

Act 250

# Onsite Mitigation

A Pilot Project in Environmental District 4



Vermont Agency of Agriculture, Food & Markets

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Act 250's Criterion 9(B) Primary Agricultural Soils recognizes that Prime, Statewide, and soils of Local importance are a valuable natural resource to Vermont and its residents. The Act 250 Criterion 9(B) Primary Agricultural Soils regulatory review process assesses whether or not a proposed development may result in a reduction in the land's agricultural potential. Should the impacted soils meet the statutory definition of Primary Agricultural Soils (PAS), the Vermont legislature provides two methods for mitigating the loss of the agricultural potential: onsite mitigation and offsite mitigation.

The goal of onsite mitigation is to preserve the best soils in Vermont in a configuration that allows "present and future agricultural use." The Agency of Agriculture, Food and Market's (the Agency) research in Environmental District 4 focused on whether farming is currently occurring on the onsite mitigation soils. This research teased out possible barriers or limitations to farming in order to improve the analysis of what qualifies as suitable for onsite mitigation.

To further understand this research, the Agency recommends that a similar research project be performed for the onsite mitigation land throughout the rest of the state. This will increase the sample size, help to uncover themes regarding the use of the onsite mitigation land, and continue to surface improvements that can be made in the Agency process to ensure an efficient execution of the mitigation program.



Photo Credit: r

# 1. INTRODUCTION

Act 250 is Vermont's land use and development law which provides a public, quasi-judicial process for reviewing and managing environmental, social and fiscal consequences of major subdivisions and development in Vermont through the issuance of land use permits.

Act 250's Criterion 9(B), Primary Agricultural Soils, recognizes that Prime, Statewide, and soils of Local importance are a valuable natural resource to the state of Vermont and its residents. The Act 250 Criterion 9(B), Primary Agricultural Soils, regulatory review process assesses whether or not a proposed development may result in a reduction in the land's agricultural potential. Should the impacted soils meet the statutory definition of Primary Agricultural Soils (PAS), the Vermont legislature provides two methods for mitigating the loss of the agricultural potential: onsite mitigation and offsite mitigation.

## 1a. Offsite Mitigation

A determination by the District Commission to allow offsite mitigation results in a payment into the Vermont Housing and Conservation Board (VHCB) Trust Fund to purchase development rights. VHCB places conservation easements on land “in strong farming communities,” to “support agricultural innovation and diversification, and encourage projects that facilitate transfers to both new and established farmers.” In addition to protecting farmland, a conservation easement safeguards other natural resource attributes including water quality, forestry and scenic resources, and in some instances, public access to natural areas [1].

## 1b. Onsite Mitigation

If the District Commission determines a project impacts PAS, the Agency will identify the total number of acres that must be preserved as an Act 250 permit condition. Once the total number of acres have been identified, the applicant submits a map identifying the location of the acres on the project parcel to both the Agency and the District Commission.

The Agency then provides a recommendation to the District Commission on the suitability of the onsite soils, considering “the quality of those primary agricultural soils, and other factors as the Secretary of Agriculture, Food and Markets may deem relevant, including the soil's location; accessibility; tract size; existing agricultural operations; water sources; drainage; slope; the presence of ledge or protected wetlands; the infrastructure of the existing farm or municipality in which the soils are located; and the NRCS rating system for Vermont soils [2].” Once all of these materials are received, the District Commission completes an analysis of the subcriteria listed in 10 V.S.A. § 6086 (a)(9)(B).

Onsite mitigation is intended to preserve the best soils in the State of Vermont in a configuration that allows “present and future agricultural use... which maintain a sufficient acreage of primary agricultural soils on the project tract capable of supporting or contributing to an economic or commercial agricultural operation... [3]” Unlike the efforts of the Vermont Housing and Conservation Board, which uses offsite mitigation

**Which soils are considered primary?**

**Soil map units are Prime Farmland if they have the best combination of physical and chemical characteristics for producing food, feed fiber, forage, and oilseed crops and are also available for these uses. The present land use may be cropland, pasture, forestland, or other land uses, but not urban and built-up or water.**

**Location, tract size, and accessibility to markets and support industries are not considered when making a Prime Farmland determination.**

