



POLK COUNTY LAND & WATER RESOURCES DEPARTMENT
Procedures for Applying for a Farmland Preservation Agreement

January 20, 2011

The following are application procedures for interested landowners who reside in Exclusive Agricultural Zoning District (EAZ) or within the boundaries of the Squaw Lake Agriculture Enterprise Area (AEA).

STEP 1. Interested producer must contact the Polk County Land and Water Resources department to make an appointment to obtain an application and determine program eligibility.

Eligible



All program eligibility requirements and all soil and water conservation standards are determined to be in compliance on the date of application.

Ineligible



One or more of the compliance requirements do not meet program specifications on the date of application. Applicant must meet all program eligibility requirements and soil and water conservation standards to apply. An applicant may apply again when program requirements are met.

STEP 2. A eligible landowner applying for a farmland preservation agreement must complete the FARMLAND PRESERVATION APPLICATION FORM and submit it to the Polk County Clerk by **JUNE 30th**. All required documentation must be attached to the application.

If a Polk County Land and Water Resources representative is assisting with the completion of the application. The LWRD representative may submit the application to the Polk County Clerks office for proof of receipt.

STEP 3. The county must review the application to determine whether the land covered by the proposed agreement meets all of the following requirements:

The land is located in a *farmland preservation area* identified in the county's *certified farmland preservation plan*.
The land is located in an *agricultural enterprise area* that DATCP has designated by rule under s. 91.84, Wis. Stats.

Within 60 days after the County Clerk receives a complete application, the county must make its findings and give a copy to the applicant. If the county finds that the above requirements are met, it must send the complete original application and attachments (with county findings) to DATCP.

STEP 4. DATCP will review each application forwarded by a county. If everything is in order, DATCP may enter into a farmland preservation agreement with the landowner. DATCP may decline to enter into an agreement if the application is incomplete, covered land is on in an AEA or farmland preservation area, applicable signatures are missing or any other conflicting use or property interest that materially impairs the purpose of the agreement.

STEP 5. DATCP will prepare a proposed farmland preservation agreement, based on the attached FARMLAND PRESERVATION APPLICATION FORM. An authorized DATCP official, and all owners of the covered land, must sign the agreement. Non-owners who hold a land contract, mortgage, leasehold, easement or other real estate interest in the covered land may also need to sign (acknowledging that their interests are subject to the agreement). Signatures must be notarized.

STEP 6. DATCP will record the signed farmland preservation agreement with the Polk County Register of Deeds (DATCP will pay the recording fee). The agreement takes effect when signed by all required parties and the DATCP. The agreement runs with the land and is binding on subsequent owners of the covered land, for the duration of the agreement.

If eligible landowners wish to pursue an agreement and complete an application by June 30th, please contact:

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