

# Land Policy

## Towards a More Equitable Farming Future

2020  
National Young Farmers Coalition



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**National Young Farmers Coalition**  
youngfarmers.org



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National Young Farmers Coalition staff, chapters, and farmer members live and work on the ancestral, contemporary, and unceded territory of Indigenous people across Turtle Island, encompassing what is now known as the United States. For staff, these lands include those of the Abenaki, Anishinaabeg (Three Fires Confederacy of Ojibwe, Odawa, and Potawatomi peoples), Arapaho, Chahta Okla (Choctaw), Cheyenne, Chitimacha, Chumash, Erie, Haudenosaunee, Houma, Manahoac, Methow, Mohawk, Mohican, Monocan, Munsee Lenape, Muskogee, Nacotchtank (Anacostan), Oceti Sakowin (Sioux), Oneida, Pequawket, Piscataway, Pueblo, Shawnee, Tiwa, Ute, Wazhazhe (Osage), Wahpekute, Wappinger, and Wyachtanok. We acknowledge and honor the land and those who have stewarded it for centuries before colonization. We commit to forming deeper partnerships to address past and ongoing land-based injustices against Indigenous people through our work.<sup>1</sup>

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## About the National Young Farmers Coalition

The National Young Farmers Coalition (the Coalition) is a grassroots network of farmers, ranchers, and supporters fighting for a more bright and just future for agriculture. Since 2010, we have launched 46 farmer-led chapters across the United States and built a grassroots base of more than 200,000 individuals. The Coalition helps young farmers become leaders in their communities through local chapter organizing, ensuring they have a seat at the table in local, state, and national policy decisions. We address structural barriers facing young farmers through farm bill advocacy, United States Department of Agriculture program reform, and by training key stakeholders and service providers to better serve the next generation. In addition, we provide business services to young farmers, offering tools, resources, and technical assistance to help them navigate business challenges and seize market opportunities.





## Introduction

As a coalition of farmers, land is at the heart of our work. Finding secure access to land is the number one barrier preventing a generation of growers from entering the field. Land is also at the root of racial equity, food sovereignty, economic prosperity, public health, and the climate crisis. As we address these issues, land must be part of the conversation.

### When we talk about land, we must acknowledge its deep connection to policy and power.

The construct of land ownership has been deployed to dispossess Indigenous people of their land for centuries, and is tied to ongoing discrimination against Black, Indigenous, and other people of color. The result is immense inequity in land ownership. This history must guide us as we envision a more equitable future for farming.

At Young Farmers, our vision is that power and wealth will be returned to communities of Black, Indigenous, and other people of color that have faced historic and ongoing discrimination and dispossession of land, and that high-quality farmland with appropriate resources will be available, accessible, and affordable in an equitable way to all working farmers in the United States, with the security they need to achieve their farming goals. We imagine a future where land access is no longer a barrier that prevents young people from building a vibrant and resilient agricultural system oriented towards communal well-being. As a Coalition, we work to achieve this vision by advocating



for policy reform, building a network of engaged service providers, and offering resources, all through a commitment to collaboration, partnership, and equity.

We wrote this report to draw attention to the importance of land access for farmers and ranchers, to illustrate the nuances of this issue, and to offer a path forward through policy change. For policy makers and advocates, we hope this report compels you to action and provides you with the information you need to be effective. For farmers struggling to access land, we hope you see that the forces working against you are pervasive and long-standing. Tell your story; your voice is critical and powerful.

The time to act is now. Millions of acres of farmland are on the verge of changing ownership, representing an incredible opportunity to shift power and resources, yet secure land access is increasingly out of reach for young farmers.

## **We must change policy to:**

- eliminate inequities in land ownership and access;**
- protect farmland for producers;**
- facilitate appropriate, affordable, and secure land tenure; and**
- support farm viability and transition.**

We cannot afford to lose a generation of skilled individuals who are invested in the long-term health of the land and in the food security of our communities. The cost is too great.







## Land, Policy, and Power

### **Land is the foundation of nourishment, resiliency, and sovereignty.**

It is critical to the health and well-being of our environment, economy, and marginalized communities. The success of our climate action and our ability to grow nutritious food depend on it. Land is also deeply tied to the accumulation of wealth and political power, and its ownership is vastly unequal.

### **As a nation, we must take action to change our relationship to land.**

Farmers have the transformative power to use climate resilient practices, pay fair wages to their workers, and provide healthy food to their communities, but they must have secure land access in order to do so.<sup>8</sup> For many young farmers, access to land is tenuous or entirely out of reach. Creating opportunity for these individuals will require an understanding of land not as a commodity fueling economic growth, but rather a vital resource on which our collective future rests.

### **Public policy has defined—and continues to shape—how land is used, who owns it, and the way in which it changes hands.**

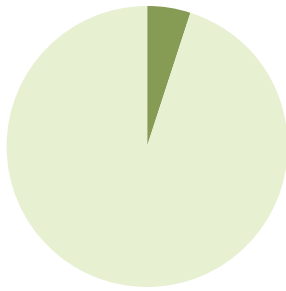
European concepts of private property were introduced to North America with colonization. At the time of the United States' founding, the right of land ownership was only extended to white men.<sup>9,10</sup> Land ownership formed the basis of who could gain political power, and in turn craft the policies governing land access and use. These laws subsequently served to protect and expand white land ownership—



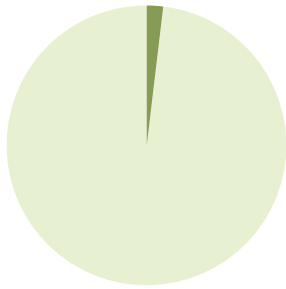
900 million acres of land in the US are in agriculture<sup>2</sup>

**\$132  
billion**

Contributed to the U.S. GDP by farms in the U.S.<sup>3</sup>



95% of all farmers are white.



White individuals own 98% of farmland and receive the vast majority of agriculture-related financial assistance.

beginning with colonial statutes explicitly prohibiting non-white individuals from owning land, through the Northwest Ordinance of 1787 and the Homestead Acts encouraging Westward expansion and settlement of lands stewarded by Indigenous people, to Alien land laws aimed at shutting Japanese and Chinese immigrants out of land ownership, and redlining policies in the twentieth century discouraging lending for home ownership or business expansion in predominantly Black neighborhoods.

Policy makers have specifically incentivized colonization of land for farming, acknowledging agriculture as critically important to continued food and national security.<sup>15,16</sup> Policy has been used to sanction the enslavement of African people and theft of their labor; facilitate the dispossession of millions of acres from Black, Indigenous, and other people of color (BIPOC); and enable ongoing consolidation of farmland into the hands of fewer and fewer owners.<sup>17,18</sup>

## The legacy of using policy as a tool of dispossession continues today, shaping our food system and patterns of land ownership.

White individuals account for 95 percent of all farmers, own 98 percent of farmland, and receive the vast majority of agriculture-related financial assistance.<sup>19,20,21,22</sup> Compounding these statistics is the fact that the inertia of ownership, once established, is incredibly strong. As much as 80 percent of wealth is inherited, and the forces of property transfer that have been underway for generations continue to consolidate resources in the hands of a relatively small percentage

Land ownership has a cumulative effect on farm viability, enabling farmers to leverage land to make capital improvements and to deploy as collateral for further land purchases.





**“We fundamentally need to understand that land is a fictitious commodity. Commodities are things that are produced, made, and consumed and can be traded. We’ve made land into a commodity when it is not. It is a fundamental premise for life. And it is limited.”**

### **Mai Nguyen**

Farmer and Co-Director  
of Minnow

of the population.<sup>23 24 25</sup> In 2015, the United States Department of Agriculture (USDA) estimated that less than a quarter of the 91.5 million acres expected to change hands in the next four years would be made available to non-relatives.<sup>26</sup> Policy has shaped the present reality and must be part of building a more equitable farming future.

### **Access to land directly determines who has the opportunity to succeed in agriculture.**

Land ownership has a cumulative effect on farm viability, enabling farmers to leverage land to make capital improvements that increase their income potential over time. Land can also be deployed as collateral for further land purchases, sold for retirement income, or subdivided for profit.<sup>27 28</sup> Land ownership provides the security that is critical for many of the long-term investments that farmers must make in soil health, infrastructure, and irrigation. Being able to plan on a timeframe over which farmers can realize a return from activities such as drilling a well, building soil organic matter, or pouring concrete in produce handling areas can significantly improve profitability, environmental impacts, and food safety. The stability that comes from land security can also have immense impacts on farmer mental health and resiliency in the face of the many challenges of farming.

### **Farmland is a vital natural resource for food production, but it is being steadily lost.**

Each new publication from the USDA shows that farmers are aging, there are less acres in agriculture, more land is lost to development, and an increasing share of agricultural land is owned by non-farmers.

**2** Agriculture, food, and related industries contributed a combined \$1.053 trillion to U.S. gross domestic product (GDP) in 2017 (5.4%); farm output contributed \$132.8 billion of this number (about 1% of GDP). **Source:** USDA ERS, “Ag and Food Sectors and the Economy,” website, data from 2017, accessed March 2020, [www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/ag-and-food-sectors-and-the-economy/](http://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/ag-and-food-sectors-and-the-economy/).

**3** Julia Freedgood, Mitch Hunter, Jennifer Dempsey, and Ann Sorensen, *Farms Under Threat: The State of the States*, American Farmland Trust, 2020.

**4** Abraham Lustgarten, “Climate Change Will Force a New American Migration,” *ProPublica*, September 15, 2020, [www.propublica.org/article/climate-change-will-force-a-new-american-migration](http://www.propublica.org/article/climate-change-will-force-a-new-american-migration).

**5** In our 2017 Young Farmer survey, sixty-six percent of respondents reported experiencing unpredictable weather, more severe storms, increased pest pressure, increased uncertainty in water supply, and/or increased rate of disease. **Source:** Sophie

Ackoff, Andrew Bahrenburg, and Lindsey Lusher Shute, *Building a Future with Farmers II*, National Young Farmers Coalition, November 2017, [www.youngfarmers.org/wp-content/uploads/2017/11/NYFC-Report-2017.pdf](http://www.youngfarmers.org/wp-content/uploads/2017/11/NYFC-Report-2017.pdf).

**6** “Greener Fields: California Communities Combating Climate Change,” *American Farmland Trust*, September 2018, [www.farmlandinfo.org/publications/greener-fields-california-communities-combating-climate-change/](http://www.farmlandinfo.org/publications/greener-fields-california-communities-combating-climate-change/).

**7** “5 ways indigenous peoples are helping the world achieve #ZeroHunger: Indigenous peoples and their food systems can provide answers to food insecurity and climate change,” *Food and Agriculture Organization*, July 2019, [www.fao.org/fao-stories/article/en/c/1203793/](http://www.fao.org/fao-stories/article/en/c/1203793/).

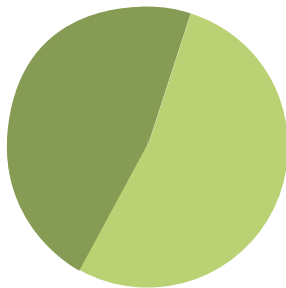
**8** A 2020 report from American Farmland Trust (AFT) found that if New England farmers adopted three conservation practices—planting cover crops, practicing no-till or strip-till, and replacing inorganic fertilizer with dairy manure or compost—

they could remove over 1.65 MTCO<sub>2</sub>e annually from the atmosphere (the equivalent of removing 360,000 cars from the road) through a combination of reduced greenhouse gas emissions and carbon sequestration. **Source:** Jamie Pottern and Laura Barley, *Farms Under Threat: A New England Perspective*, American Farmland Trust, 2020, <http://farmlandinfo.org/publications/farms-under-threat-a-new-england-perspective/>.