**Prime Farmland has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods.**

**These soils have an adequate and dependable water supply from precipitation, a favorable temperature and growing season, acceptable acidity or alkalinity, and few or no surface stones or boulders. They are permeable to water and air, are not excessively erodible or saturated with water for a long period of time, and don't flood frequently or are protected from flooding. Farmland Classification Systems for Vermont Soils, 2006,**

**<http://www.klickitatcounty.org/assessor/FilesText/Vermontimportantfarmlands.pdf>**

funds to conserve actively farmed land, onsite mitigation preserves PAS on the project parcel via an Act 250 permit condition which requires that the land is set aside for “farming [4]”. The Act 250 permit conditions are set by the District Commission and enforced by the Natural Resources Board. Right-to-Farm language is included in the permit conditions and is generally required in a deed conveying any portion of the project tract. In many instances, the permit condition will also require that land be kept open by brush hogging, regardless of the land use.

Unlike other development, activities determined to meet the statutory definition of farming would not require an Act 250 permit amendment for the parcel. Onsite mitigation does not guarantee that an agricultural land uses will occur, and property owners are not required to farm the onsite mitigation land.

Municipalities address farmland preservation and encourage agriculture at appropriate scales within their boundaries

as part of their municipal process. Any proposed mitigation must be in conformance with a duly adopted capability and development plan, and a land use plan. An analysis regarding conformance is conducted by the District Commission when considering onsite mitigation. This standard of conformance is similar to that set by the VHCB in its policy to fund farmland conservation projects using offsite mitigation funds.

Before the district commission can make a decision regarding appropriate mitigation when there is a reduction in the agricultural potential of the PAS, it must go through an analysis and find that:

(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;

(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..”

10 V.S.A. § 6086(a)(9)(B)(i)-(iii).





## 2. PURPOSE

The Agency began this research project with three objectives:

1. Understand the natural features and land use characteristics that affect whether or not onsite mitigation land is used for agricultural purposes.
2. Consider ways that the Agency can continue to improve the Criterion 9(B) process to better integrate PAS from the outset of the project design.
3. Identify the barriers linking farmers to onsite mitigation land.

With continued improvements in the Criterion 9(B) process, the Agency has asked more critical questions to gauge the success of the onsite mitigation program, such as:

- Is the onsite mitigation land actively farmed?
- Does the onsite mitigation process preserve quality farmland at acreages that allow agriculture to occur?
- Historically, what are the physical characteristics of the land set aside for mitigation?

The onsite preservation of Prime, Statewide, and soils of Local importance not only protects a valuable natural resource, but also benefits Vermont's local food economy. By making land available to farming the Agency hopes to increase access to local food, increase proximity to potential consumers,

create opportunities for education, and generate broad ecological, social and health benefits [5]. The Agency would like to better understand how to integrate onsite mitigation into the beginning stages of project design, and to re-frame Criterion 9(B) as a development asset to achieve some of these goals.

This research is the first step to answering these questions and exploring ways to encourage agriculture on land that has been used as mitigation for development impacts.

### 3. METHODOLOGY

In the summer of 2014, the Agency and other partners began a project to map all land set aside as onsite mitigation post July 1, 2006. The mapping work was completed by January 2015 and resulted in a data-set available on the Agency of Natural Resources Atlas (Atlas). This time frame was chosen because of the passage of Act 183, which significantly changed Criterion 9(B). The Agency continues to track onsite mitigation as permits are issued and updates the Atlas as resources allow.

Building on the onsite mitigation mapping, the Agency conducted

research throughout the summer of 2015 in Environmental District 4 to assess the conditions of mitigation sites, and to find common features among them that made them suitable or unsuitable for agriculture.

The Agency explored whether or not the mitigation land:

- meets the definition of prime agricultural soil;
- is currently used for agriculture or is likely to be used in the future; and
- is capable of supporting or contributing to an economic or commercial agricultural operation.

The Agency’s research focused on the location of onsite mitigation land in relation to surrounding farmland, the land’s physical condition and natural features, and the use of land today. The research attempts to identify real and perceived barriers by comparing the characteristics of mitigation land currently in agricultural use versus those of land not in agriculture use. Finally, the Agency looked critically at the PAS review process, from initial engagement with the applicant concerning development on agricultural soil, to technical assistance and outreach opportunities post permit issuance.

