



**Forest Service**  
U.S. DEPARTMENT OF AGRICULTURE

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## **Enclosure 1**

# **FOREST LEGACY PROGRAM**

**INFLATION REDUCTION ACT PROJECTS  
PROPOSAL SUBMISSION PROCESS AND SCORING GUIDANCE**

**Updated May 2024**

**Project Descriptions:**

Project briefs must represent the property proposed for acquisition, not the attributes of a larger proposed project area, previously acquired phases or the general geographic area where a project is located. Attributes of a larger project may be discussed in the General Description and in the Strategic section. Applicants should identify the IRA Project Type (Large Landscape, Tribal Partnership, or Small Strategic) in their general description.

Project submissions should address National Core Criteria (Important, Threatened, Strategic) and project-specific Special Emphasis Criteria (described below). Applicants are provided space in FLIS to address both Core and Special Emphasis Criteria.

Project briefs provided to the National Review Panel are expected to be an accurate representation of the property. During project implementation, any changes to the project size, configuration, or the estate presented for funding consideration can only be made with the approval of the Forest Service.

All photos should include descriptions as well as credit information. States and project partners are granting the US Forest Service permission to use all photos uploaded into FLIS for program purposes with appropriate credits. Any photos of children under the age of 18 must have documented permission from a parent or legal guardian.

### **Project Types & Special Emphasis Criteria:**

Within each of the three project categories, the National Review Panel members will evaluate and score each project based on the Special Emphasis Criteria described below. Proposals can be considered under only *one* of the following project categories. States must identify which of the following project categories best aligns with the proposed project.

#### **Large Landscape Projects:**

These projects should focus on large scale, high impact opportunities in ecological and economically significant landscapes where a significant federal investment available at one time will achieve a conservation outcome with *exceptional* public benefits (see “High Impact” below).

This opportunity is limited to conservation easement and fee simple acquisition transactions with a single legal entity (individual, family, or corporate landowners) with high leverage/non-federal contributions by the landowner, state, and other partners.

Proposals may include multiple tracts but they all must be legally held by the same entity or where a single organization exercises legal control for all proposed tracts on land collectively owned (e.g. timber investment management organization). Projects with multiple tracts must be negotiated and executed as a single negotiated transaction to ensure all lands and interests included in the proposal are legally protected.

States may request up to \$50 million of federal funding per project in this category. States may only submit *one* project for consideration in this category per round. Cost-share waiver or reduction is not available for this funding opportunity.

If a project spans multiple States, then States will need to submit separate proposals for their respective portions of the large project, but it will be evaluated together as a single project, with a total request not exceeding \$50 million of federal funding per State in a single round.

#### **Special Emphasis Criteria – Large Landscape Projects:**

- 1) High impact – *Exceptional* economic, social, and environmental benefits and high strategic importance in a priority landscape aligned with National Core Criteria (as described in proceeding sections). Applicants should expand on the exceptional quality and unique strategic benefits of the proposed project to supplement the information provided under the National Core Criteria (Strategic, Threatened, Important).
- 2) National goals - Significant contributions to the following national goals. Applicants should expand on the attributes of the project to demonstrate alignment with one or more of these national goals.
  - a. Climate resilience
  - b. Carbon sequestration
  - c. Habitat connectivity
  - d. Benefits for Tribal/indigenous or disadvantaged communities

- 3) High leverage – Projects with higher non-federal cost share than the minimum required of 25 percent will be given greater consideration.
- 4) Efficiency of scale – Applicants should explain how a large investment now will be more cost effective and efficient than phasing over time.
- 5) High readiness and capacity – States need to demonstrate high readiness and capacity for successful project implementation within *3 years* of grant award. Recent performance and current capacity will be carefully considered for this project category.
- 6) Stewardship capacity – State has appropriate levels of funding, planning, and capacity to effectively long-term monitoring and stewardship of this large acreage project. If the state needs to enhance their stewardship capacity, demonstrate how this will be implemented by project completion and sustained over time.

