



AGENDA

**LAND CONSERVATION COMMITTEE MEETING
THURSDAY JUNE 28, 2018 – 5:30 P.M.
COUNTY BOARD CONFERENCE ROOM – 4TH FLOOR
COURTHOUSE - EAST
JANESVILLE WI**

1. Call Meeting to Order.
2. Approval of Agenda.
3. Citizen Participation, Communications, and Announcements.
4. Resolution: Recommend Changes To The Wisconsin Farmland Preservation Program
5. Adjourn.

RESOLUTION NO. _____

AGENDA NO. _____

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY
DRAFTED BY

JUNE 19, 2018
DATE DRAFTED

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

RECOMMEND CHANGES TO THE WISCONSIN FARMLAND PRESERVATION PROGRAM

1 **WHEREAS**, the Wisconsin Farmland Preservation Program (FPP) was established in 1978 to protect
2 the states most valuable agricultural lands from development. Two avenues were created via
3 legislation: local land use zoning or a special agreement with Department of Agriculture Trade and
4 Consumer Protection (DATCP). The twenty towns within Rock County chose the local land use zoning
5 as the preferred option. Landowners who participated in the program were then eligible for a
6 Wisconsin state income tax credit, if they met the financial criteria and the state's soil conservation
7 standards. The peak years of the program resulted in approximately 1,200 Rock County participants
8 and 23,900 statewide participants; and,
9

10 **WHEREAS**, in 2009, the state of Wisconsin made significant changes to the FPP administrative codes
11 and statutes as part of the Working Lands Initiative, a suite of programs to protect farmland from
12 development. Among the many changes to the FPP were setting new flat rates per acre for the income
13 tax credits, adding a process for local areas to establish Agricultural Enterprise Areas (AEA),
14 establishing a Purchase of Agricultural Conservation Easements (PACE) Program, and finally adding
15 additional conservation standards; and,
16

17 **WHEREAS**, since the FPP rules were amended in 2009, the costs of implementing the required
18 conservation standards has increased to a point where in some cases the cost of participating in the
19 program has exceeded the available tax credits, which in turn has impacted the program participation not
20 only in Rock County, currently at 404 participants, but statewide, currently estimated at 12,000
21 participants; and,
22

23 **WHEREAS**, the premise of the FPP tax credit was to ensure landowners were compensated for their
24 conservation stewardship and to help offset the costs of implementing and maintaining the required
25 conservation practices. To date this program has been the best available tool to ensure conservation
26 best management practices are being maintained in Rock County and statewide; and,
27

28 **WHEREAS**, the long term net result of aforesaid changes was a decrease in the value of the tax credits to
29 maintain the conservation standards which in turn has decreased the overall enrollment within Rock
30 County and statewide. This decrease in enrollment is alarming and needs to be addressed as soon as
31 possible; and,
32

33 **WHEREAS**, as part of the FPP redesign, the state of Wisconsin recognized the importance of PACE as a
34 valuable tool to complement the long-term preservation of the most valuable working farmlands in the
35 state and subsequently enrolled 14 participants. The statewide program was defunded due to a
36 controversial funding mechanism, but remains in the Wisconsin state statutes; and,
37

38 **WHEREAS**, Local units of government, towns and counties continue to pursue the purchase of
39 agricultural easements through locally funded programs with, in some cases, United States Department of
40 Agriculture - Natural Resources Conservation Service grants. Rock County developed a local PACE
41 program in 2009 and has been very active with this program ever since. Also, numerous Agricultural
42 Conservation Easements (ACE) have been donated to local land trusts. Many of the donated ACE's
43 remain eligible for the FPP but are not recognized by DATCP for their true farmland preservation value;
44 and,

RECOMMEND CHANGES TO THE WISCONSIN FARMLAND PRESERVATION PROGRAM

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45 **WHEREAS**, Rock County urges the State of Wisconsin to review the Farmland Preservation Program
46 and increase each existing tax credit category by a minimum of \$2.50 per acre, add a new tax credit
47 category to recognize landowners with ACEs and set the credit level for easements at a minimum tax
48 credit level that can be found in the FPP zoned AEA's, and review the program every five years making
49 the appropriate adjustments that reflect Best Management Practices (BMP) cost changes in the agriculture
50 sector.