**9** Steven Mintz, “Winning the Vote: A history of voting rights,” *The Gilder Lehrman Institute of American History*, accessed March 2020, [www.gilderlehrman.org/history-now/essays/winning-vote-history-voting-rights](http://www.gilderlehrman.org/history-now/essays/winning-vote-history-voting-rights).

**10** State laws continued to use property ownership qualifications to explicitly deny voting rights to Black and Indigenous people, immigrants, and women until well into the twentieth century, even after the Fifteenth Amendment was ratified. **Source:** Gary May, “Bending Toward Justice: The Voting Rights Act and the Transformation of American

Since 1982, developers have bulldozed, paved, and built homes on farmland across the country, permanently removing 25 million acres of land from farming—an area roughly the size of Indiana. This trend continues at a rate of more than 2,000 acres per day.



Nearly 40% of agricultural land is leased

These trends are exacerbated in Black and Indigenous communities, which have experienced disproportionately high rates of land loss and dispossession.<sup>29</sup>

This trend continues at a rate of more than 2,000 acres per day.<sup>30</sup>

<sup>31</sup> Furthermore, the acres lost tend to be high-quality land around urban areas, precisely where the most profitable market opportunities exist for new farmers.<sup>32 33</sup> Topsoil loss, degraded soil quality, water contamination, and aquifer depletion are additional, significant, threats to our ability to grow food on the remaining land.<sup>34</sup>

As fewer and fewer acres of land are available for farming, farmers themselves control a decreasing share of that land.<sup>35</sup> Nearly 40 percent of agricultural land is leased, and while some owners of this land are retired farm operators, 45 percent of landlords have never farmed.<sup>36</sup> Non-farming landlords, particularly those with no farming experience who live far away, tend to have less understanding of farmers' needs, to be less invested in the local community, and to have more focus on utilizing the land for revenue generation rather than for its social and ecological value.

The divergence of farmland values from what farmers can afford, coupled with pervasive discrimination against BIPOC farmers and the challenges involved in farm transition, further shuts out young farmers from access. In addition, inaction on climate change by policy makers has endangered land while extreme weather events, increasing pest pressure, prolonged drought, and natural disasters are putting stress on farm businesses.<sup>37 38</sup> Public policy has enabled these trends of farmland loss, depletion, and non-farmer ownership and must be part of the solution.

Democracy," Basic Books, New York, 2013.

<sup>11</sup> USDA National Agricultural Statistics Service (NASS), 2017 Census of Agriculture, "Table 52. Selected Operator Characteristics," 2019, complete data available at [www.nass.usda.gov/AgCensus](http://www.nass.usda.gov/AgCensus).

<sup>12</sup> Bryan Leonard, Dominic Parker, and Terry Anderson, "Land Quality, Land Rights, and Indigenous Poverty," *Journal of Economic Development*, Volume 143, March 2020.

<sup>13</sup> Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, Beacon Press, Boston, 2014. Pp. 199

<sup>14</sup> The Doctrine of Discovery was legally upheld in the 1823 Supreme Court case *Johnson v. MacIntosh* and as recently as 2005 in the Supreme Court case, *City of Sherrill v. Oneida Indian Nation of N.Y.* *Source*: Upstander Project, "Doctrine of Discovery," website, accessed March 2020, <https://upstanderproject.org/firstlight/doctrine> and Cornell Law School, Legal Information Institute, website, accessed March

2020 [www.law.cornell.edu/supct/html/03-855.ZO.html#FN1](http://www.law.cornell.edu/supct/html/03-855.ZO.html#FN1).

<sup>15</sup> A series of legislative actions beginning in 1862, called the Homestead Acts, Morrill Acts, and Pacific Railroad Acts, had the cumulative effect of transferring nearly 300 million acres of Indigenous land west of the Mississippi River to 1.6 million homesteaders for minimal fees (ultimately most of this property went to speculators and large landowners); giving tracts of land to states to establish land grant universities; and providing private companies with nearly two hundred million acres of land; breaking multiple treaties in the process. *Source*: Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, Beacon Press, Boston, Massachusetts, 2014.

<sup>16</sup> Bryan Leonard, et al., "Land Quality, Land Rights, and Indigenous Poverty," 2020.

<sup>17</sup> As the authors of the 2017 *Regaining Our Future* report write, "The more modern provisions of what we now refer to as the federal Farm Bill were first

envisioned in the 1930s. Prior to the 1930s, federal law consisted primarily of provisions to provide land to farmers; credit or other financial support to food producers; and research to establish the original land grant institutions. Strikingly, these early pre-1930s provisions which created new farming communities and opportunities for homesteading settlers, represented a great loss by tribes of our communities, many citizens, our foods, and our traditional homelands through hundreds of treaties between the early United States and Tribal Nations." *Source*: Janie Simms Hipp and Colby D. Duren, *Regaining Our Future: An Assessment of Risks and Opportunities for Native Communities in the 2018 Farm Bill*, Indigenous Food and Agriculture Initiative, Prior Lake, Minnesota: Shakopee Mdewakanton Sioux Community, 2017, <https://indigenousfoodandag.com/resources/native-farm-bill-coalition/>.

<sup>18</sup> Read more on the history of Black land loss and discrimination in: Abril Castro and Zoe Willingham, "Progressive Governance Can Turn the Tide for Black Farmers," Center for American Progress,



## The effects of farm policy have left our country vulnerable.

Land, water, other natural resources, and labor have been consistently devalued throughout U.S. agricultural policy history, creating an unjust food system in which much of the work farmers do to enrich the land goes uncompensated.<sup>39,40</sup> Following the Great Depression and Dust Bowl, Congress passed New Deal-era farm policies aimed at supporting farmers by raising the value of crops and reducing surplus. Lawmakers soon replaced these policies with legislation that shifted support away from farmers and towards corporate interests; including setting price standards that were subsequently lowered, and implementing a direct subsidy system that encouraged farmers to sell crops at prices set by corporate buyers.<sup>41</sup> These policies led to a precipitous decrease in the overall number of farms in the U.S. and especially impacted farmers of color. The number of farms operated by Black farmers, who were excluded from numerous New Deal programs, decreased 98 percent between 1920 and 1997.<sup>42</sup>

The average age of U.S. farmers is approaching 60 years, and is increasing with every Census.<sup>43</sup> We are faced with the imminent transition of millions of acres of agricultural land.<sup>44,45,46</sup> While this could represent an incredible opportunity for young producers to enter the field, the legacy of land use laws and farm policy has created daunting barriers to entry for young farmers and put this acreage at risk of leaving farming forever.

## Finding secure access to land is an insurmountable challenge for many of the young farmers & ranchers who we depend on to feed us.

The number of young producers is on the rise, but access to land stands in their way.<sup>47</sup>

## Land & the Climate Crisis

Land, agriculture, and the climate crisis are closely intertwined. Land that is properly stewarded plays a critical role in climate change mitigation and resilience, yet accelerating trends of farmland loss and development are occurring disproportionately on soils rated highest for productivity, versatility, and resiliency.<sup>3</sup> The impacts of climate change are also degrading the soil on remaining, more marginal lands through processes of erosion, salinization, desertification, and disruption of water cycles. As climate change accelerates, shifts in growing regions, forced migration away from the coasts, and Dust Bowl-era conditions in parts of the country will put intense pressure on remaining arable land.<sup>4</sup>

April 2019, [www.americanprogress.org/issues/economy/reports/2019/04/03/467892/progressive-governance-can-turn-tide-black-farmers/](http://www.americanprogress.org/issues/economy/reports/2019/04/03/467892/progressive-governance-can-turn-tide-black-farmers/).

**19** USDA National Agricultural Statistics Service (NASS), 2017 Census of Agriculture, "Table 63: Selected Producer Characteristics by Race," 2019, complete data available at [www.nass.usda.gov/AgCensus](http://www.nass.usda.gov/AgCensus).

**20** Megan Horst and Amy Marion, "Racial, ethnic and gender inequities in farmland ownership and farming in the U.S.," *Agriculture and Human Values*, 36 (1):1-16, 2019.

**21** According to a USDA study, between 1990 and 1995, loans received by Black farmers were 25% less on average than those received by white farmers. The study also found that 97% of disaster payments went to white farmers compared to only 1% to Black farmers. **Source:** Laura Ackerman, PhD, Don Bustos, and Mark Muller, "#4. Disadvantaged Farmers: addressing inequalities in federal programs for farmers of color," Institute for Agriculture and Trade

Policy, March 29, 2012, [www.iatp.org/documents/whats-stake-2012-farm-bill](http://www.iatp.org/documents/whats-stake-2012-farm-bill).

**22** More recently, studies found that 99% of Market Facilitation Funds released by the Trump Administration as a farm "bailout" measure went to white operators, the majority of which were upper class. Of the \$8 billion in funds that went to farms where the operator's race could be identified, 99.4% went to non-Hispanic white operators. Of the \$6.8 billion in funds that could be tracked by gender, 91% went to males. **Source:** Nathan Rosenberg and Bryce Wilson Stucki, "USDA gave almost 100 percent of Trump's trade war bailout to white farmers," *The Counter*, July 29, 2019, [www.thecounter.org/usda-trump-trade-war-bailout-white-farmers-race](http://www.thecounter.org/usda-trump-trade-war-bailout-white-farmers-race).

**23** From Leah Penniman in a 2019 interview, "According to the Pew Research Center, 80 percent of wealth is inherited. Just in my lifetime the white-black wealth ratio in this country has increased from 8:1 to more than 13:1." **Source:** Tracy Frisch, "To Free Ourselves, We Must Feed Ourselves: Leah Penniman

On Bringing People Of Color Back To The Land," *The Sun*, July 2019, [www.thesunmagazine.org/issues/523/to-free-ourselves-we-must-feed-ourselves](http://www.thesunmagazine.org/issues/523/to-free-ourselves-we-must-feed-ourselves).

**24** Over the course of the 20th century, the number of U.S. farms fell by more than 60 percent while average farm size increased by 67 percent. **Source:** Freedgood, *et al.*, *Farms Under Threat: The State of the States*, American Farmland Trust, 2020.

**25** According to *The Land Report* magazine, the amount of land owned by the 100 largest private landowners grew from 28 million to 40 million acres between 2008 and 2018. **Source:** Dave Merrill and Lauren Leatherby, "Here's How America Uses Its Land," *Bloomberg*, July 31, 2018, [www.bloomberg.com/graphics/2018-us-land-use](http://www.bloomberg.com/graphics/2018-us-land-use).

**26** USDA National Agricultural Statistics Service (NASS) and Economic Research Service (ERS), "Farmland Ownership and Tenure: Results from the 2014 Tenure, Ownership, and Transition of Agricultural Land Survey," AC 12-27, September 2015, [www.nass.usda.gov/Publications/Highlights/2015/](http://www.nass.usda.gov/Publications/Highlights/2015/)

## Regardless of geography, or whether or not they grew up on a farm, finding secure access to high-quality land is the greatest barrier faced by farmers and aspiring farmers, and the number one reason farmers are leaving agriculture.<sup>48</sup>

Context plays a key role in the land access challenge. While a farmer may be able to locate land on which to farm, it can mean little without access to long-term land and housing security, affordable financing, market opportunities, public farm programs, and a viable climate.

