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# Alternative Land Access



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North Central  
Sustainable Agriculture  
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# Alternative Land Access for Farmers

- Goal: Provide a brief overview of some land access issues and discuss innovative land access solutions
  - Introduction to Land Tenure
  - Values, Vision, Goals
  - Explore Alternative Models and Tools for Land Access



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# Intro to Land Tenure





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## What Is Land Tenure?

- Land tenure is the way people hold their land
- Two main ways in US:
  - Owning land or
  - Leasing land
- It includes legal and business considerations
  - For landowners, responsibilities and rights are defined by land use laws
  - For tenants, responsibilities and rights are spelled out in lease agreements

# Property Rights and Potential Limitations

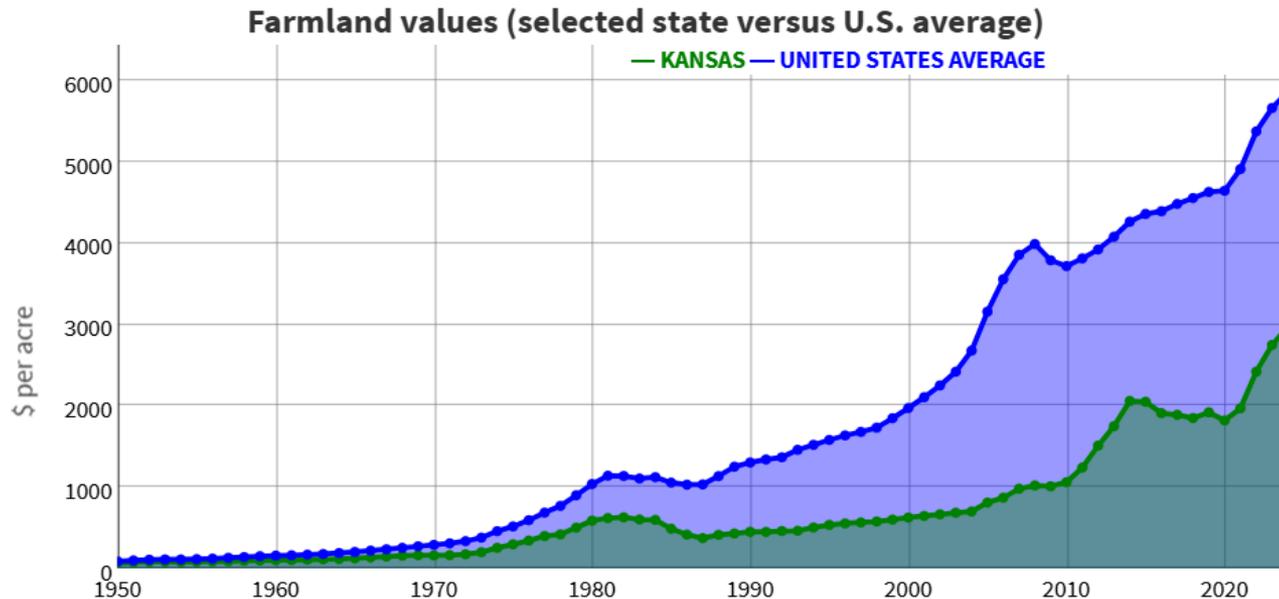
- Are any property rights owned or leased by others?
  - E.g., water, timber, energy, mineral rights, etc.
- Are there any limitations on the use of the land?
  - Conservation easements or other deed restrictions, utility easements or right of ways
  - Public access
  - Compliance with federal/state laws
  - Local laws, including zoning and health codes

# Secure Tenure Is Vital for a Farm or Ranch to Be Sustainable

- Secure land tenure includes several conditions:
  - Affordability and availability
  - Stability
  - Compatibility with land use laws, lease and deed terms
  - Other considerations:
    - Equity
    - Housing, infrastructure and other facilities to support your personal and business goals

