

A new, draft document regarding guidance for "farming agreements," where the department enters into agreements with farmers to plant agricultural crops, harvest hay, or graze department lands as a land management technique is now available for review and comment on the [Proposed DNR Program Guidance Web page](#).

This will be the second public review period for this guidance document. It was previously reviewed from June 17 through July 8, 2013. The guidance was not finalized and has been revised. As revised, the department would need to solicit bids for all contracts valued at \$7,500 or more annually instead of \$5,000. Additionally, the department has added language that will assure compliance with performance standards and prohibitions for agricultural practices which are established under Ch. NR 151 Wis. Admin. Code to achieve water quality standards.

This draft guidance was developed by department staff and we will solicit comments on it for 21 days. All comments will be considered, revisions will be made to the guidance documents as needed, and final guidance will be made available to internal and external stakeholders.

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## FARMING AGREEMENTS

### **Introduction**

The department may enter into agreements with farmers to plant agricultural crops, harvest hay, or graze department lands as a land management technique per s. 23.0912 (1g), Wis. Stats. The objective is to obtain desirable vegetative manipulation on department-owned lands for wildlife and recreational uses with a minimum of public expense. All agreements with farmers on department lands will be termed "Farming Agreements" no matter if the farmer pays in cash, in-kind work, or shares of the crop.

Farming of department land should only be used as part of a land acquisition agreement or as a vegetative management technique, such as invasive species control, preparing a seed bed for site conversion, for hunting cover, for recreational use, for wildlife food plots, or as a placeholder until the permanent land use can be established. The amount, purpose, and type of farming must be consistent with the property's primary purpose per the master plan and/or the needs of the primary wildlife species being managed. Renting land for the sole purpose of generating funds or obtaining services is prohibited, and the purpose for cropping the land should be identified on the Farming Agreement form.

Additional information on farming can be found at:

<http://www.epa.gov/agriculture/ag101/printcrop.html>

<http://www.fsa.usda.gov>

### **Rental Rates, Terms, and Use of Revenue**

Cash rent, grazing, marsh hay, and farming for shares are considered *land rental*, and the proceeds are required by s. 20.370(1)(jr), Wis. Stats. "...to be used for the maintenance and replacement of this property and equipment." Funds received from farmers must be deposited in the appropriate program's *land rental* account using the general remittance sheet [9300-029A](#). See Appendix A. for an example form. Program financial staff should be consulted for the appropriate budget code.

The bureau allots the funds from the land rental account to the districts, and the funds may be used to convert agricultural land to a permanent cover type (including grasslands, shrubs, and trees), for maintaining and managing public lands, maintaining or acquiring equipment necessary to establish or maintain habitat and public lands, and maintaining access to public lands. The fund should not be used for new capital development until maintenance needs are met, and then only with District Supervisor approval. The situations in which funds would be used for capital development are expected to be rare. In lieu of cash rent, in-kind services may be provided by the farmer, and generally may include one or more of the following:

- Farmer leaves crops standing, such as for dove hunting fields or food plots.
- Farmer has multi-year agreement and in the last year provides the seed and other inputs and plants a field to permanent cover.
- Farmer mows grasslands that need weed control until grasses/grass-forb mix get established.
- Farmer mows and/or sprays invasive plants.
- Farmer mows service roads that provide access to public use areas or agricultural fields.
- Farmer mows firebreaks on the property.
- Farmer removes fence-lines and hedgerows bisecting agricultural fields or habitat.
- Farmer maintains access lanes and gates to public use areas or agricultural fields.

- Farmer provides corn or other crops for the state game farm, or other property management activities such as waterfowl banding, when it will maximize operational efficiency and reduce department costs.
- Farmer contracts for any of the above activities.

These are examples of services that would not be appropriate:

- Farmer buys department staff supplies such as herbicide.
- Farmer establishes an account for department staff at a local co-op.

