



**United States
Department of
Agriculture**

Farm
Production
and
Conservation

Farm
Service
Agency

Sussex County FSA Office
21315 Berlin Road, Unit 1
Georgetown, DE 19947
Phone: 302-856-3990

March 13th, 2023

TO: Kristi Lieske
Program Administrator
Delaware Coastal Management Program
100 W. Water Street, Suite 7B
Dover, DE 19904
DNREC_FederalConsistency@state.de.us
(Send via email)

FROM: USDA Farm Service Agency

SUBJECT: Request for Concurrence

The USDA, Farm Service Agency (FSA) is completing an environmental review for a proposed grain storage facility located at 2864 Longacre Ln, Seaford, DE. The proposed project includes removing an existing storage shed, adding a drag conveyor beneath 3 existing bins, and constructing a new 42ft Grain bin. There are currently 6 grain storage bins located at the site. These bins will remain in the same location. The project is located on tax parcel 531-8.00-40.00. The area is in a rural part of the county and it is surrounded by woodland and farmland. The farm has multiple outbuildings that will not be affected. The farm is and will continue to be used as a farm producing grain crops and poultry. It is proposed that the project will disturb no more than 2,500 sqft of previously disturbed ground where a building already existed. The existing storage bins already have concrete pads and no ground will need to be broken to install the conveyor. A stormwater plan is not necessary for this project because less than 5,000 sqft will be disturbed.

FSA requests a consistency review of the proposed actions associated with the above referenced project pursuant to Section 307 of the Coastal Zone Management Act.

Enclosed are the following:

- Location map
- Aerial view of property for its current use
- FEMA flood map
- GIS topo map
- Soils map
- Drawings of project location or footprint and related design plans as appropriate

FSA is providing notification it anticipates the proposed Federal action would not affect coastal uses or resources of the State of Delaware. Your concurrence with this determination is requested within thirty (30) days of the email delivery receipt or delivery of this letter based on standard United States Post Office delivery schedules not to exceed 5 days from the related post mark. If we do not hear from you within the specified time frame it will be assumed that you are in agreement and have no further interest in this matter.

Please feel free to contact Caitlin Sheffer at 302-856-3990 x2 or Caitlin.sheffer@usda.gov should you have any questions or need further information. Correspondence may be sent to: Sussex County FSA Farm Loans, 21315 Berlin Rd, Unit 1, Georgetown, Delaware 19947.

Sincerely,

A handwritten signature in black ink that reads "Caitlin V. Sheffer". The signature is written in a cursive style with a large initial "C" and "S".

Caitlin V. Sheffer
County Executive Director
Sussex County Farm Service Agency

Enclosures



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: WILLIN FARMS LLC FARM STORAGE FACILITY

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

Contact Name/Title: CAITLIN SHEFFER - CED

Federal Agency Contractor Name (if applicable): N/A

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: 21315 BERLIN ROAD, UNIT 1

City: GEORGETOWN State: DE Zip Code: 19947

E-mail: CAITLIN.SHEFFER@USDA.GOV Telephone #: 302-856-3990 X-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) is completing an environmental review for a proposed grain storage facility located at 2864 Longacre Ln, Seaford, DE. The proposed project includes removing an existing storage shed, adding a drag conveyor beneath 3 existing bins, and constructing a new 42ft Grain bin. There are currently 6 grain storage bins located at the site. These bins will remain in the same location.

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

There will be very minimal ground disturbance and therefore minimal to no coastal effects. This project is located over 25 miles from the nearest Delaware coastline which is in Millsboro, DE. Aerial maps of the proposed site are attached.

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

Policy 5.1: Wetlands Management

A wetlands determination was completed on the site of the proposed project by USDA NRCS. The area labeled "HQ1" on the determination and map is listed "NW" or Non-wetland.

Policy 5.2: Beach Management

The project is 25 miles away from the nearest coastline. There will be no impacts to beaches.

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

The proposed project will have minimal ground disturbance. There will be little to no impacts on coastal waters. A stormwater management plan will not be drawn because less than 5,000 sqft of ground will be disturbed.

Policy 5.4: Subaqueous Land and Coastal Strip Management

The proposed project will have minimal ground disturbance. There will be little to no impacts on subaqueous land and costal strips

Policy 5.5: Public Lands Management

There will be no impact to public lands from this proposed project. There are no public lands on or adjacent to this project.

Policy 5.6: Natural Lands Management

There will be no impact to natural lands. There are no natural lands on or adjacent to this project.

Policy 5.7: Flood Hazard Areas Management

The proposed project is not located in a flood plain. A flood map is attached.

Policy 5.8: Port of Wilmington

This project is located 77 miles from Wilmington. There will be no impacts on the Port of Wilmington.

Policy 5.9: Woodlands and Agricultural Lands Management

The proposed project is located on privately held lands that are agricultural in purpose with areas of woodlands adjacent. The area of disturbance is less than 2500 sqft and on a property where other construction of agricultural buildings has occurred. No woodlands will be disturbed. The purpose of the property will remain the same.