#### Large Landscape Project Scoring:

- **High Alignment with Special Emphasis Criteria (21-30 points):** The project addresses each of the Special Emphasis Criteria (listed above) in a meaningful and persuasive way. The project is exceptionally important and strategic and in alignment with program Core Criteria.
- **Moderate Alignment with Special Emphasis Criteria (11-20 points):** The project addresses each of the Special Emphasis Criteria (listed above) in some way. The project has clear important and strategic values and in alignment with program Core Criteria.
- **Little to No Alignment with Special Emphasis Criteria (0-10 points):** The project addresses some of the Special Emphasis Criteria (listed above). The project has some important and strategic values and is in alignment with program Core Criteria.

#### **Tribal Partnership Projects:**

The goal of this funding category is to support meaningful partnerships between States and Tribes to identify, acquire, and co-manage properties with significant Tribal cultural benefits as well as other public benefits. For these projects, the State works in partnership with Tribes to permanently conserve lands with high importance and significant benefits for those Tribes, and then co-manages the property with the Tribes through long-term agreements.

States may work with federally and state recognized Tribes, as well as equivalent governmental representatives of indigenous communities. Acquired lands will be held by the State (or unit of state government), for the purposes of perpetual conservation and co-management in partnership with the Tribe. Projects can be near or adjacent to existing trust lands or in other areas of cultural importance to the partner Tribe.

The State and Tribe will co-manage the acquired property together, with the terms of the relationship between the State and Tribe documented in a formal long-term agreement and referenced in the recorded deed. The terms of the partnership agreement between the State and

Tribe do not need to be finalized at the time of application but do need to be formalized by closing.

This opportunity is only open to the fee simple acquisition of privately held lands. In accordance with program statute, title for acquired properties must be held by the State, or a unit of state government, and these property interests can only be transferred to another eligible state or local government entity.

States may request up to \$50 million of federal funding for this project category. States may submit *one* project within this category per funding round. Cost-share waiver or reduction is available for this funding opportunity as these projects align with the goal of providing benefits for Tribal communities (see above cost-share waiver/reduction instructions).

The following definitions are used for the purposes of this funding opportunity:

- *Long-term agreement*: a formalized mutual written agreement made between the State and Tribe that specifies how the governments will work together in the long run to co-manage the property. This agreement must be referenced in the property deed but can be formalized through a memorandum of understanding, or other agreement format. The agreement should be designed to be perpetual in duration but can include options for the Tribe to change their level of involvement in co-management over time as capacity and situations change.
- *Co-management*: both the State and Tribe have clear and sustained roles in the planning and implementation of property management, including shared decision-making around public access, forestry practices, wildlife habitat management, water resource protection, etc.

Special Emphasis Criteria – Tribal Partnership Projects:

- 1) Active engagement of tribes – Meaningful support and involvement of Tribes (beyond letters of support) in the design, implementation, **and** long-term management of the project.
- 2) Strong partnerships – Establishes or enhances long-term relationships between States and Tribes. There is clarity around the agreement to co-manage the land.
- 3) Tribal/cultural values – Supports the protection of tangible and intangible cultural resources. The State and Tribe will work together to manage the property to protect cultural resources, values, and traditions. Tribal members will have access to the property for cultural purposes.
- 4) National goals - Contributes to the following national goals. Applicants should expand on the attributes of the project to demonstrate alignment with one or more of these national goals.
  - a. Climate resilience
  - b. Carbon sequestration

- c. Habitat connectivity
  - d. Benefits for Tribal/indigenous or disadvantaged communities
- 5) High readiness and capacity – States need to demonstrate high readiness and capacity for successful project implementation within 3 *years* of grant award.
- 6) Co-management – Provides for long-term Tribal engagement and co-management of the acquired property. Management plans should incorporate traditional indigenous ecological knowledge/practices. Applicants should describe how the State and Tribe will work together in the long run to achieve co-management goals.

