the various areas of impact. These measures have been agreed to by the operator and appropriate State and Federal Agencies and will be part of the FSA's conditions for loan approval. The implementation of the approved comprehensive nutrient management plan will be used to control potential problems that have been identified throughout this assessment; this along with the implementation of industry best management construction practices are appropriate mitigation measures for agricultural construction projects similar in nature to the proposed project.

19. Consistency with FSA Environmental Policies

There is nothing to indicate the proposed project would not be in keeping with the environmental policies of 1-EQ.

20. Environmental Determinations

The following recommendations shall be completed:

(a) Based on an examination and review of the foregoing information and such supplemental information attached hereto, I recommend that the approving official determine that this project will have () a significant effect on the quality of the human environment and an Environmental Impact Statement must be prepared. This project will not have () a significant effect on the quality of the human environment.

(b) I recommend that the approving official make the following compliance determinations for the below-listed environmental requirements.

Not in Compliance	In Compliance	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Clean Air Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Federal Water Pollution Control Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safe Drinking Water Act - Section 1424 (e)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Endangered Species Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Barrier Resources Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Zone Management Act - Section 307(c) (1) and (2)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wild and Scenic Rivers Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Historic Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archaeological and Historical Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subtitle B, Highly Erodible Land Conservation and Subtitle C, Wetland Conservation of the Food Security Act

- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Farmlands Protection Policy Act
- Departmental Regulation 9500-3, Land Use Policy
- E.O. 12898, Environmental Justice
- State environmental laws

(c) I have reviewed and considered the types and degrees of adverse environmental impacts identified by this assessment. I have also analyzed the proposal for its consistency with FSA environmental policies, particularly those related to important farmland protection, and have considered the potential benefits of the proposal.

Based upon a consideration and a balancing of these factors, I recommend from an environmental standpoint that the project:

- Be approved
- Not be approved because of the reasons outlined in Appendix E.

Signature of Preparer	Date
Deanna Dunning	
Name of Preparer	
Farm Loan Officer	
Title of Preparer	

**See Part 1 of this handbook for listing of officials responsible for preparing assessment.*

Signature of Concurring Official	Date
Name of Concurring Official	
Title of Concurring Official	

State Environmental Coordinator's Review

I have reviewed this environmental assessment and supporting documentation. Following are my positions regarding its adequacy and the recommendations reached by the preparer. For any matter in which I do not concur, my reasons are attached in Appendix E.

Do Not Concur	Concur	
<input type="checkbox"/>	<input type="checkbox"/>	Adequate Assessment
<input type="checkbox"/>	<input type="checkbox"/>	Environmental Impact Determination
<input type="checkbox"/>	<input type="checkbox"/>	Compliance Determinations
<input type="checkbox"/>	<input type="checkbox"/>	Project Recommendation

Signature of SEC	Date
Joseph Scott	
Name of SEC	

21. List of Preparers and Reviewers

This assessment was prepared by Deanna Dunning, in consultation with Joseph Scott, Maryland State Environmental Coordinator, who have worked closely with FSA’s sister agency, NRCS, the Maryland State Clearinghouse for Intergovernmental Assistance and the Maryland Department of the Environment in gathering information for evaluation as guided by FSA Handbook 1 EQ.

22. References

FSA Handbook 1 EQ – Environmental Quality Programs for State and County Offices, published and maintained by United States Department of Agriculture, Farm Service Agency, Washington D. C. 20250

Farmer’s Home Administration (FmHA) Instruction 1940-G, Environmental Program, published and maintained by United States Department of Agriculture, Farm Service Agency, Washington, D. C. 20205.

Code of Maryland Regulations (COMAR), Title 8 Department of Natural Resources and Title 26 Department of the Environment.

U.S. Fish and Wildlife Services website containing a list of threatened and endangered species for Maryland: <http://www.fws.gov/northeast/endangered/>

National Register of Historic Sites website containing a list of historic sites for Maryland: www.nr.nps.gov/iwisapi/explorer.dll?IWS_SCHEMA=NRIS1&

ATTACHMENTS

Appendix A	Acronyms and Abbreviations
Appendix B	Definitions
Appendix C	Relevant Laws and Regulations
Appendix D	Agencies and Individuals Consulted
Appendix E	Supporting Documents

DRAFT