

# Finding of No Significant Impact for The Programmatic Environmental Assessment Prepared for the Maryland Conservation Reserve Enhancement Program

Farm Service Agency  
United States Department of Agriculture

## Introduction:

The United States Department of Agriculture Farm Service Agency (FSA) has prepared a Programmatic Environmental Assessment (PEA) to evaluate the environmental consequences associated with extending the Maryland Conservation Reserve Enhancement Program (CREP) Agreement. The Maryland CREP Agreement covers the Chesapeake Bay Watershed and includes all counties within the State.

The objectives of the Maryland CREP Agreement are to:

- reduce nitrogen runoff by 5,570 tons annually
- reduce phosphorous by 550 tons annually
- reduce sediment loading into streams by 200,000 tons annually and
- increase the survival, distribution and numbers of declining fish, wildlife and plant species in the Chesapeake Bay region.

CREP offers a two-tier system to accomplish these objectives. First, eligible landowners enter into a 10 or 15-year contractual agreement with FSA (CREP contract) to remove land from production and install eligible conservation practices. For some land, land trusts of Soil Conservation Districts (SCDs) acquire permanent conservation easements from interested landowners who voluntarily agree to sell an easement interest in their land.

## Preferred Alternative

The preferred alternative is also the proposed action alternative. This alternative will extend the CREP Agreement between FSA and the State of Maryland through 2007. The proposal focuses on enrolling up to 100,000 acres in rental contracts, including previous enrollments, of sensitive lands and establishing conservation practices aimed at reducing nutrient pollution and sediments in the Chesapeake Bay and enhancing declining species habitat with high priority being placed on federally and state-protected species and species listed under the *North American Waterfowl Plan*.

## Reasons for Finding of No Significant Impact (FONSI)

In consideration of the analysis documented in the PEA and the reasons outlined in this FONSI, the preferred alternative would not constitute a major State or Federal action that would significantly affect the human environment. Therefore, an Environmental Impact Statement will not be prepared. The determination is based on the following:

Context (40 CFR 1508.27(a))

The preferred alternative (2) as outlined in the PEA would reduce agricultural runoff into impaired water bodies and would improve wildlife habitat. The potential effects of implementation of the preferred alternative will be providing an opportunity to improve the environment by reducing nutrient loading in the Chesapeake Bay Watershed.

Intensity (40 CFR 1508.27(b))

1. Both beneficial and adverse impacts (40 CFR 1508.27(b)(1)) of implementing the preferred alternative have been fully considered within the PEA. The beneficial impacts outweigh any adverse impacts. Adverse cumulative impacts are expected to be minor as implementation of the preferred alternative will cause very little if any adverse impact on the area and the human environment.
2. The preferred alternative would not significantly affect public health or safety (40 CFR 1508.27(b)(2)). Implementation of the preferred alternative would reduce phosphorus and nitrogen loading in the 12 watersheds and would improve water quality and wildlife habitat.
3. The preferred alternative would not significantly affect any unique characteristics (40 CFR 1508.27(b)(3)) which includes historic and cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
4. The preferred alternative does not involve effects to the quality of the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)).
5. The preferred alternative would not impose highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)). The preferred alternative is extension of the existing Maryland CREP Agreement which has been operation since 1997.
6. The preferred alternative would not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)). The intended outcome of the preferred alternative is to reduce nutrient loading and improve water quality and wildlife habitat. Any future projects that are similar in nature will need to be reviewed on a case-by-case basis to determine their individual potential for impacts on the human environment.
7. The preferred alternative is not related to other actions with individually insignificant but cumulative significant impacts (40 CFR 1508.27(b)(7)). The Environmental Consequences section of the PEA discusses potential cumulative impacts of implementing the preferred alternative. Cumulative impacts of implementing the preferred alternative were determined to not be significant.
8. The preferred alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historical resources (40 CFR 1508.27(b)(8)).
9. The preferred alternative would not have adverse effects on threatened or endangered species or designated critical habitat (40 CFR 1508.27(b)(9)). In accordance with section 7 of the Endangered Species Act, the effects of implementing the preferred alternative on threatened and

endangered species and designated critical habitat were addressed in the PEA. Informal consultation with the U.S. Fish Wildlife Service was completed.

10. The preferred alternative does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

### **Determination**

On the basis of the analysis and information contained in the PEA and this document, it is our determination that adoption of the preferred alternative, Alternative 2, does not constitute a major action significantly affecting the quality of the human environment. I find that neither the proposed action nor any of the alternatives is a major Federal action significantly affecting the quality of the human environment.

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18 February 2005

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Signed by:  
Elizabeth L. Anderson  
State Executive Director  
Farm Service Agency