

Community Land Trusts: Saving the Land to Which We Belong

by David Harper

"We abuse the land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we begin to use it with love and respect."

— ALDO LEOPOLD, *A Sand County Almanac*

For 150 years the land of the Clearfork Valley in Tennessee has been "cornered" by outside interests for resource extraction, speculation and profit—leaving behind tens of thousands of acres of exposed toxic rock and earth, filled-in stream valleys and contaminated waters in what once were rich forest ecosystems of plants and wildlife. The people in this area, who once lived as stewards of the mountain forests and streams, were cut off from their roots, with no say in how the land and water were used. Their plight progressively worsened as new mining technology expanded impacts on the landscape while reducing employment opportunities. Many residents left to find jobs in cities, and poverty and a sense of hopelessness were rampant among those who remained.

Then in the 1960s, a former nun from Brooklyn came to the Clearfork Valley and saw a way to break the cycle of poverty. Marie Cirillo knew that the mountain people had no power because they did not have any land that they could call their own. Since the 1800s, land in the region had been bought up by companies that were after the coal or timber, creating a large base of absentee ownership. Cirillo, with guidance from a man named Robert Swann, knew exactly what was needed: a community land trust.

What is a Community Land Trust?

According to the E.F. Schumacher Society, whose late director Robert Swann was credited with co-founding the community land trust concept, "a community land trust (CLT) is a form of common land ownership with a charter based on the principles of sustainable and ecologically sound stewardship and use. The central principle of the community land trust is that homes, barns, fences, gardens, and all

things done with or on the land should be owned by the individuals creating them, but the land itself—a limited community resource—should be owned by the community as a whole. A community land trust takes land off the speculative market and places it in a regional, membership-based, non-profit corporation."

Community land trusts buy or accept gifts of land and lease that land back to members under a 99-year lease that is inheritable and automatically renewable. This lease allows the CLT to own land as a "commons" and facilitate sustainable land uses and open-space preservation by developing



Southwings and United Mountain Defense

and administering a Land Stewardship Plan. When land is put into trust, it can have a central integrating impact on shaping a community—in urban or rural settings. Community land trusts are often set up in urban areas to provide affordable housing by removing the cost of land from the purchase price. However, a number of CLTs in more rural locations hold large tracts of land for sustainable agriculture, forestry, and development of ecologically sound, affordable housing. Some of these have partnered successfully with conservation land trusts to achieve shared goals of land conservation

10 REASONS WHY . . . *Conservation Land Trusts Should Collaborate with Community Land Trusts*

Because community land trusts . . .

- 1** are at the crossroads between land trusts and the sustainability movement—preserving land for sustainable use.
- 2** are important funding partners for land conservation projects, and can access different streams of funding and reduce escalating land values.
- 3** are good neighbors and conservation buyers that can help land trusts achieve landscape-scale protection and stewardship goals.
- 4** are partner-oriented, and can work with community development organizations and local businesses as easily as with conservation land trusts.
- 5** can help land trusts get at the root causes of some environmental, economic and social problems by providing groups and individuals with affordable access to land for sustainable uses.
- 6** empower communities to establish “local living economies” as an alternative to globalization (local food security, local forest products).
- 7** empower local communities to regain community control of the land and resource base from absentee investor-owners.
- 8** build community security by creating social cohesion and trust in the land base as a shared commonwealth (a full land ethic).
- 9** can help conservation trusts to manage lease agreements on farmland and conservation subdivisions.
- 10** Finally, the community land trust movement is creating a new network of land commons in America.

and stewardship [see box for 10 reasons why this is a mutually valuable partnership].

A History of the Community Land Trust Movement

The concept that land is a commonwealth has been prevalent in different ways throughout human history, as expressed by traditional cultures such as the native peoples of North America, the English commons, and the Israeli National Trust, which holds the majority of land in Israel in trust for its people. The inspiration for the modern community land trust can be traced to late 19th century American economist Henry George, who was internationally recognized in his day for promoting the view that speculative ownership of land was the root cause of economic struggles around the world. He believed that land was a common-

wealth owned by all, and that only the improvements resulting from human effort could be owned as private property by groups and individuals.

