

GROUNDING OURSELVES: Innovative Land Tenure Models in California and Beyond

A publication created by
the Land Access Membership Action Team
of the
California Food and Justice Coalition



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Acknowledgements

This report was begun by Laura-Anne Minkoff, a Food First intern, in the summer of 2005. The research process for this document was as follows: based on the guidelines and questions presented by the Land Access Membership Action Team of CFJC, Laura started with background research on the Internet, some phone interviews, and at the offices of California Farmlink with Steve Schwartz. After developing a questionnaire (attached as Appendix B at the end of the report), Laura began contacting farmers and organizations for phone interviews. The goal was to have a diverse set of examples from around California, which had different backgrounds and methods of acquiring land. Included at the end of each interview are the name and phone number of interviewees as well as email addresses or websites for more information. This document is a work in progress and will be updated on a fairly regular basis as more information becomes available.

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Introduction

Accessing farmland may be the toughest obstacle for a beginning farmer or collective of farmers. It can also be equally difficult in urban areas to find land to practice urban agriculture or gardening. Securing affordable access to land is crucial for ensuring small farm viability and sound land stewardship, but most importantly, it is the cornerstone of a food secure society. Unfortunately, on the two coasts of this nation and several places in between, land speculation and development have increased the selling price of agricultural lands to a level beyond the productive capacity of agriculture. This problem is especially acute in California where a strong economy, high-value crops, and population pressures have all contributed to the exorbitant values of farmland. In order to help beginning farmers secure long-term land tenure in the face of increasing land prices, new and innovative options must be explored. That is the purpose of this document.

What is land tenure exactly? Land tenure means “to hold” land. There are many different ways to “hold” land, from conventional ownership methods such as cash rental or fee-title purchase with mortgage financing to “untraditional” methods such as renting public land at a reduced rate or LLC ownership of the land. Many beginning farmers are not as interested in long-term tenure of land because they are just starting to build their business and don’t want the pressure of a long lease or mortgage. Other farmers feel that long-term tenure is essential in order to build soil and really invest in the resources and infrastructure of the land. Many urban people would like land tenure to build a community garden that outlives them, and is worth the huge investment of time and resources they will put into it. The choice of land tenure arrangement is both a personal and/or community decision, and a business one.

Some key elements of land tenure, based on an article by Katherine Ruhf, include:

- 1) access to the land
- 2) security (of time, place, and price)
- 3) ability to redeem your investment in the land
- 4) clear articulation of rights and responsibilities

To find out more about some of the different land tenure options, please see the website of California FarmLink (www.californiafarmlink) or the Land Tenure curriculum of the UCSC Farm & Garden Program at:

http://zzyx.ucsc.edu/casfs/education/instruction/tm/download/6.0_Land_Tenure.pdf

The following innovative land tenure models are mostly in California, with a couple from other parts of the country. There are many more innovative models out there, but this document will only cover a handful. It is meant to get you inspired and thinking about how you or your community might be able to gain access to land in a non-traditional way.

Land Tenure Models Summary Table

This table below gives a basic summary of the characteristics of each land tenure model included in this document. If you are short on time, use this table to determine which model is the most appropriate for you to read based on your interests and unique situation.

	Ownership & Operation	Stated Mission	Land-tenure Type & Details	Easement
ALBA	Board of Directors, Non-profit For-profit produce distribution	Supports aspiring entrepreneurs in developing small farm businesses	305 acres, total owned; 110 acres, gifted; 195 acres bought for \$1.3 million, 2000	195 acres; \$1 million; owned by The Elkhorn Slough Foundation
Full Belly Farm	Partnership, For-profit	Organic agricultural production	250 acres farmed - owned and leased	No
The Intervale Center	Board of Directors, Non-profit and for-profit components	Agricultural production; Farmer training	354 acres - owned and leased	No but pursuing
Occidental Arts and Ecology Center	Board of Directors, Non-profit leases land from LLC whose owners live on the land	Community-based research, education, outreach & organizing to address environmental & economic crises	80 acres, owned - \$850,000,1994	First permanent organic agricultural easement; No compensation received
Sonoma County Ag. Preservation District- Mac Lewis & Tierra Vegetables	Individuals, For-profit	Agricultural production (SCAPOS's goal is to protect viable agricultural land in the county of Sonoma)	Ranching / hay farming: year-to-year leasing Crop production: renewable 5 year lease	Yes- Sonoma Cty. buys the easements
Soil Born Farm	Board of Directors, Non-profit, Partnership land agreement	Agricultural production and sustainable agriculture education	3 acres, leased in city; 25 acres leased from Sacramento County	25 acres is owned by County & zoned agriculture
Eco Village Farm Learning Center	Board of Directors, Project of Earth Island Institute non-profit	Provide knowledge & skills to live sustainably	5.6 acres, owned by Earth Island Institute	No easement but deed restricted in perpetuity for agriculture & education

