

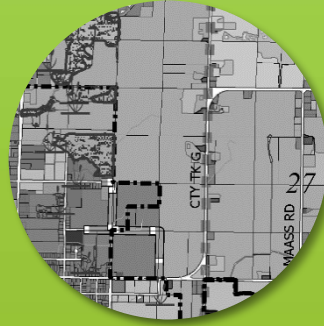
Agriculture Enterprise Area (AEA)

Department of Development and Land Services & Land Conservation

WI Farmland Preservation Program



FP Planning



FP Certified
Zoning
District



AEAs

WI Farmland Preservation Program Components

What is an AEA?

- ▶ Agriculture Enterprise Area - "A designated area of contiguous land primarily in agricultural land use targeted for agricultural preservation and agricultural development." Source - DATCP

What it is NOT.....

- ▶ A land use control
- ▶ Going to impose additional restrictions on land use

What are the benefits of an AEA?

- ▶ Tool that can help communities meet local goals for preserving agricultural land and encouraging agricultural economic development. Can help promote investment in agriculture, agricultural infrastructure and agricultural-related businesses.
- ▶ Tax Credits via Farmland Preservation Agreements

What is a Farmland Preservation Agreement?

- ▶ A voluntary agreement between an owner of land and the Department of Agriculture, Trade and Consumer Protection (DATCP) under which the owner agrees to restrict the use of land in return for tax credits.

Details of a Farmland Preservation Agreement?

► Requirements

- Land owners must keep their land in Agricultural use for 15 years AND meet state soil and water standards.

► State Soil and Water Standards

- Chapter NR 151
- Certificate of Compliance from Department of Land Conservation

► Releasing land from a Farmland Preservation Agreement?

- Land owner consent
- DATCP findings (will not impair or limit agricultural use of other protected farmland)
- Conversion Fee: Pay DATCP three (3) times the per acre value for all land released

Benefits of a Farmland Preservation Agreement?

- ▶ \$5/acre Tax Credit for land within an AEA and covered by a farmland preservation agreement.
 - ▶ AEA
 - ▶ Farmland Preservation Agreement
- ▶ \$10/acre Tax Credit for land within an AEA and covered by farmland preservation agreement and located within a certified farmland preservation zoning district.
 - ▶ AEA
 - ▶ Farmland Preservation Agreement
 - ▶ Exclusive Agriculture District (AED)

Criteria to establish an AEA?