Tribal Partnership Project Scoring:

- **High Alignment with Special Emphasis Criteria (21-30 points):** The project was designed in partnership with a Tribe/indigenous group and addresses each of the Special Emphasis Criteria (listed above) in a meaningful and persuasive way. The existing relationship and planned co-management with the Tribe are clear and well-documented. The project is exceptionally important, offers significant Tribal benefits, and is in alignment with program Core Criteria.
- **Moderate Alignment with Special Emphasis Criteria (11-20 points):** The project was designed in partnership with a Tribe/Indigenous group and addresses each of the Special Emphasis Criteria (listed above) in some way. The engagement of the Tribe in the development of the project is evident but may be lacking some clarity/certainty around future co-management plans. The project has clear important values, offers Tribal benefits, and is in alignment with program Core Criteria.
- **Little to No Alignment with Special Emphasis Criteria (0-10 points):** The project was designed with some Tribe/Indigenous group input and addresses some of the Special Emphasis Criteria (listed above). The State/Tribal relationship and/or continued role of the Tribe in co-management is unclear or uncertain. The project has some important values or Tribal benefits and is in alignment with program Core Criteria.

**Strategic Small Tract Projects:**

These projects support the conservation of strategic inholdings or properties adjacent to already conserved lands, including but not limited to previous Forest Legacy Program investments. The goal of this funding opportunity is to support the conservation of strategic tracts that complement adjacent conserved lands and provide for enhanced public access. Each tract will need to be submitted as a stand-alone project, not bundled with other tracts as is allowed under the annual LWCF process.

For this project category public access is expected, with the goal of enhancing access to adjoining protected lands where appropriate considering other applicable strategic conservation values. Tracts without public access can be considered but proposals should explain why public

access is not provided and clearly demonstrate how the tract provides other meaningful strategic values that complement the adjoining conserved lands.

States may submit either conservation easement or fee simple acquisitions for this funding opportunity. Emphasis will be on projects with non-industrial family and individual forest owners, but strategic tracts held by corporate entities may be considered as well.

States may request no more than \$1.5 million of federal funding per tract and per landowner. States may submit *three* projects within this category per round. Cost-share waiver or reduction is available on a case-by-case basis for this funding opportunity where there are substantial benefits for disadvantaged communities (see above cost-share waiver/reduction instructions).

The following definitions are used for the purposes of this funding opportunity:

- *Tract*: contiguous land under the same legal ownership; can include multiple legal parcels as long as they are under same ownership and contiguous.
- *Adjacent properties*: properties which are adjoining, bordering, contiguous in a meaningful way;
- *Conserved lands*: lands which are permanently and legally protected and dedicated to conservation purposes; can include public lands held in federal, state, or local government ownership, or lands permanently protected with a conservation easement;
- *Previous Forest Legacy Program investments*: projects that have either been completed or approved for funding through the program.

Special Emphasis Criteria – Strategic Small Tracts:

- 1) High strategic value – Inholdings or properties adjacent to already conserved lands, including tracts that complement previous program investments. Applicants should describe how conservation of the proposed small tract will enhance the public benefits and management of the adjoining conserved lands.
- 2) National goals - Contributions to one or more of the following national goals. Applicants should expand on the attributes of the project to demonstrate alignment with one or more of these national goals.
  - a. Climate resilience
  - b. Carbon sequestration
  - c. Habitat connectivity
  - d. Benefits for Tribal/indigenous or disadvantaged communities
- 3) Public access – Public access is expected for all Strategic Small Tracts where applicable and strategic. Applicants should describe how the project will secure meaningful public access or provide a justification for why public access is not appropriate for the tract to be acquired or protected as it relates to other strategic conservation values.

- *Public Access* is access provided on a non-discriminatory basis at reasonable times and places but may be limited to protect cultural and natural resources or public health and safety.
  - Exceptions to the public access expectation will be made on a case-by case basis. If public access is not assured, then the applicant should clearly demonstrate how the tract provides other compelling strategic conservation benefits that complement the adjacent conserved land (e.g. significant habitat connectivity for rare/imperiled species, enhanced land management efficiency, water quality protection, lack of public access on adjoining conserved lands, etc.).
- 4) High readiness and capacity – States need to demonstrate high readiness and capacity for successful project implementation within *12 months* of grant award.
- 5) Stewardship capacity – State has appropriate levels of funding, planning, and capacity for effective long-term monitoring and stewardship of small tracts with multiple landowners. If the state needs to enhance their stewardship capacity, demonstrate how this will be accomplished by project completion and sustained over time.