RURAL MODELS

Agriculture and Land-Based Training Association (ALBA) — Salinas, CA

The Agriculture and Land-Based Training Association (ALBA) is located in Monterey County, California. Their mission is “to advance economic viability, social equity and ecological land management among limited-resource and aspiring farmers.” Since May 2001 ALBA has been incorporated as a 501(c)3 organization. During the preceding 15 years the organization was operated as the Rural Development Center (RDC), a project of the Association for Community Based Education (ACBE), a non-profit organization based in Washington D.C. While the group’s mission has remained constant, there were difficulties associated with the long-distance management of the RDC by the ACBE. This and the sentiments of the former staff led to the creation of ALBA as an independent non-profit organization.

Today, ALBA seeks to fulfill its mission as it “supports aspiring entrepreneurs in developing small farm businesses” and by “creating economic opportunities while promoting organic farming and healthy local food systems.” The organization owns and operates two organic farm education centers in Monterey County: the 110-acre RDC farm and the 195-acre Farm Training and Research Center (the Triple M Ranch).

The 110-acre RDC farm was an apricot farm until purchased in 1973 under the federally sponsored War on Poverty program called the Central Coast Counties Cooperative Development Center. The program’s goal was to help small-scale Latino farmers work together by forming cooperatives to achieve a competitive advantage in the marketplace. Heavily dependent upon federal grant support, the program ended with funding cuts in economic opportunity programs during the early years of President Ronald Reagan’s administration.

The RDC was founded on the same farm in 1985 by ACBE. Their aim was to serve farm workers in the Salinas Valley, where farms specializing in cool-season, high-value crops attract a massive, largely low-skill and low-paid labor force. The RDC pioneered the idea of a “Farmworker to Farmer” program where agricultural workers gain skills leading to their advancement on the job, in farm management or possibly farm ownership.

From 1985 to 2000, the RDC initiated several successful programs, including a women’s community garden, farmers’ and children’s visits to elder-care centers and numerous farm field days. ACBE also initiated a major capital fundraising campaign that resulted in the construction of an office/classroom, maintenance shop and produce cooler/warehouse on the farm. When ALBA was created in 2001 the RDC farm was sold by ACBE to ALBA for one dollar. ALBA continues the operation of these facilities and works to hone the RDC’s program strategies under their ownership.

ALBA found the second piece of land they now own after being contacted by representatives from a local land trust, the Elkhorn Slough Foundation, and employees of the Natural Resource Conservation Service. Both parties hoped to preserve land that had been used for cattle grazing, and later leased for strawberry production in the 1970’s; they looked for ALBA to use

the the 195-acre ranch as a training farm to prevent the land from being converted into a housing development.

It was under intensive strawberry production until ALBA purchased the Triple M Ranch in 2001. The land acquisition was possible with the help of the Elkhorn Slough Foundation (ESF) who obtained financing through the Coastal Conservancy and the Packard Foundation. ESF purchased the conservation easement valued at over \$1 million of the land's \$1.3 million price tag. The cost not covered by the easement was originally an owner-financed mortgage and is now financed and serviced through Cal Coastal Rural Development Corporation, a local small business lender.

ALBA's primary objective is to provide technical assistance and training to farmers who lease land from their farms on a year-to-year basis. Both farms focus on market farming, with an emphasis on niche crops, alternative livestock enterprises, and direct marketing. ALBA farmers sell at regional farmers' markets as well as through ALBA's produce distribution company (ALBA Organics) that wholesales to local hospitals, universities, grocers, and other brokers.

As part of its farmer training program, ALBA offers a 6 month class each year for new farmers as well as workshops and field days throughout the year for existing farmers. ALBA's staff includes an agronomist, an engineer, and a natural resources specialist that aid in training. There are between 25-30 farmers at any given time renting ALBA land. The majority of these farmers were farmworkers for many years who are working to succeed as farmers. Most would be classified as low-income (earning less than \$35,000 per year).

Farmers are asked to provide two hours of volunteer work each month, usually organized into work parties to accomplish tasks like planting a new orchard or hedgerow. Farmers also attend monthly meetings facilitated by a different ALBA staff member each month. Each meeting has a block of time used to air opinions and resolve conflicts. Outside speakers are also invited to speak to the group on a specific topic, such as labor law, Farm Bill development, or value-added production.

