



United States
Department of
Agriculture

Farm
Production
and
Conservation

Farm
Service
Agency

Kent County FSA Office
519 S Red Haven Ln
Dover, DE 19901
Phone: 302-741-2600

June 17, 2021

Kimberly B. Cole
Program Administrator
Delaware Coastal Management Program
100 W. Water St., Suite 7B
Dover, DE 19904

Ref: Federal Consistency Determination

The USDA, Farm Service Agency (FSA) is completing an environmental review of a site to construct a Grain Storage Bin. In doing the review it was determined that ground disturbance below the plow zone will be needed to pour a concrete foundation. The property is currently a farm-yard area with barns & existing grain facility and is located at 3939 Hopkins Cemetery Rd, Felton, DE 19943. This site was previously evaluated in 2016 for the existing grain bin construction.

As part of our environmental review, FSA is requesting a federal consistency determination from your department.

We request a response within sixty (60) days from receipt of this letter. Thank you for your time and attention to this issue of mutual concern. If you have any questions or concerns in regard to this project, please be assured of our cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Maryann Reed". The signature is written in a cursive, flowing style.

Maryann Reed
County Executive Director

EN: aerial map, location map, consistency form

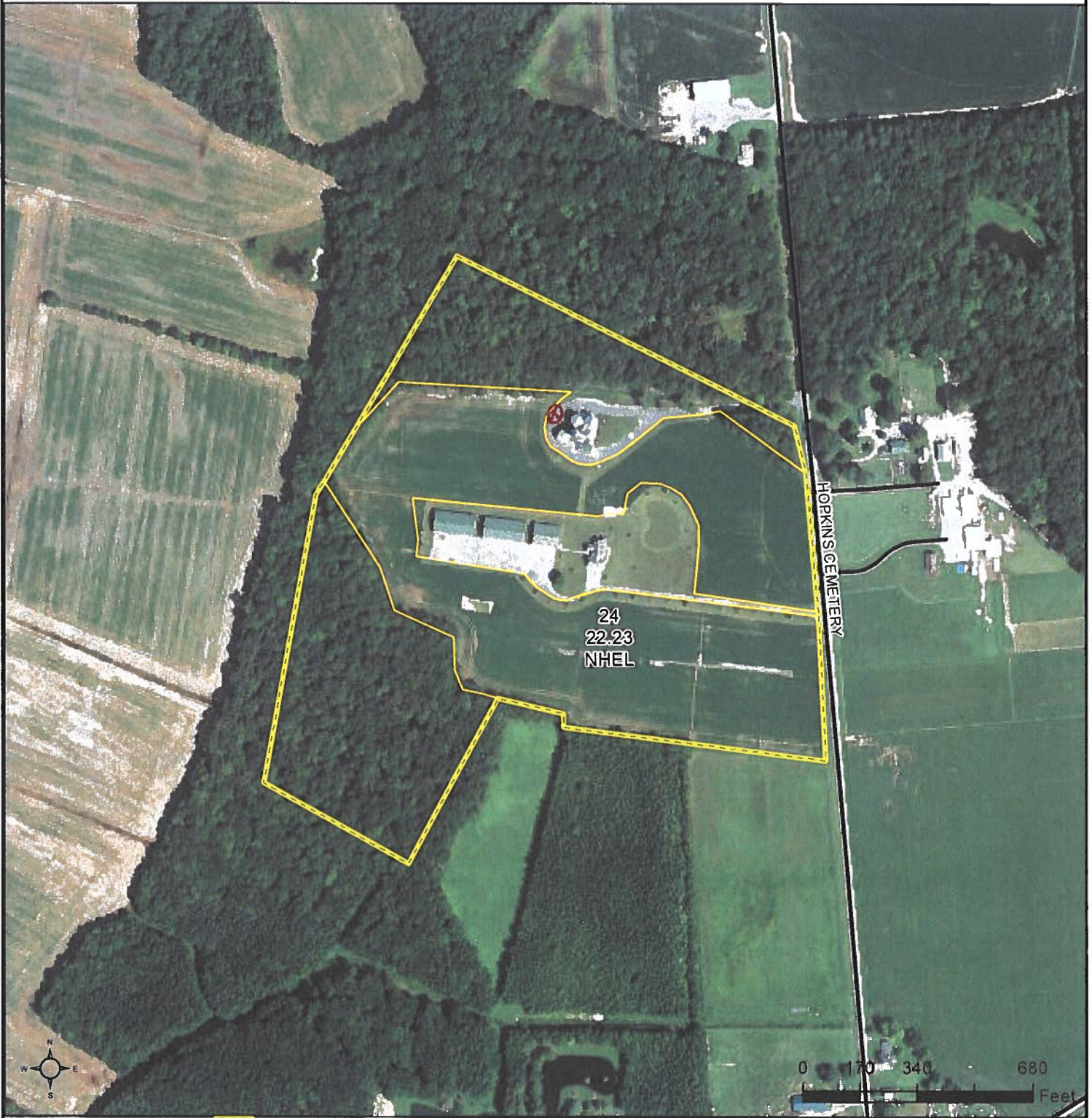


United States
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Kent County, Delaware

100% share on all fields to _____

other, specify here: _____



Common Land Unit Tract Boundary

- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

⊗ - NEW GRAIN BIN

Tract Cropland Total: 22.23 acres

2021 Program Year

Map Created April 01, 2021

Farm 6179

Tract 8500

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615

