



State of Wisconsin  
Governor Scott Walker

**Department of Agriculture, Trade and Consumer Protection**

**DATE:** September 21, 2017

**TO:** Board of Agriculture, Trade and Consumer Protection

**FROM:** Jeff Lyon, Interim Secretary, Department of Agriculture, Trade and Consumer Protection  
John Petty, Administrator, Agricultural Resource Management Division

**SUBJECT:** Report on AEAs recommended for designation in 2017

The Agricultural Enterprise Area evaluation team met on July 20, 2017 to review the single AEA petition received during this petition cycle. The team recommended the designation of one new AEA. Additional information about the area is provided in Attachment A.

*Table 1: AEAs recommended for designation*

AEA name	Approximate number of acres (Total if modified)	Number of petitioners (Total if modified)	AEA Location (County and Town)
Farming Forward AEA	19,423	9	Waupaca County: Town of Lind

The team did request additional information regarding Waupaca county’s public outreach strategy, as well as letters of support from the surrounding agricultural business community to strengthen the Farming Forward Petition. Ryan Brown, of Waupaca’s Planning and Zoning Department, provided the team with additional information and is in the process of obtaining letters of support. Specifically, the team was informed that much of the public outreach strategy took place as part of the county's initial farmland preservation planning process. Although this was not well described in the petition, the additional information provided more clarity towards the public's involvement in petitioning for an AEA. It is important to note this request for additional information did not affect the team’s recommendation for designation.

**Summary of AEAs statewide**

Designation of the recommended AEA is completed by departmental order, with notification of the order posted in the state newspaper. Following notification, the designation takes effect on January 1, 2018. After designation of the one successful petition there will be 34 AEAs in the state totaling just over 1,100,000 acres. The AEAs are located in portions of 25 counties, 98 towns and the Bad River Reservation (See Attachment B).

- Attachment A: Summary of the 2017 AEAs recommended for designation
- Attachment B: Map of designated and recommended AEAs
- Attachment C: Submitted petition and map

## **Attachment A: Summary of the 2017 AEAs recommended for designation**

### **FARMING FORWARD AEA**

#### **Overview**

- ◆ Waupaca County: Town of Lind
- ◆ 19,423 acres
- ◆ 9 petitioners
- ◆ Dairy, grain and specialty operations

