

# Trempealeau County Department of Land Management



## DEPARTMENT OF LAND MANAGEMENT FORMED THROUGH CONSOLIDATION

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On January 1, 2008, the Land Conservation, Planning, and Zoning Departments have been combined into one Department of Land Management and have combined their respective oversight committees into one committee. The combining process began in September 2007 when the Trempealeau County Board passed the Department of Land Management plan. The plan was developed with the guidance of a 24 member Citizens Advisory Committee, whose members included representatives of County and Town Boards, various agricultural producers, educators, rural residents, and local businesses.

The combining process will be ongoing and the final committee structure will be completed after the April County Board elections. Currently, the Department of Land Management is being overseen jointly by the combined existing Land Conservation Committee and the existing Zoning/Planning Committee. The combining of the departments and the committees is being done to provide a more efficient, less expensive service delivery system, to stabilize/decrease future tax levies, and to increase accountability to the public.

The Department of Land Management is responsible for protecting the health, safety,

welfare and quality of life of the County's citizens, as well as enhancing the County's natural resources. In addition, the plan establishes formalized cooperation between the Department of Land Management and other County Departments and Committees. The structured coordination and cooperation between County Departments ensures more effective and accountable county government. The ongoing implementation of the Department of Land Management plan will not disrupt services to the public. The goal of the plan is to ultimately increase efficiencies and to provide even better service to the public.

## (Uniform Dwelling Code) UDC Building Inspection Program Successful

On January 1, 2005, the County implemented the state mandated Uniform Dwelling Code program. As expected the revenue collected has covered all expenses involved to provide this service. How does the program work? It works in conjunction with the County Zoning Ordinance. If you are planning to build new, add onto, or remodel any structure in any area covered by the county inspection program, you will need to get a zoning/land use and/or a building inspection permit. You can

pick up an information packet at the Department of Land Management office located in the Courthouse in Whitehall or visit our website at [www.trempecounty.com/landmanagement](http://www.trempecounty.com/landmanagement). Fill out the paperwork that applies to the project you plan to do, have one of your designated Town/City/Village officials sign it, and return it to us. Our office will review the site location and the application, and then a permit will be sent in the mail. We ask that you allow at least one week turnaround time

for a permit to be issued. As your project progresses, you must notify us at specific points and we will stop out to inspect it to make sure it meets the applicable codes and is safe. You should not start any building projects until you have contacted our office to see what permits are required. If you have any questions, please contact our office at (715)538-2311, Ext. 223.



## Wildlife Damage and Abatement Claims Program



Trempealeau County is participating in the Wisconsin Wildlife Damage Abatement and Claims Program for 2008. The County has again contracted with USDA-APHIS-Wildlife Services to provide program assistance. The program covers damage to crops by deer, geese, turkey and bear. Emphasis is on damage abatement first. Compensation for damages exceeding \$250.00 up to a maximum damage claim of \$15,000.0 may be paid.

### To be eligible for abatement you must...

1. Own the crop.
2. Control hunting access on all contiguous land under the same ownership.
3. Allow public hunting.
4. Follow normal agricultural practices.
5. Be cooperative.
6. NOT charge any fees for hunting or access for the species enrolled.
7. Enroll in one of the three access plans: OPH (Open Public Hunting ) or MHA (Managed Hunting Access) or Act 82 (shooting permit eligibility **only**. No access requirement, no additional program services, and no claims)



### To be eligible for compensation you must...

1. Notify APHIS within 14 days of the first damage each year.
2. Follow the recommended abatement and all abatement

points listed above.

3. Call each time you want an appraisal, 10 days prior to anticipated harvest date.
4. Comply with the permit requirements, if a shooting permit has been recommended. (If Act 82 Permit—not eligible for compensation.)
5. Not plant crops to attract deer, geese, bear or turkey.
6. Maintain a hunting log, unless enrolled in OPH or Act. 82.
7. Land must have been in cultivation or approved program for at least 5 years.

**If you have any questions, wish to request additional information, or wish to enroll: Contact USDA-APHIS-WS at 1-8 00-433-0663.**

### COUNTY SURVEYING

The County Surveyor's Office is currently in the process of a complete dependent re-survey of the U.S. Public Land Survey System corners in Trempealeau County. The County Surveyor is currently working in portions of the Townships of Preston and Arcadia. While in the field, survey field crews will attempt to contact resident landowners and occupants to gain additional information regarding access and history pertaining to corner locations.

