



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 P.O. Box 8911
 Madison, WI 53708-8911
 Phone: (608) 224-4611

2020 Agricultural Enterprise Area - Modification Petition

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 guidance¹ provided and submit the following information in support of the petition:²

Please note that a petition for modification is not necessary for a minor map correction. A minor map correction is an adjustment to the boundary of a designated AEA to correct a mistake that occurred during the development or designation of that AEA. A minor map correction will be limited to resolving the identified boundary error. Examples of a boundary error include but are not limited to the following: part of a farm inadvertently excluded from the AEA, or a technical mistake that occurred during the mapping process.

PETITION CHECK LIST

- The completed petition form (including any supporting pages and documentation)
- A map of the proposed AEA (PDF format)
- Spatial location data used to create map
- A signed signature page for each owner of an eligible farm who is signing the petition
- A political subdivision signature page 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 located
- A signature page for the county conservationist
- Any non-petitioner cooperator signature pages or letters of support
- The original petition for designation as an attachment
- Optional petition materials including resolutions in support of the petition, and related images of the area

Petitions are due to DATCP by August 5, 2020. Email DATCPWorkingLands@wisconsin.gov to submit electronically.

PART I:

1. GENERAL INFORMATION	
<i>Fill out the following information about the proposed AEA modification. See Notes below for more specifics.</i>	
NAME OF EXISTING AEA TO MODIFY Town of Grant AEA	
COUNTY/COUNTIES IN WHICH AEA IS LOCATED Dunn, Chippewa	TOWNS, CITIES OR VILLAGES IN WHICH AEA IS LOCATED Dunn: Grant, Colfax, Sand Creek, Otter Creek Chippewa: Auburn, Cooks Valley
TOTAL ACRES IN PROPOSED AEA MODIFICATION 5095	TOTAL NUMBER OF PETITIONERS REQUESTING MODIFICATION (Note 1) 13

Note 1: An AEA petition must be jointly filed by *at least* 5 eligible farm owners within the boundaries of the proposed AEA, and by each county, town or municipality in which any part of the proposed AEA is located.

2. PETITION CONTACT INFORMATION			
<i>Fill out contact information for the main contacts for the proposed AEA modification.</i>			
COUNTY STAFF CONTACT Travis Drier, Nutrient Management Specialist	EMAIL tdrier@co.dunn.wi.us	PHONE NUMBER 715-231-6542	
MAILING ADDRESS STREET 3001 US Hwy 12 East, Suite 240A	CITY Menomonie	STATE WI	ZIP 54751
LANDOWNER REPRESENTATIVE Robert Bernier	EMAIL windchaser1957@outlook.com	PHONE NUMBER 715-658-0131	

¹ Guidance available at https://datcp.wi.gov/Pages/Programs_Services/AEAPetitionInfo.aspx.

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

MAILING ADDRESS STREET N11471 765th Street	CITY Colfax	STATE WI	ZIP 54730
---	----------------	-------------	--------------

3. ELIGIBILITY REQUIREMENTS

Answer the following questions. If "No" is selected for any question, this application is currently ineligible. That question should be addressed prior to submitting the application. DATCP is willing assist you in resolving any issues in order to facilitate an AEA petition.

- | | | |
|---|---|-----------------------------|
| a. All proposed parcels added to the existing AEA are located within a farmland preservation area designated in the certified county farmland preservation plan. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. After modification, all parcels in the proposed AEA are contiguous. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. After modification, the proposed AEA remains primarily in agricultural use. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. At least five (5) eligible farm owners signed the petition under the <i>Petitioning Landowner Signature Page Attachment</i> . This can be a combination of landowners in the existing and proposed area. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

PART II.

4. BACKGROUND INFORMATION

Provide details about the area proposed for addition to the existing designated AEA. If the answer to these questions has changed from the time of the original petition, provide these details for the entire proposed AEA, including the portion that is already designated.

Question 4a. Current Land Use and Land Use Trends

Consider citing existing information or maps from the county's farmland preservation plan or local comprehensive plans.

