

June 4th, 2024

2025 Agricultural Land Lease Policy



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Background



- Milwaukee County’s Agricultural Land Lease Policy (“Policy”) was first established by the Milwaukee County Board of Supervisors in 1995.
 - Modified in 2004, 2009 and 2020
- There are currently 16 agricultural leases active today.
- When the 2020 policy was enacted, there was approximately 760 acres of land available for agricultural use.
- In December 2024, the available acreage will be reduced to approximately 650 acres, as certain lands have been converted to habitat recreation or recreational uses.
- The lease rental rate was last increased in 2019, by \$43.00 per acre. Under the current policy, as an example, the rental rate for a 3-year lease of parcels greater than 15 acres is \$128.00 per acre for County residents and \$133.00 per acre for non-County residents.
- USDA states that the average rental rate for Milwaukee County is \$104.00 per acre.
- At the current rental rates, and current availability of acreage, Parks will realize a revenue of approximately \$70,000 annually



Changes Coming In 2025

- **Section 3. Historic Use Agreements, by adding the following:**
 - Historic or existing leases, terms and/or rental rates based on the original terms of a property sale are not transferrable upon changes in ownership of these properties, or when the original lease holders cease to be actively involved in the agricultural operation
- **Section 4. Conservation Plans, by adding the following:**
 - Conservation Plans shall be submitted to the Natural Areas Coordinator upon request. •
- **Section 5. Crop and Nutrient Management Records, by deleting the following:**
 - Crop and Nutrient Management Records are to be submitted by December 31st of the cropping year to the DPRC, care of the Natural Areas Coordinator. •
- **Section 5. Crop and Nutrient Management Records, by adding the following:**
 - Crop and Nutrient Management Records shall be submitted to the Natural Areas Coordinator upon request.
- **Section 13. Rental Fees and payment Schedule, by adding a subsection:**
 - All subleases require prior written approval of DPRC. Subleases shall never be rented at rates greater than the County's established rates. Subleases shall conform to the terms and conditions in the master lease agreement. Tenant shall provide a copy of the sub-lease to DPRC upon execution of such sub-leases. Small agricultural plots may be leased, or subleased with prior written DPRC consent, at the County rate of \$120/acre/year, with each individual gardener entering into a community gardener agreement as allowed by DPRC's use policies.



- **Section 17. Termination Policy, by adding the following:**
 - If a party is found to be in noncompliance of any provision of this lease, or has failed to obtain any municipal, state or federal permits or licenses, or is in noncompliance with any county, municipal, state or federal rules or regulations, DPRC shall notify the party of the default, and if the party fails to cure the default as required within the timelines established in the notification, DPRC reserves the right to terminate the lease and pursue corrective actions at the party's sole expense. DPRC shall take all measures to collect costs, including all enforcement as authorized by Milwaukee County ordinances. If DPRC terminates a lease within this provision, the lessee is not entitled to any refund or cost recovery. If DPRC terminates a lease under this provision, DPRC reserves the right to terminate either the entire leased acreage or individual parcels. All actions taken by the DPRC under this provision shall be at the sole discretion of the DPRC Executive Director.
- **Section 17. Termination Policy, by modifying Section 17(a) to state:**
 - If the party leasing a parcel from DPRC is found to be sub-leasing the same parcel to another entity without DPRC's prior written authorization. This does not apply to small-scale urban agriculture plots that fall under DPRC's allowable use policies. DPRC reserves the right to Terminate a lease if the renter subleases at rates greater than the County rates in the master lease, or County rates for similar parcels.



Terms of the Lease

- Description of the location of the parcel(s)
- The leases have an option for 5, 3, or 1 year terms
- Payments based on total acreage rented shall be payable in two installments, by April 1 and November 1 annually
- Soil conservation and wetland protection provisions
- Termination policy
- Parks can permanently remove lands from agricultural lease for habitat restoration or recreation purposes
- Parcels must be in good condition at the termination of the lease
- Conditions for renewal of the lease



Questions?