



# **Agricultural Enterprise Areas and the Petition Process**

December 2015

# Farmland Preservation Program

- Farmland preservation plan
- Farmland preservation zoning
- Agricultural enterprise areas (AEAs)
- Purchase of agricultural conservation easements

# AEA Program Goals

- Farmland Preservation
  - Support local planning
  - Protect farmland
  - Minimize land use conflicts
- Agricultural Economic Development
  - Encourage agricultural investment
  - Help farms stay economically viable



# What is an Agricultural Enterprise Area (AEA)?

- An area of land that is mostly agricultural
- Locally identified and locally supported
- Designated by the state based on the local petition



# Why seek designation?

- Community led effort
- Supports local agricultural preservation and ag development efforts
- Fosters collaboration
- Enables voluntary Farmland Preservation Agreements (\$5 per acre)
- Increase conservation of soil and water conservation
- Provides reassurance about future (15 yrs)
- Can encourage investment in agriculture

# What doesn't the designation do?

- Does not control land use
- Does not impose additional restrictions on land use



# What is the designation process?

1. Request for petitions – September 2015
2. Petitions developed by local community – September 2015–April 2016
3. Petitions reviewed and evaluated – April /May 2016
4. Recommendations made – May 2016
5. Order signed by DATCP Secretary – Summer/Fall 2016
6. Notice published in state newspaper – Fall 2016
7. Designation effective January 1, 2017





# Developing the Petition

# Developing the Petition

- ✓ Use a public process
  - Public meetings
  - Neighbor-to-neighbor
  - Newsletters or articles
- ✓ Have a petition coordinator



# Developing the Petition

- I. General Information
- II. Purpose and Rationale
- III. Map of Proposed AEA
- IV. Images
- V. Signatures and Resolutions

AR14LWR486 (Rev. Aug 2015)



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

## Agricultural Enterprise Area Petition

The undersigned persons hereby petition the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), pursuant to s. 91.86, Wis. Stats., to create an Agricultural Enterprise Area (AEA) under s. 91.84, Wis. Stats. We have read the guidance<sup>1</sup> provided and submit the following information in support of the petition.<sup>2</sup>

### PART I. GENERAL INFORMATION

A. Name of AEA.	
B. County or counties in which the proposed AEA is located.	
C. All towns, villages or cities in which the proposed AEA is located.	
D. Number of owners of eligible farms within the proposed AEA who signed the petition.	
E. Total number of acres in the proposed AEA.	
F. All parcels in the proposed AEA are located within a farmland preservation area designated in the certified county farmland preservation plan.	<input type="checkbox"/> Yes <input type="checkbox"/> No
G. All parcels in the proposed AEA are contiguous.	<input type="checkbox"/> Yes <input type="checkbox"/> No
H. The proposed AEA is primarily in agricultural use.	<input type="checkbox"/> Yes <input type="checkbox"/> No
I. Primary type of agricultural production in the proposed AEA.	
J. Designated contacts for the AEA. Please list at least two contacts for the AEA; preferably at least one staff contact (county, town, UWEX, regional planning commission etc.) and one landowner representative. <sup>3</sup> You may have more than two contacts. Attach a separate page if necessary.	
Name: _____	Name: _____
Address: _____	Address: _____
Phone number: _____	Phone number: _____
Email: _____	Email: _____

<sup>1</sup> Guidance available at [http://datcp.wi.gov/Environment/Working\\_Lands\\_Initiative/AEA/Petition\\_Materials/index.aspx](http://datcp.wi.gov/Environment/Working_Lands_Initiative/AEA/Petition_Materials/index.aspx).

<sup>2</sup> Personal information you provide may be used for purposes other than that for which it was collected, s. 15.04(1)(m), Wis. Stats.

<sup>3</sup> The 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
- Respond to an annual status update inquiry from the Department of Agriculture, Trade and Consumer Protection
- Engage in activities within the AEA

# I. General Information: Eligibility requirements

- 5 eligible land owner petitioners
- All land in the proposed AEA must be in a farmland preservation area
- Land must be contiguous
- Land must be primarily in agricultural use

