

WORKING LANDS CONNECTION

Wisconsin Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

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2011-2013 Farmland Preservation Program Biennial Report

In November 2013 DATCP released a [report](#) covering farmland preservation program progress between 2011 and 2013. The report contained information on farmland availability, trends in farmland use, program participation by local governments and landowners, farmland preservation tax credit claim figures, adherence to soil and water conservation practice requirements, program costs and trends, and recommendations and issues identified by the department.

Some achievements from 2011-2013 highlighted in the report include:

AEAs 25 agricultural enterprise areas have been designated statewide, totaling almost 750,000 acres in 19 counties, 72 towns, and one reservation. Nearly 1,000 landowners and hundreds of stakeholders signed the petitions requesting designation of these areas.

Agreements There are a total of 1,800 active new, existing and modified farmland preservation agreements enrolled to date with the department, covering 313,964 acres. This includes 1,466 agreements that were entered into prior to July 2009, covering 243,041 acres.

Plans & Ordinances Since 2011, 24 counties have updated and received certification for their farmland preservation plans, and 20 towns, cities and villages have received certification for farmland preservation ordinances.

Planning grants To date, 38 counties have entered into contracts to receive financial assistance from DATCP for the development of their farmland preservation plans.

Conservation Compliance In 2012, DATCP reviewed 70 of 72 county conservation compliance activities. These 70 counties have 15,228 farmland preservation tax credit claimants.

Click here to view or print the 2011-2013
[Farmland Preservation Program Biennial Report](#)

For more information on Wisconsin's Working Lands Initiative:

Website: <http://workinglands.wi.gov>

E-mail: DATCPWorkingLands@Wisconsin.gov

Rezone Report Reminder

According to state law, all local zoning authorities must submit a report of all lands zoned out of certified farmland preservation zoning districts to DATCP **by March 1st, 2014**. While the requirement to collect a conversion fee for rezones was removed as of June 29, 2011 and no longer applies, the reporting requirement still does exist.

If you are a zoning authority with certified farmland preservation zoning and there were no rezones granted in your jurisdiction in 2013, you may send an email to DATCP stating this, in lieu of a rezone report.

For rezone reporting materials visit the [farmland preservation zoning website](#)
or contact Scott Karel at Scott.Karel@Wisconsin.gov

ATCP 49 Update

Late last fall, Secretary Brancel signed the final rulemaking order for ATCP 49. The rule went into effect on January 1, 2014. ATCP 49 contains provisions related to farmland preservation planning, zoning, and agreements. Plans and ordinances certified before ATCP 49 continue to be certified and do not need to be amended. Local governments may, however, want to update their farmland preservation zoning ordinances to take advantage of added flexibility provided under ATCP 49. To read the rule language visit: http://datcp.wi.gov/Environment/Working_Lands_Initiative/ATCP49/index.aspx.

If you have questions about ATCP 49,
contact Alison Volk at Alison.Volk@Wisconsin.gov or 608-224-4634.



ATCP 50 Update

In early January 2014, Secretary Ben Brancel signed administrative rule ATCP 50, implementing DNR standards related to agricultural soil and water resource management. The rule was published and is scheduled to go into effect on May 1, 2014. DATCP will perform outreach efforts to explain changes and new rule provisions in ATCP 50. Staff will be available to answer questions at various statewide events, and guidance documents and other materials will be posted to the department's website in the coming months.

For more information about ATCP 50, visit the DATCP website: http://datcp.wi.gov/Environment/Land_and_Water_Conservation/Soil_and_Water_Resource_Management/ATCP50/

Agricultural Enterprise Area Program News

AEA deadline approaching: The deadline to submit a petition requesting designation as an agricultural enterprise area (AEA) is March 31, 2014. AEA designation allows farmers within the AEA to receive tax credits of \$5 or \$10 per acre (see article on Page 4) if they enter into a farmland preservation agreement with the department. The designation can support local planning and zoning, conservation easement programs, and agricultural economic development efforts to support farming and the local farm economy. The state has current authority to designate an additional 250,000 acres as AEAs. [Application materials](#), including detailed instructions and petition forms, are available online.