## When Is Soil Erosion A Problem?



The increase in the number of acres planted to corn has resulted in fewer acres in the county planted to alfalfa-a mixed bag when considering soil erosion. Why be concerned about soil erosion??? Excessive soil erosion depletes the productivity of our agricultural fields and the transported sediment containing phosphorus, pesticides and other contaminants ends up in our streams and lakes.

Erosion is a natural process that occurs when the surface of the earth is worn

away by the action of wind or water. However, by applying conservation practices that control and maintain soil losses below "T", or tolerable levels, our agricultural soils in the county can maintain their productivity indefinitely.

Closely monitor your cropped fields for signs of erosion and adjust your cropping practices accordingly. The main factor controlling the amount of soil erosion on a farm is the management techniques employed by the operator. Farms with good conservation meas-

ures won't see these levels of erosion. Crop rotation, contour strips, grassed waterway, residue management, buffer strips and many other conservation practices control erosion. If you are planning to make changes to your conservation plan or need help developing one, please contact Judy Betker or Carla Doelle for assistance—to keep you in compliance. 715-538-2311 Ext. 254 or 273

## Land Use Reminders



### **Are you considering building a new house, addition or shed/garage?**

Please remember that Trempealeau County is zoned and Zoning/Land use permits are required. Zoning/Land Use permits are required for **all** structures 150 square feet or greater and **all** additions to any building. (Houses, garages, sheds, decks, etc.). Please contact the Department of Land Management prior to doing any construction to receive a permit application or visit our website [www.trempealeauncounty.com/landmanagement](http://www.trempealeauncounty.com/landmanagement) for more information and permit applications.

### **Excavating near a stream or ditch?**

Prior to doing any construction or earth moving within 300 feet of a stream/ditch or within a flood plain, call the Zoning Department for information on requirements.

Remember, to be considered navigable, a stream does not have to have water in it continuously.

### **Are you considering buying or selling property in Trempealeau County?**

If you are buying or selling property in Trempealeau County, please contact the Department of Land Management to determine the minimum lot size and road frontage requirements. For an explanation of the requirements, please contact the Department of Land Management prior to completing your real estate transaction.

### **Do I need a certified survey map?**

Certified Survey Maps are required for all land divisions of less than 20 acres in townships that have been re-monumented. Prior to dividing a property, contact the Department of Land Management to determine if a Certified Survey Map is required.

### **What is the time frame when applying for a**

### **variance, conditional use permit or a rezoning request?**

When applying for a variance, a conditional use permit or requesting that a property be rezoned, please allow a minimum of 45 to 60 days for the necessary hearing(s) to be conducted. In each scenario, a public hearing and a \$200.00 fee is required. A public hearing requires that a hearing notice be run for two consecutive weeks in the official county newspaper. Therefore, upon receiving an application for a rezoning, variance, or conditional use permit, it takes several weeks for the notice requirements to be met. The \$200.00 dollar fee is for meeting posting and advertising expenses and is non-refundable.

**Zoning / Land Use permits are required for all structures 150 square feet or greater and all additions to any building.**

## Land Use Plan Update



The County Planner, Andrea Sveen, has finished working with the towns to develop their town Land Use Plan. The Land Use Plans will be utilized to guide future decisions regarding land use in the towns. Land Use Plans are reviewed every three years. Towns being reviewed this year are Albion, Chimney Rock, Ettrick, Sumner and Unity. Please attend local meetings. Your input and help is appreciated. The County Plan-

ner is also working on updating townships from the 1972 Comprehensive Zoning Ordinance to an updated Comprehensive Zoning Ordinance. Currently Arcadia is going through this process. Those currently under the updated Comprehensive Zoning Ordinance are: Albion, Burnside, Caledonia, Chimney Rock, Ettrick, Gale, Hale, Lincoln, Pigeon, Preston Sumner, Trempealeau, and Unity. Comprehensive

planning has begun for the County which must be completed by January 1, 2010. There are 9 elements to address. The Department is planning to complete this plan by the end of 2008

The results of the Comprehensive Plan survey has been analyzed. This survey was sent at random to persons in each town. To request a copy of the results for your town, contact Andrea in the Dept. of Land Management .

## Farmland Preservation Program - Frequently Asked Question's

### ***What is the Farmland Preservation Program?***

Farmland Preservation is a voluntary program that landowners may sign up for to receive property tax credits when filing their annual state income tax returns. The goals of the Program are to preserve Wisconsin farmland by means of local land use planning and zoning, encourage soil conservation practices and to provide property tax relief to farmland owners. Each landowner decides whether the program is appropriate for his or her farm.