The rent that farmers pay on the one-year lease changes each year; new farmers pay the least and the rent slowly raises each year to reflect real price increases. The Triple M Ranch, for example, bases rent prices on the quality of the soil and make sure that rental prices remain at least 40% below market rates to help reduce farmer's risk. Farmers also pay a portion of the water and electricity bills based on their usage. Leases are typically renewed if the farmer abides by the terms of the lease, cares for the land and farms organically. A three year lease is possible for those farmers that demonstrate the financial capacity and good land management skills.

ALBA is run by a board of directors and employs a 12 member staff, nine of which are employed full-time. The staff bring a wealth of experience in agriculture from fields such as produce sales, farm management, and agriculturally-based non-profit organizations. One-half of ALBA's staff are Latino and more than half have a bachelor's degree or higher; the

other half have completed high school and has some college education. Three to five interns, often paid by the university they attend, also contribute.

ALBA's funding comes from a mixture of grants, private donations, and a smaller portion from the rental of land to the farmers. ALBA Organics, their produce distribution company, is working toward financial sustainability and is expected to achieve this by the end of 2006. Individual farmers vary in their financial success. Some earn \$30,000 each year, while others lose \$10,000 per year. ALBA is working with its farmers to encourage good financial management.

One of ALBA's major operational challenges has been obtaining funding and capital for expenses such as equipment, buildings, and other infrastructure. It is also difficult to keep equipment in good working order with a large number of farmers using it. ALBA has experienced some problems with farmers who treat the equipment and land with less respect than they would like.

While there are challenges, ALBA's success can be measured by the more than 500 students that have been through the farmer training program. A recent survey indicated that about 50% of those who have graduated in the last 4 years are still farming. ALBA has also helped to build significant markets for organic food in the region and is creating more marketing options for their farmers every day.

Interview with Rebecca Thistlethwaite of ALBA on 4/27/06. She can be contacted at rebecca@albafarmers.org. Also see the ALBA website at www.albafarmers.org.

Full Belly Farm — Capay Valley, CA

Paul Muller and Dru Rivers started Full Belly Farm in Yolo County, California in 1985. The young couple began by renting 100 acres in the Capay Valley and growing organic corn and a few other crops to bring to the farmers market in Palo Alto, about a three-hour drive from the farm. Down the road in the same valley, Judith Redmond and her former husband Raul were also leasing property and were looking to buy land. Redmond says they wanted to buy because renting was so insecure. They also wanted to farm organically and get organic certification. They needed a secure location to invest the energy (in building soil, a diverse ecosystem, etc.), time (three years for certification), and money required to become certified organic. In 1988 the two couples decided to join together and share what resources they had to purchase land.

At the time they started looking to buy, Full Belly Farm's property owner passed away. The Mullers were able to speak with Ms. Dallas, the surviving widow, before she put the land on the market. She decided to sell to the farmers. The two couples purchased what the landowners possessed as well as what they still owed to the previous landowner, Richard Gladney.

It was advantageous for the farmers to have an established relationship with the landowner before the property was put on the market. Additionally, purchasing as a group helped them to afford the land.

The two couples bought both the land and developed the business as two separate partnership agreements. They continue to do this for liability purposes. There is a leasing agreement between the landowners and the business.

When the farmers were looking to create a landownership and business partnership, they researched different possibilities and agreements. Using The Partnership Book: How to Write a Partnership Agreement by Nolo Press as their main resource, they wrote their agreements without the help of outside lawyers or consultants. Redmond highly recommends Nolo Press's book as well as their website where you can find many other books and guides to writing agreements and starting a small business (see Appendix A: Resources).

Redmond says of their own partnership, which has been functioning for almost two decades now, that it is an evolving relationship, "We share values – it has worked for us personally." The partners were also aware that they needed to have an agreement in case something unexpected happened - such as a partner wanting to leave or being dissatisfied.

One such challenge was the divorce of Judith and Raul; both were partners in the business and the landownership agreement. Judith and the Mullers were able to buy Raul's share of the land. Andrew Braitt, a farmer they knew from Vermont, bought his share of the business and moved to the farm. He continues to be a partner there today.

The partners at Full Belly try to meet once a week to look at finances, farm planning and problem solving. Redmond believes it is important to know your partners' attitudes about money up front as partnerships depend on the relationships of different people. She believes it is also helpful to assess the value of the land as well as the partnership on a regular basis.

Full Belly currently farms about 250 acres, some of which is owned by the partnership and some leased. The leased land includes land that Braitt has bought individually and leases to the business. They go to three farmers markets per week, have over 600 CSA members and many additional accounts such as restaurants and wholesale and retail distributors. They have about 35-40 year round immigrant farmworkers as well as 4-6 farm apprentices and three additional office staff.

Interview with Judith Redmond of Full Belly Farm on 7/28/05. She can be contacted at (530) 796-2214. Also see the Full Belly website at www.fullbellyfarm.com.