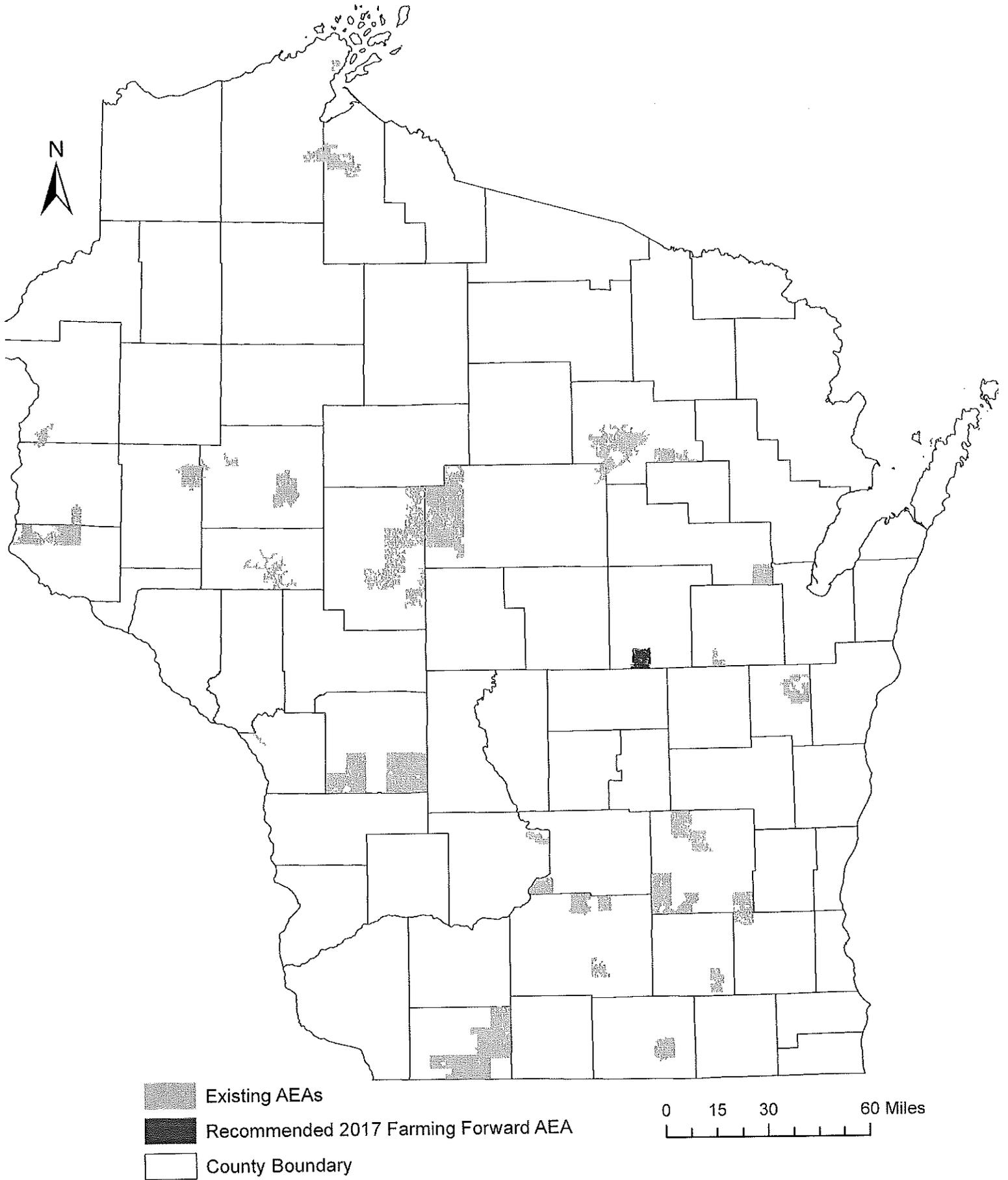
#### **Goals**

- ◆ Maintain the viability, operational efficiency, and productivity of the town's agricultural resources for current and future generations
- ◆ Encourage farm succession planning and long-term business planning for agricultural operations
- ◆ Allow for the opportunity to accommodate creative and unique forms of agriculture
- ◆ Increase awareness relative to the importance of protecting the viability of the local agricultural industry
- ◆ Strive to reduce the conversion of productive farmland into non-agricultural development
- ◆ Explore opportunities that allow farmers to secure financial benefits related to the preservation of farmland in the hopes it encourages and promotes the passage of farmland from one generation to another

#### **Items of Note**

- ◆ Proximity to high density residential development due to the prevalence of lakes and proximity to the City of Waupaca
- ◆ Significant investments made on individual farms including the expansion of dairy processing and production capacity
- ◆ Almost 10% of the proposed AEA is under development-restricted easements

# Attachment B: Agricultural Enterprise Areas 2017



# Attachment C: Submitted Petition and Map

ARM-LWR-456 (Rev. Nov 2016)



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

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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. **Farming Forward**
- B. County or counties in which the proposed AEA is located. **Waupaca County**
- C. All towns, villages or cities in which the proposed AEA is located. **Town of Lind**
- D. Number of owners of eligible farms within the proposed AEA who signed the petition. **9**
- E. Total number of acres in the proposed AEA. **19,423**
- F. All parcels in the proposed AEA are located within a farmland preservation area designated in the certified county farmland preservation plan.  Yes  No
- G. All parcels in the proposed AEA are contiguous.  Yes  No
- H. The proposed AEA is primarily in agricultural use.  Yes  No
- I. Primary type of agricultural production in the proposed AEA. **Dairy, Beef, Cash Crop**
- 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: **Brian Haase**  
Address: **811 Harding St, Waupaca, WI 54981**  
Phone number: **715-258-6482**  
Email: **brian.haase@co.waupaca.wi.us**

Name: **Art Richardson**  
Address: **N641 Sorenson Rd, Waupaca, WI 54981**  
Phone number: **715-258-3988**  
Email: **N/A**

<sup>1</sup> Guidance available at: [https://datcp.wi.gov/Pages/Programs\\_Services/AEAPetitionInfo.aspx](https://datcp.wi.gov/Pages/Programs_Services/AEAPetitionInfo.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

## PART II. PURPOSE AND RATIONALE FOR AEA<sup>4</sup>

Introduction to proposed AEA (optional):

The proposed Farming Forward AEA is a somewhat geologically secluded area that is almost fully contained within the Town of Lind, south of the City of Waupaca. The area is characterized by somewhat hilly topography and productive Hortonville Soils that are otherwise surrounded by sandier, unproductive soils in the adjacent townships in southern Waupaca County. The farmable area is operated by about a half dozen highly successful dairy operations that are all continuously expanding and improving their operations as well as two large cash grain operators that both own their own grain drying and storage facilities. Additionally there are many smaller beef, grain, and specialty farming operations perforated throughout the proposed AEA. Unique to the Town of Lind and the proposed AEA is the amount of permanently protected lands within its borders. There is currently 1,782 acres or 7.8% of the proposed AEA in the Town of Lind with permanent development restricted easements in place. The petitioners of this AEA realize that they exist upon a highly productive area of land and wish to keep it available to farming as a land use. An AEA would continue to support the local economy and ensure certainty to the farmers.