Farmland changes hands in many cases without ever coming on the market, shutting out farmers who do not have deep community connections to landowners or a family history in agriculture. With 75 percent of young farmers not from farm families, and many talented growers working as farm workers or coming to this country as immigrants, we all stand to lose if we do not find ways to transition this land more equitably into the hands of those not connected to current landowners.

The challenges of accessing land are aggravated by the many other barriers to launching and growing a farm business. Our 2017 National Young Farmer Survey showed that student debt is compromising farmers' ability to capitalize their businesses; fairly compensating

### Farmers are on the front-lines of the impacts of the climate crisis.

At the same time, they are taking critical action to mitigate its effects by providing local food and fiber, stewarding biodiversity, sequestering carbon, and reducing carbon emissions.<sup>56</sup> Centering Indigenous knowledge and practices, such as perennial crops, conservation tillage, fire management, rotational grazing, and cover cropping, that have protected soil and water resources for centuries will be key to addressing the current crisis.<sup>7</sup> Providing growers with the land security they need to implement these practices is our best hope for unlocking the powerful climate-fighting potential of U.S. farmland.

TOTAL\_Highlights.pdf.

**27** A 2018 USDA report found that farm real estate is a substantial share of total household wealth and is the most important source of equity used to secure loans. During periods of land appreciation, farmers who owned a greater share of their farmland—who tended to be older, more experienced farmers—gained more wealth and land than similar farmers who rented more of their land. Renters, unlike landowners, do not enjoy wealth gains from land price appreciation. Instead, rents usually rise along with land values, raising operating costs. The authors also found that, “the gradual transfer of land between generations...may slow during periods of rapid appreciation. **Source:** Christopher Burns, Nigel Key, Sarah Tulman, Allison Borchers, and Jeremy Weber, *Farmland Values, Land Ownership, and Returns to Farmland, 2000-2016*, USDA ERS, Economic Research Report Number 245, February 2018.

**28** Total U.S. farm real estate debt (debt secured by

farmland and buildings) was estimated to be \$226 billion in 2016, representing more than 60 percent of total farm debt. **Source:** *ibid.*

**29** Leah Douglas, “African Americans Have Lost Untold Acres of Land Over the Last Century,” *The Nation*, January 26, 2017, [www.thenation.com/archive/african-americans-have-lost-acres/](http://www.thenation.com/archive/african-americans-have-lost-acres/).

**30** In a 2020 AFT report, the authors remark, “Surprisingly, we find that low-density residential land use is as much of a threat to farmland and ranchland as traditional urban and suburban development.” **Source:** Freedgood, et al., *Farms Under Threat*, 2020.

**31** Between the 2012 and 2017 Census of Agriculture reports alone, 67,000 farms ceased operation and over 14 million acres of land went out of farming. **Source:** USDA NASS, 2017 Census of Agriculture, “Table 1. Historical Highlights: 2017 and Earlier Census Years,” 2019.

**32** Dan Nosowitz, “10 Numbers that Show How

Much Farmland We’re Losing to Development,” *Modern Farmer*, May 22, 2018, [www.modernfarmer.com/2018/05/10-numbers-that-show-how-much-farmland-were-losing-to-development](http://www.modernfarmer.com/2018/05/10-numbers-that-show-how-much-farmland-were-losing-to-development).

**33** According to a 2017 survey by the National Young Farmers Coalition, young farmers are primarily selling their products direct-to-consumer, with 53% selling through either CSA, farmers market, restaurant, or a farm stand, all of which require close proximity to population centers. **Source:** Sophie Ackoff, et al., *Building a Future with Farmers II*, National Young Farmers Coalition, November 2017, [www.youngfarmers.org/wp-content/uploads/2017/11/NYFC-Report-2017.pdf](http://www.youngfarmers.org/wp-content/uploads/2017/11/NYFC-Report-2017.pdf).

**34** Over the past three centuries, half of organic matter has been lost from U.S. soil. **Source:** Jenny Hopkinson, “Can American soil be brought back to life? A new idea: If we revive the tiny creatures that make dirt healthy, we can bring back the great American topsoil. But farming culture—and government—aren’t making it easy,” *The Agenda*,



labor and support staff is difficult; and health insurance is unaffordable for many young farmers. Black, Indigenous, and other farmers of color face additional obstacles, including discrimination, language barriers, and threats to personal safety.<sup>49 50</sup> Women and lesbian, gay, bisexual, transgender, and queer (LGBTQ+) farmers also encounter bias in agriculture that can make farmland access more challenging.<sup>51 52</sup>

Farmers in arid parts of the Western U.S. must navigate complex management structures to secure necessary water resources. In urban areas, farmers grapple with high land values, insecure tenure, lack of water access, legal challenges, and zoning barriers on top of contending with contaminated soil.<sup>53 54</sup> For the majority of farm workers—those who are employed on farms, typically as migrant or seasonal labor—farm ownership is out of reach despite their deep agricultural expertise and the fact that they are responsible for the bulk of food lining grocery store shelves.<sup>55</sup>

### Young farmers of color face additional, unique barriers.

Black, Indigenous, and other farmers of color experience many of the barriers young farmers face in accessing land more acutely as these challenges intersect with structural racism and discrimination. For example, while student debt is a challenge for many young farmers, students of color often have no choice other than to borrow, and are more likely to take out larger loans, struggle with repayment, and default on their student loans than their peers.<sup>57</sup> The inherited wealth gap between white and BIPOC individuals is particularly challenging in agriculture, which is a capital intensive career dependent on access to land. These challenges are built on a long history of structural socio-economic inequity that has included centuries of violent intimidation,



### Interconnected Challenges of Land Access:

- land availability
- financing
- proximity to markets
- access to water
- climate crisis impacts
- structural racism and discrimination
- infrastructure and housing
- soil quality
- zoning restrictions
- lease insecurity
- negotiating farm transition
- student loan debt
- balancing land access costs with other expenses, such as health insurance, childcare, and labor

Politico, September 13, 2017, [www.politico.com/agenda/story/2017/09/13/soil-health-agriculture-trend-usda-000513/](http://www.politico.com/agenda/story/2017/09/13/soil-health-agriculture-trend-usda-000513/).

**35** A fifth of farmland in the U.S. is cropland (391.5 million acres), but just over 4% is devoted to growing food people eat (77.3 million acres). **Source:** Merrill and Leatherby, "Here's How America Uses Its Land," 2018.

**36** USDA NASS and ERS, "Farmland Ownership and Tenure," 2015.

**37** "Young Farmers Climate Statement: Young Farmers Call for Climate Action," National Young Farmers Coalition, September 2019, [www.youngfarmers.org/2019/09/climatestatement](http://www.youngfarmers.org/2019/09/climatestatement).

**38** Drought is the leading cause of production risk and crop insurance indemnity payments in the United States. **Source:** Daniel Hellerstein, Dennis Vilorio, and Marc Ribaud (editors), "Agricultural Resources and Environmental Indicators, 2019," Economic Information Bulletin Number 208, USDA

ERS, May 2019.

**39** Policy has played an explicit role in this devaluation, particularly over the last half century with the dismantling of New Deal parity programs. Parity programs were designed to keep prices at higher levels farmers experienced early in the 20th century, but even these policies marked a shift from support for production of agricultural products to support for prices, which favored corporate interest over farmers. **Source:** Maywa Montenegro, Annie Shattuck, and Joshua Sbicca, "US Agriculture Needs a 21st-Century New Deal," *The Conversation*, July 3, 2019, <https://theconversation.com/us-agriculture-needs-a-21st-century-new-deal-112757>.

**40** Hossein Ayazi and Elsadig Elsheikh, *The Farm Bill: US Corporate Power and Structural Racialization in the United States Food System*, University of Berkeley Haas Institute, October 2015, <https://belonging.berkeley.edu/global-justice/glocal-food-systems/farm-bill-report-corporate-power-and-structural-racialization-us-food-system>.

**41** The money for production subsidies under the 1933 Farm Bill was originally generated through an exclusive tax on corporations that processed farm products. Following a Supreme Court case challenge, however, the 1938 farm bill stipulated that the federal government would instead finance the subsidies. **Source:** *ibid*.

**42** The number of farms in the U.S. decreased from 7 million in 1935 to 1.9 million in 1997, with the greatest drop occurring from 1935 to 1974. Between 1920 and 1997, the number of farms operated by white farmers dropped 65.8% while Black-operated farms decreased by 98%. During the same time period, the number of Black farmers decreased from 926,000 to fewer than 20,000. Looking just at the period from 1930 to 1939, the number of Black farms decreased from 900,000 to 682,000, a rate of loss estimated at 2.5-5 times that of white-owned farm loss. **Source:** *ibid*.

**43** The average age of farm principal operators has steadily increased over the past four decades,

## Indigenous Land Dispossession

Prior to European settlement, Indigenous people stewarded all of the land in what would become the U.S. and engaged in robust agricultural and economic activity.

According to the 2017 USDA Census, Indigenous people now make up less than 2 percent of farmers and own less than 6 percent of farmland.<sup>11</sup> This land loss occurred disproportionately on high-quality land.<sup>12</sup>

The key legal concept underlying Indigenous land loss in the United States originates from two papal bulls issued by the Pope in 1455 and 1493 that sought to give European Christian explorers the right to claim land they discovered, erasing any property rights of Indigenous peoples.<sup>13</sup> Known as the Doctrine of Discovery, this concept formed the ideological underpinning of the Monroe Doctrine and Manifest Destiny, and was invoked by Thomas Jefferson during his time as Secretary of State.<sup>14</sup>

The picture of Indigenous land ownership in the U.S. today is the direct result of a long history of violence, court rulings, and Congressional action, including authorizing wars, passing laws, annexing territories, and breaking treaties. A robust accounting of this can be found in Roxanne Dunbar-Ortiz' work, *An Indigenous Peoples' History of the United States*.

disenfranchisement, and discrimination in lending, policy, and public farm programs.

For Indigenous people, the theft of land has been constant since European settlers came to this continent. This loss has been disproportionately concentrated on high-quality agricultural soils, and has taken place through violence, broken treaties, forced migration, and explicit government policy.<sup>58 59 60</sup> For African-American communities, lack of access to land ownership—including the counteraction of a policy proposal to provide land to freed slaves after Emancipation—led to legacies of sharecropping and tenant farming that prevented these farmers from building equity in property.<sup>61</sup> Despite this, many Black farmers succeeded in purchasing property, but discriminatory lending practices and ingrained racism at USDA offices caused significant land loss over the ensuing century.<sup>62</sup> Japanese-American farmers experienced land loss as a result of discriminatory policies and forced internment during WWII.<sup>63</sup> <sup>64</sup> Latinx individuals were brought to the fields of the U.S. through the Bracero program and have formed the backbone of agricultural production ever since, yet land ownership has been out of reach for the majority of these farmers.<sup>65</sup> Many other communities of farmers have faced similar discrimination, causing land loss or preventing their ability to gain secure access to land at all.