# Eligible Landowners

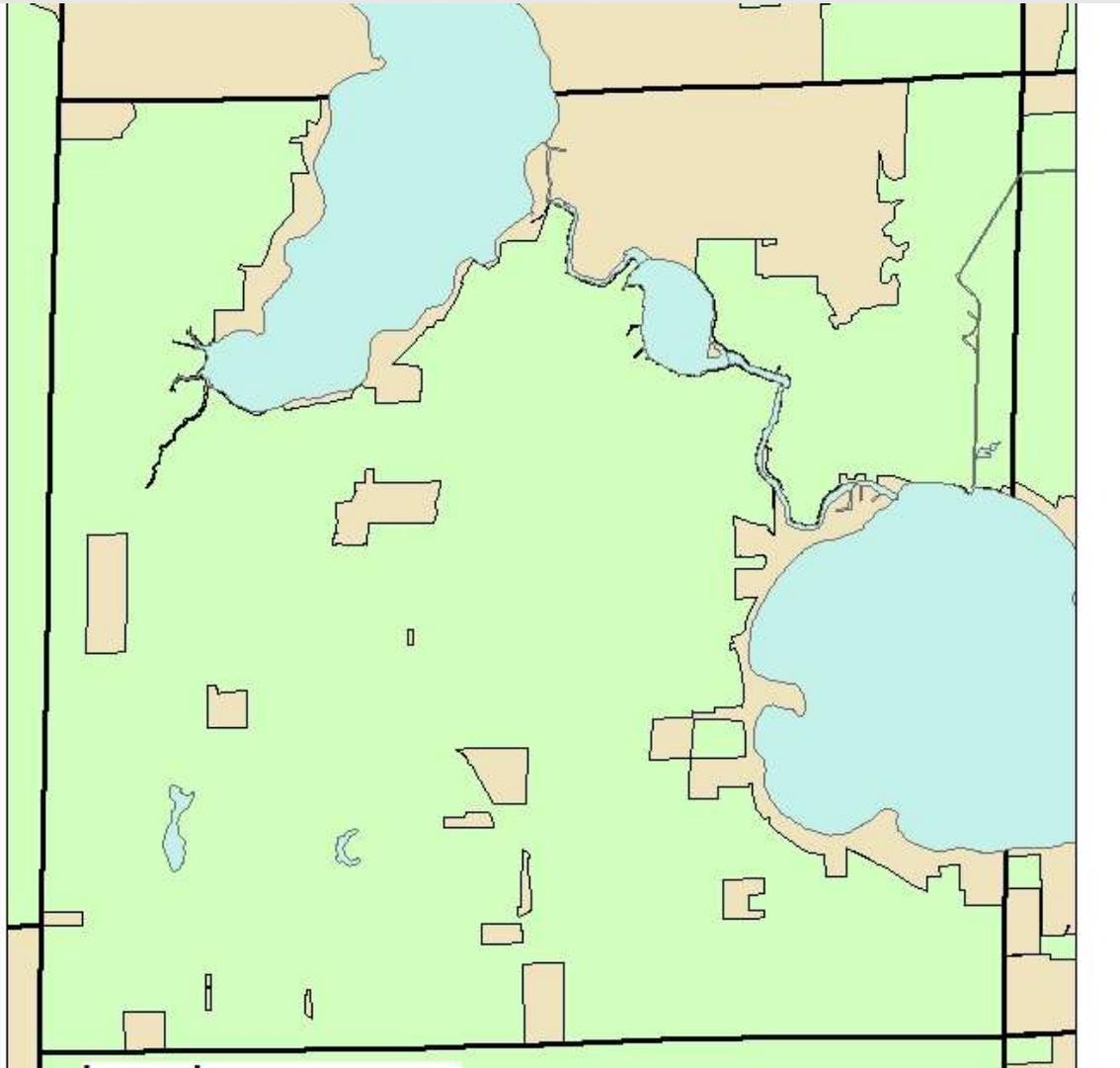


Must produce at least \$6,000 in gross farm revenues during the tax year preceding the year of the petition (or \$18,000 in the 3 prior taxable years)

✓ Get more than 5 petitioners

# Farmland preservation area

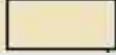
Town of Dunn, Dane County



Certified county  
farmland  
preservation plan  
area

*Contact county  
planning office for  
assistance*

## Legend

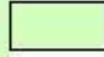
-  Water
-  Town boundary
-  Farmland Preservation
-  Not Farmland Preservation

