

Due Diligence: Evaluating Land for Lease

Adapted from a resource created by: Washington Farmland Trust, Working Farmland Partnership, and Shared Soil

This is a guide to help you evaluate if land is suitable for you to lease. There are many resources for creating leases. We name some of them below. This document is meant to help you think through and decide if a particular piece of land would be good for your to lease.

NOTE: A lease is a legal contract. You should get legal advice from a legal professional. Review your lease with a legal professional BEFORE you sign it.

Mapping – it may be helpful to learn more about a property by mapping it

- Look up the property on your county's GIS map. Example King County imap: <https://kingcounty.gov/services/gis/Maps/imap.aspx>
 - Has this land been farmed?
 - What kind of a farm was there?
 - Explore map layers such as: environmental, topography, wetlands etc.
 - Look at past land use through layers of old photographs, if available

Soil - learn if the soil will work for your farming operation

- Ask the landowner what soil type is on the property or look up soil type on web soil survey: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
 - Will the soil type affect what you want to grow? (ie. clay soils, rocky soils, etc.)
- Have there been animals on the property such as cows and horses?
 - Is the soil compacted?
 - If yes, how much will it cost for you to rehab soil?
- Soil tests: ask the landowner to see existing soil tests, or run a test yourself to learn about soil health and amendments needed
 - Check with your local Conservation District to see if they offer free soil testing or support.
 - Try Washing State University resource: <https://puyallup.wsu.edu/soils/soils/>
 - If soil needs amending: how much will it cost you to amend the soil?
- If planting area is currently in pasture, what equipment (and cost) will you need to prep for crops?
- Soil resource: <https://soilhealth.wsu.edu/>

Water for Irrigation

- What is the water source?
 - Well (with water rights or without)? Municipal/city water?
- Are there water rights on the property?

- If landowner doesn't know, recommend they get in touch with WA Department of Ecology: <https://ecology.wa.gov/About-us/Get-to-know-us/Our-Programs/Water-Resources>
- How much water will you be able to use for irrigating?
- How can you access the irrigation system?
- How will you keep track of water use, if necessary?
 - If needed, look into getting a flow meter
- Is there access to potable water?
- If you are using city water on the property, how much will this utility cost?

Livestock

- Livestock allowed?
 - What kind?
- What fencing is available on property? What additional fencing will you need?
- Irrigation/water access for watering animals?
- Shelters available for use?

Property – when visiting a property evaluate it for your farming operation

- If row crops: is the area for planting in full sun?
- Are there bad winds? (important for erecting tunnels)
- Flooding?
- How long is your season?
 - Standing water in winter?
 - Property access all season long?
- Fencing? Enough to prevent deer/elk?
 - If not, are you willing to put up fencing?
- Electricity accessible on the property?
- Access:
 - Is there good-quality road access into the property?
 - Can you access the property any time, year-round?
- Neighboring properties
 - Currently farming? Organic or conventional?
 - Dairies nearby?
 - Industry nearby?
 - Environmental concerns?
- Concerns about environmental contaminants on property or in soil?
 - Was property or nearby properties previously used for industry or conventional farming?
 - Tacoma plume resource: <https://fortress.wa.gov/ecy/smeltersearch/>

- Department of Ecology Resource:
<https://apps.ecology.wa.gov/neighborhood/?lat=47.500000&lon=-121.000000&zoom=7&radius=false>
- Storage
 - Is there dry storage for equipment?
 - Will you need more storage that you'll need to bring on-site?

Farmer Housing

- Housing available on property?
- Seasonal housing or year-round?
- Utilities hook-ups for bringing a trailer or tiny home on-property?

Leasing – some considerations for your lease

- Go over entire lease with landowner
- Make sure length of lease is indicated
- What type of farming is allowed?
- Is there organic/conventional farming on-site?
- Include map of where farming can take place
- Create a water agreement and have those details in the lease
- Property access: where/when can property be accessed, by what vehicles? Where can you park?
- Who takes care of the property? Maintenance, mowing? Clear agreement should be in lease
- Trash hauling? How is it done and by who?
- What pests have been on the property?
- Heavy equipment allowed on property? Where?
- Building/bringing on temporary structures: allowed? Where?
- What infrastructure will you have access to?
 - Buildings, irrigation, well, shelters, etc.
- Port-a-potty or use of bathroom facilities?'
- Who pays what utilities? Estimated cost?
- Guests/helpers: allowed? Any stipulations?
- Pets allowed?
- Where are sales allowed on-site? Can customers come on-site for on-farm sales? Is a farm stand allowed?
- Events: allowed? Any stipulations?
- Farm insurance needed?
- Crop insurance needed?
- Consider having a local lawyer go over lease with you

Resources for Creating a Lease

- ❑ Resource: <https://landforgood.org/resources/toolbox/leasing/>
- ❑ BINW template
- ❑ <https://extension.wsu.edu/regionalsmallfarms/agriculture/access-to-land/>
- ❑ <https://landforgood.org/wp-content/uploads/LFG-Farmland-Leasing-Private-Landowners.pdf>
- ❑ <https://landforgood.org/wp-content/uploads/LFG-Landowners-Guide-To-Leasing-To-A-Farmer-Handbook1.pdf>
- ❑ <https://www.youngfarmers.org/wp-content/uploads/2019/04/rental-assessment-checklist.pdf>
- ❑ <https://landforgood.org/wp-content/uploads/LFG-Elements-of-a-Good-Farm-Lease.pdf>