

# AGRICULTURE Factor Sheet

06-11-2019

Wisconsin Department of Transportation

<b>Alternative:</b>	<b>Preferred:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	<b>Project ID:</b>
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Wis. §32.035 identifies: a farm operation means any activity conducted solely or primarily for the production of one or more agricultural commodities resulting from an agricultural use, as defined in Wis §91.01 (2), for sale and home use, and customarily producing the commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Agricultural Properties are properties where any of the following activities are conducted for producing an income or livelihood:

- Crop or forage production
- Keeping livestock
- Beekeeping
- Nursery, sod, or Christmas tree production
- Floriculture
- Aquaculture
- Fur farming
- Forest management
- Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program

Federal or state commodity payment programs often require additional coordination with agencies. Documenting coordination may be appropriate in this Factor Sheet. It will also need to be documented in other areas in the Environmental Document Template and Factor Sheets.

**1. Total acquisition interest, by type of agricultural land use:**

Type of Land Acquired from Farm Operations	Type of Acquisition (acres)			Total Area (acres)
	Fee	PLE	TLE	
Cropland				
Pasture				
Idle or Fallow Fields				
Specialty Farmland				
Other Agricultural Land				
<b>Totals</b>				

Use the following definitions for reference when completing the table above.

- Cropland – Land that is planted in row crops, small grains or hay
- Pasture – Land that supports grass or other vegetation eaten by domestic grazing animals
- Idle or Fallow Fields – Land that is cleared and maintained as agricultural fields but is not currently planted or cultivated
- Specialty Farmland – Unique cropland that does not fit into the categories above
- Examples include cropland used to grow vegetables, Christmas tree farms, orchards, nurseries, and horticultural land (such as cranberries, ginseng, fruit farms, hops, and vineyard)
- Other Agricultural Land – Land use or structures that are part of a farm operation and do not fit into the above categories and may include wooded areas, wetlands, farm residences, farm buildings, ponds, and private farm roads. Do not include individual bushes, drainage swales, fence rows which should be included in the associated type of farm land use.

**2. Indicate number of farm operations from which land would be acquired:**

Non-contiguous parcels owned or operated by the same entity are considered one farm operation

Acreage to be Acquired	Number of Farm Operations
Less than 1 acre	
1 acre to 5 acres	
More than 5 acres	

**3. Is project a Town Highway Project consistent with Wis. Stat. §82?**

- No - Complete remainder of this factor sheet.  
 Yes – Skip to question 8 and complete the remainder of this factor sheet

Wis Stat. §32.035 (4)(a) defines when DATCP is required or permitted to prepare and AIS. The following language is included in the statute: The department shall prepare an agricultural impact statement for each project, except a project under Ch. 82 or a project located entirely within the boundaries of a city or village, if the project involves the actual or potential exercise of the powers of eminent domain and if any interest in more than 5 acres of any farm operation may be taken.

Wis Stat. §82 defines a town highway project.

**4. Has the land being acquired been determined to be non-significant?**

- Yes - (All must be checked) An Ag. Impact Notice (AIN) is not required but complete questions 7-16.
- Less than 1 acre in size per farm operation
  - Results in no severances
  - Does not significantly alter or restrict access
  - Does not involve moving or demolishing any improvements necessary to the operation of the farm
  - No
  - Acquisition 1 to 5 acres per farm operation - AIN required
  - Acquisition over 5 acres per farm operation - AIN required
- Through coordination, DATCP has determined an AIN is not required

See FDM procedure 20-45-35 for AIN and DATCP coordination guidance.

If the project's acquisition is determined to be non-significant DATCP must be notified using a summary format that includes the following information as relevant to the project:

- WisDOT Project ID number or Airport Layout Plan ID number
- Highway number or name or project name
- Starting and ending points of the project or general description of the project location
- Location (county, town, village, city)
- Number of farms affected
- Acres to be acquired from each affected farm operation
- Project location map with property acquisition areas clearly identified

The summary information should be sent to DATCP via e-mail, the following e-mail address should be used: [datcpagimpactstatements@wisconsin.gov](mailto:datcpagimpactstatements@wisconsin.gov)

**5. Has DATCP determined an Agricultural Impact Statement (AIS) Required?**

- No  
 Yes, documentation is attached here:

**6. Identify and describe impacts to farm operations because of land lost due to the project.**

- Does not apply.  
 Applies, discuss:

When documenting impacts to farm operations consider each farm operation individually.

**7. Describe changes in access to farm operations caused by the proposed action.**

- Does not apply.

Applies, discuss:

When documenting modifications in access consider indirection and costs associated with the changes in access. If farm operators have provided comments specific to changes in access, document them here as well as in Questions 14 and 15 of the ER and EA Template or in Question 2.4 on the PCE Template or in Question VIII on the CEC Template.

**8. Indicate whether a farm operation would be severed because of the project and describe the severance (include area of original parcel and size of any remnant parcels).**

Does not apply.

Applies, discuss:

If more than one severance would occur as part of the alternative documented with this Factor Sheet and include discussion of each severance.