### ***Who is Eligible?***

Landowners that are Wisconsin residents.

Landowners must own a minimum of 35 acres or more of contiguous land which produced gross farm profits of not less than \$6,000 in the last year or \$18,000 in the last three years, or own a parcel of 35 or more contiguous acres of land of which at least 35 acres are enrolled in the Conservation Reserve Program (CRP).

### ***What are the Agreement Provisions?***

1. The land must be kept in an agricultural use.
2. Only farm structures can be built. (Farm structures also include housing for farmers, farm workers, and parents or children of the farm owner.)
3. The land must be farmed in compliance with County Soil & Water Conservation Standards. The County Standards are those required under ATCP 50.04 and NR 151.02 through 151.08 Wis. Adm. Code. Cropland fields must be farmed to "T" *tolerable soil loss or less*. All areas of concentrated flow and ephemeral erosion must be addressed.
4. Manure Storage Facilities either new or substantially altered shall be designed, constructed and maintained consistent with NR 151.05 Wis. Adm. Code. The closure of facilities and failing and leaking existing facilities shall comply with NR 151.05 Wis. Adm. Code.
5. Clean Water Diversions: Runoff shall be diverted away from feedlot, manure storage areas and barnyards within water quality management areas.
6. Nutrient Management: Manure, commercial fertilizer and other nutrients shall be applied consistent with NR 151.07 and ATCP 50.04(3) Wis. Adm. Code. Each participant shall have their crop fields soil tested every four years (1 soil test for every 5 acres). A Nutrient management plan must be prepared and be updated annually.
7. Participants shall comply with the manure management prohibitions consistent with NR 151.08 including: a) no overflow of manure storage facilities; b) no unconfined manure pile in a water quality management area; c) no direct runoff from a feedlot or stored manure into waters of the state; d) no unlimited livestock access to waters of the state where high concentrations of animals prevents the maintenance of adequate sod or self sustaining vegetative cover.
8. Landowner must sign an agreement for a minimum of 10 years (maximum of 25 years) by June 30<sup>th</sup> of the current year to be eligible to receive tax credits for that tax year.
9. Trempealeau County charges an annual service fee of 30 cents per enrolled acre.
10. Failure to maintain compliance will lead to loss of tax credit eligibility and may result in penalties.

### ***Is Selling Land, Under A Farmland Preservation Agreement, A Violation Of The Agreement?***

No, selling land is not a violation. Records show that parcels are being subdivided all over the State. These divisions are not considered violations to agreements until the use of the land changes from an agriculture use. Remember: forest and wildlife management are considered agricultural uses!

## Farmland Preservation Program FAQ'S, cont.



### ***What Is Required If I Sell Land That Is In The Farmland Preservation Program?***

The State DATCP Office (Wisconsin Department of Agriculture Trade & Consumer Protection) must be notified of the real estate transfer. You should contact Judy at the Department of Land Management if you sell or are planning to sell any land that is currently enrolled in the Farmland Preservation Program. She will assist you in getting the required transfer worksheet completed and mailed to Madison. Remember: When selling land that is in the Farmland Preservation Program – the agreement goes with the land and is subject to the agreement provisions.

### ***Can I Sell Land For Housing When I Am In The Farmland Preservation Program?***

If you sell a parcel of land that is 35 acres or larger, the new landowner can build a home on the land and not face any penalties. If you sell a parcel less than 35 acres the new landowner must "Buy Out" of the Program to build a home on that land. Please Note: Land must be in the Farmland Preservation Program 10 full years in order to be eligible to be bought out of the program.

**For Example:** A landowner sells 5 acres to someone wishing to build a home. The 5 acre parcel has been in the Farmland Preservation Program for 3 years. The farm was signed up for a 15 year contract period. The new owner may buy and own the land, however, a home can't be built on the land for another 7 years. Once the contract had been in place for 10 years the new landowner would need to go through the buy out process to build the new home. To "buy out the contract" the new landowner must fill out a buyout form available at the Department of Land Management and submit it to the Wisconsin Department of Agriculture Trade & Consumer Protection (DATCP) in Madison. The new landowner will be required to payback the last 10 years of tax credits received on the land purchased plus interest to the State of Wisconsin. The "Buy Out" process takes 3-6 months to complete. Construction of the new home shall not begin until the buy out process is complete!