Strategic Small Tract Project Scoring:

- **High Alignment with Special Emphasis Criteria (21-30 points):** The project addresses each of the Special Emphasis Criteria (listed above) in a meaningful and persuasive way. The project is exceptionally strategic and is in alignment with program Core Criteria.
- **Moderate Alignment with Special Emphasis Criteria (11-20 points):** The project addresses each of the Special Emphasis Criteria (listed above) in some way. The project has clear strategic values and is in alignment with program Core Criteria.
- **Little to No Alignment with Special Emphasis Criteria (0-10 points):** The project addresses some of the Special Emphasis Criteria (listed above). The project has some strategic values and is in alignment with program Core Criteria.



**National Core Criteria:**

The National Review Panelists will independently consider the Forest Legacy Program Core Criteria and score each project based on its alignment with the **Importance**, **Threatened**, and **Strategic** criteria.

**Importance** – This criterion focuses on the attributes of the property and the environmental, social, and economic public benefits gained from the protection and management of the property and its resources, now and into the future. This criterion reflects ecological assets as well as the economic and social values conserved by the project and its level of significance.

Significance of attributes is demonstrated by the quality, scope, and impact of the attributes, which may be illustrated through (but is not limited to) the following examples:

- Support of Federal Laws (such as Endangered Species Act, Safe Drinking Water Act, or Clean Water Act);
- Contributions to Federal Initiatives<sup>3</sup> or Federal Designations (such as Wild and Scenic Rivers, National Scenic Byways, National Recreation Trails, Justice40 Initiative, and National Historic Sites).

**Scoring** consists of evaluating a project for the attributes below and identifying a point score. More points will be given to projects that demonstrate multiple public benefits of significance.

- *High Importance (21-30 points)* – The project contains a majority of the attributes, and those attributes are high-impact and high-quality, or one or more attributes are exceptionally important.
- *Medium (11-20 points)* – The project contains multiple attributes which are high-impact or high-quality.
- *Low (0-10 points)* – The project contains only a few attributes, or it contains all of them, but they are of limited or marginal impact and quality.

*A project does not need to have all the attributes listed to receive maximum points for this category nor is it an exhaustive list of possible attributes. More points will be given to projects that exemplify a particular attribute or combination of attributes. The measure is the significance of the attributes discussed, not simply that there is an entry for each attribute.*

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<sup>3</sup> Discussion about how the project fits within a landscape conservation initiative should be included under the “Strategic” category and not in this section.

Attributes to Consider: The descriptions listed below represents the ideal project for each attribute. *These attributes are **not** listed in priority order – applicants may provide this information in the relative order of importance for the proposed project.*

- Economic Benefits from Timber and Potential Forest Productivity – This category includes three independent components: (1) Landowner demonstrates sustainable forest management in accordance with a management plan. Additional points should be given to land that is third party certified (such as Sustainable Forestry Initiative, Forest Stewardship Council, and American Tree Farm System). (2) Forestry activities contribute to the resource-based economy for a community or region. (3) The property contains characteristics (such as highly productive soils) to sustain a productive forest over time.
- Economic Benefits from Non-timber Products and Recreation – Provides non-timber revenue to the local or regional economy through non-timber forest products (maple syrup, pine straw, ginseng collection, etc.); recreation and tourism (local or regional benefits related to lodging, rentals, bikes, boats, outdoor gear, guided tours for fishing, hunting, or birdwatching, etc.); hunting leases; and/or ranching.
- Threatened or Endangered Species Habitat – The property has documented threatened or endangered plants and animals or designated habitat. Documented occurrence and use of the project area should be given more consideration in point allocation than if it is habitat without documented occurrence or use. Federally listed species should be given more consideration than state-only listed species when evaluating the significance of this attribute. See Attachment A for a glossary of terms for Threatened and Endangered species information.
- Fish, Wildlife, Plants, and Unique Forest Communities – The property contains unique forest communities and/or important fish or wildlife habitat as documented by a formal assessment or wildlife conservation plan or strategy developed by a government or a non-governmental organization. Contributions to international initiatives to support and sustain migratory species can be considered here if the property will make a significant contribution, e.g. the target species has been documented to regularly use the property during seasonal migration.
- Water Supply, Aquatic Habitat, and Watershed Protection – (1) The property has a direct relationship with protecting the water supply or watershed, such as providing a buffer to public drinking water supply, containing an aquifer recharge area, or protecting an ecologically important aquatic or marine area, and/or (2) the property contains important riparian area, wetlands, shorelines, river systems, or sensitive watershed lands. When allocating points consider the importance of the resource, the scope and scale of the property, magnitude and intensity of the benefits that will result from protection of the property. Merely being located within an aquifer recharge area or in a water supply area should not be given the same consideration as a property that makes a significant conservation contribution to water, riparian, and aquatic resources and habitats.