The Intervale Center Burlington, VT

The Intervale Center is located on 354 acres outside of Burlington, Vermont. This area includes the non-profit organization, a Farm Incubator Program, an agricultural consulting business, and a composting business. The organization began as a non-profit and a CSA in 1988. As

more people wanted to get involved with the farming project they launched the Incubator Farm Program that involved aspiring farmers and apprentices, who could potentially start their own farms.

The Farm Incubator Program is a project to help aspiring farmers gain experience and access to land. The program consists of twelve independent active farms on the Intervale property as well as about sixty apprentices. Each farm has a one to five year lease. The average stay is five years. For the first three years the participants pay 80% of the land's lease price. The last two years they pay the lease in full. Most farmers in the program grow produce for wholesale and CSAs; there is also one grain grower. The Intervale community currently produces six percent of the Burlington area's fresh food, with a goal of producing ten percent.

The farmers receive land and greenhouse equipment as well as mentoring from senior farmers in technical and business advice. They help each farm develop a business plan. The incubator farmers also help each other, with direct farm-to-farm advice. Participants must have some farming or agricultural experience and have never been a farm owner. There are some minority farmers, but not many, reflecting the Vermont population. Currently, fifty-five percent of the farmers are female, mostly college educated in environmental related fields. They also have many participating former Peace Corps volunteers.

Farmers at Intervale, as well as those from outside farms, can participate in the "Success on Farms" service run by the Intervale Center. The agricultural consulting firm brings advisors from off-farm sectors to help them with creative marketing, business, and investment plans, helping Incubator farmers make the transition to their own farms. "Success on Farms" currently has twenty-five participating farms. Additionally, Landlink, a program at the University of Vermont Center for Sustainable Agriculture, run with help from the Vermont Land Trust, matches farmers with available land to purchase when they complete the program.

Lindsey Ketchel, an Intervale Center coordinator, believes that the Farm Incubator Program helps beginning farmers build knowledge and credibility. Skills and experience in business plans and marketing makes them good partners for the Land Trust and lending institutions. Farmers can also look at sample leases and agreements for a fee through the Intervale Center consulting firm. Ketchel also suggests "The Creative Land Tenure Book" by the New England Small Farm Institute for sample lease agreements (see Appendix A: Bibliography & Resources). Ketchel says, "It is important to look at capital infrastructure so funders can invest and the farms are not dependent on grants. This provides for a critical gap in services (for beginning farmers)."

The non-profit organization at the Intervale Center manages the land, which is part owned and part leased. In 1988 they began long-term (fifteen and twenty year) leases. They leased from Burlington Electric and the Parks and Recreation Department. Ketchel says that for Burlington Electric, a city-run municipality, it was good public relations to be leasing to a sustainable non-profit. The municipality had purchased the land to operate a wood burning power generator. When they realized they would not need all the land or water on the property, they made an agreement with Intervale for a long-term lease. Both the farm and the municipality benefited as the property is being properly managed and under its designated agricultural zoning there is little threat of development, which makes the land tenure secure.

Owning the land has always been part of the organization's long-term strategic plan. They would like to see their programs become self-sufficient. Until now they have received grants as a non-profit. As the project has become more established it has become harder to get grants, as the money is given to newer projects. The Intervale Center also has a for-profit composting business, which helps fund the non-profit branch. In Ketchel's words, Intervale is a "nonprofit with a for-profit mentality." The current goal is to own all of their leased land. The municipalities are willing to sell their parts, and the private owners will donate some of the land. Intervale is working with the Vermont Land Trust and Housing Board to purchase the development rights and create an agricultural conservation easement.

Interview with Lindsey Ketchel of the Intervale Center on 8/1/05. She can be contacted at Lindsey@intervale.org. Also see the Intervale Center website at www.intervale.org.

The Occidental Arts and Ecology Center (OAEC) — Occidental, CA

The Occidental Arts and Ecology Center (OAEC) is located in Sonoma County, California. The OAEC functions as a non-profit organizing and education center and organic farm. It was founded in 1994 with a goal of "seeking innovative and practical approaches to the pressing environmental and economic crises of our day" (www.oaec.org).

To achieve this goal OAEC employs community-based strategies in research, demonstration, education, and organizing. OAEC cultivates organic gardens and orchards, specializing in growing heirloom varieties in addition to selling or donating plant starts and seeds. OAEC site-based classes and programs include training in creating intentional communities, organic gardening, farming and landscaping, biodiversity and natural landscape education, as well as courses in a variety of arts. Community-based programs include education on beginning and strengthening school garden curriculums and OAEC's WATER (Watershed Advocacy, Training, Education and Research) Institute. The OAEC has also been active at the state level in Cal GE-Free campaigns.

