

# Farmland Preservation Program

*Overview of program implementation in Dane County*

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LAND & WATER  
RESOURCES  
DEPARTMENT

# What is FPP?

- Wisconsin program to help farmers and local governments preserve farmland, protect soil and water, and minimize land use conflicts.
- Planning & Development maintain the [Dane County Farmland Preservation Plan](#)
  - Participated since 1978 when state created the program
  - Applies to all towns with county zoning
  - Generates approximately \$1.2 million in state income tax relief annually for participating farmers
- Land Conservation Division reviews participant compliance with the state soil and water conservation standards.

# LCD Status Review Process

- Status reviews conducted once every 4 years
  - Conduct approximately 300 reviews annually
    - ~ 1,200 total participants
  - Randomly selected
    - By Township
  - Letters sent at beginning of year
    - Submit a current nutrient management plan by June 1<sup>st</sup> annually
    - Schedule a on-farm site visit
- 10 hours (minimum) of staff time per status review



# What do we review?

- Cropland Performance Standards
  - Sheet, rill, gully and wind erosion
  - Tillage setback from streams
  - Phosphorus Index (PI)
  - Nutrient Management



# What do we review?

- Livestock Performance Standards & Prohibitions
  - Manure storage facilities
  - Process wastewater handling
  - Clean water diversions in SWQMA
  - Manure management prohibitions
    - No overflow of manure storage
    - No unconfined manure piles in WQMAs
    - No direct runoff from feedlots or stored manure to waters of the state
    - No unlimited access by livestock to waters of the state where vegetative cover is not maintained

# Noncompliance Issues

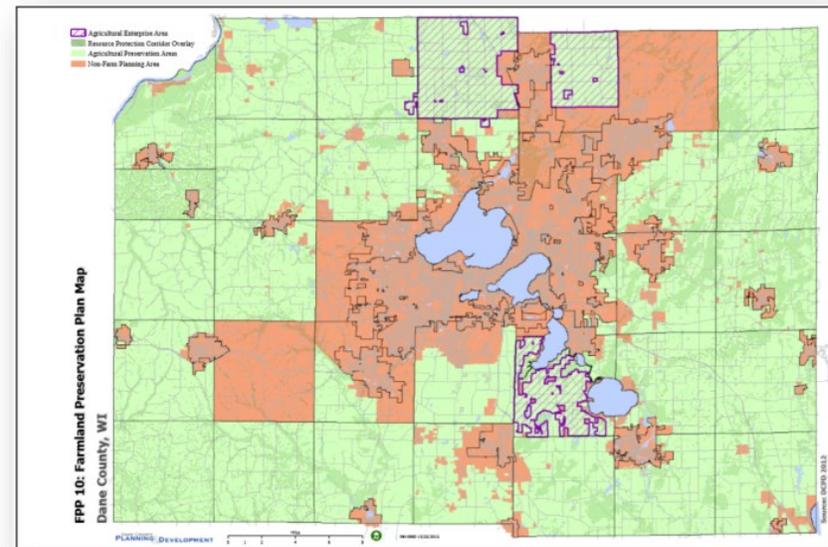
- Fail to comply with standards & prohibitions
  - Most common is not submitting an updated nutrient management plan
  - Work with them to get the updated plan submitted
- Fail to comply with a performance schedule
  - Try to work with them on low cost options for compliance
  - Cost-share funding is not required
- Fail to permit a reasonable inspection



# Other Reasons for “Noncompliance\*”

- Voluntarily refrain from collecting the tax credit and waive right to a hearing and farm inspection
- Property is no longer covered by a certified farmland preservation zoning district and is ineligible for the tax credit.
  - Examples: towns that incorporate into villages, towns that withdraw from county zoning

\*DATCP uses the same form for noncompliance issues as well as voluntary waivers or zoning eligibility issues.



# Appeals Process

- Landowners may request to meet with the LCC to appeal the noncompliance determination
  - Send a notification to landowner of intent to issue a NON and LCC meeting schedule
  - Landowner can request to be on the agenda
  - LCC reviews the appeal and votes on a decision



# Returning to Compliance

- NON can be withdrawn at any time once a landowner comes back into compliance.
- Once withdrawn, landowner is eligible to claim the tax credit again.



# Tracking

- Annual spreadsheet sent to DATCP for all participants and updates
  - Acres
  - New certificates
  - Noncompliance issues
    - NONs and Withdrawals are submitted to DATCP & DOR



# Certificate Updates

- A significant amount of staff time is spent updating certificates including
  - Updating contact information
  - Updating landownership
  - Updating parcel information
  - Issuing new certificates when landownership changes
  - Reviewing zoning eligibility

January to April busiest time for updates (tax season)



Questions?

