



Wisconsin Department of Agriculture, Trade & 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 provided and submit the following information in support of the petition (*use the space provided or check the appropriate box*):¹

PART I. GENERAL INFORMATION

- | | |
|--|---|
| A. Name of AEA. | Vienna-Dane- Westport |
| B. County or counties in which the proposed AEA is located. | Dane |
| C. All towns, villages or cities in which the proposed AEA is located. | Vienna, Dane, Westport |
| D. Number of owners of eligible farms, within the proposed AEA, who are signing this petition. | 9 |
| E. Total number of acres in the proposed AEA. | 20,724 |
| F. All parcels in the proposed 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 |
| G. All parcels in the proposed AEA are contiguous. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| H. The proposed AEA is primarily in agricultural use. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| I. Primary agricultural land use in proposed AEA. | Cropland, pasture, forest, several large dairy farms |
| J. Designated contacts for the AEA. <i>Please list at least two contacts for the AEA; preferably at least one staff contact (county, town, UWEX, etc.) and one landowner representative.² You may have more than two contacts. Attach a separate page if necessary.</i> | |

Name: Shawn Haney
 Address: 7161 County Hwy I DeForest, WI 53532
 Phone number: 608-846-3800
 Email: tovclerk@centurytel.net

Name: Walter Meinholz
 Address: 6996 County Hwy I, DeForest, WI
 Phone number: 608-846-4765
 Email: bsdfarms@centurytel.net

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

²The 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
- Engage in activities within the AEA

PART II. PURPOSE AND RATIONALE FOR AEA³

Introduction to proposed AEA (optional):

The Towns of Vienna, Westport and Dane sit in the heart of Dane County's dairying and rowcropping farming region -- the vital center of the most economically significant agricultural region in Wisconsin. The northern part of the proposed AEA abuts the Town of Arlington and the Arlington Prairie. Deep glacial soils and abundant water make this area some of the best farmland in the world. Dane County is also home to the second-largest -- and one of the fastest-growing -- metropolitan areas in the state. Proximity to an urban center creates both opportunities and challenges for farming in this region. On one hand, farmers enjoy ready access to markets, processing and transportation facilities, and to opportunities to earn off-farm income. On the other hand, urban and suburban development compete for the same land resources essential to farming operations. All of the communities in this area have adopted comprehensive plans that seek to protect this vital agricultural land resource. In the early 1990's, the Town of Vienna (which includes the majority of the acreage and landowners within the proposed AEA) completed a survey of town residents. The overwhelming majority expressed a desire to remain a rural, ag based town, even if it meant higher property taxes. In 2004, when the Nature Valley Subdivision was built, it was the first new subdivision in the town in 30 years. The proposed AEA includes small portions of the Town of Dane and Town of Westport, as they are near the Manure Digester that went into operation in 2010. If approved as an AEA, there is ample opportunity for future expansion of the AEA borders further into the Towns of Westport and Dane. Together with the nearby Windsor AEA, AEA designation of the Vienna-Westport-Dane area could help permanently protect a critical mass of farmland and agricultural economic activity to guarantee that farming will continue to thrive in this area through the rest of the twenty-first century.

1. State the goals of the proposed AEA for

a. preservation of agricultural land use:

1. Continue to maintain the area's rural character through the preservation of agriculture.
2. Maintain agriculture as the primary land use in the area
3. Reduce and eliminate the potential for land use conflicts between farm and non-farm uses, as well as between farms.
4. Complement and support existing tools to limit encroachment of nonfarm development on productive farmland by creating incentives for farmers to sign farmland preservation agreements to stay in agriculture for extended periods of time.
5. Maintain a "critical mass" of land in long-term or permanent agricultural use to sustain agricultural support and agriculture-related industries.

b. agricultural development:

1. Create an environment that will maintain and expand agriculture as the primary economic activity in the area through the 21st century.
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³ DATCP will evaluate petitions under s. 91.86, Wis. Stats., and will consider information provided in response to the following questions.

2. Continue to expand opportunities for new markets, value-added activities and new uses for agricultural products and by-products generated by farmers in the area.

We plan on continuing our support to agriculture related businesses. We currently have several Ag related businesses in the area. Ziegler Ag Equipment purchased the former Raemisch Implement business and they are planning an expansion. Aring Equipment Company (large construction related equipment) built their new construction equipment facility here in the Town in 2011. Poms Tire Services provides tires and service to dozens of local farmers. In the past 5 years several dairy farms have greatly expanded their operations here in the Town of Vienna. Those dairies include Blue Star Dairy, White-Gold Dairy, Ripp Dairy, Ripp's Blue-Ribbon Dairy, Endres Dairy and Rauls Farm's Dairy. Madison Sand & Gravel Company is also located in the Town of Vienna. They provide sand as bedding for several local dairy farm operations.

Illinois Foundation Seeds is currently using approx 50 acres of land in the Town of Vienna for seed corn research purposes.

2. 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.)*

A. All land in the proposed AEA is current, active farmland. The intention is to keep in in agricultural use. We have a boundary agreement in place with the Village of DeForest to help with keeping development away from productive agricultural land. Our boundary agreement with the Village of Waunakee has expired, but we have met with them and they have stated that they have no plans to expand north of Easy Street (into the Town of Vienna) for the foreseeable future.

B. The trend for the last 30 + years has been to keep working active farmland. In the past when farm land has become available for sale, it turns in to a bidding war among local farmers. Larger farms are buying up the smaller farms that have come up for sale due to death, retirement, etc. In most cases it is the dairy farms looking to purchase more land to be able to supply feed for their herds, a place to spread manure, etc. We have lost very little land to development in the last 30 years.

3. How did you determine the boundary (location and size) of the proposed AEA?

Because we are a rural town, we chose to designate all areas outside of the proposed growth area of the Village of DeForest, less the land owned by the US Fish & Wildlife Service, American Transmission Company, and the housing subdivisions. We want to give all agricultural land owners the opportunity to participate, whether they are part of the initial petition or not. We expect several other land owners will sign on if the petition is accepted. Several of our petitioners have ag land that is spread out throughout the proposed AEA area. We held 3 public meetings where farm owners heard about the program. We had several articles included in our Town Newsletter.

4. Confirm that the proposed AEA is consistent with any existing local comprehensive plan. Submit a future land use map, if available. *Please do not submit a complete copy of any comprehensive plan.*

The county(ies) of Dane has(have) a comprehensive plan and the proposed AEA is consistent with this plan.

The Town(s) of Vienna, Dane and Westport has(have) a comprehensive plan and the proposed AEA is consistent with this plan.

There are no comprehensive plans for the political subdivisions in which the proposed AEA is located.

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

Over the past 5 to 10 years, many of the area's local dairy operations have expanded their operations. Blue Star Dairy added additional buildings, Endres Dairy added additional buildings and Maier Dairy on Schumacher Road built a new milking parlor. Although the exact dollar value of each expansion is unknown, each one is estimated to be close to a million dollars, if not more.

In 2005-2006 Raemisch Implement moved their implement dealership from the Village of Dane to the Town of Vienna. In 2011 the business was sold to Ziegler Ag Equipment, who is considering an expansion of the dealership.

In 2011 Dane County's first manure digester went in to operation. The digester is connected to 3 local dairy farms. The infrastructure is estimated to be worth at least 2.5 million dollars. Also in 2011, Ripp Dairy on Old Highway 113 added a new barn at a cost of over a million dollars. Stan Rauls also purchased the former Leonard farm, built a new barn, and expanded the dairy operation. This is estimated to be at least a million dollar expansion.

Henry Seed Farms is located on Patton Road in the Town. They are a seed corn producer that is now expanding into alcohol storage and packaging.

6. 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

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

Several farmers have expressed their support for the program, but still have questions. We have done everything we can to provide information to them, and we are hoping they will sign the agreements once the AEA designation is received. The Village of DeForest has been made aware of the petition, but their board was not able to get it on the agenda prior to the application deadline.