(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference # MN MISPILLION HUNDRED **Card #** 1 of 1

Location ID 30217 **Map Number** 6-00-14700-01-1900-00001

Tax ID 30217 **Deed BVP** D 2324 0183

Parcel ID 50852 **Deed BVP2**

Property Code P - PROPERTY

Current Owner **Property Location**
 GAREY, ALAN F. 3939 HOPKINS CEMETERY RD
 3939 HOPKINS CEMETERY ROAD FELTON, DE 19943
 FELTON, DE 19943 **Zoning** AC **Acres** 50.00

Additional Owner

Sub-Division

Sales History			Liv.Sq.Ft	2,814.0000
Date	Price	Assessment	Total Rooms	9
9/02/05	0	Land 25,400	Bedrooms	4
0/00/00	300,000	Buildings 190,300	Full Bath	2
		Total 215,700	Half Bath	1

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	Sewer Account #		
Neighborhood #	00600	Coordinates		0441874 E 0354757 N
Land Use	1	Lot Dimensions		0000001.00
Living Units	NO	School District	22	LAKE FOREST
Class	Residen	Fire District	48	FELTON COMMUNITY
Plat Book Pg	00000	Sewer District	00	NONE
Topography	Level	Ambulance District	48	FELTON COMMUNITY
Street or Road	Paved	Trash District		
Fronting	Residen	Light District		
Improvement	IMPROVED	Commissioner Dist	6TH	

		Tax Ditches	D011	D 011 - MARSHYHOPE
			D024	D 024 - BLACK ARM

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
W. SD. RD. FR. MASTENS
COR. TO FELTON,
45.607 A.

Year Built 2010 **Type** Single- **Energy Adj.** NO DATA
Style 1-1/2 S **Fire Places** 1 **Design** Cape

	Type	Percentage	Type	Percentage
Ext. Walls	Aluminu	0	NO DATA	0
Roof Cover	NO DATA	0	NO DATA	0
Floor Cover	NO DATA	0	NO DATA	0
Heat/Cool	Air Con	0	NO DATA	0
Plaster Int.		0		
Foundation	NO DATA			
Sub-floor	NO DATA			

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement	N	0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1	FGAR	1,140	000	NO DATA
Garage 2	NO DATA	0	NO DATA	NO DATA
Bas Gar	NO DATA	NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	636	NO DATA	NO DATA
Porch 2	NO DATA	0	NO DATA	NO DATA