## Alongside dispossession and discrimination, however, is a long history of resistance and innovation from these communities.

starting at 50.3 years in the 1978 Census of Agriculture, to 53.3 years in 1992, 57.1 years in 2007, 58.3 years in 2012, and 59.4 years in 2017. **Source:** Chuck Abbott, "On average, U.S. farmers are aging, but a quarter of them are newcomers," *Ag Insider*, FERN, April 11, 2019, [www.thefern.org/ag\\_insider/on-average-u-s-farmers-are-aging-but-a-quarter-of-them-are-newcomers](http://www.thefern.org/ag_insider/on-average-u-s-farmers-are-aging-but-a-quarter-of-them-are-newcomers).

<sup>44</sup> The 2012 Census of Agriculture showed that farmers over the age of 65 who were the primary decision makers on the farm operated over 218 million acres, or 24 percent of all agricultural land. **Source:** USDA NASS, 2012 Census of Agriculture, "Table 69: Summary by Age and Primary Occupation of Principal Operator," 2014, [www.nass.usda.gov/Publications/AgCensus/2012/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_US/st99\\_1\\_069\\_069.pdf](http://www.nass.usda.gov/Publications/AgCensus/2012/Full_Report/Volume_1,_Chapter_1_US/st99_1_069_069.pdf).

<sup>45</sup> In 2014, the USDA Tenure, Ownership, and Transition of Agricultural Land (TOTAL) survey reported 91.5 million acres were expected to change

ownership by 2019. **Source:** USDA NASS and ERS, "Farmland Ownership and Tenure," 2015.

<sup>46</sup> According to AFT's 2020 Farms Under Threat report, "Including nonoperator landlords, seniors aged 65 and older own more than 40 percent of the agricultural land in the United States. This suggests an impending transfer of more than 370 million acres of farmland." **Source:** Freedgood, et al., *Farms Under Threat*, 2020.

<sup>47</sup> USDA NASS, 2017 Census of Agriculture, "Table 52. Selected Producer Characteristics: 2017 and 2012," 2019.

<sup>48</sup> Sophie Ackoff, et al., *Building a Future with Farmers II*, 2017.

<sup>49</sup> Meleiza Figueroa and Leah Penniman, *Land Access for Beginning and Disadvantaged Farmers*, Data for Progress, March 2020, [https://filesforprogress.org/memos/land\\_access\\_for\\_beginning\\_disadvantaged\\_farmers.pdf](https://filesforprogress.org/memos/land_access_for_beginning_disadvantaged_farmers.pdf).



Examples include cooperative ownership, community land trusts, community supported agriculture, microfinance, and numerous other tactics. These contributions to agriculture must be recognized and are essential to informing how we relate to land.<sup>66</sup>

### **Young farmers simply cannot compete.**

Farmland is a highly desirable asset for more than just agriculture. As developers, investors, technology companies, and individuals looking for a rural residence all compete with farmers for acreage, the cost of land is steadily becoming disconnected from its value for agricultural production.<sup>67 68 69 70</sup> This trend is strongest around urban areas, precisely where the most profitable market opportunities exist for new farmers, the majority of whom are growing high-value crops for human consumption and selling directly to consumers.<sup>71 72</sup>

As a result, nearly a third of young farmers rely solely on rented land to run their businesses.<sup>73</sup> While the flexibility of leasing can be a good risk management strategy as farmers are getting started or growing their businesses, and taking on the long-term debt of a mortgage may be risky or out of reach, leasing is rarely viable as a farmer's sole long-term form of land access. These often-precarious arrangements mean that farmers do not have the long-term security to make investments, build lasting marketing channels, or plan for their personal futures. Additionally, short-term leases or handshake deals can limit farmers' access to federal farm programs and disaster aid, which often require a lease lasting the length of program agreements.

Similar challenges exist for farmers contending with heirs' property issues or fractionated land, in which divided ownership of the land among multiple individuals makes it difficult for a farmer to prove they

**“Farmworkers are really just landless farmers... they bring a wealth of knowledge and experience we need to build upon. What they don't have is access. We have a system that keeps them exploited, and racially intimidated.”<sup>56</sup>**

### **Jeannie Economos**

Farmworker Association of Florida

<sup>50</sup> Mai Nguyen and Martin Lemos, California Young Farmers Report, National Young Farmers Coalition, 2019, [www.youngfarmers.org/wp-content/uploads/2019/10/California\\_Report\\_10.21.19\\_LoRes.pdf](http://www.youngfarmers.org/wp-content/uploads/2019/10/California_Report_10.21.19_LoRes.pdf).

<sup>51</sup> As the authors of a 2019 report point out, “LGBT people in rural areas are uniquely affected by the structural challenges and other aspects of rural life, which amplify the impacts of both rejection and acceptance. What's more, the social and political landscape of rural areas makes LGBT people more vulnerable to discrimination.” **Source:** Where We Call Home: LGBT People in Rural America, Movement Advancement Project in partnership with Equality Federation Institute, National Black Justice Coalition, and National Center for Lesbian Rights, April 2019, [www.lgbtmap.org/file/lgbt-rural-report.pdf](http://www.lgbtmap.org/file/lgbt-rural-report.pdf).

<sup>52</sup> Elizabeth Millard, “Farming is tough. Being LGBT can make it even tougher,” Daily Kos, January 3, 2020, [www.dailykos.com/stories/2020/1/3/1909012/](http://www.dailykos.com/stories/2020/1/3/1909012/)-

Farming-Is-Tough-Being-LGBT-Can-Make-It-Even-Tougher.

<sup>53</sup> Jack Thacker, Eric Debold, and Gabriella Rodriguez, Promoting Urban Agriculture Through Policy: A Resource Guide for the Advocates for Urban Agriculture of Chicago, Illinois, December 2018, Loyola University Chicago, Institute of Environmental Sustainability.

<sup>54</sup> Nevin Cohen and Kristin Reynolds, “Resource needs for a socially just and sustainable urban agriculture system: Lessons from New York City,” The New School, New York, NY, USA, Renewable Agriculture and Food Systems: Page 1 of 12 doi:10.1017/S1742170514000210, May 2014, [www.cambridge.org/core/journals/renewable-agriculture-and-food-systems/article/resource-needs-for-a-socially-just-and-sustainable-urban-agriculture-system-lessons-from-new-york-city/6BCCECDAA03A090090B6BFF8917BE7D14](http://www.cambridge.org/core/journals/renewable-agriculture-and-food-systems/article/resource-needs-for-a-socially-just-and-sustainable-urban-agriculture-system-lessons-from-new-york-city/6BCCECDAA03A090090B6BFF8917BE7D14).

<sup>55</sup> The most recent national data about farm workers, collected between 2015 and 2016, illustrates

the numerous challenges these individuals face, including language and cultural barriers, crowded living conditions, low wages, inadequate health care, and job insecurity. **Source:** National Agricultural Worker Survey, 2018, [https://wdr.doleta.gov/research/FullText\\_Documents/ETAOP\\_2019-01\\_NAWS\\_Research\\_Report\\_13.pdf](https://wdr.doleta.gov/research/FullText_Documents/ETAOP_2019-01_NAWS_Research_Report_13.pdf)

<sup>56</sup> “The Roots of Injustice in our Agricultural System” webinar, minute 23:00, hosted by Funders for a Just Economy, January 29 2020, [www.nfg.org/events/roots-of-injustice-our-agricultural-system](http://www.nfg.org/events/roots-of-injustice-our-agricultural-system).

<sup>57</sup> The Education Trust, “Black Student Debt: Explaining the Crisis and Providing Solutions,” accessed June 2020, <https://edtrust.org/black-student-debt/>.

<sup>58</sup> Between 1776 and 1887, the United States seized over 1.5 billion acres from America's Indigenous people by treaty and executive order. **Source:** The Invasion of America, a project of eHistory.org, <http://usg.maps.arcgis.com/apps/webappviewer/index.html?id=eb6ca76e008543a89349ff2517db47e6>.

have decision-making authority and can lead to land loss. Secure tenure is critical to a farmer's ability to stay in the field long-term. A coordinated, holistic policy approach will be required to meet this challenge and facilitate a just transfer of land.

## Heirs' Property

Heirs' property results when land is passed between generations without clear title, often due to the absence of a formal will. Without a will, the state becomes responsible for determining ownership at the point of transfer, resulting in land owned "in common" by all heirs. This can prevent farmers from accessing financial assistance, complicate land management, and lead to challenges selling or leasing land. In addition, a single landowner can force a sale of the property. Land loss as a result of heirs' property disproportionately affects African-American communities, but also impacts rural Appalachian and Hispanic farming communities, among others. Similar challenges of divided ownership, called fractionated land, exist in Indigenous communities, but are the result of different legal, political, and social legacies.<sup>74</sup>

**59** Ralph Heimlich, *Agricultural Resources and Environmental Indicators*, 2003, "Chapter 1.3: Land Ownership and Farm Structure," USDA ERS, *Agricultural Handbook No. (AH-722)*, [www.ers.usda.gov/publications/pub-details/?pubid=41965](http://www.ers.usda.gov/publications/pub-details/?pubid=41965).

**60** Leonard, et al., "Land Quality, Land Rights, and Indigenous Poverty," 2019.

**61** Sarah McCammon, "The Story Behind 40 Acres and a Mule," *National Public Radio (NPR)*, January 12, 2015, [www.npr.org/sections/codeswitch/2015/01/12/376781165/the-story-behind-40-acres-and-a-mule](http://www.npr.org/sections/codeswitch/2015/01/12/376781165/the-story-behind-40-acres-and-a-mule).

**62** Vann R. Newkirk III, "The Great Land Robbery: The shameful story of how 1 million black families have been ripped from their farms," *The Atlantic*, September 2019, [www.theatlantic.com/magazine/archive/2019/09/this-land-was-our-land/594742/](http://www.theatlantic.com/magazine/archive/2019/09/this-land-was-our-land/594742/).

**63** Masao Suzuki, "Important or Impotent? Taking Another Look at the 1920 California Alien Land Law," *The Journal of Economic History*, vol. 64, no. 1, 2004,

pp. 125–143. JSTOR, [www.jstor.org/stable/3874944](http://www.jstor.org/stable/3874944).

**64** The authors of a 1982 report from the Commission on Wartime Relocation and Internment of Civilians estimated that "as a result of the exclusion and detention, in 1945 dollars the ethnic Japanese lost between \$108 and \$164 million in income and between \$41 and \$206 million in property for which no compensation was made after the war under the terms of the Japanese-American Evacuation Claims Act." **Source:** US Congress, *Personal Justice Denied, Report of the Commission on Wartime Relocation and Internment of Civilians, December 1982*, [www.archives.gov/research/japanese-americans/justice-denied](http://www.archives.gov/research/japanese-americans/justice-denied).

**65** Young Farmers Podcast, Episode 34, "Braceros: The Controversial History of US-Mexico Farm Worker Programs with Dr. Matthew Garcia," March 21, 2019, [www.youngfarmers.org/2019/03/braceros-the-controversial-history-of-us-mexico-farm-worker-programs-with-dr-matthew-garcia/](http://www.youngfarmers.org/2019/03/braceros-the-controversial-history-of-us-mexico-farm-worker-programs-with-dr-matthew-garcia/).

