

**SPECIAL CONDITIONS
GRAZING
KULM WETLAND
MANAGEMENT DISTRICT 2021**

1. The U.S. Fish and Wildlife Service reserves the right to modify or terminate the Special Use Permit (SUP) if habitat conditions warrant.
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 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 permit. Rates were calculated as follows:

$$1 \text{ Animal Unit Month (AUM)} = \frac{\text{Animal Unit Equivalent (AUE)} \times \# \text{ days}}{30}$$

AUEs: Yearling (9 months - 18 months)	= 0.70 AUE
Mature cow	= 1.00 AUE
Mature cow w/nursing calf	= 1.20 AUE
Bull	= 1.50 AUE
Mature Sheep	= 0.20 AUE
Sheep w/ lamb	= 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 "Grazing Fee Rates for Cattle – States, Regions, and United States". The published USDA base grazing fee for 2020 in North Dakota is \$21.00/AUM and \$24.00/cow-calf pair. USFWS policy limits increases to \$1.00 over the previous year's rates. **2021 USFWS fee rates are \$19.00/AUM and \$22.00/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 \$0.02/foot (1 mile = 5,280 feet, or \$105.60 reduction).
 - B. Reductions for pre-approved permanent fence construction and removal will be given. 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 cooperators (e.g. only access goes underwater), there may be circumstances where a cooperator will not be re-imbursed in full for their materials or labor.
 8. The FWS does not allow for participation in USDA subsidy insurance for drought relief on National Wildlife Refuge System lands when grazing.
 9. You may replace livestock which have died or you have taken home because of sickness.
 10. 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.
 11. All gates are to be closed when livestock are removed from the WPA.
 12. All private property, including containers for minerals, salt, or other supplemental feeds or feeders, must be removed at the end of the grazing period.
 13. The use of pesticides requires advance Refuge Manager approval. If approved, the permittee is required to report all pesticide use on FWS lands.
 14. 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.
 15. Noncompliance with any of the conditions in this Special Use Permit could result in an immediate revocation of the permit. Should this permit be revoked there will be NO refunding of any unused portion of this permit. Revocation of permits will result in forfeiture of any future grazing opportunity.
 16. Grazing bills will be sent by mail. Payment is due by the date listed on the bill. Failure to submit full payment by due date will result in the USFWS turning outstanding charges to a collection agency, and the permittee will forfeit future grazing privileges.