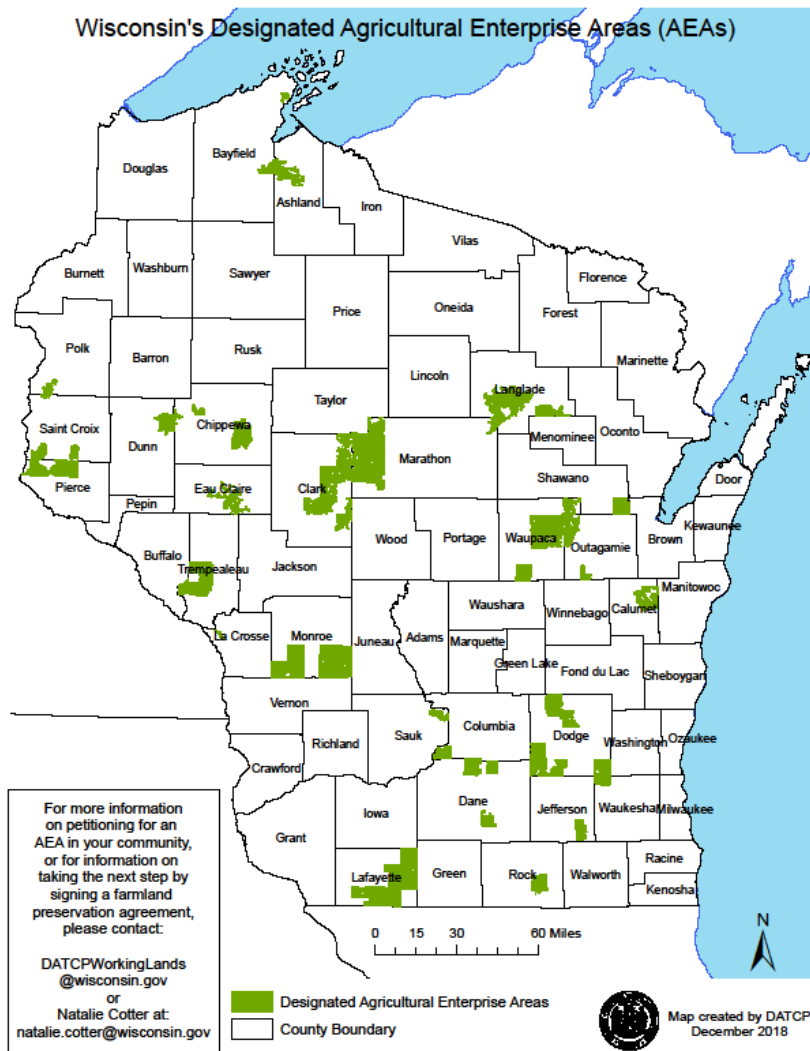
- ▶ Area shall be located within the designated “Farmland Preservation Area” identified in the Certified Farmland Preservation Plan (OC-FPP certified until 2022).
- ▶ Parcels in the area are contiguous; only separated by a lake, stream, or transportation or utility right-of-way.
 - ▶ DATCP preference given to areas \geq 1,000 acres of land.
- ▶ The land in the area is primarily in agricultural use.
- ▶ Submit Petition requesting designation to DATCP.
 - ▶ Petitions are accepted November – June 21st of each year.

Who submits the Petition?

- ▶ State statutes (91.86(2)) requires a joint filing from the following:
 - ▶ Each political subdivision (**Township/County**) in which any part of the proposed agricultural enterprise area is located.
 - ▶ County Conservationist sign in support of petition
 - ▶ **Owners of at least five (5) eligible farms** located in the area
 - ▶ More than five recommended by DATCP
- ▶ “**Eligible Farm**” means a farm that produced at least \$6,000 in gross farm revenues during the taxable year preceding the year in which a petition is filed or a total of at least \$18,000 in gross farm revenues during the 3 taxable years preceding the year in which a petition is filed.

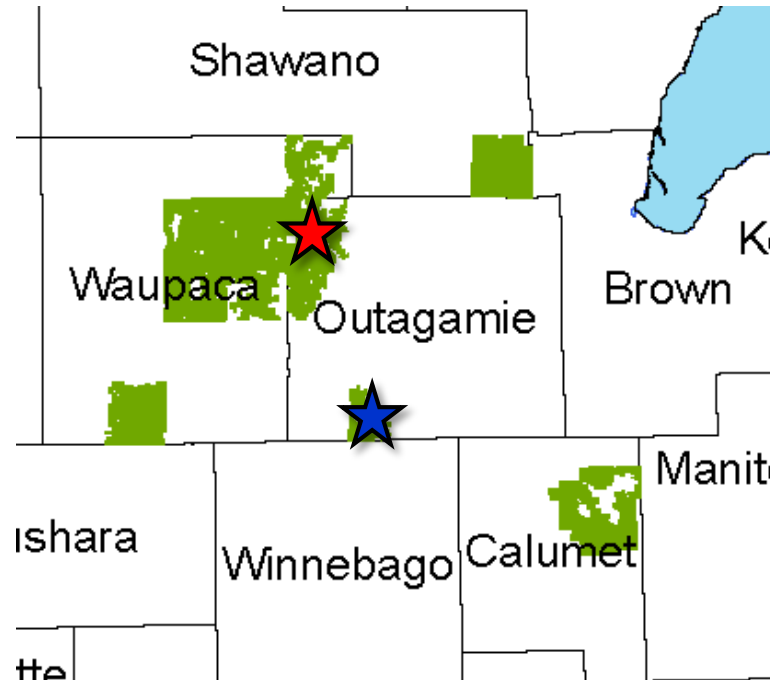
What happens after Petition submittal?