Policy 5.10: Historic and Cultural Areas Management

A consultation with the Delaware State Historic Preservation Officer is underway. There are no listed historic properties on or adjacent to the proposed project. There will be little to no impact on historic or cultural properties.

Policy 5.11: Living Resources

The area of disturbance is minimal on a property that has previous ground disturbance. There will be little to no impact on flora or fauna

Policy 5.12 Mineral Resources Management

The proposed project will be located on an area that has previous ground disturbance from the construction of other agricultural buildings. There will be little to no impact on mineral resources in the area.

Policy 5.13: State Owned Coastal Recreation and Conservation

The proposed project is located over 25 miles from the nearest coastline. There will be no impact to state owned coastal recreation and conservation.

Policy 5.14: Public Trust Doctrine

The proposed project is located over 25 miles from the nearest coastline. There will be no impact to lands subject to the Public Trust Doctrine

Policy 5.15: Energy Facilities

There are no Energy Facilities on or adjacent to the property where the proposed project will be located.

Policy 5.16: Public Investment

The proposed project will be funded by a government agency. No other public investment will be impacted on or around the proposed project.

Policy 5.17: Recreation and Tourism

There are no properties used for recreation or tourism located on or adjacent to the proposed project.

Policy 5.18: National Defense and Aerospace Facilities

There are no national defence or aerospace facilities located on or adjacent to the proposed project.

Policy 5.19: Transportation Facilities

There are no transportation facilities located on or adjacent to the proposed project.

Policy 5.20: Air Quality Management

The proposed project will include very little ground disturbance and will have minimal impacts on air quality

Policy 5.21: Water Supply Management

The proposed project will include very little ground disturbance and will have minimal impacts on water supply

Policy 5.22: Waste Disposal Management

All applicable laws and regulations will be followed in regards to proper waste management while removing an existing building and constructing a new bin.

Policy 5.23: Development

N/A

Policy 5.24: Pollution Prevention

All applicable laws and regulations will be followed in regards to best practices while removing an existing building and constructing a new bin.

Policy 5.25: Coastal Management Coordination

The proposed project is located over 25 miles from the nearest coastline. There will be no coastal management coordination.

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:	Caitlin V. Sheffer	Date: 03/14/2023

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: _____	



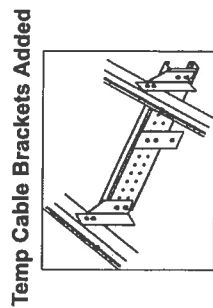
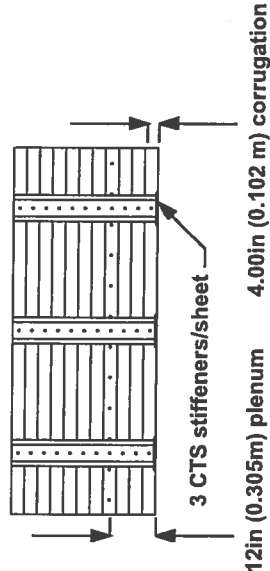
42ft Grain Tank and Foundation Footprint



