

Florence County

Farmland Preservation Plan

2016



Certified:
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Prepared by:

**Florence County Land Conservation Committee
& Bay-Lake Regional Planning Commission**



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CHAPTER 1: INTRODUCTION AND PURPOSE

INTRODUCTION

Purpose

The *Florence County Farmland Preservation Plan* illustrates the county's efforts to participate in Wisconsin's Farmland Preservation Program and establishes a policy for continued support of farmland preservation, agricultural development, and a healthy agricultural economy into the future. As a result, this farmland preservation plan will also become a component of the *Florence County 20-Year Comprehensive Plan* (per s. 91.10 (2), Wis. Stats.) together detailing goals, objectives, policies, and programs that can help maintain agriculture in the county for the next 10 to 20 years. The farmland preservation plan, in cohesion with the comprehensive plan, will also guide land use patterns and development decisions that can minimize conflicts between agricultural and non-agricultural land uses.

This farmland preservation plan update illustrates the importance of the agricultural lands, forested areas, and valuable natural resources and their influence on the county's environment and economy.

Working Lands Initiative

This Florence County Farmland Preservation Plan update meets the farmland preservation requirements of the Wisconsin "Working Lands Initiative" adopted in the State's 2009-2011 biennial budget. Pursuant to s. 91.10, Wis. Stats, adoption and state certification of a Farmland Preservation Plan, as defined in s. 91.01(17) Wis. Stats, will enable farmers within the certified farmland preservation areas to claim state farmland preservation tax credits as well as qualify owners of farmland for other state-funded programs and opportunities. Working Lands will also enable farmers to form "agricultural enterprise areas" (AEA) and enter into farmland preservation agreements with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). Florence County must monitor each farm for which an owner claims farmland preservation tax credits for compliance with Wisconsin's land and water conservation standards (ATCP 50, Wis. Admin. Code).

Planning Process

This update represents significant research, study, and effort on the part of the staff of the Florence County Land Conservation Department, the Florence County Planning, Zoning, and Solid Waste Department, Florence County Forestry and Parks Department, and the Bay-Lake Regional Planning Commission.

Throughout the plan development process, several informational meetings were held with the Florence County Land Conservation Committee members to review the Farmland Preservation Plan content and provide input on the past, present, and future of the agriculture industry in the county. Assistance was also provided, as needed, at the town level to assist with the development of the county's Farmland Preservation Plan mapping.

Public Participation

The Farmland Preservation Plan followed the Public Participation Plan procedures that were adopted as part of the county’s comprehensive planning process (see Volume I: Appendix A of the *Florence County 20-Year Comprehensive Plan*). The process was designed to be responsive to citizen participants, was committed to utilizing the agricultural knowledge and understanding of citizens to address important issues, and offered multiple opportunities for engagement – at varying levels of involvement.

Public Input

In 2008 and 2009, a variety of sessions including a nominal group exercise, an economic S.W.O.T workshop, and a visioning workshop, were conducted with local officials and citizens to provide guidance during the development of comprehensive plans for Florence County and many of the county’s towns. The Land Conservation Committee reviewed the results of the 2008 and 2009 workshops and determined that many of the agricultural, forestry, and natural resource issues identified at that time still remain valid and provide evidence that the future of agriculture and forestry in Florence County is encouraging and the preservation of these lands is necessary.

The information gathered during the 2008 and 2009 nominal group process, economic S.W.O.T., and visioning sessions provided support material that was used for updating the county’s farmland preservation plan. The nominal group results are viewable in Volume I: Appendix B of the *Florence County 20-Year Comprehensive Plan*, and the visioning exercise results are detailed in Volume I: Appendix C of the comprehensive plan. The economic S.W.O.T. workshop results are listed in Volume II: Appendix C of the *Florence County 20-Year Comprehensive Plan*.

CHAPTER 2: FLORENCE COUNTY PROFILE

INTRODUCTION

This section of the Farmland Preservation Plan component of the *Florence County 20-Year Comprehensive Plan* includes an update of a basic summary and analysis of Florence County's demographics, economics, utilities, community facilities, and transportation. Additional detailed demographic and background information is available in the comprehensive plan, which contains a collection of information from the U.S. Census Bureau, Wisconsin Department of Administration, Wisconsin Department of Workforce Development, and the Wisconsin Department of Revenue.

LOCATION

Florence County is located on Wisconsin's northeastern border with the State of Michigan. The county encompasses an area of approximately 497 square miles, or 318,349 acres. Florence County has eight towns and no incorporated communities. Florence County is bound by Iron County, MI to the north, Dickinson County, MI to the east, Forest County, WI to the west and southwest, and Marinette County, WI to the south.

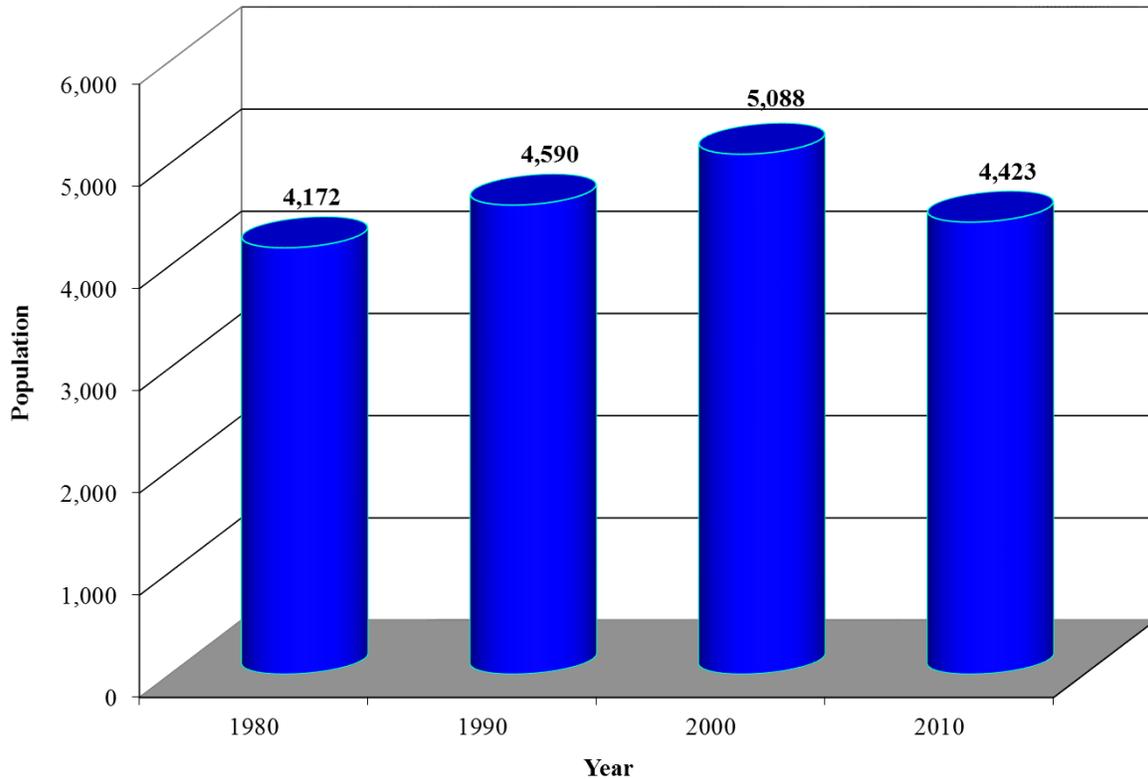
POPULATION

This portion of the document details Florence County's population and housing trends and projections. These demographic characteristics are important in predicting future population and housing trends and their influence on the county's infrastructure and community facility capacities.

Population Trends

- Figure 2.1 illustrates population trends for Florence County since 1980 according to the US Census. Florence County experienced a 13.1 percent population decline in the past decade, a loss of 665 people.
- Table 2.1 details population trends for the county's towns from 1980 thru 2010. Seven of Florence County's eight towns experienced a loss in population between 2000 and 2010. The Town of Tipler declined by nearly 31 percent, while the population in Fern increased by four percent, or six people.
- Florence County contains two Census Designated Places (CDP) according to the 2010 US Census. A CDP is a population center that contains no legally-defined corporate limits. The Florence CDP has a population of 592, while the Long Lake CDP population is 50.
- The median age in Florence County in 2010 was 49.0 years.

Figure 2.1: Population Trends, Florence County 1980-2010.



Source: U.S. Bureau of the Census, 1980-2010, Bay-Lake Regional Planning Commission, 2016.

Table 2.1: Population Trends, Florence County Towns 1980-2010.

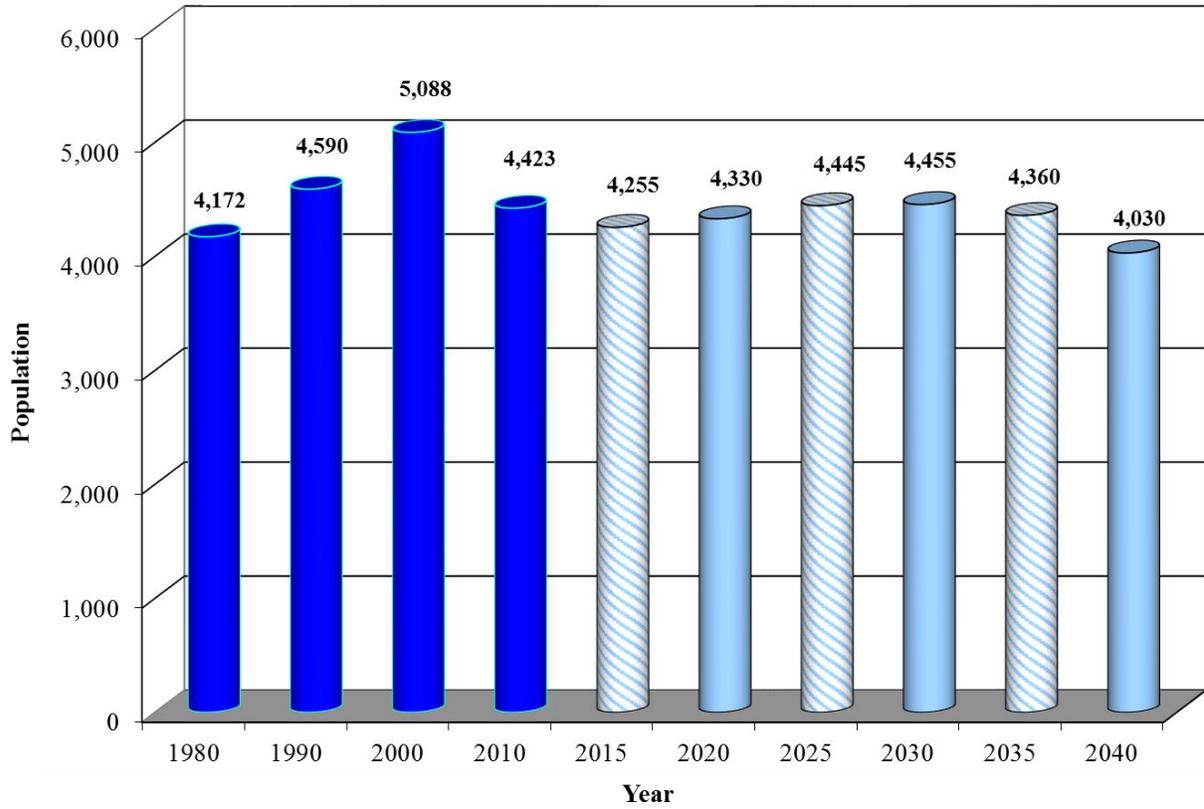
Geographic Location	U.S. Census				# Change 2000-2010	% Change 2000-2010
	1980	1990	2000	2010		
Town of Aurora	1,050	1,036	1,186	1,036	-150	-12.6
Town of Commonwealth	369	407	419	399	-20	-4.8
Town of Fence	192	222	231	192	-39	-16.9
Town of Fern	111	112	153	159	6	3.9
Town of Florence	1,809	2,097	2,319	2,002	-317	-13.7
Town of Homestead	272	337	378	336	-42	-11.1
Town of Long Lake	199	205	197	157	-40	-20.3
Town of Tipler	170	174	205	142	-63	-30.7
Florence County	4,172	4,590	5,088	4,423	-665	-13.1

Source: U.S. Bureau of the Census, 1980-2010, Bay-Lake Regional Planning Commission, 2016.

Population Projections

According to the WDOA population projections released in 2013, Florence County’s population is expected to decline to 4,030, or nearly nine percent, by year 2040. This would be a decrease of 393 persons from the county’s 2010 Census population of 4,423 (Table 2.2 and Figure 2.2). Table 2.2 also illustrates the year 2040 population projections for each of Florence County’s towns.

Figure 2.2: Population Projections, Florence County, 1980-2040



Source: U.S. Bureau of the Census, 1960-2010; WDOA Population Projections for Wisconsin Counties, 2020 – 2040; and Bay-Lake Regional Planning Commission, 2016.

Table 2.2: Population Projections, Florence County Towns 2010-2040.

Geographic Location	2010 Census Population	2013 WDOA Population Projection						# Change 2010-2040	% Change 2010-2040
		2015	2020	2025	2030	2035	2040		
Town of Aurora	1,036	1,000	1,020	1,050	1,055	1,035	965	-71	-6.9
Town of Commonwealth	399	390	405	425	435	440	415	16	4.0
Town of Fence	192	185	190	195	195	190	175	-17	-8.9
Town of Fern	159	160	170	185	195	200	195	36	22.6
Town of Florence	2,002	1,910	1,930	1,965	1,950	1,895	1,735	-267	-13.3
Town of Homestead	336	325	330	340	345	340	315	-21	-6.3
Town of Long Lake	157	150	150	150	150	140	125	-32	-20.4
Town of Tipler	142	135	135	135	130	120	105	-37	-26.1
Florence County	4,423	4,255	4,330	4,445	4,455	4,360	4,030	-393	-8.9

Source: U.S. Bureau of the Census, 2010; WDOA Population Projections for Wisconsin Counties, 2015–2040; Florence County Municipalities; and Bay-Lake Regional Planning Commission, 2016.