- ▶ DATCP works with an evaluation team to review all petition submittals
- ▶ Evaluation team recommends petition submittals to be selected for designation
- ▶ DATCP designates the AEA by order (a notice of the order is published in the official state newspaper)
- ▶ The designation takes effect on January 1st of the following year
- ▶ AEA designation remains in effect unless terminated by order of DATCP



2019 - Total 37 AEAs Statewide

Existing AEAs in Wisconsin and Outagamie County



★ Three Rivers AEA -Waupaca & Outagamie County (111,186 Ac - Est. 2019)

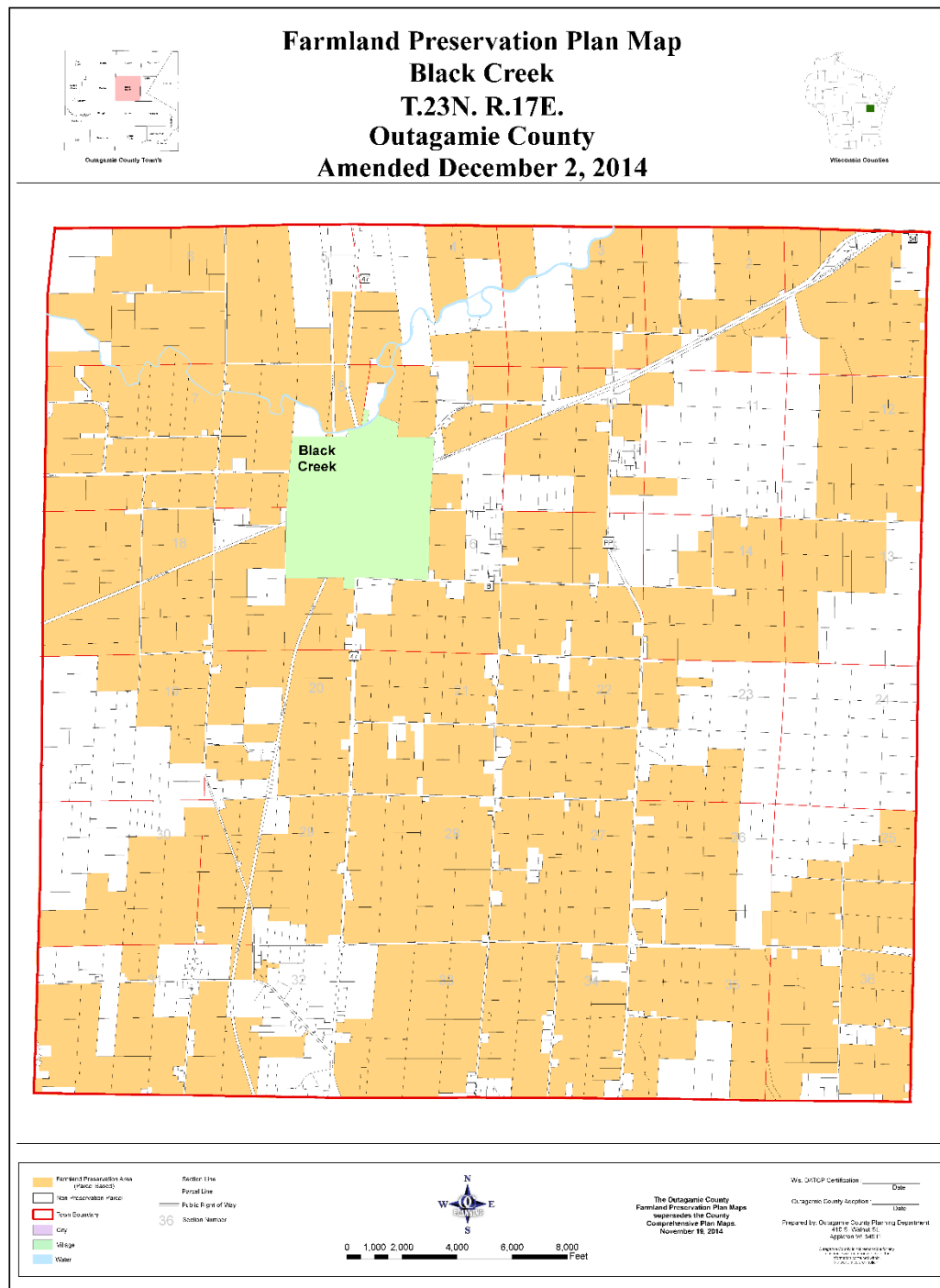
★ Greenville Greenbelt AEA - Outagamie County (6,178 Ac - Est. 2015)