In all situations, the farmer must provide fair market value for use of the land, either by cash rent, in-kind services, or value of the department share of the crop. FSA Soil Rental Rates (SRR), which can be obtained from the local FSA office, should be used as the primary basis for determining fair market value unless there are exceptional circumstances. If FSA SRRs are not available, best professional judgment of fair market value may be used based on local rental rates, but must be documented. Value of services provided in exchange for land rental should be determined from custom rate guides. When calculating the value of the department's share of a crop, the value of the inputs (and not the value of the standing crop) should be used. Good judgment is essential, since these are only guides. For example, small irregular-shaped fields may bring lower rent than large square fields.

Farming Agreements can be made for up to six years with one farmer unless longer terms are identified in a planning document or dictated by special circumstances (special fertilizer practices are one example). Short-term contracts allow for better cropping control. Farming Agreements longer than one year should contain a provision to be reviewed annually and renegotiated if there are significant changes in fair market value based on the FSA SRRs.

### **Bid and Auction Guidelines**

The sealed bid method or auctions must be used for all Farming Agreements valued at \$7,500 or greater annually, unless 1) the previous landowner obtained cropping rights as part of the negotiations for acquiring their land, or 2) with district program supervisor approval. Splitting up contracts with the same farmer on the same property so that they are valued under \$7,500 is prohibited. Bidding should be considered if multiple parties have expressed interest in a parcel.

Appendix B. contains the procedures to be used for the bidding/auction process.

### **Wisconsin Administrative Code NR 151**

All farming (including livestock grazing) on state lands must comply at a minimum with NR 151 agricultural performance standards and prohibitions as it relates to: sheet, rill and wind erosion, tillage setbacks, phosphorous index, nutrient management, and manure prohibitions. Farmers should consult their local NRCS or county land conservation office for guidance and assistance with developing soil and nutrient conservation plans.

### **Conservation Buffers/Filter Strips**

It is required that there be a permanent vegetated buffer between cropped fields and all wetlands/waterways and other environmentally sensitive areas unless there is a valid land management reason (these situations are expected to be rare). Conservation buffers slow water runoff, enhance infiltration, and trap sediment, fertilizers, pesticides, pathogens, and heavy metals. Recommended buffer widths range from 20-120 feet. NRCS refers to these buffers as filter strips and provides

guidelines for them in NRCS conservation practice standard 393.

<http://efotg.sc.egov.usda.gov/references/public/WI/393.pdf>

### **Soil Conservation**

Department lands must be farmed so soil losses do not exceed the maximum amount of annual erosion that permits the fertility and productive capacity of the soil to be maintained indefinitely, often referred to as “T”. T values range from 1 ton per acre per year for the most fragile soils, to 5 tons per acre per year for soils that can sustain more erosion without losing significant productive potential. Soil properties affecting T include texture, permeability, available water capacity, and depth to restrictive layers such as rock, clay, or gravel. To ensure soil losses are within T, the Farming Agreement may require the farmer to provide a soil conservation plan.

### **Nutrient Management**

Department lands must be farmed in a way that minimizes the discharge of excess nutrients into the environment. If nutrients or manure are applied to the field, the farmer must provide a nutrient management plan in accordance with NRCS technical standard 590 (the program SnapPlus is recommended) and apply nutrients according to the plan.

<http://efotg.sc.egov.usda.gov/references/public/WI/590.pdf>

<http://snapplus.wisc.edu/>

### **Phosphorous Index (PI)**

Department lands must be farmed in a way that minimizes the discharge of phosphorous to waters of the state. Lands shall be managed in such a way that a phosphorous index of 6 or less is maintained over the crop rotation with no single year exceeding a PI of 12. If the cropland is within an area with a Total Maximum Daily Load (TMDL), those phosphorous limits should be met as well.

### **Pesticides**

Use of insecticides, fungicides, and herbicides are common agricultural practices. The prohibition of these chemicals may put a hardship on the farmer, especially if certain diseases or insect pests are at high levels. Pesticides should be restricted where there is good reason to believe that their use will be detrimental to fish or wildlife per the pesticide label. Use of these materials must be consistent with applicable laws, codes, and regulations, including department manual code 4230.1 requiring pesticide use approval using form [4200-009](#) and pesticide reporting using the [online reporting system](#). The farmer must provide a list of chemicals and application rates used during the calendar year by December 31. For more guidance on pesticide use and reporting, see the department’s [pesticide toolbox](#).