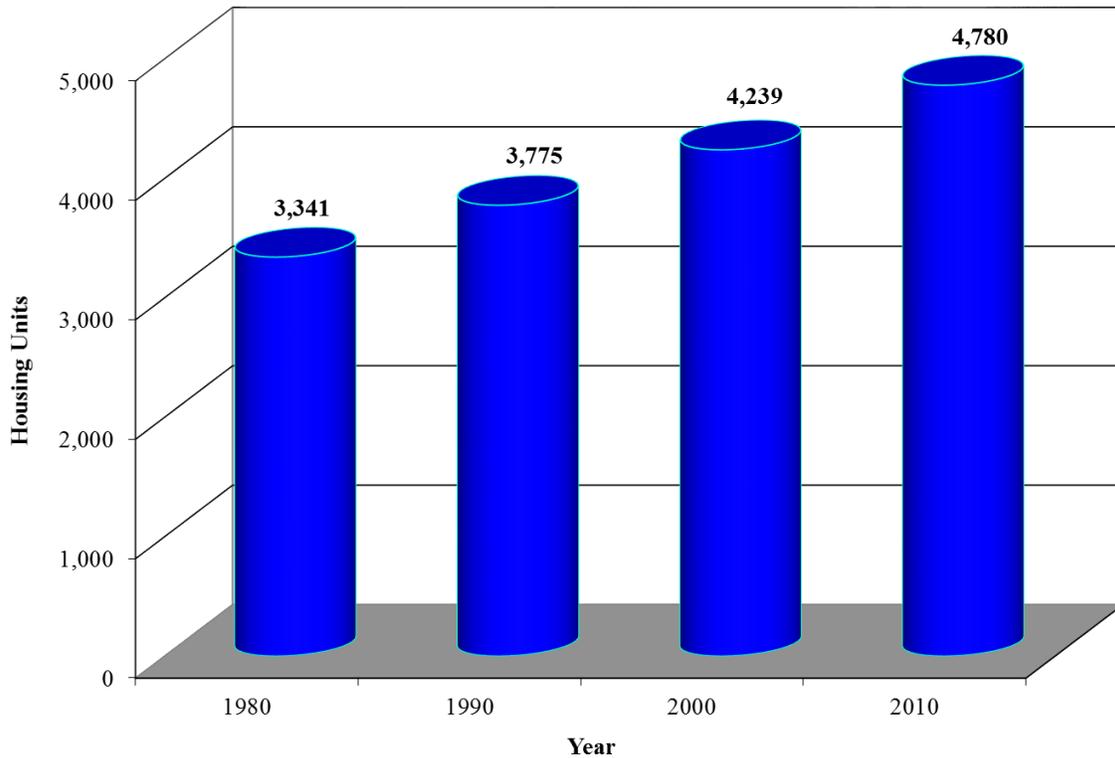
HOUSING

Housing Trend

The number of housing units in Florence County between 1980 and 2010 are displayed in Figure 2.3, while total housing units between 2000 and 2010 for all towns within Florence County can be found in Table 2.3.

- Between 1980 and 2010, the total number of housing units in Florence County increased by 43 percent. Florence County has averaged slightly over 480 new housing units every 10 years since 1980.
- According to the 2010 US Census, 2,591 housing units, or 54 percent of the housing units in the county, are for seasonal, recreational, or occasional use.

Figure 2.3: Historic Housing Unit Levels, Florence County, 1980-2010.



Source: U.S Bureau of the Census, 1980 - 2010; and Bay-Lake Regional Planning Commission, 2016.

Table 2.3: Total Housing Units, Florence County Towns, 1980-2010.

Geographic Location	Year				Percent Change			
	1980	1990	2000	2010	1980-90	1990-2000	2000-2010	1980-2010
Town of Aurora	417	466	535	590	11.8	14.8	10.3	41.5
Town of Commonwealth	287	333	326	378	16.0	-2.1	16.0	31.7
Town of Fence	288	344	373	445	19.4	8.4	19.3	54.5
Town of Fern	250	281	334	373	12.4	18.9	11.7	49.2
Town of Florence	1,417	1,538	1,724	1,892	8.5	12.1	9.7	33.5
Town of Homestead	250	316	351	401	26.4	11.1	14.2	60.4
Town of Long Lake	261	274	296	343	5.0	8.0	15.9	31.4
Town of Tipler	171	223	300	358	30.4	34.5	19.3	109.4
Florence County	3,341	3,775	4,239	4,780	13.0	12.3	12.8	43.1

Source: U.S. Bureau of the Census, 1980-2010; and Bay-Lake Regional Planning Commission, 2016.

Household Forecasts

According to the Wisconsin Department of Administration (WDOA), Florence County’s households (i.e., year-round housing units), are projected to decline by nearly four percent by 2040 (Table 2.4). The fluctuation of year-round and seasonal housing can make it difficult to determine an approximate number of additional homes that could have an impact on the county’s land use. With over one half of the housing in Florence County in 2010 being utilized for seasonal use, the WDOA anticipates that this trend in seasonal housing will continue as the aging year-round population continue to move to locations where services are readily available. One possibility for determining future housing would be to utilize the past trend of an average of 480 new housing units per decade over the previous 30 years (Figure 2.3). As a result, from 2010 to 2040, Florence County could anticipate approximately 1,440 new housing units.

Table 2.4: Household Projections, Florence County Towns, 2010-2040.

Geographic Location	2010 Census Households	2013 WDOA Household Projection						# Change 2010-2040	% Change 2010-2040
		2015	2020	2025	2030	2035	2040		
Town of Aurora	455	456	472	489	494	488	458	3	0.7
Town of Commonwealth	173	175	185	195	201	205	194	21	12.1
Town of Fence	90	90	94	97	98	96	89	-1	-1.1
Town of Fern	73	76	82	90	96	99	97	24	32.9
Town of Florence	902	890	910	925	915	884	804	-98	-10.9
Town of Homestead	150	151	155	161	164	163	152	2	1.3
Town of Long Lake	76	75	76	77	77	73	65	-11	-14.5
Town of Tipler	68	67	68	68	65	60	52	-16	-23.5
Florence County	1,987*	1,980	2,041	2,102	2,111	2,067	1,911	-76	-3.8

* An additional 2,591 Housing Units in the County are for seasonal, recreational, or occasional use; accounting for 54% of the total housing units in Florence.

Source: U.S. Bureau of the Census, Census of Population and Housing, 1980-2010; Wisconsin Department of Administration, for years cited; Wisconsin Department of Administration, Official Household Projections, 2013; and Bay-Lake Regional Planning Commission, 2016.

ECONOMIC GROWTH AND BUSINESS DEVELOPMENT

The economic growth portion of this chapter provides an updated summary of the county's labor force characteristics and economic base found within the *Florence County 20-Year Comprehensive Plan*.

Labor Force

- The Wisconsin DWD indicates that Florence County's labor force of 2,226 in 2015 was a decline from 2,247 in 2010.
- According to the Wisconsin Department of Workforce Development (DWD), approximately 58 percent of Florence County's population, age 16 and older, were in the labor force as of 2014. This percentage is referred to as the labor force participation rate (LFPR). Florence County's LFPR is significantly lower than the nation (63%) and state (68%) percentages. Florence County's LFPR has experienced a decline in recent years due to the many retired residents.

Unemployment Rate

- Wisconsin DWD indicates that Florence County's 2015 unemployment rate is at its lowest point in more than a decade at 6.8 percent. The county's unemployment rate of 4.3 percent in 2000 was the lowest for the time period of 2000 to 2015, whereas the 2009 and 2010 unemployment rate of 10.4 percent was the highest during this time period. The greatest shift occurred from 2008 to 2009, when the county's unemployment rate went from 5.9 to 10.4 percent due to the economic recession.

Income

- Wisconsin DWD identifies the 2014 per capita personal income for Florence County was \$40,094, which is a 47 percent increase since 2004.
- Per the Wisconsin DWD, Florence County's 2014 annual average wage of \$25,249 for all industries was 42.4 percent below the state average. With the exception of the county's construction sector, employers in Florence County's other industry sectors were paying lower wages than the state average in 2014.

Commuting Patterns

- According to the Wisconsin DWD, nearly 41 percent of the employed Florence County residents age 16 and older stayed in the county for work. The remainder of working residents traveled outside of county, with the majority of workers traveling to Dickinson County, MI.

Occupation

Table 2.5: Employed Persons 16 years and over by Occupation, 2014 Estimate, Florence County.

Occupation	2014 Estimate	Percent of Total Employed
Management, business, science, and arts	528	27.4
Service	362	18.8
Sales and office	418	21.7
Natural Resources, Construction, and Maintenance	272	14.1
Production, transportation and material moving	347	18.0
Total	1,927	100

2010 US Census American Fact Finder, 2010-2014, 5-Year Estimate; and Bay-Lake Regional Planning Commission, 2016.

Industry

- The 2014 estimate from the US Census American Fact Finder indicates that nearly 24 percent of employed county residents worked in education, health and social services, followed by manufacturing at 18 percent. Table 2.6 illustrates employment by major industry group for Florence County.

Table 2.6: Employed Persons by Industry Group (Non-Farm Industries), 2014 Estimate, Florence County.

Industry	2014 Estimate	Percent of Total Employed
Agriculture, forestry, fishing and hunting and mining	85	4.4%
Construction	186	9.7%
Manufacturing	344	17.9%
Wholesale trade	42	2.2%
Retail trade	224	11.6%
Transportation and warehousing, and utilities	76	3.9%
Information	54	2.8%
Finance, insurance, real estate and rental and leasing	80	4.2%
Professional, scientific, mgt., admin and waste mgt. service	64	3.3%
Educational, health and social services	461	23.9%
Arts, entertainment, recreation, accommodation and food services	186	9.7%
Other services (except public administration)	62	3.2%
Public administration	63	3.3%
Total	1,927	100.0%

Source: 2010 US Census American Fact Finder, 2010-2014, 5-Year Estimate; and Bay-Lake Regional Planning Commission, 2016.

Industry and Employment Forecast

The Wisconsin DWD has developed industry and employment projections from the period 2012 to 2022 for the 11-county Bay Area Workforce Development district which consists of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Menominee, Oconto, Outagamie, Shawano, and Sheboygan counties.

- As seen in Table 2.7, it is anticipated that “Service-Providing Industries” (e.g., Trade, Transportation, Financial, Professional and Business, Education and Health, etc.) are projected to increase over nine percent from 2012-2022 in the district. The “Goods Producing Industries” (e.g., construction, manufacturing, and natural resources) are expected to have a four percent increase, while “Self-Employed” is forecast to increase by nearly 3 percent in the district.

Table 2.7: Bay Area Workforce Development Employment Projections, 2012-2022

NAICS Code	Industry Title	2012 Employment*	2022 Projected Employment	Change (2012-2022)	
				Employment	Percent
Total All Industries		323,664	348,446	24,782	7.66
Goods-Producing		86,655	90,404	3,749	4.33
	Natural Resources and Mining	8,255	8,862	607	7.35
	Construction	10,700	12,705	2,005	18.74
	Manufacturing	67,700	68,837	1,137	1.68
Services-Providing		219,185	239,718	20,533	9.37
	Trade, Transportation, and Utilities	55,602	58,517	2,915	5.24
	Information	2,879	3,084	205	7.12
	Financial Activities	16,123	17,420	1,297	8.04
	Professional and Business Services	27,659	32,241	4,582	16.57
	Education and Health Services	61,237	69,444	8,207	13.40
	Leisure and Hospitality	30,300	32,236	1,936	6.39
	Other Services (except Government)	8,197	8,691	494	6.03
	Government, excluding Post Office, Education, and Hospitals	17,188	18,085	897	5.22
Total Self-Employed and Unpaid Family Workers		17,824	18,324	500	2.81

* Due to confidentiality, data is suppressed and so detail may not add to totals.

Source: Office of Economic Advisors, Wisconsin Department of Workforce Development, September 2015; and Bay-Lake Regional Planning Commission, 2016.

Tourism

Tourism is an important component of Florence County’s local economy. A variety of businesses that cater to tourism work to meet the diverse needs of the thousands of people who come to Florence County to take advantage of the walking and biking trails, many parks, area attractions, and the beautiful outdoors. According to the Wisconsin Department of Tourism, in 2015, travelers spent over \$4.9 million in Florence County, a 2.9 percent increase from 2014.

Forestry and Agriculture

Forestry and agriculture each have an impact on Florence County’s economy, albeit serving different roles largely due to the county’s abundant forested landscape.

With more than 292,261 acres, or 92 percent, of the county’s land being forest area, forestry is a significant economic driver and employer for Florence County. According to an economic impact study completed by the Wisconsin Department of Natural Resources in 2012, the Florence County forest industry’s total output (\$24.2 million) was over 15 percent of the total county industrial output, ranking number one in the total output for the county. The forest industry is one of the top three employers in Florence County, directly employing 131 individuals while indirect employment reached 160 jobs. Forest product industry jobs in the county include jobs in forestry and logging, as well as in sawmills and wood products.

According to the 2012 Census of Agriculture, just under 13,392 acres of land in the county is farmland. The county contains 90 farms, with the average farm consisting of 149 acres. The market value of the agriculture products (crop and livestock) sold in Florence County was \$996,000.

TRANSPORTATION

Streets and Highways

According to the Wisconsin Department of Transportation, as of January 2015, there are over 460 miles of county roads, local streets and roads, and in Florence County (this does not include the mileage of USDA Forest Service roads; State trunk highways 70, 101, and 139; and U.S. Highway 2/141 found within the county).

- Local roadways in Florence County account for over 378 miles, county highways makeup slightly over 49 miles.
- Florence County Forest staff maintain approximately 33 miles of county forest roads.

There are several basic considerations useful in assessing the existing street and highway system including functional classification and an evaluation of the system's capability to handle present and projected future traffic volumes. This information can provide an indication of the road and highway improvements that may be needed. Chapter 8 of the *Florence County 20-Year Comprehensive Plan* provides further clarification on the functional classification of roads in the county.

The county contains a transportation network that facilitates efficient mobility between communities and across county lines. Communities and farmers, however, will encounter challenges when larger agricultural equipment is on the smaller roads causing conflicts between agriculture and non-agriculture traffic. Deterioration of the road surfaces will likely be accelerated by the increased size and weight of agricultural and forestry equipment.

Trucking

The Wisconsin Department of Transportation has several identified truck routes in Florence County

- U.S. Highway 2/141, along with State trunk highways 70 and 139 are designated Long Truck Routes. These are designated highways for operation of vehicles such as tractor-semitrailer combination, a double bottom, or an automobile haulaway where there are no overall length limitations.
- STH 101 is identified as a 65-foot Restricted Truck Route (48-foot trailer, no double bottoms).

Rail Service

Rail service is not currently available in Florence County. A Canadian National rail line is located just south of Florence County, while an Escanaba & Lake Superior track is located just east of the county. Accessibility to rail service is further discussed in Chapter 8 of the *Florence County 20-Year Comprehensive Plan*.

