

October 7, 2025

Sent via US Mail and email

Nancy Coffey
County Board Chair
Eau Claire County Courthouse
721 Oxford Avenue
Eau Claire WI 54703

Dear County Board Chair Coffey:

This firm represents Citizens for Protecting Eau Claire Farmland, U.A. We are writing for four (4) reasons:

1. Reverse Illegal Zoning Amendment: On March 25, 2025, the Committee on Planning and Development recommended what seems to be an illegal zoning amendment to the Eau Claire County Board of Supervisors, which was quietly approved on April 15, 2025. This amendment redefined “agricultural” to include industrial activities in the Farmland Preservation District, a district fiercely protected for farming for decades. Planning and Development staff falsely portrayed to town officials that the amendment was a state requirement; and downplayed it to county supervisors as a routine update to “provide clarity and resolve complexities arising from the zoning code’s administration post the comprehensive plan update.” But the reality was far different—this massive change was buried in a tiny superscript note under “Agricultural Processing” and includes a “Uses Not Listed” section, hiding its true impact. For over four decades, Eau Claire County has utilized Wisconsin Statute 91.01(1) as the sole definition of farmland within its zoning code, effectively preserving agricultural land for traditional farming. This amendment throws that legacy aside, allowing factories, warehouses, shipping hubs, slaughterhouses, and sprawling wind and solar projects to invade the land, as outlined in Wisconsin Statute 91.01(3) and 49.01(2) and tied to an inexhaustible list of uses at Planning and Development staff’s discretion in the “North American Industry Classification Manual” and “American Planning Association, Land-Based Classification Standards”. This alarming shift sacrifices vital farmland threatening the heart of local agriculture and raising urgent questions about the future of our food supply and rural way of life.

2. Reinstate Steering Committee Members of Farmland Preservation Plan

Update: The update process for the Farmland Preservation Plan has raised significant concerns. Planning and Development staff have taken an improper approach by amending the zoning code before updating the Farmland Preservation Plan. The proper procedure is to update the Farmland Preservation Plan before revising the zoning code. This ensures that the Plan's goals, objectives and policies for protecting farmland are clearly established and accurately reflected in the zoning regulations. Instead, county staff quietly modified the zoning code to redefine agricultural land uses and then attempted to manipulate the Farmland Preservation Plan update process to include language that justifies the zoning amendment. The inclusion of industrial activities as a permitted land use in the Farmland Preservation District lacks support from landowners, public opinion, Town officials, the current 2015 Farmland Preservation Plan and the Farmland Preservation Plan Update Steering Committee. This was made clear by the county's refusal to follow the steering committee's guidance for updating the Plan. In a troubling move, the county took the drastic step of improperly dissolving the steering committee, seemingly to undermine its authority and attempt to push through the controversial changes.

3. Support Local Control Over Commercial Wind and Solar Developments. The news release statement asserting that "commercial wind and solar is proposed to be specifically excluded from the farmland preservation zoning district" is deceptive and does not accurately reflect the situation. The steering committee, responsible for revising the Farmland Preservation Plan, aimed to ensure that local communities retain control over where and how such developments occur. To achieve this, the committee consistently recommended since early 2024 that specific, carefully crafted language be included in the "Land Use" goals, objectives, and policies section of the Farmland Preservation Plan. However, Planning and Development staff has repeatedly refused to incorporate the committee's recommended language, fully aware that the existing vague wording in the plan is insufficient to prohibit or adequately regulate these projects. Despite being advised of this issue since 2024, the county took two significant steps that undermined the committee's efforts:

A. **Dissolution of the Steering Committee:** When the committee pressed harder for the inclusion of specific regulatory language to ensure local control over commercial wind and solar projects, Planning and Development staff responded by abruptly dissolving the steering committee, effectively silencing their input and recommendations.

B. Reclassification of Commercial Wind and Solar as Agricultural: Prior to April 2025, commercial and solar projects were not considered an agricultural use under zoning regulations. In a covert move, Planning and Development amended the zoning rules to reclassify commercial wind and solar as an agricultural use. The absence of specific regulatory language and the strategic reclassification of commercial wind and solar as an agricultural use encourages these developments to proceed on farmland. The county's refusal to adopt the steering committee's recommendations, coupled with their bold decision to dissolve the committee, indicates a deliberate effort to avoid implementing effective restrictions. As a result, the current draft of the Farmland Preservation Plan fails to protect farmland from commercial wind and solar projects, undermining the stated intent of the news release and stripping local communities of meaningful control over such developments.

4. Support Zoning Regulations on Developments Over 100 megawatts: A common misconception promoted by county staff is that municipalities have no authority to influence wind and solar energy projects exceeding 100 megawatts, with all control residing at the state level. This belief is inaccurate. Counties have significant opportunities to implement protective measures that safeguard communities from the potential adverse impacts of such developments, while remaining fully compliant with state regulations. The steering committee has proactively informed county staff of these regulatory options and has formally requested their inclusion in the Farmland Preservation Plan and corresponding zoning code updates. However, county staff have consistently declined to incorporate these recommendations.

Thank you for your consideration.

Sincerely,

JARCHOW LAW, LLC

Adam M. Jarchow

cc: all Town Chairs in Eau Claire County