8. Fill in the tables to provide information about the activities (past, ongoing and future) that support the proposed AEA.

| A. Farmland Preservation Agreement Strategy | |
|--|---|
| <i>Activity</i> | <i>Summarize these outreach efforts, including who will provide assistance (attach an additional page if necessary)</i> |
| <input checked="" type="checkbox"/> Informational meeting(s) | <p>3 community meetings have been held, and 3 articles have been included in the Town of Vienna Newsletters. If the petition is approved, additional information will be distributed via the newsletter and another informational meeting may be held. In addition, officials from all three towns and staff from the Dane County Department of Planning and Development have talked individually with landowners about the benefits of AEA designation.</p> <p>Plan Commission and Town Board members will reach out to farmers to further explain the program and the benefits of signing the agreement, once the area is designated.</p> |
| <input type="checkbox"/> Mailing | |
| <input checked="" type="checkbox"/> One-on-one conversations | |
| <input checked="" type="checkbox"/> Newsletter/media | |
| <input type="checkbox"/> Other | |
| <input type="checkbox"/> Other | |

| B. Land Use Controls | | |
|---|--|--|
| <i>Type of Control</i> | <i>Timeframe (past, ongoing, future)</i> | <i>Provide details about the selected control (attach an additional page if necessary)</i> |
| <input checked="" type="checkbox"/> Farmland preservation zoning ordinance | Past, Ongoing Future | <p>82% of the area of the proposed AEA falls under Dane County's A-1 (exclusive agriculture) zoning, a certified farmland preservation zoning ordinance under Chapter 91, Wis. Stats. Dane County is in the process of seeking recertification of its farmland preservation zoning ordinance, with anticipated recertification by the end of 2012.</p> <p>Both the current and proposed revised Dane County ordinances are more restrictive than state models, in that they prohibit residential use for anyone who cannot show that they meet minimum agricultural income requirements.</p> |
| <input checked="" type="checkbox"/> Other zoning ordinances Specify: Dane County General Zoning, Dane County Shoreland Zoning, Dane County Floodplain Zoning, Village of DeForest Extraterritorial Zoning, Village | Ongoing | <p>All of the towns within the proposed AEA have adopted the Dane County Zoning Ordinance (Chapter 10, Dane County Code) In addition, Dane County Shoreland Zoning (Chapter 11, Dane County Code) and Floodplain Zoning (Chapter 17, Dane County Code) apply near waterways and wetlands.</p> <p>2,954 acres of the proposed AEA fall within either the Village of DeForest's or the Village of Waunakee's</p> |

| | | |
|--|-----------------------|---|
| of Waunakee Extraterritorial Zoning | | Extraterritorial Zoning Ordinances. Both Villages are considering amending their ETZ ordinances to bring them into compliance with Chapter 91, and seeking DATCP farmland preservation zoning certification. If this happens, this would bring a total of 96% of the proposed area under a certified farmland preservation zoning ordinance. |
| <input checked="" type="checkbox"/> Farmland preservation agreements | Future | Town officials and staff from the Dane County Department of Planning and Development will support and assist with paperwork to get farmers to sign the Farmland Preservation agreements, as part of the AEA designation. |
| <input checked="" type="checkbox"/> Purchase of development rights and/or easements (donated or purchased) | Ongoing, future | The Dane County Land and Water Resources Department purchases development rights from time to time for agricultural preservation, natural resource protection and outdoor recreational purposes. The Dane County Parks and Open Space Plan and the Dane County Land and Water Resources Management Plan include policies for easement and fee title acquisitions throughout the county. The draft Dane County Farmland Preservation Plan would authorize the county to pursue, as funding permits, additional conservation easements for agricultural lands. |
| <input checked="" type="checkbox"/> Transfer of development rights | Future | Dane County recently adopted a transfer of development rights ordinance as part of its general zoning ordinance. All three towns within the proposed AEA are eligible to participate in the countywide TDR program. All three towns will consider future adoption of TDR programs as part of the regular updates of their respective comprehensive plans. |
| <input checked="" type="checkbox"/> Subdivision ordinances | Past, Ongoing, Future | The Dane County Land Division Ordinance (Chapter 75, Dane County Code) applies in the entire proposed AEA area. In addition, the Towns of Vienna and Westport have adopted their own land division ordinances to supplement the county's, and the Villages of DeForest, Waunakee and Dane maintain extraterritorial plat review jurisdiction. Land available for subdivisions is limited due to a lack of urban service, and to strict density policies enforced in rural areas through the town and county comprehensive plans. The Town of Vienna urban service is confined to the southeast corner of the town and the ability to expand that area is very limited (see CARPC Urban Service Area review, below). |
| <input checked="" type="checkbox"/> Cooperative boundary agreements | Past, Ongoing Future | The Town of Vienna has a boundary agreement with DeForest through 2013. The boundary agreement with Waunakee has expired. We had a meeting with Waunakee |

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|---|----------------------------|--|
| | | <p>in early 2012 and they expressed that they do not have a desire to expand north at any time in the near future. None of the proposed AEA is shown as a future growth area in any municipal comprehensive plan.</p> <p>The Town of Westport maintains a cooperative boundary agreement, including joint extraterritorial zoning with the Village of Waunakee</p> |
| <input checked="" type="checkbox"/> Natural area protections | Past, Ongoing Future | <p>Each of the three towns' comprehensive plans, two village extraterritorial cooperative plans and the Dane County Comprehensive Plan have adopted Resource Protection and/or Environmental Corridors to strictly limit new development near sensitive environmental resources, such as wetlands and floodplains. In addition to county shoreland, wetland and floodplain regulations (see above), Chapter 14 of the Dane County Code imposes strict performance standards for stormwater management and erosion control for most significant development.</p> <p>The US Fish and Wildlife Service owns several parcels of land within the area. These parcels have been excluded from the AEA area, as requested in DATCP guidance. Communities within the AEA support their continued ownership, and have provided information to farm owners on how they can sell their wetlands to US Fish and Wildlife.</p> |
| <input checked="" type="checkbox"/> Other (specify) CARPC Water Quality Planning and Urban Service Area Review | Ongoing | <p>The Capital Area Regional Planning Commission (CARPC) reviews and approves requests for extensions of public sewer connections under the authority of NR 121, Wisconsin Administrative Code. Sewer extensions must meet rigorous requirements under the Dane County Water Quality Plan. In recent years, the CARPC has undertaken an assessment of farmland loss in Dane County, to better understand the impacts of nonfarm development on agricultural resources.</p> <p>The draft Dane County Farmland Preservation Plan states that the county will continue to advocate for state legislative changes that would establish objective standards for Urban Service Area approvals that take into account potential agricultural impacts. Dane County will work with the Capital Area Regional Planning Commission and the Wisconsin Department of Natural Resources to explore options that would:</p> <ul style="list-style-type: none"> (a) protect AEAs from urban service area expansions intended to serve new urban development, while; (b) allowing for limited public sewer or water service needed to support agriculture-related industries. |

| | | |
|--|---------|--|
| <input checked="" type="checkbox"/> Other (specify) Comprehensive plan density caps on nonfarm development. | Ongoing | The adopted comprehensive plans for the Towns of Vienna, Westport and Dane and for Dane County, as well as the draft Dane County Farmland Preservation Plan, all place a cap on the number of nonfarm residential lots landowners may create in designated farmland preservation areas. In the Town of Vienna, landowners cannot create more than one residential lot per 75 acres owned as of 1984. In the Towns of Westport and Dane, landowners are capped at one lot per 35 acres. Similar provisions are included in the extraterritorial cooperative plans for the Villages of Waunakee and DeForest. Using the county's conditional zoning authority, town and county boards require deed restrictions on properties that have used up their development potential under the applicable joint town/county plan. |
|--|---------|--|