- a. Describe ALL current land uses (both agricultural and non-agricultural) within the proposed AEA OR attach a current land use map and a table or short narrative that explains what the map depicts:
Land use includes crop production, including corn, soybeans, alfalfa, oats, rye, winter wheat/rye. Animal raising including beef and chickens, and honey production by raising honey bees. Additional land use of timber planting and harvesting, including plantation pine, prairie grasses and flowers for regeneration of prairie ground. There are many springs in the area, so ponds and waterways have been constructed to restrict the high amount of sediment and water runoff that had gone into streams.

For assistance in creating a land use map, please contact Wednesday Jordan at (608) 224-4611 or Wednesday.Jordan@wisconsin.gov.

- b. Describe the land use trends in the area proposed for addition:
The area proposed for addition is mainly Farm Use (agriculture), with some designated as Non-Farm Use (residential). Residential development in and adjacent to the proposed AEA addition is considered to be very light. The goal of landowners in the proposed AEA addition is to maintain and continually improve the current agriculture structure and use of the land, and to preserve and improve the natural habitat and vegetation of the area for wildlife and future generations.

Examples to illustrate trends might include number of new septic system applications, zoning information, population growth, protected natural areas, etc.

- c. What are the main types of agricultural production in the areas proposed for addition to the AEA boundary?

The main types of ag production in the proposed AEA addition is corn, soybeans, alfalfa, oats, rye, winter wheat/rye. There is grazing of beef cattle, some chicken producers, and bee keepers. There is participation in CREP, MFL, CRP, NRCS, ASCS.

Examples: Common agricultural uses (row crops, grazing, dairy, etc.), State conservation programs (CREP, MFL, etc.), Federal conservation programs (CRP, CSP, etc.), local conservation efforts, etc.

Question 4b. Land Use Controls and Plans in Area Proposed for Addition (check all that apply)

Select all Land Use Controls and Plans in proposed area. Add a short description where applicable.

- Farmland preservation zoning ordinance
- Subdivision ordinances
- Other zoning ordinances (specify type of ordinances that apply to lands in the proposed AEA. Examples include manure storage, livestock facility siting, or wellhead protection ordinances)
- Purchase of development rights and/or easements (donated or purchased)
- Transfer of development rights
- Farmland preservation agreements
- Cooperative boundary agreements/inter-municipal agreements
- Natural area protections or conservation program activities (state and/or federal) (specify) NRCS, ASCS, MFL
- Comprehensive plan (specify)
- Other programs or activities showing a commitment to water quality and/or soil health (specify)

Question 4c. Confirm that the proposed modification to the AEA is consistent with any existing local comprehensive plan.

Is the area you are proposing to add to the AEA planned for agriculture use or a compatible use in applicable comprehensive plans?

- a. The county(ies) of Dunn and Chippewa has(have) a comprehensive plan and the proposed modification to the AEA remains consistent with this plan. Yes No
- b. The Town(s) of Grant, Sand Creek, Colfax, Otter Creek, Auburn and Cooks Valley has(have) a comprehensive and the proposed modification to the AEA remains consistent with this plan Yes No
- c. There are no comprehensive plans for the political subdivisions in which the proposed modification is located. Yes No

Question 4d. 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*

*If there is low, no, or unknown compliance in the area please provide additional rational for why this is:

5. PURPOSE AND RATIONALE

Describe the purpose and rational for modifying this AEA. See below for more specific instructions for each subsection.

Question 5a. Additional Goals and Activities to Reach Stated Goals

- a) Describe goals for the preservation of agricultural land use in the modified AEA boundary.
By participating in nutrient management classes and staying informed on best practices for the use of waterways, our goal is to preserve and improve the agricultural land, through proper nutrition management, proper tillage practices, and proper utilization and preservation of waterways to prevent erosion. The Town of Otter Creek has a minimum lot size of five acres, and historically has experienced a low rate of non-agricultural growth and this trend is not expected to change over the next 20 years.
- b) Describe specific goals for agricultural development and/or innovation in the modified AEA boundary.
Through routine soil sampling, determine best use of nutrient application on various soil types. To continue to have groups attend neighborhood farm field meetings to visit and review farm fields and view cover crops, discuss nutrient management, best practices in low or no till practices and discuss outcomes of applications. Continue with best practice sharing and discussion.

