

- MAY 2, 2018 -

# Land Access for Livestock Farmers



- PRESENTED BY -  
Jason Silverman  
Land For Good

- HOSTED BY -



Food Animal Concerns Trust

# Introductions



**Food Animal Concerns Trust (FACT)** is a national nonprofit organization that advocates for the safe and humane production of meat, milk, and eggs.



## **Larissa McKenna**

Humane Farming Program Director

Email: [lmckenna@foodanimalconcerns.org](mailto:lmckenna@foodanimalconcerns.org)

Website: [foodanimalconcernstrust.org/farmer](http://foodanimalconcernstrust.org/farmer)

FACT's services for livestock and poultry farmers include:

- **Fund-a-Farmer Grants**
- **Conference scholarships**
- **Free webinars**
- **Humane Farming Mentorship Program**

# Our Presenter



Jason Silverman

Land For Good



# Land Access for Beginning Farmers

Food Animal Concerns Trust

May 2, 2018

Jason Silverman

Massachusetts Field Agent, Land For Good

# What We'll Cover:

- Farmland Access Basics
- Farm Lease Basics
- Farm Search Strategies
- Evaluating Land



# Tenure goals and values

- Tenure means “to hold”
- Tenure Goals
  - Personal
  - Family
  - Business
- Equity Preferences



# Land Tenure - You need:

- Access to land
- Security to hold it
- Clear division of rights and responsibilities



# Tenure options

- **Own**
- **Rent**
- Can be some of each
- Can change over time
- Fit your business plan
- Make room for revision





# Owning

- Advantages

- Max. security
- No landlord
- Build Equity
- Collateral
- Emotional ties
- Legacy

- Disadvantages

- Debt
- Ties up capital
- “Too permanent”
- Ongoing costs
- Responsibility

# Paths to Ownership

- Outright Purchase
- Mortgage
- Lease-to-own
  - Right of First Refusal
  - Purchase option
- Gift over time



# Renting Land

- Advantages
  - Flexibility
  - Other uses of capital
  - Less debt
  - Greater financial return to family living?
  - Could be your only option!
- Disadvantages
  - Less security
  - Harder to build equity
  - Can lose investment in improvements
  - May not be able to borrow or participate in programs
  - Managing landlord(s) relationships



# Types of Leases

- Oral vs. written
- Short-term lease
  - Rolling lease term
  - Trial term
- Long-term lease
  - ROFR, Option to Purchase
- Ground lease
- Residential lease
- Equipment, building, livestock leases



# What's in a good lease?

Five elements → minimum lease contract

1. Names of parties
2. Premises
3. Term
4. Consideration
5. Signature



# What else can be in a lease?

- Permitted & prohibited uses
- Maintenance, repairs
- Improvements
- Liability/insurance
- Termination & default
- Landlord's reserved rights
- Taxes & utilities
- Permissions & approvals
- Dispute resolution
- Sublease and assigns
- Stewardship provisions
- Recording the lease?  
(Local Registry of Deeds)

# Determining the Rent

- No magic number
- What is comparable land going for?
  - We have seen in New England:
    - \$50-100/Acre/Year tillable
    - Less for pasture/hay
    - \$100-250/A/Yr prime soils
      - Even as high as \$350-400/A/Yr!



# Determining the Rent

What does the landowner need?

- DIRT 5: (Covering the bases)
  - Depreciation
  - Interest
  - Repairs
  - Taxes\*
  - Insurance





# Determining the Rent

What can you afford?



# Types of Rent

- Cash rent
- Share lease
- Flexible cash rent
- In-kind consideration (goods or services)
- Caution: “no rent”



# Infrastructure & Improvements

- Who's responsible for what?
  - Repairs / Maintenance
- “Ecosystem” improvements, e.g., soil
- New structures → what happens?
  - Permanent
  - Non-permanent



# Types Of Landlords

- Private non-farming
  - On-site
  - Absentee
- Exiting farmers
- Institution/organization
- Public



# Conservation Easements

- What is an easement?
- Easements and farming
- Easements and affordability
- What to consider



# Farm Search - Where to Look

- Regional Land Linking / Land Posting Sites!
  - New England Farmland Finder
- Local commissions
- Town and county departments
- State (Land Bank, Dept. of Natural Resources)
- Land trusts, conservation organizations
- Real estate agents



# Farm Search - Where to Look

- Your network: other farmers, suppliers, consultants, neighbors
- Farm service orgs: USDA, Extension, Conservation Districts, Farm Credit
- Farmer & farm support organizations
- Farm publications; newsletters
- Craigslist? MLS? Zillow? Google? Sure!