OAEC's 2005 organizational budget was \$897,000 supported by a diverse funding base. Twenty-nine percent of funding came from program fees and plant sales, 28% was comprised of grants from various foundations, 25% from work-exchange intern labor and in-kind donations, and the remaining 18% in individuals' contributions (www.oaec.org). In addition to this funding base, the OAEC acts as a fiscal sponsor of several environmental projects. For example, they are currently conducting a study of the nearby Salmon Creek Estuary and surrounding watershed made possible by a \$300,000 grant from the Coastal Conservancy.

The Occidental Arts and Ecology center operates on 80 acres of land. Seventy of these acres are protected as meadows and mixed oak, fir and redwood forest. Ten acres are used for bio-intensive organic gardens and orchards and housing and other infrastructure for OAEC residents, interns and class participants. The land that the OAEC currently occupies has a long history of organic agricultural production under the ownership of the Farallones Institute (1974-1990) and the Center for Seven Generations (1990-1993). In 1994 OAEC protected these

organic gardens and orchards by signing the first permanent organic agricultural easement with the Sonoma Land Trust, though they received no compensation for the easement.

The land was purchased by a group of six people in 1994 for \$850,000. This group, called the Sowing Circle, is an intentional community that resides at OAEC. Dave Henson, a member of the founding group, described their efforts to find land that offered a suitable landscape for their purposes but required work on existing infrastructure. This purchasing strategy offers opportunity to increase property value through the application of labor to infrastructure with minimal capital investment. Dave encourages those seeking land for similar uses to look closely at land that may be less desirable to others, perhaps with neglected infrastructure that others would prefer to raze. Another possibility Dave suggests is working with state and county agencies who deal with land use and ownership that may have title or access to particular lands. The sale of some lands may achieve all parties' goals- such as farmland preservation or conservation – and enable advantageous purchasing arrangements.

The 80 acres of land purchased by the group never officially went on the real estate market. Rather, the previous owners (a foundation interested in maintaining the land's historical uses) considered offers from potential buyers who often heard about the land's sale by word of mouth. Offers were to include a description of their plan for the property that had long been an integral part of the surrounding community. The Sowing Circle extended an offer to the owners accompanied by detailed short and long-range business plans for making the operation financially viable with the resources the purchasers had available. Their plan and OAEC's mission would also maintain the property's ties with those in the community who cared for it.

Dave Henson feels that along with the purpose and goals of OAEC, this clear business plan was crucial for having their offer accepted. He recommends that those interested in purchasing land seek out an introductory business class to become acquainted with the process of creating a business plan and financing a land purchase. In addition, understanding and exploring easement and leasing options is very useful. This and other detailed information and suggestions are well documented in OAEC's "Starting and Sustaining Intentional Communities" course workbook (see Appendix A: Bibliography & Resources). The publication and course may be a useful resource in learning about and organizing for land purchases - whether for farm, intentional community, or both.

To purchase the land, the group placed a down payment of \$150,000 on the property. This amount was borrowed from, and is being repaid to friends and family with interest. The group then took out another loan to finance repairs and land development; the reinvestment of this money into the land has increased the property value, against which more can be borrowed if necessary. Again, Dave stresses the importance of having a detailed budget and long term plan to facilitate this process. Each member now pays monthly toward the mortgage, operations and development budget, and food and kitchen supply budget.

After acquiring the land, the six founding members of OAEC initially organized their group, the Sowing Circle, as a legal partnership but changed the group to a Limited Liability Company (LLC) in 2000. The original partnership agreement functioned well to jointly acquire land. However, as a LLC the members are no longer liable for the LLC's debts and there is more

operational flexibility to add or lose members and allocate rights among existing members (Henson 2000). Functioning as two distinct legal entities, the Sowing Circle acts as landowner leasing to OAEC. This organizational strategy allows for the owners to protect and maintain the land even if OAEC is dissolved.

The Occidental Arts and Ecology Center is run by a board of directors and employs 10 staff members- some of whom are also members of the Sowing Circle group. OAEC additionally employs guest lecturers and has 1 or 2 interns each year who receive lodging plus half of their food costs for their 25 hours of work per week. The decision making structure of OAEC is open, consensual and democratic. They have formed different decision making circles that incorporate stakeholders relevant to each decision, an integral part of their founding values and operational purpose.

Interview with Dave Henson of OAEC on 9/07/06. He can be contacted at (707) 874-1557. Also see their website at www.oaec.org

Sonoma County Agricultural Preservation and Open Space District:
Mac Lewis and Tierra Vegetables Sonoma County, CA

The Sonoma County Agricultural Preservation and Open Space District is the first special government district created specifically to preserve agricultural land. The District “permanently preserves the diverse agricultural, natural resource and scenic open space lands of Sonoma County for future generations.” They work within Sonoma County and function primarily to buy conservation easements on agricultural land currently in production.