### **Invasive Species Management**

There is potential for farming to introduce or encourage invasive species through seed, animals, feed, disturbance, and machinery. It is important that farmers follow Best Management Practices (BMPs) when working on department lands to reduce this potential. For more information on BMPs, see the [USDA guidelines](#). For more information on invasive species in Wisconsin, see the [department invasive species web page](#).

### **Food Plots**

Food plots provide hunting opportunity and wildlife forage, and may be installed at the property manager’s discretion based on the property management plan and local needs. Farming Agreements are a good mechanism to install and manage food plots on department lands. Food plots should generally be at least 1 acre in size and located immediately adjacent to permanent cover. Food plots for dove hunting should follow the department’s dove field guidance located within the Wildlife

Management Handbook. Dove field locations should be posted on the department web site by sending the location to the Migratory Bird Biologist.

NRCS Wisconsin Job Sheet 136 provides specific direction for food plots:

<ftp://ftp-fc.sc.egov.usda.gov/WI/jobsheets/js-136.pdf>

South Carolina recommendations for dove fields:

<http://www.dnr.sc.gov/pubs/AttractingDovesLegally.pdf>

### **Hay Agreements**

Hay or grass managed as nesting cover should not be harvested before July 15 to protect nesting birds unless there is a valid land management reason.

### **Grazing Agreements**

In recent years the use of grazing has grown in popularity as a land management tool. Prescribed grazing can be a positive activity. However, over grazing can lead to soil compaction, erosion, noxious weeds, exotic invasive species, and complaints from the public. For these reasons grazing agreements should be well thought out prior to initiation.

Grazing as defined here is simply the use of domestic animals, of any species, to remove vegetation from department land. Every situation in which grazing is used can be different. Managed grazing is an art which requires time and experience to perfect. Property managers who are familiar with their property are best suited to determine grazing schedules.

### **Grazing Considerations**

- Objective: brush control, weed control, control of invasive species, seed bed preparation, etc.
- Terrain: flat vs. hills.
- Vegetation: grass, forbs or woody etc.
- Invasive species: care must be taken so that animals do not transport invasive species onto department lands.
- Water: provisions need to be made for adequate water. Water needs will vary with the species of grazer chosen. Cattle need a lot of water, meat goats generally use very little. Care needs to be taken if streams are used not to erode and break down the banks. Cattle tend to congregate around water tanks and they should be relocated periodically to avoid compaction and overgrazing in one area.
- Type of animal: this will depend on your objective and what species of vegetation you wish to control. As an example cattle will generally do better on grass; goats will do better on woody vegetation; sheep best on grass and forbs. In some cases horses may be the best choice. Thought should also be given as to whether or not bulls or stud horses will be permitted.
- Fencing: grazing requires good fence. Many department properties do not have adequate fencing. Fence requirements vary by species of animal used. Cattle would generally require barbed wire fence or electrified high tensile fence. Sheep and goats can be contained very efficiently with portable electric net type fence. Fences are very important as escaped animals can become a liability. Fencing contracts should be very specific as to who is responsible to build, check and maintain fence. Care should be taken to spell out whose responsibility it is to catch escaped animals.
- Stocking rate and duration: this will vary greatly with the site, type of grazer, weather conditions, season of year etc. This is somewhat of an art and can be difficult to get correct. Help can be obtained from UW extension, NRCS, and many local sources. It can also change

quickly with rain or drought. Provisions need to be made prior to initiation of the agreement for grazers to remove their animals if overgrazing or erosion occurs. This can be the most difficult part of the agreement. If weather conditions are bad producers can be reluctant to remove their animals in a timely fashion.

- Loading facilities: this can be left up to the farmer but generally if cattle are used some type of containment is necessary to load, unload, and do health checks. This is less of a problem with sheep and goats.
- Responsibility for animals: this should generally be placed on the producer to check animal health and numbers, fences, water etc. Provisions should be made to relieve the department of liability for sick, dead, or escaped animals. Producers need to be aware that the public uses our properties which can result in vandalism and potentially a liability if someone gets hurt.
- Responsibility for land: this clearly is the responsibility of the property manager. Checks of the land should be made periodically to ensure that there is adequate forage available, and erosion is not occurring.

