



# Oregon

Department of Forestry



## OREGON FOREST LEGACY PROGRAM Federal Fiscal Year FY 2023 Application Instructions

**Project Applications are due by Close of Business Friday, June 4<sup>th</sup>, 2021.**

### 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 multi-resource management 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 acquisition closing, be managed under a State Forester approved multi-resource management 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). Landowners or third-party organizations are responsible for securing the 25% non-federal matching funds. See [Forest Legacy Program Guidelines](#) for additional information on project eligibility.

Each state is limited in the number of projects and total funding request as outlined in the USFS Forest Legacy Program Request for Proposals. It is anticipated that this will be released from USFS in late-spring or early-summer. For projects considered in 2020, states were limited to a total of 3 projects not to exceed a total FLP funding request of \$20,000,000. The USFS Forest Legacy Program Request for Proposals will guide Oregon's Forest Stewardship Coordinating Committee in their evaluation of projects and recommendation on which project(s) to submit for federal funding consideration. Potential applicants



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should coordinate with Oregon's Forest Legacy Program Coordinator on potential project impacts based on the USFS Forest Legacy Program Request for Proposals.

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

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



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## PROJECT APPLICATION AND PROPERTY DESCRIPTIONS

- 1) Project Consultation– Interested landowners and third party partners should schedule a project consultation with Oregon’s Forest Legacy Program Coordinator to evaluate new potential projects. Project Consultations should occur not later than Friday, May 28, 2021. Prior to a project consultation, background documentation should be provided to Oregon’s Forest Legacy Program Coordinator for review. Background documentation could include: a project map, project summary including how the project contributes to the goals of the Forest Legacy Program and meets the Scoring Criteria, preliminary title report if completed, commitment from eligible entity to hold title or interests in land and any other background information to evaluate the project eligibility, readiness and compatibility with the Forest Legacy Program.
- 2) Project Application- Project application consists of Project Brief, property descriptions, and landowner intent to apply for Forest Legacy funding letter.

The project application materials on intended both mirror the federal project application process to focus on the evaluation criteria used for project funding and to provide enough background to ensure the project is eligible for FLP funding, has a reasonable amount of project readiness and is compatible with the Forest Legacy Program goals and scoring criteria.

Project Application materials should be electronically submitted to Oregon’s Forest Legacy Program Coordinator, Amy Singh [amy.s.singh@oregon.gov](mailto:amy.s.singh@oregon.gov)

**Project Applications are due by Close of Business Friday, June 4<sup>th</sup>, 2021.**

PROJECT BRIEF – The project brief is intended to mimic the project information reviewed for Forest Legacy funding. The project brief is limited in both the type of information provided and how the information is provided. It is strongly suggested to follow the format described below. The project brief includes 5 elements: general description, importance, threatened, strategic and a single page map. More information on each of these criteria can be found in past [National Project Scoring Criteria](#).

- **GENERAL DESCRIPTION:** Provide a brief narrative overview of the proposed project. The goal of this section is to highlight the key attributes of the project and set the stage for the rest of the application.

The General Description section is limited to 1250 total characters.

- **IMPORTANCE:** This criterion focuses on the attributes of the property and the environmental, social, and economic public benefits gained from the projection and management of the property and its resources. 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



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- Economic Benefits from Non-timber Products
- 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

The Importance section of the project brief should be limited to 20 bullets each 300 or less total characters.

- **THREATENED:** This criterion estimates the likelihood from conversion to nonforest use. 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 divesture 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.

The Threatened section of the project brief should be limited to 10 bullets each 300 or less total characters.

- **STRATEGIC:** This criterion reflects the project's relevance or relationship to conservation efforts on a broader perspective. 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. Focus should be placed on conservation initiative that would be significantly advanced by the conservation of the project. Additionally, describe how the project is strategically linked to enhance already protected lands.

The Strategic section of the project brief should be limited to 10 bullets each 400 or less total characters.



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PROPERTY DESCRIPTION -- Attach a one page Property Description for each tract or parcel included in the project application.

Summary of project: For each tract include:

- Forest Legacy Program funding request (projects may not be able to be submitted for the full funding request depending on the funding limitations)
- Cost-share funding-include if it is committed or anticipated, if cost-share grant funding include grant funding source and anticipated timing of funding award,
- Tract acres
- Supporting information on how the value was determined (such as market analysis or preliminary appraisal)
- If the project can be phased or it is anticipated to be a multi-phased project include future phase details

Example Summary:

<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 2023						
FY 2024						
FY 2025						
<b>Total</b>						

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

LANDOWNER INTENT TO APPLY LETTER- The Forest Legacy Program is a voluntary program. Many projects are submitted for funding consideration by third-parties-such as land trusts and conservation organizations. Letters of Intent to Apply 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



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include multiple parcels from multiple landowners need to have permissions from all participating landowners.) Letters of Intent to Apply 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. The Letter of Intent to Apply 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.

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

The Letter of Intent to Apply 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.
- 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
  - Minerals Determination
  - Forest Stewardship Plan (or Equivalent)

MAP—A project application should include a single project map. [See guidance for map best practices.](#)

Previously Considered FLP Projects- For projects previously submitted to ODF for Forest Legacy Funding consideration, applicants can utilize Forest Legacy Information System (FLIS) project briefs. A Landowner Intent to Apply letter should be submitted, indicating the landowner’s continued voluntary interest in seeking FLP funds and their continued permission for representation by a third party, if applicable. Past applicants are encouraged to coordinate with Oregon’s Forest Legacy Program Coordinator on project changes or developments as well as key application materials that might need updating.



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## APPLICATION REVIEW PROCESS

**Initial Project Applications are due by Close of Business Friday, June 4<sup>th</sup>, 2021.**

- 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 June 30<sup>th</sup> meeting which will be held virtually. 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 2023 Forest Legacy Program funding must be received (either electronically or hard copy) by Amy Singh by August 6, 2021. This includes formal letters of support from all supporting organizations, entities and individuals.
- 3) Stewardship Coordinating Committee Review, Evaluation and State Priority Ranking – The Stewardship Coordinating Committee will review and evaluate the revised Project Briefs in August 2021. The Committee will make a recommendation to Oregon Department of Forestry. The Department will notify applicants as soon as feasible after this meeting.
- 4) Western States Regional Review – Project Briefs may submitted for additional feedback and review through the Western States and Western USFS review process. This optional feedback opportunity offers input from 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>1</sup> requires that the final *FLIS* Project Briefs to be used by the National Review Panel be submitted in October 2021.
- 6) The National Review Panel will meet in November 2021 to make recommendations for project inclusion (and ranking) in the President's FY 2023 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>1</sup> The National Project Selection Process for the FY 2023 funding cycle has yet to be released by the National Forest Legacy Program; however, no major changes in the general timing from the FY 2022 process are expected.