



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**



Forest Legacy Program in Washington State

FAQ's

What is the Forest Legacy Program?

A federal grant program administered by the USFS, State and Private Forestry Program.

Its purpose:

To protect environmentally important forest areas that are threatened by conversion to non-forest uses. This includes protecting important scenic, cultural, fish, wildlife, riparian and recreation resources.

Unlike most forest conservation programs, commercial forestry is an allowed use.

What does the grant require?

- Landowner must agree to encumber his/her property with a permanent conservation easement that restricts the property uses.
- Fee purchase of property is also allowed but the land must be held by a government entity and permanently dedicated to the Forest Legacy program.
- Grant pays 75% of the total project cost. Cost share of 25% is needed from another source – the state, the landowner, a project partner, etc. Cost share can be in the form of cash, services (such as paying for the appraisal or other project costs) or land.

Figuring Cost Share

Scenario 1 – FLP funding request is for 100% of the property to be acquired or encumbered (Tract A). Another party is providing cost-share through a separate property (Tract B) dedicated to FLP by easement, covenant or fee conveyance.

Fund request is \$4.5 million for conservation easement on Tract A. Divide \$4.5 by 3 to figure 25% of total project (\$1,500,000). Value of cost share property (Tract B) must be at least \$1,500,000.

Total project value is \$6,000,000

Scenario 2 – Total value of property to be encumbered or acquired (Tract A) will be split between grant and other funds.

Total value of proposed FL easement project is \$4.5 million. Divide \$4.5 by 4 to figure 25% (\$1,125,000). FLP maximum request is \$3,375,000 (75%). Landowner or other party pays \$1,125,000 (25%) through cash toward purchase or donating the remaining acres.

How does the conservation easement work?

- A conservation easement (CE) restricts use of the property to prevent conversion of forest land to any other use.
- Easement price is the difference in land value between the “before (no restrictions on land) and the “after” (with CE in place).
- State holds the easement; landowner continues to manage the land, most often as working forest.
- The easement requires a management plan for the property, and annual monitoring to ensure compliance with CE terms.
- The owner may sell the property, but the easement remains in place. It is recorded so it shows up on title reports.

What projects are likely to get funded?

- Tracts of forest land that are large enough to sustain over time the conservation benefits they provide.
- Properties located in the zone between “almost converted” and “really remote”
 - Too close to urban areas – high value, may be difficult to fund and manage
 - Too far from urban areas – low value, may be difficult to prove threat, may not be enough development value to motivate an owner to accept a CE.
- Properties with compelling stories
 - What will happen if property is or is not conserved? What conservation values does it provide? How threatened is it? Why is it significant nationally as well as locally?
- Projects with support from a variety of local, state and national agencies and organizations.

- Projects that tie into federal interests:
 - Adjacent to or near federal lands.
 - Affect federally designated scenic areas or highways.
 - Complement the Clean Water Act, Endangered Species Act or other conservation initiatives.

What is the selection process?

Scoring is based on three criteria:

1. **Important** – what are the key attributes that make the property worth conserving.
2. **Threatened** – how likely is the property to convert from forest to other uses?
3. **Strategic** – how does this property fit with other conservation efforts?

What counts as “Important”?

- Economic benefits: revenue from forest products, employment, recreation activities
- Threatened / endangered species, unique forest communities or habitats
- Watershed protection, aquatic habitats, affects public water supply
- Scenic, historic/cultural/tribal significance, allows public access

What counts as “Threatened”?

- Lack of protection by zoning, moratoriums or other encumbrances that prevent conversion.
- Landowner circumstances that contribute to conversion risk, often a need or desire to sell.
- Adjacent land use contributes to risk, e.g., neighboring land is being subdivided.
- Ability to develop, e.g., buildable ground, availability of utilities, road access.

What counts as “Strategic”?

- Does the property fit within a larger conservation plan, strategy or initiative?
- Does the property enhance already protected lands in the area?

Where can I find more information?

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<http://www.dnr.wa.gov/leaving-legacy-forests>

<http://www.fs.fed.us/spf/coop/program/loa/flp>