

U.S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency  
Caroline 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  
Dorchester, Maryland at  
Tax Map 0002, Grid 0013, Parcel 0019**

**DRAFT COPY  
Notice of Availability**

**June 25, 2015**

**COVER SHEET**

- Proposed Action:** The Farm Service Agency of the United States Department of Agriculture proposes to issue a direct and guaranteed loan to fund the construction of three poultry houses and the associated manure shed in Dorchester County, Maryland on a farm tract identified as Tax Map 0002, Grid 0013, Parcel 0019.
- 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 is being sought out by USDA's Natural Resource Conservation Service (NRCS); Dorchester County Soil Conservation District; the Maryland State Clearinghouse for Intergovernmental Assistance who consults with and request input 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), and Maryland Department of Transportation; as well as the U.S. Fish and Wildlife Service.
- Further Information:** Deanna Dunning, Farm Loan Officer  
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- Abstract (Summary):** The purpose of the project is to produce integrated poultry in Dorchester County, Maryland. Construction of three (3) poultry houses, each being 60' x 600', a manure storage structure, and stormwater management pond is proposed at the site. The location of the proposed facility is currently cropland. The proposed project will include the removal of approximately 0.60 acres of woods for the installation of a driveway. Upon completion of the proposed construction, the farm is projected to have the capacity to house a

maximum of 144,000 birds based on the industry standard density of 0.75 birds per square foot of interior space.

**Comments:**

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 Program  
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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## **1.0 Introduction**

The applicant is wishing to enter into a contract to be an integrated poultry producer with the operation located at 7240 Hynson Road, Hurlock, Dorchester County, Maryland. The applicant will produce poultry per a contractual agreement with Allens Harim. The operation will have the capacity to house approximately 144,000 birds at the industry standard of .75 birds per square foot.

### **1.1 Background**

The project is designed to construct three (3) broiler houses, the associated manure structure and a stormwater management pond on a 39.33 acre parcel the applicant owns near Hurlock, Maryland. The site will have a capacity of 144,000 birds at the industry standard of .75 birds per square foot. The proposal is to build three (3) poultry houses, each being 60' x 600', with all houses on the property running north to south. The houses will be built to industry standards and must be compliant with all county and state building laws. A storm water management, site and sediment/erosion control plan must be approved by Dorchester County.

### **1.2 Purpose and Need**

The applicant will be the primary beneficiary of the project. The facilities, upon completion, will allow the applicant to produce integrated poultry in a Allens Harim compliant facility in Dorchester County, Maryland. The applicant will be providing an agriculture service that is in great demand and this enterprise will allow the producer to generate adequate income from the farming operation to retire debt and provide a standard of living acceptable to the area. This facility will allow the applicant to produce integrated poultry for Allens Harim efficiently and in up to date structures. 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.

### **1.3 Regulatory Compliance**

To be completed

### **1.4 Organization of EA**

The Environmental Assessment (EA) is organized in format established in FSA Handbook 1 EQ Exhibit 21 and is addressed in the Contents Section of this document.

## **2. Description of Proposed Action and Alternatives**

Alternative designs and alternative projects were considered and here are our findings in regards to this proposal: Alternative designs are not feasible in that every integrator has a specific set of plans and specs that producers must use to ensure placement of birds. Alternative projects were considered but are not feasible for the applicant because this proposal is located in close proximity to Allens Harim hatcheries, feed mills, and processing facilities and is in an area occupied by numerous other Allens Harim producers. This makes it economically feasible for Allens Harim to provide birds, and more likely that the applicant will retain his contract with the integrator. In analyzing the proposal "No Action" was considered but not a selected option.

### **2.1 Proposed Action**

The project is designed to construct three (3) poultry houses compliant with Allens Harim standards on a 39.33 acre tract near Hurlock, Maryland. Upon completion, the site will have a total capacity of 144,000 birds. The site work will be completed and the houses built by local reputable contractors in accordance with plans and specs required by Allens Harim, Dorchester County Soil Conservation District and the Dorchester County Planning and Zoning office. The proposal includes the construction of a manure storage structure that will provide adequate storage for the litter generated by the houses to be built. A storm water management pond will be installed on the property as well as swales located between the poultry houses to control runoff.

### **2.2 Alternatives**

Alternative designs and alternative projects were considered and here are our findings in regards to this proposal:

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.

2.2.1 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 farm income required to support family living expenses and debt service.