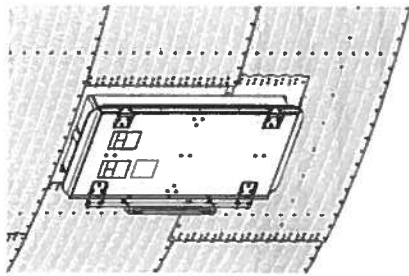


1 2 3 4 5 6 7 8

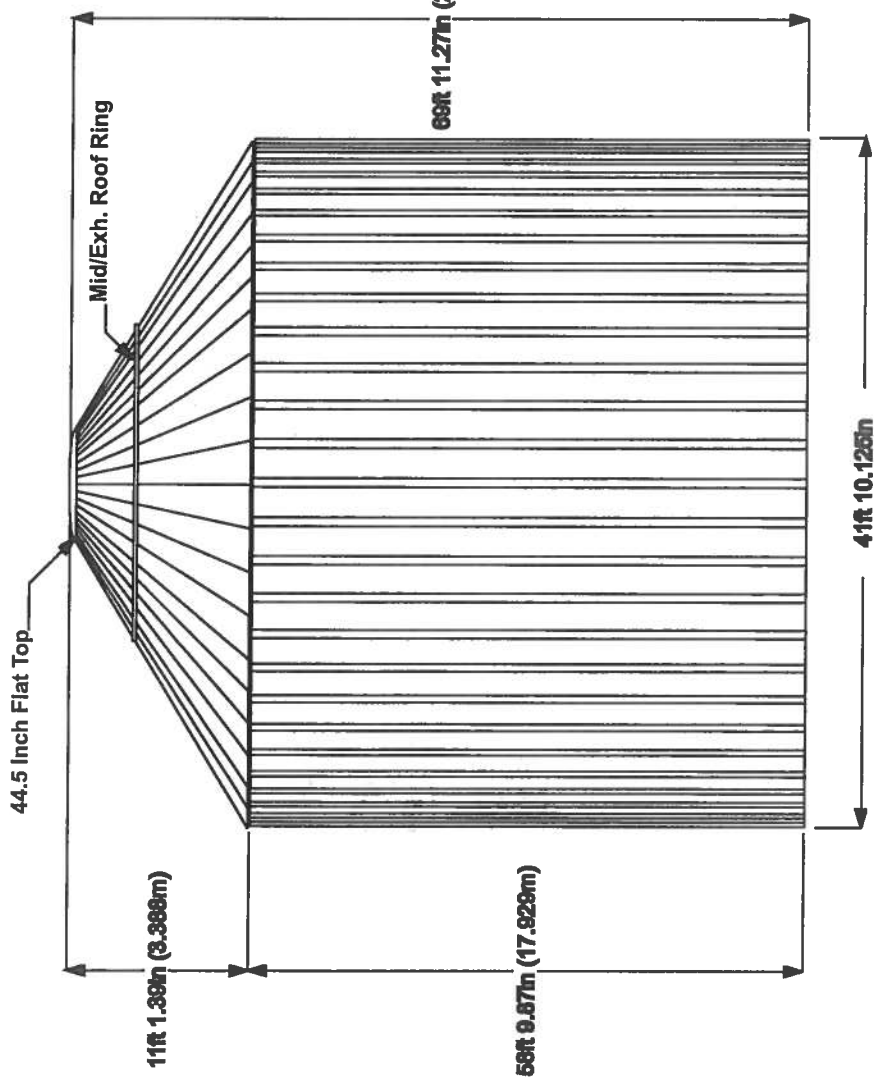
SIDEWALL/STIFFENER DETAIL



Door Detail

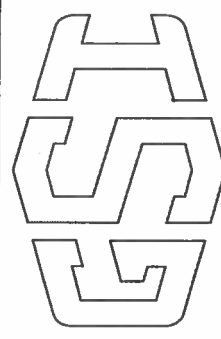


TANK SPECIFICATIONS (EV34-04216-BGC6AAA)	
Nominal Diameter	42 ft 12.80 meters
Ring Quantity	16
Commodity	CORN
Commodity Density	56lb/bushel 721kg/cu. meters
Designed for Free Flowing	52 lb/cu. ft 833 kg/cu. meters
Galvanization	G90 Z275
Wind Rings	0 Standard 2 Additional
Peak Load	10000 lbs 4536 kg
Ground Snow Load Rating	30 psf 1.44 kN / m2
Design Wind Velocity	105 mph 46.9 m/s (169kph)
Seismic	Not Designed for Seismic
Power Requirements	3 Phase 460V
Weight (Bin Package Only)	35,850 lb accessories not included
CAPACITY	
Unit	Peaked Level
Bushels	71771 67446
Cubic Ft	84229 79154
Cubic Meters	2385 2241
U.S. Ton (50/45/40 lb/cu. ft)	2232 / 2009 / 1786 2098 / 1888 / 1678
M.T. (800/721/640 kg/cu. m)	2022 / 1823 / 1618 1901 / 1713 / 1521



NOTES

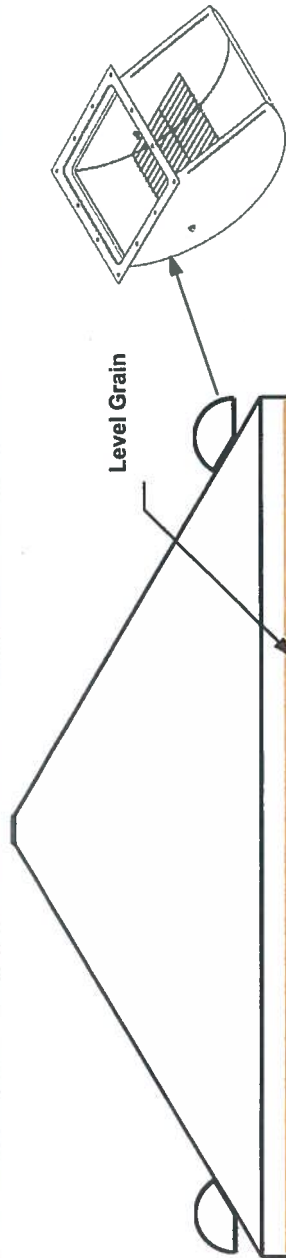
- 1) This drawing is for general presentation purposes only and is not to scale
- 2) The diameter dimension shown is to the outside hill of the sidewall sheet corrugation.
- 3) Eave height is to the bottom edge of the steel tank. No foundation height included.