Questions/Discussion

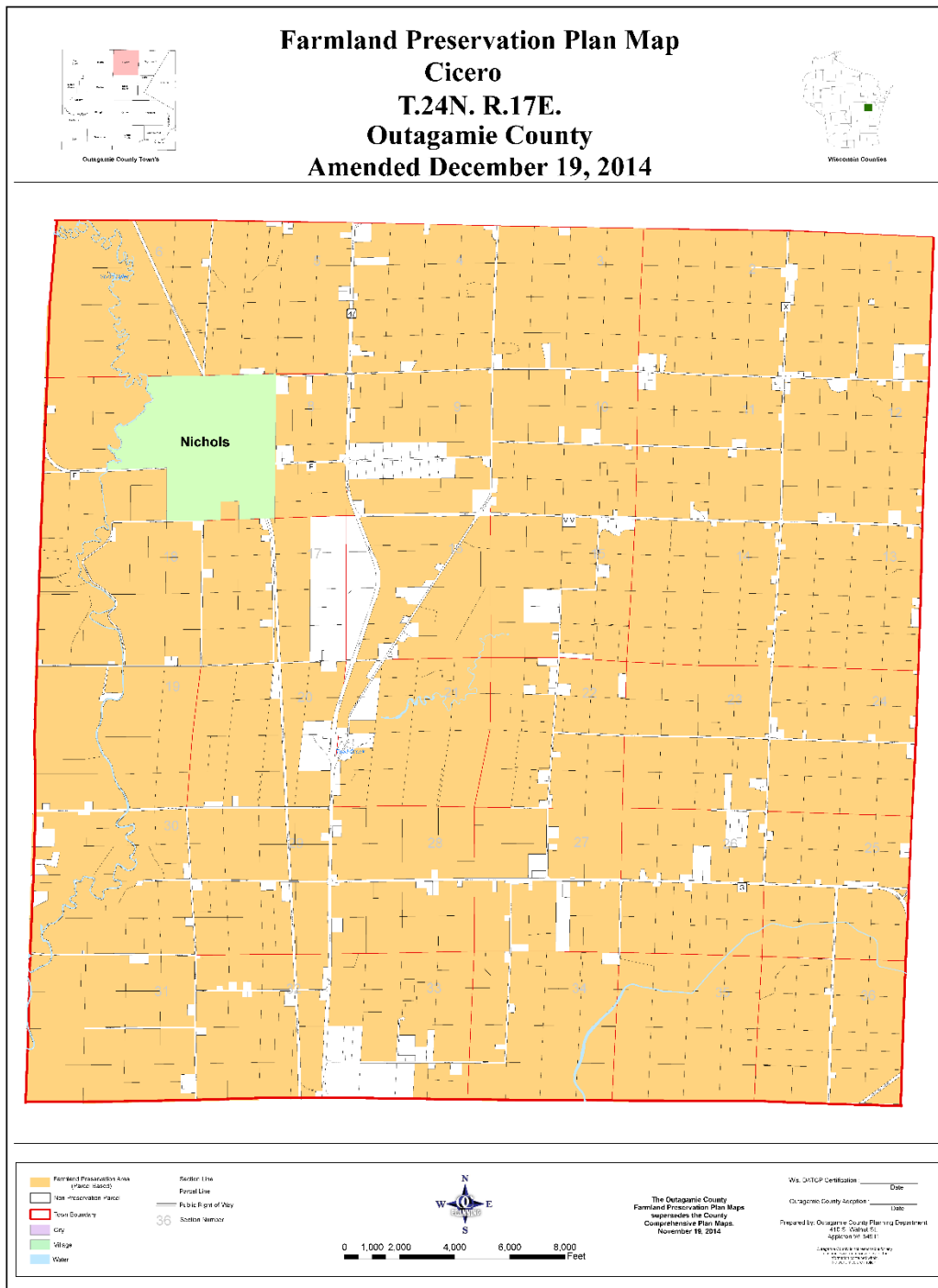
- ▶ Potential next steps?