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1. State the specific goals for the preservation of agricultural land use.

**Maintain the viability, operational efficiency, and productivity of the town's agricultural resources for current and future generations. Encourage the major dairy operations in forward planning of long term resources and farm succession planning in the neighborhood.**

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2. State the specific goals for agricultural development and/or innovation.

**The specific goals for future development and innovation is to allow for the opportunity to accommodate creative and unique forms of agriculture, increase awareness relative to the importance of protecting the viability of the local agricultural industry, strive to reduce the conversion of productive farmland into non-agricultural development and finally to explore opportunities that allow farmers to secure financial benefits related to the preservation of farmland in the hopes it encourages and promotes the passage of farmland from one generation to another.**

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

4. Describe (a) all current land uses within the proposed AEA **and** (b) provide information about land use trends in and around the AEA. *(The proposed AEA must be primarily in agricultural use.)*

**The vast majority of the Town of Lind is currently planned and zoned for agricultural use. Similar to other towns, Lind has a mixture of small home occupation type commercial type development, but nothing large scale. The western edge of the town, and to a lesser extent the northern edge, is seeing and will see high density residential development due to the prevalence of lakes on the western edge and the proximity to the City of Waupaca to the north.**

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5. How did you determine the boundary (location and size) of the proposed AEA? As part of your answer describe all efforts to provide information to and involve the public in the petition process.

**The boundaries were determined by the initial farm preservation planning process within the town. During the initial planning process great care was taken to ensure that all farms included in the farm preservation eligibility area were farmers that truly wanted to be involved. It is because of this planning process and the several public informational meetings that were used to determine the eligibility area that the town feels very comfortable using the same boundaries for this AEA proposal.**

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6. Describe any recent investments made to support agriculture and agricultural-related business in or near the proposed AEA.

**The eight major dairy and grain operations located in the proposed AEA have seen extensive investment in recent years. The Brooks farm is only a few weeks removed from bringing their new \$8 million dollar parlor and free stall expansion online. This joins their state of the art \$500,000 calf barn completed in 2015. Bartels Breezy Hill has invested \$1.2 million in a new automated calf barn, free stall addition, parlor upgrades and expanded feed bunkers since 2014. The Seward farm has invested \$400,000 in new calf and heifer facilities in 2015. Quantum Dairy invested in a \$1 million sand separation unit in 2014. VN Grain Farms (Kathy Nickel) built a \$383,000 grain storage and drying facility in 2011. Gravel Road Farms (Ross Ferkett) has invested \$50,000 in fencing, waterlines, and storage shelters in support of their growing CSA operation.**

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7. Indicate the approximate level of petitioner compliance with state soil and water standards.

- 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

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8. Describe the level of non-petitioner cooperator support for the petition.

**Non Petitioner support is expected to be reasonably high. The proposed AEA area has only been in Exclusive Agricultural Zoning since December, 2015. In that short time owners of over 29% (5,647 Acres) of the eligible land have participated in and claimed the Farmland Preservation Tax Credit. That is a new landowner entry rate of 16.7% in year one and 12.3 % in year two. Waupaca County anticipates year three to be around 8-10% and then have a new entry rate stabilize at around 3-4% per year until reaching the 50% level. Waupaca County LWCD does a yearly targeted mailing to eligible Farmland Preservation Zoning landowners encouraging participation. Additionally, several tax preparers within the county have also done mailings notifying their clients of the opportunity to engage in Farmland Preservation. The only barrier Waupaca County has encountered, to date, is the cost of Nutrient Management Planning for non dairy agricultural owners. We anticipate that barrier being lessened by the increased amount of tax credit within an AEA and expanded DATCP cost share funding to offset those costs. Overall there are 10,487 acres of tillable land in the proposed AEA and we expect 50% participation by year seven.**

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9. Fill in the tables to provide information about activities and partners in the proposed AEA.