**66** Read more about this history in Leah Penniman's

2018 book, *Farming While Black: Soul Fire Farm's Practical Guide to Liberation on the Land*, from Chelsea Green Publishing.

**67** In 2016, the ratio of real estate value to production value was the lowest it has ever been with one dollar's worth of farm real estate generating just \$0.16 in production. **Source:** Brent Gloy, "Farm Real Estate Pricey Compared to Income?" *Agricultural Economic Insights*, September 11, 2017, [www.ageconomists.com/2017/09/11/farm-real-estate-pricey-compared-income/](http://www.ageconomists.com/2017/09/11/farm-real-estate-pricey-compared-income/).

**68** This trend is particularly strong in the Northeast, where high farmland values are mainly due to non-agricultural influences (such as the expansion of urban and suburban land use) that bid up the value of farmland. **Source:** Daniel Hellerstein, Dennis Vilorio, and Marc Ribaud (editors), *Agricultural Resources and Environmental Indicators*, EIB-208, U.S. Department of Agriculture, Economic Research Service, May 2019.

**69** George Avalos, "Tech giant Amazon buys big





## A Path Forward

Public policy—and in some cases the absence of policy—has created and upheld the inequities in our food system and must be a part of the bold, systemic change required to tackle these challenges. By not acting, we uphold the status quo. We must look critically at the way that land is valued as a commodity and ask how policy can be used to reframe land as both a public resource and an entity whose own good we value.

Tackling the complexity of the land access challenge will require working in unprecedented collaboration. Land access is a complex, multidimensional issue that cannot be solved with a single policy. Gains for some communities at the expense of others will ultimately be self-defeating without an approach designed to create equitable access to resources. We must address the foundational disparities in our food system that are tied to the ongoing commodification of land and devaluation of labor; dispossession of land from Indigenous farmers and farmers of color; and discrimination in lending, real estate, and the legal system.

The challenge we often describe as land access is also about climate viability, business profitability, marketing, training, credit, and power. It is not just a challenge of the incoming generation, but one that

**“The theft of land and its underlying water, oil, and mineral resources, is a crime against humanity. On the surface, it’s the land that is up for grabs, but what is truly at stake is the dignity of those that live on the land and the destiny of those generations that come after.”**

**LaDonna Redmond**, from *Land Justice: Re-imagining Land, Food, and the Commons in the United States*

impacts retiring farmers as well. Policy change aimed at land access should address the climate crisis, support farm transition, and provide training to young farmers and ranchers on the ways they can access credit, find land, strengthen their businesses, and navigate regulations within the existing system.

**We need policy change that:**

- *eliminates inequities in land ownership and access;*
- *protects farmland for producers;*
- *facilitates appropriate, affordable, and secure land tenure; and*
- *supports farm viability and transition.*

There is no time to wait. To build a future with farmers, we must rethink our relationship with land and commit to policy action.

Policy can either oppress or liberate, and it has daily implications on our farms and food system. As an advocacy organization, we believe it is our work to move policy in the direction of liberation. We also note that policy alone cannot address inequity in our society. Meaningful change requires a reinforcing culture of anti-racist beliefs and actions that begins at the individual level, influences our interpersonal relationships, and in turn shapes our institutions and the structure of our society. We acknowledge and uplift the work that farmers, and BIPOC farmers in particular, are doing to address inequity and land access challenges through organizing in their communities. We urge policy makers to reflect the values and examples embedded in that work.

**“A market economy will neither provide food for the hungry of current generations nor preserve enough farmland to provide food for generations of the future. Any society that allows markets to determine how much and what kind of land is used for food is not sustainable. This could be the defining challenge of the 21st century.”**

**John Ikerd**

“Running out of land for food.”  
Journal of Agriculture, Food Systems, and Community Development.

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chunks of Gilroy farmland: Amazon data services unit grabs sites near Gilroy outlets,” Mercury News, August 19, 2020, [www.mercurynews.com/2020/08/18/amazon-unit-buys-big-chunks-gilroy-farmland-real-estate/](http://www.mercurynews.com/2020/08/18/amazon-unit-buys-big-chunks-gilroy-farmland-real-estate/).

**70** A fourth quarter 2019 report from Nuveen, a TIAA company, points to the increasing disconnect between farmers and land ownership, framing farmland investment as helping facilitate the already-underway trend of farming operations separating from their “capital base.” While the authors of the report explain that farmers see owning capital assets as “increasingly less essential,” they acknowledge one of the reasons is that the capital assets required to operate a farm “can be considerable.” Source: Nuveen: Westchester, “Institutional farmland ownership: facilitating the separation of farming operations from its capital base,” Fourth Quarter 2019, [www.nuveen.com/en-us/institutional/thinking/alternatives/institutional-farmland-ownership-facilitating-the-separation-of-farming-operations](http://www.nuveen.com/en-us/institutional/thinking/alternatives/institutional-farmland-ownership-facilitating-the-separation-of-farming-operations).

**71** Sophie Ackoff, et al., Building a Future with Farmers II, 2017.

**72** A 2012 USDA report notes that, “The demand for land that can be developed for urban use is the most significant nonfarm factor affecting farmland values in areas that are more urbanized or are experiencing faster population growth...even a limited number of conversions of farmland to urban uses can lead to generally higher farmland values in areas influenced by urban demand for land.” Source: Cynthia Nickerson, Mitchell Morehart, Todd Kuethe, Jayson Beckman, Jennifer Ifft, and Ryan Williams, “Trends in U.S. Farmland Values and Ownership,” USDA ERS, Economic Information Bulletin Number 92, February 2012.

**73** Sophie Ackoff, et al., Building a Future with Farmers II

**74** “What is Heirs’ Property?” Heirs’ Property Retention Coalition, website, accessed April 2020, [www.hprc.southerncoalition.org/?q=node/5](http://www.hprc.southerncoalition.org/?q=node/5).

**75** Pottern and Barley, Farms Under Threat: A New England Perspective, 2020.

**76** Karin Vosgueritchian, “After the California Farmer Equity Act: Building an Equitable Agricultural Economy,” UC Berkeley’s Goldman School of Public Policy, Spring 2019.

**77** Agrarian Trust, “Principles,” website, accessed March 2020, [www.agrariantrust.org/principles/](http://www.agrariantrust.org/principles/).

**78** Recommendation from Kathryn Ruhf, Robert Parsons, et al., “Research Report and Recommendations from The FarmLASTs Project,” April 2010, [www.uvm.edu/farmlasts/FarmLASTsResearchReport.pdf](http://www.uvm.edu/farmlasts/FarmLASTsResearchReport.pdf); and Pottern and Barley, Farms Under Threat: A New England Perspective, 2020.

**79** “Greener Fields: California Communities Combating Climate Change,” American Farmland Trust, 2018.

**80** “5 ways indigenous peoples are helping the world achieve #ZeroHunger: Indigenous peoples and their



PHOTO: STELLA KALININA



**Reyna Banteah**  
Ts'uyya Farm

## Guiding Principles

The complexity of the land challenge can make it difficult to know where to start. We offer the following principles to help guide policy design and implementation.

**1. Acknowledge the role that policy has played in creating and perpetuating inequities in our current food system.**

Land is at the root of much of the inequity in our food system. Use policy to make investments in Black, Indigenous, and other communities of color by returning wealth and power through land and financial resources.

**2. Support and practice land repatriation for Indigenous communities.**

Indigenous communities should be supported in gaining greater land sovereignty, and their traditional land management practices should be recognized as powerful tools to enhance climate resiliency.<sup>75</sup>

Indigenous land relationship and stewardship may not involve the term or concept of farming; policies and programs should account for this and build in appropriate flexibility.

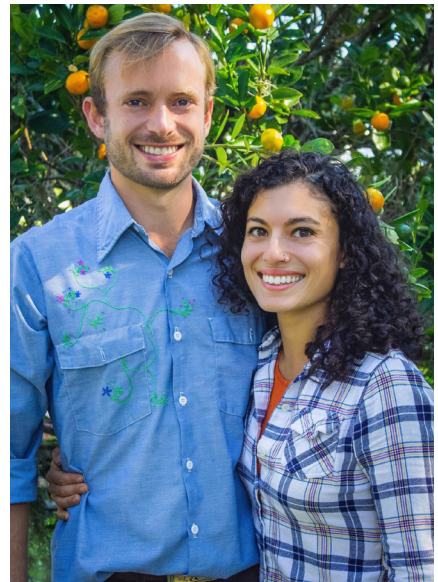


PHOTO: TYLEEN SNOWDEN

**Monica Ponce & Russell Honderd**  
Love is Love Cooperative Farm



PHOTO: MATTHEW WHALEN



**Melissa Law**  
Bumblroot Organic Farm

**3. Center farmers and farm workers in the policy making process.**

Policies should be farmer- and community-driven, and include processes of evaluation. Participatory design that prioritizes partnership and accountability is key. Look critically at who is benefiting, where wealth is accumulating, and to what extent farmers are engaged in the development, refinement, and governance of policy.

**4. Value farmland as the basis of food sovereignty, ecological health, and community well-being, rather than simply as a commodity to be sold to the highest bidder.**

Pursue policies that reimagine our relationship with land and keep it available to support vibrant local agricultural systems, including but not limited to food production. The success of land speculation can no longer be prioritized over the need to permanently protect working lands for current and future generations.<sup>76</sup>

**5. Equity for farmers.**

Where ownership is not an option, lease terms must allow the farmer to invest in infrastructure, soil health, and the long-term interests of the property. These investments can be translated into cash value, which the farmer can retain at the end of their lease term.

PHOTO COURTESY OF ASAUD FRAZIER



**Asaud Frazier**  
Ella Bea's Garden

**6. Protect farmland for producers.**

Public funding for farmland conservation has helped stem the tide of farmland loss from development, but we must protect the stewards of the land as well. Farmland protection should prioritize farmer ownership and be protected at its agricultural value, meaning what a producer can afford to pay. Easements should be flexible enough to allow farmers to respond to changing environmental and market conditions.

**7. Facilitate pathways to appropriate and secure land tenure that enable farmers to build equity.**

As farmers grapple with the challenges of accessing land, patterns of ownership and access may look different than they have in the past. Policies and programs should recognize farmers' need for land security while supporting models of cooperative land ownership or working into ownership over time, among other strategies. Farmers should also be supported in building equity in the land, either through ownership or compensation for investments in leased land.<sup>77</sup>

PHOTO: BETH PIELERT



**Joaquin Jimenez**  
Rancho San Benito

**8. Support existing land stewards in transitioning off the land.**

Retiring farmers face legal, financial, healthcare, and tax



PHOTO: PRESTON KERES, USDA



**Kate Edwards**  
Wild Woods Farm

considerations that impact their future and that of the land. Acknowledge the work of those who are the current stewards of the land and support them in their transition from it. This includes building local and regional cross-disciplinary professional succession planning teams; educating a wide array of community stakeholders; and providing incentives or cost-sharing for succession planning.<sup>78</sup>

**9. Support farm viability.**

Provide support to ensure land access opportunities set farmers up for success. This includes making capital available for business planning, farm infrastructure, housing, tools, equipment, market opportunities, living wage labor, and the ability to expand and diversify as conditions change, as well as support for conservation practices and soil remediation.