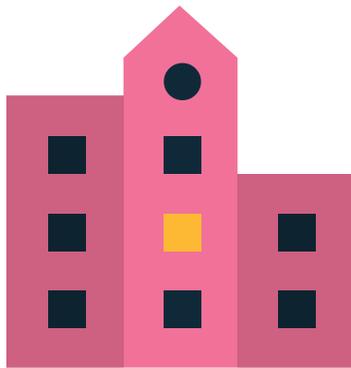
**Onsite Mitigation Parcel Size by District**  
 # of Parcels Per District (Total = 92)



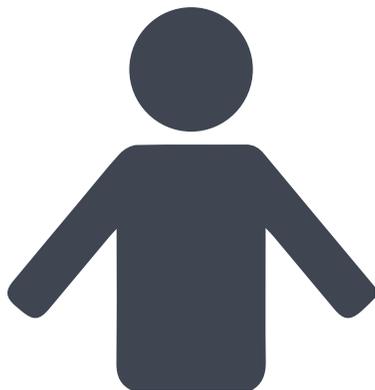
# Quick Facts



**536 sq miles &  
3rd Smallest (area)  
County in Vermont**



**Total Population  
= 156,540**



**Population Density =  
291 / sq mile**

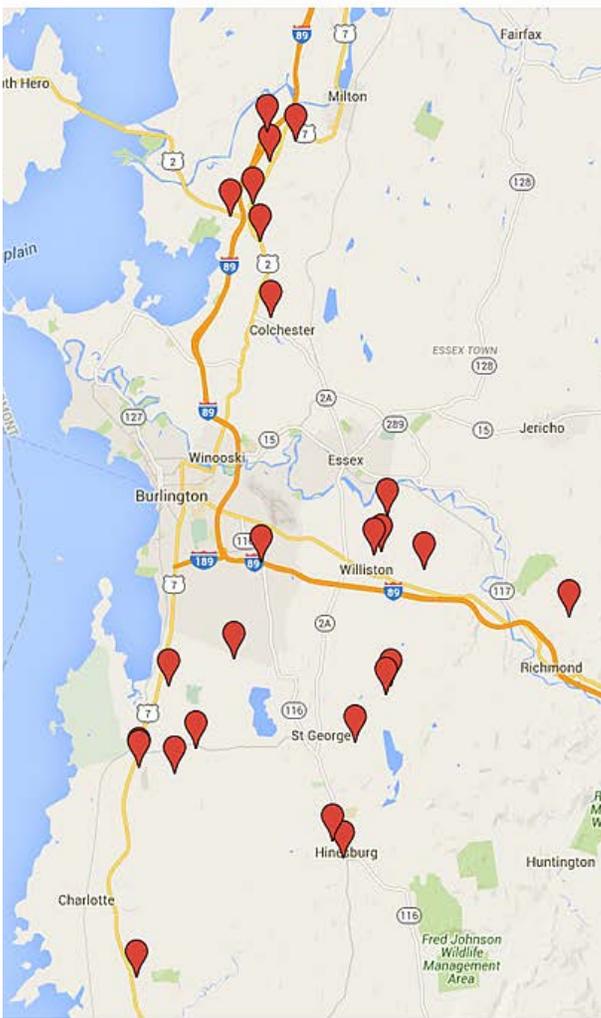


## 3a. Chittenden Co., Environmental District 4

This report analyzes the condition of onsite mitigation land in Environmental Conservation District 4, which has common boundaries with Chittenden County. District 4 was chosen as the study area for this research project due to the comparatively high percentage of land set aside as onsite mitigation and the continued growth of this region. While onsite mitigation land is a very small percentage of the county's total land area, or only 0.1%, District 4 contains 26% of the state's onsite mitigation parcels, and comprises 28% [6] of the land, in acres, set aside for mitigation. District 4 contains mitigation acreages in a variety of parcel sizes with the majority being 5 acres and under.

Throughout Vermont, a total of 92 parcels have been preserved using onsite mitigation via an Act 250 permit condition. Of these 92 parcels, 10 are 30 acres or larger, 40% of which are located in District 4. Thirty-four of the state's 92 onsite mitigated parcels are less than 5 acres in size, and 26% of those are located in District 4.