AEA related legislation: Two bills have been introduced to increase the state's authority to designate AEAs to 2 million acres ([Senate Bill 437](#) and [Assembly Bill 574](#)). Public hearings on the bills were held in January and both bills have been passed out of committee and approved by the Joint Finance Committee.

2013 AEA program report. The latest [AEA program report](#) is now available on the DATCP website. This short report provides a status update and a summary of program accomplishments and challenges.

For more information about the AEA program, contact Coreen Fallat at Coreen.Fallat@Wisconsin.gov; 608-224-4625.

Farmland Preservation Web Tools

Interested in the location of designated AEAs? Do you want to know if your land is planned or zoned for farmland preservation?

Our [interactive webmap](#) can help!



Use the interactive farmland preservation webmap to view data and download shapefiles for:

- AEAs
- farmland preservation plans
- farmland preservation ordinances

*Farmland preservation plan areas and zoning districts are only displayed for counties or towns that have received plan certification by DATCP after July 1, 2009. The webmap will be updated periodically as new information becomes available.

Filing for your farmland preservation tax credit

Landowners, in order to claim the farmland preservation tax credit when you file your tax returns, be sure you know your farmland preservation status.

"To claim the farmland preservation tax credit, you must either have a farmland preservation agreement or have land zoned for farmland preservation," says Keith Foye, Land and Water Resource Bureau director with the Wisconsin Department of Agriculture, Trade and Consumer Protection. "The amount of the credit also varies depending on when you signed your agreement and whether your land is in an Agriculture Enterprise Area, so even if you know you're eligible, you also need to know how much you can claim."

Foye recommends that farmers who do not know their status contact their county land conservation office to check whether they have a current agreement, and check with their local or county zoning office to find out if they are in a certified farmland preservation zone.

The Farmland Preservation Program was restructured beginning July 1, 2009. Farmland preservation agreements signed before July 1, 2009 remain in effect until their expiration dates. Agreements signed or modified after July 1, 2009, must be for land that is in an Agricultural Enterprise Area, although it does not have to be zoned for farmland preservation.

Here is a summary of tax credit rates and schedules for different situations:

- If you signed a farmland preservation agreement after July 1, 2009, or modified an earlier agreement, the tax credit is \$5 per acre.
- If your land is zoned for farmland preservation, but you have not signed a farmland preservation agreement, the tax credit is \$7.50 per acre.
- If you signed a farmland preservation agreement after July 1, 2009, or modified an earlier agreement, **and** your land is zoned for farmland preservation, the tax credit is \$10 per acre.
- If you signed a farmland preservation agreement prior to July 1, 2009, the tax credit is based on household income and property taxes.

Foye also reminded farmers that the form needed to claim the tax credit changed when the program changed. If you signed an agreement prior to July 1, 2009, and have not modified it, you will continue to use Schedule FC to calculate your tax credit. Otherwise, use the newer [Schedule FC-A](#).

Farmers with questions about farmland preservation can call 608-224-4633 or email Kris.Modaff@Wisconsin.gov. The Wisconsin Department of Revenue has detailed information about the farmland preservation tax credit on its website: <http://www.revenue.wi.gov/faqs/ise/farm.html>.





Speaking Events Calendar

Thursday, February 27th

New County Conservation Employee Training

DATCP, DNR, and NRCS will host a day-long training for new county conservation employees covering topics including grants, nutrient management, farmland preservation programs, conservation compliance and more.

DATCP Building
Madison, WI

Wednesday, March 12th

Implementing the "New" Farmland Preservation Program

DATCP staff will provide an update regarding state Farmland Preservation Program (FPP) implementation, including conservation compliance. Marathon County staff will talk about experiences implementing the "new" FPP.

WLWCA Conference
Appleton, WI

Tuesday, March 11th

Agency Partner Updates on Rules and 590 Standard

Staff from DATCP, DNR and NRCS will provide updates on their respective rules programs, then hear an update on the NRCS 590 Nutrient Management Conservation Practice Standard which is expected to be completed in 2014.

