State of Wisconsin
Governor Scott Walker

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

September 27, 2011

Rob Klotz
Jefferson County Director of Planning and Zoning
Jefferson County Courthouse
320 S. Main St., Room 201
Jefferson, WI 53549

Dear Rob:

Re: **Certification of the Jefferson County Farmland Preservation Plan**

Attached is a department order certifying Jefferson County's Farmland Preservation Plan under s. 91.16, Wis. Stats.

The certification is contingent upon the county adopting the Farmland Preservation Plan text and maps (dated September 12, 2011) in the form certified. Please send a letter confirming the County Board adoption of the plan. The certification will be effective on the date the county adopts the Farmland Preservation Plan, not the date of the Certification Order (s. 91. 16(7), Wis. Stats.).

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

Sincerely,

Keith Foye

Keith Foye, Chief
Land Management Section
608-224-4603

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

JEFFERSON COUNTY FARMLAND PRESERVATION PLAN	**DOCKET NO. (ARM Division Docket No. 11-27-28-000-P) ORDER CERTIFYING PLAN THROUGH DECEMBER 31, 2021.**

INTRODUCTION

Jefferson 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 Stats., as repealed and recreated by 2009 Wis.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) Jefferson 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) Jefferson County has a state-certified farmland preservation plan that expires on December 31, 2011.

(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 June 3, 2011, DATCP received from Jefferson 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.

(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 Jefferson 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 Jefferson 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 Jefferson County Farmland Preservation Plan text and maps (dated September 12, 2011) are hereby certified under s. 91.16, Wis. Stats., and contingent upon county adoption of the plan, included as part of the County comprehensive plan, in the form submitted, before June 30, 2012.

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

(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, 2021.

Dated this 26th day of September, 2011.

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

By Ben Brancel
Ben Brancel, Secretary

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

Rob Klotz
Jefferson County Director of Planning and Zoning
Jefferson County Courthouse
320 S. Main St., Room 201
Jefferson, WI 53549

Copies to:
DATCP Agricultural Resource Management Division:
Kathy F. Pielsticker, Director, Land & Water Resources Bureau
Keith Foye, Farmland Preservation Section Chief