Air Service

Scheduled commercial air passenger services for Florence County are provided by Austin Straubel International Airport located in Green Bay, Eagle River Union Airport in Eagle River, the Ford Airport located in Kingsford, MI, and the KI Sawyer Regional Airport south of Marquette, MI.

Transportation Plans

Chapter 8 of the *Florence County 20-Year Comprehensive Plan* provides a listing and description

of various county, regional, and State transportation plans and the projects that will have an impact on Florence County’s transportation network.

UTILITIES AND COMMUNITY FACILITIES

Public utilities and community facilities are important components needed to support a healthy, safe, and sustainable environment for businesses and individuals in Florence County.

Energy

- We Energies, Wisconsin Public Service Corporation, and Florence Utility Commission supply electric service to Florence County communities and their residential, farm, commercial, and industrial customers. Electricity is transmitted along a number of high voltage electric transmission lines owned and operated by the American Transmission Company (ATC). The major transmission lines within Florence County include a 138-kV line and several 69-kV double circuit lines.
- Natural gas is provided in areas of Florence County by Wisconsin Gas Company and Florence Utility Commission. The ANR Pipeline Company (Trans-Canada) owns and operates a high pressure natural gas transmission pipeline that distributes natural gas to Florence County.
- There are two hydro facilities located in Florence County on the Pine and Brule Rivers. In addition, there are four other hydropower facilities located in Upper Michigan; however, not all of them provide energy to the county.

Water/Sewer

Most of the Florence County residents have individual wells that are owned and maintained by the property owner. A public water system serves the more densely populated areas in the towns of Florence and Commonwealth. The present public water system serving the towns of Florence and Commonwealth are considered to be adequate, and there are no plans to develop an additional public water system in the county.

The majority of the property owners within Florence County are responsible for owning and maintaining individual private onsite wastewater treatment systems. The towns of Florence and Aurora, however, maintain sanitary sewer services to serve the more densely populated areas. Map 9.2 of *Florence County 20-Year Comprehensive Plan* illustrates the location of these town sanitary sewer districts.

Community Facilities and Services

Many of the county’s departments and facilities are located within the unincorporated community of Florence including the County Courthouse, the County Wild Rivers Interpretive Center, the County Fairgrounds, the Sheriff’s Department, the schools, and the library. The following is a summary of several of the facilities and services that are provided and available to county residents. Refer to Chapter 9 of the *Florence County 20-Year Comprehensive Plan* for more detailed information on the following items.

- Police protection for Florence County is provided by the Florence County Sheriff Department’s staff. The department employs a “conservation ranger position” to patrol snowmobiling, boating, and ATVing activities. In addition, the Sheriff’s Department provides the D.A.R.E. program and a police-school liaison to the School District of Florence County.

- Fire protection for Florence County residents is provided by five local fire departments (Map 9.3 of the County’s Comprehensive Plan). Since Florence County contains a large part of the Nicolet National Forest, the Wisconsin DNR maintains a local fire protection unit for protection of the county and national forests.
- Florence County is served by the Florence County Rescue Squad System. There is a mutual aid agreement between the towns of Florence, Aurora and Long Lake which have volunteer fire departments. There is also a written agreement between Florence County and the Beacon Ambulance Service out of Iron Mountain, Michigan.
- Residents of Florence County are able to utilize medical services provided by the Florence Medical Clinic (a satellite clinic of the Dickinson County Memorial Hospital, Iron Mountain, MI), in addition to hospitals in Iron River, MI; Iron Mountain, MI; Ishpeming, MI; and Eagle River, WI.
- Florence County Economic Development (FCEDC) serves as the focal point for the economic wellbeing of the county by assisting with business retention and expansion. The FCEDC also aims to increase tourism revenue, as well as recruit a diversified business population that provides broad and varied job opportunities, while preserving the area’s natural surroundings.
- Florence County is served by the School District of Florence County. There are three schools within the school district. The middle (7-8) and high schools (9-12) share the same building spaces and services. The Town of Aurora contains Hillcrest Elementary School where Northeast Wisconsin Technical College’s Woodland Kitchen and Business Incubator is housed. Additional information on education, including post-secondary institutions, is detailed in Chapter 9 of the *Florence County 20-Year Comprehensive Plan*.

Waste Management

Several of towns in the county have curbside pickup of refuse and recycling, while others maintain or share drop-off sites. The waste disposal for most of Florence County is provided by Great American Disposal which transports the solid waste to the Wood Island Landfill located in Upper Michigan.

COMMUNICATIONS

Local, long distance, and cellular telephone services are offered through a variety of providers. Internet service may be accessed through a telephone or cable company, while some of the satellite companies are providing high-speed internet access to subscribers. In addition, internet connection is available at the schools/library, courthouse, and several local businesses through WiFi or via mobile broadband.

MUNICIPAL EXPANSION

The comprehensive plan of Florence County and its towns should be reviewed regularly to ensure the lands allocated for future development continue to meet the local vision for growth and preservation of valuable agricultural land, woodlands, and natural resources. According to the current Florence County comprehensive plan, lands allocated for future development are envisioned to include compact residential developments or areas that consist of a concentrated mix of municipal, commercial, industrial, and residential land uses. Based on the WDOA population projections released in 2013, Florence County’s population is expected to decrease by nearly 400 persons from 2010 to 2040 (Table 2.2). Although the population has declined over the past decade and is expect to decrease for decades to come, the county has averaged slightly over 480 new housing units every 10 years since 1980. This is the result of seasonal housing making up more than half of all the housing in the county. The percentage of seasonal versus year-round housing is always a moving target. As a result, this fluctuation can make it difficult to determine the impact housing could have on the county’s agriculture, forestry, and natural resources.

ENVIRONMENTAL PRESERVATION

In an effort to promote preservation of areas with environmental significance, Florence County identifies key environmental features that serve many purposes. These key features provide many ecological and human-valued services such as improved water quality, protection of natural resources and recreation areas, management of floodwaters, groundwater recharge, and stormwater management. Primary elements that make up key environmental features include:

- Wetlands;
- 100-year FEMA floodplains;
- Slopes 12 percent or greater; and
- Navigable waters with a 75-foot setback

Other features that can be considered key environmental elements based on an area-by-area definition include unique and isolated woodland areas, scenic viewsheds, unique geologic features, wetland mitigation sites and exceptional wildlife habitats. Map 5.12 of the *Florence County 20-Year Comprehensive Plan* illustrates the key environmental features of Florence County.

CHAPTER 3: LAND USE AND NATURAL RESOURCES

EXISTING LAND USE

County Land Use Inventory

Based on a land use inventory completed in 2009 by Bay-Lake Regional Planning Commission, the Wisconsin Department of Natural Resources, and the 2012 Census of Agriculture; approximately 97 percent of the county is classified as undeveloped, while existing development covers the remaining three percent of the county (see Table 10.1 of the *Florence County 20-Year Comprehensive Plan*).

- Woodlands account for approximately 92 percent of all the land in the county, while farmland/pasture/fallow fields account for approximately 14,700 of the county's undeveloped land.
- Together, residential development and the transportation network comprise over 80 percent of the developed land uses in the county.

Refer to the *Florence County 20-Year Comprehensive Plan* for more information regarding the county's land use inventory calculations and to view the land use inventory map (Map 10.1).

Ownership

An important component when planning for the growth/preservation of an area is the ownership of lands. Different levels of government throughout Florence County own various segments of land. Refer to Map 5.11 of the *Florence County 20-Year Comprehensive Plan* for an illustration of the approximate ownership of federal, county, and private forests in Florence County.

Federal

Florence County is home to approximately 84,500 acres of the Nicolet National Forest. Overall, the forest covers more than 664,822 acres located in parts of Florence, Forest, Langlade, Oconto, Oneida, and Vilas counties.

County

Florence County owns 36,395 acres of county forest. The county forestland incorporates sustainable forestry management that helps generate revenues, while providing recreation and environmental benefits.

Private

Private forests comprise a large percentage of forestland in the county. As of January 2015, there were approximately 77,106 acres enrolled in the FCL and MFL programs in Florence County. Out of the 77,106 acres, 49,618 acres were open to the public for hunting and recreation. These lands enrolled in both the FCL and MFL programs provide payments, in the form of taxes, withdrawal payments, and annual aids, to the different towns of Florence County.

SOIL AND WATER RESOURCES

Soils

The Natural Resources Conservation Service (NRCS) provides a detailed study of all soils in Florence County in the 2004 *Soil Survey of Florence County, Wisconsin*. The survey provides information on the suitability and limitations of soils for a variety of natural resource and engineering uses. There are seven soil associations within the county as determined by the Natural Resource Conservation Service, 2006 STATSGO Data for Florence County. More information about these soils can be found in Chapter 5 of the *Florence County 20-Year Comprehensive Plan*. \

Soil Limitations

There exist certain limitations for various soil types because of their composition and properties. Before development can take place, an evaluation of the soil's composition and property should be conducted for development suitability.

The 2004 *Soil Survey of Florence County, Wisconsin* provides information on the limitations of each type of soil for private on-site wastewater treatment systems (POWTS) and building site development including the construction of dwellings with basements. These limitations are based on soil properties, site features and observed performance of the soils.

As a way to mitigate these limitations, SPS 383 allows new technologies for private on-site wastewater treatment systems. Additional housing and greater population densities may be a result of the SPS 383 code. This, in turn, heightens the need for undertaking land use planning and drafting controls to address the potential impacts on the environment associated with expanding development.

Prime Agricultural Soils

The USDA, Natural Resources Conservation Service (NRCS) defines prime agricultural soils as lands that have the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed and other agricultural crops, with minimum inputs of fuel, fertilizer, pesticides and labor, and without intolerable soil erosion.

Since agriculture plays an important role in the economic, cultural and social structure of Florence

SPS 383

SPS 383 safety and professional services code gives property owners not being served by municipal sewer, or within a sanitary district, the opportunity and flexibility to meet environmental performance standards with several private sewage treatment technologies. For detailed information about SPS 383 refer to the Wisconsin Administrative Code, Chapter SPS 383.

Three Classes of Prime Agricultural Soils in Florence County

Prime farmland is considered land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses. It has the combination of soil properties, growing season and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods.

Farmland of statewide importance is land not identified as prime farmland on a nationwide basis but is important in Wisconsin for the production of various food, feed, fiber and forage crops.

Prime farmland only where drained are areas where soils have wetness limitations, but can be or are used effectively for agricultural production with installation of a tile drainage system.

County, it will be important to offer incentives and technical assistance to maintain quality soils for future agricultural needs. Once agricultural land is disturbed or replaced by another land use, it is difficult to be effectively returned to agricultural production.

Refer to Map 5.13 of the *Florence County 20-Year Comprehensive Plan* for an illustration of the soils classified as Prime Farmland found in the county.

Surface Water

Surface waters in Florence County flow almost exclusively to the southeast of the Canadian Shield and eventually into the waters of Green Bay of the Lake Michigan basin. Major drainages in the county include the Peshtigo, Pembonwon, Pike, and Wausaukee river systems. The county's water features are illustrated on Maps 5.5 and 5.6 of the *Florence County 20-Year Comprehensive Plan*.

- According to *Wisconsin Lakes*, a report prepared by the WDNR, Florence County has 259 lakes, 101 which are named, covering 7,261 surface acres. In addition, the county has approximately 988 miles of named and unnamed rivers and creeks. Refer to Chapter 5 of the *Florence County 20-Year Comprehensive Plan* for a complete list of lakes and ponds located in the county
- The Pine River and Popple River are included in the state Wild Rivers program.
- Several waterfalls exist along the Pine River and Popple River. There are seven waterfalls located on the Popple River, while three are located on the Pine River.
- Florence County contains several impaired waters, meaning the state's water quality standards are not being met. The impaired waters in the county according to the WDNR *Wisconsin's 2014 Impaired Waters List* includes: Brule River Flowage, Emily Lake, Sand Lake, Sea Lion Lake, and Van Zile Lake.

Watersheds

There are five major watersheds covering Florence County; these include the Brule River, Pembonwon and Middle Menominee Rivers, Pike River, Pine River, and Popple River watersheds. Within these five watersheds, there are 16 sub-watersheds. Map 5.4 of the *Florence County 20-Year Comprehensive Plan* displays the location of each major watershed in the county.

Florence County's watersheds are all part of the Lake Michigan Basin; therefore all of the watersheds in the county drain into the waters of Green Bay and Lake Michigan. Consequently, land use activities in the county not only have an influence locally, but can also impact the quality of life near the waters of Green Bay and Lake Michigan. This emphasizes the importance of land use planning in Florence County.

Groundwater Resources

Florence County's groundwater source comes from sand and gravel aquifers and bedrock aquifers. A large percentage of water used by municipalities and in homes in Florence County comes from groundwater. Industrial water users in Florence County use groundwater. Drinking water is supplied via municipal sources or private wells.

In Wisconsin, potential sources of groundwater contamination include municipal landfills, leaky underground storage tanks, abandoned hazardous waste sites, hazardous/toxic spills, septic tanks, and land application of wastewater, and agricultural activities. The most common groundwater contaminant is nitrate-nitrogen, which comes from fertilizers, animal waste storage sites and

feedlots, municipal and industrial wastewater and sludge disposal, refuse disposal areas, and leaking septic systems. Under certain conditions, arsenic can be released into groundwater and enter water wells. Arsenic is a naturally occurring element found in soil and bedrock. Long-term exposure to arsenic in drinking water can have a number of negative health effects.

Wetlands

Within Florence County, there are approximately 49,587 acres of wetlands as identified by the Wisconsin Department of Natural Resources. The wetlands primarily lay adjacent to the major surface water features within the county.

- A majority of the wetlands (66.3 percent) in the county are classified as forested wetlands by the WDNR.
- More than 75 percent of the wetlands in Florence County have some forest cover or forest cover mixed with shrubs or emergents.

Map 5.9 of the *Florence County 20-Year Comprehensive Plan* illustrates the WDNR inventoried wetlands greater than two acres in the county.

Invasive Species

Florence County is, or will need to, deal with invasive species from other regions and countries. Invasive species are non-native species including all viable life-stages and any hybrids, cultivars, and genetically modified variants. These non-native plants, animals, and disease-producing organisms displace native species, disrupt ecosystems, and have a negative economic and environmental impact on water features, agriculture, forestry, and eventually recreational activities such as fishing, boating, and hiking.