2.2.2 Alternative A is a 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.



2.2.3 Alternative B is to relocate on current property: This alternative is not applicable as any other location on the farm would require removal of forested areas, filling of ditches and the potential to negatively impact any wetlands that may be located in those areas. The area that has been selected for the proposal is currently an open area that will require minimal tree or stump removal for the installation of a driveway and will not affect a wetland area.

2.2.4 Alternative C is to relocate on a different property. The applicant currently owns the 39.33 acre tract. The feasibility of this project has been based on the current debt and the construction and site work cost associated with the proposed project area and without having another specific property in mind, FSA cannot determine the feasibility for another farm.

2.2.5 Alternative D is to engage in a different form of agricultural production: The applicant could consider utilization of the site for crop or other livestock production as an alternative means of generating annual farm income. However, the rate of return the applicant would receive from another form of livestock production or crop production would be nominal and would not justify the related costs: therefore it would not achieve the intended purpose of the project.

### 2.3 Resources Eliminated from Analysis

None of the following resources are located in the area of the proposed project and are therefore eliminated from the analysis: Important Land Resources, Sole Source Aquifers, Wild and Scenic Rivers, National Natural Landmarks, and Wilderness Areas.

## **3. Affected Environment**

### 3.1 Biological Resources

#### 3.1.1 Definition of Resource

Vegetation, wildlife, and protected species including threatened and endangered species and their designated critical habitat. Endangered species known to occur in Dorchester County: Delmarva Peninsula Fox Squirrel (DFS).

#### 3.1.2 Affected Environment

Based on a letter dated May 18, 2015 from the U.S. Fish and Wildlife Service, Chesapeake Bay Field Office, the proposed project is “not likely to adversely affect the Delmarva Peninsula Fox Squirrel as only 0.60 acres of the approximate 4.79 acres of available DFS habitat on site will be cleared and 3.56 acre of the DFS habitat on site will be within 150’ of the proposed driveway”.

A site visit was made by FSA personnel to the proposed construction site area on April 21, 2015 and no listed threatened or endangered species were identified as present at that time, nor were any nesting Bald Eagles found. Except for the Delmarva Fox Squirrel, no other proposed or federally listed endangered or threatened species are believed to exist within the project impact area.

### 3.2 Water Resources

#### 3.2.1 Definition of Resource

Floodplains, wetlands, surface water quality, sole source aquifers, and wild and scenic rivers.

#### 3.2.2 Affected Environment

Surface waters as defined by EPA, are United States waters; primarily lakes, rivers estuaries, coastal waters and wetlands. The Clean Water Act is the principal law governing pollution of the nation's surface water resources. Based on a determination made by NRCS on February 8, 1993 there were no hydric soils located on this tract. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory and a determination completed by NRCS on May 8, 2015 there are no wetlands to be affected by the proposed project.

Also according to FEMA Form 81-93 "Standard Flood Hazard Determination" there are no floodplains on this tract.

The potential impact to water quality exist due to construction activities and when complete, waste management. During construction, surface runoff will be controlled in accordance with the NPDES Storm Water Permit to be obtained. Upon completion, the producer will also be required to adhere to an approved Conservation Plan and Nutrient Management Plan for application of litter and best management practices. They will be required to file the application for a Notice of Intent with the Maryland Department of Environment for the proposed poultry operation. Water for the completed project will be supplied by a well to be located on the farm. Per MDE Water Division, no water allocation permit is required for this operation.

This project is not located within a Sole Source Aquifer Recharge Area, nor are there any Wild and Scenic Rivers located in the State of Maryland per reviewing the following website (<http://www.nps.gov/rivers/>).

### 3.3 Cultural Resources

#### 3.3.1 Definition of Resource

Properties created by man and generally more than 50 years of age.

#### 3.3.2 Affected Environment

In accordance with Section 106 of National Historic Preservation Act, the State Historic Preservation Officer (SHPO) was contacted to comply with cultural resource requirements. FSA received documentation dated April 7, 2015 that indicated there are not historic properties in the area of potential affect.

### 3.4 Soil Resources

#### 3.4.1 Definition of Resource

Highly Erodible Soils are not present within the area of impact.

#### 3.4.2 Affected Environment

According to NRCS-CPA-026E, Highly Erodible Lane (HEL) units do not exist on the 39.33 acre tract and therefore will not have effect on this resource.