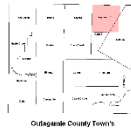
Helpful Links

- ▶ DATCP Home
 - ▶ <https://datcp.wi.gov/Pages/Homepage.aspx>
- ▶ DATCP Designated AEAs
 - ▶ https://datcp.wi.gov/Pages/Programs_Services/DesignatedAEAs.aspx
- ▶ DATCP Farmland Preservation Interactive Map
 - ▶ <https://datcpgis.wi.gov/maps/?viewer=fpp>

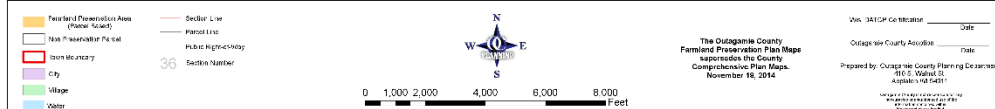
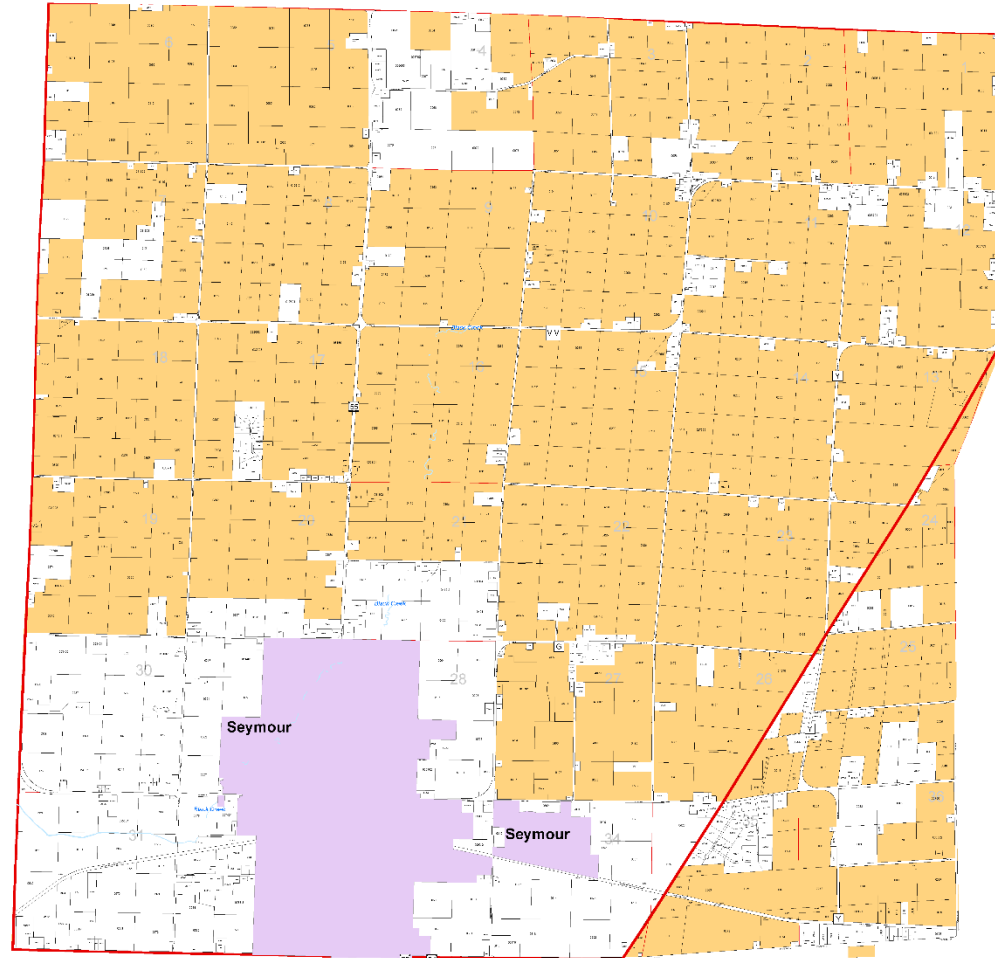