They have also recently started leasing and lending to farmers who do not have land. The District purchased land near Santa Rosa to create and preserve a local Green Belt. They have two different agreement policies depending on whether the farmer is in crop production or ranching; ranchers that want to use land for grazing cattle and growing hay pay no lease fee. The District benefits from the ranchers presence as they maintain the property, fences and other infrastructure. The grazing helps with fire reduction as well.

They currently have about six ranchers and/or hay farmers who have year-to-year lease agreements. Mac Lewis is one of the hay farmers that use District land. Lewis has been farming on abandoned and empty plots of land in Sonoma County for fifteen years. He says that he stays aware of what land in the area is remaining fallow and pursues it by finding the county’s record of ownership. When possible, he contacts the landowner and approaches them about using the land on a temporary basis. The agreement benefits the landowner because it is managed and in use. He says there are many fields available in the area, especially from elderly people who are no longer able to farm their property. Many landowners want to see their land used but don’t have the resources. Lewis is flexible with his land and is able to move year-to-year. “I’m here today, gone tomorrow,” he says, which may not be as easy for many farmers. The largest field he farms was rented through the District.

Crop farmers have the option of five-year short-term leases. There are two properties being leased right now. One tenant is Sharon Grossey, a vegetable farmer. She lives on a ten-acre

plot with a conservation easement in the Rohnert Park area. The other tenant is Tierra Vegetables.

Lee and Wayne James, brother and sister, are the owners of Tierra Vegetables. They lease seventeen acres from the District, as well as four more acres from their neighbors, which they use free of charge. Tierra Vegetables has a 100 member CSA as well as a farm stand where they sell organic produce, wool, and some other value added goods. They are three years into a five-year agreement with the District. Working with them makes it possible for the Jameses to afford land in Sonoma County, which they otherwise could not afford due to the vineyard demand raising agricultural property prices. The District charges them about the same as land prices in the Central Valley, says Evie at Tierra Vegetables.

Lee and Wayne did not grow up in a farming family, although their mother was a florist. Wayne started working on farms when he finished high school and has been working on various pieces of land ever since. Although they have never owned agricultural land, they have been farming for twenty-five years and it is their sole income. Until now, they have found land they could use for free, from sources such as people who owned abandoned plots and wanted to see it used, as is the case with their neighbors. They did lease land at one point, but the owner was offered a better price from grape growers.

Once they found the land available through the District, it took about three years to sign an agreement. The District has an application process to choose farmers for the land. Once they were awarded the opportunity, they wrote their lease with the District with the help of a family friend who is a lawyer. They are happy with their arrangement with the District and plan to renew when the agreement expires. Wayne would like to farm this plot until his retirement in about twenty years and would like to eventually try to buy from the district.

"We have a commitment to making land affordable to farmers who can't afford to purchase land due to the vineyards (making land prices higher)," Dino Bonus at the District office said. Leasing the land is also a good marketing tool for the district; partnering with local farmers and ranchers makes the community more aware of their work. The District's main motivation, though, is for more people to have access to food from their area. All the property they are leasing and lending is zoned as agricultural land.

The farmers they work with are aware of the District and the land available and solicit them for opportunities, Bonus says. They do no advertising for the land agreements; people that want to farm come to them.

They do have other properties they are considering making available to farmers. There are 45 acres in the city of Rohnert Park as well as other plots they are looking into. There are no stipulations on the leased land, such as organic production, except that the land must be available to tours for the public. Bonus says he is not sure if the District would consider selling the land to the farmers. Farmers, he suggests, could not afford it.

Interview with Dino Bonus of the Sonoma County Agricultural Preservation and Open Space District on 8/3/05. He can be contacted at (707) 565-7360. Also see their website at www.sonomaopenspace.org. Interview with Mac Lewis 7/29/05. He can be contacted at

(707) 321-5704. Interview with Evie of Tierra Vegetables on 9/26/05. She can be contacted at (707) 837-8366. Also see their website at <http://tierravegetables.com>.

URBAN MODELS

Soil Born Farm Sacramento, CA

Soil Born is a small organic urban agriculture project in Sacramento. Farmers Marco Franciosa and Shawn Harrison started the farm in 2001. Both men studied in the University of California, Santa Cruz's Ecological Horticulture program. They started the farm with the goals of creating an urban resource for sustainable agriculture education and growing produce for the community.

They found their original parcel of land by simply "getting into a truck and looking for open plots of land." When they encountered land that appealed to them (fallow land within the city limits) they put a letter in the mailbox at the property offering to make a trade in food for the ability to farm the land. The landowner agreed and they started the project with a handshake agreement.