According to the 2012 National Agricultural Statistics Service (NASS), there are 587 farms and 73,583 acres of land in farms in Chittenden County. The average size of farm in Chittenden County is 125 acres with a statewide average of 171 acres. In comparison to the rest of Vermont, Chittenden County rates 7th of the 14 counties, or contains 8% of total numbers of farms. Similarly, roughly 6% of the total acres in farming use is located in Chittenden County. According to the 2012 and 2007 NAAS data, the total acres in farms had decreased 9,799 acres, from 83,382 to 73,583 acres. This drop in acreage brings Chittenden County down from a ranking of 7th in 2007 to 8th in 2012 of the 14 counties in total acres of land in farming. [7]



### 3b. Data Collection

The Agency reviewed orthophotographs, conducted site visits, and used publicly available information to collect data on the physical characteristics for each onsite mitigation area. Information collected included: soil type, access, current land use, and other natural features that might be a barrier to farming such as steep slopes, wetlands, and rock outcroppings. The Agency also looked at the surrounding land uses, including proximity to nearby farms, the location of grocers as potential markets for agricultural products, or the opportunity for use by schools as community gardens.

### 3c. Interviews

In addition to collecting data, the Agency identified and interviewed the primary Act 250 contact regarding the use of the onsite mitigation land. Some discussion points were: known limitations that would impact agriculture use such as no access, the condition of the land, any perceived adjacent conflicting land uses, or how they have been successful at having their land farmed. These conversations also provided a chance for the Agency to provide informal technical assistance on programs that could be of value to the landowner such as opportunities to connect farmers to the farmland.

Using information available on the Act 250 Database [8], the Agency reached out to the primary contact person listed on the Act 250 application for an interview. After making contact it quickly became clear that the scope of the research questions (Appendix B) was impractical. Not all landowners are familiar with the goals of onsite mitigation or the conditions in their permits. In some cases landowners were not even familiar with the location of the onsite mitigation areas they control. Only one landowner was informed enough to address all of the questions. Engineers were often aware of the current use of the mitigation land and conditions in the permit, but could not speak to future plans for the land.

The Agency reconsidered the initial interview questions and limited them to the following three:

1. How is the land currently being used?
2. What are the future plans for this land?
3. What barriers exist to putting it into agriculture?

This revised list secured the most important information. Follow up questions were asked when appropriate to help individuals elaborate on the process, the plans for the mitigated land, or their experience with Act 250. These most commonly included:

1. Is there access to water or electricity at the site of mitigation?

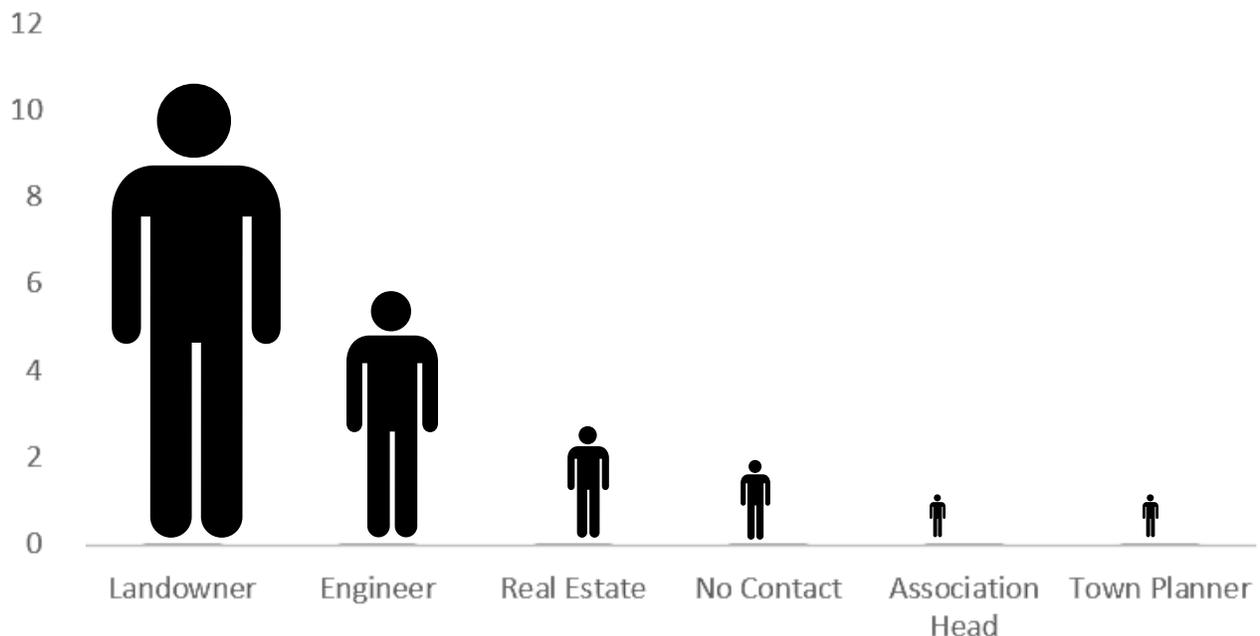
2. Would you be interested in listing the land on Vermont Land Link, a website managed by the Vermont Farmland Access Network, that was created to help farm seekers and Vermont farm property holders connect.