Invasive species can spread rapidly and aggressively since they typically lack the predators and competitors from their place of origin. Controlling invasive species is difficult, and they are often impossible to eliminate. Individuals should be encouraged to modify behavior and activities that will assist in reducing the spread of invasive species

CHAPTER 4: AGRICULTURAL TRENDS AND RESOURCES

AGRICULTURAL & FORESTLAND USE

According to the 2012 Census of Agriculture for Wisconsin, there were just under 13,392 acres of land in farms (see Table 4.1) in Florence County. From 2002 to 2012, the land in farms in Florence County declined by nearly 34 percent. According to the WDNR, forestlands make-up more than 292,261 acres, or 92 percent, of Florence County.

TRENDS IN AGRICULTURE AND FORESTRY

Farm Size and Numbers

According to the US Census of Agriculture, the number of farms in Florence County has decreased by nearly 22 percent between 2002 and 2012 (Table 4.1).

Table 4.1: Farm Statistics in Florence County, 2002-2012.

	2002	2007	2012	Percent Change 2007- 2012
Number of Farms	121	115	90	-21.74
Average Size of Farms (acres)	177	176	149	-15.34
Total Land in Farms (acres)	21,360	20,264	13,392	-33.91

USDA, Census of Agriculture, 2002, 2007, and 2012; and Bay-Lake Regional Planning Commission, 2016.

Livestock Siting

Wisconsin’s livestock facility siting rule (Wis. Admin. Code Ch. ATCP 51) provides State standards and procedures local governments must use if they choose to require conditional use or other permits for siting new and expanded livestock operations. Refer to Chapter 10, Subchapter 3 (*Florence County Livestock Facility Ordinance*) of the *Florence County Code*, which establishes standards and procedures for the issuance of licenses for new and expanded livestock facilities with more than 500 animal units, as well as waste storage facilities in the county.

Conversion of Agricultural and Forestlands to Other Uses

The conversion of farmland and forestland is a good factor in determining land use trends. Although the county’s population has been declining, the number of total housing units continues to rise due to an increasing seasonal population (see Chapter 2 of this document).

It is important for the county and towns to monitor these trends and plan accordingly to help keep the cost of services down. Farmland requires very few services and provides revenues. Farmlands, however, converted to other uses such as residential or business development may cost more to provide services than what is gained through local property tax increases. As an example, non-farm developments may require infrastructure additions and maintenance, school transportation, police service and fire protection, etc., all of which will likely increase the overall cost of services for a community.

As forestland gets sold and converted to other uses, it will be important for the county to monitor any forest fragmentation. Fragmentation can impact forest health and modify wildlife habitat, recreation, etc.

Tables 4.2 and 4.3 identify the amount of agricultural and forestland sold and preserved as agricultural and forestland versus the amount of land that was converted to non-agricultural or forest uses between 2008 and 2013 in Florence County.

Table 4.2: Florence County Agricultural Land Sales, 2008-2013

Year	Agricultural Land Continuing in Agricultural Use			Agricultural Land Being Diverted to Other Uses			Total of all Agricultural Land		
	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre
2008	---	---	---	2	47	\$5,155	2	47	\$5,155
2009	---	---	---	---	---	---	---	---	---
2010	---	---	---	---	---	---	---	---	---
2011	2	91	\$4,307	---	---	---	2	91	\$4,307
2012	3	102	\$1,183	1	4	\$1,505	4	106	\$1,195
2013	1	26	\$1,300	1	45	\$1,160	2	71	\$1,211
Average 2008-2013	1.0	37	\$1,132	0.5	8.5	\$1,303	1.7	53	\$1,978

Note: Agricultural land sold are land sales without building and improvements

Source: Wisconsin Agricultural Statistical Service, 2008 – 2013; and Bay-Lake Regional Planning Commission, 2016.

Table 4.3: Florence County Forestland Sales, 2008-2013

Year	Forestland Continuing in Agricultural Use			Forestland Being Diverted to Other Uses			Total of all Forestland		
	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre
2008	4	137	\$1,711	1	23	\$3,000	5	160	\$1,896
2009	3	75	\$1,869	---	---	---	3	75	\$1,869
2010	2	80	\$1,500	1	38	\$1,710	3	118	\$1,568
2011	3	220	\$1,683	2	155	\$1,353	5	375	\$1,547
2012	4	78	\$1,593	1	36	\$1,505	5	114	\$1,565
2013	4	153	\$1,533	1	5	\$1,160	5	158	\$1,522
Average 2008-2013	3.3	124	\$1,648	0.8	36.5	\$1,455	4.3	167	\$1,661

Note: Forestland sold are land sales without building and improvements

Source: Wisconsin Agricultural Statistical Service, 2008 - 2013; and Bay-Lake Regional Planning Commission, 2016.

Farm Operator Demographics

The following is demographic data related to farm operators based on the 2007 and 2012 Census of Agriculture for Florence County.

- There was a decrease of 40 total farm operators in Florence County from 2007 to 2012 (Table 4.4).

Table 4.4: Farm Operator Demographics, Florence County, 2007 and 2012.

Year	Total Farm Operators	Total Female Operators	Principal Farm Operators		Average Number of Years on Present Farm for Principal Operators	Average Age of Farm Operators
			Male	Female		
2007	177	56	99	16	22.6	55.0
2012	137	45	74	16	22.3	59.4

Source: USDA Census of Agriculture, 2007 & 2012; and Bay-Lake Regional Planning Commission, 2016.

- Table 4.5 illustrates the organizational structure of all farms in Florence County in 2007 and 2012.

Table 4.5: Farm Organization in Florence County, 2007 and 2012.

Type	2007	2012
Individuals or Families	99	80
Partnerships	12	8
Family Corporations	4	1

Source: USDA Census of Agriculture, 2007 & 2012; and Bay-Lake Regional Planning Commission, 2016.

AGRICULTURAL USES OF LAND

This portion of the chapter provides a brief summary of various agricultural commodities in Florence County. Table 4.6 is a listing of the majority of primary agricultural commodities in the county according to the 2007 and 2012 Census of Agriculture. Table 4.7 identifies the sales of the top agricultural commodities for Florence County.

Table 4.6: Farm Numbers and Types, Florence County.

Livestock and Poultry				
Type	2007		2012	
	Number of Farms	Total Animals	Number of Farms	Total Animals
Cattle and Calves	48	2,040	31	794
Milk Cows	10	436	6	NA
Beef Cows	32	538	26	NA
Horses and Ponies	45	261	21	152
Goats	14	156	9	126
Hogs and Pigs	1	NA	3	34
Sheep and Lambs	3	NA	3	NA
Poultry, Layers	20	515	14	578
Poultry, Broilers	3	15	5	113
Land in Farms				
Type	2007		2012	
	Number of Farms	Total Acreage	Number of Farms	Total Acreage
Total Cropland	94	9,417	74	4,876
Harvested	91	8,194	69	4,292
Forage*	79	7,176	52	3,917
Corn for Silage or Greenchop	16	606	12	NA
Land in Orchards	3	15	4	8
Cut Christmas Trees	5	51	7	38
Total Woodland	96	7,931	71	5,627
Woodland Pastured	32	1,402	26	1,223

*land used for all hay and all haylage, grass silage, and greenchop.

Source: USDA Census of Agriculture, 2007 and 2012; and Bay-Lake Regional Planning Commission, 2016.

Table 4.7: Top Commodities, Florence County, 2012.

Product	Value (\$1,000)
Cattle and Calves	400
Other Crops and Hay	298
Hogs and Pigs	8

Source: USDA Census of Agriculture, 2012; and Bay-Lake Regional Planning Commission, 2016.

Conservation Practices

In 2012, the Census of Agriculture for the first time asked whether producers applied specific practices to conserve the farmland or improve the productivity of their cropland. Such practices protect land from water and wind erosion, improve water quality, provide wildlife habitat, and reduce producers’ operating costs by reducing the number of trips over fields.

- In 2012, nine farms in Florence County practiced rotational grazing (i.e., dividing larger pastures into smaller units to rest the pasture and improve forage).

AGRICULTURAL INFRASTRUCTURE

The agriculture and forestry industry needs infrastructure to operate, which in turn, provides economic opportunities for other businesses. The following is a list of agricultural and forestry infrastructure facilities and service providers that are currently found in Florence County. This is not a comprehensive list; however it provides examples of the various key facilities and the services offered for agriculture and forestry in Florence County.

- Implement/Equipment Dealerships
- Feed Mills/Storage/Fertilizer
- Farmer Co-ops
- Milk Processing
- Milk Hauling
- Livestock Transport
- Feed Transport
- Grain Storage
- Fuel Suppliers
- Veterinary Services
- Custom Operators (e.g., Hauling, Harvesting, Tillage, Planting, Spraying)
- Agronomy Services, (e.g., Soil Testing)
- Government Agriculture Services/Agencies (e.g., Education, Nutritional Services)
- Farmers Markets
- Grocery Stores
- Sawmills
- Logging
- Wood Burning

Transportation

Vital components of Florence County’s transportation infrastructure include:

- Over 460 miles of county roads, local streets and roads, and National Forest roads (this does not include the mileage of USDA Forest Service roads; State trunk highways 70, 101, and 139; and U.S. Highway 2/141 found within the county).

A more detailed description of Florence County’s transportation infrastructure, including functional classification, can be found in Chapter 8 of the *Florence County 20-Year Comprehensive Plan*.

CHAPTER 5: FARMLAND PRESERVATION AREAS

FARMLAND PRESERVATION MAP

The Florence County Farmland Preservation Map is a product of efforts by Florence County’s Zoning Department, Land Conservation Department, and the Land Conservation Committee. Florence County staff also requested town officials to review and provide input on the farmland preservation maps for their communities. Once local maps were reviewed and finalized, the maps were then compiled to form the county’s Farmland Preservation Map.

The Florence County Farmland Preservation Map was developed for the entire county; however, the county’s map is displayed as individual town maps to illustrate the details for each town (Maps 5.1 thru 5.8).

Farmland Preservation Areas

The following criteria were established by the Florence County Land Conservation Committee to determine the “Farmland Preservation Areas” on the Florence County Farmland Preservation Map (Maps 5.1 thru 5.8).

- Whether the land has historically been used for agricultural use or agriculture-related use.
- Lands containing soils that are suitable for agricultural production; including prime soils and soils of statewide significance (as illustrated on Map 5.13 of the *Florence County 20-Year Comprehensive Plan*).
- Lands containing key environmental features such as floodplains.
- Woodlands that are continuous to agricultural properties based on land use assessment.
- Lands identified as “agricultural” on the “20-Year Land Use Plan” map (Map 3.1) of the *Florence County 20-Year Comprehensive Plan*, as well as locally adopted comprehensive plan maps.

Non-Farmland Preservation Areas

Areas categorized as “Non-Farmland Preservation Areas” are considered lands unsuitable for agricultural activity and match the following criteria:

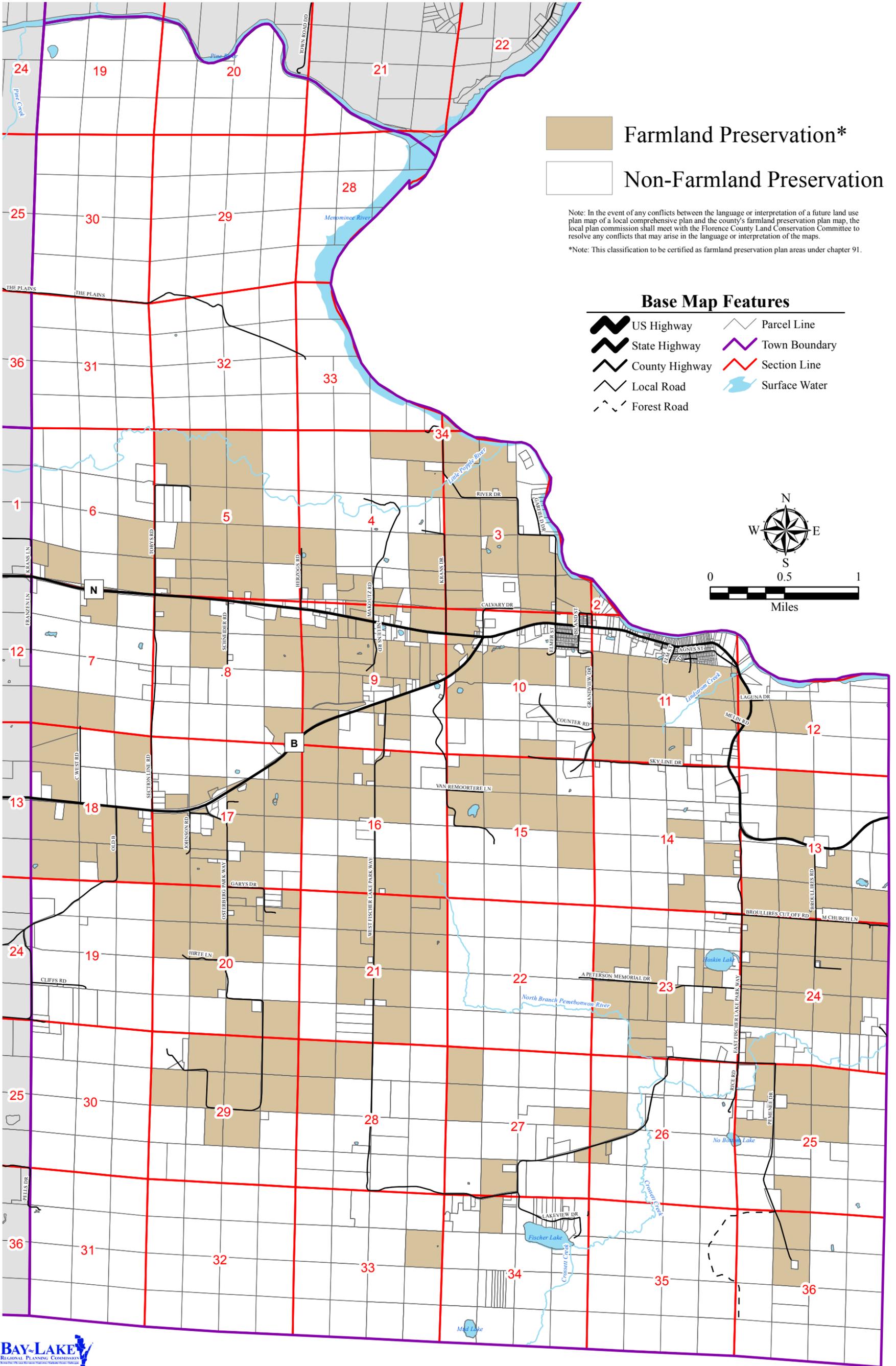
- Areas of concentrated development, including the county’s unincorporated census-designated places (CDP) of Florence and Long Lake.
- Lands on local future land use plan maps identified as developed or planned for future non-farm development including residential, business, and industrial developments; subdivisions; and areas presently receiving and planned for water and sewer service.
- Public lands and natural areas owned by the Federal, State, or County government.
- Communication and utility uses including wireless communication facilities.
- Transportation facilities including major highways and railroads.
- Additional parcels containing churches, cemeteries, golf courses, and non-profit entities.