Founders of the community land trust concept carried George's ideas forward by establishing community-based organizations to hold land in trust for the common good as a crucial base for vibrant local economies and an alternative to speculative, often absentee ownership. The first common land homesteading community was established by economist Ralph Borsodi on 40 acres of farm and forest land in Suffern, New York in 1934. It was here that Borsodi formed the School of Living during the height of the Great Depression as a living classroom to train urban refugees in back-to-the-land simple living and skills for establishing sustainable local economies. The School of Living formed as a community land trust in 1976, and has continued to secure land for sustainable communities, currently holding over 500 acres in trust in six sustainable living communities in Pennsylvania, Maryland and Virginia.

Robert Swann, a community activist inspired by the work of Borsodi, formed the first nonprofit community land trust in 1966 on nearly 5,000 acres near Albany, Georgia. New Communities Farm was established during the Civil Rights Movement as a place where black families, many of whom were descendants of sharecroppers, could affordably access farmland and produce crops for local and regional markets. At a time when black families faced great obstacles in securing land and financing, Swann and a group of community activists, including Slater King, cousin of Dr. Martin Luther King, Jr., established a community land trust to purchase a series of white-owned farms and provide a commonly owned, secure land base for black farmers who became members. Swann and others founded the E. F. Schumacher Society in 1980 on community land trust land in Great Barrington, Massachusetts, to carry on the work of E. F. Schumacher, an early proponent of sustainability through books such as *Small Is Beautiful*.

Reclaiming the Appalachian Commons

“Every problem Appalachia has—mine safety, black lung, strip-mining, pollution, the decline of farming, floods, sub-standard housing, welfare, every single problem—can ultimately be traced back to the question of who owns the land.”

— MIKE CLARK, Highlander Center (1982)

In 1967, after working with the Glenmary Sisters in urban areas and in Appalachia through a period of migration of mountain people into cities, Marie Cirillo left the order to begin a life dedicated to those people who stayed in the mountains of Claiborn County, Tennessee. With fellow ex-sisters, Cirillo formed the Federation of Communities in Service. In a place where much had been lost—population, coal, water, soil, trees and wildlife—Cirillo's strong belief in land-as-community helped to bring hope to the people of the Clearfork Valley.

In all, 90 percent of the land in the Clearfork area is corporate-owned. The 12 unincorporated communities located

between Jellico, Tennessee and Middlesboro, Kentucky are part of an area where, for most of the last century, the land and its people have largely been sacrificed for the nation's growing demand for heating fuel, electricity, timber and pulp, and natural gas, a connection that has not received much

national attention. Today, these areas are being further devastated by the mining practice of mountaintop removal.

Marie Cirillo first met Robert Swann in 1967 and from that point on was committed to the idea that a community land trust was a vital part of the strategy for restoring the land and people of Appalachia. As part of her work in organizing and mobilizing the community during the 1970s, Cirillo invited Swann to speak to residents of the Clearfork Valley about the benefits of forming a community land trust. With the mentorship of Swann and the E.F. Schumacher Society, Cirillo formed the Regional Land Trust for Appalachian Communities for the purpose of spreading the word about the value of community land trusts. It was a tragic event that first spurred Cirillo and the residents to form the Community Land Trust Association not long thereafter.

"The floods in 1977 were really a wake-up call for local residents about how much we had lost control of our own living environment," Cirillo explains. "The people who did not migrate out of the area stayed because they owned small parcels of land. But the flooding was so bad, and was exacerbated so severely by the mining, that virtually all of the land owned by local residents was now floodplain. The temporary housing trailers from the U.S. Department of Housing and Urban Development sat on the highway for days because there was no land on which to put them."

Once the idea took root, community residents found a 40-acre parcel of land for sale but had no money to purchase it. Cirillo approached the board of the Regional Land Trust for Appalachian Communities, which agreed to mobilize funds and find legal counsel. The trust purchased the 40 acres for \$20,000 and then negotiated with the newly formed Community Land Trust Association to develop a strategy for transferring the land.