# Farm Search - Be Proactive!

- Promote yourself!
  - Make a flyer
  - Put out a classified ad
- Make a tenure plan; make a search plan
- Think outside the box; be flexible
- Get help; it takes a network to find a farm
- Be patient
- Start farming in the meantime, at whatever scale you can!





# Identifying Farm Search Priorities

	Necessary	Desirable	Optional
Tenure (own? lease?)			
Location			
Natural features			
Built features			
Housing			
Community			
Other			

# Identifying Farm Search Priorities

	Necessary	Desirable	Optional
<b>Tenure</b> (own? lease?)			
<b>Location</b>	Franklin County	Conway, MA	Near Existing Acreage
<b>Natural features</b>			
<b>Built features</b>			
<b>Housing</b>	Enough space for my family	Garage, Space to park equipment, Land for animals	Adjoining acreage, paved driveway
<b>Community</b>			
<b>Other</b>			

# Evaluating: Physical Attributes

- Access, entry
- Acreage
- Visibility, traffic (farm stand?)
- Support services
- Markets
- Neighboring farms?
- Soils!



# Web Soil Survey

The screenshot shows a web browser window displaying the USDA Web Soil Survey homepage. The browser's address bar shows the URL [websoilsurvey.sc.egov.usda.gov/App/HomePage.htm](http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm). The page features a header with the USDA logo and the text "United States Department of Agriculture Natural Resources Conservation Service". Below the header is a navigation menu with links for "Home", "About Soils", "Help", and "Contact Us". The main content area includes a search box, a "START WSS" button, and a "Welcome to Web Soil Survey (WSS)" section. The "Welcome" section contains a photograph of people working in a field and text explaining the WSS service. To the right, there are two sidebars: "I Want To..." with a list of links and "Announcements/Events" with a list of recent updates. At the bottom, a "Four Basic Steps" section is partially visible, starting with "1 Define..." and "Area of Interest (AOI)". The browser's taskbar at the bottom shows various application icons and the system clock indicating 1:47 PM on 3/1/2016.

Full NEFF export as of 2-2-... Web Soil Survey - Home

websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

Apps Land For Good Help... MapQuest Maps - D... Google My Verizon | Login E... Volume 3, Issue 4 General Inquiry - La... Intake Form for Far... Intake Form for Lan... Other bookmarks

USDA United States Department of Agriculture Natural Resources Conservation Service

Web Soil Survey

Home About Soils Help Contact Us

You are here: Web Soil Survey Home

Search

Enter Keywords

All NRCS Sites

Browse by Subject

- Soils Home
- National Cooperative Soil Survey (NCSS)
- Archived Soil Surveys
- Status Maps
- Official Soil Series Descriptions (OSD)
- Soil Series Extent Mapping Tool
- Geospatial Data Gateway
- eFOTG
- National Soil Characterization Data
- Soil Quality
- Soil Geography

The simple yet powerful way to access and use soil data.

**START WSS**

**Welcome to Web Soil Survey (WSS)**

Web Soil Survey (WSS) provides soil data and information produced by the National Cooperative Soil Survey. It is operated by the USDA Natural Resources Conservation Service (NRCS) and provides access to the largest natural resource information system in the world. NRCS has soil maps and data available online for more than 95 percent of the nation's counties and anticipates having 100 percent in the near future. The site is updated and maintained online as the single authoritative source of soil survey information.

Soil surveys can be used for general farm, local, and wider area planning. Onsite investigation is needed in some cases, such as soil quality assessments and certain conservation and engineering applications. For more detailed information, contact your local [USDA Service Center](#) or your [NRCS State Soil Scientist](#).

**Four Basic Steps**

1 Define...

**Area of Interest (AOI)** Use the Area of Interest tab to define your area of interest.

**I Want To...**

- Start Web Soil Survey (WSS)
- Know the requirements for running Web Soil Survey – will Web Soil Survey work in my web browser?
- Know the Web Soil Survey hours of operation
- Find what areas of the U.S. have soil data
- Find information by topic
- Know how to hyperlink from other documents to Web Soil Survey
- Know the SSURGO data structure