### **Emergency Haying/Grazing**

In the event a drought emergency is declared by the Governor, department lands may be opened to emergency haying and grazing under the following conditions.

#### **Fields previously scheduled for hay sale**

In the case where we have hay fields previously scheduled for harvest, those contracts should be implemented as planned and should not be made available free-of-charge under the drought emergency.

#### **All other department grass fields**

All other department owned grass fields can be considered for harvest under the following conditions.

- The department will not collect a fee for these fields (fees will only be collected for those fields previously scheduled for Hay Sale as agreed upon in the hay contract).
- Hay harvest and grazing should be handled on a first-come, first served basis.
- Participating farmers must sign an agreement specifying that they will use hay from department land for their own livestock and may not sell it. Form [2200-143](#) and the additional conditions listed shall be used for this purpose.
- Harvest of cool-season grass fields may begin any time after July 15 and must end by August 30 (this avoids the primary nesting period for grassland nesting birds and allows enough time, provided we get rain, for the fields to recover). Residual growth after August 30 is important for providing nesting cover the following spring and some semblance of huntable cover for the fall hunting season.
- Warm-season grass fields should be harvested between July 15 and August 10. Past experience has suggested that cutting warm-season grass/forb fields after August 10 can damage the seedings. Individual property managers should have the flexibility to alter these dates based on the soils, species composition, and dormancy of the stand. Cutting height for warm-season fields should be at least 6 inches.
- Fields slated for fall seed harvest will not be harvested for hay.
- Only one cutting per field is allowed.
- Property managers should generally restrict harvest to 20 acres per farmer to spread the opportunity among interested parties. However, property managers can exceed that amount based on availability of forage and demand.
- Property managers should strive to leave at least 25% of the grass-base on the property as fall hunting cover.

- Haybine operators must access department property using existing access drives and field roads.
- Hay should not be stored on department properties.
- To minimize the spread of weeds, prior to moving equipment onto and off of a department property, equipment should be cleaned using the most practical method available (i.e. scraping, brushing, washing, high pressure air, etc.). High pressure air could be used to remove dust and chaff from the working parts of haying equipment. This will help minimize the spread of weeds while helping to reduce the chance of starting a wildfire.
- Grazing may also be allowed where current fences are in place. Farmers willing to install and remove temporary electric fences may also graze cattle. Form [2200-288](#) and the additional conditions listed shall be used for grazing.
- Property managers should follow grassland protocol which covers mowing and grazing activities. The link to the grassland protocol is: <http://dnr.wi.gov/topic/ERReview/ItGrasslands.html>
- NRCS Grazing specialists recommend 60 animal unit days/acre as the maximum stocking rate. An animal unit is equivalent to a 1,000 pound animal. If you allow a farmer to graze for 30 days, you can allow 2 animal units (2 beef cows or 2 dry Holsteins) to graze each acre for 30 days (2 animal units x 30 days = 60 animal unit days). Grazing windows should end by August 30 or when the residual is 6 inches in warm-season grass or 3 inches in cool season grass (whichever comes first).
- A copy of the completed sale agreement should be sent to the program's public lands specialist.

#### Reducing Risk of Grass Fires and Spread of Weeds from Haying

- To minimize the risk of fire and the spread of weeds from hay harvest operations, property managers should provide a copy of Hay Emergency Additional Guidelines (Appendix C.) to each person that receives a hay harvest permit.
- Other resources:
  - CRP Hay and Grazing Fact Sheet: [http://www.fsa.usda.gov/Internet/FSA\\_File/haygrazefactsheetfinal.pdf](http://www.fsa.usda.gov/Internet/FSA_File/haygrazefactsheetfinal.pdf)
  - FSA Emergency Haying and Grazing Website: <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=copr&topic=crp-eg>
  - Grassland Birds: Fostering Habitats Using Rotational Grazing (A3715): <http://learningstore.uwex.edu/Assets/pdfs/A3715.pdf>
  - Pastures for Profit: A guide to rotational grazing: <http://learningstore.uwex.edu/Assets/pdfs/A3529.pdf> You can find average weights for various types of stock on page 29 of this publication if you need some help in estimating an animal unit (1,000 pounds)

#### Reporting Requirements

An annual report is required by January 15 to the district program supervisor. The district program supervisor submits this report to the program's public lands specialist by February 1.

