



# Oregon

Department of Forestry



## OREGON FOREST LEGACY PROGRAM Federal Fiscal Year FY 2021 Application Instructions

### BACKGROUND

[Oregon's Forest Legacy Program](#) addresses privately owned forestlands that face threats to conversion to non-forest use by urbanization, rural residential development, parcelization and other development pressures. Forest Legacy provides funds for the purchase of development rights to eligible private forestlands through either conservation easement or fee-title acquisition into public ownership. The goal of the Program is to maintain working forests that conserve important commodity as well as non-commodity forest resources and conservation values including water flows and quality; fish and wildlife habitat (especially for threatened and endangered species); stores of carbon; and biodiversity. In addition, the Forest Legacy Program promotes stewardship and sustainable management of private forest lands. All properties entered into Oregon's Forest Legacy Program – either through conservation easement, fee acquisition or donation – have their forest resources and conservation values protected and managed in accordance with a State Forester approved [Forest Stewardship Plan](#). The Program operates in areas where forests may be lost to non-forest uses and seeks projects that strengthen local communities through state, local and private partnerships in conservation. Landowner participation in the Forest Legacy Program is voluntary.

A Forest Legacy Program project is the nomination of one or more tracts or parcels of private forestland for Forest Legacy Program funding – either for fee title acquisition by a state or local government entity or for a conservation easement that grants the development rights to a state or local government entity. Nominations must be submitted voluntarily through the private forest landowners involved or through a third-party that has obtained the explicit consent of the private forest landowners involved. Nominations can include multiple tracts from multiple landowners if in aggregate the multiple tracts jointly and cohesively meet Forest Legacy Program requirements.

To be eligible, properties must be in private ownership and located within an [Oregon Forest Legacy Area](#). In addition, all nominated properties must by the time of closing be managed under a State Forester approved [Forest Stewardship Plan](#). Awarded Forest Legacy Program funds must be matched with approved non-federal funds of at least 25% of the total funds used (Forest Legacy Program funds plus non-federal matching funds). Oregon can submit up to 3 projects for national consideration for FY 2020 Forest Legacy Program funds, not to exceed a total of \$10,000,000 in requested funds. Individual projects cannot exceed \$7,000,000 in requested funds; projects needing funds in excess of this amount can be phased into separate requests for Forest Legacy Program funds in multiple fiscal years. For example, a project needing \$15,000,000 in Forest Legacy Program funding could request up to \$7,000,000 of FY 2020 funds, up to \$7,000,000 million of FY 2021 funds and the remaining balance as a FY 2022 fund request. However, each Phase should be treated as a separate transaction that would stand alone in meeting Program objectives in the event the other phases are not granted funds. Projects that are requesting funds solely for FY 2020 funding should also indicated whether, and if so how, they can be phased should the National Review Panel, in its consideration of the project for award, reduce the requested funding.

For more information, go to: [Oregon's Forest Legacy Program Website](#).

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## LETTERS OF INTEREST AND PROPERTY DESCRIPTIONS

- 1) Submittal – Project nominations are initiated by submitting (either electronically or hard copy) a 3 to 4 page Letter of Interest (with Property Description attached) to:

Amy Singh  
Oregon Department of Forestry  
2600 State Street  
Salem, Oregon 97310  
(971) 718-1054  
[Amy.s.singh@oregon.gov](mailto:Amy.s.singh@oregon.gov)

**Letters of Interest & Property Descriptions are due by Close of Business Friday, May 24, 2019.**

- 2) Letters of Interest -- Letters of Interest should be signed and submitted by a legal representative of the landowner holding fee title interest to the property or properties being nominated; or include a letter signed by a legal representative of the landowner indicating permission for another entity to submit the Letter of Interest on the landowner's behalf. (Letters of Interest that include multiple parcels from multiple landowners need to have permissions from all participating landowners.) Letters of Interest should also detail which FLP eligible entity will hold title, either in fee simple or conservation easement, for the proposed project and, if available, include a letter of commitment from the FLP eligible entity affirming their desire to how title of the proposed parcels.

