



Wisconsin Department of Agriculture, Trade & Consumer Protection
Division of Agricultural Resource Management
P.O. Box 8911
Madison, WI 53708-8911
(608) 224-4500

Petition to Modify an Agricultural Enterprise Area – Adding Acreage

The undersigned persons hereby petition the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), pursuant to s. 91.86, Wis. Stats., to *modify* the designation of an Agricultural Enterprise Area (AEA) under s. 91.84, Wis. Stats. We have read the guidance provided and submit the following information in support of the petition (*use the space provided or check the appropriate box*):¹

PART I. GENERAL INFORMATION

- A. Name of designated AEA to modify. Heart of America's Dairyland
- B. County or counties in which the AEA is located. Clark and Marathon
- C. All towns, villages or cities in which the AEA is located. Clark County towns of Loyal, Mayville, Unity, Beaver, and Colby. Marathon County Towns of Brighton and Hull
- D. Number of petitioners requesting modification of the AEA². 54
- E. Total number of acres proposed for addition. 37,207
- F. All parcels proposed to be added to the existing AEA are located within a farmland preservation area designated in the certified county farmland preservation plan. Yes No
- G. After modification, all parcels within the AEA boundary are contiguous. Yes No
- H. After modification, the AEA remains primarily in agricultural use. Yes No
- I. Designated contacts for the AEA. *Please list at least two contacts for the AEA; preferably at least one staff contact (county, town, UWEX, etc.) and one landowner representative.*³ *You may have more than two contacts. Attach a separate page if necessary.*

Name: Andy Johnson

Name: Diane Wessel

Address: CPZ, 210 River Dr, Wausau WI 54403

Address: CPZ, 210 River Dr, Wausau WI

¹Personal information you provide may be used for purposes other than that for which it was collected, s. 15.04(1)(m), Wis. Stats.

²A minimum of 5 eligible farm owners must sign the modification petition. Not all of these farm owners need to own farms within the modified area. A combination of signatures from farm owners with eligible farms in the area to be added and farm owners with farms in the existing AEA may be used to reach the requisite 5 signatures.

³The listed contacts should be willing to:

- Communicate with other petitioners and partners in the AEA, with the Department of Agriculture, Trade and Consumer Protection and with contacts in other AEAs
- Engage in activities within the AEA

Phone number: 715-261-6000

Email: andrew.johnson@co.marathon.wi.us

54403

Phone number: 715-261-6042

Email: dianewessel@co.marathon.wi.us

PART II. PURPOSE AND RATIONALE FOR AEA MODIFICATION⁴

1. State the goals of the proposed modified AEA for

a. preservation of agricultural land use:

The mission statement for the Heart of America's Dairyland is: "To preserve and promote the agricultural economy and its social, cultural, and economic heritage."

Marathon County's mission statement is: "Marathon County serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business." The proposed modification of the AEA is consistent with this mission because Marathon County and the towns Brighton and Hull, coordinated the regional application of a state-wide initiative and cooperated/partnered with 7 towns in 2 counties to create an opportunity to enhance agricultural economic development.

The development of an AEA and the goals of the modification of the AEA are consistent with both the Towns Brighton and Hull Comprehensive Plans. The modification of the AEA serve as a tool for the implementation of the comprehensive plans based on the following stated goals in the local comprehensive plans.

Preserve prime agricultural land

Protect water quality and quantity throughout the town.

Maintain the rural character of the town.

Locate future residential development near existing services

Strengthen the viability of the local agricultural economy.

Retain and enhance existing businesses.

Marathon County's overarching goals, which guide the work of the county, also reflect this mission and are also the goals of the modified AEA:

Marathon County comprehensively plans growth for the best potential use of land and resources to protect the environment, support recreational opportunities and promote economic development.

Community interests are placed ahead of individual interests when there is a perceived benefit that the community is willing to fund.

Publicly and privately owned resources (natural and community) support the health, safety, and welfare of people.

⁴ DATCP will evaluate petitions under s. 91.86, Wis. Stats., and will consider information provided in response to the following questions.

The uniqueness of Marathon County is preserved (rural character, open spaces, non-explosive growth, natural beauty, traditions, heritage, culture, water resources, diverse vegetation, wildlife and soils, and convenient geographic location to metropolitan areas and recreational opportunities).

Marathon County and the towns of Brighton and Hull, through the local comprehensive plans, have adopted "guiding principles", which are also reflective of the mission statement and goals of the modified AEA:

Respect local governance

Preserve working agriculture

Maintain a sense of place

Preserve rural character

Safeguard natural resources

Foster managed growth and coordinated development

Cost-effective and efficient provision of public services

Build social and civic capacity

Support rural service centers

Preserve and enhance the local tax base

b. agricultural development:

Land use - Minimize the conversion of farmland to other uses and minimize residential/farming conflicts.

Food Security - Assure production capacity.

Economic Impacts - Assure the value and sustainability of agriculture to the area's economy is maintained and enhanced.

Soil and Water Conservation - Establish soil and water conservation standards and provide technical support to farmers to protect the environmental resources.

Population Density - Provide towns the tools to control population density and control residential and farming conflicts.

2. Explain the reason for the proposed modification and describe how the modification is consistent with, or complements, the goals stated in the original petition.

Clark County established the initial Heart of America's Dairyland. Because western Marathon County has a similar culture, agricultural economy, and landscape, the towns of Brighton and Hull in Marathon County are requesting the extension of the Heart of America's Dairyland into the towns of Brighton and Hull (adjacent to Clark County) with the intent to expand easterly to encompass the dairy industry in Marathon County. The goal of AEAs is to support and enhance the agricultural economy. This goal is independent of geo-political lines. Therefore, regional AEAs that are defined independently of jurisdictional boundaries are better suited to accomplish these goals.