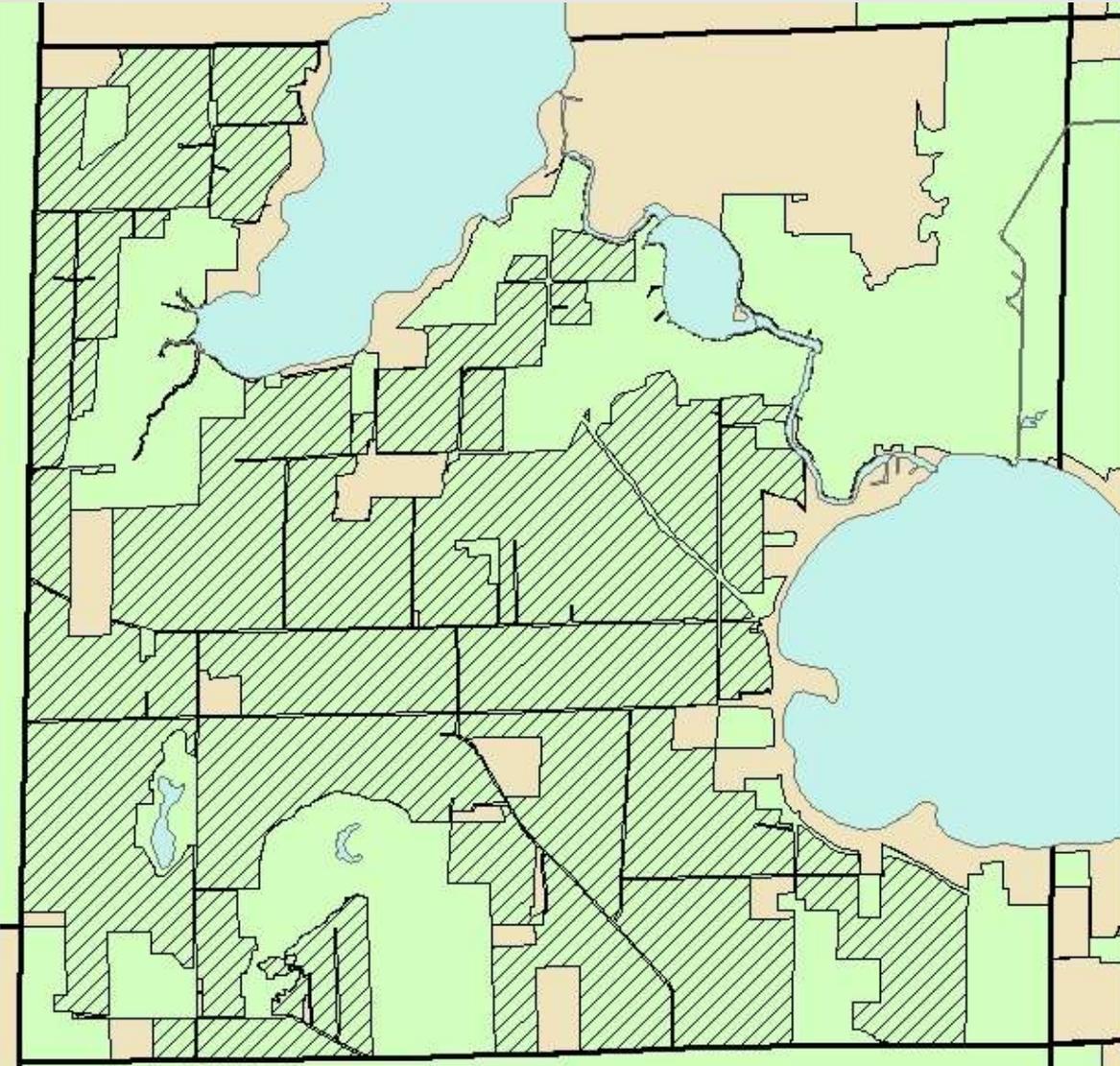
# Land must be contiguous

## Town of Dunn, Dane County

Contiguous means parcels that meet at more than one point and are only separated by a lake, stream, or transportation or utility right-of-way.