PRODUCT: Flat Bottom Tank System
TANK DETAILS

DATE:	CONFIG NO.:	BY:
01-04-2023	22112632CP (Build No. 3)	Bruce Esham

1 2 3 4 5 6 7 8

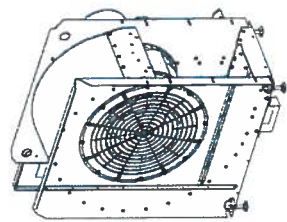


AERATION SPECIFICATIONS	
Grain	Corn
CFM / Bushel	0.3
Total CFM	21152
Static Press. ("H2O)	11.32

12 In Plenum

FAN DETAILS	
Fan	Centrifugal Fan - 3450RPM - 30HP
Power Requirements	3 Phase 460V
Controls	Yes
Fan Qty	2
Transition	TR-7048
Stiffener Seal	Yes
Shutters	2 included

Generic Fan Detail



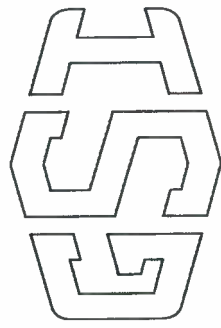
EXHAUSTER DETAILS	
Size	24 inch
Motor	2 HP, 3 Phase 230/460V
Qty	3
Noise Diverter	No
Exhauster Ladder	Yes
Exhauster Roof Ring	Yes

FULL FLOOR DETAILS	
Floor Planks	Dura-Lok
Floor Support Type	Monorail
Support Qty	830
Floor Support Spacing	17(inches)
Monorail Span	18(inches)
Design Ring Height	16 rings

Monorail Floor Support Detail



Dura-Lok Plank

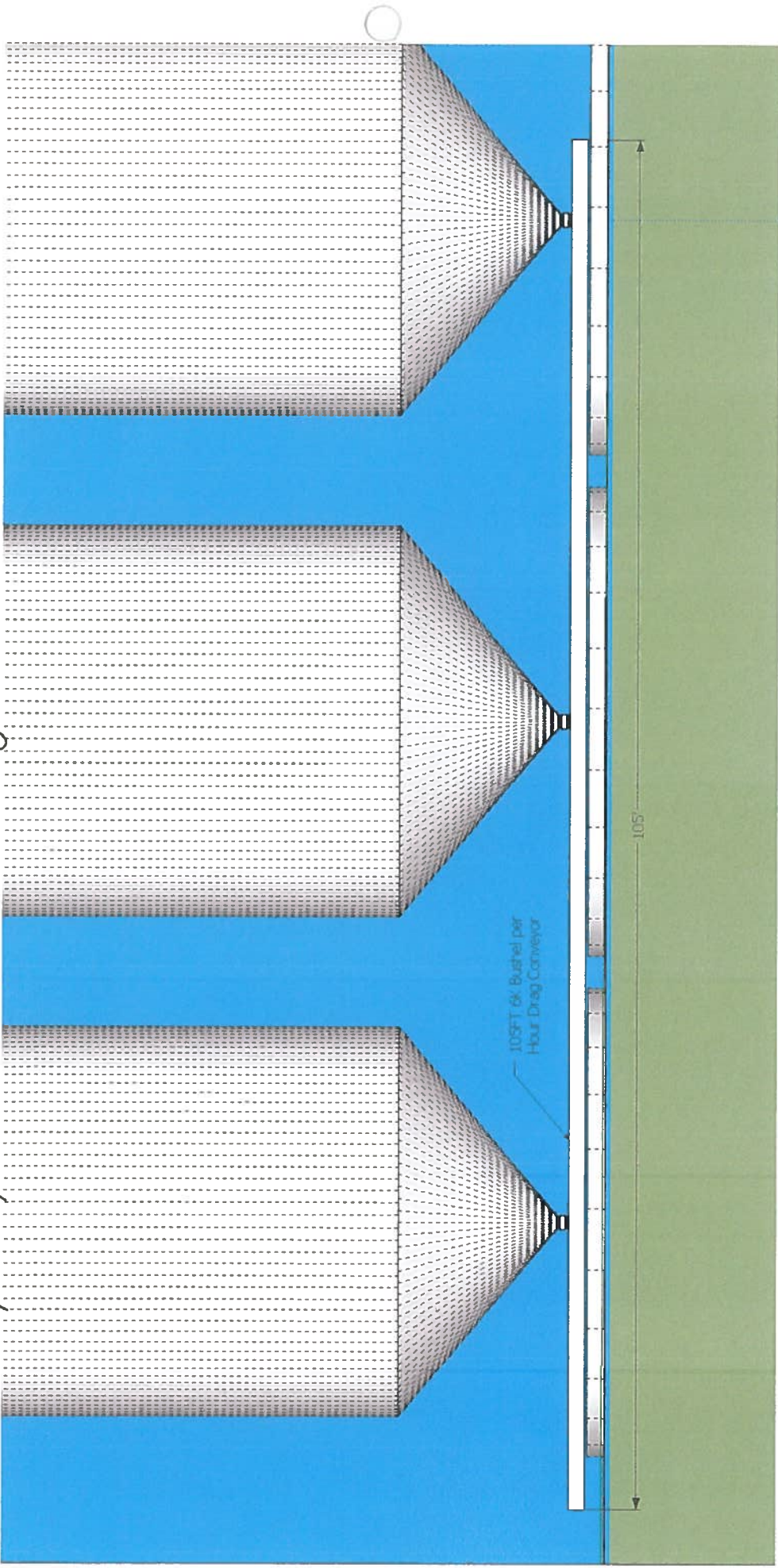


PRODUCT : Flat Bottom Tank System

AERATION AND FLOOR DETAILS

DATE:	01-04-2023	BY:	Bruce Esham
CONFIG NO.:	22112633CP (Build No. 3)		

105' Drag Conveyor to be built under existing tanks 3, 4, 5



105' drag conveyor to be placed under tank 3, 4, 5 to unload these tanks. When proposed tank is built current access will not be available. Therefore a new unloading system is required.