3. Describe any progress made in the already designated AEA with respect to goals stated in the original petition.

Future activities listed in the original petition include:

2. "Extend the AEA boundary into surrounding towns and counties to assist with creating the largest contiguous acreage of farmland preservation in the State of Wisconsin." With the addition of 37,207 acres in the towns of Brighton and Hull, totaling almost 100,000 acres, with the support of over 200 petitioners, the Heart of America's Dairyland will be the largest block of farmland in and AEA in the State of Wisconsin.
6. "Assist other landowners, towns, and counties with developing farmland preservation strategies through the use of agricultural enterprise areas." Clark County and the Clark County towns of Beaver, Colby, Loyal, Mayville, and Unity worked cooperatively with and assisted Marathon County and the Marathon County towns of Brighton and Hull.

Additionally, Clark County, in conjunction with the towns of Beaver, Colby, Loyal, Mayville, and Unity conducted 7 informational meetings to assist landowners in applying for farmland preservation tax credits.

-
4. Describe all current land uses of the area proposed for addition. (*The AEA must remain primarily in agricultural use.*)

See attached.

-
5. How did you determine the boundary (location and size) of the area proposed for addition to the AEA?

See Attached

-
6. Confirm that the proposed modification to the AEA is consistent with any existing local comprehensive plan.

The county(ies) of Marathon (<http://www.co.marathon.wi.us/Departments/ConservationPlanningZoning/PlanningDivision/ComprehensivePlanning/CountyComprehensivePlan.aspx>) has(have) a comprehensive plan and the proposed modification to the AEA remains consistent with this plan.

The Town(s) of Brighton (http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=Lod_M55XIGA%3d&tabid=462) and Hull (<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=PVAxLuNXv4o%3d&tabid=462>) has(have) a comprehensive and the proposed modification to the AEA remains consistent with this plan.

There are no comprehensive plans for the political subdivisions in which the proposed modification is located.

7. Indicate the approximate level of petitioner compliance with state soil and water standards in the area proposed for addition.

- Nearly all petitioners are in compliance
- More than half of the petitioners are in compliance
- Half or less than half of the petitioners are in compliance
- Few or no petitioners are in compliance
- Compliance status of petitioners is unknown

8. Fill in the tables to provide information about the activities (past, ongoing and future) that will support the entire AEA.

A. Farmland Preservation Agreement Strategy	
<i>Activity</i>	<i>Summarize these outreach efforts, including who will provide assistance (attach an additional page if necessary)</i>
<input checked="" type="checkbox"/> Informational meeting(s)	See attached
<input checked="" type="checkbox"/> Mailing	
<input checked="" type="checkbox"/> One-on-one conversations	
<input checked="" type="checkbox"/> Newsletter/media	
<input type="checkbox"/> Other	
<input type="checkbox"/> Other	

B. Land Use Controls		
<i>Type of Control</i>	<i>Timeframe (past, ongoing, future)</i>	<i>Provide details about the selected control (attach an additional page if necessary)</i>
<input checked="" type="checkbox"/> Farmland preservation zoning ordinance		See attached
<input checked="" type="checkbox"/> Other zoning ordinances		See attached.
Specify:		

<input checked="" type="checkbox"/> Farmland preservation agreements		See attached
<input type="checkbox"/> Purchase of development rights; and/or easements (donated or purchased)		
<input type="checkbox"/> Transfer of development rights		
<input checked="" type="checkbox"/> Subdivision ordinances		See attached
<input type="checkbox"/> Cooperative boundary agreements		
<input checked="" type="checkbox"/> Natural area protections		See Attached
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Other (specify)		

C. Agricultural Development Activities		
<i>Type of Activity</i>	<i>Timeframe (past, ongoing, future)</i>	<i>Summarize contribution to AEA (attach an additional page if necessary)</i>
<i>Ex: Joint marketing or purchasing, development of agri-tourism opportunity, value-added agricultural activity</i>		
		See Attached

D. Other AEA Activities

<i>Type of Activity</i>	<i>Timeframe (past, ongoing, future)</i>	<i>Summarize contribution to AEA (attach an additional page if necessary)</i>
<i>Ex: Form a stakeholder group, attend statewide AEA meetings</i>		

PART III. MAP AND SPATIAL LOCATION DATA

Please send the following to DATCP in electronic form. Follow the map and spatial location data guidelines found in Part III of the guidance document.

1. A map of the proposed addition to the AEA, **and**
2. The spatial location data for the area to be added to the AEA boundary.

PART IV. IMAGES FROM PROPOSED AEA (OPTIONAL)

If desired, petitioners may submit high resolution images taken from within the boundary of the AEA. Photos should help to depict agriculture and agricultural-related land use described in the petition.

Please follow the image submission guidelines in Part IV of the guidance document.

PART V. SIGNATURE PAGES AND LOCAL RESOLUTIONS

Submit appropriate documentation from all eligible farm owners and political subdivision petitioners. See attached "Landowner Signature Page," "Political Subdivision Signature Page" and "Cooperator Signature Page."

Please follow the signature page and resolution guidelines in Part V of the guidance document.

Landowner Signature Page

A minimum of 5 eligible farm owners must sign the modification petition. Not all of these farm owners need to own farms within the added area. A combination of signatures from farm owners with eligible farms in the modification area and farm owners with farms in the existing AEA may be used to reach the requisite 5 signatures. A separate signature page, in the following form, must be signed by the owner of each farm. An authorized individual may sign on behalf of a legal entity. If a farm is jointly owned by a husband and wife as individuals, both must sign.