**Misrepresentation of a landowner's voluntary submittal or approval of the Letter of Interest will result in dropping the proposal from consideration for Forest Legacy Program funding.**

The Letter of Interest should cover the following:

- Documentation assuring the property and project meet the Forest Legacy Program eligibility criteria as outlined in the Forest Legacy Program Implementation Guidelines.
- A clear statement of the landowner's willingness and desire to voluntarily have the property become a part of Oregon's Forest Legacy Program.
- Description of the proposed property's merit with respect to [National Project Scoring Criteria](#)<sup>1</sup>:  
Importance – Describe the specific attributes and resources of the property that contribute to the environmental, social and economic benefits arising from continued management of the property as forestland for forestry purposes. Highlight those attributes and resources that are of national significance. Describe how either public acquisition of the property (in the case of a fee title purchase nomination), or how the landowner and partners (in the case of a conservation easement nomination) will ensure conservation and sustainable management of the property's important forest resources in perpetuity.

To the extent applicable, address the following categories of importance:

- Economic Benefits from Timber and Potential Forest Productivity
- Economic Benefits from Non-timber Products

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<sup>1</sup> The National Program Scoring Criteria for FY 2019 projects has yet to be released by the National Forest Legacy Program; however, no major changes from the FY 2019 scoring criteria are expected.



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- Threatened or Endangered Species Habitat
- Fish, Wildlife, Plants, and Unique Forest Communities
- Water Supply, Aquatic Habitat, and Watershed Protection
- Public Access
- Scenic
- Historical/Cultural/Tribal

Threatened – Describe the threat and likelihood of the nominated property being converted to non-forest use. In doing so, describe the allowable development under all applicable comprehensive land use plans for the counties that the nominated property lies or properties lie within. In doing so, highlight specific steps or actions (e.g., development plans, permits, lot line adjustments, etc.) taken by the landowner, or expressed purchaser interests in the property, toward development. If appropriate, include the threat of parcelization -- the divestiture of a single tract(s) under a single ownership into multiple tracts under multiple ownerships – as parcelization can be an indicator of future private forestland loss to development or other non-forestry purposes. Address the following: Lack of Protection, Land and Landowner Circumstances, Adjacent Land Use and Ability to Develop.

Strategic – Describe the nominated property's relevance or contribution to existing or emerging conservation initiatives (e.g., the [Oregon Conservation Strategy](#)) or proximate forestlands that are already being managed in perpetuity for forestry purposes (e.g., public forestlands and other forestlands being conserved through conservation easements or acquisition by land trust organizations). Identify by name the local, regional and/or statewide conservation initiatives and/or proximate forestlands that would be best served by continued management of the property as forestland for forestry purposes.

- Describe the project's Readiness by indicating which of the following has been completed:
  - Cost Estimate Based on Completed Market Analysis or Preliminary Appraisal
  - Conceptual Agreement with Landowner on Acquisition or Easement Terms
  - The Amount of Secured Non-Federal Cost Share Funding
  - Signed Option or Purchase and Sale Agreement
  - Title Search is Completed
  - Minerals Determination Completed
  - Forest Stewardship Plan (or Equivalent) Completed

The Letter of Interest should designate by name, and include contact information for, an individual responsible for completing the Forest Legacy Program application (Application Representative) for the nominated properties.

- 3) Project Descriptions -- Attach a one page Project Description for each tract or parcel included in the Letter of Interest.

- |                      |                 |
|----------------------|-----------------|
| 1) Name of the tract | 2) Landowner(s) |
| 3) County            | 4) Tax Lot #(s) |



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- 5) Acres
- 6) Legal Description
- 7) County Zoning and Tax Designation
- 8) Ownership of Mineral Rights (indicate if unknown)
- 9) Structures on the property
- 10) Existing Easements and Right of Ways
- 11) Congressional District
- 12) Forest Legacy Program Funds Requested
- 13) Percent of Property that is Forested
- 14) Entity Intended to hold title (either fee title or CE)

Include other information such as any special or unique circumstances affecting title to the property or the ability of the property to enter the Forest Legacy Program such as existing conservation easements, carbon and other ecosystem services obligations or contracts and other encumbrances on title and/or the location of know hazardous wastes.

For the amount of Forest Legacy Program Funds Requested, please provide supporting information, such as market analysis or preliminary appraisal, of how this amount and the value of the Forest Legacy Program interests (either fee title or conservation easement) have been determined.