HIGHLY ERODIBLE LAND AND WETLAND
 CONSERVATION DETERMINATION

10467
 T40842

Name: Willin, R. C. Jr Tract: ~~63~~ 63 Opid: 63
 County: Georgetown County Code Request Date: ~~4/22/93~~ FSA Farm No.: ~~4748~~

~~043910276~~

Section I - Highly Erodible Land

Fields in this section have undergone a determination of whether they were highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field	HEL(Y/N)	Sodbusted(Y/N)	Acres	Determination Date
1	N	N	98.3	10/13/98
2	N	N	93.0	10/13/98
3	N	N	2.4	10/13/98
4	N	N	72.9	10/13/98
5	N	N	36.5	10/13/98
6	N	N	102.8	10/13/98
7	N	N	107.4	10/13/98
8	N	N	30.4	10/13/98
9	N	N	3.0	10/13/98
10	N	N	44.2	10/13/98
11	N	N	37.7	10/13/98
12	N	N	158.2	10/13/98
13	N	N	15.4	10/13/98
14	N	N	35.0	10/13/98
15	N	N	6.3	10/13/98
HQ1	N	N	19.2	10/13/98
HQ2	N	N	4.5	10/13/98
OTH	N	N	2.4	10/13/98
OTH1	N	N	2.2	10/13/98
OTH2	N	N	4.8	10/13/98
OTH3	N	N	0.5	10/13/98
OTH4	N	N	1.0	10/13/98
OTH5	N	N	2.4	10/13/98
OTH6	N	N	0.6	10/13/98

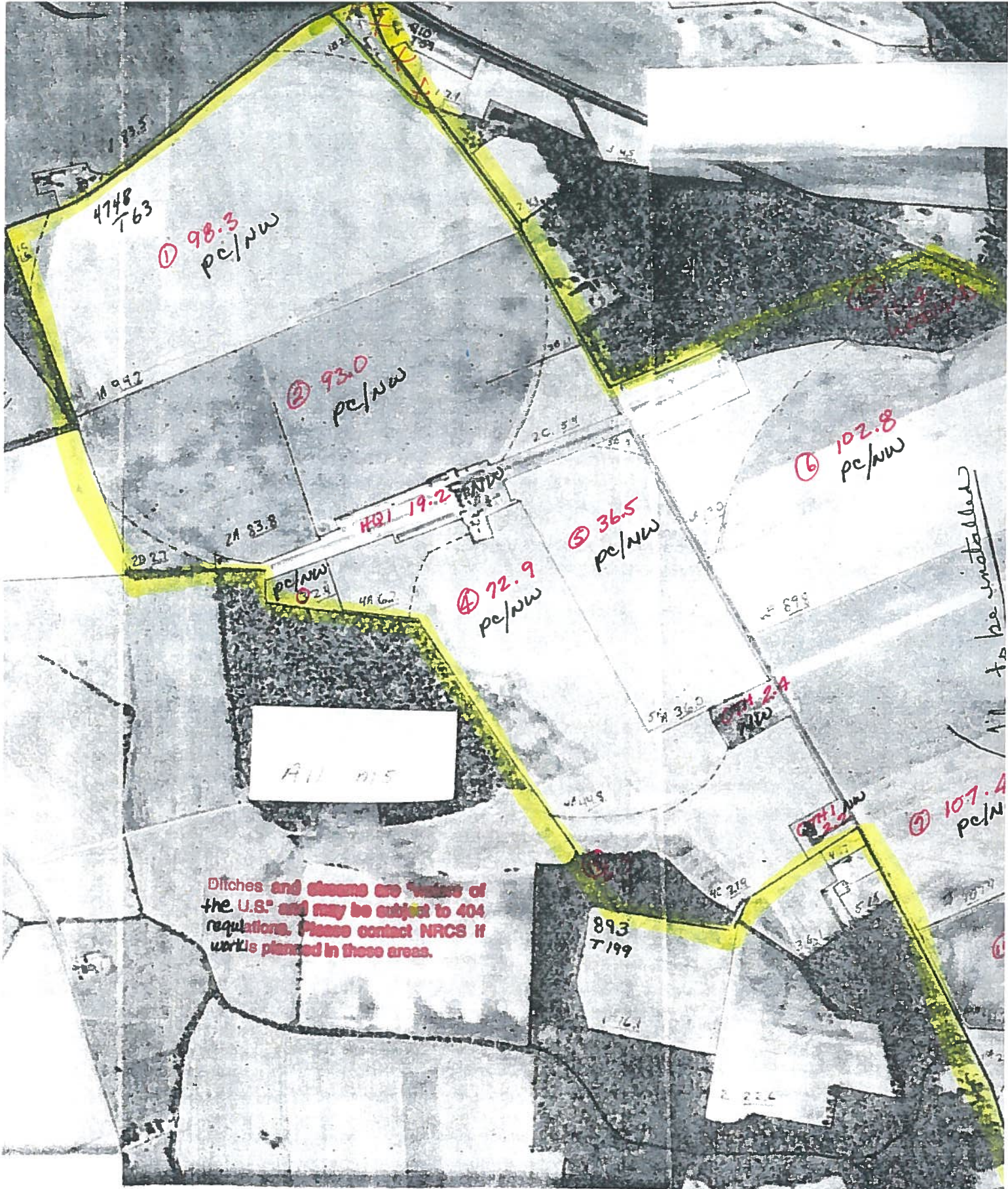
HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION

