



COMMERCIAL ACTIVITIES SPECIAL USE PERMIT APPLICATION



National Wildlife Refuge System

Refuge Name:

Address:

Attn: (Refuge Official)

E-Mail:

Phone #:

For Official Use Only:

Approved Permit #:

Station #:

Permit Term: from to

Note: We do not require all information for each use. Please fill out the highlighted fields and attached forms for commercial agriculture applications. These are items 2, 5, 6, 7, and 9 under Applicant Information on this page.

1a) Identify the type of Permit you are applying for: New ☐ Renewal ☐ Modification ☐ Other ☐

1b) Have you applied, or do you intend to apply, to any other refuges for this same activity? ☐ Yes ☐ No

1c) If yes, which refuges?

Applicant Information

2) Full Name: 3) Title:

4) Business Name:

5) Physical Address:

City/State/Zip:

6) Mailing Address: (if different than above)

City/State/Zip:

7) Business Phone #: 8) Business Fax #:

9) E-mail: (optional) 10) Business Tax ID #:

11a) Within the past 5 years, has the company (entity) , its owners, or any employees who have or will be expected to operate on the refuge, been convicted, pled nolo contendere, forfeited collateral, or are currently under charges for any violations of any State, Federal, or local law, or regulations related to fish and wildlife or permit activities? ☐ Yes ☐ No

11b) If you answered "YES" to question #11a, provide the individual's name, date of charge, charge(s), location of incident, court, and action taken for each violation.

**Kulm Wetland Management District
2023 COMPETITIVE RANKING FORM**

WPA NAME: _____

1. Have you had USFWS grazing privileges revoked in the past? Yes (-1 pt); No (1 pt)
2. How near do you own or rent pasture land to this WPA?
 < 1 mile (3 pts); 1-5 miles (2 pts); 5-10 miles (1 pt); >10 miles away (0 pt)
 - a. *Required:* What is the location of the nearest pasture land you own or rent?
 Township _____ Range _____ Section _____ Quarter _____
3. Are you able to respond onsite to livestock escapes within 1 hour? Yes (1 pt); No (0 pt)
4. Do you manage the animal units necessary to implement this rotational grazing system as described?
 Yes, I own (1 pt); Yes, I own & lease (1 pt); No (0 pt)
 - a. If you answered No above; Will you cross-fence to meet USFWS habitat objectives if you do not meet minimum AU requirements? Yes (0 pt); No
5. Are you willing to do other management activities according to FWS specifications?
(Informational Use Only- No point value)
 - Control noxious weeds
 - Mow roadsides according to township or county specifications
 - Fence Construction/Removal
6. Please provide an explanation of any special circumstances that we should be aware of when considering your application for this WPA.
7. You can opt to withdraw your application. If you would like your application withdrawn due to another's application, please list their name(s) here: _____

Certification

By signing below, I certify that my answers are true. I further understand that selection as a permittee is not a guarantee of grazing rights on waterfowl production areas and can be cancelled by either party with 45 days' notice if either party is not carrying out their roles and responsibilities of the agreement. The Service reserves the right to reject any and all applicants. The agreement can be canceled immediately by the Service, if necessary to protect human or wildlife health or safety. I understand that selected applicants will be required to submit a tax identification number or social security number for billing purposes at the time a permit is issued.

Print Name

Signature

Date

NOTE: Whenever two or more applicants are equally qualified under this competitive ranking process, a drawing will be held between the applicants to determine the successful applicant.

**SPECIAL CONDITIONS
GRAZING
KULM WETLAND MANAGEMENT DISTRICT
2023**

1. The U.S. Fish and Wildlife Service reserves the right to modify or terminate the Special Use Permit (SUP) if habitat conditions warrant and/or the terms of the permit are not fulfilled by the permittee. The permit may be revoked or altered if habitat conditions change (*in this case the cooperator will not be charged for non-use*).
2. You, the permittee, **must own at least 50% of the livestock** that are to be grazed on the WPA. If you use another person's livestock, you can only collect the same dollar amount per AUM as you are being charged by the U.S. Fish and Wildlife Service. As the person named on the permit, you are responsible for 100% of the livestock grazed, the amount paid, and compliance with all conditions of this permit. Subletting is not permitted.