In the instances where the primary contact was either unreachable or uninformed on the current land use, the Agency conducted visual assessments. Visual assessments were completed from public rights of way to determine if agricultural activities are taking place on the land and if there was road access. Often the information contained in the permit led to a single point on the property, which made it difficult to determine the boundaries of the mitigation land. However, it was

possible to come to more general conclusions about access and use.

Today, the Agency requires a map of the soils set aside for mitigation. The Agency will include a reference to the map in the review letters to the District Commissions. The District Commissions will often reference the map in the final permit. Beginning January 2016, these plans will be digitized and offered as a layer in the Agency of Natural Resources Atlas.

## Primary Contact Person



# 4. FINDINGS

In District 4, there are 371.51 total acres, or 25 parcels, of onsite mitigation land. Of this total, 207.16 acres, or 55%, are in agricultural use: five are hayed, two are grazed, and one is used to raise and manage horses. Four of the 25 parcels are greater than 30 acres in size; three of which are in agricultural use. 18%, or 68.5 acres, of the onsite mitigation land is restricted from farming use by natural features, which may include forest land, wetlands, steep slope or rock outcroppings. Finally, 66% of the land in agricultural use had direct access from a publicly accessible right of way.

Several participants expressed openness to someone farming their land if there was interest in doing so. Two of the seven parcels in this category were forested with rated soils and determined to be suitable for mitigation.

One land owner relayed his frustration at the inability to entice any farmers to use his 2.14 acres of roadside onsite mitigation. He shared that he has contacted local farmers and offered the land at no cost to them. All of the contacted farmers said the acreage was too small to be worth their time and resources.

The goal of onsite mitigation is to preserve the best soils in Vermont in a configuration that allows “present and future agricultural use.” The Agency’s research in District 4 focused on whether farming is currently occurring on the onsite mitigation soils. This research teased out possible barriers or limitations to farming in order to improve the analysis of what qualifies

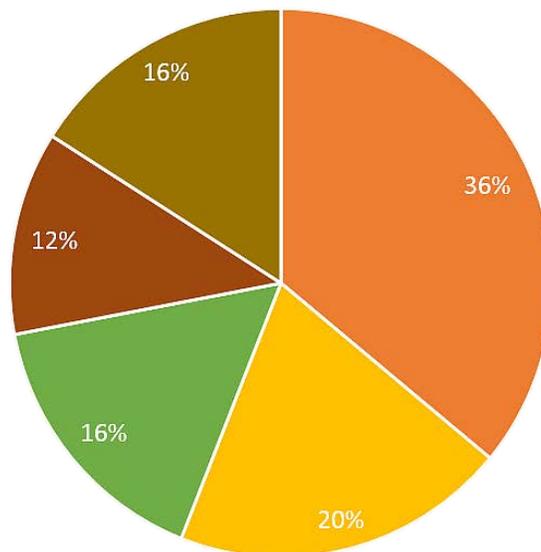
as suitable for onsite mitigation. It is important to recognize that this work was completed for one district, however, we recommend that as resources become available, this work is done for the entire state.

