



**URBAN
AGRICULTURE LAW**
2014 CONFERENCE

**Conference Schedule
Friday, September 19, 2014**

7:00 a.m. **Registration opens in University of Maryland Francis King Carey School of Law (enter 500 W. Baltimore Street, walk through Law School to Westminster Hall)**

A light buffet breakfast will be served in Westminster Hall, a beautiful historic church and burying grounds that are the final resting place of many famous people including Edgar Allen Poe, General Sam Smith, and General James McHenry. Westminster Hall will be accessed through the main entrance of the law school.

7:30 – 8:45 a.m. **Welcome/Breakfast Session**

Welcome: Kristine Dunkerton, Esq., Executive Director, Community Law Center, Inc.

Moderator: Barbara Bezdek, Esq., Professor of Law, University of Maryland Carey School of Law

Presenter: Gregory Heller, CEO, American Communities Trust

Gregory Heller, CEO of American Communities Trust, will discuss the Baltimore Food Hub. This development is a planned campus of facilities, services, and programs focused on enhancing Baltimore's local food economy, revitalizing East Baltimore, creating jobs and opportunities for the neighborhood and serving as an asset that will benefit the city and region.

9:00 – 10:30 a.m. **Concurrent Panel Sessions**

1. Workshop: Entity Selection, Governance, Partnerships and Employment Law for Urban Farmers

Moderator: Robin Jacobs, Esq., Staff Attorney, Community Law Center, Inc.

Presenter: Kelsey Ripper, Esq., Equal Justice Works Fellow, Lawyers Alliance for New York

This workshop will address the basic legal logistics for urban agriculture organizations, with an emphasis on nonprofit organizations. The presenter will take the audience through the process of forming a corporation, applying for tax exemption, partnerships between nonprofits and for-profits, and the typical employment law issues that affect urban agriculture enterprises.

2. Land Trusts: A Winning Solution for Land Security

Moderator: Beth Strommen, Director, Baltimore City Office of Sustainability

Presenters: Miriam Avins, Executive Director, Baltimore Green Space: A Land Trust for Community Managed Open Space, Inc.

Kelly Pfeifer, Esq., Supervising Attorney, Community Law Center, Inc.

Nate Ela, PhD Candidate, Department of Sociology University of Wisconsin – Madison

This discussion will provide an overview of land trusts and how they can be used to preserve and protect land for community use, gardening, and farming. Topics will include how land trusts solve problems for municipalities, gardeners, and farmers, as well as the implications of board structure for whom the land trust is serving and to whom it is answerable. The panel will discuss models of land trusts, including a presentation about Baltimore Green Space and the work it has done with communities and the local government. The discussion will also include an overview of legal issues to consider when forming or operating land trusts, including formation, property acquisition, and tax exemption.

3. Applying Rural Rules to Urban Agricultural Land Uses

Moderator: Janice V. Bowie, PhD, MPH, Associate Professor, Department of Health, Behavior & Society, Johns Hopkins Bloomberg School of Public Health

*Presenters: Jacqueline Hand, Professor of Law, University of Detroit Mercy School of Law
Neil Thapar, Esq., Staff Attorney, Sustainable Economies Law Center, Oakland, CA
Ashley Newhall, LLM, Legal Specialist, University of Maryland's Department of Agricultural and Resource Economics
Paul Goeringer, LLM, Extension Legal Specialist, University of Maryland's Department of Agricultural and Resource Economics*

The discussion will focus on the amount of control cities should have to regulate traditionally rural agricultural practices such as chemical use and livestock practices as well as what constraints there should be on the size and scale of city farms. The panel will also explain an effort to have statewide legislation to preempt restrictions on growing food currently proscribed in tenant leases, HOA covenants, and local zoning ordinances. Finally, the panel will provide the Maryland perspective on adapting laws and regulations of rural agriculture to urban agriculture, and will ask the question: Is there a right to farm in the city?

10:45 – 2:15 p.m. Baltimore Urban Farm Bus Tour and Lunch at Urban Farm Site

Tour Facilitator: Megan Wakefield, Pro Bono Coordinator, Community Law Center, Inc.

