



REGION 9 FOREST LEGACY PROGRAM

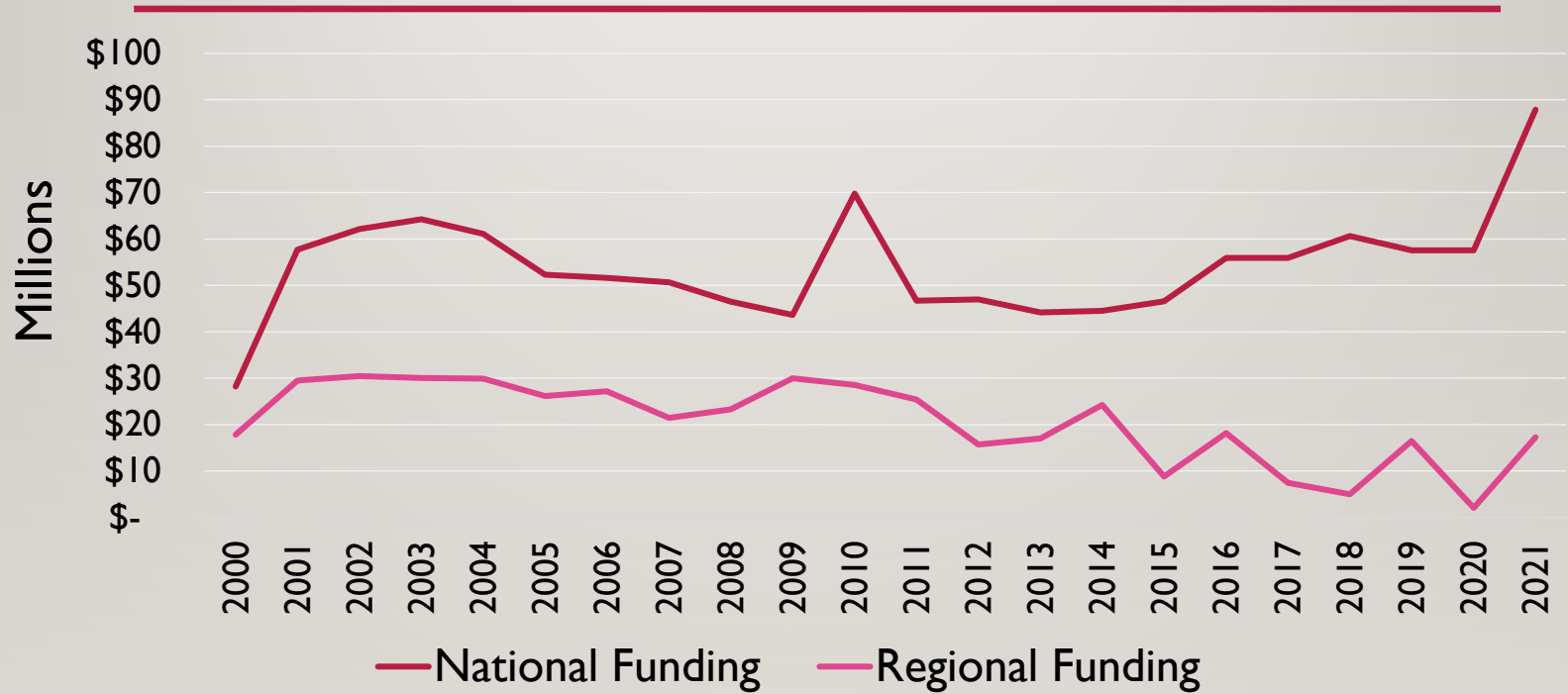
APRIL 2022

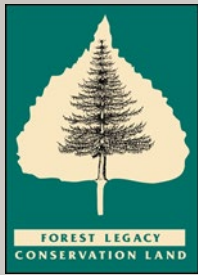


FOREST LEGACY PROGRAM BRIEF OVERVIEW

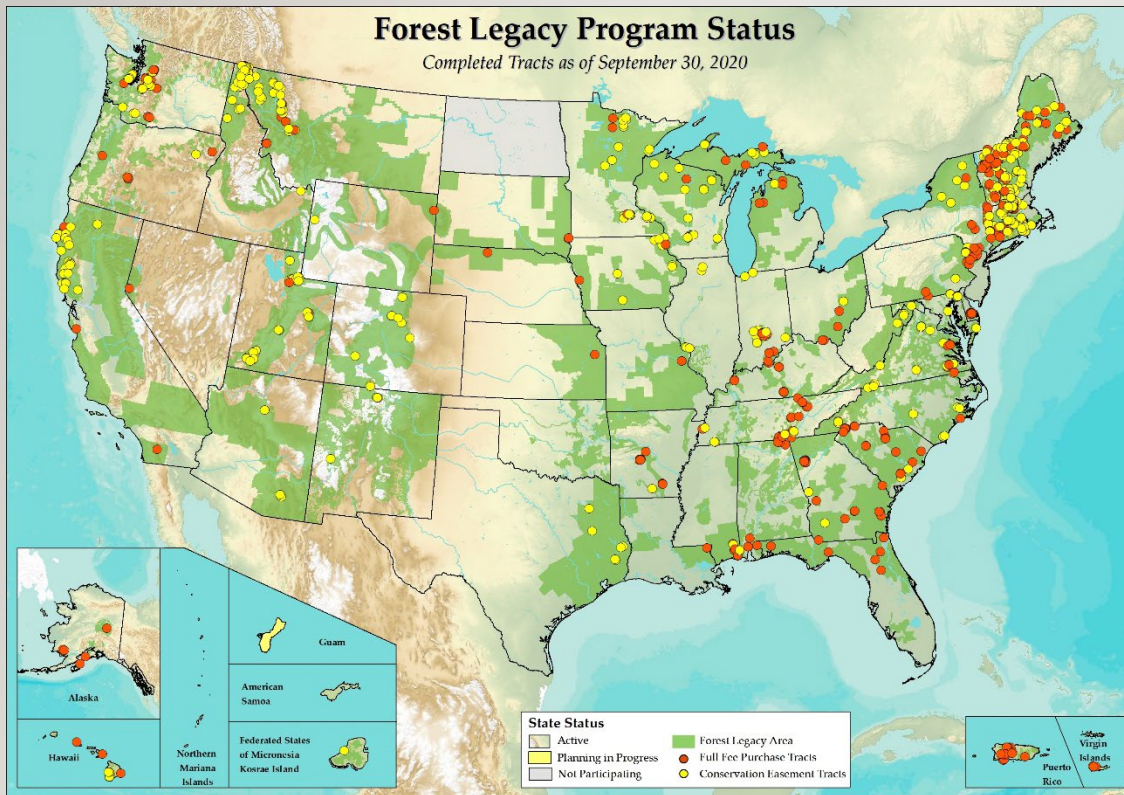
- The Forest Legacy Program (FLP) is a conservation program that is implemented in partnership with State agencies **to encourage the protection of privately owned forest lands through conservation easements or fee purchases.**
- Established in the 1990s.
- It is a State granting program.
 - States are the lead agency.
 - FS provides oversight and assistance for program and project implementation.

FLP FUNDING LEVELS PER FY SINCE 2000





ACCOMPLISHMENTS AS OF JANUARY 2022



- 53 states/territories enrolled
- 2.93 million acres conserved
 - 447 projects; 1,042 tracts
 - 81% easements; 19% fee simple
- Over \$2.08 billion total investment
 - \$961 million federal
 - \$1.12 billion partner contributions



FOREST LEGACY PROGRAM ELIGIBILITY

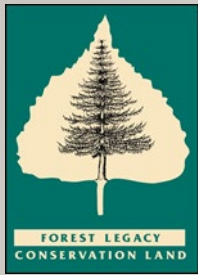
State eligibility:

- Forest Action Plan or Assessment of Need and designated Forest Legacy Areas

Project eligibility:

- Private forestland (industrial and non-industrial)
- At least 75% forested
- At least 25% non-Federal cost share
- Willing landowner
- Within Forest Legacy Area
- Multi-resource management plan