History NO DATA

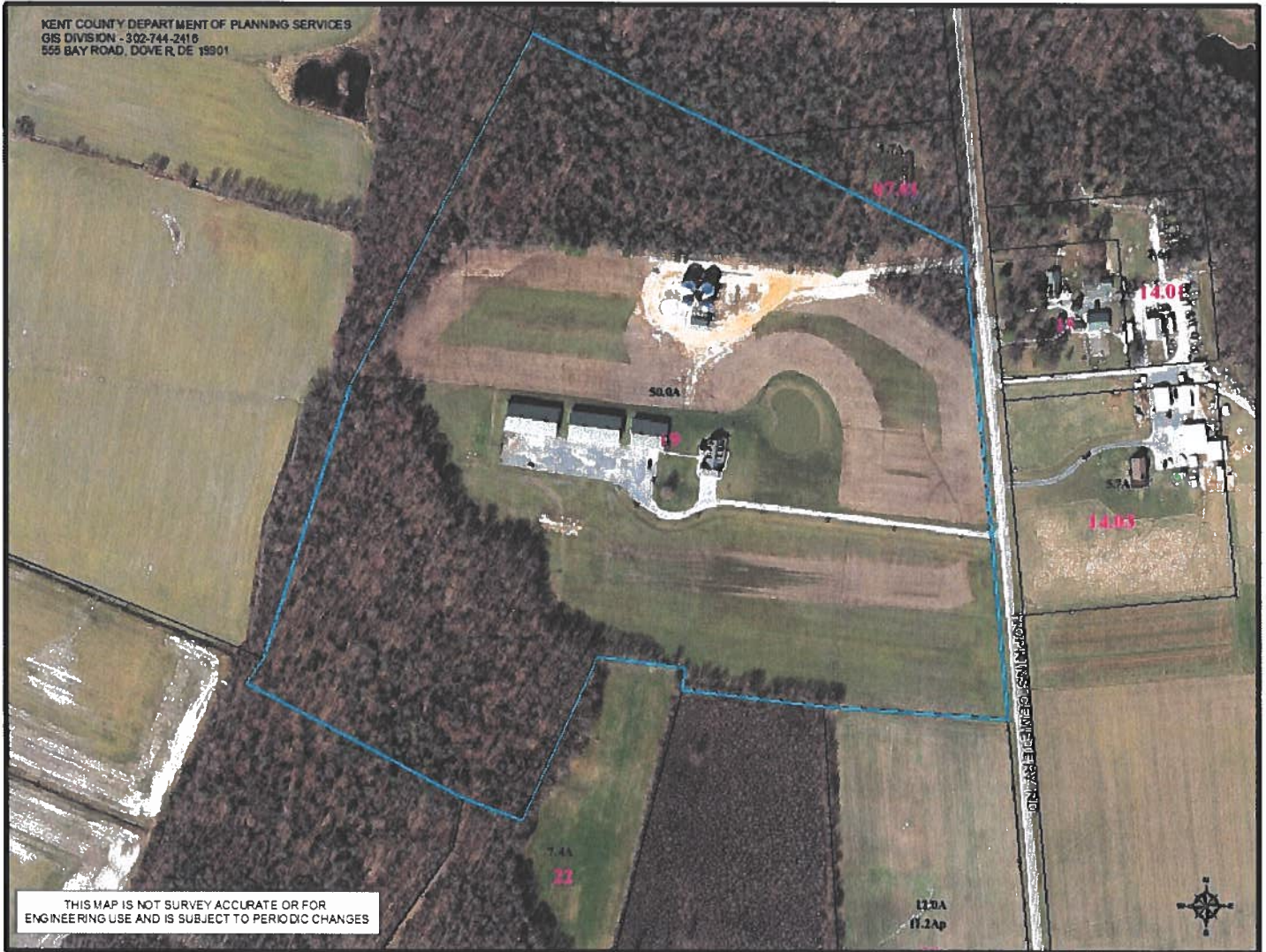
Dimensions 0 X 0

Skirting Type

Skirting Lin Ft 0

Tip Out Sq Ft 0**Serial Number****Manufacturer****Model****Color**

OUTBUILDINGS			
Type/Dimn	Description	Type/Dimn	Description
AP1 080X60	POLE BUILDING 4 SIDE CLS	AL1 026X08	LEAN TO
AP1 120X60	POLE BUILDING 4 SIDE CLS	AP1 120X60	POLE BUILDING 4 SIDE CLS
*AG1 000X0		*AG1 000X0	
*AG2 000X0		*AG2 000X0	
*AG1 000X0		AP1 040X24	POLE BUILDING 4 SIDE CLS