#### Special Condition - Examples

Special conditions may be used to accomplish specific objectives on a property. Many would be used rarely and then only under certain circumstances. Great care should be taken to clearly define what is wanted and not to rely on a sheet of standard conditions to cover all possible unforeseen problems. See Appendix D. for a list of common special conditions.

## Procedures

### Property Manager

1. Decides to pursue farming certain lands under department jurisdiction if in accordance with the property master plan.
2. In consultation with the wildlife biologist and master plan, determines management objectives of the tract.
3. Evaluates biological, vegetative, and other characteristics of the tract, including:
  - a. Soils
    - i. Type
    - ii. Fertility
    - iii. Capability
    - iv. Percent slope
    - v. Erosion potential
    - vi. Drainage problems
  - b. Existing vegetation and wildlife.
  - c. Location in relation to existing cover types.
  - d. Other recreational uses.
4. Compares information from steps 2 & 3. Are they compatible? If yes, proceeds with implementation; if no, reevaluates management objectives.
5. Prepares farm map. Delineates fields by number or letter and attaches copy as part of the Farming Agreement. Draw maps on aerial photo prints, and should be a minimum of eight inch to one mile scale.
6. Decides on vegetative material to be planted or manipulated based on best available information (soils, seed maturity and variety, fertilizer needs, planting methods). Periodic soil tests are desirable to see if fertility is being maintained or if lands are being abused. Lists crops planted or other management activity by field identification and indicates acreage for each year.
  - a. Prepares Farming Agreement using the Land Management System, including the appropriate forms (2200-91 Sharecrop, 2200-143 Hay, 2200-288 Grazing)
  - b. Clearly spells out what farmer and department must do and provide. Includes rent, shares, and harvest methods as appropriate. Lists conditions (see special conditions).
7. Advertises for bids or notices the auction as required or desired. Contacts successful farmer and obtains their signature on Farming Agreement and signs Farming Agreement on behalf of the department.
  - a. Immediate supervisor signature required on all Farming Agreements annually valued at \$7,500 or more.
  - b. Farming Agreement should be signed by February 1 to give farmer time to obtain required materials.

8. Submits a signed copy of the Farming Agreement with special conditions and map to farmer, property manager, and district supervisor (if required by the program).
9. Checks cropping operation periodically during the cropping season to ensure compliance with the agreement. Personal contact with the farmer is encouraged to establish good working relations.
10. Completes Annual Farming Report, Form 2200-91A, and sends to the district program supervisor by January 15 for the previous calendar year.

District Program Supervisor

11. Prepares a district Summary Report and sends a copy to their program bureau by February 1 of each year.
12. Reviews the farming program on each property and modifies as necessary at least every five years.

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**Appendix A. Example Remittance Form**

		Record 1 of 1		Open...	Save	Save As...	Print...	Mail...	Help
Staple attachments In this corner			DNR Cashier's Office PO Box 93151 Milwaukee, WI 53293-0151			<b>General Remittance Sheet</b> Form 9300-029A (R 6/09)			
		Number - Year		Final	Date				
		# - 2012			09/12/2012				
Is this revenue taxable? No			In which county?			Total monies received:			
FUND (3 digits)	ORGN (4 char)	SUB ORGN (2 char)	APPR (4 char)	ACTV (4 char)	REVN (4 digits)	Sub REVN (2 digits)	PROJECT NUMBER (8 characters)	BS ACCT (4 digits)	Taxable Amount
212	RPNK		173R	ZZZZ	8200	08			
Identify Type of Fee Farming Agreement Revenue, _____ District, _____ Area									
212	ZZFW		100R	ZZZZ	9586	05	Brown County		1/2% Football Stadium Tax
212	ZZFW		100R	ZZZZ	9589		(Milwaukee, Ozaukee, Racine, Washington and Waukesha Counties)		1/10% Baseball Stadium Tax
212	ZZFW		100R	ZZZZ	9572				1/2% County Tax
212	ZZFW		100R	ZZZZ	9590				5% Sales Tax
<b>Next Remittance</b>									