**10. Expand access to financing.**

The opportunity to access financing is foundational to accessing secure land. Make pathways to finance more widely accessible to those who have invested their time in building their farming skills rather than their net worth; expand alternative and community-based credit access; and ensure land security is not a barrier to accessing financing, and vice versa.

**11. Value the critical role that farmers and farmland play in responding to the climate crisis.**

Farmers are on the frontlines of the climate crisis, yet they are also contributing to climate resiliency by providing local food and fiber, stewarding biodiversity, sequestering carbon, and reducing carbon emissions.<sup>79</sup> Regenerative practices utilized today are rooted in Indigenous practices that have protected soil and water resources for centuries.<sup>80</sup> BIPOC farmers are leading the way in mitigating climate change and providing food security for the communities most impacted by the climate crisis.<sup>81</sup> Secure land access is the primary impediment to climate action for young farmers. Capital and labor that could be deployed to build climate resilience is instead sunk in land rents and acquisition costs, and instability of access prevents investments in climate change mitigation. Policy must value the contributions of farmers to building resilience in the face of the climate crisis and ensure farmers have the land security they need.<sup>82 83</sup>

**12. Invest in local food systems.**

Value farmland for its role in supporting healthy communities. Supporting small- and mid-sized farm businesses that employ people

PHOTO: ANE FITZGERALD



**Matthew Fitzgerald**  
Fitzgerald Organics

PHOTO COURTESY OF MO BROWNE



**Moretta Brown**  
Berkeley Basket CSA



**Becky Fullam**  
Old Ford Farm

**“To the communities of our Rural Coalition, land is our home. Land is the basis of our community. Land is sacred. Land is entrusted to our care. Land has to feed us. Land has to be shared. Land has to be cultivated by those who respect what land is. Land is fundamental. The government needs to invest in those who protect the land if we are going to have a future for agriculture and rural communities and a climate future for mother earth and our children’s children.”**

**Lorette Picciano**  
Executive Director,  
Rural Coalition

locally and spend dollars locally is key to weathering climate, public health, and economic shocks.<sup>84,85</sup> Invest in the related industries and infrastructure that are critical to the success of farmers once they access land, such as processing facilities and distribution.

### **13. Facilitate farming and access to land in urban areas.**

Urban agriculture is critically important, not only for food production but for community building, civic engagement, conservation, education, employment, and providing pathways to farming as well. Ensuring urban land remains available and accessible for farming will require policy change, investment in publicly-supported programs, increased technical and legal support, and zoning reform.

### **14. Tailor solutions and expand opportunity.**

The needs of farmers seeking land vary by background, primary language, gender, production style, and geography, among other factors. Ensure policies and programs reflect these differences. Efforts to expand access to land, capital, and technical assistance must include those who currently labor in the fields, and create pathways to ownership and co-ownership.<sup>86</sup>

### **15. Engage in collaborative efforts.**

To truly transform the food system, we need dialogue across sectors and communities. Bring together those engaged in health, environment, agriculture, labor, and racial justice work to build solutions that address the complexity and interconnectedness of challenges related to land.<sup>87</sup>

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food systems can provide answers to food insecurity and climate change,” Food and Agriculture Organization, 2019.

<sup>81</sup> Leah Penniman, “Black Farmers Are Embracing Climate-Resilient Farming,” Civil Eats, January 20, 2020, [www.civileats.com/2020/01/20/black-farmers-are-embracing-climate-resilient-farming/](http://www.civileats.com/2020/01/20/black-farmers-are-embracing-climate-resilient-farming/).

<sup>82</sup> “From Banks and Tanks To Cooperation and Caring: A Strategic Framework for a Just Transition,” Just Transition, [www.movementgeneration.org/wp-content/uploads/2016/11/JT\\_booklet\\_English\\_SPREADs\\_web.pdf](http://www.movementgeneration.org/wp-content/uploads/2016/11/JT_booklet_English_SPREADs_web.pdf).

<sup>83</sup> “Food Sovereignty,” La Via Campesina, website, accessed March 2020, [www.viacampesina.org/en/food-sovereignty/](http://www.viacampesina.org/en/food-sovereignty/).

<sup>84</sup> Lela Nargi, “Community Food Co-Ops Are Thriving During the Pandemic,” May 15, 2020, [www.civileats.com/2020/05/15/community-food-co-ops-are-thriving-during-the-pandemic/](http://www.civileats.com/2020/05/15/community-food-co-ops-are-thriving-during-the-pandemic/).

<sup>85</sup> Lisa Held, “As COVID-19 Disrupts the Industrial

Meat System, Independent Processors Have a Moment to Shine,” May 19, 2020, [www.civileats.com/2020/05/19/as-covid-19-disrupts-the-industrial-meat-system-independent-processors-have-a-moment-to-shine/](http://www.civileats.com/2020/05/19/as-covid-19-disrupts-the-industrial-meat-system-independent-processors-have-a-moment-to-shine/).

<sup>86</sup> Agrarian Trust, “Principles.”

<sup>87</sup> See the work of HEAL Food Alliance, [www.healfoodalliance.org/](http://www.healfoodalliance.org/).





## Key Actions

The following is a list of important, actionable steps that should be implemented now. These policy proposals come from the National Young Farmers Coalition, as well as the work of other advocates and organizations acknowledged in the footnotes. We hope this list will serve as a catalyst for action by farmers, policy advocates, elected officials, farm service providers, and all those who are engaged in the work of facilitating land justice, access, and transition.

### Federal Policy Recommendations

- ✓ Create a national farmland access and transition initiative funded through both public appropriations and private dollars to support land transition to the next generation with prioritization for projects that resource BIPOC farmers.<sup>88 89 90 91 92 93</sup>
- ✓ Enact H.R. 40, the Commission to Study and Develop Reparation Proposals for African-Americans Act.<sup>94</sup> This Act would create a commission tasked with submitting a report to Congress containing recommendations for reparations for the institution of slavery, its subsequent racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans.<sup>95</sup>

**88** Meleiza Figueroa and Leah Penniman, "Land Access for Beginning and Disadvantaged Farmers," Data for Progress, March 2020, "Establish federal & state land banks of properties to make available below market rate to new farmers and BIPOC-led farmer cooperatives under special sustainable agriculture covenants." [https://filesforprogress.org/memos/land\\_access\\_for\\_beginning\\_disadvantaged\\_farmers.pdf](https://filesforprogress.org/memos/land_access_for_beginning_disadvantaged_farmers.pdf).

**89** "Progressive Governance Can Turn the Tide for Black Farmers," Abril Castro and Zoe Willingham, April 2019, Center for American Progress, [www.americanprogress.org/issues/economy/reports/2019/04/03/467892/progressive-governance-can-turn-tide-black-farmers/](http://www.americanprogress.org/issues/economy/reports/2019/04/03/467892/progressive-governance-can-turn-tide-black-farmers/). "Congress should create a progressive land trust that buys land from farmers looking to retire and set it aside for beginning farmers of color, who could purchase the land at a subsidized rate."

**90** "The Biden Plan to Build Back Better By Advancing Racial Equity Across the American Economy," website, accessed September 2020, [www.joebiden.com/racial-economic-equity/](http://www.joebiden.com/racial-economic-equity/). "Establish a Farmland Trust. This trust will support new farmers from underrepresented low-income communities to find, purchase, and succeed on farmland. The Trust will also help connect these farms to marginalized communities locally and in urban or rural areas in an effort to develop and maintain a more diverse supply chain that provides entry points for aspiring entrepreneurs in the food production industry."

**91** Letter to Senator Elizabeth Warren re: Justice for Black Farmers from over 70 Black Farmers, Advocates, Researchers, and Organizations, [www.politico.com/f/?id=0000016e-a9a2-d7bf-abff-e9ae8a0c0000](http://www.politico.com/f/?id=0000016e-a9a2-d7bf-abff-e9ae8a0c0000). "Establish a federally backed land trust to buy land from retiring farmers and sell it interest-free to beginning and socially disadvantaged farmers."



- ✓ Enact comprehensive immigration legislation that provides protections for undocumented farm workers and their families to allow these skilled farmers to stay and work legally in this country and to access land.<sup>96,97</sup>
- ✓ Incentivize farmland transition by creating a federal capital gains tax exclusion for the sale of land to qualified young, beginning, and BIPOC farmers.<sup>98</sup>
- ✓ Incentivize farmland protection by creating a federal capital gains tax exclusion for proceeds from the sale of agricultural conservation easements.<sup>99</sup>
- ✓ Pass federal legislation to help farmers manage their student loan debt so they can better access capital for land purchases.<sup>100</sup>
- ✓ Pass legislation prioritizing on-farm climate mitigation, increased research for climate resilience, and support for farmers grappling with the climate crisis.

### : Farm Bill Programs

- ✓ Significantly increase funding for the Agricultural Land Conservation Easement Program (ACEP) and Regional Conservation Partnership Program (RCPP). Give priority to projects that protect farmland affordability and farmer ownership, and those that provide secure land tenure to BIPOC farmers. Examples of tools for this work include the Option to Purchase at Agricultural Value (OPAV), buy-protect-sell, and ground leases.
- ✓ Increase funding for the USDA Farming Opportunities, Training, and Outreach (FOTO) Program, which includes the Beginning Farmer and Rancher Development Program (BFRDP) and the Outreach and Assistance for Socially Disadvantaged and Veteran Farmers and Ranchers Program (known as the 2501 Program), to provide support to organizations addressing inequity in land access and transition.
- ✓ Expand funding for, and effectively implement, the Indian Tribal Land Acquisition Loan Program and the Highly Fractionated Indian Land Loan Program, which provide financing for costs related to land purchase and help address fractionated property interests.<sup>101</sup>
- ✓ Make programmatic and outreach improvements to the Conservation Reserve Program-Transition Incentives Program (CRP-TIP) to increase participation.<sup>102,103</sup>
- ✓ Increase funding for efforts to address heirs' property at the federal level, including support for the FSA relending program established in the 2018 Farm Bill.

**92** "Solving the Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America," Select Committee on the Climate Crisis, June 2020, <https://climatecrisis.house.gov/sites/climatecrisis.house.gov/files/Climate%20Crisis%20Action%20Plan.pdf>.

**93** See also the work of National Black Food and Justice Alliance and Soul Fire Farm.

**94** Policy recommendation from "Food Sovereignty Action Steps" from Soul Fire Farm, [www.soulfirefarm.org/get-involved/take-action/](http://www.soulfirefarm.org/get-involved/take-action/).

**95** Commission to Study and Develop Reparation Proposals for African-Americans Act, H.R. 40, 116th Congress, 2018, [www.congress.gov/bills/116th-congress/house-bill/40/text](http://www.congress.gov/bills/116/congress/house-bill/40/text).

**96** Read more: "Immigration Reform and Farmworkers," Farmworker Justice, [www.farmworkerjustice.org/advocacy\\_program/immigration-reform-farmworkers/](http://www.farmworkerjustice.org/advocacy_program/immigration-reform-farmworkers/).

**97** Read more: United Farm Workers, <https://ufw.org/>.

**98** Because the sale of farmland is subject to capital gains taxes, farmers and ranchers are reluctant to sell off land assets when they retire. The federal capital gains rate of 20 percent, based on a property's appreciation in value since purchase, can be significant for land that has been held for a long time or has appreciated significantly in value. Land that transfers at death, however, is exempt from federal estate tax provided it is within current exclusion levels, thus penalizing farmers and ranchers who want, or need, to sell land to finance retirement or to help a next generation farmer get started while incentivizing them to hold land assets until death. **Source:** "Tax Reform and Farmland Access: Capital Gains Tax Changes to Support the Next Generation in Agriculture," a memo by American Farmland Trust, Land For Good, National Association of State Departments of Agriculture, and National Young Farmers Coalition, 2019.