- Cultural/Historic – The property contains features of cultural and/or historical significance that are documented by a governmental or a non- governmental organization. A Federal designation should receive greater consideration.
- Tribal – The property provides meaningful benefits to Tribal and other indigenous communities, contains features or resources of cultural significance, and/or utilizes management techniques significant to Tribes (traditional ecological knowledge). Greater consideration should be given to projects that have been developed with active involvement and partnership with a Tribe, or where a Tribal organization has documented the importance of the property for cultural practices, resources, and benefits.
- Benefits to Disadvantaged Communities<sup>4</sup> – The property provides meaningful benefits for an identified disadvantaged community, as designated by a government-sponsored data tool (such as the Climate and Economic Justice Screening Tool).
- Public Access – Protection of the property will secure existing access, expand access, or establish new access by the public for recreation (including waterfront access); however, restrictions on specific use and location of recreational activities may be allowed. More consideration should be given to projects that expand or provide certainty of public access as a result of the proposed project.
- Scenic – The property is located within a viewshed of a government designated scenic feature or area (such as a trail, river, or highway). Federal designation should be given more consideration than state-only designations when evaluating the significance of this attribute.
- Carbon Sequestration/Climate Resilience, Adaptation to Climate Change<sup>5</sup> – Protection of the property will result in benefits related to climate resilience and adaption, and carbon sequestration.

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<sup>4</sup> The term **disadvantaged communities** is used in [Executive Order 14008, Tackling the Climate Crisis at Home and Abroad \(2021\)](#). A **community** is defined as “either a group of individuals living in geographic proximity to one another, or a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.” The term **disadvantaged communities** refers primarily to the geographic location and economic, social, and political context in which a community resides. The relevant [Interim Guidance for Justice40](#), released by OMB in July 2021, provides further guidance and variables that may indicate whether a community is disadvantaged.

<sup>5</sup> Many of the elements in Importance relate to climate resilience and adaptation. For example, forest productivity, health, rare or unique plant communities where species range is discussed, and water resources. Landscape scale conservation and its impacts on resilience and adaptation are also discussed in Strategic. Carbon sequestration and management are important impacts of the program and of land conservation. The potential long term carbon management contributions may be best viewed as optimizing carbon sequestration among the host of values and services from conserved forest rather than a focus on maximization of carbon within a limited span of time. Sustainable carbon management results from effective conservation and management of ecosystems; maintaining, restoring and enhancing health and productivity. Forest Service General Technical Review-GTR WO-95 2017 [Considering Forest and Grassland Carbon in Land Management](#) provides a good discussion and overview of carbon as a consideration in forest management.

**Threatened** – This criterion estimates the likelihood for conversion. More points will be given to projects that demonstrate multiple conditions; however, a project need not have all the conditions listed to receive maximum points for this category.

During the evaluation of a threat, a landowner interested in conserving their land should not be penalized in allocating points because they are not marketing their lands, have not subdivided their land, or sought approval for a subdivision plan. Also, a property with an approved subdivision plan should not, without question, receive a high score in the Threatened section. The attributes outlined below must be considered to determine if the conditions exist to make conversion of a property likely and points should be allocated accordingly.

If the property has been acquired by a third party at the request of and/or with the support of the State, threatened will be evaluated based on the situation prior to the third-party acquisition.

In many cases the threat of conversion is fueled by residential or industrial development. However, this is not the only driver. Other types of conversion may include agricultural expansion, installation of wind or solar technology, or other uses that substantially remove or fragment forest cover. These other types of conversion may also be considered based on the degree of threat or how much of a given parcel is threatened<sup>6</sup>.