Farm owner (correct legal name or legal name of business entity):

Type of business entity, if applicable (check one):

Individual or married couple

LLC

Corporation

Other (describe)

Partnership

Authorized signature _____ Date _____

Print name _____

Authorized signature _____ Date _____

Print name _____

Farm owner address (street, city, zip): _____

E-mail address(es) (if available): _____

I (we) currently claim a farmland preservation tax credit (either under farmland preservation zoning or through a farmland preservation agreement). Yes No Don't Know

I (we) are interested in maintaining our existing farmland preservation agreement or entering into a new farmland preservation agreement. Yes No Maybe
(Note: To claim the farmland preservation tax credit under a farmland preservation agreement, the farm must meet state soil and water conservation standards.)

Political Subdivision Signature Page

In addition to passing a resolution in support of this petition, this signature page must be signed by an authorized officer or representative of every political subdivision (county, town, city or village) in which any part of the proposed AEA is included.

Political subdivision name: _____

Type (check one): County Town City Village

Printed name of authorized officer or representative: _____

Title of authorized officer or representative: _____

Authorized signature: _____ Date: _____

Principal mailing address: _____

Phone number: _____

E-mail address: _____

Cooperator Petitioner Signature Page (optional)

Persons other than the petitioners may sign in support of the petition. A separate signature page, or letter of support, may be submitted for each cooperator. An authorized individual may sign on behalf of a legal entity.

Legal name of cooperator:

Relevant interest (farm owner, business, nonprofit or community organization, government entity, other):

Principal mailing address:

E-mail address:

Briefly describe your interest in signing this petition requesting modification of a designated agricultural enterprise area:

Print name _____

Authorized signature: _____ Date _____

Question 4. Describe all current land uses of the proposed AEA addition.

Land Cover Category	Description	Acres
Single Family Residential	One family structures, farm residences, mobile homes	788.7065
Multi-Family Residential	Multiple family structures with three or more households, condos, duplexes, apartments	0.0288
Commercial Services	Retail stores, taverns, restaurants, truck stops, gas stations, farm coops, farm implement dealerships, automobile dealerships, business offices, motels/hotels, offices, telephone/gas company	6.9587
Industrial	Saw/paper/lumber mills, dairies, industrial parks, trucking operations, distribution centers	1.7722
Quarries/Gravel Pits	Mining operations	120.2016
Cropland	Tilled agriculture, prime farmland	23,022.4202
Specialty Crops	Ginseng, orchards, vineyards, nurseries, groves, cranberries, etc.	21.0232
Other Agriculture	Fallow, pasture and undetermined agriculture, power lines and towers, water towers, municipal wells	4,576.1867
Public/Quasi-Public	Schools, churches, cemeteries, town halls, fire departments, National Guard	30.3616
Forestland	Forested land	6,835.9884
Water	Open waters, such as lakes, ponds, streams, rivers, creeks, reservoirs, and wetland areas etc.	232.3508
Transportation	Airports, highways, road right-of-ways, railroads, logging roads	1,159.8981
Barren Land	Unused open land in wooded areas, along streams, along roadsides	406.0822
Total Land Area		

Question 5: Location and boundary.

A. Explain how the boundary as proposed supports the stated goals.

The Heart of America's Dairyland mission statement is "To preserve and promote the agricultural economy and its social, cultural, and economic heritage." The proposed modification of the AEA incorporates communities that are similar in physical, geographical, economic, cultural, and social characteristics. Many of the residents, landowners, farmers, and agri-business owners live, provide service, and recreate in both the existing AEA and the proposed modification to the AEA. Additionally, they support the same rural service centers (Cities of Abbotsford and Colby, Village of Unity, etc.).

B. Relationship of proposed modification area to designated AEA

- The town of Hull is immediately east of the Clark County town of Colby
- The town of Brighton is immediately east of the Clark County town of Unity.
- The Clark County towns of Beaver, Colby, Loyal, Mayville, and Unity are in the designated Heart of America's Dairyland.

C. Explain how the following factors helped to determine the area proposed for addition.

- **Existing agricultural land use**
- **Unique land resources or soil productivity**
- **Other factors relevant to determining the proposed boundary**

Through the course of several informational sessions with Marathon County's Environmental Resources Committee (ERC), the following criteria was established to identify the areas that would most benefit from establishing an Agricultural Enterprise Area for the greatest economic and agricultural preservation impact:

- A. Human (negative factor) such as incorporated areas, subdivisions, and high housing density.
- B. Property ownership (negative factor) removed publicly owned lands
- C. Land use (positive factor) included only lands currently in agriculture use
- D. Environmental (positive factor) included prime farm soils

The resulting map (see attached) identified areas in western Marathon County (dairy) and north eastern Marathon County (seed potatoes) where ERC directed staff to concentrate farmland preservation efforts. Once the general criteria were established, informational meetings were held in 3 locations throughout the identified areas to gage community and landowner interest. Additional one on one meetings were held with interested communities and landowners. Finally, based on community and landowner interest and adjacency, Marathon County assisted the towns of Brighton and Hull to petition for modification of the Heart of America's Dairyland to include lands in the towns of Brighton and Hull.

- **Information about the agricultural economy, including existing or planned future agricultural infrastructure (such as proximity to viable farm markets, processing facilities, or supporting ag-related businesses)**

The agricultural economy in the towns of Brighton and Hull mirrors that of the dairy industry surrounding the towns. Infrastructure to support the dairy industry already exists and is anticipated to continue to expand. After the above criteria were mapped, existing milk producers and manure storage facilities were mapped. The resulting map validated that the criteria used adequately represented the existing dairy industry and related infrastructure.

D. Consideration of any future land use map

- The towns of Brighton and Hull are primarily exclusive agricultural zoning. The future land use maps for these areas show that the towns anticipated no change in land use from existing (2000).