- c) Describe any activities that have taken place within the existing AEA related to the originally stated goals. Include any planned investments, grants, development incentives, cooperative agreements, land or easement purchases, or public outreach activities:

The existing AEA is involved in the Red Cedar Watershed Program and members of the current AEA have participated in and promoted the annual Red Cedar Conference where discussions are held regarding economic development, profitable farming, water quality, recreation, tourism, property values, and the effects of these topics on the agricultural community. Bob Bernier who belongs to the proposed AEA is a member of the Red Cedar Watershed Program and has seen first-hand the benefit of these meetings and discussions that address the issues and concerns with clean ground water, best practices in controlling water run-off, best practices in manure application, and ways to prevent pollution of aquifers in the area.

The Dunn County Land Conservation Division and Chippewa Valley Technical College have an active program in place that allows landowners to attend classes and develop and update Nutrient Management Plans, which have proven extremely valuable in aiding farmers in the proper application of nutrients to their farmlands so as to produce a bountiful crop with the least disruption to the environment. The LCD staff has provided farm visits, informational meetings and well-attended field days with ag owners. These visits and meetings have provided opportunities to discuss and answer questions on soil erosion, feedlot runoff, manure storage, and nutrient management planning. *Contact DATCP if you need assistance to determine what goals were identified in the original AEA petition.*

Question 5b. Describe the rationale for this AEA modification, how this modification is consistent with and beneficial to the existing AEA, and how the new boundary (change in size and locations) was determined.

Factors that could be considered for delineating the AEA boundary include watershed boundaries, soil types, agricultural lands, landowner interest, proximity to agricultural infrastructure, etc. Landowner desire to participate should not be the only consideration in drawing the AEA boundary.

The new boundary was determined by proximity to the existing Grant AEA, which has the same or similar soil types and has agricultural use of the land. The existing Grant AEA encircles much of the proposed AEA, so this Modification helps to include areas previously omitted from the original AEA where landowners have the same objectives and interests as the current AEA landowners.

6. OUTREACH

An AEA modification should be developed through a public process, with the help of public meetings or open houses. In the following section, describe the public outreach strategy that was used during the modification process as well as the future process to encourage additional Farmland Preservation Agreements within the new AEA boundary if modified.

Question 6a. Describe all efforts to provide information to and involve the public in the modification process

Describe the public process used to share information about the AEA modification, establish the new boundary, identify farm owner petitioners and notify non-petitioners within the modified boundary. Provide details on meetings scheduled, mailings, or other information on how the public was made aware of the petition development.

Public outreach: Town of Otter Creek Board meeting on January 14, 2020 to initially discuss the process and purpose of an AEA Modification. Town of Otter Creek Board meeting on February 11, 2020, which included Wednesday Jordan and Katy Smith, both of DATCP, along with Travis Drier, Dunn County Nutrient Management Specialist. This was an informational meeting to educate attendees on the purpose and outcome of an AEA. This meeting was advertised in the Colfax Messenger newspaper and on the Town website, along with phone calls and home visits by Bob Bernier to residents of the proposed AEA area, and residents of the existing AEA area. These contacts were to inform people of the upcoming informational meetings to discuss the purpose and benefits of being in an AEA area, which includes farmland preservation of prime ag soils, woodland, and drained wetlands, to include crops, livestock, MFL, nursery, etc. There was a Town of Otter Creek Board meeting on June 9, 2020 to discuss boundaries of the proposed AEA. Notice was advertised in the Colfax Messenger newspaper, on the town website, and by word-of-mouth to residents located within the proposed AEA.

Question 6b. Update the current AEA Planned Farmland Preservation Agreement Strategy to include the land added in the Modified AEA

Describe the current and future outreach strategy to encourage landowners within the modified AEA boundary to sign Farmland Preservation Agreements.