| C. Agricultural Development Activities | | |
|--|--|--|
| <i>Type of Activity</i> | <i>Timeframe (past, ongoing, future)</i> | <i>Summarize contribution to AEA (attach an additional page if necessary)</i> |
| <i>Ex: Joint marketing or purchasing, development of agri-tourism opportunity, value-added agricultural activity</i> | | |
| Joint Marketing | Past, Ongoing Future | The Village of DeForest has extra territorial zoning jurisdiction in the Town of Vienna Business Center on the west side of I 39-90-94. We have been working with them to bring businesses in the area. Aring Equipment company moved their operation from Madison to the Vienna Business Center in 2011. |
| Value-added agricultural activity | Ongoing | In 2010, the Town of Vienna community manure digester began operation. Developed with funding from Dane County, the State of Wisconsin and private investors, this facility processes manure from three participating dairy farms. The digester reduces nutrient management costs for participating farmers who would otherwise have to landspread their manure. Each year, the digester keeps 68,000 pounds of phosphorus out of surface and ground water resources, while producing 2 megawatts of electricity, which is sold to Alliant Energy. By reducing land spreading of untreated manure, the project also significantly reduces nuisance odors and greenhouse gas emissions. |
| Targeted county economic and technical assistance. | Ongoing | The following Dane County programs are available to landowners in designated Agricultural Enterprise Areas. Revolving Loan Funds for agricultural and related business creation or expansion in certified Agricultural Enterprise Areas (AEAs). |

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|--------------------------------------|---------|--|
| | | <p>As a Recovery Zone under the federal American Recovery and Reinvestment Act, the county will make Recovery Zone Facility Bonds available for projects that fit the criteria for bond issue within AEAs. Projects would have to be substantial in order to meet cost/benefit requirements.</p> <p>Dane County will continue to work with the WI Department of Commerce and the Workforce Development Board of South Central WI through their business programs for manufacturing and food processing, as well as job training. These resources will be made available to farmers in Agricultural Enterprise Areas.</p> |
| Institutional Food Marketing program | Ongoing | <p>Dane County's Institutional Food Market Coalition (IFM) was established in 2006 in an effort to:</p> <ul style="list-style-type: none"> - Expand market opportunities for Dane County and regional growers; - Increase the sales of local Wisconsin food into institutional markets; - Connect large volume institutional buyers, such as hospitals, universities, nursing homes, prisons, office parks and large businesses with local Wisconsin product, and; - Identify and resolve obstacles to local sourcing. |
| | | |

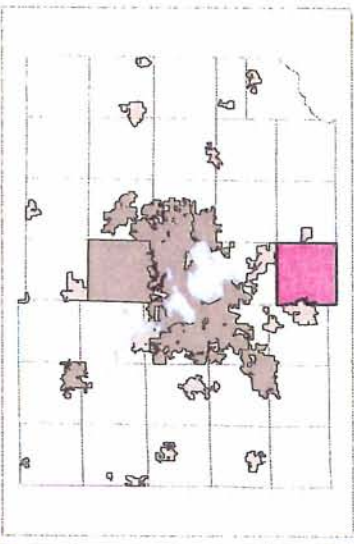
| D. Other AEA Activities | | |
|--|--|---|
| <i>Type of Activity</i> | <i>Timeframe (past, ongoing, future)</i> | <i>Summarize contribution to AEA (attach an additional page if necessary)</i> |
| <i>Ex: Form a stakeholder group, attend statewide AEA meetings</i> | | |
| Attend statewide AEA meetings | Ongoing | Town, village and county elected officials, appointed commissioners and staff have, and will continue to attend statewide meetings and seminars on Agricultural Enterprise Areas. If the Vienna-Westport-Dane area is approved, town, municipal and county staff and officials will encourage landowners to attend such meetings as well. In addition, county staff will continue to provide local information meetings on news in the AEA program to local land owners and others. |
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Vienna-Dane-Westport Agricultural Enterprise Area 2012

Dane County, Wisconsin

| | |
|--------------------|---------------------------------------|
| 7 | Section Number |
| [Red outline] | Section Boundary |
| [Pink outline] | Tax Parcel Boundary |
| [Yellow line] | Road Centerlines |
| [Blue line] | River or Stream |
| [Light blue area] | Open Water |
| [Yellow area] | Proposed Agricultural Enterprise Area |
| [Dark brown area] | City |
| [Light brown area] | Village |
| [White area] | Town |