### ***What Will My Tax Credit Be?***

Everyone in the Program is eligible for the minimum 10% of your property taxes up to a maximum of \$6,000.00. Everyone's tax situation is different so there is not an easy answer to this question. A "Worksheet For Estimating Farmland Tax Credits" is available from the Department of Land Management. Please call the Department at the telephone number listed below and the worksheet can be mailed to you. The average tax credit received by Trempealeau County landowners for the 2006 tax year was \$621.00.

### ***Where Can I Get More Information On The Farmland Preservation Program?***

You may contact the following:

#### **Department of Land Management**

**Attn: Judy Betker**  
Courthouse, 36245 Main Street  
P.O. Box 67  
Whitehall, WI 54773  
(715) 538-2311 Ext. 254

Trempealeau County Website: [www.tremplounty.com/landmanagement](http://www.tremplounty.com/landmanagement)

**Farmland Preservation Program**  
**Department of Agriculture, Trade and Consumer Protection**  
**Attn: Sandy Weisensel**  
P.O. Box 8911  
Madison, WI 53708-8911  
(608)224-4633

Or check out: Wisconsin State Statutes Chapter 91 Farmland Preservation



#### **CROP REPORTING**

If you are a landowner that is in the Farmland Preservation Program, or have an Animal Waste Storage Permit, Livestock Permit or a nutrient management plan we are asking that you bring a copy of the 2008 crop report and the map of what you reported at the Farm Service Agency into the Dept. of Land Management.



## Important Dwelling Code Change Effective January 1, 2008

As you are probably aware, dwelling contractors will need to possess an additional new state certification as of January 1, 2008 in order to take out building permits for one- and two-family dwellings. This new certification is called the Dwelling Contractor Qualifier certification. So for new building permit applications that we receive on or after January 1 for such projects, we will need to see proper credential information on the application for the Dwelling Contractor (DC) certification (formerly called Dwelling Contractor Financial Responsibility Certification) and for the new Dwelling Contractor Qualifier (DCQ) certification. Building permits will not be issued until that information is provided.



Some additional information:

1. The need for both DC and DCQ certifications arises for construction and erosion control for any one- or two-family dwelling regardless of age where a local building permit is required, whether for new dwellings or for alterations and additions.
2. The DCQ holder needs to be an employee, owner, CEO or chairman of the board for the dwelling contractor firm that is taking out the permit.
3. The current UDC Permit Application, SBD-5823, is still usable to enter the necessary certification information. A future printing of the form will be more specific about certification requirements.
4. Permit applications may be signed as applicant by the project owner or anyone that has been authorized by the owner, including agent of the contracted builder. The DCQ holder is not required to sign the permit application.
5. The previous exemption for owner-occupants or intended owner-occupants will continue for the DC certification and will also apply for the new DCQ certification. If an owner wishes to take out a permit that would otherwise require contractor certification, they have been required by state law to sign a statement that points out their potential liability. The UDC Permit Application has built that into the backside of the last page of the form.
6. Inspectors or contractors desiring further information may visit the website, [www.commerce.wi.gov/sb](http://www.commerce.wi.gov/sb) for application forms, training information and lists of currently certified DC firms and DCQ individuals.

### **Other Information Of Interest to Builders**

1. The Uniform Dwelling Code (UDC) general code change package continues to be worked on, with a likely effective date in Fall 2008.
2. Wisconsin is adopting the 2006 suite of International Code Council codes for commercial and multi-family dwellings effective March 1, 2008.
3. Past revisions were made to the UDC Permit Application to reflect the need for applicants to file an erosion control notice of intent and comply with post-construction storm water requirements when the project disturbs one or more acres of soil. If you are using a municipally-created permit application, ensure that there are similar features on it.
4. Effective April 1, 2007, the installation of manufactured (formerly mobile) homes became regulated by the UDC. Manufactured homes produced on or after April 1, 2007 are considered new dwellings when installed and require a UDC building permit and seal. They also require foundations that provide frost-protection and anchorage. For more information visit the Dept. of Commerce website.