Strength to Love Farm is a joint venture of Big City Farms, a Baltimore-based for-profit, and Strength to Love II, a project of Newborn Holistic Ministries. The farm focuses on providing training and employment to local residents returning from incarceration. It is the first urban agriculture site to be established via the Homegrown Baltimore Land Leasing Initiative, which provides long-term farm leases for city-owned vacant land as a way to increase the production of local foods, create jobs, stabilize neighborhoods, and eliminate blight.

Hidden Harvest Farm is a 3/4-acre growing space for food, including shiitake mushrooms, chickens and honeybees. Hidden Harvest's goal is to create a beautiful and bountiful space in which flowers, fruit, vegetables, insects, birds, and humans live harmoniously.

Hillen Homestead is a large cut flower garden on a vacant lot adopted from the City in the fall of 2012. What started as a hobby is gradually becoming a small business with flowers sold to a local florist, market stands, a small CSA, and occasional special events, plus many bouquets given away to supportive neighbors. The site has a mix of perennial and annual flowers as well as berries and fruit trees.

Real Food Farm is nonprofit Civic Works' innovative urban agricultural enterprise engaged in growing fresh produce on six acres of land in Clifton Park. Since 2009, the farm has been growing food, educating youth, partnering with community organizations, and bringing more real food to Northeast Baltimore. Conference attendees will tour Real Food Farm and have lunch at the site. **(see below)*

City-Hydro will contribute their microgreens to the lunch. This vertical farm is too small to visit on the tour but the owners will be in attendance to explain how they grow farm-size quantities of organic food inside their Fells Point rowhouse.

**In the event of inclement weather, the bus tour will continue but the lunch will be held in Westminster Hall. Regardless of weather, bus tour participants are encouraged to wear flat-heeled shoes.*

2:45 – 4:15 p.m. Concurrent Panel Sessions

1. Workshop: Community-Based Urban Agriculture Law & Policy

Moderator: Parag Khandhar, Esq., Clinical Teaching Fellow, Community Development Clinic, University of Baltimore School of Law

*Presenters: Amy Laura Cahn, Esq., Staff Attorney/Skadden Fellow, Garden Justice Legal Initiative, Public Interest Law Center of Philadelphia
Kirtrina Baxter, Community Organizer, Garden Justice Legal Initiative, Public Interest Law Center of Philadelphia*

This workshop is intended to bring everyone to the table for a conversation - policy makers, lawyers, researchers, community leaders, individual gardeners, and market farmers. How can practitioners and researchers effectively work in partnership and share leadership with community residents who are doing the work on the ground? Using breakout groups and full group dialog, community needs will be identified and a set of values and principles that can be used to inform relationship and partnership building will be created.

2. Accessing Vacant Land for Food Production

Moderator: Michael Pappas, Esq. Assistant Professor, University of Maryland Francis King Carey School of Law

*Presenters: Becky Lundberg Witt, Esq., Staff Attorney, Community Law Center, Inc.
Tonya Lewis, Esq., Ph.D. Candidate, Adjunct Instructor, SUNY Buffalo Law School
Elder Wendall Holmes, Strength to Love II*

This discussion will present the opportunities and limitations for accessing vacant land, at least for the short term, by creatively using classic property law theories such as nuisance, leasing, and licensing. The potential of land banks as a solution for long term land control for urban agriculture will also be explored. And, first-hand experience in leasing and improving land that was formerly a densely populated residential site for a larger-scale urban farm in Baltimore City through the City's Homegrown Baltimore initiative will be described.

3. Local Government Initiatives to Encourage Urban Agriculture as a Tool for Neighborhood Revitalization

Moderator: Kristine Dunkerton, Esq., Executive Director, Community Law Center, Inc.