Not having the cash to purchase the land outright, the Community Land Trust Association knew that it could settle people on the land and collect land leases. The members calculated how many they could reasonably settle each year and then presented a payment plan to the Regional Trust. The Regional Trust had received \$7,000 of the purchase price as a grant and offered to turn that into a grant to the local group if it would speed up the repayments based on its projection of land-lease income. The incentive worked. Within seven years the group was free of its debt. By vote of the local people, the Community Land Trust Association changed its name to the Woodland Community Land Trust.

Another opportunity the Woodland Community Land Trust took advantage of was the chance to purchase a 200-acre mountaintop near the settlement of Eagan, Tennessee. This mountain had been strip-mined, deep-mined, and clear-cut. The land trust's board bought the 200-acre tract with the idea of devoting themselves to restoring it. As Marie Cirillo said, "There is no way for this area to revive itself as a rural com-



Courtesy of CLTN

THE NATIONAL COMMUNITY LAND TRUST NETWORK'S board of directors at a board retreat (l to r), Back Row: Greg Rosenberg, Roger Lewis, Bill Howard, Robert Burns, John Hamilton, Ona Ferguson (facilitator), Jane MacKenzie, Jim Mischler-Philbin, Norma Jean Sawyer-Atanda, Colin Bloch, Dannie Bolden. Front Row: Mary Blackstone, Dev Goetschius, Kelly Weiss, Alice Stokes (Network administrator), Lisa Byers, Marie Cirillo

Today, the missions of both the School of Living and the E. F. Schumacher Society center around educating others about the value of community land trusts through their websites, publications and events, and both groups provide how-to handbooks and legal documents for groups and individuals interested in forming and managing community land trusts. A national CLT Network (www.cltnetwork.org) serves as an umbrella organization for the CLT movement, which has grown to include nearly 200 community land trusts following a well-established legal framework for owning land as a commons. While many of these CLT's are devoted to providing affordable housing in urban neighborhoods, an increasing number include community gardens and greenways, and larger open spaces in semi-rural or rural areas.

In 1990 the E. F. Schumacher Society published a concept paper titled "A New Lease on Farmland for the Northeast." The paper made the case for a partnership between community land trusts and conservation land trusts to ensure a method for passing on farmland and farm homes in an affordable manner from generation to generation of farmers. Through the careful crafting of a long-term lease, the farmer would have positive incentives for working the land sustainably, improving the soil and adding perennial stock.

munity dependent on natural resources if we don't commit time to healing our place on Earth."

As with other community land trusts, Woodland Community Land Trust leases land to local residents for housing under a 99-year lease. In the years since its formation, the trust has worked to secure over 450 acres in six parcels in the

AFFORDABLE HOUSING on trust land.

Courtesy of Marie Crillo



Roses Creek watershed, a tributary of the Clearfork River. Twenty-eight affordable homes and community facilities have been built on 50 acres along the ridges of this land. Each family has a lifetime renewable lease on one acre with several acres of common land for family gardens, play areas, or whatever is agreed upon by the residents. Since 1984, the Clearfork Valley Water Utility has served these and over 200 other households with potable water in an area contami-

nated by mining. The remaining 400 acres is being managed as undeveloped forest.

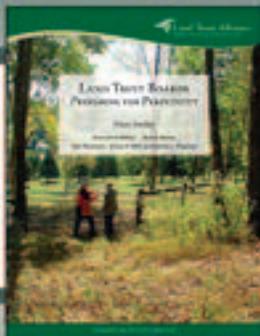
Bringing Clear Benefits to a Community

The founding concept of the Woodland Community Land Trust was to change the community fundamentally and to strengthen the cultural identity that mountain people have with the land. The founders saw the community land trust as a way to create an alternative to migration to urban areas and an opportunity for people who had left the community to come home. The trust would provide the community a system for acquiring land to meet public and private needs, and thus do its part to rebuild this community in a life-fulfilling way.