We urge you not to increase the size of your herd based on the availability or the expectation of annually grazing Fish and Wildlife Service lands.

3. The permittee must be in compliance with the respective state and local livestock health regulations.
4. You are responsible for the care of your livestock; i.e. **moving them on the specified dates and into the correct pastures**, ensuring they have water, etc. You are liable for any damage to neighboring lands should your livestock escape the WPA. All liability relating to livestock and livestock management to include all persons working for the permittee, whether related, hired, or as a partner is strictly that of the permittee as listed on the SUP. Permittees are responsible for ensuring fences are sufficient to keep cattle within permitted fields.
5. The stocking rate and grazing fee are specified on the Annual Work Plan. Rates are calculated as follows:

1 Animal Unit Month (AUM) = (Animal Unit Equivalent (AUE) X # days)/30

AUEs: Yearling (9 months - 18 months)	= 0.70 AUE
Weaner calf	= 0.50 AUE
Mature cow	= 1.00 AUE
Mature cow w/nursing calf	= 1.20 AUE
Bull	= 1.50 AUE
Mature sheep or goat	= 0.20 AUE
Ewe w/ lamb or nanny w/ kid	= 0.30 AUE

AUE were established by USDA Statistic Board

6. The grazing fee and rate for cow-calf pairs will be based on the United States Department of Agriculture (USDA) Statistics Board publication for "Grazing Fee Rates for Cattle –States, Regions, and United States". The published USDA base grazing fee for 2022 in North Dakota is \$23.50/AUM and \$27.50/cow-calf pair. USFWS policy limits increases to \$1.00 over the previous year's rates. **2023 USFWS fee rates are \$21.00/AUM and \$24.00/cow-calf pair in North Dakota.**

Fee Reductions:

- a. A standard reduction of the grazing fee is applied for required fence inspection and maintenance at a rate of \$0.03/foot (1 mile = 5,280 feet, or \$158.40 reduction) in the units grazed. This rate is doubled in the first grazing year for new cooperators of a grazing unit.
 - b. Reductions for pre-approved permanent or temporary fence construction and removal will be calculated. Consult with Refuge Manager for current rates. Rates are based on the latest ND Custom Farm Work Rates publication. Fencing materials will be supplied by the FWS or reimbursed through a reduction of grazing fees upon submission of a receipt.
 - c. Additional reductions may be applied for unusual circumstances or additional work needed; e.g. the need to haul water. Please contact the Kulm WMD should these circumstances exist. Reductions cannot exceed 75% of the total grazing fee. A minimum of 25% of the grazing fee will be collected annually.
7. In circumstances where reductions exceed grazing fees, the value of reductions in excess of 75% of the gross grazing fee will be forfeit that year. Though accommodation will be sought when this is due to no fault of the cooperator (e.g. only access goes underwater), there may be circumstances where a cooperator will not be reimbursed in full for their materials or labor.
8. You may replace livestock which have died or you have taken home because of sickness. Contact the Refuge Manager for further guidance in this situation.
9. If water becomes unavailable, you can either haul water or remove livestock from the WPA. Under either circumstance, please notify the Kulm WMD immediately. You will only be charged for days your livestock actually grazed on the WPA.
10. All gates are to be closed when livestock are removed from the WPA.
11. All private property, including containers for minerals, salt, or other supplemental feeds or feeders, must be removed at the end of the grazing period. All supplemental feed use must be pre-approved.
12. The use of pesticides requires advance Refuge Manager approval. If approved, the permittee is required to report all pesticide use on FWS lands.
13. The permittee must **maintain records of livestock stocking rates and grazing dates** and provide them to the Refuge Manager within 15 days after the grazing period has concluded for the year.
14. Noncompliance with any of the conditions in the Special Use Permit could result in the revocation of the permit. Should the permit be revoked there will be NO refunding of any unused portion of this permit. Revocation of permits may result in forfeiture of any future grazing opportunity.
15. Grazing bills will be sent by mail or email (if you opt in) by the Denver Finance Office. Payment is due by the date listed on the bill. Failure to submit full payment by the due date will result in the USFWS turning outstanding charges to a collection agency, and the permittee will forfeit future grazing privileges.