### Reasons for not putting the land into agricultural use included:

- Plot perceived to be too small to be appealing to farmers
- Poor access options
- Forested
- Marshy
- Ongoing construction on development side of project
- Not interested.

### District 4 Parcel Size

% of Total (371.51) Acres



■ 0-5 Acres ■ 5-10 Acres ■ 10-20 Acres ■ 20-30 Acres ■ 30+ Acres

# District 4 Findings

# 207.16 Acres

of 371.51 Acres of Onsite Mitigation in Agricultural Use



Total Acres are in Agricultural Use

# 24.04 Acres

Median Parcel Size in Agricultural Use

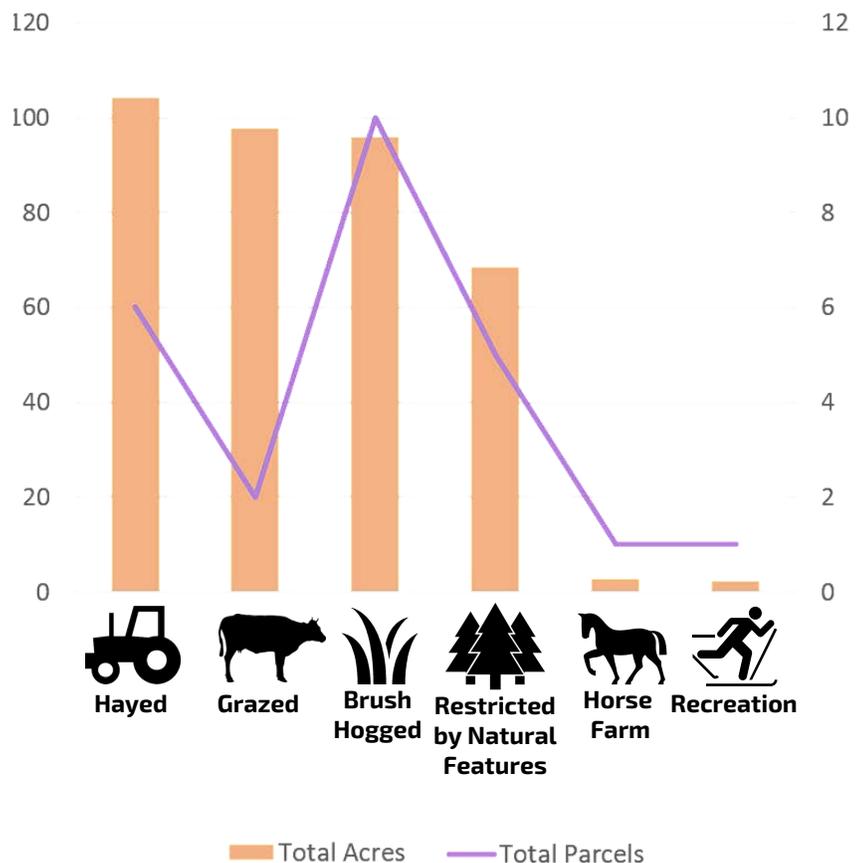


% of Onsite Mitigation Parcels in Agricultural Use



## District 4 Land Use

371.51 Acres & 25 Parcels Total





## 5. CONCLUSIONS

There is an agricultural renaissance in Vermont and access to quality soils is integral for its success. Encouraging engineers and landowners to design and develop projects with the goals of onsite mitigation in mind can potentially add value to their development, the general public, and the agricultural sector. Small, incremental steps towards this shift would mean a more successful Criterion 9(B) process and a more vibrant agricultural community.

Before any conclusive statements can be made regarding the characteristics of onsite mitigation land successfully being used for agriculture, the Agency recommends that this research be completed for the entire state to ensure a statistically significant sample size. General themes that arose from this pilot project were: the importance of access to the land, the larger areas of mitigation are more likely to be in agricultural use, and due to the lack of utilities the majority of areas in agricultural use are used for animals and haying. This research also provided insights into:

- what landowners know and understand about permit conditions addressing onsite mitigation; and
- the need for improvements in the outreach and communications surrounding the goals of the onsite mitigation program.