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Farmland Preservation Plan Map

Town of Aurora

Florence County, Wisconsin

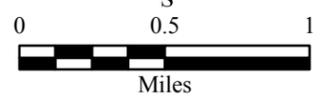


Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.

Base Map Features

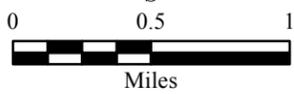
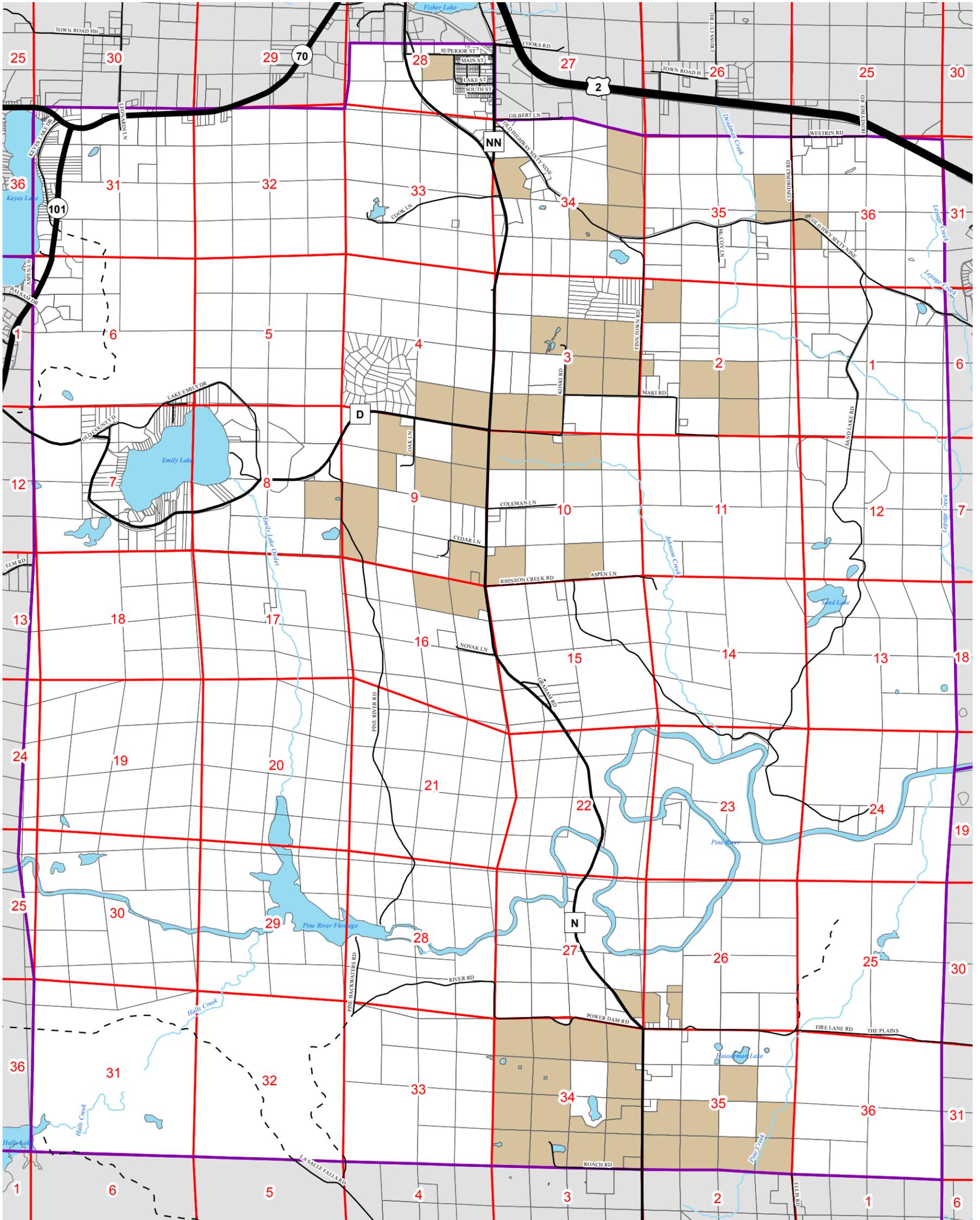
- US Highway
- State Highway
- County Highway
- Local Road
- Forest Road
- Parcel Line
- Town Boundary
- Section Line
- Surface Water



Farmland Preservation Plan Map

Town of Commonwealth Florence County, Wisconsin

Map 5.2



- Farmland Preservation*
- Non-Farmland Preservation

Base Map Features

- US Highway
- State Highway
- County Highway
- Local Road
- Forest Road
- Parcel Line
- Town Boundary
- Section Line
- Surface Water

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.



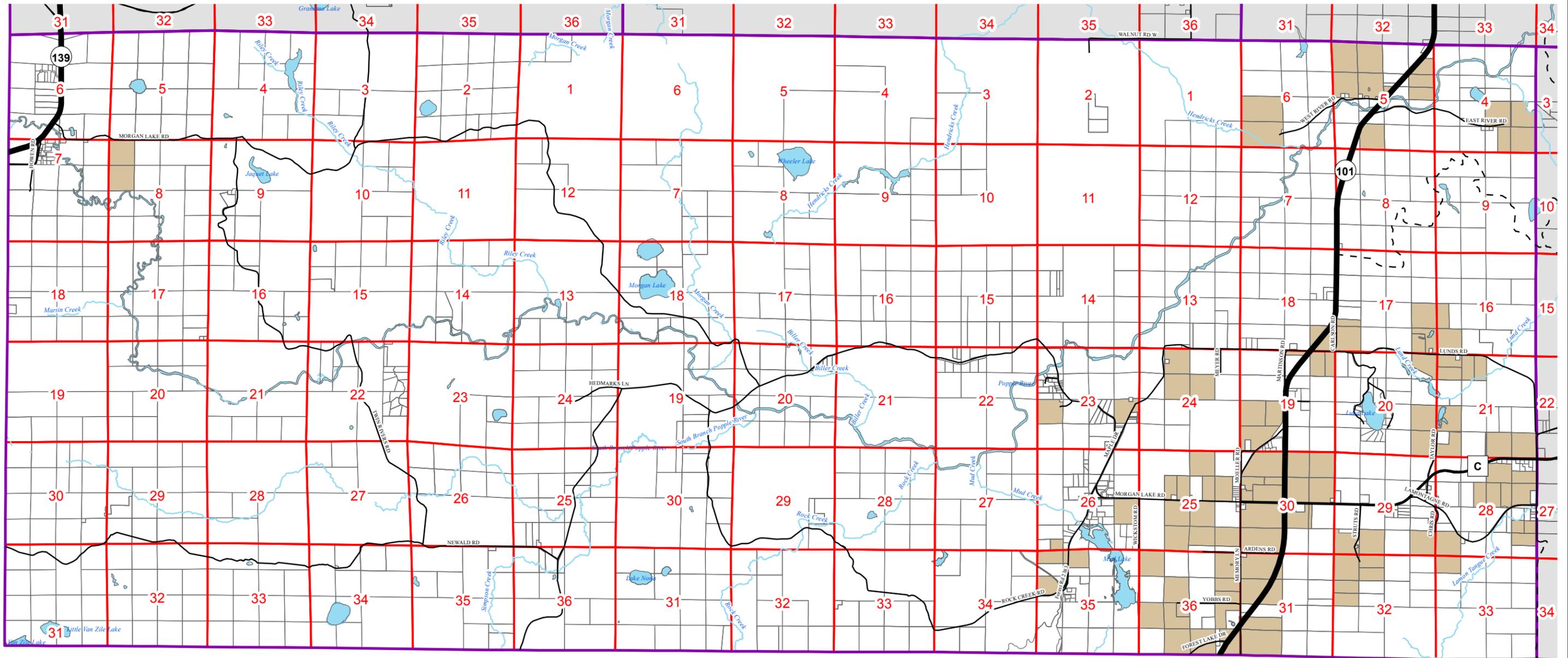
Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.

Farmland Preservation Plan Map

Town of Fence

Florence County, Wisconsin

Map 5.3



 Farmland Preservation*

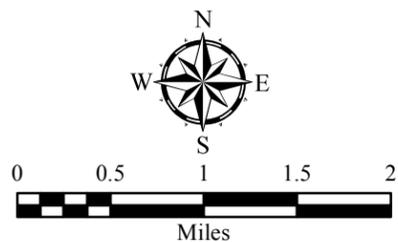
 Non-Farmland Preservation

Base Map Features

-  US Highway
-  State Highway
-  County Highway
-  Local Road
-  Forest Road
-  Parcel Line
-  Town Boundary
-  Section Line
-  Surface Water

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.



Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.

Farmland Preservation Plan Map

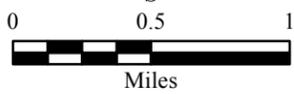
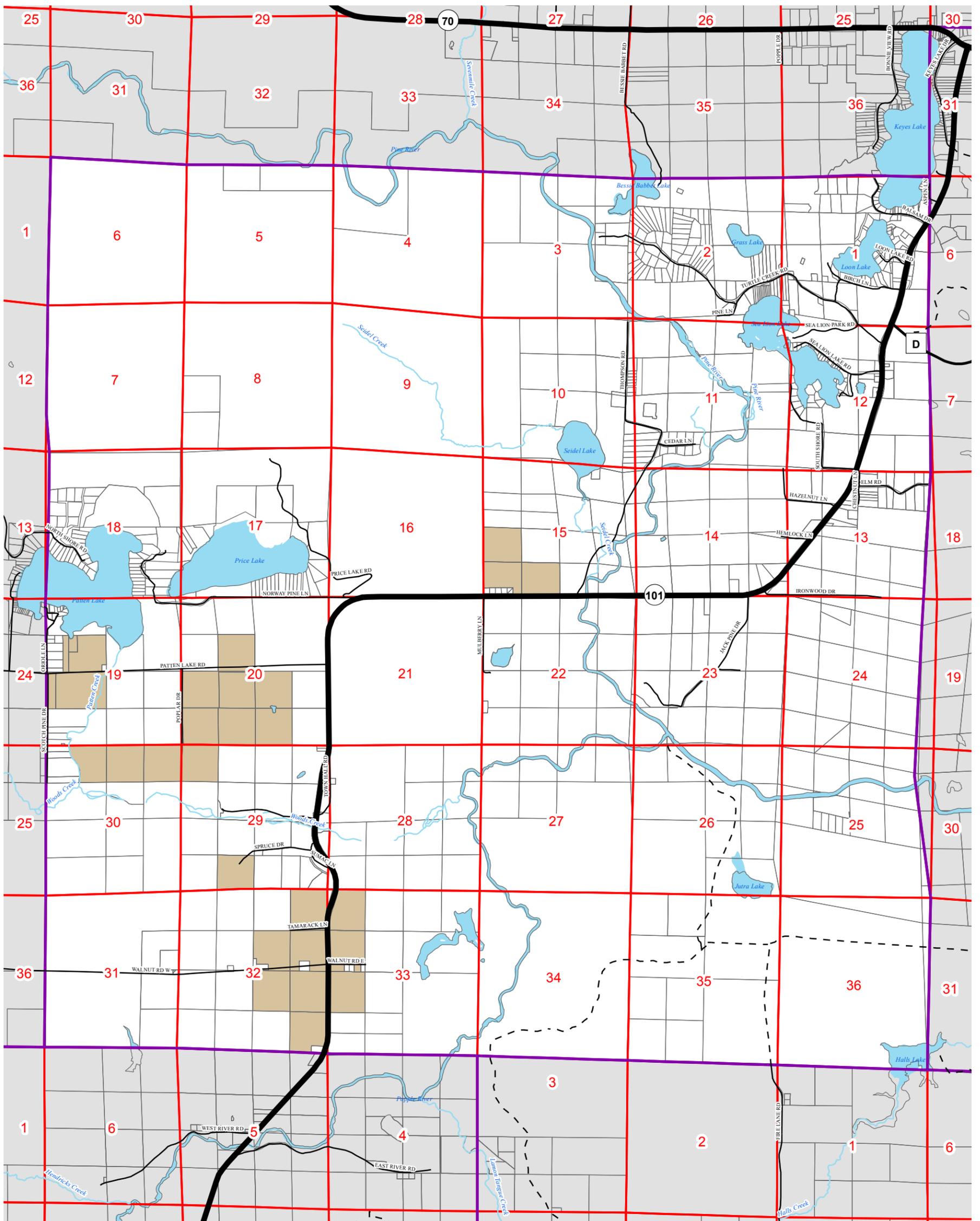
Town of Fern

Florence County, Wisconsin

Map 5.4

Florence County

5-9



- Farmland Preservation*
- Non-Farmland Preservation

Base Map Features

- US Highway
- State Highway
- County Highway
- Local Road
- Forest Road
- Parcel Line
- Town Boundary
- Section Line
- Surface Water

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.



Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.

