



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DIVISION OF CLIMATE, COASTAL, & ENERGY

DELAWARE COASTAL
MANAGEMENT PROGRAM

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DOVER, DELAWARE 19904

Phone: (302) 739- 9283
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November 9, 2018

Lynn Manges
USDA – Delaware State Farm Service Agency
1221 College Park Drive, Suite 201
Dover, Delaware 19904

RE: USDA – Delaware State Farm Agency environmentally beneficial activities (FC 2019.0001)

Dear Ms. Manges,

The Delaware Coastal Management Program (DCMP) of the Department of Natural Resources and Environment Control (DNREC) has completed its review of the above referenced activities. This letter is in response to the United States Department of Agriculture's (USDA) request for concurrence for environmentally beneficial activities, dated and received by this office on September 27, 2018, submitted by you on behalf of the USDA, Delaware Farm Service Agency (Delaware FSA).

PROPOSED ACTION

The U.S. Department of Agriculture – Delaware FSA provides funding under various financial programs to assist property owners in agricultural communities to sustain economically viable agriculture production. The DCMP and the Delaware FSA met on July 13, 2018 and August 24, 2018. The agencies reviewed various activities, and mutually agreed that the specific activities for federal assistance itemized below, which were listed in the USDA Summary of Categorical Exclusion Catalog, are environmentally beneficial activities.

- 1) Management and planting actions found to have no significant impacts
 - Establishing or maintaining wildlife plots in areas not previously tilled or disturbed;
 - Prescribed burning;
 - Tree planting when trees have root balls of one gallon container size or larger;
 - Wildlife upland habitat management;
 - Shallow wildlife ponded areas;
 - Riparian buffer establishment; and
 - Wetland restoration with coordination with the Natural Resource Conservation Service.

- 2) Planting actions on land that has been tilled in the past and will not exceed the depth of previous tillage
 - Planting and seeding:
 - Bare land planting or planting without site preparation;
 - Cover crop and green manure crop planting;
 - Wildlife food plot planting;
 - Seed planting of shrubs; and
 - Seedling shrub planting.
 - Establishment of (without ground disturbance below level of previous tillage):
 - Bedding site for wildlife;
 - Contour grass strips;
 - Field borders or field strips and their maintenance;
 - Windbreaks and shelterbelts;
 - Firebreak installation; and
 - Heavy use protection areas (example: vegetative buffers or filter beds).

FEDERAL CONSISTENCY ANALYSIS

The Delaware CZM Program consists of a network of programs administered by several agencies. The DNREC DCMP coordinates the review of consistency determinations with agencies administering the enforceable and advisory policies of the program. The following agencies participated in this review:

DNREC, Division of Air Quality

The Delaware CZM Program has no objections with the determination.

PUBLIC PARTICIPATION

In accordance with 15 CFR §930.33 (4), the public was invited to participate in the review of the USDA – Delaware FSA projects deemed environmentally beneficial. Public notice of this proposed action was published in the Delaware State News, The News Journal, and DNREC public notices list service from October 07, 2018 through October 26, 2018. No public comments were received in response to the notice.

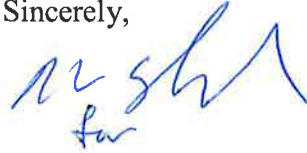
CONCURRENCE

Based on its review and pursuant to National Oceanic and Atmospheric Administration regulations (15 CFR 930.33(4)), the DCMP concurs that these USDA – Delaware FSA financial activities to assist property owners are environmentally beneficial and no further federal consistency review of these activities is required.

In accordance with 15 CFR 930.35, the DCMP supports USDA – Delaware FSA’s reassessment of the actions at five-year intervals, beginning in January 2024, to ensure the “environmentally beneficial” designation remains applicable. If changes are made to the DCMP that would impact this agreement, the DCMP will notify the USDA – Delaware FSA of the change and coordinate accordingly.

Thank you for the opportunity to review these activities as they relate to the DCMP and federal consistency. If you have any questions, please contact me or Jennifer Holmes of my staff at (302) 739-9283.

Sincerely,



Kimberly B. Cole, Administrator
Delaware Coastal Management Program

KBC/jlh

cc: Deanna Cuccienllo, DAQ
File FC 2019.0001

