

FILE

CPO 9 meeting notes – 11/14/11

Albert Stanfield called the meeting to order at 7 pm in room 140 of the Charles Cameron Public Services Building. He welcomed all participants and guests. Participants provided self-introductions and shared where they live or work. Elected officials John McDonald and Matt Pihl from the Soil and Water Conservation District (SWCD) were in attendance. Albert invited the panel to introduce themselves and provide an orientation to the topic "Where are you going with all that dirt?" as it relates to their area of expertise.

Dean Moberg, USDA –NRCS District Conservationist described his role in advising farmers on resource conservation issues and explained that his department works closely with the SWCD.

Terry Lawler, Senior Planner, Washington County explained the various roles of the Department of Land Use and Transportation (DLUT) related to development review, building permits, and development of ordinances.

Stephen Roberts, Communications Manager, DLUT explained that his role is to make certain that all communication between his department is clear and conveyed to the public appropriately.

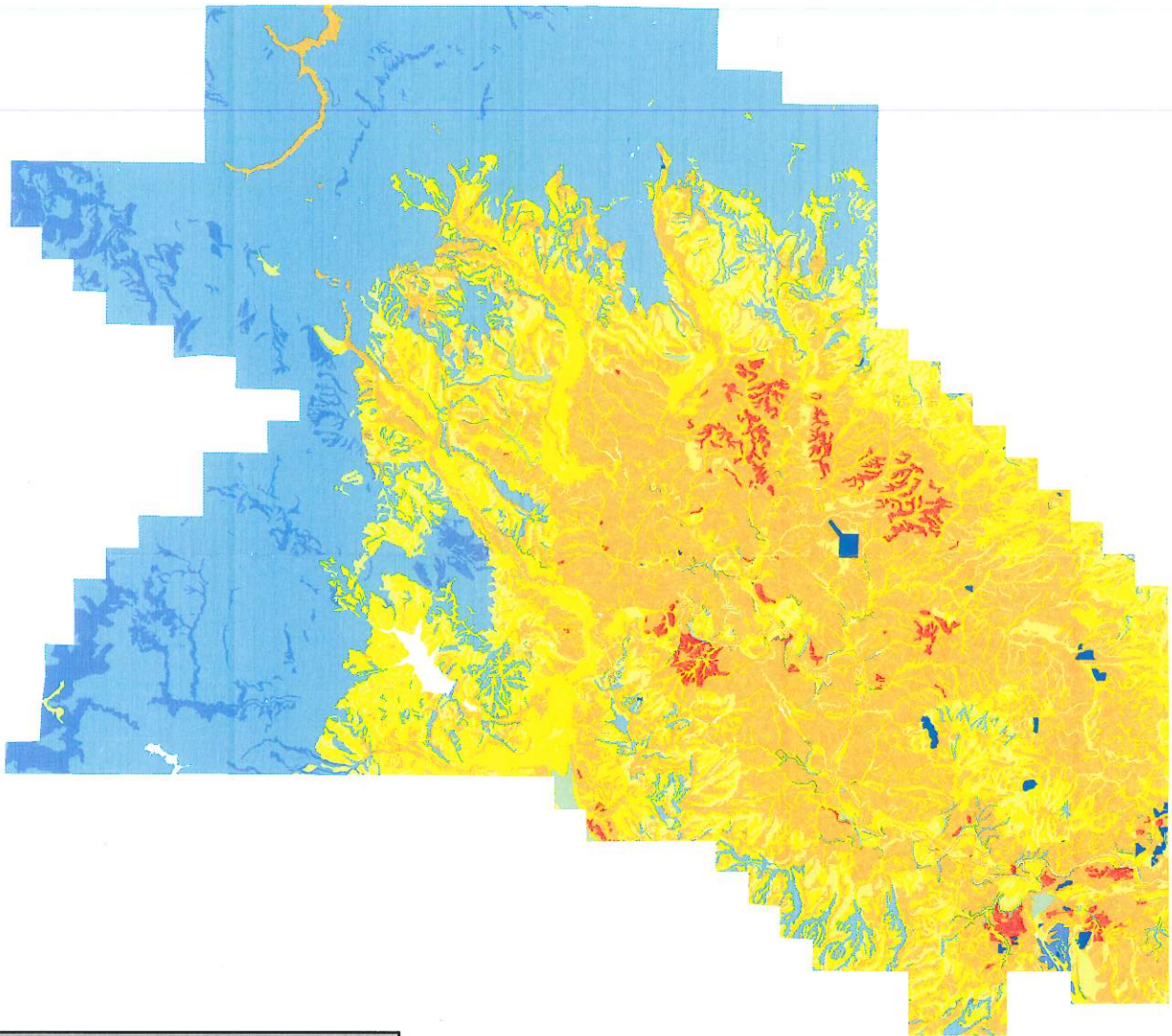
Jim Johnson, Land Use and Water Planning Coordinator with ODA shared that he will address the land use component from his department's perspective.

Terry Lawler provided background and framed the issue of sub-soil fill dirt resulting from development projects starting with the light rail project and resulting with requests to place the sub-soil on rural lands. Issues such as the purpose, the amount of fill, the location, protecting the floodplain, etc. are addressed to some extent in the Community Development Code (CDC) Sections 410, 421, & 422. In Exclusive Farm Use (EFU) and AF-20 zones there is high value soil (see map provided by Dean Moberg). It is an accepted practice to place up to 5,000 cubic yards as an exception on farmland and more can be allowed if the property is exempted as a "Nursery". If a property owner wants greater than 5,000 cubic yards, they can file an application which once accepted as complete by DLUT staff, triggers a public comment period of two weeks and requires posting a notice on the property. Public notice is provided to neighboring properties within 1,000 feet. A recommendation from the SWCD is required for requests greater than 5,000 cubic yards. In addition, a grading permit may be requested but this can be done simultaneously with the grading plan process. The Division of State Lands (DSL) protects wetlands by requiring a wetland delineation on some properties. Some applications may be elevated to a Type III where a hearings officer conducts a public hearing on the application and makes a decision.

Jim Johnson explained that his role is related to a discussion of state law. His department can address water quality, trespass, and nuisance issues. He explained the importance of maintaining the quality of the soil and defining an accepted farming practice. Disposal of sub-soil is the real purpose behind the activity of applying for a grading plan. The County can regulate farm use and link it with the intent to create farm income. Hobby farms or the property owner with a few horses not being raised for sale is not farm use. A clear definition of terms is required and the county could look at the specifics to determine the real intended use, include the right to farm, water quality, and agricultural practices






Washington County  
Soil Survey  
Non-irrigated Soil  
Capability Classes

*Top 5 feet*  
Prepared by: Dean P. Moberg  
USDA-NRCS  
14 November 2011



**Legend**

**Nonirrigated Capability Class**

-  Capability Class - I
-  Capability Class - II
-  Capability Class - III
-  Capability Class - IV
-  Capability Class - V
-  Capability Class - VI
-  Capability Class - VII
-  Capability Class - VIII

For general planning purposes only.  
This map is not intended for use in  
making site specific decisions.