Dane County PLANNING DEVELOPMENT

Map created by Dane County Planning & Development

Feb 8, 2012



1 inch = 1,687 feet

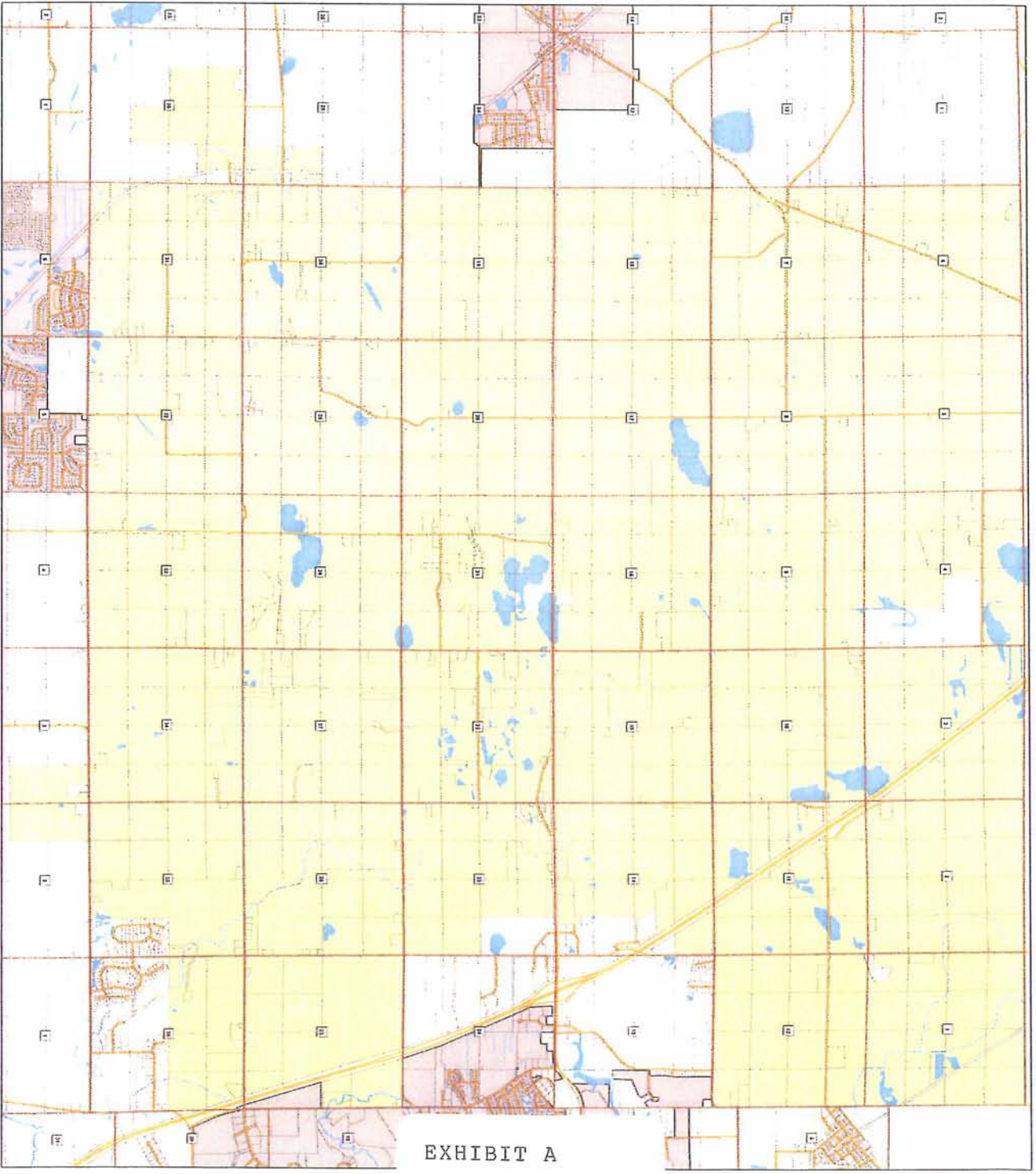
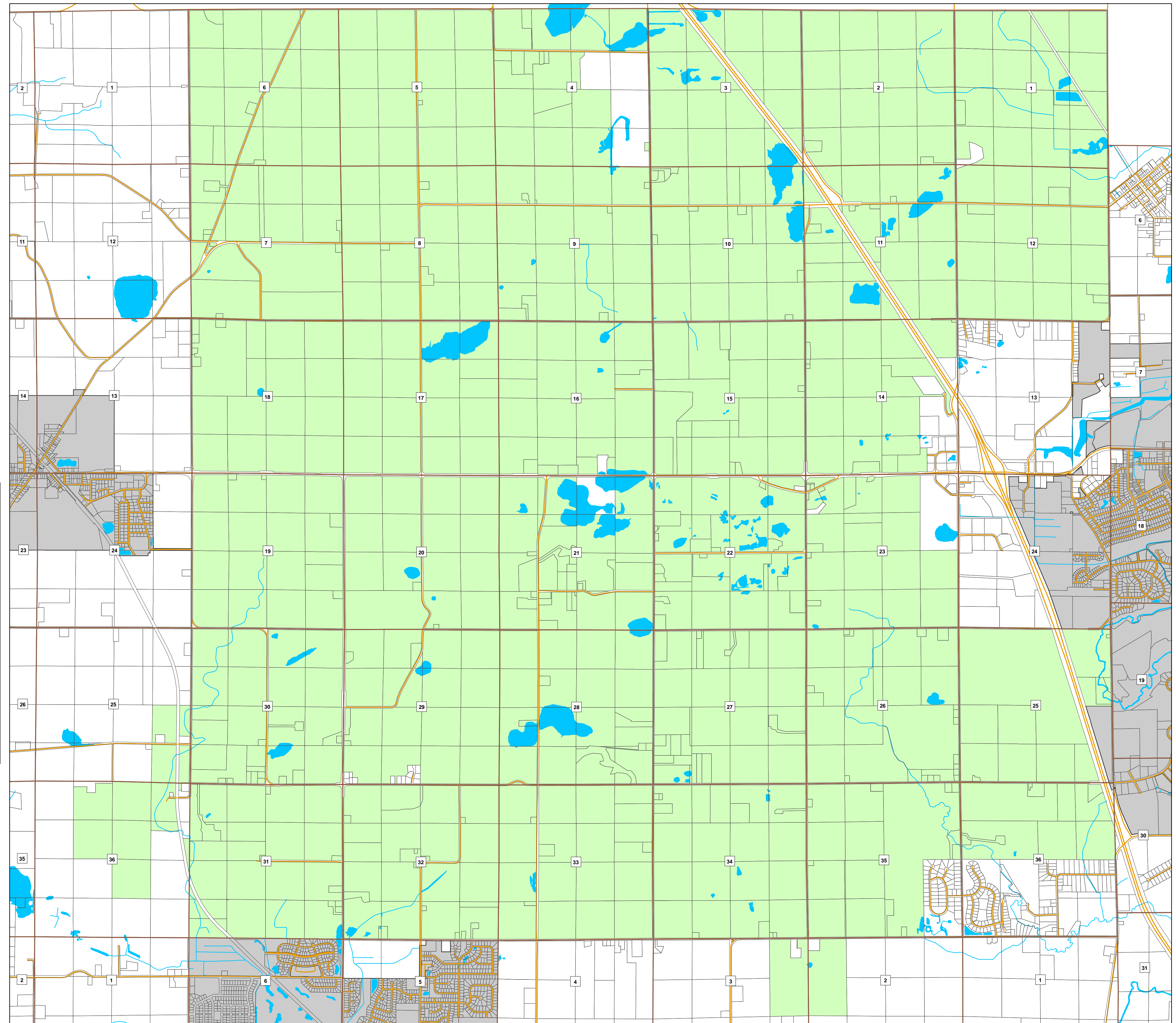
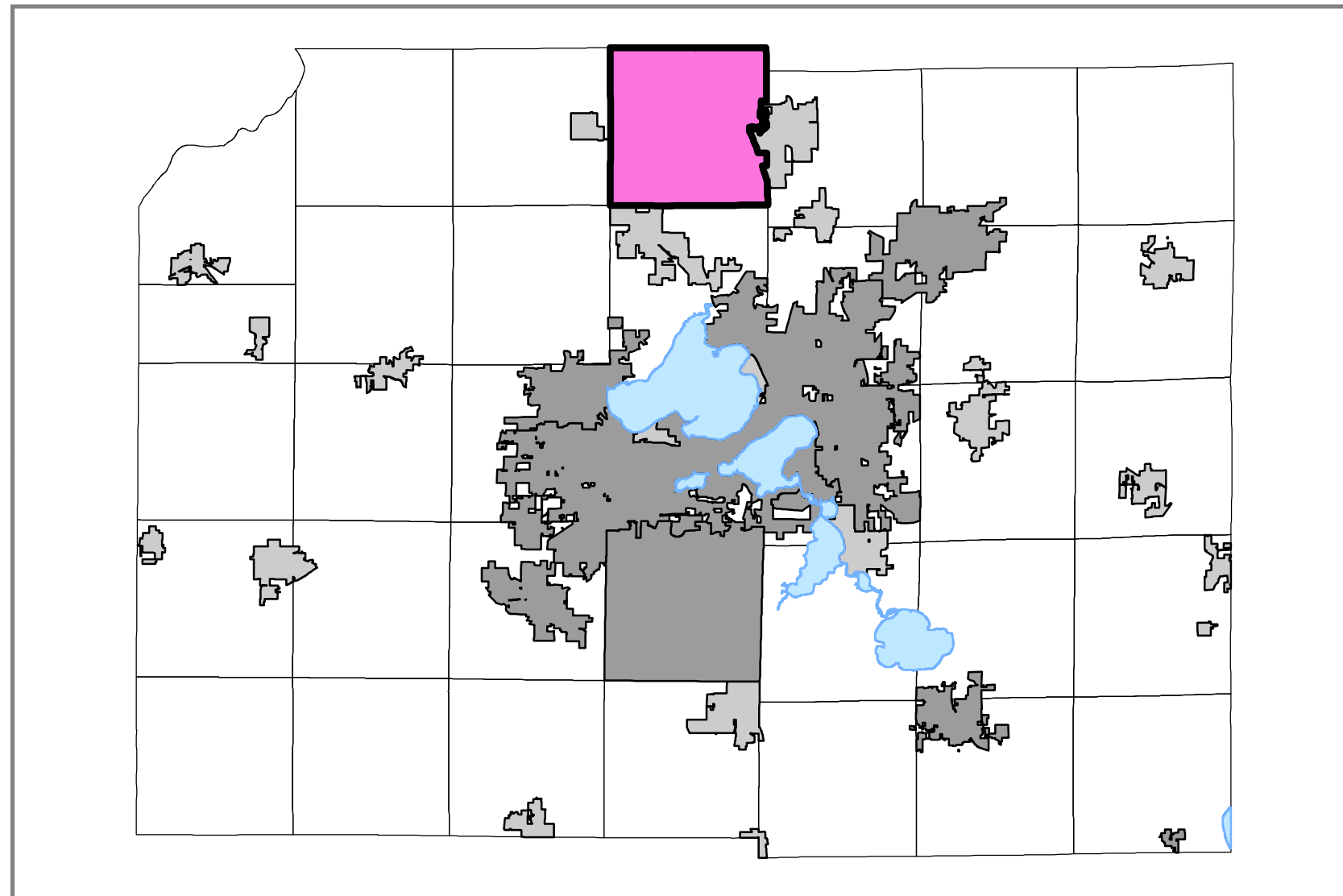