Soon after starting, they decided to write a lease with the help of the landowner's son-in-law and Harrison's father, both lawyers. The lease was for full use of the property (three acres) in exchange for a dollar and food from the farm. Since 1999, they have renewed the same lease every year. Franciosa explained that there is still a stressful lack of security. He believes they have taken more risks than other farmers would be willing to take by having a year-to-year lease.

Soil Born is a non-profit project that has a working CSA and sells to local food stores and restaurants. They became incorporated as a non-profit four years ago, which is to their advantage as they can apply for grants and are more likely to receive donations. With additional funds they run multiple community projects including an education project at the neighboring Jonas Salk Middle School and a community-run farmers' market in a low income, ethnically diverse neighborhood.

Franciosa and Harrison have a partnership agreement for operating the farm and non-profit. They have no formal structure for decision making on the farm, as the farm is small, with few people involved. The non-profit has a board of directors that makes programming decisions.

They are currently looking into buying the land they now farm and in addition to leasing other land as well. The price of land in their urban area is exceptionally high. Soil Born is in contact with the Trust for Public Land to help purchase the land they currently lease. They are able to work with the land trust because they are a community resource and do education and outreach. Soil Born is also hoping to work with the current landowner to buy below the market price of the land and leave the home of the landowner in her possession.

The additional land they are pursuing is within a 250-acre open space in Sacramento called KD Ranch. There is another farmer currently on the land, growing safflower and a few other crops. The county owns the land and would like to continue to have it farmed. Again,

Franciosa believes they are desirable occupiers of the land due to the work they do with the community and their ongoing education projects. Soil Born would potentially farm 20 acres that they would lease from the county. The property would be on a short-term lease as the county is tentative to commit to a long-term agreement.

Due to their visibility in the community, they have received multiple offers from people with land they would like to have farmed organically. Most offers have been rural rather than urban so they have turned them down. Franciosa estimates they have received six to eight offers from landowners with one to twenty acres that want to trade or lease. The most difficult obstacle in acquiring land, which Franciosa believes there are many opportunities to do, is that the tenure is insecure. A few years is not enough lease time for someone looking to establish a long-term project or farm.

They have had little outside technical assistance on the farm. As graduates of UC Santa Cruz they have personal contacts there that can help along with other organic farmers they network with. They have looked to the UC extension for isolated inquiries. For the past few years they have had two interns each season to help with farm work and outreach projects.

Interview with Marco Franciosa of Soil Born Farm on 7/25/05. He can be contacted at (916) 486-9686. Also see their website at www.soilborn.org.

Eco Village Farm Learning Center Richmond, CA

Eco Village founder Shyaam Shabaka was speaking at a seminar at University of California Berkeley when he met the owners of a small farm in a highly urbanizing area of the East San Francisco Bay. The landowners listened to Shyaam speak about his work with youth, and asked him if he wanted to use some of their land to do hands-on training and education with youth. Thus Shyaam began his relationship with this small 5.6 acre farm in Richmond, CA. After a couple years using this land, the landowners decided to put the land up for sale on the open market, with a potential of a 17 home development. Shyaam approached the couple and shared his vision of an "Eco Village" that would focus on sustainable living skills and working mainly with the youth of the East Bay. With \$10,000 of his own money, the couple granted him a 90 day option to come up with the rest of the purchase price. 90 days turned into one year, but through a combination of a loan from the Trust for Public Land, a grant from the Coastal Conservancy, and other community support, Shyaam was able to raise the money to buy this farm in 2002 and spare it from the subdivision. Eco Village paid full market value because that is what the owners desired. Shyaam joined forces with the Earth Island Institute, who shared his vision, to own the title until the point at which Eco Village had its own non-profit status. Earth Island supports the Eco Village project in becoming an independent non-profit, and may eventually transfer title to it. Shyaam is not concerned so much about the title because he knows the Institute and Eco Village have a shared vision and the title restricts the use of the land to exactly what Eco Village is doing, and that will not change even if ownership changes. A deed restriction requires that the land be used for agriculture and teaching, and not be subdivided. However, there is no recorded conservation easement on the land at this point.

The 5.6 acres of suburban land that Eco Village protects is old farm land that has a small farmhouse, many fruit trees, native trees, and two flowing creeks that support a wide range of aquatic animal and plant life. They have created organic herb and vegetable gardens, a honey bee demonstration, fruit orchard, and more which are designed to serve all interested school age youth and adults of the San Francisco East Bay communities with a particular focus on the residents of Richmond, San Pablo, El Sobrante, Pinole, and other West Contra Costa county cities.