Additional procedural recommendations for the Criterion 9(B) review process and onsite mitigation:

- continue to work with District Coordinators on the importance of Criterion 9(B) and suitable onsite mitigation;
- begin to digitize onsite mitigation plans to improve precision in identifying and monitoring the land use to encourage the use of onsite mitigation land for agriculture;
- create distribution materials alerting landowners to the opportunities and benefits of maximizing the agricultural potential of their land;
- work with engineers to encourage agricultural site planning in the beginning design stages.
- educate engineers and designers on effective ways to incorporate Primary Agricultural Soils into the development;
- provide guidance materials on characteristics of suitable onsite mitigation.

## ADDITIONAL RESOURCES

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How to Determine the Right Farm Rental Rate, UVM Ext.

<http://www.uvm.edu/newfarmer/land/RentalGuide.pdf>

Vermont Land Link

<http://vermontlandlink.org/>

Right to Farm

<http://vnrc.org/resources/community-planning-toolbox/land-use-law/right-to-farm/>

Prime, Statewide, and Local Importance - Detailed Soil Definitions and Explanations

[http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_010210.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_010210.pdf)

## END NOTES

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1. In 2014, VHCB committed state funds to conserve 2,808 acres on 25 farm properties. The Act 250 offsite mitigation payment leverages other funds from public and private -local, regional and federal sources for the permanent protection of quality farmland.

2. 10 V.S.A. § 6093 (a)(2), <http://legislature.vermont.gov/statutes/section/10/151/06093>

3. 10 V.S.A. §6093, <http://legislature.vermont.gov/statutes/section/10/151/06093>

4. 10 V.S.A. §6001 (22), <http://legislature.vermont.gov/statutes/section/10/151/06001>

5. <https://www.uvm.edu/vtvegandberry/factsheets/buylocal.html>

6. Onsite mitigation parcels since 2006.

7. 2007 and 2012 USDA Census of Agriculture National Agricultural Statistics Service (NASS)

[http://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Vermont/](http://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_2_County_Level/Vermont/)