<b>A. Land Use Controls and Plans</b>		
<i>Type of Control</i>	<i>Existing or Future</i>	<i>Provide details about the selected control</i>
<input checked="" type="checkbox"/> Farmland preservation zoning ordinance	<b>Existing</b>	<b>Waupaca County has three certified farm preservation zoning districts that exist exclusively within this proposed AEA.</b>
<input type="checkbox"/> Other zoning ordinances  Specify:		
<input checked="" type="checkbox"/> Farmland preservation agreements	<b>Existing</b>	<b>There is one pre July 1, 2009 Farmland Preservation Agreement still in effect within the proposed AEA.</b>
<input checked="" type="checkbox"/> Purchase of development rights and/or easements (donated or purchased)	<b>Existing</b>	<b>The Town of Lind currently has three types (County, PACE, and private land trust) of permanent development rights restriction easements within its borders.</b>
<input checked="" type="checkbox"/> Transfer of development rights	<b>Existing</b>	<b>Waupaca County has a transfer of development rights process that is intended to offer greater flexibility and not force non-farm development in areas of high farm productivity.</b>
<input type="checkbox"/> Subdivision ordinances		
<input type="checkbox"/> Cooperative boundary agreements/inter-municipal agreements		
<input checked="" type="checkbox"/> Natural area protections	<b>Existing</b>	<b>Waupaca County's zoning ordinance includes a RP (Resource Protection) Overlay. This overlay is intended to define all wetlands, wetland buffers, floodplains, floodplain buffers, surface water buffers and wellhead protection areas. While this overlay has no inherent regulatory teeth it does alert the presence of sensitive natural areas.</b>
<input checked="" type="checkbox"/> Comprehensive plan  <i>Please list which county(ies) and town(s) have an adopted comprehensive plan and explain how that plan is consistent with the proposed AEA. Submit a future</i>	<b>Existing</b>	<b>Waupaca County and the Town of Lind both have adopted Comprehensive Plans. This proposed AEA is directly consistent with the town's comprehensive plan (and by extension Waupaca County's) because they use the same mapping boundaries. This proposed AEA is consistent with the farm</b>

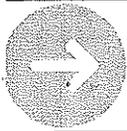
<i>land use map if available.</i>		<b>preservation areas already mapped in the town's comprehensive plan as well as the county's comprehensive plan and farm preservation plan. (see attached future land Use map)</b>
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Other (specify)		

<b>B. Planned Farmland Preservation Agreement Strategy</b>	
<input type="checkbox"/> Informational meeting(s)	
<input checked="" type="checkbox"/> Mailing	
<input checked="" type="checkbox"/> One-on-one conversations	
<input checked="" type="checkbox"/> Newsletter/media	
<input type="checkbox"/> Other	
Agreement sign-up goal (percent of AEA or number of landowners): <b>50% of AEA</b>	

<b>C. AEA Partners</b>		
<i>Partner</i>	<i>Involved in petition development?</i>	<i>Current or future activity</i>
<i>Ex: UW-Extension, county economic development department, county conservation department</i>	<i>Ex: Yes</i>	<i>Ex: AEA outreach, strategic planning, marketing, grant-writing, soil and water conservation activities</i>
<b>Waupaca County Land &amp; Water Department</b>	<b>Yes</b>	<b>AEA Outreach, Soil &amp; Water Conservation Activities, Nutrient Management Education</b>
<b>Waupaca County Planning &amp; Zoning Office</b>	<b>Yes</b>	<b>Zoning &amp; Overlay management</b>
<b>UWEX</b>	<b>Yes</b>	<b>Agricultural Education, Marketing</b>
<b>Waupaca area school district</b>		<b>Farm education days program</b>

<b>D. Agricultural Development Activities</b>		
<i>Type of Activity</i>	<i>Existing/Future</i>	<i>Provide additional details</i>
<i>Ex: Joint marketing or purchasing, development of agri-tourism opportunity, value-added agriculture</i>	<i>Ex: Existing</i>	<i>Ex: Producers have formed a producer cooperative to market their products directly to consumers.</i>
<b>Community Supported Agriculture</b>	<b>Existing</b>	<b>Some producers provide fresh, organic produce directly to consumers through CSA subscriptions.</b>
<b>Agri-tourism opportunities</b>	<b>Existing/Future</b>	<b>Numerous producers in the proposed AEA host pasture walks, farm tours, and/or nature hikes on their land to educate the public about farming and to promote innovative and sustainable agriculture. A partnership between a local restaurant and farmers is underway to offer scheduled farm tours.</b>
<b>Development of agri-tourism opportunity</b>	<b>Future</b>	<b>A progressive farmer is working to develop a \$1-2 million cheese aging facility with an on-farm retail store.</b>

