

Town of Dunn AEA

**Dane County
Town of Dunn**

PART II. PURPOSE AND RATIONALE FOR AEA

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

1. What are the agricultural land use and development goals of the proposed AEA?

Include a discussion of proposed agricultural uses and agricultural-related uses, including a discussion of relevant infrastructure in the AEA. Explain how the proposed AEA will advance the state's goal of agricultural preservation and development. Attach supporting documentation, where appropriate.

The primary goal for future agricultural use is to allow a variety of types of agriculture to have access the land base and infrastructure they need to flourish. The proposed AEA would help create the sense of certainty about an agricultural future in the area necessary for landowners to make investments in their respective operations. The proposed AEA would help continue to ensure that critical agriculture related businesses have the necessary business to continue to serve the area. In addition, the agricultural enterprise area would help incentivize farmland preservation in a different way than the area has had available in the past.

2. What activities are planned in the proposed AEA to achieve the agricultural preservation and development goals?

Describe any planned activities within the AEA, including grants, development incentives, cooperative agreements, land or easement purchases, land donations, promotional activities, public outreach or other actions that will help achieve the stated goals. Identify other individuals and entities involved in these efforts and their level of commitment. Attach supporting documentation, where appropriate.

About 2,500 acres of land within the proposed AEA is already permanently protected with conservation easements, depicted on the attached protected lands map. This is a result of partnerships between the Town of Dunn, Natural Heritage Land Trust, State of Wisconsin, USDA, and Dane County. Ongoing conservation easement acquisitions are planned in the proposed AEA. Landowner interest in the Purchase of Development Rights (PDR) program remains high, with currently interested landowners representing over 1,000 acres for which to pursue easements. Dane County has proposed offering revolving loan funds for agriculture and agricultural related businesses with AEAs. Public outreach encouraging the establishment of new farmland preservation agreements is planned should the proposed AEA be selected. Outreach efforts include twice yearly newsletters and Town wide meetings. In addition, special meetings are required to approve conservation easement acquisitions and would provide an excellent forum for presenting farmland preservation agreements as another option for farmland protection.

3. How will the AEA location promote agricultural preservation and development?

Explain what is special about this location. Include why the proposed AEA is geographically well "targeted" for agricultural preservation and development. Explain how the geographic distribution of existing agricultural uses and related infrastructure helped determine the location (see next). Attach supporting documentation, where appropriate.

There are many reasons the location is special. First of all, the landscape contains extensive areas of prime soils, the building block of a productive agricultural economy. Extensive investments in permanently protecting farmland from development have already been made, both in terms of land use planning and in terms of the acquisition of permanent farmland conservation easements using the Town of Dunn Purchase of Development Rights program. Geographically, the location is well connected to transportation infrastructure including US 14 and US 51, with Interstate access within a few miles. There are also well-established local markets for the products produced by the agricultural producers located within the proposed agricultural enterprise area.

4. How did you determine the size and the boundary of the proposed AEA?

Explain why the size and boundaries are appropriate, and will help "focus" preservation development efforts. As part of the explanation, include a discussion of agricultural uses and infrastructure, unique land resources, soil productivity, proximity to viable farm markets or processing facilities, and other relevant factors. Attach supporting documentation, where appropriate.

Existing agricultural use, in conjunction with the location of prime farmland, and consideration of likely development patterns, were the primary factors in determining the exact boundaries of the proposed AEA. Areas of existing publicly owned land were considered, as was the Environmental and Cultural Resources Protection area. The factors considered are represented on the attached maps: Future Land Use, Protected Lands, and Development Pressure. The widely varied forms of agriculture in the Town are supported by area markets and processing facilities. The wide range of specialty agricultural operations in the proposed AEA are supported by a strong and growing network of area farmers markets and intuitional buyers such as restaurants. The market and infrastructure for traditional agricultural products are well-established in the area.

5. What are the current land uses within the proposed AEA?

Provide documentation to show that the proposed AEA is primarily in agricultural use. Describe the percentage and distribution of agricultural and agriculture-related uses; residential uses; transportation, utility, energy and communications uses; undeveloped natural resource and open space uses; and other uses as applicable. Identify the principal types of agricultural use and describe the location, geographic scope, size, significance and compatibility of those agricultural uses. Describe current trends and emerging issues within the proposed area. Attach a land use map for the area to support this explanation (at the town or county scale).