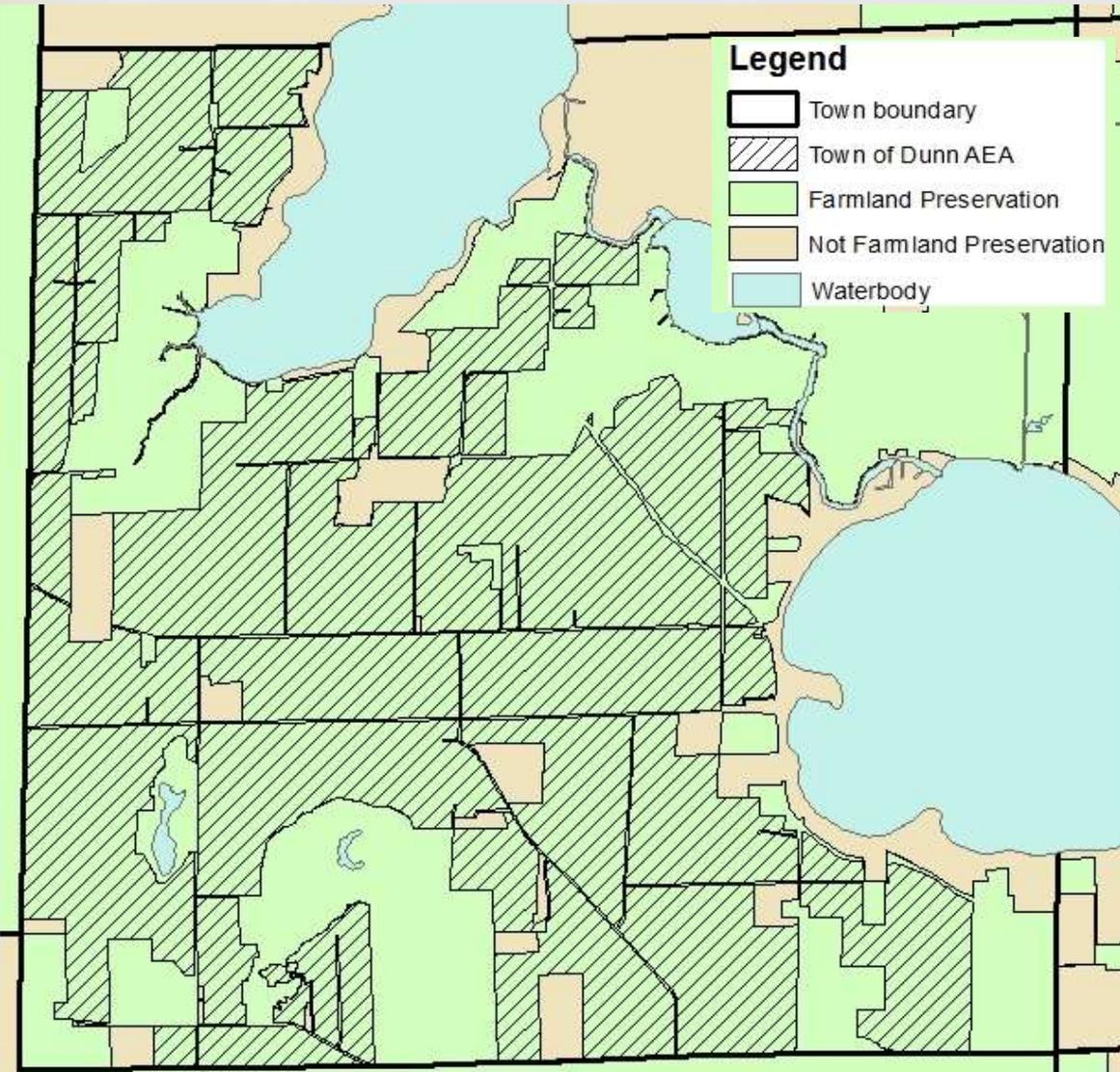
### Legend

-  Town boundary
-  Town of Dunn AEA
-  Farmland Preservation
-  Not Farmland Preservation
-  Waterbody



# Land must be contiguous

## Town of Dunn, Dane County



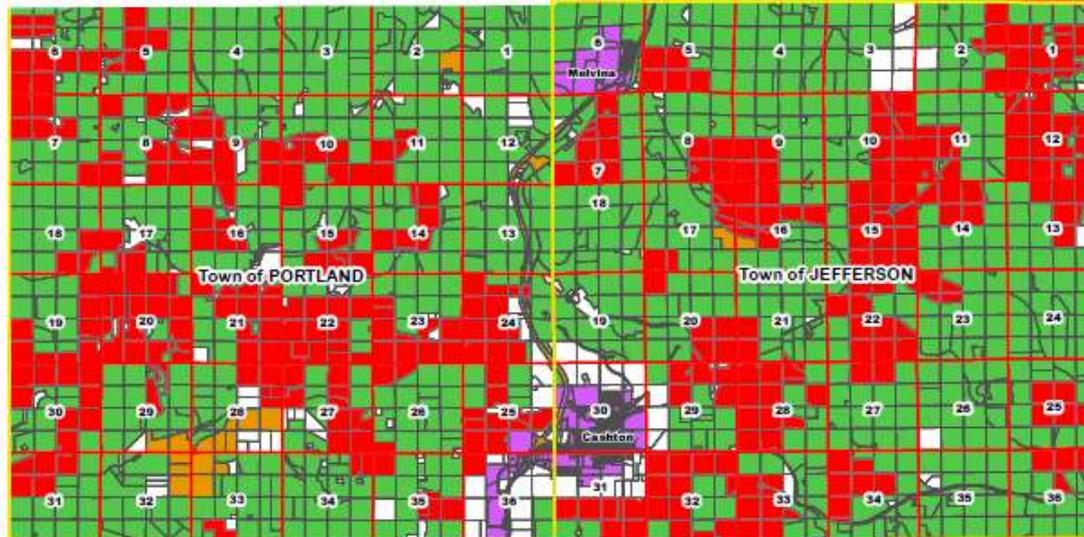
- Boundary may contain “holes” where parcels are excluded
  - land not in farmland preservation area
  - public land (state and federal)
  - areas planned for non-ag development