*Presenters: Lillie Rosen, Food Access Director, DC Greens
Gail Taylor, Farmer, Three Part Harmony Farm
Mary Cheh, D.C. Council Member
Abby Cocke, Environmental Planner, Baltimore City Office of Sustainability
Rashelle Celestin, Senior Programs & Data Manager, Land Resources, Baltimore Housing
Wendi Redfern, Assistant Commissioner, Land Resources, Baltimore Housing
William "Pete" Welch, Baltimore City Councilman*

This discussion will focus on Baltimore and Washington, DC. Panelists from Washington, DC will discuss how urban agriculture and food policy have quickly grown from piecemeal guerrilla and backyard efforts to fertile policy collaboration that may place the District of Columbia in a leadership role for local food policy implementation. The panelists from Baltimore, MD will discuss how the City is addressing structural challenges related to supporting urban agriculture by changing laws and regulations, forming partnerships, creating processes, and setting precedents.

4:15 – 4:30 p.m. Coffee Break

Coffee and refreshments will be available. Conference attendees will have an opportunity to speak with representatives of organizations about their displays set up in the registration area.

4:30 – 5:30 p.m. Concurrent Panel Sessions

1. Workshop: Best Practices and Policies for the Start-up Urban Food Venture

Moderator: Susan Bennett, Professor of Law, Director of the Community & Economic Development Clinic at American University, Washington College of Law

Presenter: Priya Baskaran, Georgetown University Law Center – Social Enterprise & Nonprofit Law Clinic

This workshop explores the laws and policies surrounding fundraising and financing of food businesses in their start-up stages. Topics covered by the workshop include an introduction to various funding sources, crowdfunding requirements and implications for both nonprofit and for profit ventures, discussion of various crowdfunding platforms, and a look at successful municipal or state policies that promote funding these food-based ventures. The workshop is designed to assist urban entrepreneurs and the lawyers working with these entrepreneurs.

2. Growing Healthy Food for Your Family and Community: How Much Regulation Does it Take to Be a Good Neighbor?

Moderator: Joyce Smith, Community Liaison for Center for a Livable Future and President of Operation Reach Out Southwest

*Presenters: Elsa Lankford, Associate Professor, Towson University
Meg Algren, Associate Professor, Towson University
Alan Nemeth, Esq., Maryland State Bar Association, Animal Law Section
Mae Johnson, Program Director, MD Department of Agriculture, Agricultural Conflict Resolution Service
Naima Jenkins-El, UA Extension Program Assistant, University of Maryland Extension, Baltimore City Master Gardeners*

This discussion will spark a conversation about why lawns are preferred over food production. Policies that allow goats, chickens, honeybees, and front yard gardens will be explored. The importance and enforcement of farm animal cruelty regulations in the City will also be examined. Finally, the presenters will raise the question of how much of a right should neighbors have to object to farming next door and how to resolve disputes among neighbors.

3. Meeting Community Needs with New Government Policies and Initiatives

Moderator: Victoria Campbell, Community Garden Coordinator, Parks Recreation and Community Facilities, Richmond, VA

*Presenters: Jeffrey P. LeJava, Esq., Senior Staff Attorney, Land Use Law Center at Pace Law School
Jennifer Schwartz Berky, Principal, Hone Strategic, LLC and Kingston Urban Agriculture Committee
Madeline Fletcher, Esq., Executive Director, Newburgh Community Land Bank
Jennifer Funn, Retail Revitalization Coordinator, Branch Avenue in Bloom, Maryland Small Business and Technology Development Center*

This discussion will examine several case studies. Two case studies, one in Kingston, NY and one in Newburgh, NY, worked with grassroots community activists to advocate for new policies in each city to allow for urban agricultural activities. The Branch Avenue in Bloom Urban Farm and Farmer's Market in Maryland, a project designed to provide education on low impact development, green infrastructure solutions to storm water management, combat the food desert, and reinvigorate the commercial corridor, will also be discussed.

5:30 – 7:30 p.m. “Growing Cities” film screening (5:45 – 6:55 p.m.) and reception

Introduction by Baltimore City Councilman Nick Mosby and community leader Inez Robb

Growing Cities is a documentary film that examines the role of urban farming in America and asks how much power it has to revitalize our cities and change the way we eat.