Town of Black Creek

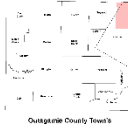




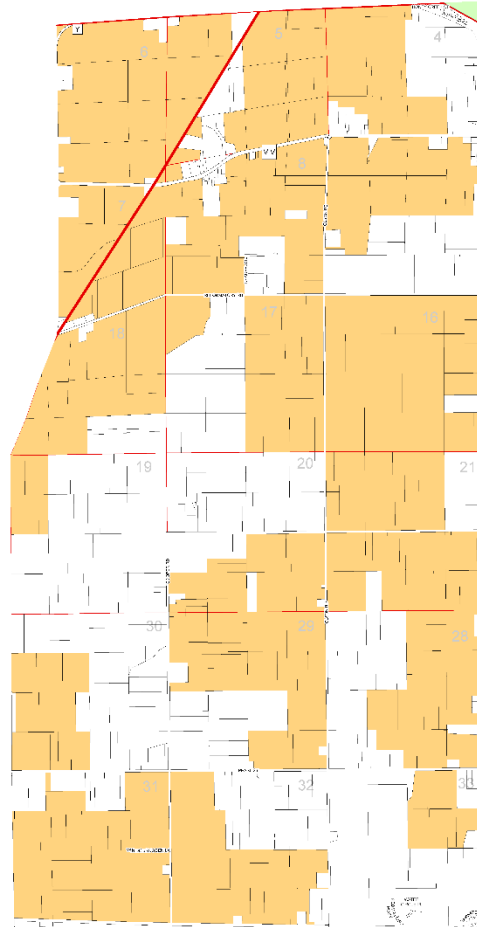
Farmland Preservation Plan Map
Seymour (W) & Oneida (NW)
T.24N. R.18E.
Outagamie County
2nd Amended September 27, 2016



Town of Seymour & Oneida

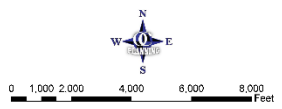


Farmland Preservation Plan Map
Seymour (E) & Oneida (NE)
T.24N. R.19E.
Outagamie County
2011