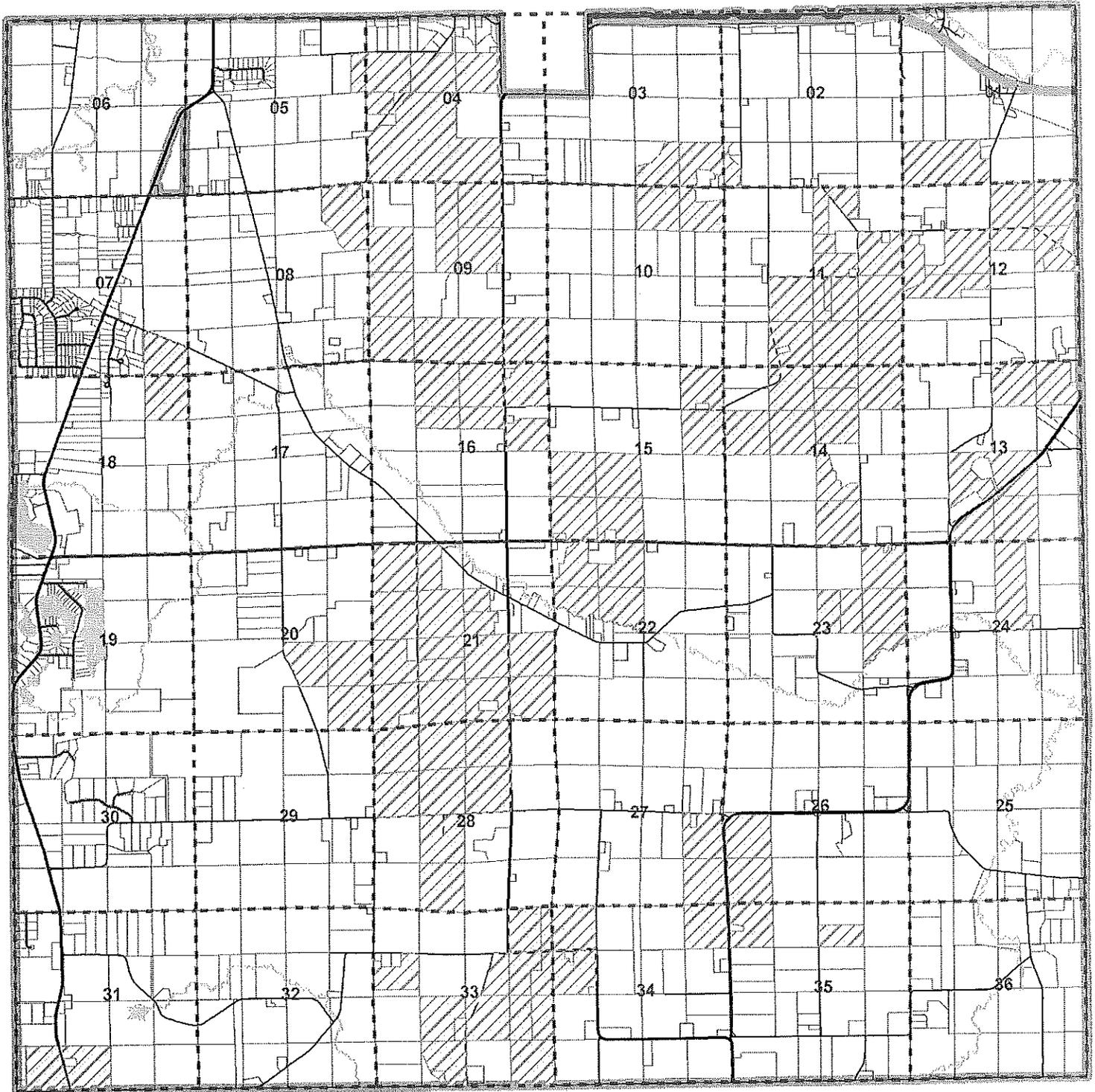
<b>E. Other AEA Activities</b>		
<i>Type of Activity</i>	<i>Timeframe</i>	<i>Provide additional details</i>
<i>Ex: Form a stakeholder group, attend statewide AEA meetings, develop strategic plan, set up website</i>	<i>Ex: Ongoing, Future</i>	<i>Ex: Working with UWEX, we will form an AEA stakeholder group to consider appropriate next step.</i>
<b>Form Local Stakeholder group</b>	<b>Future</b>	<b>Working with AEA partners we will form a stakeholder group to determine the best path to acquire new participants.</b>
<b>Website</b>	<b>Future</b>	<b>Create a web page specific to the AEA and add website links to all County partners' sites as well as any farm business websites related to the AEA.</b>



# Farming Forward AEA

Waupaca County

Date: 6/14/2017



## Map Key

- US Highway
- County Highway
- Local Road
- Private Road
- Town Boundary
- Sections
- Water
- Parcel Line
- Proposed AEA
- Petitioner Overlay

Map produced by:  
Dan McFarlane  
Waupaca Co LWCD