EXHIBIT A

Vienna-Dane-Westport Agricultural Enterprise Area 2012

Dane County, Wisconsin

- 7 Section Number
- Section Boundary
- Tax Parcel Boundary
- Road Centerlines
- River or Stream
- Open Water
- Proposed Agricultural Enterprise Area
- City
- Village
- Town



DANE COUNTY
PLANNING & DEVELOPMENT

Map created by Dane County Planning & Development

Feb 8, 2012

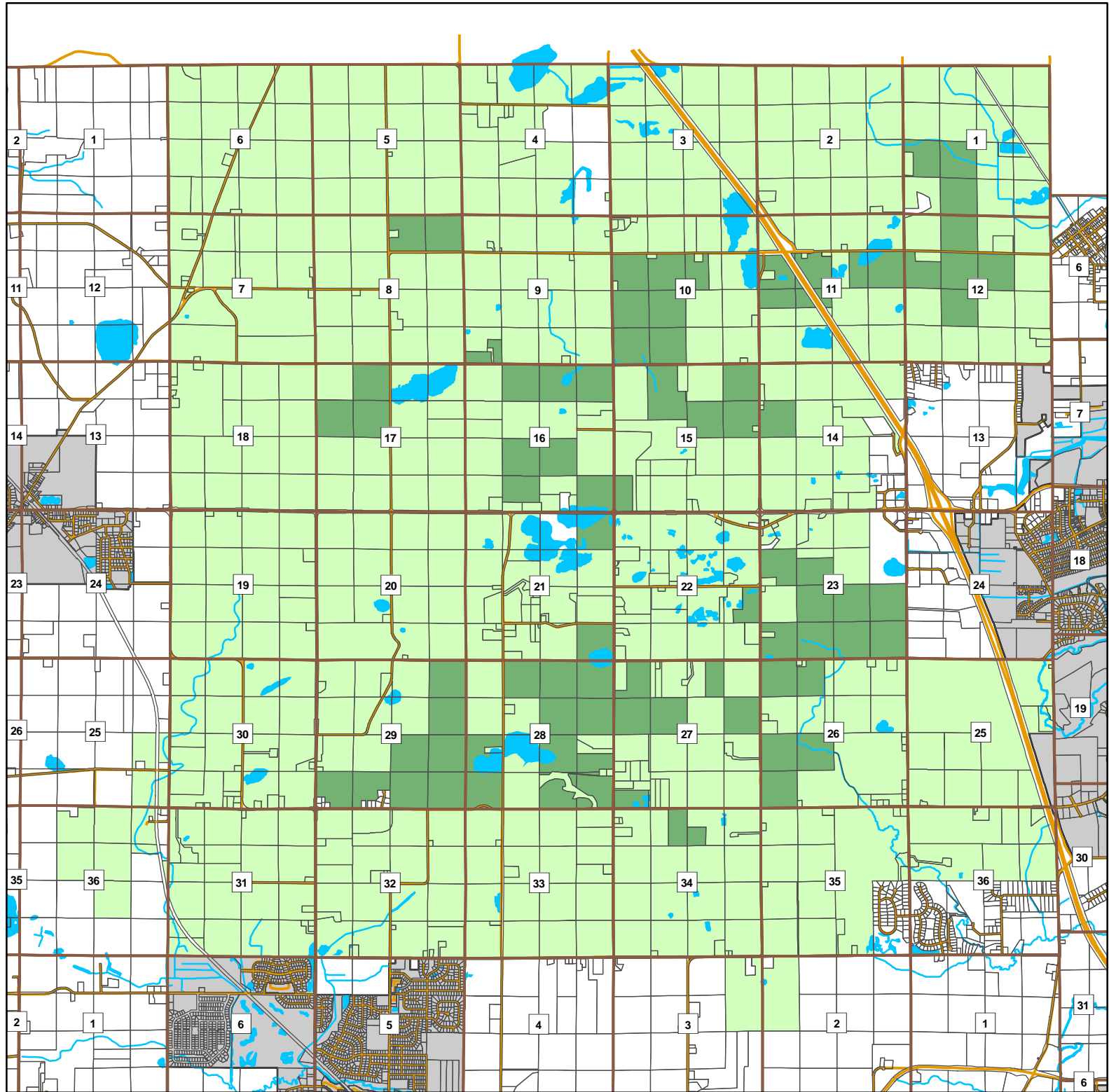
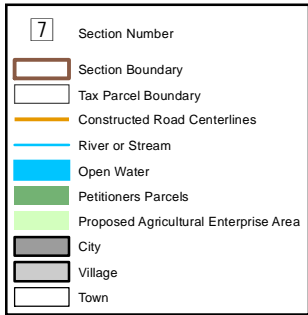


