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**AGRICULTURE LAW
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Ag Conservation Leasing Project

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Maryland Agricultural Commission
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Agriculture Law Education Initiative

The Agriculture Law Education Initiative (ALEI) is a partnership of the Francis King Carey School of Law at the University of Maryland, Baltimore (UMB); the College of Agriculture & Natural Resources at the University of Maryland (UMCP); and the School of Agriculture and Natural Sciences at the University of Maryland Eastern Shore. ALEI is an initiative of the University of Maryland: *MPOWERing the State*, a strategic alliance between UMB and UMCP created in 2012 to significantly expand research collaboration, business development, and student opportunities at both universities.

Website: www.umaglaw.org

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University of Maryland

MPower



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The University of Maryland: *MPowering the State* brings together two universities of distinction to form a new collaborative partnership. Harnessing the resources of each, the University of Maryland, College Park and the University of Maryland, Baltimore will focus the collective expertise on critical statewide issues of public health, biomedical informatics, and bioengineering. This collaboration will drive an even greater impact on the state, its economy, the job market, and the next generation of innovators. The joint initiatives will have a profound effect on productivity, the economy, and the very fabric of higher education.

- <http://www.mpowermaryland.com>

Legal Education



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- Since the program's inception, ALEI has presented at over 100 trainings and workshops across the state.
- Topics range from agricultural liability, food safety, farm succession planning, and more.



Ag and Environmental Law Conference



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- Agricultural and Environmental Law Conference
- Provides Maryland's policymakers, farmers, attorneys, and stakeholders a forum for education and communication.
- Save the Date- 11/8/18
 - Pesticide credits available!

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HARRY R. HUGHES CENTER FOR
AGRO-ECOLOGY, INC.



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- We know from speaking with federal and state experts that conservation practices are less prevalent on leased acres.
- In 2017, only 23% of Maryland Agricultural Water Quality Cost-Share (MACS) contracts, were with tenants.
 - 2016- 18% of MACS contracts were with tenants
 - 2015- 16% of MACS contracts were with tenants



Ag Conservation Leasing

- What are some of the challenges to implementation?
 - Lack of knowledge of practices/funding opportunities
 - Lack of communication of conservation goals
 - Lack of stability in leasing relationship



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- Given the need for more BMPs on ag land to meet the Bay TMDL goals, overcoming these challenges is more important than ever.
- What is the solution to this complex issue?



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- How to begin the leasing process?
- Communication
- To maintain a good working relationship, landowners and farmers need to discuss their farming and conservation goals.

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- A leased farm is first and foremost a business transaction, which should be documented with a written lease.
- By using simple lease language, landowners and farmers can establish the necessary foundation to implement conservation practices on leased land in a mutually beneficial way.

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- We have created the Agricultural Conservation Leasing Guide
- The Guide contains:
 - resource information for landowners
 - communication tools
 - leasing strategies and
 - sample lease language for common on-farm conservation practices

Ag Conservation Leasing Guide



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General Leasing Strategies

- Extended Lease Terms
- Rights of First Offer/Refusal
- Graduated Rent
- Depreciation Schedule
- Division of cost-share funding



Ag Conservation Leasing Guide



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Specific Conservation Practice Guidance

- Descriptions of structural, vegetative, and management conservation practices
- Sample lease considerations and provisions for each practice



Ag Conservation Leasing Guide



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- Considerations for parties considering riparian buffers:
 - 1. Will the landowner and farmer be sharing in state and/or federal rental payments and/or cost-share funding?
 - 2. Who will be responsible for maintenance of the riparian buffer?
 - 3. If the farmer is responsible for maintenance of the buffer area(s), how should the tenant be compensated for this responsibility?
 - (Examples-percentage of program payment, reduction in rent, longer guaranteed lease term, increase in tillable acres, etc.)

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- Received a three year SARE professional development grant to teach ag service providers about this resource.
- The education series is a “train-the-trainer” project which will equip agricultural service providers (SCDs, UME, NRCS, Land Conservation Professionals, etc.) with the tools they need to help landowners and farmers install conservation practices on leased farmland.
- Interested landowners and farmers are also encouraged to attend!

Webinar/Workshops



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Informational Webinar

11/15/18 12:00 -1:00 p.m.

Lower Shore Workshop

12/10/18 8:00 am -3:00 p.m.

Salisbury

Mid-Shore Workshop

1/8/19 8:00 am - 3:00 p.m.

Wye Mills

Southern MD Workshop

1/17/19, 8:00 a.m. - 3:00
p.m.

Waldorf

Western MD Workshop

1/23/19 8:00 am -3:00 p.m.

Frederick

Central MD Workshop

1/28/2019 8:00 am - 3:00
p.m., Cockeysville

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- For additional information and/or to register go to <https://agresearch.umd.edu/agroecol>.
- Anyone with questions, translation assistance, and/or special accommodations may contact Nancy Nunn at 410-827-8056 or nnunn@umd.edu



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- Following the workshops, ag service providers will be asked to do landowner/farmer education.
- ALEI will provide two years of technical support to ag service providers (webinars on frequently asked questions and in-person assistance).
- Conservation leasing workshops and leasing education are approved for MDA Nutrient credits!

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- We can't do this alone!
- We need help to spread the word about the workshops and resources
- Please help us identify landowners/farmers who would benefit from attending.





Questions/Thanks

Questions?

Feel free to contact me with
any questions.

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Thanks!