8. Vermont Agency of Natural Resources Act 250 Database: <https://anrweb.vt.gov/ANR/ANR/Act250.aspx>

# Appendix A: Onsite Mitigation Area Data

Permit	Road Access?	Adjoining Farm?	Town	Onsite Mitigated Acres	Current Land Use	Location of Plan
4C1197	Yes	Yes	Shelburne	24.04	Hayed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1197/SitePlan1.tif">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1197/SitePlan1.tif</a>
4C1194*	No	No	Colchester	11.70	Restricted by Natural Features	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1194/PrimeAGSoilsPlanOptionD.tif">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1194/PrimeAGSoilsPlanOptionD.tif</a>
4C1114R-2	Yes	No	Milton	40.32	Restricted by Natural Features	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1114R-2/AGSoilsPlan.tif">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1114R-2/AGSoilsPlan.tif</a>
4C0481-11	Yes	No	St. George	9.75	Brush hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0481-11/OverallSite%20Plan.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0481-11/OverallSite%20Plan.pdf</a>
4C1099-2	No	Yes	Shelburne	2.41	Recreation	Paper Copy Only - Contact District Coordinator
4C1249*	Yes	Yes	Williston	18.20	Brush hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1249/4C1249%20Site%20Road%20Impact%20Soils%20Impact%20Plan.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1249/4C1249%20Site%20Road%20Impact%20Soils%20Impact%20Plan.pdf</a>
4C1224-1	Yes	No	Milton	4.60	Restricted by Natural Features	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1224-1/EX%2028%20Summary%20of%20Prime%20Ag%20Soils.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1224-1/EX%2028%20Summary%20of%20Prime%20Ag%20Soils.pdf</a>
4C1203*	Yes	No	Milton	26.49	Brush hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1203/Soils.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1203/Soils.pdf</a>
4C0909-1	No	No	Colchester	2.76	Horse Farm	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0909-1/prime%20ag%20letter.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0909-1/prime%20ag%20letter.pdf</a>
4C0400-19	Yes	No	Williston	4.20	Restricted by Natural Features	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0400-19/CRITERION9B.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0400-19/CRITERION9B.pdf</a>
4C1025-3	No	No	Williston	1.94	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1025-3/Map.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1025-3/Map.pdf</a>
4C1220	No	Yes	Williston	9.20	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1220/Soil%20Map.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1220/Soil%20Map.pdf</a>
4C1232	No	No	South Burlington	2.18	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1232/site%20plan.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1232/site%20plan.pdf</a>
4C0822-4	Yes	Yes	Shelburne	1.65	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0822-4/10229%20no%20development%20area.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0822-4/10229%20no%20development%20area.pdf</a>
4C0854-1	Yes	No	Hinesburg	9.36	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0854-1/Soils.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0854-1/Soils.pdf</a>
4C1212	Yes	Yes	Shelburne	51.10	Grazed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1212/Prime%20Ag%20Development%20LevelB.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1212/Prime%20Ag%20Development%20LevelB.pdf</a>
4C1140-2	No	Yes	Hinesburg	31.22	Hayed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1140-2/Hinesburg%20Act%20of%20Vermont%20of%20Ag%20Correspondence.PDF">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1140-2/Hinesburg%20Act%20of%20Vermont%20of%20Ag%20Correspondence.PDF</a>
4C0971R-4	No	no	Williston	15.00	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0971R-4/Ag%20soils%20information.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0971R-4/Ag%20soils%20information.pdf</a>
4C1236	No	Yes	Milton	6.10	hayed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1236/Plans/Prime%20Ag%20Soil%20Mitigation%20Plan%209-16-10.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1236/Plans/Prime%20Ag%20Soil%20Mitigation%20Plan%209-16-10.pdf</a>
4C1240	Yes	Yes	Charlotte	12.44	Hayed	Paper Copy Only - Contact District Coordinator
4C0702R-6	Yes	no	Richmond	46.65	Grazed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0702R-6/Plans/1109-SOILS-050913(2).pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0702R-6/Plans/1109-SOILS-050913(2).pdf</a>
4C1081-1	No	no	Shelburne	7.62	Restricted by Natural Features	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C1081-1/Supporting%20Materials/Agency%20of%20Letter%20RE%20Prime%20Ag%20Soils.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C1081-1/Supporting%20Materials/Agency%20of%20Letter%20RE%20Prime%20Ag%20Soils.pdf</a>
4C0980-3	Yes	Yes	Williston	27.20	Hayed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0980-3/Plans/De/ita%20-%20Soils%20Map.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0980-3/Plans/De/ita%20-%20Soils%20Map.pdf</a>
4C0151-1	Yes	no	Colchester	2.14	Brush Hogged	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0151-1/Plans/13115_Petition%20Brook_Plan%20Revis_07-07-14.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0151-1/Plans/13115_Petition%20Brook_Plan%20Revis_07-07-14.pdf</a>
4C0822-5	Yes	No	Shelburne	3.24	Hayed	<a href="https://annweb.vt.gov/PubDocs/ANR/Planning/4C0822-5/Plans/Revised%20Combined%20PAS%20Maps.pdf">https://annweb.vt.gov/PubDocs/ANR/Planning/4C0822-5/Plans/Revised%20Combined%20PAS%20Maps.pdf</a>

\* Indicates that a Visual Site Assessment was Conducted

## Appendix B: Onsite Mitigation Survey Questions

1. How is the mitigated land currently in use? How do you maintain it as open land? Brush hog?
2. If someone was farming near you, what would your biggest concern be? What would you most enjoy?
3. Would you be interested in having a farmer put your land into use? Why or why not?
4. What potential do you see for the space?
5. What barriers do you see to putting your land into use?
6. There are many different models to consider. Would you be open to: lease opportunities, conveyance to a farmer, community garden, non-profit community farm?
7. Would you expect to be compensated for the use of your land? If so, monetarily or non-monetarily (ie, free vegetables, help around the rest of your land, etc)
8. What infrastructure would a farmer have access to on your land?
  - a. Is there vehicular, water, or electrical access on this parcel?
  - b. Are there any structures on this land?
9. Would you like to learn about how to advertise your parcel on Land Link, a service through UVM extension that matches land owners with farmers looking for land?
10. Would you be willing to make improvements or contribute to improvements that make the land more attractive to farmers?
11. Are you aware of the Use Value Appraisal/Current use program?



## CONTACT INFORMATION

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