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## Appendix B. Bidding and Auction Procedures

1. Placement of Advertisement
  - a. Placed in "legal notices" under Land Rental.
  - b. Advertised for minimum period of two weeks.
  - c. Timing of advertising is to be within 30 days in advance of desired execution date of the Farming Agreement
2. Content of Advertisement
  - a. Name of property.
  - b. Location of property and date of auction or when sealed bids are due.
  - c. Who to contact for further information and to obtain a Bid Package.
3. Content of Bid Package
  - a. Description of property (legal and general description, i.e., Brooklyn Township, Section 10, the NENE; the former Johnson farm located at the intersection of STH 69 and CTH D).
  - b. Crop specifications (type and acreage).
  - c. Minimum bid based on SRR, custom rate guide, and professional judgment.
  - d. Special conditions.
  - e. Details can be obtained from property manager at \_\_\_\_\_.
  - f. If using sealed bids, include sealed bid form, Form [2200-115](#), Farming Bids Condition and Bids Form. Note that bid form contains a space for a second bid to be used if there is a tie.
  - g. Deadline for sealed bids is 10 days after last ad period.
  - h. Include information on department policy for non-sufficient fund checks.
  - i. Specify bid opening or auction date, time and place.
4. Bid Processing
  - a. Two permanent employees of the Department shall be present at the opening of the bids. Report of opening of bids, Form 2200-10, shall be completed, listing all bidders and the amount of their bid.
  - b. The successful bidder should be notified as soon as possible. Unsuccessful bidders are to be informed by mail.
5. Process Rent
  - a. Where cash payment from the bidder is involved, a minimum of 10% of the total in the form of currency, certified check, postal money order, or bank draft must be paid down on the date of agreement signing.
  - b. The remainder shall be paid as specified in the Farming Agreement, and no later than December 31 of each year of the agreement.
  - c. Cash is to be processed in accordance with Chapter 9300, Policy and Procedures Manual.

## Appendix C.

### ADDITIONAL GUIDELINES FOR HARVESTING HAY ON DNR LAND

#### *What you can do to prevent a wildfire from starting*

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- Get an early daily start. Mowing and harvesting operations should be conducted during the morning hours. After 12 noon, temperatures rise, humidity drops, and winds increase – prime wildfire conditions.
- Keep equipment clean and free of debris. Use an air compressor to blow all dust off machinery. Clean belly pans before you head out.
- Inspect equipment to make sure there aren't any parts rubbing or bearings going out that could cause friction and create a spark.
- Make sure spark arresters are in place as required and in proper working order.
- Repair fluid leaks immediately.
- Take frequent breaks to give bearings a chance to cool down and to check for debris trapped near heat sources and clear it away.
- Park on bare ground when fueling equipment. Use recommended fuels and do not 'top off' fuel tanks.
- Hot exhaust pipes and mufflers can easily start fires that you may not see until it's too late!
- When baling hay, remove any loose hay trapped around rollers – the friction can build up heat and start a fire.
- Take the wind into consideration when harvesting crops. If a fire did start from equipment, it would be better to have it burn in the cut material where it will do less damage and be easier to suppress than in your standing crop. Working into the unharvested crop and the wind will also help keep air filters and equipment a bit cleaner since the crop dust and debris will blow into the already harvested area. This may mean that it will take longer to harvest the field, but you've reduced the risk and minimized the amount of damage that may occur to you, your equipment, and the crop.

#### *What you can do to help prevent the spread of weeds on DNR land*

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- To minimize the spread of weeds, prior to moving equipment onto and off of a DNR area, clean the exterior of your equipment using the most practical method: scraping, brushing, washing, high pressure air, etc.
- Use high pressure air to remove dust and chaff from the working parts of haying equipment; this will help minimize the spread of weeds while helping to reduce the chance of starting a wildfire.