# Petitioner parcels do not need to be contiguous

## Scenic Ridge and Valley AEA

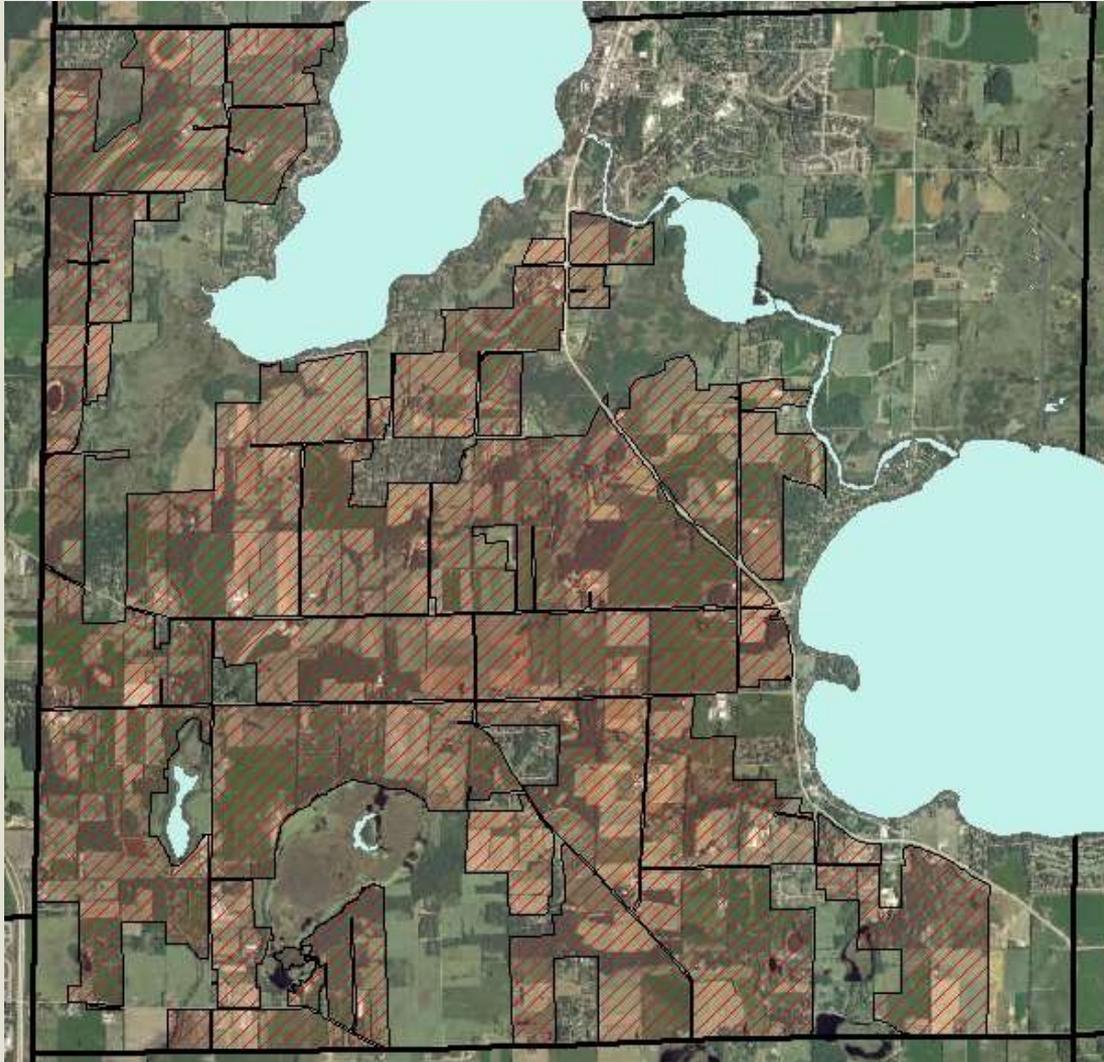
### Legend

- PARCELS OWNED by Petition Signers (25,264 acres)
- AG ENTERPRISE AREA (37,428 acres)
- LOCAL, STATE, FEDERAL Land (1,919 acres)
- INELIGIBLE PARCEL ( 4,353 acres)
- VILLAGES (1,141 acres)



Area will likely include parcels whose owners do not sign the petition for the creation of the AEA

# Land must be primarily in agricultural use



- Occasional parcels that are not in agricultural use may be included
- Provide information about current land use and land use trends

## II. Purpose & Rationale

- Goals
  - Preservation of agricultural land use
  - Agricultural development



# Preserve ag land use

- Enhance the agricultural land base of the towns, improve agricultural operations, and support the rural identity through the use of farmland preservation agreements and the implementation of soil and water conservation plans (Shields-Emmet AEA)
- Create an environment that will maintain and expand agriculture as the primary economic activity in the area through the 21<sup>st</sup> century (Vienna-Dane-Westport AEA)