WLWCA Conference
Appleton, WI

Thursday, March 20th

2014 Farm Bill and Nutrient Management Discussion

This area meeting provides time to discuss changes to ATCP 50 and Nutrient Management, Farmland Preservation Agreements, Agricultural Runoff Management, and the Farm Bill with local, state, and federal agency staff.

Alma Rod and Gun Club
Alma, WI



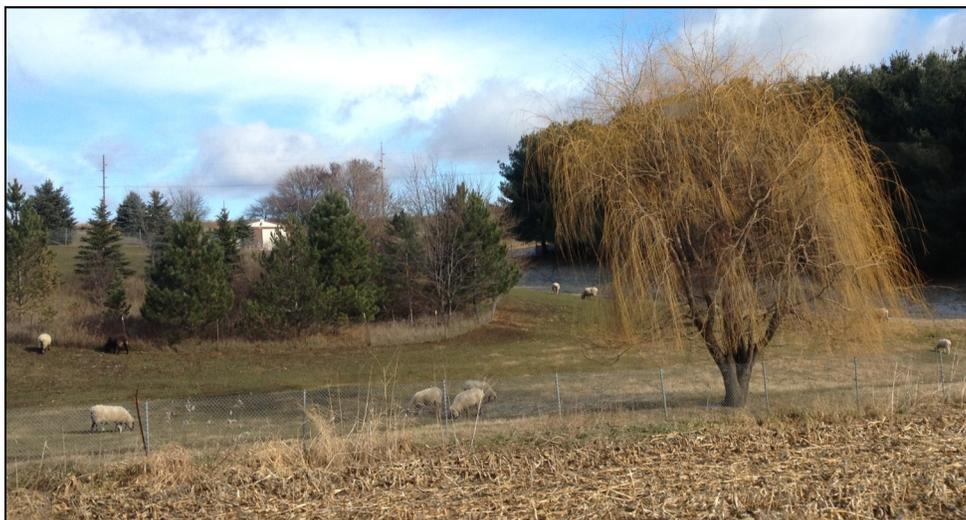
Requests for Information or Speakers

If you would like to request a DATCP speaker to present information in your area on any farmland preservation topics, please contact Lisa Schultz at LisaJ.Schultz@Wisconsin.gov.

Staff Announcements

Lisa Trumble joined the Land and Water Resources Bureau on August 26th with responsibilities for reviewing and coordinating LWRM plans and managing ordinances. Lisa previously served as the County Conservationist in Lafayette County for 13 years. Lisa has an extensive background working on land and water conservation issues in Lafayette, Grant and Pierce Counties, brings essential experience and insight to the position.

Katy Vosburg started as the Bureau of Land and Water Resources Office Program Associate on September 23rd. In addition to supporting the Land and Water Conservation Board, Katy also provides primary administrative support for the Livestock Facility Siting Review Board (LFSRB) and limited assistance with the Farmland Preservation Program and the Conservation Reserve Enhancement program. Katy is a May, 2013 graduate of the University of Wisconsin with a B.A. in Political Science and Geography with a concentration in Human Geography.



Ryan Glassmaker was recently hired as a DATCP Environmental Engineering Specialist and is based out of the Juneau field office. Ryan previously worked in Fond du Lac County and more recently, Marquette County, as a Soil Conservation Technician. Ryan is a graduate of Fox Valley Technical College with a degree in Natural Resources and enjoys spending time in the outdoors camping, hunting, and fishing.

Bob Battaglia recently joined the bureau's Agricultural Impact Statement program. Bob comes to the Bureau with a long career background in agricultural statistics and will provide a broad level of support to the AIS program.

Scott Karel was hired on January 6th, 2014 to work in the Land Management Section of the Land and Water Resources Bureau. Scott works on certification of farmland preservation plans and ordinances, administration of PACE easements, and regulatory cost-sharing. Scott comes to DATCP after working for the Wisconsin Farmers Union and Pheasants Forever. He has a law degree from Hamline University in St. Paul.

Keith Foye was selected as Bureau Director for the Bureau of Land and Water Resources. Keith has spent his entire 38-year career working in soil and water conservation. He first began his career as a county conservationist in Clark County before joining DATCP in 1988 as a land and water planning analyst, and was later named the agency's land management chief in 1992.