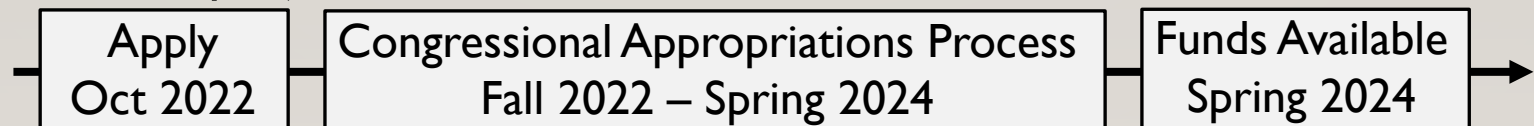
FOREST LEGACY PROJECTS

- Selected for funding through annual competitive process
- Projects can include multiple tracts with multiple landowners
- Lands or interests in land purchased through FLP must be held by a governmental entity
- Land trusts can help facilitate project development & implementation
 - Can't be owner/holder of land using FLP funds except for full donations
 - Can pre-acquire land to then be purchase by the State using FLP funds



FOREST LEGACY SELECTION PROCESS

- National Panel made up of Federal and State members
- Panel follows Reply Due Letter which includes:
 - Detailed instructions and due dates
 - Scoring criteria for ranking
 - Importance
 - Threatened
 - Strategic and other considerations
- Lengthy process over about 1 ½ year duration from proposal review to funded project





FOREST LEGACY PROPOSAL PROCESS

- FY24 Reply Due Letter being finalized
 - Minor changes this year to environmental justice and climate change
 - Will be sent out soon (spring 2022)
 - Important Dates:
 - Early Sep - draft projects due in FLIS for Mock Panel (*not required)
 - Mid Sep - Mock Panel (FS provides feedback)
 - Early Oct - final projects due in FLIS
- States can submit a maximum of 3 projects, Total FLP funding limit \$20 million
- All projects require a market analysis to support funding request
 - Required by Congress for all LWCF funded projects
 - Provides an informed estimate of value for the proposed project
 - Not an appraisal
 - Prepared by someone with real estate experience



FOREST LEGACY PROPOSAL READINESS FACTORS

Readiness factors for projects > \$7 Million

- 6 out of 7 for conservation easements
- 5 out of 7 for fee acquisitions

Readiness

Pre-Appraisal/Market Analysis	1
Easement or Fee Conditions	1
Non-Federal Cost Share Commitment	1
Signed Purchase Agreement	1
Title Search	1
Mineral Determination	1
Stewardship Plan (or equivalent)*	1
Readiness Total Tally Score	7

*Fee acquisitions don't require a Stewardship Plan prior to closing



FOREST LEGACY PROGRAM

- States can work with land trust partners to help facilitate project development & implementation
- Use FLP administration grant funds or project grant funds to reimburse partners
- Use FLP administration grant funds to work with partners earlier in the process
- Partners can work on almost any activity that is eligible for reimbursement under FLP
 - Write proposals
 - Prepare market analysis
 - Title work
 - Appraisals
 - Surveys
 - Reports



CHALLENGES

- Lengthy Process: Time between development, submittal and approval of application and receipt of funding can be a 2-3-year process. Landowner may change their mind, or what they want to do with the land may no longer be compatible with FLP. It may take a while to finalize footprint of FLP project and complete the due diligence necessary before the appraisal phase.
- Appraisal Phase: Appraisals can be complicated, and lengthy; need to leave enough time to conduct the appraisal and appraisal review.
- Communication: State manages communication and expectations of several agencies, partners and landowners. Need clear communication between everyone in order to manage expectations.



CONCLUSIONS

- FLP is a state & federal partnership!
- State's can partner with others on many activities eligible for reimbursement under the FLP to develop and implement projects
- Region 9 has a strong FLP and will continue to have a strong FLP



REGION 9 FLP CONTACTS

Neal Bungard, Natural Resource Program Leader

Neal.Bungard@usda.gov

Liam Krause, FLP Stewardship Specialist

Liam.Krause@usda.gov

Ron Scott, FLP Realty Specialist

Ronald.Scott@usda.gov

Kirston Buczak, FLP Manager

Kirston.Buczak@usda.gov

QUESTIONS