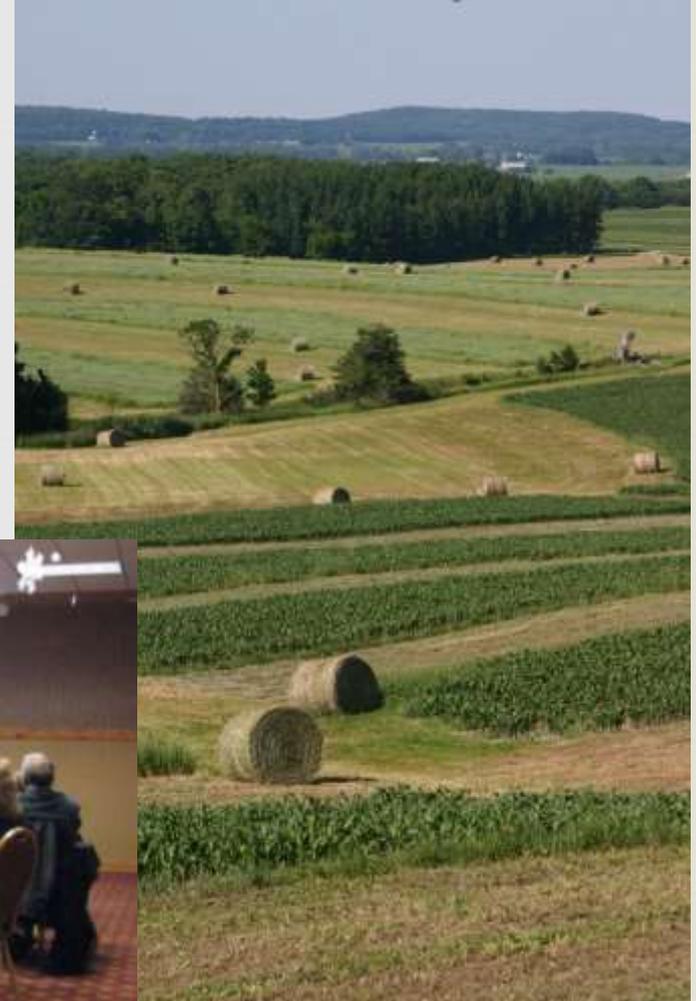
# Agricultural development

- Enhance the profitability of the existing farm operations through capitalization, market development and value-added processing (Bayfield AEA)
- Leverage proximity to local markets for locally produced agricultural products (Golden Triangle AEA)
- Strengthen agribusiness infrastructure by encouraging and attracting new agribusiness as well as promoting the expansion of existing agribusiness (West Point AEA)



## II. Purpose & Rationale

- Drawing your AEA Boundary
  - Consider eligibility requirements
  - Relate to goals
  - Use a public process



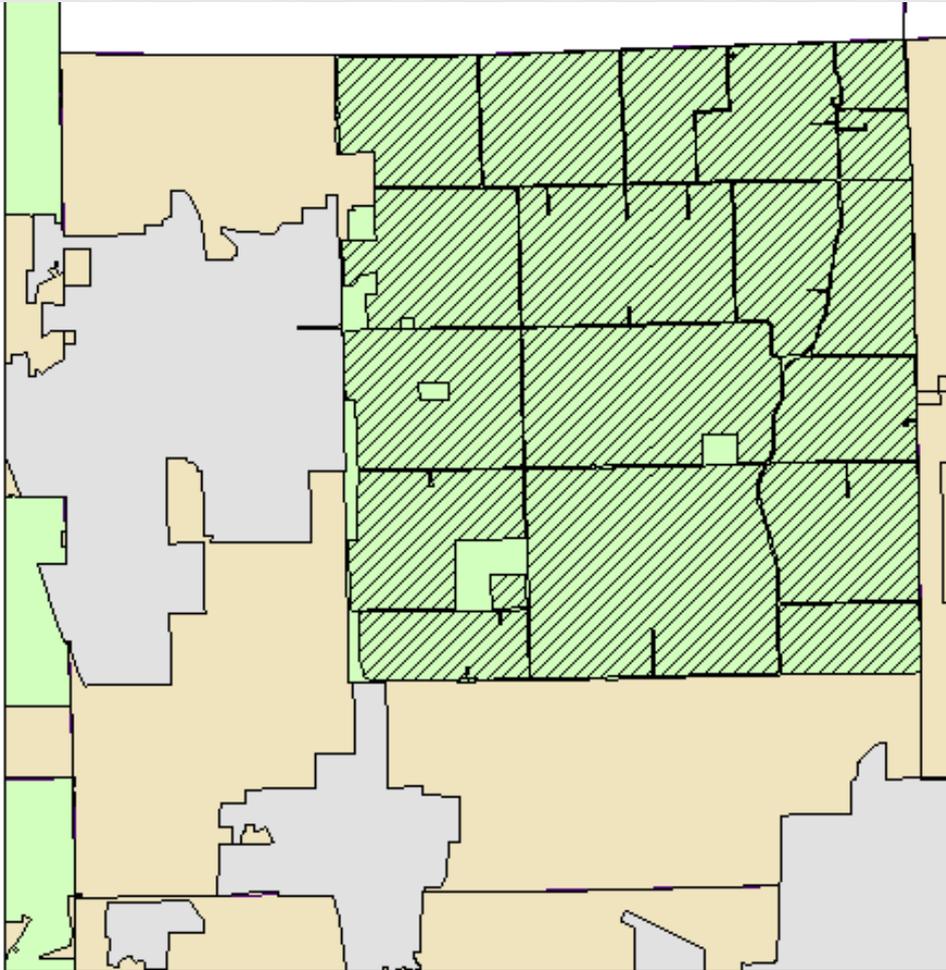
# Drawing the AEA boundary

- Also consider:
  - Land use and planning
  - Unique conditions or resources (such as soil productivity)
  - Economic considerations (such as connection to ag infrastructure)