- 4) Evaluation – Letters of Interests will be evaluated by [Stewardship Coordinating Committee](#) at their May 30, 2018 meeting in Salem. Up to six projects can be invited to develop applications for FY 2020 funding consideration by the [Stewardship Coordinating Committee](#) prior to the top three projects being submitted for Nation Scoring Panel consideration.

## APPLICATION DEVELOPMENT

- 1) Application – Formal applications will be developed using the USDA Forest Service’s *Forest Legacy Information System (FLIS)*. The Application Representative needs to be available for a webinar *FLIS* orientation and training to be **schedule TBD, typically in June or July**, and have computer access and skills to **submit application materials through FLIS (about 16 hours time)**. *FLIS* compiles project information by the three main criteria for funding: Importance, Threatened and Strategic. See [National Project Scoring Criteria](#) for more information about these criteria. The *FLIS* Project Brief serves as the project’s formal application and is the sole basis of evaluation by the Forest Legacy National Review Panel. See the [Gilchrist Forest Project Brief](#) as an example.

*FLIS* will also require the following information about the timing of the project, needed Forest Legacy Program funds (in aggregate for all tracts and parcels), amount of non-federal match (and source) and whether there will be, or can be, multiple requests (phases) for Forest Legacy Program funds.

<u>Year of Funding</u>	<u>Project Phase(s)</u> <u>(I, II, III, ..)</u>	<u>FLP Federal Request (\$)</u>	<u>Non- Federal Match (\$)</u>	<u>Source of Match</u>	<u>Total Project Funds(\$)</u>	<u>Total Project Acres</u>
FY 2021						
FY 2022						
FY 2023						
Total						

## APPLICATION REVIEW

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- 1) Presentation to the [Stewardship Coordinating Committee](#) – The Application Representative, landowners (and other partners) are invited to present their DRAFT Project Briefs to the State Forest Stewardship Coordinating Committee during the September meeting in Salem. The Committee will provide feedback to all applicants on ways to strengthen their Project Briefs.
- 2) Supporting Materials – All supporting materials that the Application Representative would like to make available to the [Stewardship Coordinating Committee](#) for their consideration in the review, evaluation and possible submittal and ranking for FY 2020 Forest Legacy Program funding must be received (either electronically or hard copy) by Amy Singh prior to the September Stewardship Coordinating Committee meeting in August 2018. This includes formal letters of support from all supporting organizations, entities and individuals listed by the Application Representative in *FLIS*.
- 3) [Stewardship Coordinating Committee](#) Review, Evaluation and State Priority Ranking – The [Stewardship Coordinating Committee](#) will formally review, evaluate and rank the revised Project Briefs and to decide which will be submitted to the National Review Panel for FY 2020 Forest Legacy Program funding consideration in October. Application Representatives, landowners and others are welcomed to attend and observe the Committee's deliberations. Applicants will be notified of the Committee's recommendation and Oregon Department of Forestry approval (as State Lead Agency) shortly after this meeting.
- 4) Western States Regional Review – *FLIS* Project Briefs for projects to be submitted to the Forest Legacy National Review Panel will be reviewed by the federal Forest Legacy Program coordinators from the western Forest Service regions (Regions 1, 2, 3, 4, 5, 6 and 10) for the purpose of improving the Project Briefs for consideration by the National Review Panel. Applicants will have the opportunity to further revise their Project Briefs so as to strengthen them for submittal to the National Review Panel.
- 5) The [National Project Selection Process](#)<sup>2</sup> requires that the final *FLIS* Project Briefs to be used by the National Review Panel be submitted in November 2018.
- 6) The National Review Panel will meet in January 2019 to make recommendations to the Deputy Chief State and Private Forestry, USDA Forest Service for project inclusion (and ranking) in the President's FY 2020 budget request for the Forest Legacy Program.

All dates subject to change pending Forest Service Forest Legacy Project call for projects and separate programmatic timelines. All updates will be communicated to applicants as soon as known.

## NEED ASSISTANCE?

Please contact Amy Singh, Oregon Department of Forestry, (971) 718-1054; [amy.s.singh@oregon.gov](mailto:amy.s.singh@oregon.gov) with any questions, needed assistance or verification that your project is within a Forest Legacy Area.

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<sup>2</sup> The National Project Selection Process for the FY 2021 funding cycle has yet to be released by the National Forest Legacy Program; however, no major changes in the general timing from the FY 2020 process are expected.