**Announcements/Events**

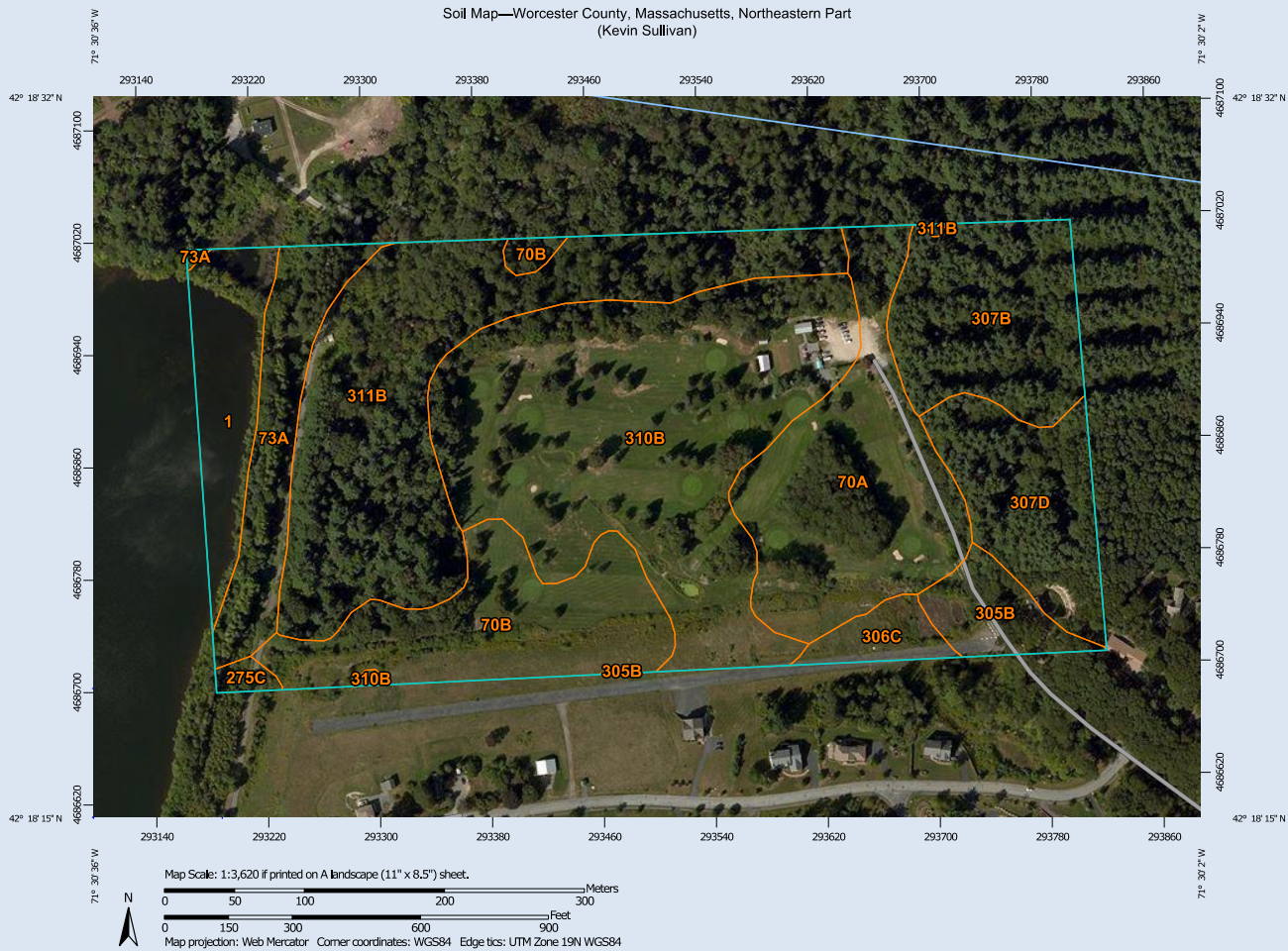
- Web Soil Survey 3.1 has been released! View description of new features and fixes.
- Web Soil Survey Release History
- Sign up for e-mail updates via GovDelivery