E. Process used to identify farm owner petitioners:

All landowners of 10 acres or more of exclusive agricultural zoned land were sent an invitation to an informational meeting regarding the modification of the Agricultural Enterprise Area. Approximately one week later, a second mailing with information, an invitation to another informational meeting, and a notice that all exclusively agricultural zoned land in the town would be included in the proposed modification of the Heart of America's Dairyland was sent to all landowners of 10 acres or more of exclusive agricultural zoned land. The notice that all exclusive agricultural zoned land would be included in the AEA also contained contact information for questions and a "check box" if the landowner preferred to NOT be included in the AEA. These lands were removed from the proposed modification.

At the informational meetings, landowners were presented with information on AEAs. Several in attendance signed farm owner petitions. The town board identified other potential farm owner petitioners in the proposed modification area and visited them one on one. Marathon County Land Conservation staff also contacted farm owners in the proposed modification area who currently claim farm preservation tax credits.

F. Process used to notify non-petitioners within the boundary

All land owners of 10 acres or more of exclusive agricultural zoned lands were sent 2 mailings/information/notices. All meetings were publicly noticed. Town board supervisors contacted some non-petitioners one-on-one.

Question 8: Fill in the tables to provide information about the activities (past, ongoing, and future) that will support the entire AEA.

A. **Farmland Preservation Agreement Strategy** – summarize these outreach efforts, including who will provide assistance (informational meetings, mailings, one-on-one conversations, newsletter/media, other):

1. Past:

- Towns of Brighton and Hull have adopted exclusive agriculture zoning.
- The Farmland Preservation Program (FPP) has been an on-going, state/local partnership program since 1978. County landowner participation has varied over time, with current participation at nearly 400 landowners on 85,000 acres of rural land. The program provided tax credits to 307 participant farms in 2008 each averaging \$650 (total \$199,467) and has provided over \$9.7 million of tax credit since the program began. The program had a 16.4% participation rate in tax YR 2007.
- Informational meetings:

	COMMUNITY & LANDOWNER OUTREACH	
March 12, 2009	Working Lands Initiative Workshop	North Central Technical College
October 13, 2011	Kick-off meeting	Town of Reid
October 18, 2011	Kick-off meeting	Town of Marathon
October 20, 2011	Informational presentation	Eastern Towns & Villages Association
October 20, 2011	Community interest meeting	Town of Brighton
October 27, 2011	Informational presentation	Western Towns & Villages Association
November 28, 2011	Community interest meeting	Town of McMillan
December 13, 2011	Community interest meeting	Town of Plover
December 28, 2011	Community interest meeting	Town of Harrison
January 10, 2012	Landowner interest meeting	Town of Harrison
January 19, 2012	Informational presentation	Eastern Towns & Villages Association
January 26, 2012	Informational presentation	Western Towns & Villages Association
January 31, 2012	Community/Landowner interest meeting	Town of Brighton
February 7, 2012	Community/Landowner interest meeting	Town of Hull
February 15, 2012	Working meeting – defining boundaries of AEA	Town of Brighton
February 22, 2012	Working meeting – defining boundaries of AEA	Town of Hull

- Mailings: All landowners of 10 acres or more in the proposed AEA have been sent, at a minimum, 2 mailings. 1 explained the program, invited them to an informational meeting; and included informational hand outs. The 2nd invited them to another informational meeting and indicated that the proposed AEA would include all Exclusively Zoned Agriculture in the Towns of Brighton and Hull.

- Educational materials:

Wisconsin Working Lands Initiative

Purpose: preserve areas of significance for current and future agricultural uses.

Program Areas:



Conservation standards

Expand and modernize the farmland preservation program

- Modernize county farmland preservation plans
- Provide planning grants to reimburse counties for farmland preservation planning
- Increase income tax credits for program participants
- Improve consistency between local plans and ordinances
- Ensure compliance with state soil and water conservation standards



Agricultural Enterprise Area



Land use conflicts

Establish Agricultural Enterprise Areas

- Maintain large areas (clusters) of contiguous land primarily in agricultural use
- Encourage farmers and local governments to invest in agriculture
- Provide an opportunity to enter into farmland preservation agreements to claim tax credits
- Encourage compliance with state soil and water conservation standards



Farmland preservation districts

Establish farmland Preservation Districts

- Establish new minimum zoning standards to increase flexibility and reduce land use conflicts
- No farmland preservation agreements required to claim income tax credit
- Encourage compliance with state soil and water conservation standards

WORKING LANDS INITIATIVE FARMLAND PRESERVATION

Purpose: preserve areas of significance for current and future agricultural uses.

Program objectives:

- Promote agricultural and agricultural-related economic development.
- Protect and enhance the productivity of the land through conservation compliance.
- Minimize land use conflicts.
- Protect natural resources
- Maximize investment in infrastructure associated with agriculture.

Program components:

- **Agricultural Enterprise Areas:** A geographic area identified as primarily agricultural land use. An area that the community has targeted for encouraging agriculture and agriculture related economic development.
- **Farmland Preservation Contracts:** Contract between a land owner and the State, whereby the landowner commits to keeping the land primarily agricultural land use and adhering to conservation standards, and the state commits to assisting the landowner with conservation compliance (delegated to the county) and providing tax incentives to the landowner.
- **Farmland Preservation Zoning Districts:** Zoning district that restricts land use to agriculture or agriculture related land use.