51
52 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly
53 assembled this ____ day of _____, 2018, requests the State of Wisconsin review the
54 Farmland Preservation Program statutes and administrative codes to increase the allowable tax credits;
55 amend the program eligibility to allow landowners who have Agricultural Conservation Easements the
56 ability to participate in the FPP, if they meet the financial and conservation criteria; establish a new tax
57 credit level for Agricultural Conservation Easements; reestablish funding for the statewide PACE
58 program through a redesigned funding mechanism; and increase the frequency of review of the Farmland
59 Preservation Program allowable tax credits to assure they are meeting the basic costs associated with
60 program participation.

61
62 **BE IT FURTHER RESOLVED**, that the Rock County Board of Supervisors directs the County Clerk to
63 send a copy of this resolution to: Wisconsin State Senators Steven Nass and Janis Ringhand; Wisconsin
64 State Representatives Amy Loudenbeck, Don Vruwink, Debra Kolste, and Mark Spreitzer; Department
65 of Agriculture, Trade and Consumer Protection Secretary Sheila Harsdorf; Wisconsin Farm Bureau
66 Legislative Director Paul Zimmerman, Wisconsin Counties Association – Agriculture, Environment and
67 Land Use Committee.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

Richard Bostwick, Chair

Alan Sweeney, Vice Chair

Stephanie Aegerter

Wes Davis

Brenton Driscoll


Robert Potter

James Quade, USDA-FSA Representative

Jeremy Zajac

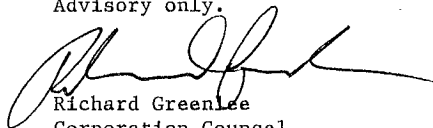
FISCAL NOTE:

No fiscal impact to Rock County.


Sherry Oja
Finance Director

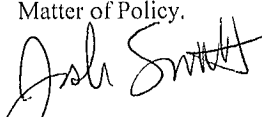
LEGAL NOTE:

Advisory only.


Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Matter of Policy.


Josh Smith
County Administrator

RESOLUTION

RECOMMEND CHANGES TO THE WISCONSIN FARMLAND PRESERVATION PROGRAM

EXECUTIVE SUMMARY

This advisory resolution recommends changes to the current Wisconsin Farmland Preservation Program (FPP) to address current deficiencies in Wisconsin state statutes and administrative codes. The resolution identifies the current deficiencies and proposes appropriate changes to various issues. In 2009, the Department of Agriculture Trade and Consumer Protection redesigned the FPP. At that time, the changes were heralded by numerous farm groups and conservation advocates statewide as revolutionary. Wisconsin again became leaders in the preservation of farmland. However, over time, issues started to surface and need to be addressed. Rock County has identified the most pertinent issues that need to be addressed to assure that this program does not slip through the cracks and becomes irrelevant.

The FPP has been an extremely beneficial tool not only to the conservation of Rock County's soil and water resources, but statewide. Currently it is the program that drives the implementation of soil and water conservation statewide. Also, the program has been a benefit to the long-term protection of Wisconsin's working lands through planning and zoning efforts adopted by various counties and townships.

The number of program participants continues to decrease at an alarming rate not only in Rock County, but statewide. With the decreasing enrollment in the program another trend that has materialized is a decrease in the soil and water conservation best management systems being maintained on the landscape. The net result is increase in surface and groundwater nonpoint source pollution statewide.

The identified, and to a lesser degree the unidentified, deficiencies in the program are not the only issues that have caused the decrease in programs enrollment. However, the proposed changes should help stabilize enrollments statewide. Finally, if the state takes a proactive approach and reviews the program on a more rigorous schedule, enrollment in the program should increase.