

TO: Madison Food Policy Council

FROM: Farmland Preservation Task Force
Nan Fey, former Chair
Rebecca Kemble, former Secretary

RE: Contract language revisions to City leases on agricultural properties

DATE: January 10, 2024

For the past 10 years, the City of Madison has recognized the need for best management practices of its publicly owned lands through several official efforts that helped to clarify relevant issues.

- Pollinator Protection Task Force (2014)
- Integrated Pest Management Policy Review Task Force (2018)
- Madison Food Policy Council Work Groups
 - Pollinator Protection (2016)
 - Comprehensive Plan (2017)
 - Urban Agriculture (2018)
 - Regional Agriculture & Food Sovereignty (2020)

In April 2019, the Mayor requested that City Staff and the Regional Agriculture & Food Sovereignty Work Group (RAFS) explore updating and revising its language when a lease of city-owned agricultural land appeared on the Common Council's Agenda, Legistar 55210. RAFS requested the list of city-owned lands currently being leased for agriculture and a sample of the current leases, and convened several meetings with local experts to discuss possible revisions. The pandemic interrupted and slowed progress on this project and suspended the work of the Integrated Pest Management Policy Review Task Force.

In January 2022, RAFS submitted a Memorandum to the Mayor and Staff in the Economic Development Division providing guidance and recommendations to the parties responsible for leasing agricultural lands owned by the City of Madison. The memo notes that the City's Comprehensive Plan identifies appropriate "lenses" through which to view our community and contains language in nearly every chapter supporting a strong, and healthy, local food system. It also notes important factors to be considered when evaluating lands for agricultural leases that were identified by experts and best management practice resources that include:

- location (e.g. watershed, steep slopes, soil type)
- future use (e.g park, greenway, commercial development) and timing of the future use (short or long term)
- duration of leases based on these factors (rather than annual renewal)
- enabling and encouraging farmers to adopt best practices
- adjusting rental fees that have historically been well below market rate

- meeting state standards of practice for agricultural lands (Chapter NR 151, Wisconsin Administrative Code)
- complying with recommendations in city-authorized studies (e.g. pesticides)
- setting high standards for soil conservation (cover crops, buffer strips, tillage, etc)
- expanding the scope of “non-discrimination” provisions to promote equity and availability of land to under-represented groups that need growing space

The timeline for this work is important. Leases with farmers on city-owned agricultural lands must be signed before the upcoming growing season, ideally in February or March. The RAFS memo provides very clear and specific guidance on what provisions need revision or addition, but there is administrative work that needs to be done by staff to meet this timeline. Adoption of these changes by the Common Council is the path to accomplishing this goal. Important dates:

1/24/24 – MFPC Alders introduce to Council (referral to MFPC)

February or March - Council discussion and/or referral/adoption

Proposed revisions could be ready by March 1st, 2024 if Council approves on 2/13 and directs staff to make the changes in the new leases. Unfortunately, the Council meets only once in February. If approval is delayed until the meeting of March 5th, the new leases wouldn't be ready until mid-March unless staff begins preparing for the changes when they're introduced in January.