0 1,000 2,000 4,000 6,000 8,000 10,000 12,000 Feet

1 inch = 1,667 feet

Vienna-Dane-Westport Agricultural Enterprise Area 2012

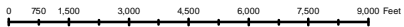
Dane County, Wisconsin



DANE COUNTY
PLANNING & DEVELOPMENT

Map created by Dane County Planning & Development

Mar. 26, 2012



1 inch = 4,808 feet



Star Paul's
Hickory Lane

New Barn completed
in 2011



Image Date: 9/26/2010

© 2010 Google

43°13'26.05" N, 89°26'43.95" W elev: 973m

©2010 Google

Elev alt: 2440ft

Loary Endres Farm
Cuba Valley Road



Ripp - Endres - Maier
Digger Site



Imagery Date: 02/23/2010

© 2012 Google

43°18'29.10"N 89°28'12.95"W elev: 830 ft

© 2010

Google

Epoch: 5235 ft

Vinyl Ripp Dairy
Old 113 Road

New Barn and
Parlor constructed
here in 2011

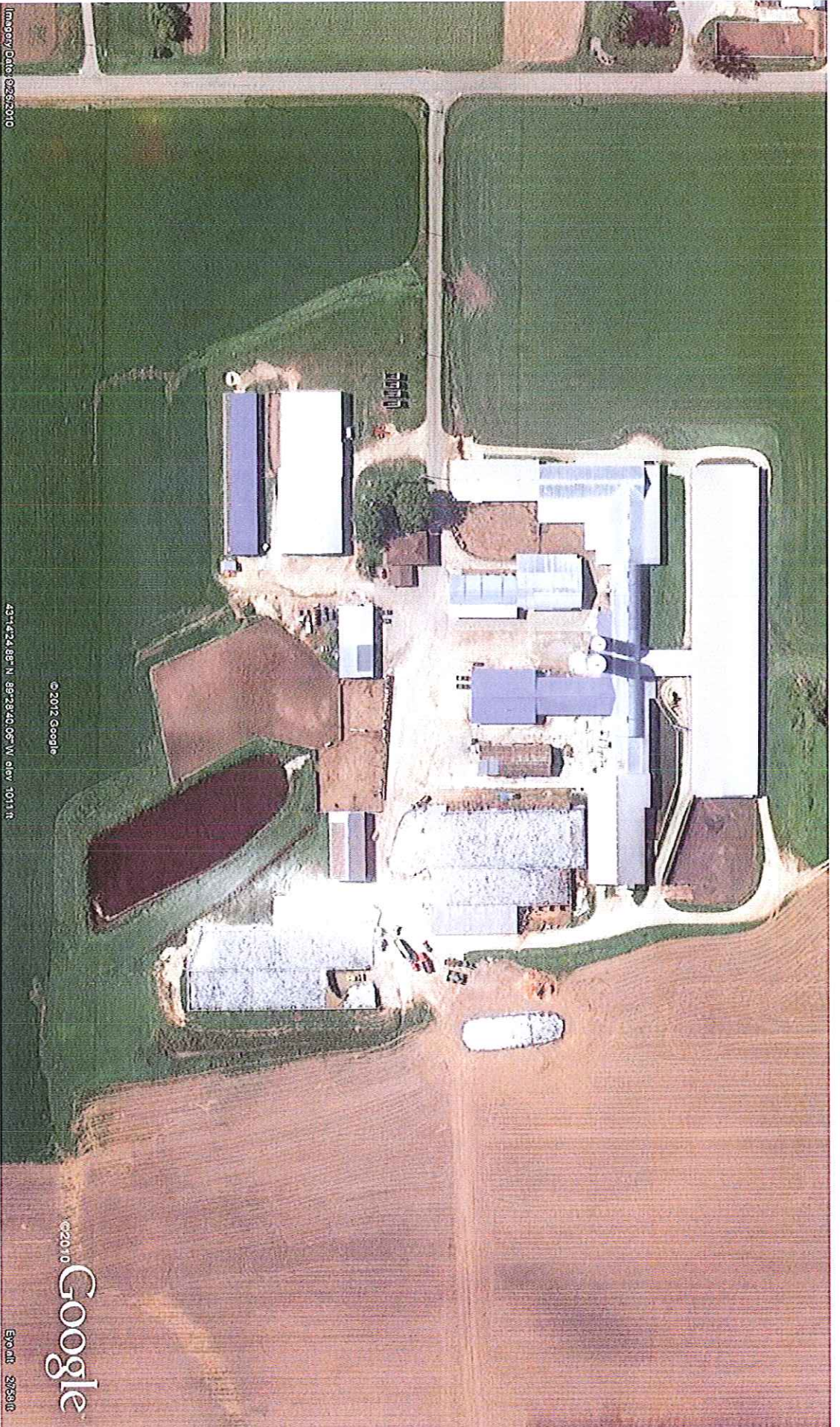


Image Date: 02/26/2010

©2012 Google

43°14'24.88" N, 89°28'40.05" W, elev: 1011 ft

©2010 Google

Exp. Alt: 37630 ft

Ripp Dairy
Old 113 Road

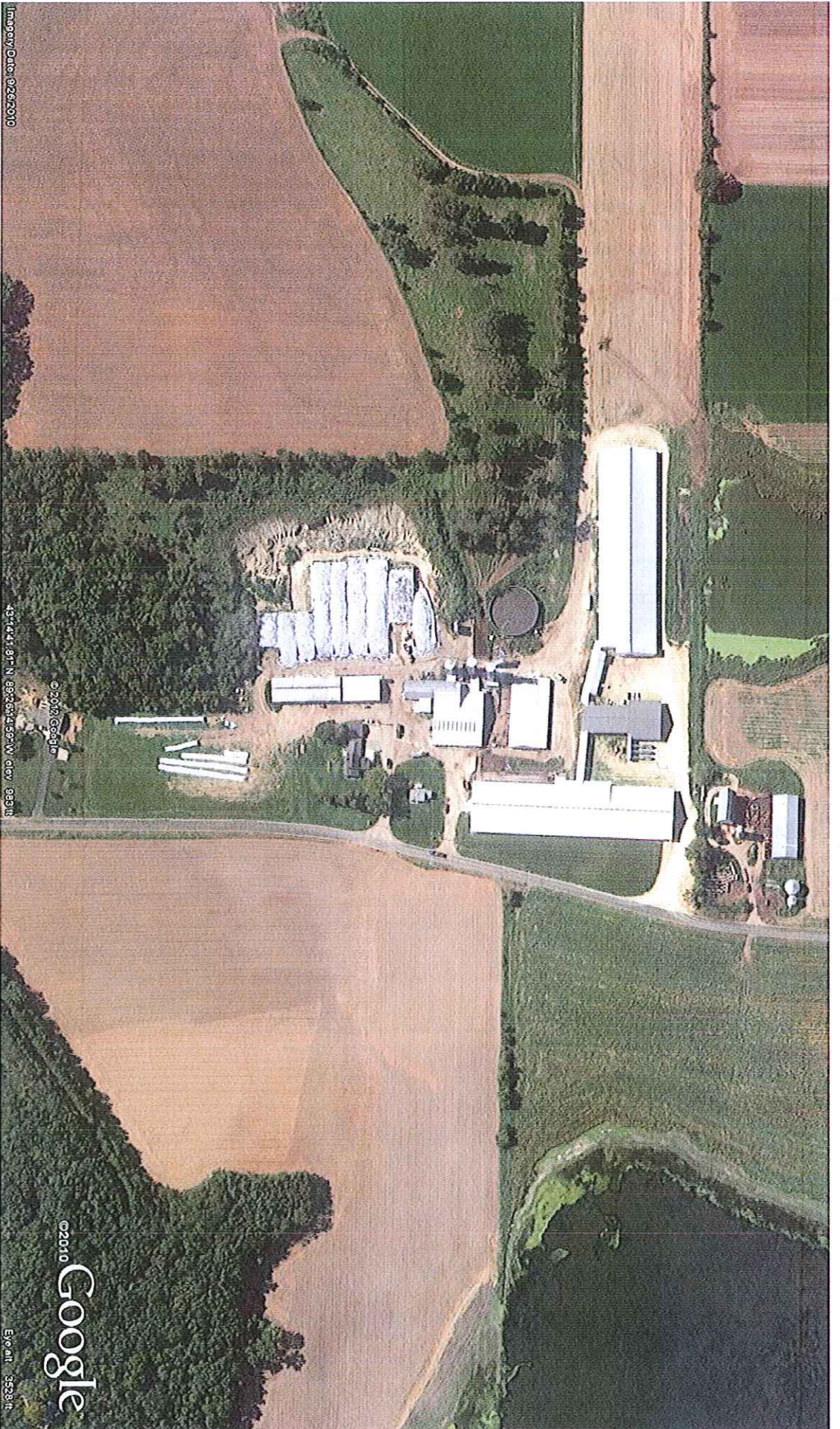


Image Date: 02/26/2010

43°44'31"N 89°26'43"W elev: 935ft

© 2010 Google

©2010 Google

Elev: 935ft

Linus Maier Farm
Schumacher Road



Image by Data: 9/26/2010

© 2012 Google

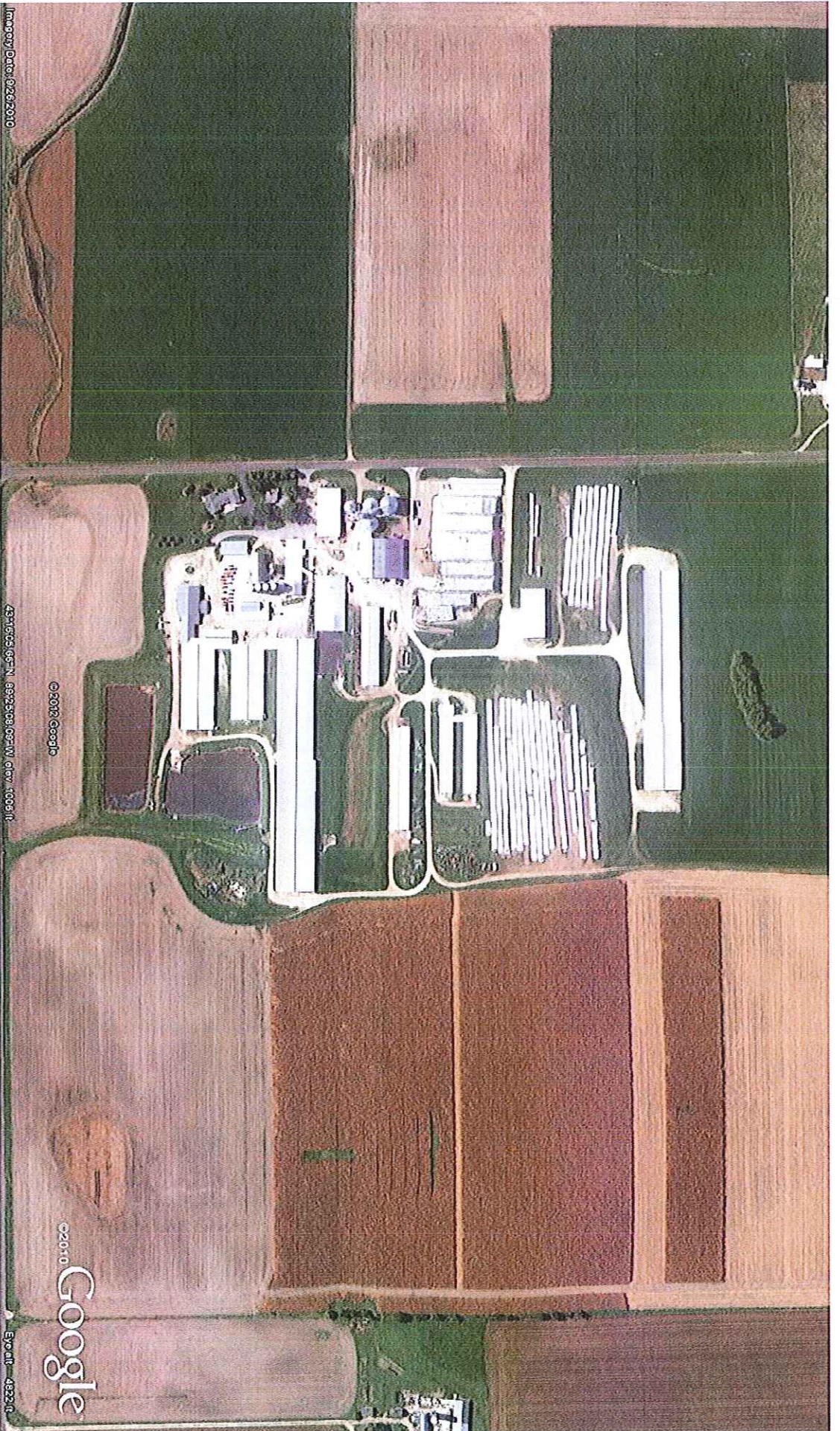
42°14'50.837"N, 89°32'09.367"W, elev. 984 ft

© 2010

Google

Exo ID: 2393 II

Ziegler Ag
Zoi Lane



Imagery Date: 02/29/2010

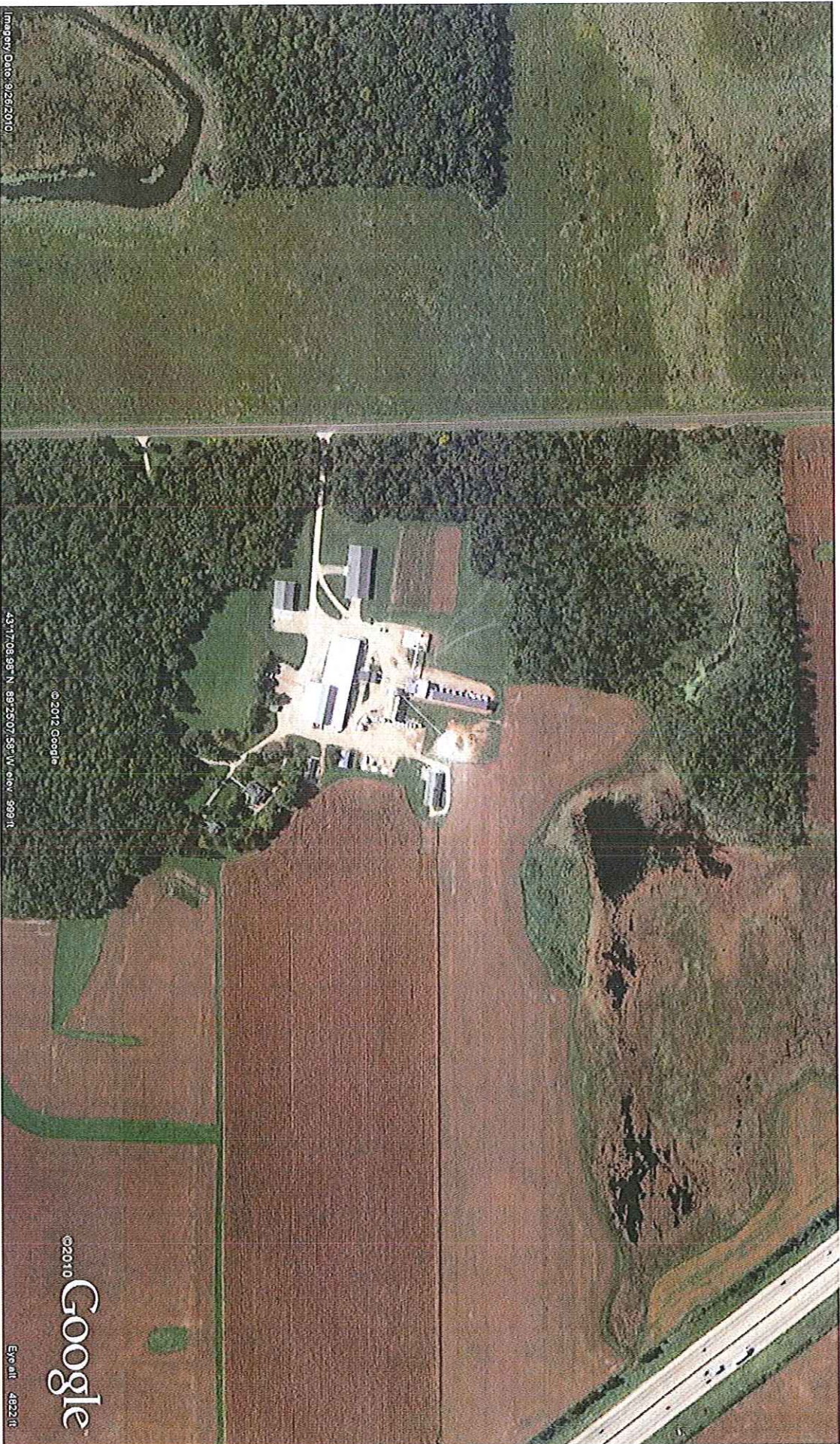
43°19'04.95"N, 89°25'20.92"W, elev. 1009 ft