The vast majority of the current land uses are agricultural in nature. Approximately 64% of the proposed AEA is in agricultural use, according to 2005 land use data provided by Dane County. Agriculture, Open or Vacant Land, and Woodlands account for 87% of the land area of the proposed AEA. There are few non-farm uses within the proposed AEA. There are a limited number of rural subdivisions. Residential uses, including farm residences, account for 7.5% of the proposed AEA. The attached land use chart gives exact acreages and percent of AEA land area for each land use category. A variety of agricultural uses from very productive conventional crop and dairy farms common in the region, to market gardens, a CSA farm, nurseries, horse farms, and other innovative forms of agriculture including a specialty pork farm, two intensive rotation grazing dairy farms, and a sheep farm recognized for agro-tourism, which was featured in DATCP's 2009 Local Food Marketing Guide. The petitioners represent the wide range of the forms of agriculture that flourish within the proposed AEA. These varied forms of agriculture have co-existed well in the proposed AEA.

6. How is the proposed AEA consistent with your other local land use plans?

The entire proposed AEA must be located within a farmland preservation area designation in the county's certified farmland preservation plan (please document). Explain how the proposed AEA is consistent with existing county and local land use plans. If there are inconsistencies, explain how they will be reconciled. Attach supporting documentation, where appropriate.

The proposed AEA is located within the area designated as an Agricultural Preservation Area in the Town of Dunn Comprehensive Plan. The designation of an AEA within the Town clearly supports the Comprehensive Plan, both in terms of the Agricultural, Cultural, and Natural Resources Plan Goals:

Goal 1: Protect the Town's open spaces and agricultural areas:

1-1: Preserve the productive farmlands in the Town for long-term farm use and maintain agriculture as a major economic activity and way of life..

1-2: Protect farm operations from incompatible adjacent land uses or

activities that will adversely affect the long-term agricultural investment in land and improvements.

As well as Land Use Plan Goals:

Goal 4: Maintain the Town's existing agricultural resources and maintain this as an economic and social way of life.

4-1: Utilize existing and new techniques to protect the Town's agricultural and environmentally sensitive areas.

4-2: Only allow development practices that protect the Town's agricultural lands.

The designation of the proposed AEA would particularly support Goal 4-1, as a new technique which would support and enhance the protections of the Comprehensive Plan. The Town of Dunn Future Land Use Map, from the Comprehensive Plan, is attached.

The area is also designated as a farmland preservation area in the Dane County Farmland Preservation Plan. Please see the attached memorandum from Dane County Senior Planner Majid Allan, confirming the consistency of the proposed AEA with the Dane County Comprehensive Plan, the Dane County Farmland Preservation Plan, and the Town of Dunn Comprehensive Plan.

7. What nonagricultural development trends affect the proposed AEA?

Explain current development trends affecting the proposed AEA. Describe the likelihood that land in the AEA will transition out of agriculture in the foreseeable future (note that an AEA may not include any area planned for nonagricultural development within the next 15 years). Attach supporting documentation, where appropriate.

The proposed AEA is well protected from non-agricultural development by a very strong land use plan, which restricts non-agricultural business and commercial development. There are some limited non-farm residential uses in the AEA. New unsewered subdivisions are prohibited. Non-farm residential uses are regulated by a strong land division policy, discussed below. Many if not most of the splits allotted to lands in the Town have been used or have been eliminated through the Town's Purchase of Development Rights Program. For these reasons, the conversion of land in the AEA out of agricultural use is unlikely.

8. How will current or proposed land use controls support the proposed AEA?

Describe current and proposed land use controls such as zoning ordinances (farmland preservation, shoreland, wetland), farmland preservation agreements, easements, subdivision ordinances, natural area protections or other similar controls. If the area is zoned, attach a zoning map for the area (at the town or county scale). Attach documentation, where appropriate.

The AEA is protected by the Town of Dunn's Land Division Ordinance, which is a base farm tract system with the base year being 1980, the ratio being 1 split per 35 acres, and the maximum lot size of 2 acres. Such a system places a cap on the number of non-farm residential lots allowed. The Town's Comprehensive Plan strongly supports agriculture and required the consideration of the impact on agriculture for nearly every land use decision made. Further, the Town's Purchase of Development Rights program acquires conservation easements, with the primary purpose of permanently protecting farmland. The area is governed by Dane County zoning ordinances including shoreland, floodplain, and farmland preservation zoning ordinances. The Town's comprehensive plan requires consideration of the impacts to agriculture and discourages and rezoning that would have a negative impact on agriculture and encourages the protection of areas of prime farmland. An environmental and cultural resources protection area is defined. Rezoning any land for non-farm use

within the agricultural preservation and natural and cultural resource protection areas is strongly discouraged by the Town's Comprehensive Plan. A zoning map is attached.

9. How will the proposed AEA promote compliance with the state's soil and water standards for nonpoint source pollution?

Farmers in an AEA who enter into a farmland preservation agreement must meet the following state standards (ATCP 50, Wis. Adm. Code), to claim a tax credit. Please indicate whether any of the petitioners are already in compliance with these standards. Explain how the proposed AEA will promote compliance with conservation standards. Attach documentation, where appropriate.