### 3.5 Air Quality

#### 3.5.1 Definition of Resource

Sources of air pollution which include stationary, mobile and agricultural resources.

#### 3.5.2 Affected Environment

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.

The majority of emissions as a result of this project will be produced from poultry litter. Compliance with the Conservation Plan requires that the producer keep emission to a minimum. According to the University of Delaware Cooperative Extension the planting of trees around poultry houses can assist with filtering dust, feather, odor and noise created by the poultry houses. The perimeter of the houses will be surrounded by the existing vegetative barrier of trees and shrubs which will assist with the dilution of dust, odor and noise that may be generated by this operation. Motor vehicle traffic which can affect air quality, will increase slightly during the construction phase; however this will only be for a short time. The 200 KW emergency generator does not require a permit, will meet applicable EPA emissions standards and will use only low sulfur fuel.

The farm is located in a Non Attainment area as can be verified by review of the following website  
(<http://www.epa.gov/oar/oagups/greenblk/hncs.html>)

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 existing vegetation and woodland surrounding the construction site will be preserved intact to the maximum extent possible to provide a vegetative buffer.

### 3.6 Socioeconomics

#### 3.6.1 Definition of Resource

Population, housing, income and employment activity area.

#### 3.6.2 Affected Environment

This proposal, during construction and at completion, will not adversely impact nearby residents. The location of the proposed project is 3.7 miles from the Town of Preston and 3.9 miles from the Town of Hurlock. The property does not currently have a home on site but there is ample room enough on the farm for a house to be built. The applicant will continue to reside at his current residence which is within 5 minutes of the farm until a time that he is financially able to build a home. 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; the property is currently zoned as agriculture. It is not expected that any significant long-term adverse impact will exist because of this project. There will be no adverse affect on the minority population of the community or of the residence who are low income. No social or economic impacts are expected to result from the individual farm participation in an FSA programs.

### 3.7 Environmental Justice

#### 3.7.1 Definition of Resource

Impact to minority and low income populations.

#### 3.7.2. Affected Environment

According to 1 EQ, Par 58 C, FSA actions do not involve activities with potential to disproportionately or adversely affect or displace low income or minority groups.

### 3.8 Important Land Resources

#### 3.8.1 Definition of Resource

Prime farmland, unique farmland, prime forestland, and prime rangeland

### 3.8.2 Affected Environment

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

## 3.9 Wilderness Area

### 3.9.1 Definition of Resource

Areas determined to be “wilderness” as defined by The Wilderness Act.

### 3.9.2 Affected Environment

This project is not located within or near a Wilderness Area per review of [www.wilderness.net](http://www.wilderness.net) website.

## 3.10 Coastal Zone Management Areas

### 3.10.1 Definition of Resources

Lands, waters, or natural resources located in the coastal zone.

### 3.10.2 Affected Environment

FSA will not participate in any action that does not preserve and protect the nation’s coastal resources. Policy is to conform to 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 Maryland Department of Natural Resources and Maryland Department of Environment are being consulted and a federal consistency determination will be required prior to completion of the final assessment.

## 3.11 Coastal Barriers

### 3.11.1 Definition of Resources

Unique landforms that provide protection for diverse aquatic habitats and serve as the mainland’s first line of defense against the impacts of coastal storms and erosion.

### 3.11.2 Affected Environment

CBRA was amended by the Coastal Barrier Improvement Act of 1990 and restricts Federal expenditures and financial assistance that may encourage development of coastal barriers. This project is not located in the Coastal Barrier Resource Zone or Other Protected area and therefore will not have an adverse effect on this resource.

## **4.0 Environmental Consequences**

### **4.1 Biological Resources**

4.1.1 No Action Alternative was considered but not selected as proposal will not adversely impact the environment.

4.1.2 Alternative A: The USFWS was formally consulted for their concurrence. A copy of their response dated May 18, 2015, 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 there are no listed endangered or threatened species within this projects area of impact that will be adversely affected.

### **4.2 Water Resources**

4.2.1 No Action Alternative  
To be completed

4.2.2 Alternative A:  
. To be completed

### **4.3 Cultural Resources**

4.3.1 No Action Alternative was considered but not selected as proposal will not have an adverse environmental impact.

4.3.2 Alternative A: According to the response received from the Maryland Clearing House dated January 28, 2015, whom consulted with SHPO the proposed project site does not contain any historical properties; therefore there will be no adverse effect as a result of this project.