HEART OF AMERICA'S DAIRYLAND AGRICULTURAL ENTERPRISE AREA

Criteria:

- Low housing density
- Currently in agricultural land use
- Unplatted lands
- Prime farm soils
- Contiguous lands
- Supportive land owners



Annexing to Heart of America's Dairyland AEA

- Petition to DATCP March 31
- Regional: Clark, Lincoln, Marathon, Taylor Counties
- 405,000 Acres Marathon County
- Phase 1:
 - Town of Brighon: January 31; 8 pm
 - Town of Hull: February 7; 7:30 pm
- Clark County
 - Towns of Mayville, Colby, Unity, Beaver, & Loyal



AGRICULTURAL ENTERPRISE AREA

- Targeted for agricultural economic development
- Agriculture's version of an industrial park
- No additional land use restrictions
- Contiguous geographic area
- Primarily agricultural use
- **Being in an AEA changes nothing in and of itself... it makes property owners *eligible* for other programs.**

Farmland Preservation Zoning

- Minimum lot size determined locally
- \$7.50 income tax credit to landowner
 - Conservation compliance
 - Agricultural land use
- "Out" = rezone to different district, standard rezoning fees apply
 - No conversion fee

\$10
income
tax
credit

Farmland Preservation Contracts

- 15 year commitment
- \$5.00 income tax credit to landowner
- Conservation compliance
- Agricultural land use
- "Out" = Break contract
 - Conversion fee
 - three times the per acre value of the highest value category of tillable cropland in the town
 - Hull = \$576/Acre

FARMLAND PRESERVATION PROGRAM

Agricultural Enterprise Area (AEA): A geographic area identified as primarily agricultural land use. An area that the community has targeted for encouraging agriculture and agriculture related economic development.

- No land use restrictions
- No participation required
- No contract
- Must be contiguous
- 5 landowner petitioners required to establish an AEA
- Requires county and municipality support through resolution

Farmland Preservation Agreement: Contract between a land owner and the State, whereby the landowner commits to keeping the land in primarily agricultural land use and adhering to conservation standards, and the State commits to assisting the landowner with conservation compliance (delegated to the county) and providing tax incentives to the landowner.

- Voluntary participation
- Conservation compliance
- 15 year commitment
- Land use consistent with agriculture
- Available only in AEAs
- \$5.00/acre landowner income tax credit
- Tax penalties if contract is broken
- Contract follows the land

Farmland Preservation Zoning: Zoning district that restricts land use to agriculture or agriculture related land use.

- Voluntary re-zone into zoning district
- Same procedure as standard zoning
- Restricts land use
- All areas available for participation if the town has a farm preservation zoning district and land is primarily agricultural.
- In communities with town zoning, the town establishes zoning district requirements
 - Model farmland preservation zoning ordinance:
datcp.wi.gov/uploads/Environment/pdf/ModelZoningOrdinance_6_22_10.pdf
 - Acceptable uses in farmland preservation zoning districts:
datcp.wi.gov/uploads/Environment/pdf/LandUsesSept2009.pdf
- \$7.50/acre landowner income tax credit
- \$10.00/acre landowner income tax credit if in farmland preservation zoning district AND AEA
- Conservation compliance required to claim income tax credits
- No tax penalties if rezoned out of farmland preservation zoning

- Newsletter/media:

1. Record Review newspaper, March 29, 2012 article

Ag zone start ok'd

Hull and Brighton in Heart of Dairyland ag zone

The Marathon County Board of Supervisors on Tuesday approved recommending to the state Department of Agriculture, Trade and Consumer Protection that three townships be added to two Agricultural Enterprise Areas (AEA), one on the county's west side and another in the northeast corner.

The board voted to include the towns of Hull and Brighton into the Heart of America's Dairyland, a 61,400 acre AEA already created in Clark County. Supervisors also included the town of Harrison

into the Antigo Flats AEA, a seven township area in Ladysmith with a large seed potato industry.

In Thursday debate, county planner Diane Wessel, Conservation, Planning and Zoning, told supervisors that Agricultural Enterprise Areas will replace the state's old Farmland Preservation program. While the old program, she said, paid farmers to preserve farmland in a "shotgun" approach, the new program will target ag preservation dollars in large, contiguous areas. The program is entirely vol-

untary, Wessel said, but farmers who sign 15-year contracts with the state and agree to meet conservation standards will earn \$5 an acre income tax credit and, if the land is included within exclusive ag zoning, \$10 per acre. A significant penalty is assessed if farmers wish to take land out of an Agricultural Enterprise Area.

Wessel said the county's larger plan was to include much of western Marathon County into the Heart of America's Dairyland, but to start with 37,000 acres in Hull



Diane Wessel

See AGRICULTURAL ENTERPRISE ZONE/ page 5

THE RECORD-REVIEW March 28, 2012

Agricultural Enterprise Zone

Continued from page 1

and Brighton townships.

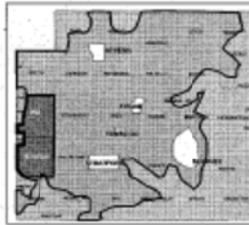
The inclusion of the two townships will increase the Heart of America's Dairyland AEA past the 100,000 acre mark.

"We will work our way eastward," she said.

Wessel said the AEA was consistent with the Marathon County Comprehensive Plan, but supervisor John Small disagreed with the county planner on this point.

He said the Comprehensive Plan carves out west county villages as rural service centers, but the proposed AEA maps do not include any buffer areas and areas for villages to grow.

Small represents the Village of Marathon City which has had a longstand-



Heart of America's Dairyland

ing problem of finding new land for

urban expansion. The supervisor said the county was wrong in not contacting the villages of Dorchester and Unity and cities of Abbotsford and Colby about the proposed Heart of America's Dairyland, even though the AEA may impede how these municipalities develop.

"They know nothing about this," he said.

Small said he could not vote for a proposal that was so clearly at odds with the county's comprehensive plan.

"If I were to vote yes for this, I would need to throw away the county comprehensive plan," he said.

2. WSAU radio and website coverage, March 27, 2012

Marathon County supports ag enterprise areas



Dairy cows in a barn.

WAUSAU, Wis. (WSAU) – The Marathon County board has voted in favor of two petitions that could lead to the designation of two agricultural enterprise areas within the county.

“Our point here is preserving our farmland for the future,” said Hull town chair Shane Graffunder, adding that maintaining farmland also helps businesses in smaller communities who depend on farmers for their finished products.

“If the farmer is not making any money, no one else is in these smaller communities,” he said.