Initial Review: _____
Updated On: _____
Complete: _____
Official Use Only

Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

Project/Activity Name: 3939 HOPKINS CEMETERY RD, FELTON, DE 19943

I. Federal Agency or Non-Federal Applicant Contact Information:

Contact Name/Title: Maryann Reed - County Executive Director

Federal Agency Contractor Name (if applicable): _____

Federal Agency: USDA Farm Service Agency
(either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: 519 S Red Haven Ln, Suite 200

City: Dover State: DE Zip Code: 19901

E-mail: maryann.reed@usda.gov Telephone #: 302-741-2600 ext.2

II. Federal Consistency Category:

- Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)
- Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)
- Federal Financial Assistance (15 C.F.R. Part 930, Subpart F)
- Federal License or Permit Activity (15 C.F.R. Part 930, Subpart D)
- Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)

III. Detailed Project Description (attach additional sheets if necessary):

The USDA, Farm Service Agency (FSA) has received an application to provide financing in order to construct an additional Grain Storage Bin in an existing Grain Storage Yard. The property is currently a farm storage yard with barns and surrounding cropland. Located at 3939 HOPKINS CEMETERY RD FELTON DE 19943. This site was evaluated in 2016 to construct the original Grain Bins.

IV. General Analysis of Coastal Effects (attach additional sheets if necessary):

There are no anticipated effects to the coastal zone.

V. Detailed Analysis of Consistency with DCMP Enforceable Policies (attach additional sheets if necessary):

Policy 5.1: Wetlands Management

n/a

Policy 5.2: Beach Management

n/a

Policy 5.3: Coastal Waters Management (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

The proposed project is not within a coastal barrier in Delaware, and is more than 500 feet away from the nearest coastal barrier area. A Building Permit will be required from Kent County.

Policy 5.4: Subaqueous Land and Coastal Strip Management

n/a

Policy 5.5: Public Lands Management

n/a

Policy 5.6: Natural Lands Management

The US Department of Interior, Fish and Wildlife Service, IPaC resource list was obtained on 6/22/2021 and showed 1 Migratory bird on the proposed area. The IPaC list also showed no critical habitat, refuge lands or fish hatcheries.

Policy 5.7: Flood Hazard Areas Management

n/a

Policy 5.8: Port of Wilmington

n/a

Policy 5.9: Woodlands and Agricultural Lands Management

n/a

Policy 5.10: Historic and Cultural Areas Management

There are no historical properties on the proposed site. Consultation letters will be sent to DE SHPO and the DE THPO.

Policy 5.11: Living Resources

The US Department of Interior, Fish and Wildlife Service, IPaC resource list was obtained on 6/22/2021 and showed 1 migratory bird on the proposed area. The IPaC list also showed no critical habitat, refuge lands or fish hatcheries.

Policy 5.12 Mineral Resources Management

n/a

Policy 5.13: State Owned Coastal Recreation and Conservation

n/a

Policy 5.14: Public Trust Doctrine

n/a

Policy 5.15: Energy Facilities

n/a

Policy 5.16: Public Investment

n/a

Policy 5.17: Recreation and Tourism

n/a

Policy 5.18: National Defense and Aerospace Facilities

n/a

Policy 5.19: Transportation Facilities

n/a

Policy 5.20: Air Quality Management

n/a

Policy 5.21: Water Supply Management

current well on site

Policy 5.22: Waste Disposal Management

N/A

Policy 5.23: Development

N/A

Policy 5.24: Pollution Prevention

N/A

Policy 5.25: Coastal Management Coordination

n/a

VI. JPP and RAS Review (Check all that apply):

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

- JPP RAS None

*If yes, provide the date of the meeting(s): _____

VII. Statement of Certification/Determination and Signature (Check one and sign below):

FEDERAL AGENCY CONSISTENCY DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

FEDERAL AGENCY NEGATIVE DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION. Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:		
Printed Name:	MARYANN REED	Date: 06/22/2021

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

Federal Consistency Review Deadlines:

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

OFFICIAL USE ONLY:

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates: _____ to _____	Comments Received: <input type="checkbox"/> NO <input type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	