Farmland Preservation Plan

Farmland Preservation Plan Map

Town of Florence
Florence County, Wisconsin

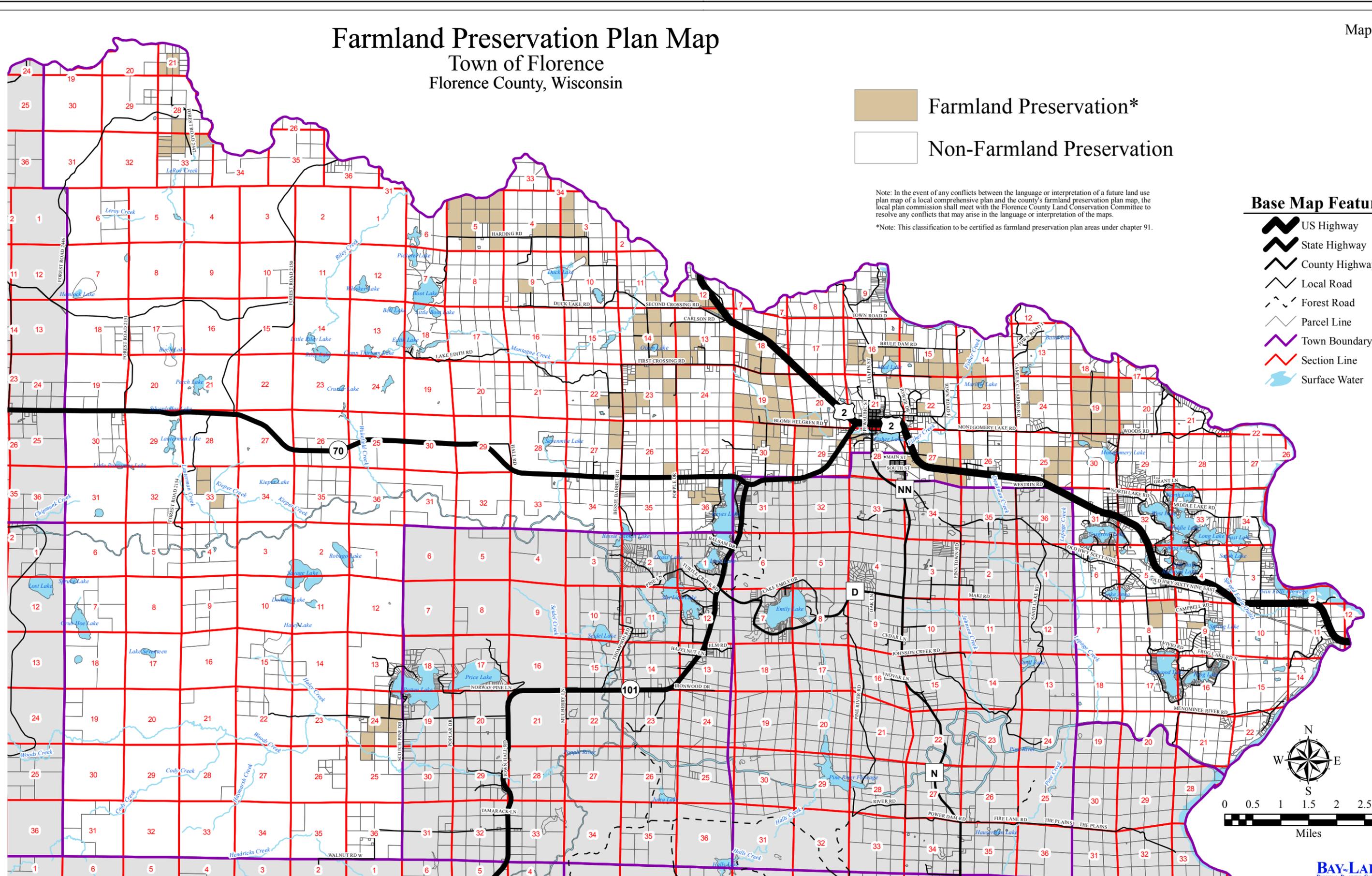
-  Farmland Preservation*
-  Non-Farmland Preservation

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.

Base Map Features

-  US Highway
-  State Highway
-  County Highway
-  Local Road
-  Forest Road
-  Parcel Line
-  Town Boundary
-  Section Line
-  Surface Water

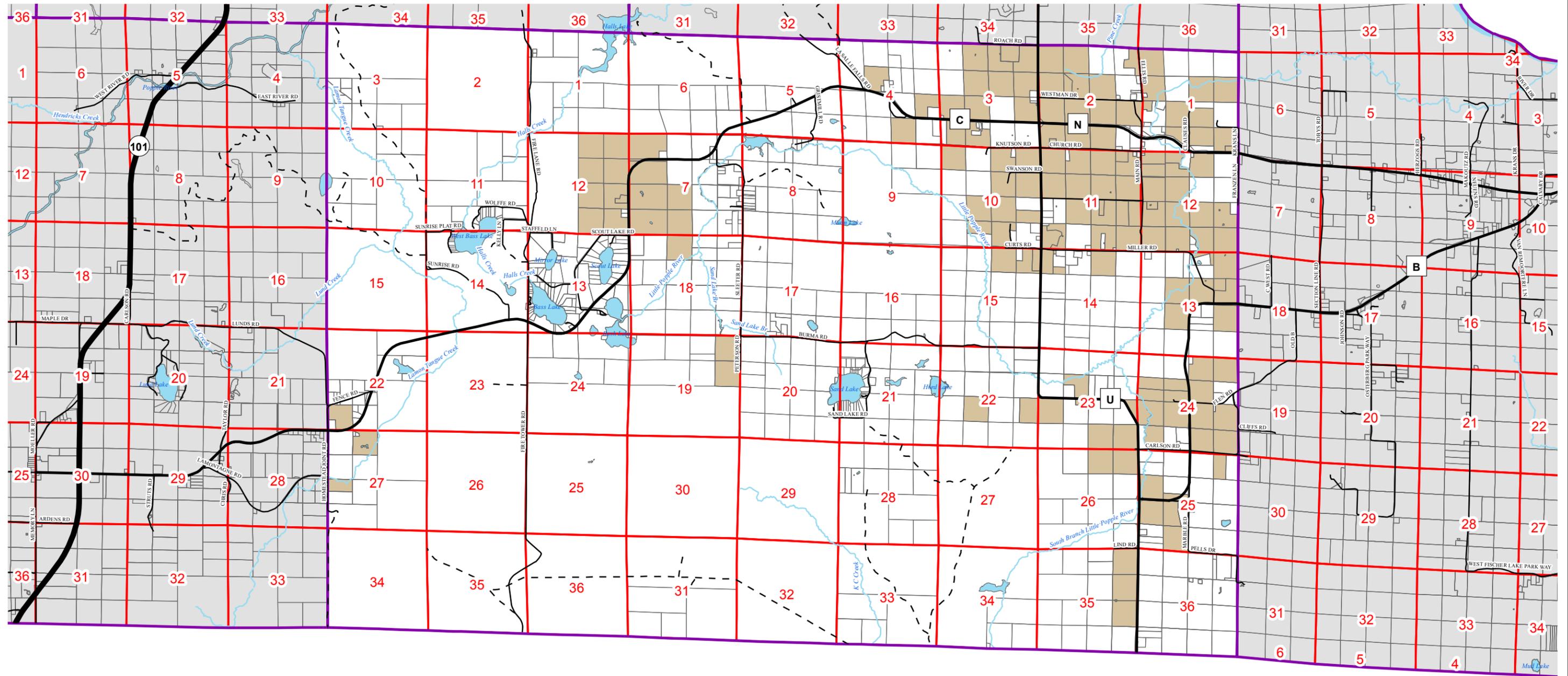


Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.



Farmland Preservation Plan Map

Town of Homestead Florence County, Wisconsin



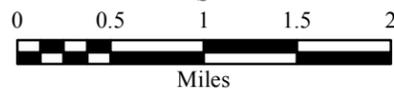
Farmland Preservation*

Non-Farmland Preservation

- Base Map Features**
- US Highway
 - State Highway
 - County Highway
 - Local Road
 - Forest Road
 - Parcel Line
 - Town Boundary
 - Section Line
 - Surface Water

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.



Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.

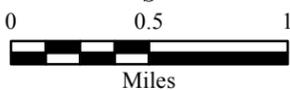
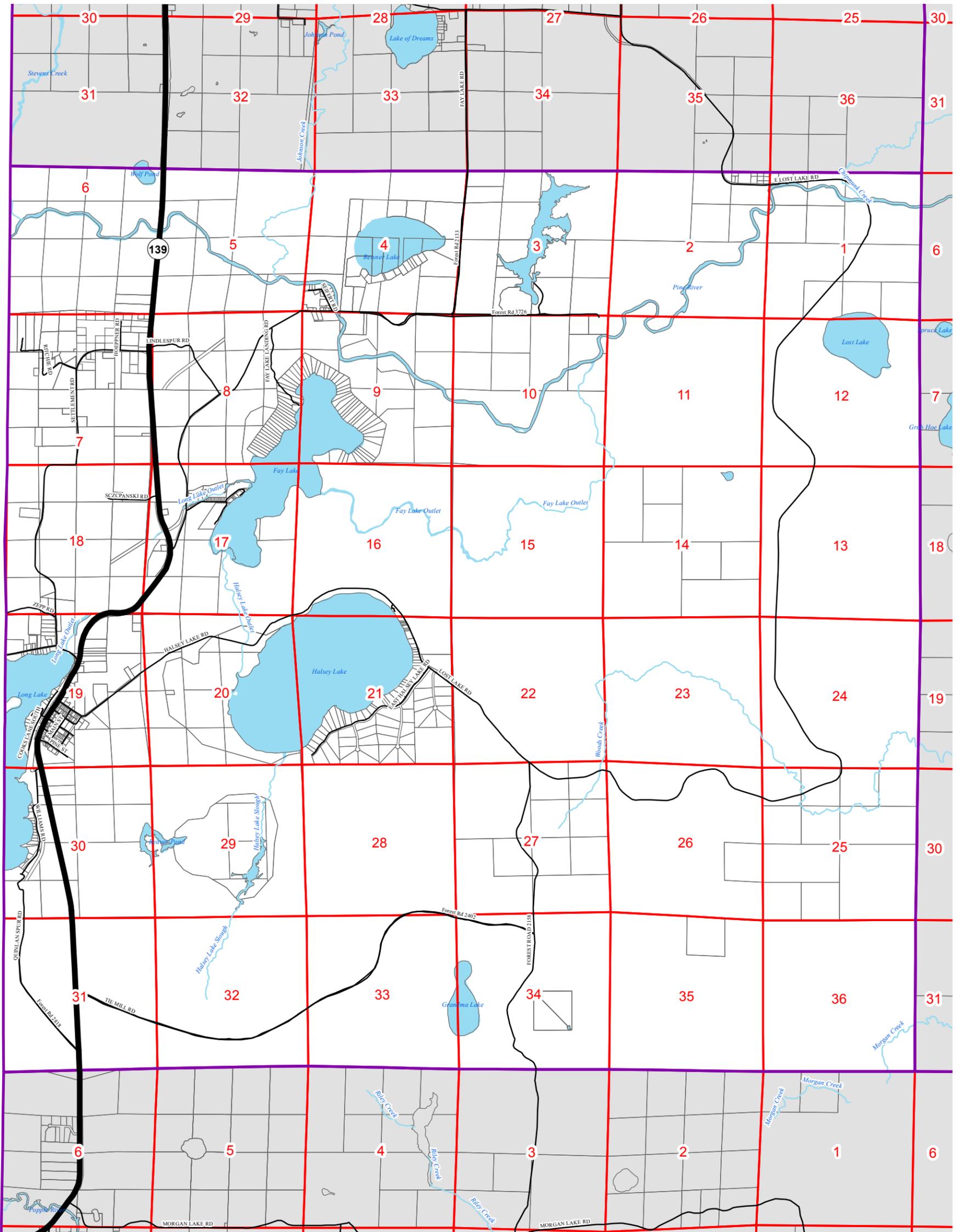
Farmland Preservation Plan Map

Town of Long Lake**
Florence County, Wisconsin

Map 5.7

Florence County

5-15



- Farmland Preservation*
- Non-Farmland Preservation

Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification to be certified as farmland preservation plan areas under chapter 91.

**Note: The Town of Long Lake does not contain farmland preservation areas.

Base Map Features

- US Highway
- State Highway
- County Highway
- Local Road
- Forest Road
- Parcel Line
- Town Boundary
- Section Line
- Surface Water



Source: WDNR, 2007, 2009; Florence County, 2013, 2015, 2016; Bay-Lake Regional Planning Commission, 2009, 2016.

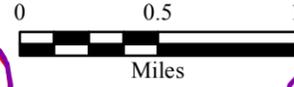
Farmland Preservation Plan

Farmland Preservation Plan Map

Town of Tipler

Florence County, Wisconsin

- Farmland Preservation*
- Non-Farmland Preservation

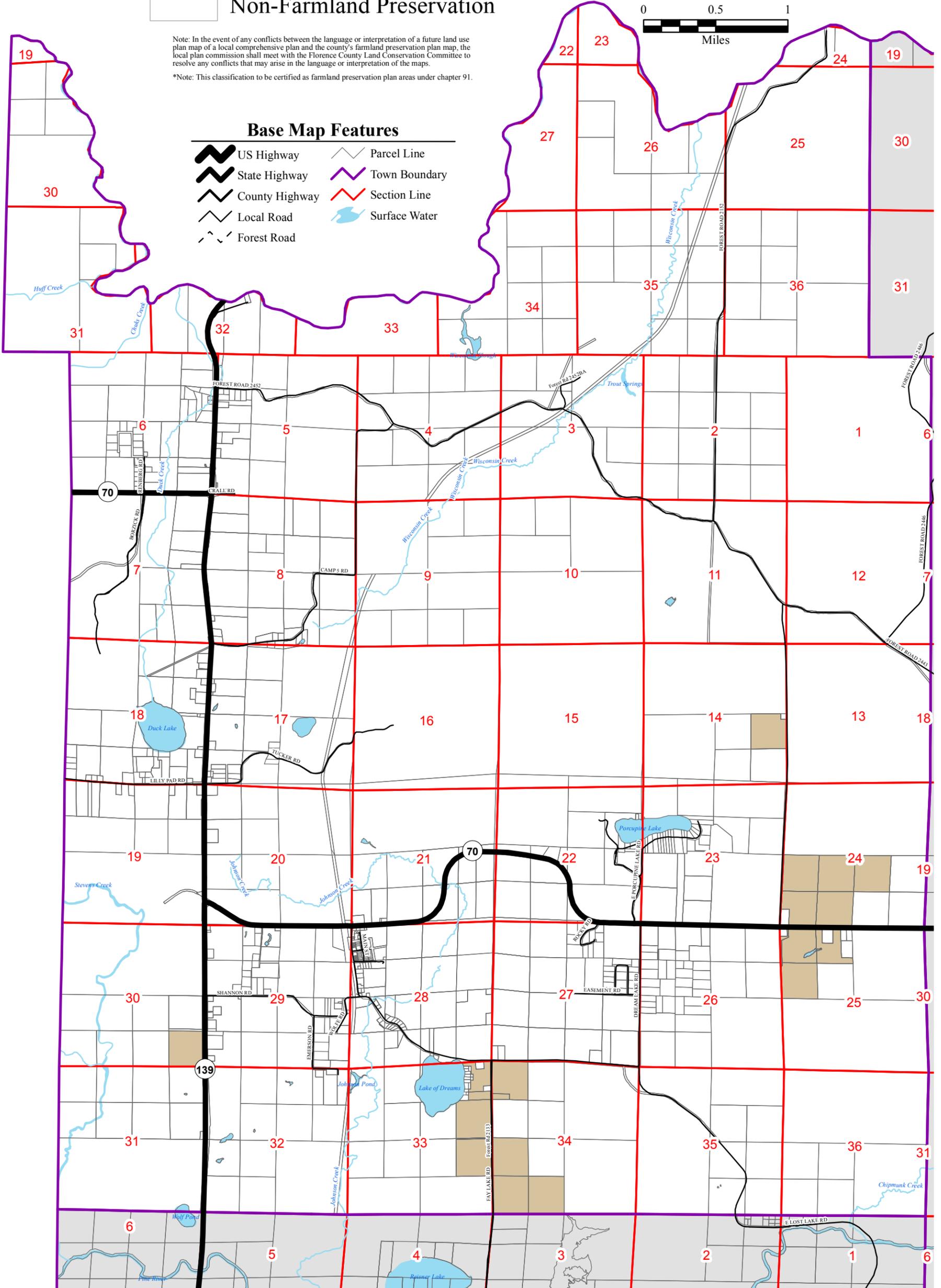


Note: In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.