Name: Willin, R. C. Jr Tract: ~~63~~ Opid: ~~63~~
County: Georgetown County Code Request Date: FSA Farm No.: ~~4748~~

Wetlands Explanation

Wetland Label	Explanatory Comments
N1	<p>Not Inventoried; Description: An area where no wetland determination has been completed; Authorized Cropping: May be farmed as long as no woody vegetation is removed and no hydrologic manipulation is undertaken; Authorized Maintenance: Request determination from NRCS* prior to initiating any manipulation; If you plan to clear, drain, fill, level or manipulate these areas contact NRCS* and COE**.</p>
N2	<p>Non-wetland; Description: An area that does not meet wetland criteria under natural conditions or wetlands that were converted prior to 12/23/85, not cropped prior to 12/23/85, does not meet wetland criteria, and has not been abandoned; Authorized cropping: No Restrictions; Authorized Maintenance: No restrictions unless the manipulation would convert adjacent wetland labels.</p>
PC/NW	<p>Prior Converted Cropland/Non-Wetland; Description: An area that contains both prior converted cropland and non-wetland; Authorized Cropping: No restrictions; Authorized Maintenance: No restrictions unless the manipulation would convert adjacent wetland labels.</p>
N3	<p>Wetland; Description: An area that meets the wetland criteria including wetland farmed under natural conditions. Includes abandoned wetland resulting from abandonment of other wetland labels; Authorized Cropping: May be farmed under natural conditions without removal of woody vegetation; Authorized Maintenance: At level needed to maintain original system on related farmed wetland, farmed wetland pasture, and prior converted cropland. Must not convert additional wetlands or exceed "original scope and effect"; If you plan to clear, drain, fill, level or manipulate these areas contact NRCS* and COE**.</p>

