



DOOR COUNTY

Resolution 2023-46

Modernize And Improve The Wisconsin Farmland Preservation Program

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BEARDSLEY			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KALMS			
LIENAU			
MILLER			
MORKIN			
NORTON			
ROBILLARD			
RUSNAK			
THAYSE			
VOGEL			
ZETTEL			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st Fisher Defeated

2nd Kalms

Yes: _____ No: _____ Exc: _____

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution.
STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of May, 2023 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 WHEREAS, the Wisconsin Farmland Preservation Program (FPP) was established in 1978 to protect
2 the state's most valuable agricultural lands from development, and 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). Landowners who participated in the program were then eligible for a
5 Wisconsin state income tax credit, if they met the financial criteria and the state's soil conservation
6 standards. The peak years of the program resulted in approximately 23,900 statewide participants; and,
7

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

15 WHEREAS, since the FPP rules were amended in 2009, the costs of implementing the required
16 conservation standards have increased to a point where in some cases the cost of participating in the
17 program has exceeded the available tax credits, which in turn has impacted the statewide program
18 participation, currently estimated at 12,000 participants; and,
19

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

25 WHEREAS, the long term net result of aforesaid changes was a decrease in the value of the tax
26 credits to maintain the conservation standards which in turn has decreased the overall enrollment
27 statewide. This decrease in enrollment is alarming and needs to be addressed as soon as possible; and,
28

29 WHEREAS, local units of government, towns and counties continue to pursue the purchase of
30 agricultural conservation easements through locally funded programs with, in some cases, United States
31 Department of Agriculture - Natural Resources Conservation Service grants. Also, numerous agricultural
32 conservation easements (ACE) have been donated to local land trusts. Many of the donated ACEs
33 remain eligible for the FPP but are not recognized by DATCP for their true farmland preservation value;
34 and,
35

36 WHEREAS, Local units of government, towns and counties spend considerable staff resources
37 supporting landowners enrolling in the program, offering guidance for improving farmland, and
38 conducting compliance checks needed to qualify for the tax credit.
39

40 NOW, THEREFORE BE IT RESOLVED, the Door County Board of Supervisors hereby supports
41 and urges the Wisconsin Legislature to pass legislation to modernize and improve the Farmland
42 Preservation Program to increase the allowable tax credits; amend the program eligibility to allow
43 landowners who have Agricultural Conservation Easements the ability to participate in the FPP, if they
44 meet the financial and conservation criteria; establish a new tax credit level for Agricultural Conservation
45 Easements; increase the frequency of review of the Farmland Preservation Program allowable tax
46 credits to assure they are meeting the basic costs associated with program participation; and expand
47 eligibility of the FPP planning grant funds to support program implementation to be utilized by counties,
48 local municipalities, planning commissions, and tribal governments for their FPP implementation efforts.
49

50 BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded by the County Clerk
51 to the Governor of the State of Wisconsin and state senators and state representatives representing
52 Door County.
53

SUBMITTED BY: LAND CONSERVATION COMMITTEE

[Signature]
Ken Fisher, Chairperson

[Signature]
Bob Bultman

[Signature]
Vinni Chomeau

[Signature]
Claire Morkin

[Signature]
Nissa Norton

[Signature]
Todd Thaysse

[Signature]
Jacob Brey