### **4.4 Soil Resources**

4.4.1 No action alternative was considered but not selected as proposal will not have an adverse environmental impact.

4.4.2 Alternative A: According to NRCSA-CPA-026E, HEL units do not exist on the 59.95 acre tract.

### **4.5 Air Quality**

4.5.1 No action alternative was considered but not selected as proposal will not adversely impact the environment.

4.5.2 Alternative A: The farm is located in a rural area and 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. Odors and particulate drift are unlikely to be significant and the

existing tree buffer along the property line will act 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.

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 CO<sub>2</sub> / O<sub>2</sub> 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 will be put in place 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.

#### 4.6 Socioeconomics

4.6.1 No Action Alternative was considered but not selected as proposal will not adversely impact the environment.

4.6.2 Alternative A: The social and economic impacts of FSA actions will be evaluated on the programmatic level by the National Office. No impacts are expected to result from the individual farm participation.

#### 4.7 Environmental Justice

4.7.1 No Action Alternative was considered but not selected as proposal will not adversely impact the environment.

4.7.2 Alternative A: Based on 1 EQ Handbook par 58C, FSA actions do not involve activities with potential to disproportionately or adversely affect or displace low income or minority groups.

#### 4.8 Important Land Resources

4.8.1 No action alternative was considered but not selected as proposal will not adversely impact the environment.

4.8.2 Alternative A: This project does not directly or indirectly convert any important land resources. Production of integrated poultry is considered an agriculture enterprise.

#### 4.9 Wilderness Area

4.9.1 No action alternative was considered but not selected as proposal will not adversely impact the environment.

4.9.2 Alternative A: Project is not located within or near a Wilderness Area per review of the wilderness.net website.

#### 4.10 Coastal Zone Management Areas

4.10.1 No action alternative was considered but not selected as proposal will not adversely impact the environment.

4.10.2 Alternative A: The project is located in a Coastal Zone Management Area and therefore the Maryland Department of Environment and Natural Resources have been consulted and a federal consistency determination will be required prior to approval.

#### 4.11 Coastal Barriers

4.11.1 No Action Alternative was considered but not selected as proposal will not adversely impact the environment.

4.11.2 Alternative A: The project is not located in a Coastal Barrier Resource Area nor a Other Protected Area as can be evident by the flood map.

### **5.0 Cumulative Impacts**

#### 5.1 Introduction

To be completed

#### 5.2 Past, Present and Reasonably Foreseeable Actions

To the knowledge of the preparer, there has not been any past activity associated with the subject property that would have had a negative effect on impacted resources.



**5.3 Cumulative Analysis**  
**To be completed**

**6.0 Mitigation Measures**  
**To be completed**

**7.0 List of Preparers**  
**To be completed**

**8.0 List of Persons and Agencies Contacted**

Maryland Department of Planning – Maryland Department of Agriculture,  
Maryland Department of Natural Resources, Maryland Department of the  
Environment, Wicomico County, Maryland Historical Trust

U.S. Fish and Wildlife Service, Chesapeake Bay Field Office

**9.0 References**

Websites:

[www.wilderness.net](http://www.wilderness.net)

[www.rivers.gov/maryland.php](http://www.rivers.gov/maryland.php)

<http://quickfacts.census.gov/qfd/states/24/24045.html>

<http://www.fema.gov/national-flood-insurance-program/coastal-barrier-resources-system>

[www.epa.gov/oar/oaqps/greenbk/hncs.html](http://www.epa.gov/oar/oaqps/greenbk/hncs.html)

[www.epa.gov/reg3wapd/presentations/ssa/index/htm](http://www.epa.gov/reg3wapd/presentations/ssa/index/htm)

<http://www.mde.maryland.gov/programs/Land/RecyclingandOperationsprogram/AFO/Pages/CAFO.aspx>

[http://ecos.fws.gov/tess\\_public/countySearch!speciesByCountyReport.action?fips=24045](http://ecos.fws.gov/tess_public/countySearch!speciesByCountyReport.action?fips=24045)

[www.nature.nps.gov/nnl/state.cfm?state=MD](http://www.nature.nps.gov/nnl/state.cfm?state=MD)

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.

**10.0 Attachments**

To be completed

## **11.0 Consistency with FSA Environmental Policies**

To be completed

## **12.0 Environmental Determinations**

To be completed