*Note: This classification is to be certified as farmland preservation plan areas under chapter 91.

Base Map Features

- US Highway
- State Highway
- County Highway
- Local Road
- Forest Road
- Parcel Line
- Town Boundary
- Section Line
- Surface Water



CHAPTER 6: IMPLEMENTATION

KEY AGRICULTURAL LAND USE ISSUES AND STRATEGIES

The following is a list of current land use issues and strategies related to preserving farmland and to promoting agricultural development in Florence County.

- Development pressure and fragmentation of important agricultural areas when planning for nonfarm development.
- Preserve agricultural lands by encouraging towns to follow through on their “20-Year Land Use” plans.
- Preserve natural resources and public lands.
- Protect groundwater and surface water resources.
- Preserve, restore, and improve surface water quality (wetlands, lakes, rivers, and streams) through education, erosion control, buffer strips, easements, land use controls, flood controls, and nutrient/sediment reductions.
- Encourage the preservation of environmental corridors and other sensitive areas.

ANTICIPATED CHANGES IN AGRICULTURAL PRODUCTION, PROCESSING, SUPPLY, AND DISTRIBUTION

An important component of the development process for the county’s Farmland Preservation Plan was anticipating changes in Florence County’s agriculture industry. The following is a list of potential changes that could impact the agriculture industry for Florence County. This list will assist county and community officials as they make important planning decisions.

- Non-farm development pressures and advances in technology will continue to increase in the rural areas of the county.
- As the average age of farmers increases, the possibility exists that they sell their farmland for residential, commercial, or other developed land use as they retire.
- The continued consolidation of smaller farming operations into large operations may pose both economic opportunities, as well as environmental challenges.
- Communities and farmers will continue to encounter infrastructure challenges such as road deficiencies and deterioration as farm equipment increases in size and weight. The Implements of Husbandry (IOH) law will need to be addressed by farmers, custom operators, and municipalities.
- The proper regulation of noise and odor will enhance or promote farming activities by reducing conflicts.
- Many advances in technology will continue to make agriculture less labor intensive.
- Interest in cash cropping and specialty farming will continue to increase.
- Land values will continue to increase due to the global demands for food both in volume and quality.
- The effects of climate change may need to be considered along with other evolving factors that affect agricultural production, such as changes in farming practices and technology.

AGRICULTURE STRATEGY

To address Florence County’s current and anticipated agriculture issues, a variety of goals and objectives have been developed by the Florence County Land Conservation Committee. Several planning and implementation documents discussed later in this chapter are also in place to address agriculture-related issues.

Farmland and Forestry Goals and Objectives

In June 2010, a listing of “Agricultural Resource” goals, objectives, and policies had been detailed under the “Implementation of Development Strategies” within Chapter 4 of the *Florence County 20-Year Comprehensive Plan*. In the same section of the aforementioned comprehensive plan, objectives and policies detail strategies to preserve, enhance, and promote the quality of public and private forest resources within Florence County. During the development of this Farmland Preservation Plan, a review of these items by the county’s Land Conservation Committee, revealed that the current comprehensive plan goals, objectives, and policies remain viable for the continued preservation and promotion of agriculture and forestry in Florence County.

Housing Density Goals and Objectives

Wisconsin Statutes 91.10 (c)(7m) requires a statement of policies, goals, strategies, and proposed actions to increase housing density in areas that are not identified as farmland preservation areas per Wisconsin Statutes 91.10(d).

As detailed in Chapter 2 of this Farmland Preservation Plan, seasonal housing trends illustrate the possibility of over 1,400 additional housing units in Florence County by 2040. In an effort to accommodate future housing, while also preserving the county’s valuable farmland, woodlands, and natural resources, the county has developed strategies in their comprehensive plan for higher housing density in areas where residential development is suitable. By implementing higher density housing strategies, the county and its towns would likely encounter fewer acres per housing unit, as well as reduced utility costs.

Refer to the “Future Land Use Plan” (Chapter 3) and “Implementation” (Chapter 4) components of the *Florence County 20-Year Comprehensive Plan* for a listing of housing development strategies and housing density goals, objectives, and policies that encourage sensible housing development while preserving the county’s agricultural, woodland, and natural areas.

COMPREHENSIVE PLAN CONSISTENCY

To ensure consistency between the *Florence County 20-Year Comprehensive Plan* and the farmland preservation plan, the county adopted the *Florence County Farmland Preservation Plan* as a component to the comprehensive plan per s. 91.10(2), Wis. Stats. This consistency is also evident in the farmland preservation plan through referencing tables and data, in addition to mapping that is found within the *Florence County 20-Year Comprehensive Plan*. The result is consistent data that is necessary to determine trends and needs of agriculture and forestry in the county.

In an effort to plan for the future while preserving agricultural land, it was also important to ensure the goals, objectives, and other strategies from the county’s comprehensive plan were reiterated, or written to be consistent, within the farmland preservation plan. These goals, objectives, and strategies from the comprehensive plan are mentioned earlier in this chapter.

The primary indicator of consistency between the *Florence County Farmland Preservation Plan* and the *Florence County 20-Year Comprehensive Plan* was utilizing the future land use maps of the county and town comprehensive plans as the foundation for the development of the county farmland preservation plan map. Town officials utilized the local adopted comprehensive plan maps as the basis during the review of each town farmland preservation plan map in an effort to encourage consistency between the two maps. The county's farmland preservation plan map depicts commitment to agricultural production, agriculture-related uses, in addition to forestry and natural resource protection.

*** In the event of any conflicts between the language or interpretation of a future land use plan map of a local comprehensive plan and the county's farmland preservation plan map, the local plan commission shall meet with the Florence County Land Conservation Committee to resolve any conflicts that may arise in the language or interpretation of the maps.*

FLORENCE COUNTY AND LOCAL PLANS AND CONTROLS TO PRESERVE AGRICULTURE AND FORESTRY

In addition to the Florence County and local comprehensive plans, this section of the chapter provides a list of additional land use plans and controls at the county and local level that can have a positive impact on the preservation of agricultural land and forestland.

General Zoning Ordinance

Florence County has zoning jurisdiction within all but two towns in the county under Chapter 10, Subchapter 1 of the *Code of Ordinances of the County of Florence, Wisconsin* (note: the towns of Fern and Long Lake do not have general zoning ordinances). Florence County maintains and administers the general zoning ordinance to regulate and restrict the locations, construction and use of buildings, structures, and the use of land in the county. It provides for the public health, safety and general welfare of the towns within Florence County.

Soil and Water Conservation Standards

Participants in the Farmland Preservation Program are required to implement soil and water conservation standards according to a schedule of compliance approved by the Florence County Land Conservation Department. The standards to be implemented are those required under ATCP 50 Wis. Adm. Code.

Florence County Plans and Ordinances

The Florence County Planning, Zoning & Solid Waste Department and Florence County Land Conservation Department maintain and administer the following land use plans and ordinances that help ensure farmland and natural resources are preserved.

- *Florence County 20-Year Comprehensive Plan*
- *Florence County Forest Comprehensive Land Use Plan*
- *Florence and Forest County Resource Report*
- *Florence County Land Use and Lake Protection Plan*
- *Florence County Comprehensive Outdoor Recreation Plan*
- *Florence County Land and Water Resource Management Plan*

- *Florence County Natural Hazards Mitigation Plan*
- *Nonmetallic Mining Reclamation* – Chapter 13 of the *Florence County Code*
- *Florence County Sanitary Ordinance* – Chapter 12 of the of the *Florence County Code*
- *Shoreland and Wetland Zoning* – Chapter 10, Subchapter 2 of the *Florence County Code*
- *Floodplain Zoning* – Chapter 10, Subchapter 4 of the *Florence County Code*
- *Subdivision Ordinance* – Chapter 11 of the *Florence County Code*
- *Livestock Facility Ordinance* - Chapter 10, Subchapter 3 of the *Florence County Code*

FARMLAND AND FOREST MANAGEMENT PROGRAMS

Many farmland preservation and rural land preservation programs are available on county, state, and federal levels in an effort to implement agricultural conservation practices and natural resource protection. Below is a listing of a variety of these programs, some of which are currently being utilized in the Florence County.

Landowners can get additional program information from local towns/assessors and Plan Commissions, the Florence County Planning, Zoning, and Solid Waste Department, the Florence County Land Conservation Department, Florence County Forestry and Parks Department, UW-Extension, Natural Resource Conservation Service (NRCS), USDA Farm Service Agency, and the Wisconsin Department of Natural Resources (WDNR).

County Programs

Farmland Preservation Program

The purpose of this program is to preserve agricultural land and open spaces by promoting orderly land use planning and development and by promoting soil and water conservation. Landowners are eligible for state tax credits under the Farmland Preservation Program if land is located in a certified farmland preservation zoning district or in a designated agricultural enterprise area.

Under the revisions to the farmland preservation program, a credit can be claimed under the old Schedule FC law if, among other considerations, the claimant remains subject to a farmland preservation agreement that was entered into prior to July 1, 2009. Alternatively, a credit can be claimed on the Schedule FC-A form by a person who owns a farm that is covered by a farmland preservation agreement entered into on or after July 1, 2009, or owns a farm located in an area designated in a certified exclusive agricultural use zoning or farmland preservation zoning ordinance.

Farmland Preservation Zoning

Local governments may choose to adopt and have certified a farmland preservation zoning ordinance to ensure that landowners covered by the ordinance are eligible to claim farmland preservation tax credits (ch. 91, Wis. Stats.).

Comprehensive Land Use Planning

The county and towns use their comprehensive land use plans as the basis for farmland preservation zoning ordinances that identify areas to protect and preserve for agricultural use and areas where growth will be recommended.

Land & Water Resource Management Plan Implementation

The purpose of this program is to control soil erosion and reduce nonpoint source water pollution. The program provides a cost share and technical assistance to landowners to install soil and water conservation practices. The following agricultural conservation practices may be utilized; grass waterways, diversions, critical area stabilization, terraces, grade stabilization structure, sediment basins, barnyard runoff control practices, rural well abandonment, manure storage abandonment and roof runoff system.

Nutrient Management Planning

This program provides technical and educational assistance to landowners for the preparation and implementation of a nutrient management plan. The plan details a strategy for obtaining the maximum return from on and off farm fertilizer resources in a manner that protects environmentally sensitive areas and the quality of nearby water resources. Cost share/incentive funding is available for program participation.

Wisconsin Nonpoint Runoff Rule Implementation

This program provides technical and financial assistance to landowners that do not meet nonpoint pollution control rules. Farms are evaluated to determine if they are compliant with the rules. If they are found to be out of compliance, technical and financial assistance may be available.

State and Federal Conservation Programs

Agricultural Enterprise Area (AEA)

The Agricultural Enterprise Area (AEA) concept was established in 2009 as part of the state's Working Lands Initiative. The designation of an AEA is voluntary and can be initiated by landowners or local governments by filing a petition with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). Petitions filed with DATCP must meet minimum criteria, but additional evaluation criteria may be used to review competing petitions. As a minimum, the land subject of the petition must be identified as being in a farmland preservation area in the county's farmland preservation plan, be a contiguous land area, and primarily be used for agriculture.

Tax credits available to farmers in an AEA are:

- \$5.00 per acre for land that is covered by a farmland preservation agreement, or
- \$10.00 per acre for land that is covered by a farmland preservation agreement and located in a certified farmland preservation zoning district.

Purchase of Agricultural Conservation Easements (PACE)

The PACE program provides state funding for the purchase of agricultural conservation easements. An agricultural conservation easement allows a landowner to be compensated for limiting development on his or her farmland. Easements are permanent and are carried over to subsequent landowners if the property is sold. The Department of Agriculture, Trade and Consumer protection (DATCP) will provide funding to cooperating local entities (local governments or non-profit organizations) for the purchase of easements from willing landowners. Local entities purchase the easements and may be reimbursed for up to 50 percent of the easement cost by the PACE program. The state and local entities will then be co-holders of the easement. PACE funded easements are intended to strengthen areas that have been planned and designated as local farmland preservation areas in a certified county farmland preservation plan.

Managed Forest Law (MFL)

An owner of 10 or more contiguous forest acres may apply for entry into the MFL program. In order for the land to be enrolled, the WDNR must determine that at least 80 percent of the parcel is capable of producing at least 20 cubic feet of merchantable timber per acre per year and that the land is not developed in a way incompatible with the practice of forestry. Enrollment is by contract between the DNR and the landowner for a period of 25 or 50 years, at the owner's option. The contract requires the owner to follow a forest management plan. Owners must also permit public access for hunting and recreation; however, up to 160 acres can be closed to public access by paying an annual closure fee.

Landowners with land in the MFL program pay MFL tax rates instead of regular property tax rates. MFL tax rates (per acre) differ for land entered in the MFL program before 2005 versus land entered in 2005 and later. Also, MFL tax rates differ for land open to the public as opposed to land closed to the public, with open land rates being less.

Forest Crop Law (FCL)

With enactment of the MFL program in 1985, the FCL was closed to new land entries as of January 1, 1986. FCL contracts can be for up to 50 years, the last FCL contracts will expire in 2035.

Under the FCL, an owner of a complete quarter-quarter section (typically 40 acres) in a town could petition the WDNR to enroll that land in the program. Enrollment was by contract between the WDNR and the landowner for a period of 25 or 50 years, at the owner's option. The contract required the owner to practice forestry, to notify the WDNR of timber harvests, to allow state appraisals of harvests, and to permit public access for hunting and recreation. Land enrolled under the FCL program pay FCL tax rates in place of regular property tax rates.