Graffunder's town and the town of Brighton want to expand the Heart of America's Dairyland enterprise area that exists in Clark County. Landowners in the town of Harrison want to join the Antigo Flats enterprise area in Langlade County.

The county board's vote is the final step in the approval process before the petitions are sent to the state agriculture department. It is not clear when the state would make a decision about whether the petitions are granted.

The enterprise areas allow landowners to apply for farmland preservation contracts that provide a \$5 an acre income tax credit. Landowners whose property is zoned for farmland preservation are eligible for a \$7.50 an acre income tax credit. Those who have signed contracts and live in farmland preservation zoning are eligible for a \$10 an acre income tax credit.

But county board supervisor John Small, who also chairs the Marathon City village board, opposed the petition to expand the Heart of America's Dairyland enterprise area. He argued that villages and cities were left in the dark about the process – a point county officials conceded Tuesday.

Small also argued that the enterprise areas should include a mile-and-a-half buffer zone so that villages and cities can expand their existing municipal boundaries using extraterritorial zoning powers.

“It makes it harder for villages and cities to expand,” Small said.

Aside from his two objections, Small said he supports the concept of the enterprise areas.

The state has already designated nearly 340,000 acres for agricultural enterprise areas. If all of the petitions in this cycle are granted, the total number of acres designated could grow to 600,000 out of one million acres the state has set aside for designation.

3. WSAU radio and website coverage, March 26, 2012

Marathon County explores ag enterprise areas

Monday, March 26, 2012 4 a.m. CDT



A dairy farm in Wisconsin

WAUSAU, Wis. (WSAU) – The Marathon County board will decide tomorrow whether to ask the state to designate two agricultural enterprise areas in the county.

The enterprise area is similar to an industrial park for agriculture. It would preserve existing land for agricultural uses and promote agricultural economic development.

Twenty-eight petitioners in the Marathon County towns of Brighton and Hull are asking to join the “Heart of America’s Dairyland” enterprise area in Clark County. And 20 petitioners in the Marathon County town of Harrison want to join the “Antigo Flats” enterprise area in Langlade County.

The petition for the enterprise area designation is due to the state by Friday.

“If we have all these communities and landowners who have said we want this area to be agriculture, it could boost that agricultural economy,” said Marathon County planner Diane Wessel.

Landowners within the enterprise areas would also be eligible for farmland preservation contracts that provide a \$5 per acre income tax credit for those who commit to agriculture and meet conservation requirements.

Landowners outside the enterprise area would no longer be eligible to sign the contracts but Wessel says the contracts target tax credits to “an area that's most likely going to stay in agriculture.”

The state has set aside one million acres that could be designated for agricultural enterprise areas. It has already designated nearly 340,000 acres within 17 different enterprise areas. The total number of acres designated could grow to 600,000 depending on how many petitions are approved in the current cycle.

4. Wisconsin Central Time Newsletter (formerly Community Connections), March 2012 article:

Economic Boost for Agriculture

Diane Wessel, Conservation, Planning & Zoning

An Agricultural Enterprise Area (AEA) is an area primarily used for agriculture and businesses associated with agriculture. Its purpose is to support and enhance the local agricultural economy. State financial incentives, low interest loans, and grants to startup or expand agricultural businesses will be targeted to AEA's. The Marathon County towns of Harrison, Brighton, and Hull are petitioning the State of Wisconsin for AEA designation.

AEAs are an agricultural version of an industrial park. Both concentrate similar industry to reduce infrastructure costs, target financial incentives, reduce land use conflicts, and protect the environment. Industrial parks define areas that support industry: zoning controls, roads, sewer and water, and electrical capacity. AEAs define areas that support agriculture: productive soils, established agricultural economy, low density housing, and supportive land owners.

The towns of Brighton and Hull are working with Clark County to expand the “Heart of America’s Dairyland” AEA with the intent to progressively expand the AEA to encompass the central Wisconsin dairy industry and be recognized as a state-wide leader of dairy products.



The town of Harrison is working with Langlade County to expand the “Antigo Flats” AEA. The area produces high quality seed potatoes.

For more information on AEAs:
www.workinglands.wi.gov
For more information on AEAs in Marathon County:
715-261-6040

5. Record Review newspaper, December 28, 2011 article.

The Record-Review - December 28, 2011

Ag enterprise area sought

State would preserve "rural character" in western Marathon County

A new county initiative hopes to preserve the rural character of a 425,000-acre bloc of farmland in western Marathon County.

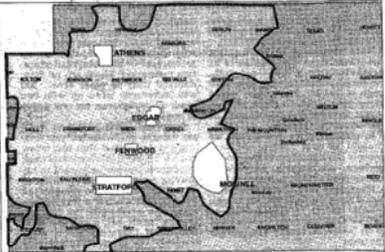
Diane Wessel, a planner with the county's conservation, planning and zoning department, said west county town officials in recent meetings have encouraged the county to extend a 62,000-acre agricultural enterprise area already formed in Clark County known as The Heart of America's Dairyland, into western Marathon County.

With this thumbs-up, county officials, including Wessel, hope to describe the perimeter of a proposed western Marathon County agricultural enterprise area and, by March, submit a proposal for funding to the state's Department of Agriculture, Trade and Consumer Protection (DATCP).

In submitting the proposal, Wessel said, the county will compete for part of \$27 million in annual Working Lands Initiative funding budgeted to protect up to one million acres of Wisconsin farmland.

Wessel said it will be up to individual landowners, whether to participate in this project, but the contiguous agricultural enterprise area has to be established before any farmers can take part.