# Why look for alternatives?

- Cost
- Accessibility
- Social Change



# Factors Affecting Land Tenure Decisions

- Personal and business goals
- Your current financial position
- Capital needs of your business
- Earning potential of your business



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# Alternative Land Access Models



# Alternative Approaches and Tools for Land Access

- Cooperative Ownership
- Incubator Farms
- Land Trusts and Conservation Easements
- Community Land Trusts and Farmland Commons

# Cooperative Ownership

- Multiple producers working together to pool capital to purchase land
- Can be a formal cooperative, or an LLC with operating agreement based upon cooperative principles

# Cooperative Ownership

- Can make larger land purchases accessible
- Sharing Stewardship
- Still need funding to create
- Working with others requires trust, negotiation and other skills
- Can be Legally Intensive
- Beware of Anti-corporate farming laws

# Cooperative Ownership

- Common  
Harvest  
Farms



# Cooperative Ownership



# Incubator Farms

- Third party holds land ownership and creates incubator farm spaces to help new and beginning farmers establish.
- Designed for low barrier to entry and support new and beginning farmers
- Location and organization dependent
- Many incubator farms lack long term stability for farmers
- Tool sharing and other aspects might be complicated

# Incubator Farms

- Lawrence  
KS  
Common  
Ground



# Incubator Farms



# Land Trusts

- How this works- Land Trusts hold some or all of the rights of ownership for land.
- 2 different paths
  - Conservation Land Trusts
  - Community Land Trusts

# Conservation Easements

- Conservation easements are held by a land trust and they convey some of the use rights for land
- Can be purchased or donated
- Can significantly reduce cost of land access, especially in areas of high development pressure
- Preserves farmland for future generations
- Will limit future land use options
- Can limit farmers equity appreciation

# Land Trusts

- Land Trust may have funding to purchase easements or land or provide a tax credit to landowner
- Land Trusts might fundraise more effectively than individual farmers
- Some of the farmers “ownership” rights are lost to the organization
- Buy- Protect- Sell

APRIL 12TH, 2024

# A New Future for Singing Hills Dairy and the Lor Farm



*Kue Lor and Bao Xiong. Photo by Shawn Linehan.*

<https://farmland.org/a-new-future-for-singing-hills-dairy-and-the-lor-farm/>

# Land Trusts

- Community Land Trusts- Distinct in that they own the land for the benefit of the community
- Farmland Commons- Farmers Land Trust
- Agrarian Commons- Agrarian Trust

# Farm Commons

- Farm Commons created by community-driven organizations designed to:
- Own and manage lands
- Offer secure and affordable leases, and
- Provide farmers with equity opportunities for place-based regenerative agriculture and ecological stewardship

# Putting those pieces together

- West Haven Farm, Ithaca NY



# Putting those pieces together



# How to Decide Which Land Tenure Options Are Right for You?

- What can you afford?
- What other assets or resources are available to you?
- How much security do you need?
- What is your vision for your farm ?
- What resources or possibilities exist in your community?



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**VALUES**



**VISION**



**GOALS**

# What are Your Values?



# What is Your Vision?



*“We will focus on the **sustainable production** of premium quality, identity-preserved grains. We will pursue **sound investments** in farmland and make every effort to be an **asset to our community**. We will provide a farming **legacy for our children** so they can participate in the family business.”*

# What Are Your Goals (Personal)

What do you want your life to be like?

Life-work balance

Family goals

Income goals

# Additional Resources

- Farmland Access Legal Toolkit
  - <https://farmlandaccess.org/>
- Farm Commons
  - <https://farmcommons.org/>
    - ◆ [Cooperative Purchasing and Financing Guide for Farm and Ranchland](#)
- Kansas Rural Center
  - <https://kansasruralcenter.org/other-publications/bfrresources>
- K-State Office of Farm and Ranch Transition
  - <https://www.agkansitions.org/>
- FarmTender
  - <https://www.farmtender.us/>



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# Questions/Discussion

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