

Dear Applicant,

Please take a moment to fill out this form completely and return to the Vermont Agency of Agriculture, Food and Markets regarding your Act 250 Criteria 9(B) Primary Agriculture soils review along with plans clearly showing all the requested information below. If you have any questions regarding the information requested below, contact: Lauren Masseria at [agr.act250@vermont.gov](mailto:agr.act250@vermont.gov) or 802-505-5413.

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## 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:

Brief Description of Project:

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**Project Information:**

Project Name:

Project Address:

Project Town:

Project Coordinates:

**Project Contact Information:**

Contact Person:

Contact Phone:

Contact Email:

**Prime Agricultural Soils (PAS) Information:**

*\*Note all values in acres*

Total Parcel:

*Total PAS + Total Unrated Soils = Total Parcel*

Total PAS (Ag Value 1-7):

*No Previous Impacts + Previously Impacted = Total PAS*

PAS with No Previous Impacts:

Previously Impacted PAS:

Total Unrated Soils (Ag Value 7+):

*Include Acres of Class I & II Wetlands in Total Unrated Soils*

Total Proposed Impacts to PAS:

**Other Features:**

Wetlands:

Slopes Over 15%:

Pipes <2' in Depth:

**Additional comments:**

**Soil Matrix:**

Please fill out the soil information for the entire parcel in the table below:

*\*Note existing impacts as defined by Primary Agricultural Soils 10 VSA § 6001 (15). Refer to the definitions listed on page 1 of this document.*

Key	Soil Type	Ag Value	Total Area (Acres)	Existing Impacts (Acres)	Proposed Impacts (Acres)