In the new program, she said, rural landowners will enter into 15-year contracts with the DATCP. If farmers agree to preserve their land as farmland, they



See AGRICULTURAL ENTERPRISE AREA/ page 5

Ag enterprise area

Continued from page 1

will receive five dollars per acre if this land is protected by exclusive agricultural zoning (which will be called farm preservation zoning), the payment is \$7.50 per acre. If there is both a farmer contract and exclusive agricultural zoning, the annual stipend is \$11.50 per acre.

Breaking the contract, said Wessel, is penalized. Landowners must pay three times the value of the land they convert to non-agricultural uses to DATCP.

The state's Working Lands Initiative will replace an older farmland preservation program. The older program served farmland based on income.

Wessel said town officials back in October expressed "a lot of interest" to create an agricultural enterprise area on the county's west side. A next step, she said, will be to get five farmers to sign a petition asking the DATCP to create the agricultural enterprise area. A second next step will be to explain the program to and owners at township-level meetings.

The county planner said not all land in the agricultural enterprise area has to be under contract, but all contracted land needs to be contiguous. There can be no islands left surrounded at the area's outer boundary.

"You could have some interesting situations on the perimeter," she said. Wessel said the current proposed Marathon County Heart of Wisconsin's Dairyland agricultural enterprise area was created using the county's geographical information system. The area was based on concentration of farms and soil type. Developed areas and forest land were excluded.

Wessel said there is no guarantee that the state will fund the proposed Marathon County agricultural enterprise area. The proposed area, after all, includes nearly half of the state's total Working Lands Initiative acres.

To date, the state has approved 17 agricultural enterprise areas spread across 340,000 acres.

Wessel said creation of the western Marathon County agricultural enterprise area dovetails with the county's comprehensive plan which hopes to preserve productive farmland and sustain "rural character" in rural townships.

The county, she said, adopted a farmland preservation policy in November. In the policy, the county pledges to assist local towns in creation of agricultural enterprise areas with an eye towards protecting large blocks of farmland, discouraging residential development on prime farmland and helping agriculture respond to the challenge of producing food and fiber for a growing population.

Marathon County lost 22,000 acres of cropland to other uses between 2000 and 2010.

6. Community Connections Newsletter, October 2009 article

Working Lands Initiative Update

Kirk Langfoss, Conservation, Planning & Zoning

The Working Lands Initiative (WLI) was passed as part of the State of Wisconsin's 2009-2011 biennial budget process, and became effective in July. WLI includes three main components:

1. Expansion and modernization of the state's existing Farmland Preservation Program (FPP)
2. Establishment of Agricultural Enterprise Areas

3. Development of a Purchase of Agricultural Conservation Easements matching grant program

For Marathon County land owners to be eligible to participate in these initiatives, the county will need to update its Farmland Preservation Plan by December 31, 2012.

The county and/or interested local municipalities may also elect to update existing, or establish new Farmland Preservation Zoning Ordinances to maximize land owner eligibility for the FPP and to make land owners eligible for enhanced FPP tax credits.

For more information:
Kirk Langfoss:
(715) 261-6000

7. Community Connections Newsletter, April 2009 article



Working Lands Initiative—Next Steps

Andy Johnson, Conservation, Planning & Zoning

The Working Lands Initiative (WLI) is a State initiative led by the Department of Agriculture, Trade and Consumer Protection (DATCP) to protect working lands (agriculture, forestry, tourism and recreation) from conversion to other land uses and to retain the economic viability of industry related to these lands.

In March, Marathon County hosted a workshop, co-sponsored by Lincoln County, on the WLI to gather input from local officials and residents. Information was presented on tools such as agricultural enterprise areas, purchase of development rights, woodland protection programs, and minimum lot size.

Participants identified which tools they felt would be viable in their community, which ones they may be willing to try and which they would like to learn more about.

Participants said that they would like to provide input on WLI activities to assure that residents understand the importance of working lands and that issues such as property rights, mapping, program benefits, and program activities are addressed.

For more information or to get involved, contact Andy Johnson: (715) 261-6002

Farmland Preservation Plans are part of WLI. Marathon County will update the County Farmland Preservation Plan developed in 1982. During plan development, staff will be in contact with local officials and landowners to discuss and gather input on topics such as zoning, purchase of development rights, conservation subdivisions, agricultural districts, and woodland protection efforts.

Over the next few months, the Conservation, Planning and Zoning Department will work with County officials and DATCP to identify planning priorities and strategies. We will notify local officials of our activities and time lines.

8. Community Connections Newsletter, July 2008 article, Nutrient Management Planning Rules

Nutrient Management Planning Rules

Mike Wildeck, UW-Extension & Andy Johnson, Conservation Planning & Zoning

Marathon County Land Conservation and Zoning Committee sets regulatory policy for livestock producers with a dairy waste storage facility. The policy balances the protection of surface and ground waters while utilizing this resource profitably.

The ordinances require nutrient management plans for animal waste and commercial fertilizer application for operations with:

- 500+ animal units and a livestock facility license
- a waste storage facility (lagoon)

The plans specify the location, timing, and rate of nutrient applications to cropland. The plans are approved and monitored by CPZ. Nutrient management standards education is available through UW-Extension.

- Website:

www.co.marathon.wi.us/Departments/ConservationPlanningZoning/FarmlandPreservation.aspx

2. Ongoing:

- Develop and/or update Conservation Plans for all landowners.
- Perform 100-125 Status Reviews to ensure compliance with Program Standards.
- Track program participation including zoning certificates, transfers, and relinquishments.
- Conduct an annual self-certification.
- Assist landowners and private sector with Nutrient Management education and plan development.