✓ Engage other partners



# Land Use Planning

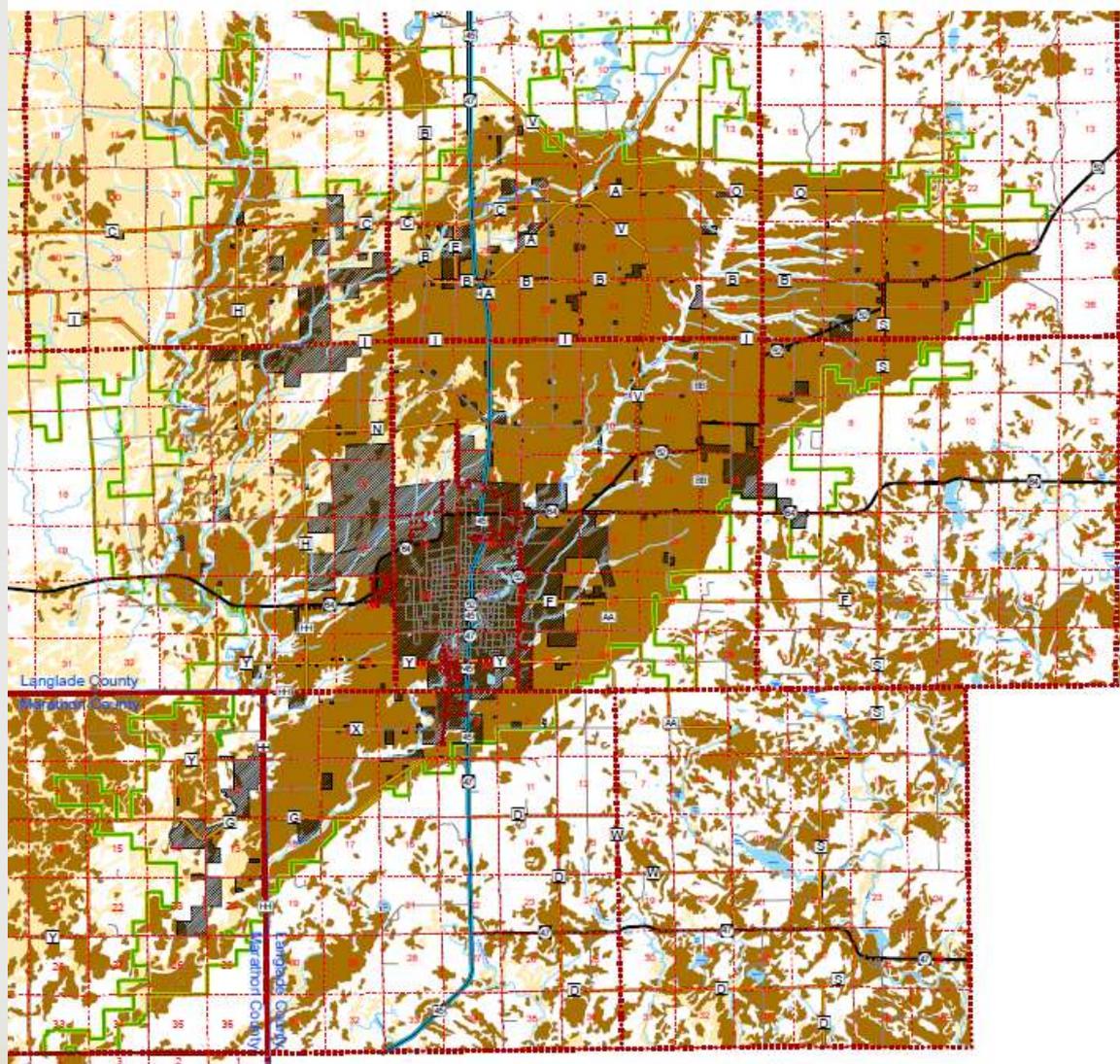


Windsor AEA follows Dane County farmland preservation plan – not village boundary

## Legend

-  Windsor AEA
-  Cities and Villages
-  Farmland Preservation
-  Not Farmland Preservation

