

John Bloom, Yggdrasil Land Foundation
Farm Land Ownership and Succession

John Bloom: Welcome to a workshop on land ownership, models of ownership and succession. And, I'm John Bloom. And I'm the vice president of Yggdrasil Land Foundation. Yggdrasil was created to both hold, steward, biodynamic, organic and other sustainable agricultural land for the purpose of fostering the vocation of farming.

So the goal is to hold land as a basis for a whole regional economy — a land-based economy — and then make it possible for farmers to actually make a living without having to capitalize the land. In other words, it's hard enough for a farmer to capitalize a business without having to capitalize land as well. And as a land trust, we hold that land and create leases to make it possible for farmers to be able to farm and have an active business.

So that's one of the reasons why I'm hosting this. And we'll get into more models of that. I want to introduce our two other panelists, Jean-Paul Courtens from Roxbury Farm in Kinderhook and then Tom Spaulding from Angelic Organics. We're each going to speak for a little bit of time. But the real hope is to have a conversation because probably each of you is living with some questions around land ownership or succession. I can't believe that's not true or you wouldn't have come to this particular workshop.

We have a lot of resources between the three of us, and there are other resources in the room as well. So hopefully we can take a deep dive into some of the complicated questions around land stewardship, around farming, how to make it possible for all of us to have healthy food and vocations into the future. So, my hope is that before the end of our hour and a half is up, one: you have a sense of what land represents as possibilities and potential for human initiative around agriculture, how

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community can be created around that land, so in other words: who does that land serve? And also to say if there is a piece of land that you're not even connected to that's becoming available, what might you do, right, to actively seek to protect that land for agriculture in the future before the developers show up. 'Cause that happens also.

So I wanted to introduce the whole concept of land protection, agricultural land protection by laying out what I would call the three basic elements that have to be considered around all of land. And they are like the three primary colors, the three constituent elements that one has to look at and think about and strategize about and plan for if you're really going to work with land in a healthy way.

And all of the issues that we're going to be looking at around ownership and succession all have these elements in it. So if we get the basic elements, then we can get into conversation about how to think about each of them. Generally speaking, we tend to kind of muddle them all together.

So the three basic elements are ownership, so, who owns the land or who wants to own the land, so that's actually a title, right, actually owns the fee title to the land.

The second element is use. So how will that land be used? Who will use it? Who can make best use of it?

And the third is community. And the question is every piece of land has community around it, whether you think you're the private owner and they may be miles and miles away, but at the end of the day, if you own a piece of land, it is a natural resource and it's connected to all the other natural resource systems.

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So if you dump pollutants on your land, you're going to ruin the water table, and other people will suffer. So whether you think you're in community or not or you want to go and isolate yourself from the rest of the world, it's not really possible. How, then, can we think about the nature of community around every piece of land or property? And how do we build consciously and include community in our thinking?

But I have found in doing land trust work, that we tend to muddle, "Well, if I own it, then I get to use it as I want to." "Well, I own it, but do I get to use it as I want to, meaning I can trash it and sell it? Or does that affect the community?" And, "Where's the community's voice in that and how do we have a place to listen to that and hear that?"

And oftentimes it ends up in like, conditional use hearings at the, you know, use commissioners where you have a big fight with the neighbors instead of figuring out a way how do we have this in conversation ahead of time to really think through how do we use this land to serve both ourselves and also then the community around or the people who have needs around them.

So the way I look at it is, ownership, and the question of ownership is really a spiritual question. Does that come to you from an inheritance? Did you buy it? Did you earn it? How did it come to you? In what way do you own it? And you can own really from two perspectives. One is to own it in order to steward it for multiple generations, or you can own it to use it as a commodity.

So ownership also says I get to buy this land so I can, you know, dump a lot of money in there, increase in value, turn around and sell it, so to commoditize the land. So those are two very different approaches to ownership. And I think it's important to know when you come around a

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piece of land where are you in relation to that quality of ownership. Am I buying this because I'm trying to commodify the land and use it as a bank to store a lot of money in, which is happening a lot in the whole investment world right now.

Lots of land grabs going on, people are dumping money into the land, treating the land as a vault. And it's very unhealthy to lock money up into the land in that way. Land is not a commodity, it's a natural resource. And as I said, you can't take the community out of it because it's interconnected one way or another.

So the use question is really a question of right usage, and it's a question of rights. So how do you have a discussion about how you use that land? What's the nature of the lease? What's the nature of the agreement around how that land gets used? Which is an easement, right. So that's usually held by a third party. But that is in the whole rights sphere. Hopefully in a perfect world, the community would get to determine this person, this farmer is the best person to use this piece of land on behalf of the whole community, that's like, the perfect world picture. Doesn't happen very often, but just to give you a sense of that.

So that's around the rights and the use. So we'll be talking about easements. We will be talking about other tools for preserving land. But easements are all about the use of the land. They're not about the ownership of the land. So there are already two separate pieces.

I'm trying to help kind of build a little basic language so that we can get into a little more complexity. So that's the use. The community is really an economic picture, because the community is a picture of interdependence, right? When we have a piece of land, it's connected to

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Farm Land Ownership and Succession

everybody, the air that's on that land, the water that's there, the soil that is there, however we use that.

So even a business has community. Usually think of, "Oh, well, that's great, the CSA, community supported agriculture— they must have a community, because it wouldn't be community supported." So automatically you go, "Well, that's what the community looks like." But if you're a sole proprietor and you're growing for market, you also have a community. And that community might be your suppliers, it might be your distributors, it might be your marketplace.

You are in a community. It may not feel that way to you when you're negotiating prices for things, but the reality is you are in that community. And how can you engage that community so that you're in a sense embedded in the community as part of the whole economy. So, those are the three basic elements. Most everything you'll hear will be in a sense how those three elements play out in all sorts of complexity. It turns into a palette of colors. If you have three primary colors, all the other colors will emerge from that.