* Natural Resources Conservation Service
** Corps of Engineers



4748
T63

① 98.3
pc/nw

② 93.0
pc/nw

HQ1 19.2
pc/nw

⑥ 102.8
pc/nw

2A 83.8

⑤ 36.5
pc/nw

④ 72.9
pc/nw

All this

HQ1 2.4
pc/nw

⑦ 107.4
pc/nw

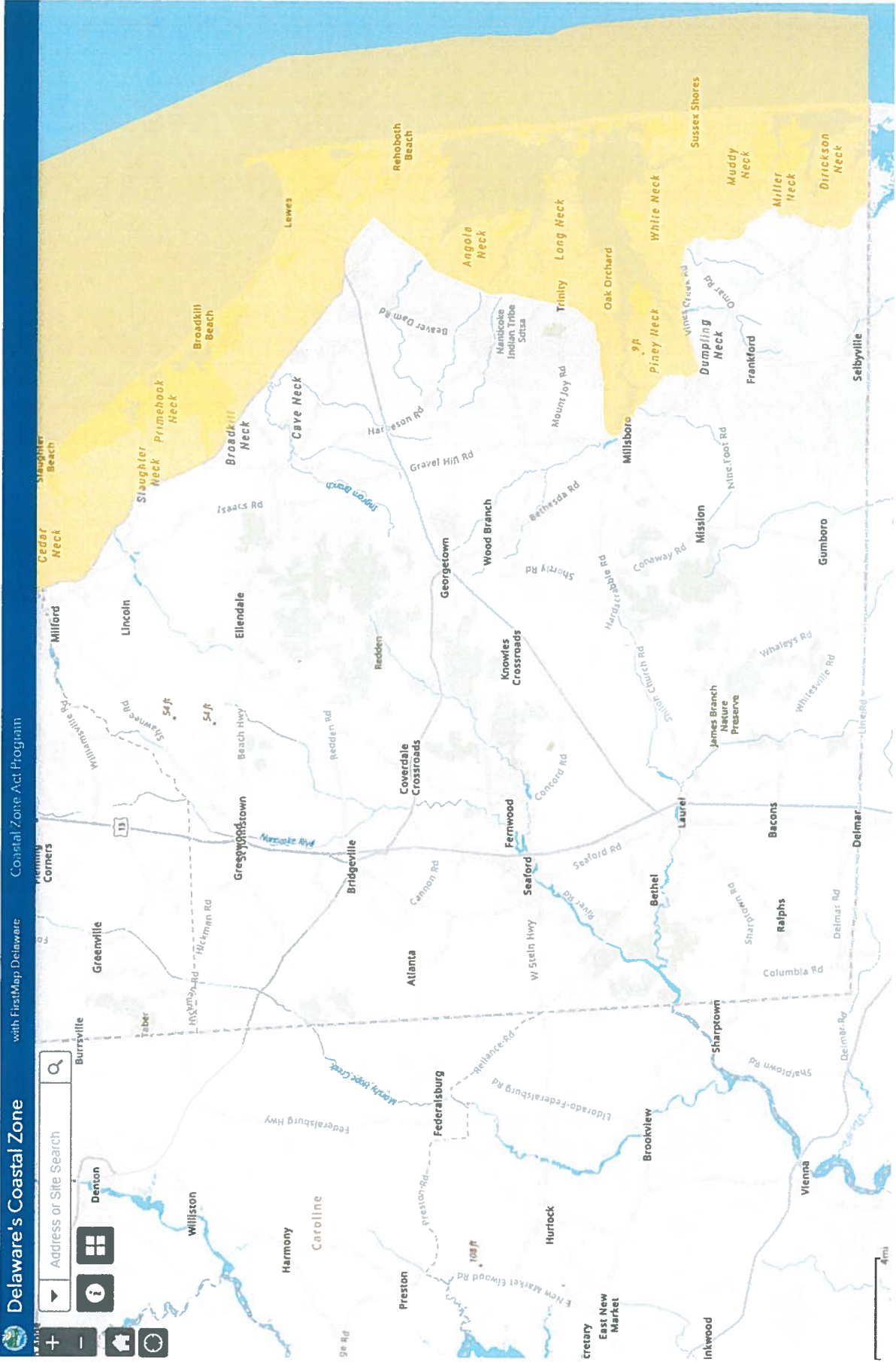
Ditches and streams are "waters of the U.S." and may be subject to 404 regulations. Please contact NRCS if work is planned in these areas.

893
T199

to be installed

Delaware's Coastal Zone

with FirstMap Delaware Coastal Zone Act Program



National Flood Hazard Layer FIRMette

75°42'34"W, 38°39'19"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

75°41'56"W, 38°38'51"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth Zone AE, AQ, AH, VE, AP
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone J)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee (Zone D)

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard (Zone X)
- Effective LOMRS
- Area of Undetermined Flood Hazard (Zone X)

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/13/2023 at 3:21 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMette panel number, and FIRMette effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127



In Reply Refer To:
Project Code: 2023-0053115
Project Name: WILLIN FARMS LLC

March 08, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

PROJECT SUMMARY

Project Code: 2023-0053115
Project Name: WILLIN FARMS LLC
Project Type: New Constr - Above Ground
Project Description: Construct grain bin
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.6522764,-75.70429586855406,14z>



Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: https://www.fws.gov/savethemonarch/FAQ-Section7.html). Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPAC USER CONTACT INFORMATION

Agency: Farm Service Agency
Name: Caitlin Sheffer
Address: 21315 Berlin Road
Address Line 2: Unit 1
City: Georgetown
State: DE
Zip: 19947
Email: caitlin.sheffer@usda.gov
Phone: 3028563990



Drawn Action Area & Overlapping S7 Consultation Areas

Area of Interest (AOI) Information

Area : 9.22 acres

Mar 8 2023 9:35:29 Eastern Standard Time



Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	0	0	N/A
Shortnose Sturgeon	0	0	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	0	0	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	0	0	N/A

March 13, 2023

Delaware State Historic Preservation Office
21 The Green, Suite A
Dover, DE. 19901
ATTN: Soder, Stephanie (DOS)
sarah.carr@delaware.gov

SUBJECT: Grain Storage Facility Longacre Ln Seaford, DE Proposed Project

The USDA, Farm Service Agency (FSA) is completing an environmental review for a proposed grain storage facility located at 2864 Longacre Ln, Seaford, DE. The proposed project includes removing an existing storage shed, adding a drag conveyor beneath 3 existing bins, and constructing a new 42ft Grain bin. There are currently 6 grain storage bins located at the site. These bins will remain in the same location. The project is located on tax parcel 531-8.00-40.00. The area is in a rural part of the county and it is surrounded by woodland and farmland. The farm has multiple outbuildings that will not be affected. The farm is and will continue to be used as a farm producing grain crops and poultry. It is proposed that the project will disturb no more than 2,500 sqft of previously disturbed ground where a building already existed. The existing storage bins already have concrete pads and no ground will need to be broken to install the conveyor. A stormwater plan is not necessary for this project because less than 5,000 sqft will be disturbed.

