PURCHASING FARMLAND

Although purchasing land outright is not always financially feasible for land trusts, doing so affords opportunities to wed farmland protection and farm viability efforts. Purchasing quickly protects land that is particularly vulnerable to development, and it can serve as the foundation for a variety of land access or farm viability efforts.

**Buy-Protect-Sell:** Land trusts can buy land, conserve it with a conservation easement, and then resell the land to a farmer at a more affordable rate. The land trust finances the purchase of unconserved land so that a farmer-buyer only has to finance the purchase of the conserved and more affordable land.

**Incubator Farms:** Land trusts can buy and hold land to run farm incubator programs that help new farmers get started. Farm incubators give young and beginning farmers a chance to grow a business without investing in land or facilities.

**Lease to Own:** For land trusts with the capacity to do so, lease-to-own models offer a realistic pathway to ownership for farmers. For example, a land trust might purchase and conserve a property, and then offer a farmer a five-to-seven year lease with the contractual option to purchase the farm at its conserved value.

**Lease to Farmer:** Land trusts with landholdings often find leasing parcels to farmers can help them further their conservation goals while providing land access opportunities. Long-term (~10 year) lease agreements give farmers secure access and the confidence to build their farm businesses.

**Ground Leases:** A ground lease separates ownership of the land from ownership of the infrastructure on a farm property. A land trust or nonprofit organization can hold title to the land while a farmer receives a secure, long-term lease on the ground and owns the farm infrastructure. For resources on ground leases, visit equitytrust.org.
When two farms went up for sale in the Town of Northampton, MA in the summer of 2009, the community banded together to keep the properties in working agriculture and owned by farmers. Grow Food Northampton (GFN) engaged the help of the Trust for Public Land (TPL), which purchased the roughly 180 acres of land. TPL then sold 60 acres to the City of Northampton, while the rest was conserved by the City and the Massachusetts Department of Agricultural Resources. GFN purchased the remaining 121 acres at the reduced conservation value.

This four-way partnership demonstrates the power of organizational collaboration to extend the reach and capacity of land trusts and nonprofits. In this case, it took an established land trust to purchase and negotiate the transaction, but a small, local nonprofit was able to steward the land.

GFN selected Jen Smith and Nate Frigard to farm the land under a secure, 99-year ground lease that included the right to pass on their “lifetime” lease to their children. The agreement allows Jen and Nate to build equity through farm improvements and to profit from the sale of those improvements. Jen and Nate now run Crimson & Clover Farm, a 370-member CSA, on 80 acres of GFN land.¹

- **Lease Term & Rate:** GFN’s ground lease is a 99-year, inheritable lease. Lease rates are calculated from appraisals of other local lease fees for agricultural land, while taking into account additional stipulations in the lease and the long-term tenure that it offers.

- **Lease Transfer:** The farmer can sell their interest in the leased property and improvements at any time. However, if the property is not transferred to the farmers’ heirs, it must transfer to either GFN or to another qualified farmer.

- **Lease Stipulations:** GFN’s ground lease seeks to maintain flexibility so that both the farmers and GFN can negotiate changes in the future. In GFN’s ground lease with Crimson & Clover Farm, the farmers are required to prioritize sales to local markets, and must follow certain organic standards.

¹Case study adapted with permission from California FarmLink’s “Conservation and Affordability of Working Lands,” 2015.