© 2010 Google

© 2010 Google

Eye alt: 4322 ft

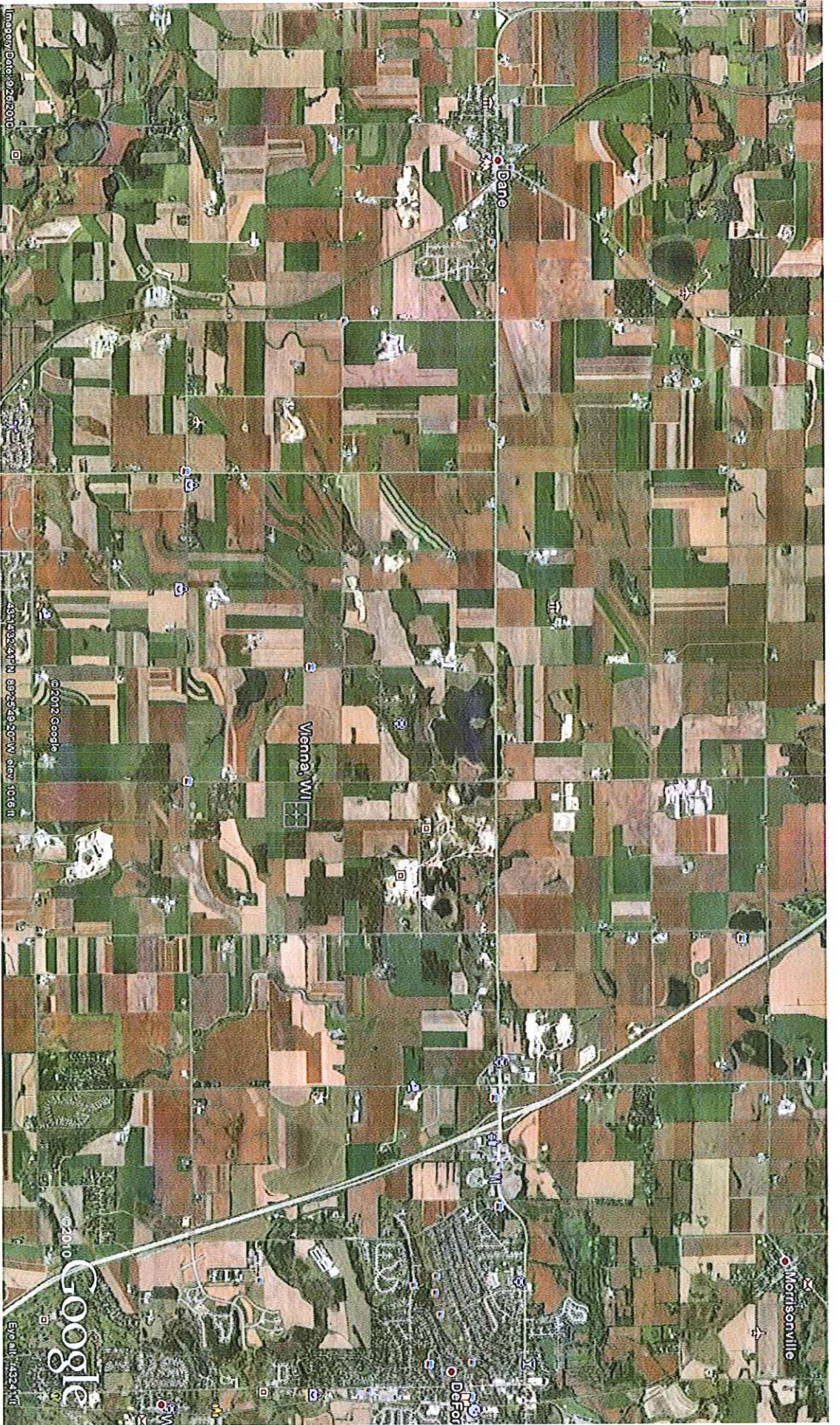
Blue Star Dairy Farm
Patton Road



Henry Seed Farms
Patton Road

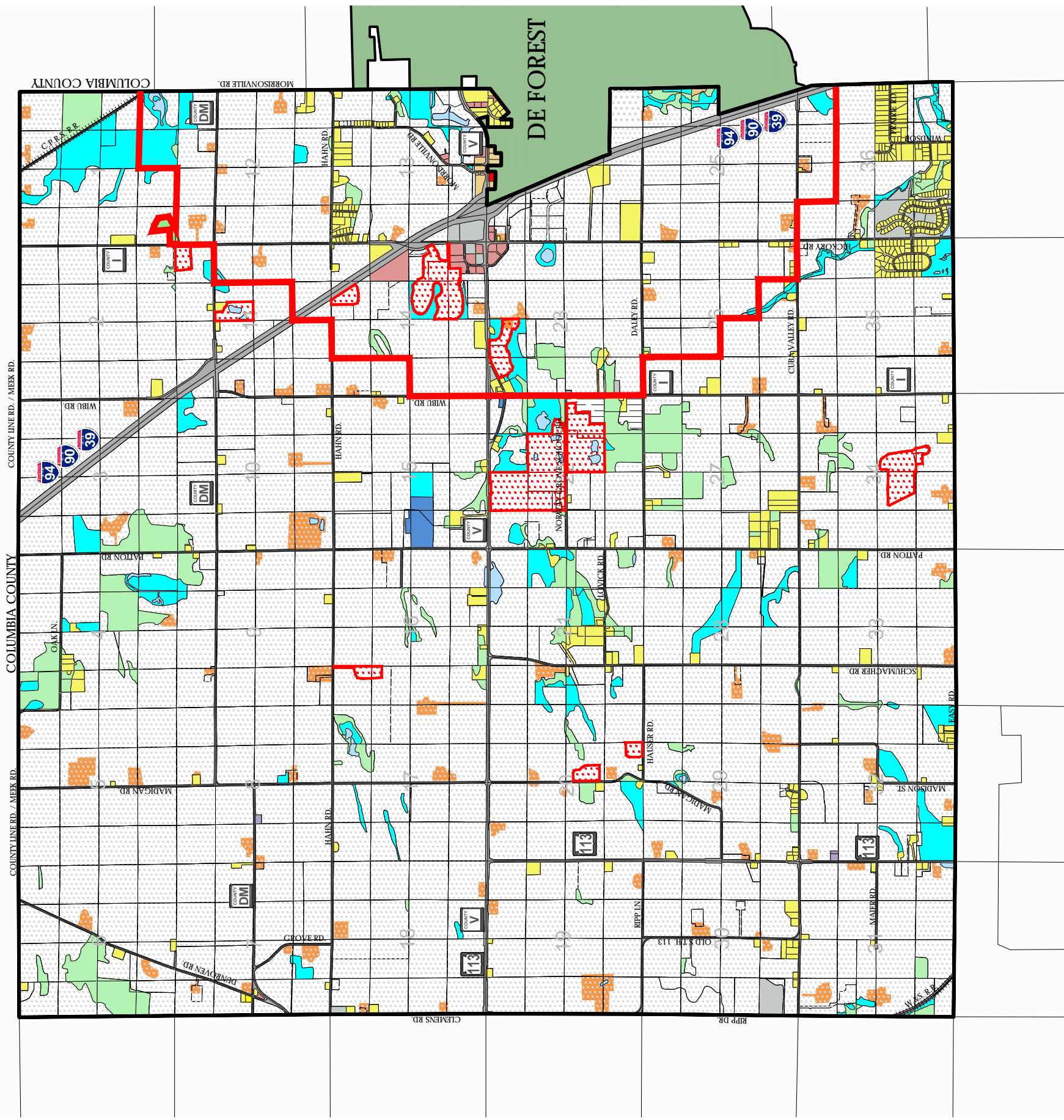
©2010 Google

Eye alt 4822 ft



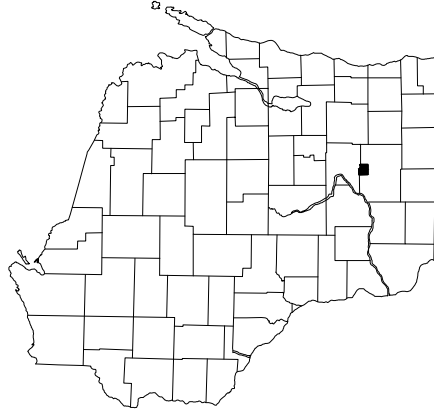
General Town Photo

TOWN OF VIENNA DANE COUNTY, WISCONSIN EXITING LAND USE



Key

| | | |
|---------------------------------|--------------------|----------------|
| Jurisdictions | Rivers | Commercial |
| Town of Vienna | Lakes | Cemetery |
| Village of De Forest | Existing Land Use | Public |
| De Forest Extraterritorial Zone | Agriculture | Quarry |
| Sections | Forest Agriculture | Open Water |
| Parcels | Open Space | Wooded Lands |
| Railroads | Residential | Wetlands |
| Road Right-of-Ways | Farmstead | Transportation |



General Engineering Company
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www.generalengineering.net