## Appendix D. Example Special Conditions

### A. Corn

- All corn shall be planted and harvested for ripe corn and not as silage.
- If fields of corn are cut for silage or for any other purpose and removed from the land, the farmer must seed (drill) down these cut-over fields with rye or winter wheat in the fall of that year (primarily for goose areas).
- Corn food patches will be left standing fallow in the following year as directed by the department.
- Hay or grassy fields that will be spring plowed must have been cut the preceding fall (to minimize nest disturbance).
- If conditions make it impossible to plant corn in field number X, this field will be planted to soybeans by June 15, buckwheat by July 4, sorghum/sudan grass by July 15, or summer rye by August 20.
- The department shall take part of its corn crop as sorghum sudan and/or buckwheat (depends on area of the state) on an acre-for-acre basis as designated on the attached map.
- Corn used will be (85-90-100-specify) day corn.
- All corn shall receive a minimum application of at least x pounds of fertilizer or its equivalent (according to soil tests results) at the time of planting and shall be cultivated at least twice or sprayed to control weeds.
- Standing corn left as department food patches may be salvaged after March 20 of each calendar year.
- The department shall receive x % of the area planted to \_\_\_\_\_ equivalent to the fair market value rental rate of the land being farmed and shall determine what part is to be harvested or left standing.

### B. Other Grains

- The department shall receive all buckwheat planted, and all buckwheat planting must be completed by July 4; buckwheat areas on which conditions prevent planting by July 4 shall be planted to winter rye by August 20 (primarily for goose areas).
- Fields to be planted in winter rye will be worked up and seeded no later than September 1; rye will be (plowed down) (mowed) (left untouched) (harvested) the following spring (primarily for goose areas).
- The department shall receive all buckwheat (or other named crop) planted; if no buckwheat (or other named crop) is planted, the department shall receive 1/2 of the corn planted instead of just 1/3.

### C. Hay and Grass

- It is understood by both parties that all of the acreage which is seeded down to grass and legumes will remain in undisturbed nesting cover. The farmer, in consideration for his efforts, shall receive % of the oats and straw the first year. In the event of crop failure, the consideration received will be resolved by mutual agreement.
- The farmer shall receive all cutting of hay after July 15 from the acres seeded the previous year, after which no hay cutting will be allowed.
- There shall be no hay cutting before July 15 or after September 1. No crops shall be harvested or changes made in the cropping plan without consulting the property manager at \_\_\_\_\_.
- No hay cutting will be allowed on these lands prior to July 15; however, designated grass fields will be left uncut.

- No hay cutting will be allowed on these lands prior to July 15, and hay cutting will be limited to one cutting during the year prior to corn in the rotation.
- Permanent grass areas will be cut only as directed by the department (as necessary control of brush invasion, noxious weed control, etc.).
- The farmer shall seed down designated fields (see attached map) to a mixture of (specify grass and legume seed mixture) and, in payment, shall receive the entire oat crop. No hay shall be cut.

#### D. Miscellaneous

- The farmer will not start any fires on department-owned lands without permission by the property manager.
- In event any of the land described is traded or otherwise conveyed, this agreement will be automatically terminated at the close of the cropping season to the extent that it applied to the land conveyed.
- The farmer is responsible for noxious weed control (specify which are noxious) on all fields listed in the agreement.
- Field number shall be planted to (crop) no later than (date).
- A buffer strip X feet wide will be left around the edge of all fields. There will be no cropping or driving on these strips.
- Lime and fertilizer shall be applied to these lands as directed by the department by soil tests prior to seeding establishment in the rotation as agreed to by both parties.
- No irrigation will be allowed on department-owned lands.
- No farming operations shall be conducted on any department-owned lands on Saturdays or Sundays (during pheasant season) (during deer season) to insure maximum use of the lands by the public and to insure the safety of the farmer. (Use only where extreme hunting pressures dictate.) NOTE: This requirement should be used sparingly since some farmers who work two jobs are only available on weekends.
- Winter rye may not be planted due to its allelopathic property.