- Control of soil erosion
- Nutrient management planning
- Prevention of direct runoff from feedlots or stored manure into state waters
- Prevention of overflowing manure storage structures
- Repair of failing and leaking manure storage structures and closure of abandoned manure storage structures
- Construction of new or substantially altered manure storage structures to technical standards
- No stacking of manure in unconfined piles in water quality management areas
- Diversion of clean water from feedlots, manure storage areas and barnyards in the water quality management area
- Maintenance of self-sustaining sod cover along waterways

The Town of Dunn and Dane County Land Conservation strongly encourage compliance with the standards. Providing an incentive would further promote compliance. Two of the petitioners are already under farmland preservation agreements and meet the state standards. At least one of the other applicants currently meets the standards. Within the entire proposed AEA, 35 farmers are currently enrolled in Farmland Preservation Agreements, and 28 have self-certified that they are in compliance with the soil and water conservation standards.

10. How will the proposed AEA promote agricultural and related investment?

Describe current and proposed investment within the AEA. Identify key current and potential investors and their level of commitment. Explain how the AEA will promote or facilitate agricultural and related investment. Attach documentation, where appropriate.

Establishing an Agricultural Enterprise area will help foster a sense of certainty about the future. When weighing whether to make particular investment, the term for which the investment will provide returns is crucial. An agricultural enterprise area would help to preserve the agricultural economy in the area, as well as contributing to the perception that agricultural economy will continue to thrive, thereby supporting investment in the area. The Town of Dunn has invested over \$2.5 million in permanently protecting farmland with conservation easements within the proposed AEA. An equal amount was invested by a combination of County, State, and Federal funds. In many cases, the income from the sale of development rights is used by the landowner to make investments in their agricultural operation.

11. How will the proposed AEA support economic activity within the community?

Explain how the AEA will promote economic activity between agricultural enterprises or between agricultural and nonagricultural enterprises. This may include, for example, joint marketing opportunities, purchase of feed, shared facilities and equipment, custom manure spreading or other opportunities. Attach documentation, where appropriate.

The proposed AEA will help to support the existing agricultural economy, in turn supporting the nearby agriculture related businesses. By maintaining and perhaps growing the operations supporting these

businesses, the essential services they provide will continue to be available in turn allowing the farm operations to continue. The petitioners believe that a range of cooperative relationships exist within the area, and the designation of an AEA may help support the continuation of these cooperative relationships.

12. What is the level of cooperator support for this petition?

Describe the level of support by other farmers, and by affected businesses, community organizations, and government entities. Attach cooperator "signature pages," if any.

There is a high level of cooperator support for this petition. The Dane County Executive has signed on to the petition, and the Dane County Planning and Development Department and Land and Water Resources Department have both been very supportive. See the attached letters of support.

In addition, the Natural Heritage Land Trust, a non-profit land conservation organization is also very supportive of the petition. NHLT has been and continues to be very involved with farmland preservation. See the attached cooperator signature page.

With the Working Lands Initiative still being relatively new, we have found that there is significant information sharing still needed. To the extent that landowners have responded to outreach with regard to the petition, they have been supportive. That is to say, all the landowners who have responded to outreach efforts have been supportive of the petition, though not all of them were ready to sign on as petitioners. More outreach is certainly needed in order to reach each of the landowners in the proposed Agricultural Enterprise Area.

Are there any other compelling reasons to choose this AEA proposal from among competing AEA proposals? Explain, and attach documentation where appropriate.

While an Agricultural Enterprise Area serves a significant function in and of itself, an AEA alone cannot hope to preserve as much farmland as it could within the context of other available tools. The design of the Working Lands Initiative recognizes that multiple tools, including planning and zoning, acquisition of conservation easements, and agricultural enterprise areas together will achieve more farmland preservation than any of the tools alone. As the creators of the Working Lands Initiative recognized, a three prong approach to agricultural preservation including land use controls, permanent land protection, and incentives for medium term agricultural preservation works best to achieve the most results over the long term. As this is true at the State level, so also is it true at the local level. An Agricultural Enterprise Area will do more to protect farmland when used in combination with land use planning and policy as well as permanent easements. The Town of Dunn has shown one of the strongest commitments to land use planning and easement acquisition by a municipality state-wide. Though the Town has made significant efforts to date, Town leaders realize that additional tools are needed to support our goals for farmland preservation. We hope that our petition reflects our long-time commitment to farmland protection and that the investment on the part of the State in designating the proposed Agricultural Enterprise area would be a wise one.
