



## Agricultural Impact Statement (AIS) Program Reference Document Regarding Notification of Non-Significant Acquisitions and Summary Agricultural Impact Notifications (AIN)

Revised August 23<sup>rd</sup>, 2022

### Introduction

This reference document describes the conditions for when a project initiator will notify the AIS program for projects with less than five acres of impact to any single farm operation, pursuant to DATCP's discretionary power according to Wis. Stat. § 32.035(4)(a). Projects with five or more acres of impacts to a single farm operation shall notify the AIS program in accordance with Wis. Stat. § 32.035(3), unless otherwise exempt.

Within this reference document, the term "Farm operation" is defined according to Wis. Stat. § 32.035(1)(b):

*"Farm operation" means any activity conducted solely or primarily for the production of one or more agricultural commodities resulting from an agricultural use, as defined in s. 91.01 (2), for sale and home use, and customarily producing the commodities in sufficient quantity to be capable of contributing materially to the operator's support.*

### A. Non-Significant Acquisitions: Less than 1.0 acre of Impact to a Single Farm Operation

Non-significant acquisition projects are characterized by the comparatively minor amount (less than 1.0 acre) of impact to any one farm operation and whereas the loss of or impact to this agricultural land would not have a significant adverse effect on a farm operation. Refer to Table 1 to determine if the potential project qualifies as a non-significant acquisition. To qualify as a non-significant acquisition project, the project must have less than 1.0 acre of impact to any one farm operation and not have any of the significant impacts listed in Table 1.

- Project initiators **are not** required to notify the AIS program about a qualifying non-significant acquisition project.
- Project initiators **are** required to notify the AIS program of a project containing any of the significant project impacts in Table 1 or if there is more than 1.0 acre of impact to any one farm operation.
  - Notification should be completed according to Section B. *Summary AIN* and sent via e-mail to [datcpAgImpactStatements@wisconsin.gov](mailto:datcpAgImpactStatements@wisconsin.gov)

Table 1: A qualifying non-significant acquisition project must have less than 1.0 acre of impact to any one farm operation and **not** have any of the significant impacts listed herein.

Significant Project Impacts	Notification Required (Y/N)
Removal of Farm Residence	Y
Removal of Farm Operation Building	Y
Loss of Access to an Aspect of a Farm Operation	Y
Loss of livestock related infrastructure such as manure storage, grain/feed storage areas or feedlot	Y

## B. Summary AIN: 1.0 – 4.99 acres of Impact to a Single Farm Operation

A summary AIN provides the AIS program with enough information to determine if a proposed project will be released from the requirement to prepare an AIS according to Wis. Stat. § 32.035(4)(a). Should the AIS program determine, based on a summary AIN, a proposed project requires an AIS, the project initiator must prepare and submit a formal AIN as required in Section C.

### Projects Requiring a Summary AIN Include:

- Projects containing between 1.0 - 4.99 acres of impact to any one farm operation
- Projects containing less than 1.0 acre of impact to any one farm operation when any of the significant project impacts shown in Table 1 are present on a farm operation.

Wisconsin Department of Transportation (WisDOT) – Highway should complete a summary AIN in accordance to [Section 20-45-40](#) of the Facilities Development Manual. All projects, including WisDOT-Highway projects, with 5.0 or more acres to any one farm operation of impact shall prepare and submit a formal AIN as required in Section C.

### To complete a Summary AIN, prepare the following summary project information:

1. A written project description (1-2 pages) that includes:
  - a) Project contact
  - b) Project billing contact (if not the project contact)
  - c) A brief project description
  - d) Project location and counties
  - e) Project timing (start/end dates)
  - f) Whether agricultural lands (defined as cropland, pasture, fallow fields, woodland areas, specialty crop/fields, farm residences/buildings, or other lands that serve an agricultural purpose) are impacted
  - g) How the agricultural lands will be acquired (easement, lease, fee-simple etc.).

*NOTE: References to other state agency documents (e.g. Public Service Commission, WisDOT, WI Department of Natural Resources) may be included, however include either direct hyperlinks to the documents or provide electronic copies of documents.*

2. A table or excel spreadsheet documenting how much agricultural land (defined in point #1(f) above) is impacted, impacted parcel number and landowners, type of acquisition (i.e. temporary and/or permanent easements, fee-simple etc.) for each alternative. Do not report acquisitions of non-agricultural lands.
3. Maps and/or pictures and engineering plans documenting the location of the project and project related agricultural impacts. Please include some sort of identifying features in the map, generally at least nearby roads and parcel numbers. *NOTE: GIS data is not required for a summary notification.*
4. Send completed summary AINs to [datcpAgImpactStatements@wisconsin.gov](mailto:datcpAgImpactStatements@wisconsin.gov)

## C. Formal AIN: 5.0 or more acres of Impact to a Single Farm Operation

Projects containing 5.0 or more acres of impact to any one farm operation, are not eligible for the summary AIN process and shall complete a formal AIN. Project initiators should go to the [Agricultural Impact Statements: Notification Forms](#) website to obtain the current version of the applicable AIN for the type of project being proposed. The AIS program maintains AIN forms for non-linear (i.e. a project comprised of a defined site), road & highway, airport, pipeline, electric transmission, and railroad projects.

Complete the formal AIN as directed within the document. Send completed formal AINs to [datcpAgImpactStatements@wisconsin.gov](mailto:datcpAgImpactStatements@wisconsin.gov)