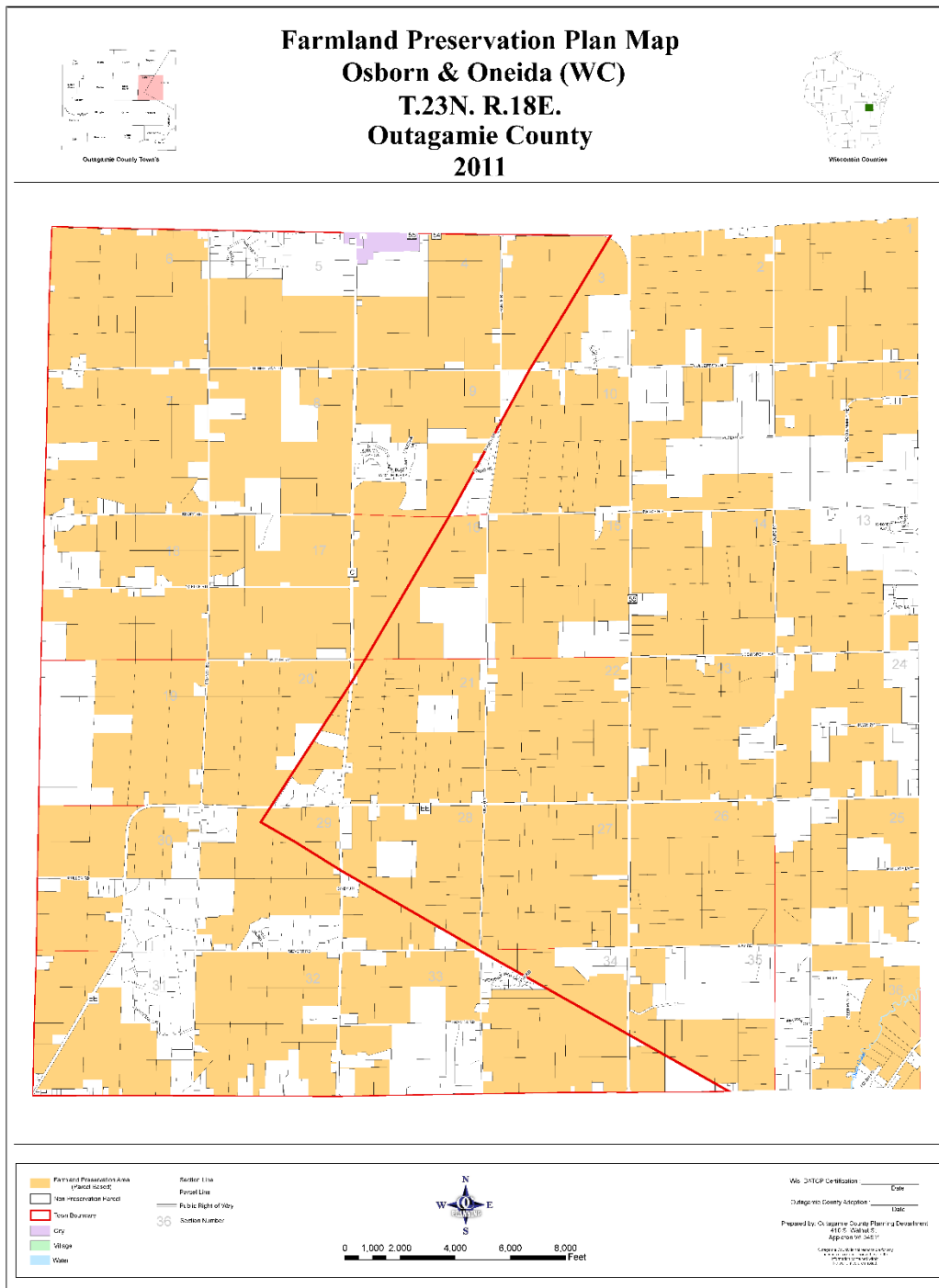
- Farmland Preservation Area (Preserved Land)
- Non-Farmland Preservation Area
- Town Boundary
- City
- Village
- Water

Section 1/4
Parcel Line
Public Right of Way
36 Section Number



Wisconsin DNR Certification _____ Date _____
Outagamie County Adoption _____ Date _____
Prepared by: Outagamie County Planning Department
400 N. Central St.
Appleton WI 54911
Contact: (920) 735-1234
Fax: (920) 735-1235

Town of Seymour & Oneida



Town of Osborn & Oneida

Petition requirements

Sec. 91.86(3)(a)

- ▶ The correct legal name and principal address of each petitioner.
- ▶ A summary of the petition that includes the purpose and rationale for the petition.
- ▶ A map that clearly shows the boundaries of the proposed agricultural enterprise area so that a reader can easily determine whether a parcel of land is located within the proposed area.
- ▶ Information showing that the proposed agricultural enterprise area meets the requirements under 91.84(1)(e).
- ▶ A clear description of current land uses in the proposed agricultural land use and development goals for the proposed agricultural enterprise area including proposed agricultural uses, agriculture-related uses, and relevant transportation, utility, energy, and communication uses.
- ▶ A plan for achieving the goals under subd. 6., including any planned investments, grants, development incentives, cooperative agreements, land or easement purchases, land donations, and promotion and public outreach activities.
- ▶ A description of any current or proposed land use controls in the proposed agricultural enterprise area, including farmland preservation agreements.