

*Volume 2, Issue 2*

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*Town of Nepeuskun—Winnebago County, Wisconsin  
August 2011*

**What Landowners need to know...**

**The time has come to decide whether or not to participate! Please refer to previous newsletters for more information.**

- **If you do nothing, your land will continue to be zoned A-2 as it probably is now and you will not be eligible for any Farmland Preservation tax credits unless your land is included in the FPP mapped area and you establish an Agricultural Enterprise Area (AEA) with four other adjoining landowners and satisfy all program requirements (\$5.00 / acre tax credit)**
- **If you desire to participate through exclusive agricultural zoning (A-1), your land will be zoned A-1, allowing you to claim a \$7.50 / acre tax credit once you satisfy all program requirements.**

**How do I get rezoned to A-1?** Contact Town Chairman Ronald Bahn (920-361-3296 or [rbahn@centurytel.net](mailto:rbahn@centurytel.net)) and get your parcels listed and shown on the Winnebago County Farmland Preservation Plan Map as Tier 1.

**Why do it now – can I enter the program at a later date?** It would be possible to enter later but it would be very costly and time consuming due to applications and public hearing fees. If you enter now, your fees will be minimal.

**What length of time does the program run?** Annual voluntary certification as long as you qualify. The law currently provides for a 15-year program for this annual voluntary claim for the tax credits.

**What are the criteria to receive the Farmland Preservation Program tax credits?**

Once the land is zoned A-1, identified on the FPP map, and the Town has adopted a certified Farmland Preservation Ordinance, the landowner needs to:

1. Meet the gross income requirement of \$6,000.00 per year for your farm (1 acre of vegetables or 8-20 acres of row crops or hay could meet this requirement).
2. Comply with the agricultural performance standards on the entire farm. This involves a conservation plan, nutrient management plan, "whole" farm compliance and other standards. Contact Winnebago County Land and Water Conservation Dept for details.
3. Have property taxes paid.
4. Be a State resident.

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**What rights am I giving up?** This is called a farmland preservation tax credit. How does the program preserve farmland? Under exclusive agricultural zoning district you are choosing not to develop your land for uses other than agriculture. However, you are allowed some limited development – your base farm tract as of the time you enroll would be allowed to establish up to a maximum of 5 total non-farm residential building lots (4 in addition to an existing farmstead) as long as your base farm tract has 20 acres remaining in agricultural use for each 1 acre converted to another use.

**What does the Farmland Preservation Program pay?** With the A-1 zoning the State income tax credit is \$7.50 per acre. This credit is not based on income and there is no minimum number of acres as in the past. This is an annual tax credit.

**Can I sell my land during the program?** Yes, the new owner would need to comply with the Farmland Preservation zoning. FPP participation is voluntary.

**When do I need to decide?** No later than September 15, 2011. Just contact Ronald Bahn as stated above.

**How does the process work after I decide to enroll?** Winnebago County will hold the required public hearing after which the County Board will approve the plan. Nepeuskun will approve the required ordinance and amend its Comprehensive Plan.

**How do I receive the credit each year?** If you plan to participate contact Winnebago Land and Water Conservation Department (LWCD) now to begin your certification process.

**What about this conversion fee that I have heard about that could amount to \$600 or more per acre if my farmland is converted to another use?** The new State budget has eliminated any such fee from the Farmland

Preservation program.

**What if I get my land zoned A-1 and decide not to do the 4 criteria listed above and do not apply for the tax credits?** This would be fine but you would still be restricted to the use of your farmland (limited non-farm residential development) as stated above. Applying for the tax credit is voluntary on a year-to-year basis.

**Does Nepeuskun currently have any regulations similar to what the new Farmland Preservation Program is proposing?** Definitely, under current A-2 zoning in Nepeuskun, you are limited to developing one (1) non-agricultural building lot for every 25 acres in your base farm tract. So, currently you are more restricted than under the new Farmland Preservation program.

**Is this all about tax credits, or is there something else here to consider?** Previous newsletters have spelled this out. Some things to consider may be you and your family's desire to preserve farmland, some protection from encroaching residential development and your long-term goals for the use of your land.

**Have any Nepeuskun landowners expressed any interest up to this time?** Yes, there are currently 4 landowners that have requested to be put in the program and at least 1 other that is considering it.

Updates and resources about the Winnebago County Farmland Planning Process can be found on the project website – <http://fyi.uwex.edu/winncofarming>

FARMLAND  
PRESERVATION  
NEWS

As an owner of 10 or more acres in the Town of Nepeuskun, you are receiving this newsletter regarding the new Farmland Preservation Program (FPP). The previous Farmland Preservation program is being replaced with a new program that has many new features.

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