In considering FSA's responsibilities pursuant to Section 106 of the National Historic Preservation Act (NHPA) and implementing regulations in 36 CFR Part 800, "Protection of Historic Properties (Section 106), we are requesting your assistance in identifying historic properties and/or other cultural resources that might be affected by this undertaking.

FSA has reviewed the National Register of Historic Places list. To the best of our knowledge there is no indication of the presence of a National Historic Property. However, upon reviewing the Delaware Historic Preservation website (CHRIS) a cultural resource survey was noted; Cultural Resource Survey Number-- S06359 Property Name—Building/Agricultural complex. The existing grain storage facility is located where the agricultural complex was located in the 1985 photos, but the complex was renovated in 2008 and multiple structures from the 1985 photos were replaced. The structure proposed to be removed during this project was added during the 2008 renovation. The new bin will be placed where this building will be removed. The

conveyor will be placed under grain storage bins that were added in 2008. Other buildings in the photos still exist on the property and will not be disturbed by the proposed construction.

Attached for reference are:

Location map

Aerial view of property for its current use (multiple years)

Beers Map

FEMA flood map

GIS topo map

Soils map

Drawings of project location or footprint and related design plans as appropriate

Photos from our field visit

FSA has made a finding of no effect by this proposed project. Your concurrence with this determination is requested within thirty (30) days of the email delivery receipt or delivery of this letter based on standard United State Post Office delivery schedules, not to exceed 5 days from the related post mark. If we do not hear from you within the specified time frame, it will be assumed that you are in agreement and have no further interest in this matter.

Please feel free to contact me at 302-856-3990 ext.2 or Caitlin.sheffer@usda.gov should you have any questions or need further information. Correspondence may be sent to:

Sussex County FSA
21315 Berlin Rd. Unit 1,
Georgetown, DE 19947

Sincerely,



Caitlin V. Sheffer
County Executive Director
Sussex County Farm Service Agency



United States
Department of
Agriculture

Farm
Production
and
Conservation

Farm
Service
Agency

Sussex County FSA Office
21315 Berlin Road, Unit 1
Georgetown, DE 19947
Phone: 302-856-3990

March 14th, 2023

Susan Bachor, THPO
Special Assistant Eastern Office
PO Box 64
Pocono Lake, PA 18347
sbachor@delawaretribe.org

Dear Ms. Bachor,

The United States Department of Agriculture (USDA) Farm Service Agency (FSA) is conducting an Environmental Assessment for a proposed request to a proposed grain storage facility located at 2864 Longacre Ln, Seaford, DE. The proposed project includes removing an existing storage shed, adding a drag conveyor beneath 3 existing bins, and constructing a new 42ft Grain bin. There are currently 6 grain storage bins located at the site. These bins will remain in the same location. The project is located on tax parcel 531-8.00-40.00. The area is in a rural part of the county and it is surrounded by woodland and farmland. The farm has multiple outbuildings that will not be affected. The farm is and will continue to be used as a farm producing grain crops and poultry. It is proposed that the project will disturb no more than 2,500 sqft of previously disturbed ground where a building already existed. The existing storage bins already have concrete pads and no ground will need to be broken to install the conveyor. A stormwater plan is not necessary for this project because less than 5,000 sqft will be disturbed.

Pursuant to Section 106 of the national Historic Preservation Act (NHPA) and its implementing regulations in, 36, CFR Part 800, "Protection of Historic Properties (Section 106)," this letter and attachments are being transmitted to initiate consultation, identify historic properties and assess potential adverse impacts pursuant to the undertaking.

FSA has reviewed the National Register of Historic Places list and has completed a site visit. To the best of our knowledge there is no indication of the presence of a National Historic Property. However, upon reviewing the Delaware Historic Preservation website (CHRIS) a cultural resource survey was noted; Cultural Resource Survey Number-- S06359 Property Name—Building/Agricultural complex. The existing grain storage facility is located where the agricultural complex was located in the 1985 photos, but the complex was renovated in 2008 and multiple structures from the 1985 photos were replaced. The structure proposed to be removed during this project was added during the 2008 renovation. The new bin will be placed where this building will be removed. The conveyor will be placed under grain storage bins that were added in 2008. Other buildings in the photos still exist on the property and will not be disturbed by the proposed construction.

Attached for reference are:

- Flood Zone Map
- Aerial view of property for current use
- Topo map
- Photos of project location
- Historical CHRIS maps

FSA has made a finding of no effect by this proposed project. Your concurrence with this determination is requested within thirty (30) days of the email delivery receipt. If we do not hear from you within the specified time frame, it will be assumed that you are in agreement and have no further interest in this matter.

Please feel free to contact me at (302-678-4250) or robin.talley@usda.gov should you have any questions or need further information. Correspondence may also be sent to:

Delaware State FSA Office
1221 College Park Dr. Suite 201
Dover, DE 19904

Sincerely,

Robin L. Talley
Delaware State Executive Director