

Dear Applicant,

Please take the time to fill out this form completely. Once this is complete, it will trigger a review from the Vermont Agency of Agriculture, Food and Markets regarding Act 250 Criteria 9(B) Primary Agriculture Soils. You must include all the required information to submit for a 9(B) review.

If you have any questions regarding the information requested below, contact: Lauren Masseria at agr.act250@vermont.gov or 802-505-5413.

Definitions:

Primary Agricultural Soils 10 VSA § 6001 (15)

- (A) An important farmland soils map unit that the Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS) has identified and determined to have a rating of prime, statewide, or local importance, unless the District Commission determines that the soils within the unit have lost their agricultural potential. In determining that soils within an important farmland soils map unit have lost their agricultural potential, the Commission shall consider:
- (i) impacts to the soils relevant to the agricultural potential of the soil from previously constructed improvements;
 - (ii) the presence on the soils of a Class I or Class II wetland under chapter 37 of this title;
 - (iii) the existence of topographic or physical barriers that reduce the accessibility of the rated soils so as to cause their isolation and that cannot reasonably be overcome; and
 - (iv) other factors relevant to the agricultural potential of the soils, on a site-specific basis, as found by the Commission after considering the recommendation, if any, of the Secretary of Agriculture, Food and Markets.
- (B) Soils on the project tract that the District Commission finds to be of agricultural importance, due to their present or recent use for agricultural activities and that have not been identified by the NRCS as important farmland soil map units.

Primary Agricultural Soils 10 VSA § 6086 9(B)

A permit will be granted for the development or subdivision of primary agricultural soils only when it is demonstrated by the applicant that, in addition to all other applicable criteria, either, the subdivision or development will not result in any reduction in the agricultural potential of the primary agricultural soils;

- (i) the development or subdivision will not significantly interfere with or jeopardize the continuation of agriculture or forestry on adjoining lands or reduce their agricultural or forestry potential; and
- (ii) except in the case of an application for a project located in a designated growth center, there are no lands other than primary agricultural soils owned or controlled by the applicant which are reasonably suited to the purpose of the development or subdivision; and
- (iii) except in the case of an application for a project located in a designated growth center, the subdivision or development has been planned to minimize the reduction of agricultural potential of the primary agricultural soils through innovative land use design resulting in compact development patterns, so that the remaining primary agricultural soils on the project tract are capable of supporting or contributing to an economic or commercial agricultural operation; and
- (iv) suitable mitigation will be provided for any reduction in the agricultural potential of the primary agricultural soils caused by the development or subdivision, in accordance with section 6093 of this title and rules adopted by the Natural Resources Board.

Date:

District:

Amendment:

LUP Permit Number:

Primary Contact Information:

Name:

Phone:

Email:

Address:

Is the Primary Contact person the landowner? Yes No

Landowner Contact Information:

Name:

Phone:

Email:

Address:

Project Information:

Project Name:

Project Address:

Project Town:

Project Coordinates:

Brief Description of Project:

Prime Agricultural Soils (PAS) Information:

Please represent all values in acres

Total Parcel:

Total Proposed Impacts to Primary Agricultural Soils:

Soils represented in the following 3 categories should only be counted ONCE and equal area of the total parcel:

1. Acres of Prime, Statewide and Soils of Local Importance on the Parcel (Ag Value 1-7):
2. Acres of Unrated Soils (Ag Value 8+) on the Parcel:
3. Acres of Class I & II Wetlands and Associated Buffers:
As represented in the ANR Advisory Layer or as delineated

Has previous development resulted in any reduction in the agricultural potential of the primary agricultural soils on the project parcel? Yes No

Total Acres with Lost Agricultural Potential (Existing Impacts):

**Prime, Statewide and Soils of Local Importance with Lost Agricultural Potential. Soils do NOT meet the definition of Primary Agricultural Soils as set by 10 V.S.A. §6001(15).*

Have you included the following on your site maps:

- Slopes Over 15%:
- Pipes <2' in Depth:

Additional project comments:

Soil Matrix:

Please fill out the information for the Primary Agricultural Soils located on the project parcel in the table below:

**Existing impacts, or lost agricultural potential, as defined by Primary Agricultural Soils 10 VSA § 6001 (15).*

Key	Soil Type	Ag Value	Slope	Total Area	Existing Impacts*	Proposed Impacts