Many of the products that Eco Village produces will be for sale on-site, at nearby farmers' markets and through a Community Supported Agriculture (CSA) program. Local families have the opportunity to join the CSA and receive seasonal produce at affordable prices. Eco Village works with many volunteers and training programs such as YouthBuild and East Bay Conservation Corps that train youth in practical, hands-on skills such as watershed restoration and construction. They also have a small paid staff and use contracted labor for some of their infrastructural needs.

Even though the land is paid for completely, there is still a great need for operating expenses. Eco Village also has many infrastructure needs that grants often will not pay for. The small staff is working very hard to write grants and solicit private donations to create the facilities, gardens, and offer the educational programs they envision for the Center.

Shyaam's last word of advice is that there is no prescription or plan for how to get onto the land and that if a community is interested in a piece of land, they just have to express the will and determination to make it happen. They also need to expect that it will take longer than they imagined, but have the patience and motivation to see it through.

Interview with Shyaam Shabaka of Eco Village Farm Learning Center on 1/9/07. He can be contacted at (510) 223-1693. Also see their website at www.ecovillagefarm.org.

Appendix A: Bibliography and Resources

Bibliography:

Henson, Dave. 2000. "Outline of Legal Structures" presentation. In, Starting and Sustaining Intentional Communities. Unpublished

Ruhf, Katherine. "Access to Land". New England Small Farm Institute. Online <www.smallfarm.org>

Other Resources for Additional Information:

Websites:

Nolo Press

Website: www.nolo.com

Information on starting a small business, especially writing agreements, leases, etc.

California Farmlink

Website: www.californiafarmlink.org or call (707) 829-1691

Land-linking organization that works to promote techniques and disseminate information that facilitates intergenerational farm transitions in California.

California Council of Land Trusts

Website: www.calandtrust.org or call (916) 487-0272

Coalition of more than 200 land trusts around California, who may have land available for farming or community gardens.

Books:

Henson, Dave and Wolpert, Adam. Starting and Sustaining Intentional Communities workbook. The Occidental Arts and Ecology Center. Unpublished.

Ruhf, K., Higby, A., and Woloschuk, A. Holding Ground: A guide to Northeast farmland tenure and stewardship. 2004. The Intervale Foundation and the New England Small Farm Institute. 2004.

DVDs:

Farmland and Farmers for the Future: Beyond Conservation Easements. Equity Trust. 2005. Video that discusses ways of going beyond traditional conservation easements to meet the new challenges posed by the emerging market for rural estates and the needs of beginning farmers. Equity Trust is a non-profit organization promoting alternative approaches to land tenure. Their website is www.equitytrust.org

Appendix B: Interview Questions

1. Organizing to seek land

- a. What is your organization's mission statement or purpose?
- b. What population do you serve?
- c. Was it formed before you sought out land?
- d. Describe the process of realizing a desire for and seeking out land.
- e. How are you/ your group organized?
 1. Legally (individual or collective, profit or nonprofit)
 2. Socially (how did you come together, relations, etc?)
- f. What are the organizers or the farmers' backgrounds / what is your background? (ethnicity, socioeconomics, etc.)

2. Identifying/ finding the land

- a. How did you/ your group find the land?
- b. Who used the land previously and for what purposes?

3. Acquiring the Land / Financing the land (if purchased or leased)

- a. Did you/ your group purchase the land (ownership) ?
- b. Who funded the purchase or lease? Sources of credit?
- c. Is there an easement of any kind?
- d. What were the challenges to acquiring the land?
- e. Is the land fully paid for now?

4. Land use

- a. Describe the land use.
- b. How much land do you have?
- c. How much can you farm?
- d. How much and what do you farm?

5. Sustaining the land

- a. What are your goals regarding sustainability...
 - i. Ecological?
 - ii. Social?
 - iii. Economic?
- b. How are the land, the work, and decisions divided among the group (if farming individually skip to c)
 - i. How is the communal component structured?
 - ii. Meetings – How often and who facilitates
 - iii. What restrictions are there for individuals

- iv. Who pays what among the group?
- v. What staff is needed?
- vi. Are they paid?
- vii. What are your goals and limitations in regard to farm labor?
- c. Is the focus on subsistence or market farming? CSA members? Certifications?
- d. What is/ where are your markets?
- e. Is the operation financially self-sustaining? Sales?
- f. Do you currently receive outside assistance? (financial or other)
- g. Is there educational or technical assistance available to the farmers such as extension workers, etc?
- h. What have been your major operational challenges and success?
- i. Do you plan to keep the land in sustainable agricultural production? If so, who will take over the land? How has this been arranged?

Please share with us of any other information you think may be relevant and helpful.



For more information about the California Food and Justice Coalition
please visit www.foodsecurity.org/california