3. Future:

- After successful modification of AEA, work with participating towns to initiate new farmland preservation agreements with eligible landowners.
- Update Farmland Preservation Zoning.
- Update and implement the Marathon County Farmland Preservation Plan.
- Extend the Heart of America's Dairyland boundary into Clark, Marathon, Lincoln, and Taylor counties to incorporate the central Wisconsin dairy industry.
- Develop and maintain a strong economically viable agricultural infrastructure.
- Utilize the AEA as a vehicle of opportunity to formalize relationships between the petitioners and the agribusiness community.
- Create new agribusiness ventures that grow the local economy and advance state and local agricultural goals.
- Build upon the existing agribusiness relationships that exist between producers, processors, and consumers to identify areas for future infrastructure development.
- Assist landowners, towns, and counties with developing farmland preservation strategies through the use of agricultural enterprise areas.
- Promote the concept of "brick and mortar" agribusiness parks and assist with new research and development of agribusiness incubation.
- Encourage agricultural producers and agribusinesses to partner to invest and adopt new conservation-oriented technologies that efficiently utilize the economies of scale created by the preservation of large blocks of contiguous farmland.

B. LAND USE CONTROLS - Provide details about the selected control.

1. Farmland preservation zoning ordinance
 - Past –
 1. Marathon County adopted Exclusive Agricultural Zoning 05/21/1980
 2. Brighton adopted Exclusive Agricultural Zoning 09/30/1980
 3. Hull adopted Exclusive Agricultural Zoning 08/23/1983
 - Ongoing – Brighton and Hull, with support from Marathon County, will continue to administer and enforce the exclusive zoning regulations in the towns.
 - Future – Marathon County, in conjunction with the towns participating in county zoning, will update the exclusive agriculture zoning to farmland preservation zoning.
2. Other zoning ordinances
 - Past – Both Brighton and Hull have adopted county zoning.
 1. Marathon County zoning code (Adopted 10/1971):
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=pIZRRWjU7x4%3d&tabid=343>
 2. Brighton general zoning map (adopted 02/05/1972):
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=pDIUv-ZWgcU%3d&tabid=340>
 3. Hull general zoning map (adopted 12/19/1972):
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=LXnSj-1xudA%3d&tabid=340>
 - Ongoing – Brighton and Hull, with support from Marathon County, will continue to administer and enforce the Marathon County Zoning Code.
 - Future – Marathon County, in conjunction with the towns participating in county zoning, will update and enforce zoning in county zoned towns.
3. Farmland preservation agreements
 - Past
 1. Marathon County adopted the Farmland Preservation Plan in 1982.
 2. Administrative Report: History of Preserving Farmland in Marathon County, 1978-2011:
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=kse2laZS66l%3d&tabid=598>
 3. Town of Brighton Farmland Preservation Agreements: 1 contract, 200 acres
 4. Town of Hull Farmland Preservation Agreements: 2 contracts, 139.89 acres

- Ongoing
 1. Develop and/or update Conservation Plans for all landowners.
 2. Perform 100-125 Status Reviews to ensure compliance with Program Standards.
 3. Track program participation including zoning certificates, transfers, and relinquishments.
 4. Conduct an annual self-certification.
 5. Assist landowners and private sector with Nutrient Management education and plan development.
- Future
 1. After successful modification of AEA, work with participating towns to initiate new farmland preservation agreements with eligible landowners.
 2. Update the Farmland Preservation Plan
- 4. Subdivision ordinances
 - Past – Land division in the towns of Brighton and Hull are regulated by the Marathon County land division and surveying regulations (adopted 06/05/1968):
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=56undLue73o%3d&tabid=343>
 - On-going – Continue to work with property owners, the towns, and the county to enforce land division and surveying regulations.
 - Future – Update the existing land division and surveying regulations as necessary and consider adopting town land division regulations.
- 5. Natural Area Protections
 - The towns of Brighton and Hull shorelands (1000' from lakes, 300' from streams) and wetlands are regulated by Marathon County shoreland regulations and provisions (Ch 17.30 of the Marathon County Code of ordinances)
<http://www.co.marathon.wi.us/LinkClick.aspx?fileticket=pIZRRWjU7x4%3d&tabid=343>

C. AGRICULTURAL DEVELOPMENT ACTIVITIES – Summarize contribution to AEA

1. Cooperative relationships – Marathon County will enter into relationships with University of Wisconsin – Discovery Farms, agricultural producers, and agri-business to assist processing and production businesses to evaluating the growth of their businesses. Specifically, we will evaluate the natural resources assets required to support their business to assure that the groundwater and soil assets are adequate to support growth. We will also assist in the conservation planning of growth to assure compliance with state agricultural performance standards.
2. Joint marketing opportunities. Marathon County will facilitate training and outreach to the diverse agri-businesses to develop and realize market opportunities for products. Specifically, we will support producers who are utilizing organic and managed grazing production models, as well as direct marketed produce.
3. Shared facilities or equipment. Marathon County will purchase and rent agricultural production and manure handling equipment to help producers to adopt new technologies. Specifically, we will offer the use of no-till, pasture renovation, and drill equipment for producers utilizing Best Management Practices aimed at reducing soil erosion on cropland. Furthermore, we will pursue the development of improved manure distribution strategies to apply livestock manures to cropland. Examples of new technologies include drag line injection equipment and anaerobic digestion. Not only will we pursue and support technologies for management and economic benefits to agricultural producers, we will assure that local agri-businesses understand the economic opportunities in providing these technologies and services to the producer.
4. Information, promotion and lobby activities. Marathon County will actively promote and educate the AEA communities in the economic opportunities for both agri-business and producers. Specifically, we will provide education on the concept of clusters in growing a strong economy. We will provide outreach to tax professionals to assure that they are aware of the landowner incentives and benefits to participate.

Staff will attend AEA training seminars and economic development activities to maximize the participation of landowners in the AEA. We will share information with any existing and potential businesses of grant or business development assistance available to help grow the AEA's economic base. Marathon County will promote the regional branding opportunities to draw attention to our AEA's.

Marathon County will target administrative, financial, and technical assistance to AEA's to help participating landowners grow their businesses and to meet conservation and land use requirements.