Farm Service Agency (FSA) – Loan Program

The United States Department of Agriculture (USDA) Farm Service Agency offers numerous loan opportunities from direct farm operating loans, direct operating loans, emergency loans, beginning farmers and rancher loans and socially disadvantaged farmers, ranchers and youth loans.

Natural Resources Conservation Service (NRCS) Conservation Programs

NRCS's natural resources conservation programs help people reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, and reduce damages caused by floods and other natural disasters. Public benefits include enhanced natural resources that help sustain agricultural productivity and environmental quality while supporting continued economic development, recreation and scenic beauty. Programs include conservation technical assistance, environmental improvement, stewardship, water resources, easements, community assistance, and technical processes.

APPENDIX A
FARMLAND PRESERVATION FACT SHEETS

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ATCP 49: Farmland Preservation

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

*Farmland preservation is covered by Chapter 91 of Wisconsin Statutes, which was repealed and recreated in 2009 in response to growing pressures to convert farmland to nonagricultural use. Under Chapter 91, Wisconsin counties **must** adopt farmland preservation plans by January 1, 2016. Counties and towns **may** also adopt farmland preservation zoning ordinances. Chapter 91 also authorized the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) to write an administrative rule to implement Chapter 91. Wisconsin ATCP 49 is that new administrative rule, which provides details about farmland preservation planning and zoning to help local governments through these processes.*

*These are the answers to some common questions about ATCP 49. **This is not a legal document.** Please consult the complete text of the rule at https://docs.legis.wisconsin.gov/code/admin_code/atcp/020/49, and of Chapter 91 at <https://docs.legis.wisconsin.gov/statutes/statutes/91>. If you have further questions, please call 608-224-4634 or email alison.volk@wi.gov.*

What does ATCP 49 do?

ATCP 49 clarifies Chapter 91 specifically related to farmland preservation planning, farmland preservation zoning, and farmland preservation agreements. Since the statutes were updated in 2009, the department has received questions and concerns from local governments regarding the implementation of the law. This rule addresses those concerns that have raised in the past six years.

How does ATCP 49 affect farmland preservation planning?

ATCP 49 clarifies the plan certification process, specifying when a plan expires, when a county may request an expiration extension, and when an amendment to a plan must be certified. The rule also clarifies that a plan must describe the rationale used to determine which areas the county plans to preserve for agricultural and related uses and specifies that this rationale must be based on objective criteria tied to characteristics of the land itself and not solely the preferences of individual landowners. The rule states that the department may refuse to certify a plan that meets these requirements.

Does ATCP 49 address the idea of consistency between a farmland preservation plan and a comprehensive plan (if there is one)?

Yes. Under s. 91.10(2), a farmland preservation plan must be consistent with a county's comprehensive plan, if there is one. By incorporating the comprehensive planning definition found in s. 66.1001(1)(am), ATCP 49 encourages counties to utilize the same understanding of consistency as required by the comprehensive planning law.

Does ATCP 49 include additional definitions not found in chapter 91?

Under chapter 91, local governments raised some questions regarding the use of certain terms that were either not defined in the statutes or the definitions of terms were somewhat confusing. This confusion primarily affected the ability of local governments to write and administer farmland preservation zoning ordinances. To address these concerns, ATCP adds definitions not previously defined, such as "forest management" and "crop" and further clarifies the difference between an agriculture-related use and an accessory use. The rule also includes a definition of "contiguous," which was previously only defined in the subchapter governing Agricultural Enterprise Areas. The definition in the rule mirrors that found in s. 91.84(1)(e)3, however a note in the rule clarifies that a local government may choose whether contiguity for zoning purposes extends across a road, stream, or section line.

(Over)

How does ATCP 49 affect allowable nonfarm residences in farmland preservation zoning districts?

ATCP 49 allows added flexibility for local governments that choose to permit limited residential density within the district. First, the rule adds to the definition of "Base farm tract," enabling a local government to establish the base farm tract boundary on the date that the landowner first creates a new lot or parcel from a farm. Some local governments thought that this alternative definition would make the base farm tract concept easier to administer because the local government would only need to track those parcels being divided.

Another provision in the rule encourages local governments to pursue creative alternatives to the base farm tract concept. Local governments may adopt a different approach to regulating nonfarm density in the farmland preservation district, provided the local government can show that the approach is as restrictive as the statutes. If the approach does not allow for more residences to be built or more farm acreage to be removed than the base farm tract concept, the Secretary of the department will approve that approach.

Does ATCP 49 add any new permitted or conditional uses to the farmland preservation district?

Yes. ATCP 49 allows local governments to include a farm family business as a permitted use in the district. A farm family business is similar to an accessory use as defined by s. 91.01(1)(d), but the rule clarifies that this type of business does not need to count family members towards the maximum allotment of four full-time employees. Local governments may also allow for residences existing before January 1, 2014, to be treated as permitted uses instead of nonconforming uses.

How does ATCP 49 affect farmland preservation agreements?

Chapter 91 does not include an explanation of circumstances wherein the department will deny an application for a farmland preservation agreement. ATCP 49 ensures that any land proposed to be excluded from coverage by a farmland preservation agreement will not interfere with the goals of the agricultural enterprise area. This provision ensures that the exclusion of land from an agreement will not impair or limit agricultural use on other lands within the agricultural enterprise area.

FARMLAND PRESERVATION TAX CREDITS

FP ZONING AND FP AGREEMENTS SIGNED OR MODIFIED AFTER JULY 1, 2009

FARMLAND PRESERVATION PROGRAM

What are the tax credits?

Participation in the state's farmland preservation program gives eligible landowners the opportunity to claim a farmland preservation tax credit on their income tax return in exchange for keeping the land in agricultural use and achieving state soil and water conservation standards. Land that is located in a certified farmland preservation zoning district or covered by a farmland preservation agreement signed or modified after July 1, 2009, must use Schedule FC-A to claim the credit. Tax credit amounts equal:

\$5.00/Acre for landowners with a farmland preservation agreement signed after July 1, 2009 and located in an agricultural enterprise area, or for landowners who have modified an agreement signed before July 1, 2009

\$7.50/Acre for landowners in an area zoned for farmland preservation

\$10.00/Acre for landowners in an area zoned for farmland preservation and in an agricultural enterprise area with a farmland preservation agreement signed after July 1, 2009, or in an area zoned for farmland preservation and with a farmland preservation agreement modified after July 1, 2009

What are the eligibility requirements to claim the tax credits?

- ✓ Must be a Wisconsin resident
- ✓ Land must meet at least one of the following: (a) be within a certified farmland preservation zoning district, (b) be in an agricultural enterprise area and covered by a farmland preservation agreement, and/or (c) covered by a farmland preservation agreement signed before July 1, 2009 that has been modified
- ✓ Land must have produced at least \$6,000 in gross farm revenue during the previous year or \$18,000 in gross farm revenues during the previous three years
- ✓ Property taxes for the previous year must have been paid
- ✓ Claimant must have a certificate of compliance from the county's land conservation committee to show that the farm meets state soil and water conservation standards



Wisconsin Department of Agriculture, Trade and Consumer Protection

Phone: (608)224-4500

Website: <http://datcp.wi.gov>

Email: DATCPWorkingLands@wisconsin.gov

ARM-Pub-205 (Rev January 2016)

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APPENDIX B
DATCP CERTIFICATION MATERIALS

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State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: **July 20, 2016**

TO: **Rich Wolosyn, Florence County**

FROM: **Katy Vosburg, Land Management Section**

SUBJECT: **Notification of Completeness of the Florence County Application for Certification of Farmland Preservation Plan**

We have determined your application (received July 20, 2016) to be administratively complete (see Part A of Application Form).

We will contact you after we have reviewed the materials to see if they meet the requirements for certification under the Farmland Preservation program, Chapter 91, Stats.

If you have any questions, please call me at 608-224-4621.

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Law Offices of
O'BRIEN, ANDERSON, BURG & GARBOWICZ, L.L.P.

EDMUND H. DRAGER (1894-1988)
JOHN L. O'BRIEN
WILLIAM W. ANDERSON (*retired*)
DENNIS M. BURG
STEVEN C. GARBOWICZ

221 S. First Street
P. O. Box 639
Eagle River, WI 54521
715-479-6444 ext. 22
Fax: 715-479-3021

BRANCH OFFICES
Boulder Junction, WI 54512
Telephone: 715-385-2047

Tomahawk, WI 54487
Telephone: 715-453-6921

July 12, 2016

Rich Wolosyn, Zoning Administrator
Florence County Zoning
P.O. Box 410
Florence, WI 54121

RE: Farmland Preservation Plan

Dear Rich:

I have taken the opportunity to review your Farmland Preservation Plan. I have reviewed the document and I have no objection to it but I would note that it does require that you amend the Comprehensive Plan and make it a part thereof but the Farmland Preservation Plan takes precedence over any inconsistency with the Comprehensive Plan. There needs to be an official step taken by the County Board to incorporate the Farmland Preservation Plan into the County Comprehensive Plan.

Likewise, the incorporation of the Farmland Preservation Plan must also appear in the Comprehensive Plan and you must submit the clarifying language for both plans. I would strongly suggest you look at part C, page 4 which is part of an email you sent to me on July 1, 2016 at 2:11 p.m. It essentially states all of the requirements for the County with regard to this plan.

In any event, I have reviewed it, it meets with my approval and I have signed it accordingly.

If you have any questions, please feel free to contact me.

Sincerely,

O'BRIEN, ANDERSON, BURG & GARBOWICZ, L.L.P.



Steven C. Garbowicz

SCG:alb
Enc.

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State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

August 18, 2016

Florence County Zoning
Richard Wolosyn, Administrator
PO Box 410
Florence, WI 54121

Dear Rich:

Re: Certification of the Florence County Farmland Preservation Plan

Attached is a department order certifying Florence County's Farmland Preservation Plan under s. 91.16, Wis. Stats. The plan text and maps must be adopted by the County Board before December 31, 2016. Please forward the resolution adopting the plan materials to DATCPWorkinglands@wisconsin.gov to complete the certification process.

We look forward to working with you in the future on farmland preservation in Florence County. If you have any questions, feel free to contact me.

Sincerely,

Alison Volk

Alison Volk
Land Management Section
608-224-4634

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**STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

FLORENCE COUNTY FARMLAND PRESERVATION PLAN	DATCP DOCKET NO. 16-F-13-19-PCA DARM DOCKET NO. 037-00000-P-16 F-0816 ORDER CERTIFYING PLAN THROUGH DECEMBER 31, 2026.
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INTRODUCTION

Florence County has asked the Department of Agriculture, Trade and Consumer Protection (“DATCP”) to certify a proposed comprehensively revised county farmland preservation plan pursuant to s. 91.16, Wis. Stats. DATCP has considered the request and adopts the following decision:

FINDINGS OF FACT

- (1) DATCP is an agency of the State of Wisconsin, and is responsible for administering Wisconsin’s farmland preservation law under ch. 91, Wis. Stats., as repealed and recreated by 2009 Wis. Act 28.
- (2) Florence County is a county of the State of Wisconsin.
- (3) In order for a county and its residents to participate in the farmland preservation program, a county must have a state-certified farmland preservation plan. Among other things, the certified plan must clearly designate farmland preservation areas that the county plans to preserve for agricultural use.
- (4) Florence County has a state-certified farmland preservation plan that expires on December 31, 2016.
- (5) Under s. 91.16(8), Wis. Stats., the certification of a farmland preservation plan does not cover any subsequent plan revision (adopted after July 1, 2009) unless DATCP certifies that plan revision.
- (6) On July 20, 2016, DATCP received from Florence County a request to certify a comprehensively revised county farmland preservation plan under s. 91.16, Wis. Stats. The county submitted the application in the form required under s. 91.20, Wis. Stats. The application included the certifications required under s. 91.20(3), Wis. Stats. In subsequent communications between DATCP and Florence County staff, it was agreed that Florence County would be given additional time to amend its farmland preservation plan.
- (7) Under s. 91.16(3)(a), Wis. Stats., DATCP may certify a county plan based on the county’s certification under s. 91.20(3), Wis. Stats., that the plan meets applicable certification standards under s. 91.18, Wis. Stats.
- (8) DATCP may certify a farmland preservation plan if the plan meets applicable statutory standards under s. 91.18, Wis. Stats. DATCP may certify based on the representations contained in the county’s application, but may conduct its own review and verification as it deems appropriate.
- (9) Under s. 91.10(2), Wis. Stats., the farmland preservation plan must be consistent with the Florence County Comprehensive Plan, and the County must include the farmland preservation plan in the County Comprehensive Plan.

(10) Under s. 91.16(2)(a), Wis. Stats., DATCP may certify a county farmland preservation plan for a specified period of up to 10 years. Under s. 91.16(6), Wis. Stats., DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified.

(11) Under s. 91.16(9), Wis. Stats., DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

CONCLUSIONS OF LAW

(1) Based on Florence County's certification that the attached county farmland preservation plan meets applicable certification requirements under s. 91.18, Wis. Stats., DATCP may certify that plan for up to 10 years.

(2) DATCP may make its certification contingent upon the county adoption of the certified plan text and maps, in the form certified, and contingent upon its adoption as part of the County comprehensive plan.

(3) Certification does not apply to plan amendments made after the certification date, unless DATCP certifies those amendments.

(4) DATCP may withdraw its certification at any time if DATCP finds that the certified plan text and maps materially fail to meet applicable certification standards under s. 91.18, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

(1) The attached Florence County Farmland Preservation Plan text (July 2016) and maps (July 28, 2016) are hereby certified under s. 91.16, Wis. Stats., contingent upon county adoption of the plan, included as part of the County comprehensive plan, in the form submitted, before December 31, 2016.

(2) The certified farmland preservation plan area for Florence County is titled "Farmland Preservation."

(3) This order takes effect on the date on which the county adoption of the plan text and maps, in the form submitted, takes effect.

(4) This certification expires at the end of the day on December 31, 2026.

Dated this 16th day of August, 2016.

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By 
Ben Brancel, Secretary

Parties for Purposes of Review Under s. 227.53, Wis. Stats.:

Florence County Zoning
Richard Wolosyn, Administrator
PO Box 410
Florence, WI 54121

**APPENDIX C
COUNTY BOARD ORDINANCE**

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**FLORENCE COUNTY
ORDINANCE NO. _____**

An Ordinance to Adopt the Florence County Farmland Preservation Plan as a component of the
Florence County Comprehensive Plan Pursuant to
Wisconsin Statutes Section 66.1001 (Smart Growth)

RESERVED