**99** Capital gains taxes are imposed on the sale of an agricultural conservation easement—a property restriction that ensures that land cannot be developed and remains available for agricultural use in perpetuity. This not only discourages landowners who want to leave a legacy of protected land, but adversely impacts young, beginning and BIPOC farmers, for whom protected farmland is often the only land they can afford to purchase. **Source:** *ibid.*

**100** "Student Loan Campaign," National Young Farmers Coalition, website, accessed September 2020, [www.youngfarmers.org/studentloans/](http://www.youngfarmers.org/studentloans/).

**101** Policy recommendation from "Food Sovereignty Action Steps" from Soul Fire Farm and from "Young Farmer Agenda: the Farm Bill," National Young Farmers Coalition, 2017, [www.youngfarmers.org/wp-content/uploads/2018/03/NYFC\\_Young\\_Farmer\\_Agenda\\_Farm\\_Bill.pdf](http://www.youngfarmers.org/wp-content/uploads/2018/03/NYFC_Young_Farmer_Agenda_Farm_Bill.pdf).

**102** Read more: "Ways to Improve Land-Linking Through the Transition Incentives Program," National Sustainable Agriculture Coalition, May 7, 2020, [www.sustainableagriculture.net/blog/improve-land-linking-through-transition-incentives-program/](http://www.sustainableagriculture.net/blog/improve-land-linking-through-transition-incentives-program/).

**103** Read more: Anna Johnson with support from Glen Ready, Pathways to Land Access: A Study of the Conservation Reserve Program – Transition Incentives Program in four states, Center for Rural Affairs, February 2017, [www.cfra.org/sites/www.cfra.org/files/publications/CRP%20TIP3\\_0.pdf](http://www.cfra.org/sites/www.cfra.org/files/publications/CRP%20TIP3_0.pdf).

✓ Improve access to credit for young, beginning, and BIPOC farmers through the Farm Service Agency (FSA). Specifically, allow for farm ownership loan pre-approval to enable farmers to be competitive in the real estate market, ensure FSA farm ownership loan limits remain adequate to cover the cost of farm real estate, provide no-interest loans to beginning farmers of color, and establish lending guidelines for loans to low-income resident farmers and BIPOC-led farmer cooperatives. <sup>104 105</sup>

✓ Increase investment in and expand the set-aside for beginning and BIPOC farmers in conservation programs such as the Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), and Regional Conservation Partnership Program (RCPP). Create a micro-EQIP program to expand participation by small and mid-sized operations.

✓ Invest in recurring data collection, reporting, and research on farmland tenure, ownership, and transition to better understand the large-scale trends and challenges related to land access for beginning and BIPOC producers. <sup>106 107</sup>

### : Administrative

✓ Implement high-level oversight at USDA to ensure there is coordination among departments within the agency as well as with other agencies across the federal government so that programs are working together to facilitate transition and access for young, beginning, and BIPOC farmers.

✓ Acknowledge the leadership and lived experiences of young and BIPOC farmers by including and compensating their voices on all federal advisory committees related to farmland protection, land access, and farm viability.

## State Policy Recommendations

### : Land

✓ Create state farmland access and transition initiatives funded through both public appropriations and private dollars to support land transition to the next generation with prioritization for projects that resource BIPOC farmers.

**104** Policy recommendations from Letter to Senator Elizabeth Warren re: Justice for Black Farmers from over 70 Black Farmers, Advocates, Researchers, and Organizations.

**105** Policy recommendation from Figueroa and Penniman, "Land Access for Beginning and Disadvantaged Farmers," 2020.

**106** The USDA TOTAL survey, which was authorized in the 2018 Farm Bill, is an existing mechanism for collecting this data that should be prioritized for timely completion and expanded to gather additional information.

**107** A 2020 report published by Data for Progress recommends, "USDA should appoint a "land commission" to conduct a periodic national-scale participatory land tenure study every farm bill cycle, anchored by BIPOC community-based institutions. This will provide a holistic perspective on the socio-economic, political, and market-based factors limiting BIPOC access to land and equal land rights and provide policy recommendations on how to address these trends." **Source:** Figueroa and Penniman, "Land Access for Beginning and Disadvantaged Farmers," 2020.

✓ Establish, and significantly increase funding for, state farmland protection programs that work with land trusts, counties, municipalities, Soil and Water Conservation Districts, resource conservation districts, regional park or open-space districts, and Tribal Governments. Prioritize projects that protect farmland affordability and farmer ownership, and facilitate BIPOC land security. Examples of tools for this work include the Option to Purchase at Agricultural Value (OPAV), buy-protect-sell, and ground leases.

Proposed California law AB 986, the Regional Economies and Equity in Agricultural Lands (REEAL) Act, would establish a program to provide grant funding to eligible conservation entities to protect farmland from development, facilitate sales or long-term leases to farmers of color, and provide assistance for down payment costs and infrastructure improvements.<sup>108</sup>

Rhode Island's voluntary Farmland Access Program enables the state to purchase farmland threatened by development, protect it with a permanent conservation easement, and affordably sell it to young and beginning farmers looking for land.<sup>109</sup>

Vermont, Massachusetts, and New York all use state dollars to fund working farm easements through their farmland protection programs that guarantee the long-term affordability of protected land for farmers. These easements help ensure that protected farmland will remain affordable and in the hands of farmers.<sup>110</sup>

✓ Pass the Uniform Partition of Heirs Property Act to help protect farmers from partition sales of property. This Act is model legislation proposed and supported by a diverse coalition of organizations across the country that has been passed in a number of states. The Act provides basic due process protections, including adequate notice, appraisal, and right of first refusal in heirs' property cases.<sup>111</sup>

✓ Make information about land parcels more available and fund farmland linking programs that connect farm seekers with existing landowner networks, with priority for BIPOC-led initiatives.<sup>112 113 114</sup>

✓ Facilitate secure, long-term access to publicly-owned land for

<sup>108</sup> In 2019, in recognition of ongoing legacies of institutionalized racism and discrimination, the California Farmer Justice Collaborative proposed the California Regional Economics and Equity in Agricultural Lands (REEAL) Act. The bill stands as a model of a racial justice-focused farmland conservation policy for other states to consider. Building off of the Farmer Equity Act, passed in California in 2017, the REEAL Act would establish a program and funding to provide grant dollars to municipalities, conservation districts, parks, cooperatives, Native American tribes, and other non-profit organizations to protect farmland from development and to facilitate sales or long-term leases to farmers of color. **Source:** Recommendation from comments submitted by Larisa Jacobson of Soul Fire Farm to the New York Joint Legislative Roundtable on Soil Health, February 5, 2020, [www.hudsonriverflows.com/larisa-jacobson-soul-fire-farm](http://www.hudsonriverflows.com/larisa-jacobson-soul-fire-farm).

<sup>109</sup> Funding to implement the program came from a 2014 voter-approved bond referendum. **Source:** "Farmland Opportunities in Rhode Island," Rhode Island Department of Environmental Management, website, accessed March 2020, [www.dem.ri.gov/programs/agriculture/farmland.php](http://www.dem.ri.gov/programs/agriculture/farmland.php).

<sup>110</sup> Holly Rippon-Butler, David Howard, Lindsey Lusher Shute, and Will Yandik, "Farmland for Farmers: Working Farm Easements as a Tool to Keep New York's Farmers on the Land," National Young Farmers Coalition, 2018, [www.youngfarmers.org/resource/farmland-for-farmers](http://www.youngfarmers.org/resource/farmland-for-farmers).

<sup>111</sup> Partition of Heirs Property Act, Uniform Law Commission, website, accessed March 2020, [www.uniformlaws.org/committees/community-home?CommunityKey=50724584-e808-4255-bc5d-8ea4e588371d#:~:text=The%20Uniform%20Partition%20of%20Heirs,in%2Dcommon%20under%20state%20law](http://www.uniformlaws.org/committees/community-home?CommunityKey=50724584-e808-4255-bc5d-8ea4e588371d#:~:text=The%20Uniform%20Partition%20of%20Heirs,in%2Dcommon%20under%20state%20law).

<sup>112</sup> Recommendation from comments submitted by Larisa Jacobson of [Soul Fire Farm to the New York Joint Legislative Roundtable on Soil Health](#), February 5, 2020.

<sup>113</sup> Recommendation from Potters and Barley, [Farms Under Threat: A New England Perspective](#), 2020.

<sup>114</sup> The Farmland Monitoring Project in California is an open access resource that allows users to submit information about parcels with the goal of streamlining the land search process and offering farmers more complete information about farmland. The project makes public information on available farmland visible and maps current ownership of farms. It also serves as a regional planning tool to help visual land use patterns and highlight emerging trends and opportunities that can be leveraged for more equitable access to land. **Source:** Research and recommendation by Hortencia Rodriguez.



farmers, with priority for BIPOC farmers. Many states lease state-owned land, but these programs are rarely accessible to young and beginning farmers. States should inventory state-owned land, engage in cross-agency dialogue, and ensure opportunities are accessible. <sup>115 116</sup>

✓ Provide income tax incentives to current landowners who sell or lease land and assets to young and beginning farmers, including added incentives for sales or leases to BIPOC farmers.

The 2017 Minnesota Beginning Farmer Tax Credit provides an income and franchise tax credit for the sale or rental of farm land or assets (including land, livestock, buildings, and machinery) to beginning farmers. Since it was signed into law in 2017, this program has granted over \$2 million in tax credits to more than 400 asset owners. A similar program was recently implemented in Pennsylvania.

✓ Incentivize farmland transition by creating state capital gains tax exclusions for the sale of land to qualified young, beginning, and BIPOC farmers.

✓ Incentivize farmland protection by creating state capital gains tax exclusions for proceeds from the sale of agricultural conservation easements.

✓ Reduce competition for farmland from non-agricultural buyers. One strategy for this is working farm easements that permanently protect farmland and encourage producer ownership. Another is anti-corporate farming laws that restrict the involvement of certain corporations in agricultural production. <sup>117</sup>

✓ Pursue comprehensive, statewide and regional land use planning to limit development on agricultural soils. <sup>118 119</sup>

Oregon's Land Conservation and Development Commission, was established in 1973 and serves to set standards for preserving farmland that are then adopted at the city and county level. <sup>120</sup>

California's Urban Agriculture Incentive Zones Act, gives cities the discretion to pass a tax incentive for urban agriculture. <sup>121</sup>

✓ Provide funding for local planning efforts designed to promote agricultural use of land, limit sprawl, and protect farmland. <sup>122</sup>

<sup>115</sup> Read more in "Chapter 1: Land," [New England Food Policy: Building a Sustainable Food System](#), American Farmland Trust, Conservation Law Foundation, and Northeast Sustainable Agriculture Working Group, March 2014.

<sup>116</sup> Read more in Nicholas Martinelli and Kathy Ruhf, "State-owned Land for Farming: Policies and programs for making state-owned land in New England states available for agriculture," New England Land Access Policy Project, a collaboration between American Farmland Trust, Conservation Law Foundation, and Land For Good, 2016.