The Woodland Community Land Trust's 450 acres are managed by residents with lifetime renewable land leases, ownership of their homes, and engagement in small-scale farming. The quality and size of land is insufficient for larger-scale operations but there is enough to provide families and neighbors with food. The forest lands that are central to community life are being reinhabited by game, wildlife, and wild herbs and greens. The land trust forests give residents limited access to a sustained ancient practice of hunting and gathering.

Linda Gibson, a leaseholder for 15 years and now a board member of the trust, describes the community's dependence on the land. "There are common grounds on each ridge available for people without enough land to have gardens near their homes. For a few years, I worked with a youth group to grow produce for the elderly. There are an awful lot of elderly people who live up here who have always

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grown their own produce and who are now too old to garden, so it was a good way to teach kids about gardening while helping the older generation to eat well.”

The Woodland Community Land Trust has spun off several community organizations. A separate development corporation now exists to concentrate on housing and small businesses. A separate educational institution, the Clearfork Community Institute, has been formed to draw outsiders to Appalachia as a place to learn old and new approaches to sustainable land use and restoration.

The input of volunteers such as young students who engage with the community land trust for a week or a month, or retired professionals who give days of their time over a number of years have been a source of support and hope to the land trust, the development corporation and the educational institute. The contributions range from doing a survey to being part of a land use planning committee, from digging holes for fruit trees to learning about marketing, from sharing music to doing research on the role of music in the community. “When people are amazed at how much we get done on so small a budget, it is because money raised is well matched with services rendered by both local and visiting people,” says Cirillo.

Woodland Community Land Trust's benefits to the community can clearly be seen in their list of actions towards achieving the goal of raising the economic, education and

social levels of the residents of the area, whose income is below federal poverty guidelines:

- To acquire property within the community;
- To exercise its stewardship rights over the land by preserving, protecting and enhancing its natural, scenic, recreational and productive attributes;

- To lease its land to disadvantaged local people, giving them the use rights over the land and profits gained from that use;

- To assist residents and groups in developing entrepreneurial and management skills necessary for the successful operation of business enterprises;

- To assist residents and groups in obtaining financial support from other sources;

- To help relieve the poor, distressed, underprivileged and indigent by enabling them to secure the basic human needs of decent shelter.

Woodland is run by a board of directors, whose duties include:

- Acquiring land through donation or purchase and developing resources for the acquisition, rehabilitation and sustainable use of land;
- Leasing lands in a fair and even-handed way conforming to community land trust ideals;
- Maintaining ecological land use standards;
- Working with Resident Associates, who are also leaseholders. The opinion of the Resident Associates must be sought before the board passes a vote.

Thirty years ago, the landless residents of the Clearfork Valley adopted a strategy to begin breaking the cycle of poverty by becoming landed. Now through the Woodland Community Land Trust, they are beginning to secure a base of common land and develop community institutions that are proving that economic, social and ecological restoration are possible. They are creating their own hope. 

David Harper is principal of Land In Common (www.landincommon.org), a consulting practice dedicated to assisting land trusts in carrying out their missions through grant writing and project management. He is working to help expand the network of land commons through education and outreach about community land trusts, and is a board member of the School of Living and a member of the E. F. Schumacher Society. Some of the material in this article originates from the Society, and in particular, from a presentation given by Marie Cirillo in 2000. See www.schumachersociety.org.

Resources

- Community Land Trust Network, www.cltnetwork.org
- E. F. Schumacher Society, www.schumachersociety.org
- Equity Trust, www.equitytrust.org
- Lincoln Institute of Land Policy, www.lincolnst.edu
- School of Living, www.schoolofliving.org

Some Land-based Community Land Trusts

- Cold Pond Community Land Trust (NH)
- Community Land Trust in the Southern Berkshires (MA)
- Evergreen Community Land Trust (WA)
- Lopez Community Land Trust (WA)
- Madison Area Community Land Trust (WI)
- Ozark Regional Land Trust (MO)
- School of Living (PA, MD, VA)
- Woodland Community Land Trust (TN), <http://socialconcerns.nd.edu/students/Woodland/index.html>



MARIE CIRILLO on Woodland Community Land Trust land.

Courtesy of Marie Cirillo