To date, outreach strategies include multiple informational meetings to create public interest in petitioning for the AEA, as well as providing residents in the area a good understanding of the program. Articles had been posted in local newspapers and newsletters, and multiple mailings have been sent with information about AEAs. Town of Grant board members, and now Town of Otter Creek residents, have gone door-to-door talking to residents about the benefits of being included in an AEA and in the Farmland Preservation Program. In the future, the Town of Grant board members, and Town of Otter Creek residents, will continue to talk to their neighbors about the benefits of the program and benefits of signing a Farmland Preservation Agreement (FPA). Dunn County Land Conservation Division staff will continue to offer informational meetings and presentations to interested communities and landowners, explaining the purpose of an AEA and FPA. The contents of the agreement and ATCP 50.04 compliance will be understood before a landowner signs an FPA.

Question 6c. Describe the farmland Preservation Agreement participation level within the existing AEA

Some consideration: Have you met your agreement sign-up goal? Are there certain areas that are participating more than others? Have outreach efforts improved participation? Is there room for improvement or changes to strategy?

In the current AEA, there are 7 landowners who have Farmland Preservation Agreements. Town officials and staff from the Dunn and Chippewa County Planning, Resource & Development and Land Conservation Departments will support and assist with any paperwork involved in Farmland Preservation Agreements. Outreach efforts have been successful, as evidenced with this proposed Modification for expansion of the current AEA. There is always opportunity for improvement of communication of the purpose and benefit of an AEA and FPA, and members are committed to continued and expanded communication to additional residents of local communities.

Question 6d. What can DATCP do to support outreach efforts within the AEA (regardless if modification is approved)?

Describe any types of assistance DATCP can provide to aid outreach efforts within the AEA if designated. Examples of assistance include informational mailers, educational materials, speaking presentation, etc.

Continue to promote the program, providing any yearly metrics, participation rates, program updates, AEA and FPA highlights, and sharing of best practices at a yearly county-wide meeting.

Continue to next page for details related to Part III – Maps, Part IV. – Signature Pages, and Part V. - Optional

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 F of the guidance document.

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

Part IV.

SIGNATURE PAGES

The purpose of the signature pages is to show there is adequate support in the area by landowners, local governments and agricultural-related business for designation. See attached “Petitioning Landowner Signature Page,” “Political Subdivision Signature Page”, “County Conservationist Signature Page” and “Non-Petitioning Cooperator Signature Page.”

1. Submit a minimum of five (5) eligible farm owner petitioner signature pages
 - a. The amount of petitioners should make sense in light of the proposed boundary size, and there should be a logical distribution of petitioners within the proposed boundary
 - b. This can be a combination of landowners in the existing and proposed boundary
2. Submit a signature page for each political subdivision within the proposed boundary. This includes both counties and towns
3. Submit a signature page signed by the county conservationist for each county the proposed boundary covers
4. To show support for the petition by agricultural-related businesses, non-petitioning landowners and other community organizations, please submit any corresponding non-petitioning cooperator signature pages. You can also submit letters of support in lieu of non-petitioning cooperator signature pages
 - a. These signature pages/letters of support are highly recommended

Please follow the signature page guidelines in Part G of the guidance document. DATCP is willing to prepare a custom signature page for your AEA petition if it will help solicit local support/ clarify what effect signing a signature page has. Contact Wednesday.Jordan@wisconsin.gov for examples or requests.

Part V.

ORIGINAL PETITION FOR DESIGNATION

Please submit the original petition for designation as an attachment. This will provide the evaluation team with important context for the area proposed for expansion including established goals for preservation of agricultural land use and agricultural development/innovation. Petitions must be submitted to DATCP by June 19th, 2020. Please email DATCPWorkingLands@wisconsin.gov to submit modification petitions electronically.

Part VI.

OPTIONAL

Photos from Proposed AEA

Photos of the AEA provide context for the AEA Petition Evaluation Committee.

Local Resolutions

Sample resolution text is included in Appendix B of the guidance document.