<sup>117</sup> The specific provisions of these laws vary by state, but have been adopted in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin. A common provision in many of these laws is to prohibit, or set limits on the size of, corporations' agricultural landholdings. **Source:** Nguyen and Lemos, California Young Farmers Report, National Young Farmers Coalition, 2019.

<sup>118</sup> Read more in "Chapter 1: Land," [New England Food Policy](#), 2014.

<sup>119</sup> Farmland mitigation policy is defined as that which, "steers siting of public or private development away from productive farmland, and, when development of productive farmland is approved, requires permanent protection of a generally equivalent amount of other farmland." **Source:** Ben Kurtzman, Esq., and Jesse Robertson-DuBois, "Policy Options For Strengthening Farmland Mitigation in Massachusetts and Other New England States," New England Land Access Policy Project, A collaboration between American Farmland Trust, Conservation Law Foundation, and Land For Good, 2016.

<sup>120</sup> All counties in Oregon have since adopted planning and zoning measures to protect farmland. **Source:** "Farmland Protection," Oregon Department of Land Conservation and Development, website, accessed August 2020, [www.oregon.gov/lcd/FF/Pages/Farmland-Protection.aspx](http://www.oregon.gov/lcd/FF/Pages/Farmland-Protection.aspx).

<sup>121</sup> "Current Use Valuation and Tax Incentives for Urban Areas: State Law Comparisons and Possible Applications in New England States," American Farmland Trust, Conservation Law Foundation, and Land For Good as part of the New England Land Access Policy Project, 2016.

<sup>122</sup> Read more in American Farmland Trust, "Farms Under Threat: The State of the States, Call to Action," <https://csp-fut.appspot.com/>.

## : Access to Capital

- ✓ Pass state legislation to help farmers manage their student loan debt so they can better access capital for land purchases.
- ✓ Improve and expand land access finance options. One example is establishing Aggie Bond programs that encourage lenders to make real estate loans to beginning farmers by exempting income from interest on these loans from federal taxes.<sup>123</sup>

## : Technical Assistance & Farm Viability

- ✓ Provide funding for farmers to access culturally- and linguistically-appropriate assistance from technical service professionals to work through the complex financial, legal, and emotional challenges of farmland and business transition.
- ✓ Invest in existing BIPOC-led farmer training and technical service programs, and in knowledge generation and research contributions by BIPOC farmers. Legitimize existing BIPOC-led programs through state-funded agricultural education and land grant institutions.<sup>124</sup>
- ✓ Invest in succession planning programs for retiring farmers that set aside land for BIPOC practicing regenerative agriculture.<sup>125</sup>
- ✓ Make affordable, quality farmer housing available on or near farms; fund infrastructure improvements associated with young, beginning, and BIPOC farmer land access; and support farmer tenants' rights.<sup>126</sup>

New York's Farmworker Housing program, first authorized in 1995, provides no-interest loans to farmers to assist in the rehabilitation, improvement or new construction of housing for farmworkers.<sup>127</sup>

- ✓ Incentivize and reward farmers' past, ongoing, and layered practices to mitigate the impacts of the climate crisis through ecosystem services, carbon sequestration, and incorporating soil health practices into their operations. Ensure existing and future climate mitigation programs are accessible to small farmers.<sup>128</sup>

California's Sustainable Agricultural Lands Conservation (SALC) Program, uses revenue from the California Climate Investment Fund to purchase agricultural conservation easements, develop agricultural land strategy plans, and support other mechanisms that result in GHG reductions and a more resilient agricultural sector.<sup>129</sup>

<sup>123</sup> Kathryn Ruhf, Robert Parsons, et al., "Research Report and Recommendations from The FarmLASTs Project," April 2010, [www.uvm.edu/farmlasts/FarmLASTSResearchReport.pdf](http://www.uvm.edu/farmlasts/FarmLASTSResearchReport.pdf).

<sup>124</sup> Policy recommendation from "Food Sovereignty Action Steps" from Soul Fire Farm.

<sup>125</sup> Recommendation from comments submitted by Larisa Jacobson of Soul Fire Farm to the New York Joint Legislative Roundtable on Soil Health, February 5, 2020.

<sup>126</sup> Nguyen and Lemos, California Young Farmers Report, 2019.

<sup>127</sup> "Farmworker Housing Program," New York State Homes and Community Renewal, website, accessed September 2020, <https://hcr.ny.gov/farmworker-housing-program-fwh>.

<sup>128</sup> Recommendation from "Soil Health Policy," National Young Farmers Coalition, 2020, [www.youngfarmers.org/wp-content/uploads/2020/04/Soil\\_Report\\_Rnd4-1.pdf](http://www.youngfarmers.org/wp-content/uploads/2020/04/Soil_Report_Rnd4-1.pdf).

<sup>129</sup> "Sustainable Agricultural Lands Conservation (SALC) Program," California Department of Conservation, website, accessed March 2020, [www.conservation.ca.gov/dlrp/grant-programs/SALCP](http://www.conservation.ca.gov/dlrp/grant-programs/SALCP).



## : Administrative

- ✓ Introduce an equity framework for land transfer and agricultural policies and programs.

California's 2017 Farmer Equity Act provides a model for institutionalizing equity checks for agricultural policy, such as mechanisms for ensuring delivery of resources and reach of programs to BIPOC farmers. <sup>130</sup>

- ✓ Create liaisons between city, local, and state governments to help ensure that farmers can navigate opportunities and understand the policies impacting their success.
- ✓ Acknowledge the leadership and lived experiences of young and BIPOC farmers by including and compensating their voices on boards, committees, working groups, and in other decision-making bodies.

## Local Policy Recommendations

### : Land

- ✓ Create local climate resiliency land banks, rethinking agricultural land as public infrastructure and farmers as critical employees. These projects would fund the purchase and protection of farmland, employ farmers, and invest in processing infrastructure to ensure that municipalities have access to a secure source of local food in the face of the climate crisis. <sup>131 132</sup>
- ✓ Establish, and increase funding, for local farmland protection programs. Give priority to projects that protect farmland affordability and create pathways to secure land tenure for farmers, particularly Black, Indigenous, and other farmers of color (BIPOC).

### : Agricultural Use

- ✓ Encourage innovative land use planning and zoning amendments to limit development on prime agricultural soils, prioritize agricultural land use, and enable land access for farmers. Examples include reducing up-zoning, where agricultural zones are converted to commercial and urban use; using zoning to designate areas for local food production; and cluster zoning with agricultural set-asides; among others. <sup>133</sup>

New York's Agricultural Districts Law provides protections for agricultural land in County-designated areas by optimizing zoning laws, limiting eminent domain, and encouraging farming practices that might otherwise be restricted by local laws and ordinances. <sup>134</sup>

<sup>130</sup> Nguyen and Lemos, California Young Farmers Report, 2019.

<sup>131</sup> "Farming of land that is zoned for food and farmed sustainably could be treated as a public utility, as proposed by Willard Cochrane, secretary of agriculture during the Kennedy administration (Levins, 2000). Sustainable farmers could become independent contractors." **Source:** John Ikerd, "Running out of land for food," *Journal of Agriculture, Food Systems, and Community Development*, 4(1), 7–9, 2013, <http://dx.doi.org/10.5304/jafscd.2013.041.008>.

<sup>132</sup> One example is proposed California Senate Bill 50, "Planning and zoning: housing development: incentives," which promotes the densification of transit-oriented development in counties with populations over 600,000. **Source:** Karin Vosgueritchian, "After the California Farmer Equity Act: Building an Equitable Agricultural Economy," UC Berkeley's Goldman School of Public Policy, Spring 2019.

<sup>133</sup> Agricultural Protection Zoning (APZ) designates certain areas primary agricultural use areas and discourages other types of land use by limiting subdivision through buffers and setbacks. **Source:** "Farmer Benefits and Protections – Agricultural District Program," New York State Department of Agriculture and Markets, website, accessed August 2020, [www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html](http://www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html).

<sup>134</sup> Jeff Kehoe, "Agricultural Districts Law: A Current Summary" New York State Department of Agriculture and Markets, 2019, [www.agriculture.ny.gov/ap/agsservices/dis8/Summary-AgrDistrict-Law.pdf](http://www.agriculture.ny.gov/ap/agsservices/dis8/Summary-AgrDistrict-Law.pdf).

✓ Encourage urban agricultural production and create secure land access opportunities for growers through zoning reform, planning, and other mechanisms.

Article 89 in Boston’s zoning laws aims to comprehensively reduce zoning barriers to commercial urban agriculture;<sup>135</sup>

The 2015 D.C. Urban Farming and Food Security Act, which provides property tax reductions on urban land dedicated to farming and opens up leasing opportunities for farmers on publicly-owned urban land;<sup>136</sup>

Pittsburgh’s Adopt-a-Lot policy providing site use agreements to access city-owned vacant lots for greenspace and agriculture.<sup>137</sup>

✓ Enact and strengthen current use tax valuation, which permits taxation of agricultural land based on the actual, ongoing use of the land rather than its full market value or highest and best use.<sup>138 139</sup> Incorporating minimum multi-year lease requirements into current use tax programs can help incentivize more secure tenancy for farmers.<sup>140</sup>

<sup>135</sup> “Chapter 1: Land,” New England Food Policy, 2014.

<sup>136</sup> Cassie M. Chew, “The Woman Leading the Way for Urban Farming in the Nation’s Capital Gail Taylor, ‘The People’s Farmer,’ feeds her community with Three Part Harmony Farm and helped pass legislation to benefit urban farmers in D.C.,” Civil Eats, September 26, 2019, [www.civileats.com/2019/09/26/the-woman-leading-the-way-for-urban-farming-in-the-nations-capital/](http://www.civileats.com/2019/09/26/the-woman-leading-the-way-for-urban-farming-in-the-nations-capital/).

<sup>137</sup> Pittsburgh “Adopt-a-Lot Program,” Pittsburgh City Planning Programs, website, accessed September 2020, [www.pittsburghpa.gov/dcp/adopt-a-lot](http://www.pittsburghpa.gov/dcp/adopt-a-lot).

<sup>138</sup> Recommendation from “Chapter 1: Land,” New England Food Policy, 2014. See text for more specific recommendations related to current use.

<sup>139</sup> See more examples and information in “Current Use Valuation and Tax Incentives for Urban Areas,” 2016.

<sup>140</sup> Recommendation from “Changing Lands, Changing Hands Conference Report: Track C: Non-Operating Landowner, public policy recommendations,” Land For Good, 2017, [www.landforgood.org/our-work/changing-lands-changing-hands/report/track-c](http://www.landforgood.org/our-work/changing-lands-changing-hands/report/track-c).





## Conclusion

This moment of land transition is a moment of great opportunity. To build a strong future with farmers, we must eliminate inequities in land ownership and access; protect farmland for farmers; facilitate appropriate, affordable, and secure land tenure; and support farm viability and transition. We can, and must, move towards a future in which land and power are returned to those who have been deprived of their connection to the land for generations; where land is valued as the basis of food sovereignty, ecological health, and community well-being; and where all those who wish to build vibrant and resilient agricultural systems for their communities have land on which to do so.

**Explore the issue, read farmer case studies, and view the policy library on [youngfarmers.org/land](https://youngfarmers.org/land).**