**I Want Help With...**

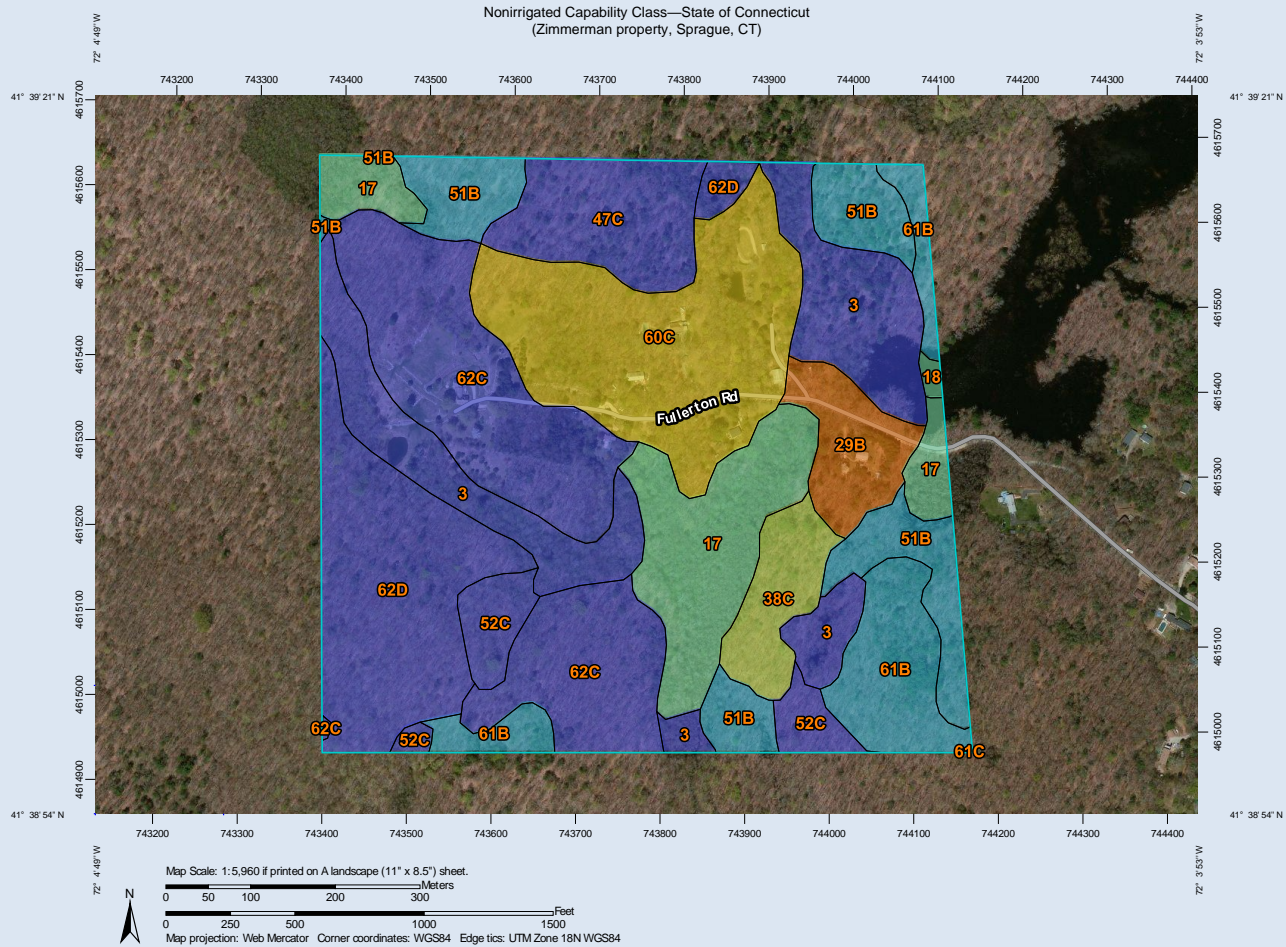
- Getting Started With Web Soil Survey
- How to use Web Soil Survey
- How to use Web Soil...

Windows taskbar: Internet Explorer, File Explorer, VLC, CC4, Chrome, Word, Outlook, Excel, PowerPoint, System tray: 1:47 PM 3/1/2016

# Web Soil Survey



# Web Soil Survey



# Evaluating: Other Attributes

- Infrastructure
- Water Sources
- Utilities
- Housing
  - On-site vs Off-site



# Evaluating: History & Legal

- Prior farming uses
  - Wetlands!
- Non-farm uses
- Right Of Way (town/utility)
- Easements





# Resources

- [www.landforgood.org](http://www.landforgood.org)
  - Seeker toolbox
  - Leasing toolbox
  - **Acquiring Your Farm online tutorial**
  - Build-a-Lease
  - Sample leases
  - Guide for landowners





**Thank you!**

[jason@landforgood.org](mailto:jason@landforgood.org)

[www.landforgood.org](http://www.landforgood.org)



# Questions & Answers

Please type your Q's!



Home Place Pastures

# Connect with



## Upcoming **\*free\*** webinars

**May 15:** Nutritional Benefits of Pasture-Raised Animals

**May 30:** Creating a Forage Chain for Your Livestock

Register @ [foodanimalconcernstrust.org/webinars/](http://foodanimalconcernstrust.org/webinars/)

## Grants, Scholarships, Mentorship & More!

Sign up for emails @ [foodanimalconcernstrust.org/farmer/](http://foodanimalconcernstrust.org/farmer/)

## Join us on social media