**9. Identify any impacted agricultural properties operated by someone other than the property owner.**

Unknown

Does not apply

Applies, discuss:

Often farm operators lease land to or from others. This is important for project teams to understand because equipment travels along highways between fields, alternatives could result in increased indirection for farm operators or create unsafe conditions for operators when traveling along highways in equipment. The discussion should include information about the location of the “home farm” and travel along roadways between fields. If information is known about land leased from government entities include this information. Additional investigation may be required when impacted lands are owned by government entities depending on planned use of the property or if special funding sources were used for the property acquisition.

**10. Identify and describe impacts generated by the acquisition or relocation of farm operation buildings, structures or improvements (e.g., barns, silos, stock watering ponds, irrigation wells, etc.). Address the location, type, condition and importance to the farm operation as appropriate.**

Does not apply

Applies, discuss:

**11. Identify and describe any impacts on agricultural property improvements such as windbreaks, fencing, drainage ditches, tiling, irrigation systems or wells.**

Does not apply

Applies, discuss:

**12. Identify and describe any impacts to farm operations that are certified organic producers or that incorporate organic farming practices. Discuss any additional concerns expressed by the farm operator and any mitigation techniques considered or incorporated into the proposed action. (Organic producers or those that exercise organic farms practices would be concerned with any herbicide or pesticide drift that could occur as part of a WisDOT project).**

Does not apply

Applies, discuss:

DATCP recommends that any time a WisDOT construction or maintenance staff could be working near an organic farm that WisDOT reach out to that operator to see if he/she has any concerns about the work that can be addressed as part of the project.

An example of mitigation for the loss of land on an organic farm operation could be providing compensation, beyond the purchase price of land. For example, an organic farmer may have to remove cropland from production that would not be directly impacted by the project to replace buffer areas lost because of the WisDOT acquisition. Because of this additional compensation could be considered.

Buffers are often required by the organic certifier to minimize the risk of unwanted chemicals migrating from nearby land onto organic land.

**13. Describe impacts caused by the elimination or relocation of a cattle/equipment pass or crossing. Attach plans, sketches, or other graphics as needed to clearly illustrate existing and proposed location of any cattle/equipment pass or crossing.**

- No cattle or equipment passes would be impacted by the proposed action
- Replacement of an existing cattle/equipment pass, or crossing is not planned, discuss:
- Cattle/equipment pass replacement will occur at same location
- Cattle/equipment pass, or crossing will be relocated, discuss:
- Other, discuss:

If changes to cattle passes occur environmental commitments will likely be necessary.

**14. Identify and describe any proposed changes in land use or indirect impacts that would or could affect farm operations and are related to the development of this project.**

- Does not apply
- Applies, discuss:

If proposed changes to land use or indirect impacts may occur as result of the project an indirect effects analysis may be required for the project. WisDOT's pre-screening for indirect effects analysis may need to be prepared.

**15. Describe any other project-related effects identified by a farm operator or owner that may be adverse, beneficial or controversial:**

- No effects indicated by farm operator or owner
- Applies, discuss:

**16. Describe measures to minimize adverse effects or enhance benefits to agricultural operations:**

**17. Is land that would be converted to highway use covered by the Farmland Protection Policy Act?**

- No
- The land was purchased prior to August 6, 1984 for conversion
  - The acquisition does not directly or indirectly convert farmland
  - The land is clearly not farmland
  - The land is already in, or committed to urban use or water storage
- Yes (This determination is made by the Natural Resources Conservation Service (NRCS) via the completion of the Farmland Impact Conversion Rating Form, NRCS Form AD-1006 or CPA - 106)
  - The land is prime farmland which is not already committed to urban development or water storage
  - The land is unique farmland
  - The land is farmland which is of statewide or local importance as determined by the appropriate state or local government agency
- Unknown - The Site Assessment Criteria Score (Part VI of Form CPA-106) is less than 60 points for all project alternatives. Per FDM 5-5-5.3.2, formal coordination and submittal of Form CPA-106 to NRCS is not required

See FDM 20-45-40 for additional information on the NRCS forms.

**18. Has the Farmland Conversion Impact Rating Form (CPA-106 or AD-1006) been submitted to NRCS?**

- No
- The Farmland Protection Policy Act is not applicable and no formal coordination with the NRCS is required

The response in question 17 must be No to select this response.

- The Site Assessment Criteria Score (Part VI of the form) is less than 60 points for each project alternative and no formal coordination is required
- Yes – The Site Assessment Criteria Score is 60 points or greater for any project alternative.

Date Form CPA-106 or AD-1006 completed:

For additional information If the Site Assessment Criteria Score (Part VI of the form) totals 60 or more points for any alternative, or if it is determined that the farmland conversion exceeds the minimum level of consideration for protection, formal coordination is required. The completed CPA-106 Form should be transmitted to the NRCS office having jurisdiction over the area affected by the project. NRCS has 45 days to respond.

The FPPA can be found here:

[https://www.nrcs.usda.gov/wps/PA\\_NRCSConsumption/download?cid=stelprdb1042432&ext=pdf](https://www.nrcs.usda.gov/wps/PA_NRCSConsumption/download?cid=stelprdb1042432&ext=pdf)

All environmental commitments made to avoid, minimize or mitigate impacts must be included in Question 23 of the ER and EA Template or Section 5 of the PCE Template or Question XII of the CEC Template.