# Visit the Land Records Department for Aerial Photos and Mapping Needs

If you are in need of orthophotography (digital imagery) such as aerial photos, maps, or digital data (GIS layers), Martin Goettl and Nathan Smith of the Land Records Department stand ready to assist you. Orthophotography is commonly acquired by residents for a "birds-eye" view of their property, for hunting activities, crop/field determinations and general property identification. However, this imagery should never be used to resolve boundary disputes or replace legal documents such as a Deed or Certified Survey Map. These photos and maps are available to the public at the following costs:

Aerial Photos/Parcel maps \$ 5.00/page (Hardcopy) 8.5 x 11

Other size maps are available please call for pricing

Custom Maps (Development, etc.) \$35.00/hour

Aerial Imagery Digital  
2000—\$1.00 per section  
2006—\$2.00 per section

Digital Data (GIS Layers) \$20.00 per layer



For more information on orthophotography projects and GIS data specific to Trempealeau County, visit the Land Records website at [www.trempealeau.com/landrecords](http://www.trempealeau.com/landrecords) or call the Land Records Department at (715)538-2311, Ext. 343.

## LIVESTOCK PERMIT REQUIREMENTS

Regardless of the size of your operation if you are planning any expansion of your herd or feedlot, please contact Carla Doelle at (715)-538-2311, Ext. 273.

## NON-METALLIC MINING

Chapter NR 135, Wisconsin Administrative Code requires counties to adopt and implement a Non-Metallic Mining Reclamation Ordinance. Trempealeau County has adopted the state mandated Non-Metallic Mining Reclamation Ordinance. The purpose of the ordinance is to establish a local program to ensure the effective reclamation of non-metallic mining sites on which non-metallic mining takes place in Trempealeau County.

If you own or operate a sand pit, shale pit, limestone quarry or excavate any type of soil and move it off your property you may need a permit. Even if you have done this for years or this is a one time operation.

Prior to conducting any non-metallic mining activity in Trempealeau County, please contact Kim Estenson at (715)538-2311, Ext. 321.

**EROSION CONTROL OR RUNOFF CONCERNS** - Cost Sharing may be available to help correct erosion problems - such as streambank erosion or gully erosion. If you have a site you are concerned about please contact Carla Doelle at (715)538-2311, Ext. 273 to set-up an appointment to look at the site.

## FYI (For Your Information)

- The Forester's Office is located in the Farm Service Agency Building located on Dewey St., Whitehall. To contact Scott Laurie and/or Dan Dehmer call (715)538-4480.



UW Extension  
Trempealeau County Department of Land Management  
36245 Main St., P.O. Box 67  
Whitehall, WI 54773

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To Contact Us:  
Phone: 715-538-2311  
Fax: 715-538-4132  
e-mail: [tremplcd@trempeleaucounty.com](mailto:tremplcd@trempeleaucounty.com)  
Or visit our website  
[www.trempeleaucounty.com/landmanagement](http://www.trempeleaucounty.com/landmanagement)



## Notes from the Real Property Lister's Office

### Trempealeau County Property Tax Assessment Year

There is often confusion at tax time when you have sold land during the year and your tax bill in December still includes land you no longer own. Or perhaps you have purchased a piece of property and don't receive a tax bill at the end of the year of purchase.

The reason for this is often because what was sold or purchased is a portion of a larger piece of land. Trempealeau County's Tax Assessment Year runs from recording date of January 1<sup>st</sup> - to recording date of December 31<sup>st</sup> of each year. (Recording date meaning when the transaction was recorded in the Register of Deeds office.) All parcels of land in Trempealeau County are assessed as they stand on January 1<sup>st</sup> of that Tax Assessment year. If you sell or

purchase land from someone and their existing parcel is not conveyed in its entirety, meaning the seller kept some of the land, it is considered a "split" parcel.

Split parcel records are then created during the year by the Real Property Lister and assessed as separate entities by the Assessor on January 1<sup>st</sup> of the following year. At that time the Assessor looks at each individual parcel rather than the whole and puts the new assessment on it. Often times a small parcel of land is purchased which will be utilized as a building site. Even if you purchased this piece on January 2<sup>nd</sup> and put up a building right away, the parcel will be assessed for the year as a vacant agricultural land. The new parcel and structure won't be in the tax roll and assessed until January 1<sup>st</sup> of the follow-

ing year. The assessed values will often change at that time to reflect a more comprehensive assessment of divided parcels.

For tax bill purposes, when a split parcel takes place, the buyer and seller need to get in contact with your local municipality treasurer and assessor to pro-rate your portion of the tax bill for that year's property tax.

If you have any questions feel free to contact Nick Gamroth, Trempealeau County Real Property Lister at (715)538-2311, Ext. 248.