# Unique Conditions



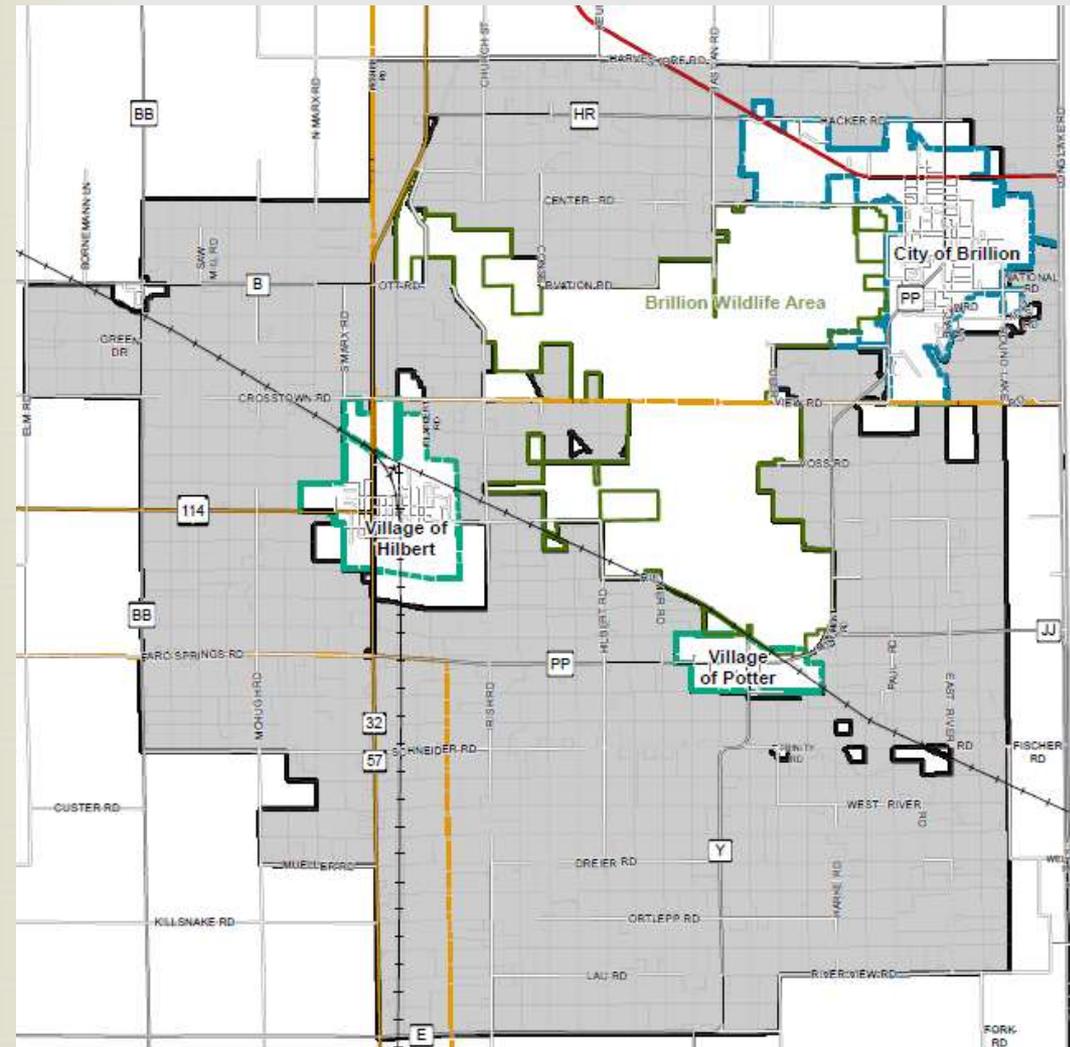
## Legend

- Proposed Ag Area
- Minor Civil Divisions
- Section Lines
- US Highway
- State Highways
- County Highways
- Local Roads
- Water
- Prime farmland
- Prime if drained

Antigo Flats AEA  
boundary follows  
extent of prime  
farmland

# Economic Considerations

Hilbert Ag Land on Track  
AEA boundary considered  
business needs related to  
connection railroads and  
highways



## II. Purpose & Rationale

- Recent Investments
  - Individual
  - Business
  - Community
- Soil & Water Conservation
- Support from Community (non-petitioner)



## II. Purpose & Rationale

- A. Land use controls in place? (ex: zoning)
- B. Farmland preservation agreement strategy?
- C. AEA partners/advisors?
- D. Agricultural development related activities?
- E. Other activities?



# III. Mapping Requirements

- Map(s) must:
  - Show the proposed AEA boundary
  - Identify petitioner parcels
  - Follow parcel boundaries
- Spatial data is required

Elba-Portland AEA



# IV. AEA Images

- Optional
- Depict agriculture and agriculture-related land uses within the boundary



# V. Signature Pages and Resolutions

The petition must be signed by:

- Owners of at least 5 eligible farms
- Authorized representative of all political subdivisions

Resolution must be passed by:

- Town board
- County board

## RESOLUTION #3-12

### Resolution to Establish a Town of Holland Halfway Creek Agricultural Enterprise Area

**WHEREAS**, the Town of Holland has received a request from agricultural landowners within the Town of Holland to support their effort to establish the Halfway Creek Agricultural Enterprise Area; and

**WHEREAS**, the establishment of an Agricultural Enterprise Area would promote agribusiness, and improve the climate for continued and expanded agricultural activities; and

**WHEREAS**, the establishment of an Agricultural Enterprise Area would promote collaboration and cooperation between petitioning landowners within the Agricultural Enterprise Area; and

**WHEREAS**, this program compliments the Town of Holland's Comprehensive Plan; and

**WHEREAS**, this program will assist in preserving valuable agriculturally productive land as well as natural resources and open space land; and

**WHEREAS**, this program will provide additional income tax incentives for the participating landowners in the Town of Holland.

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Holland Town Board hereby supports the establishment of the Halfway Creek Agriculture Enterprise Area.

Dated this 14<sup>th</sup> day of March, 2012.

APPROVED BY:



David Carlson, Chairman

POSTED ON:

3/19/12  
Date

ATTEST:



Marilyn J. Pedretti, Clerk

# Key Evaluation Points

- Strong, specific goals for farmland preservation AND economic development of agriculture
- Identify relevant activities to achieve goals
- Boundary of the proposed area makes sense
- Community support for the AEA (landowner and other)
- Interest in farmland preservation agreements

# Tips



- ✓ Get petition coordinator
- ✓ Use a public process
- ✓ Engage other partners
- ✓ Get local governments involved
- ✓ Form a petition committee to write/review/manage process and get signatures
- ✓ Review past petitions
- ✓ Secure mapping assistance
- ✓ Get on the agenda for town and county meetings

Petitions Due April 29, 2016

<http://workinglands.wi.gov>

- ❧ Petition guidance documents and materials
- ❧ Successful petition narratives and maps
- ❧ Link to interactive map showing designated AEAs

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