**Scoring** consists of evaluating a project for the attributes below and identifying a point score.

- *Likely (11-20 points)* – Multiple conditions exist that make conversion to non-forest uses likely.
- *Possible (1-10 points)* – A few conditions exist that make conversion to non-forest uses possible.
- *Unlikely (0 points)* – Current conditions exist that make conversion to non-forest uses unlikely.

Attributes to Consider: The descriptions listed below represent the ideal project for each attribute. *These attributes are **not** listed in priority order – applicants may provide this information in the relative order of importance for the proposed project.*

- Lack of Protection – The lack of temporary or permanent protections (e.g., current zoning, temporary or permanent easements, moratoriums, and encumbrances that limit subdivision or conversion) that currently exists on the property and the likelihood of the threat of conversion.
- Land and Landowners Circumstances – Land and landowner circumstances such as property held in an estate, age of landowner, interest of ownership and stewardship of property by heirs of current landowners is uncertain, property is for sale or has a sale pending, landowner anticipates owning the property for a short duration, landowner has

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<sup>6</sup> Discussion about which project attributes will be threatened if the project is converted should be included under the “Importance” category and not in this section.

received purchase offers, land has an approved subdivision plan, landowner has sold subdivisions of the property, etc.

- Adjacent Land Use – Adjacent land use characteristics such as existing land status, rate of development, growth, and conversion, rate of population growth (percent change), rate of change in ownership, etc.
- Ability to Develop – Physical attributes of the property that will facilitate conversion, such as access, buildable ground, zoning, slope, water/sewer, electricity, etc.

**Strategic** – This criterion reflects the project’s relevance or relationship to conservation efforts on a broader perspective considering scale, location, and relative contribution to landscape scale conservation goals.

**Scoring** consists of evaluating a project for the attributes below and identifying a point score.

- *High (21-30 points)* – The property makes an exceptional strategic contribution to multiple attributes.
- *Medium (11-20 points)* – The property makes a substantial strategic contribution to one or more of the attributes.
- *Low (0-10 points)* – The property makes a modest strategic contribution to one or more of the attributes.

The submitted project map should support this category and it is important to make sure the text and map are consistent. See Recommendations and Best Practices for the Project Brief Map.

Attributes to Consider: The descriptions listed below represent the ideal project for each attribute. *These attributes are **not** listed in priority order – applicants may provide this information in the relative order of importance for the proposed project.*

- Conservation Initiative, Strategy, or Plan – How the project contributes to either an existing or new conservation initiative, strategy, or plan. Describe the relative contribution of the property to achieving the conservation goals of the plan, strategy, or initiative considering scale, location, and project attributes. Conservation plans that have been formally designated by a governmental, tribal, or non-governmental entity should be given more consideration. Contributions to a new strategy or a strategy under development may also be discussed. This can be useful if a project would contribute to, or catalyze, a new conservation initiative, strategy, or plan. For new initiatives, specific goals should be defined and potential contributions of how the project advances those goals should be highlighted.

- Complement Protected Lands – How the project is strategically linked to or enhances already protected lands, including past FLP projects, public lands (Federal, State, or local), or private lands conserved through permanent easements. Provide specifics on how the proposed tracts connect to and maintain landscape-scale benefits, e.g. ecological resilience, wildlife migration, watershed function, and scenic viewshed integrity.
- Benefits to Disadvantaged Communities – How the project benefits a disadvantaged community (as defined in the Importance section) and strategically contributes to local, state, or federal environmental justice initiatives (such as Justice40).
- Other Landscape Scale Goals and Public Benefits – How the project strategically contributes to the advancement of larger scale conservation goals and public benefits. Examples could include but are not limited to:
  - Climate resilience and mitigation;
  - Reduced community impacts from wildfire, floods, invasive species;
  - Expanded public access; and
  - Protection of critical water supplies.

Provide specifics on the project’s contributions to the larger scale goals and benefits.

**Additional Considerations:**

The following items will be considered by the National Review Panel when developing the final list of projects and associated funding levels, and not by the individual panel members when scoring projects.

1. **Core Program Requirements:** The National Review Panel may remove a project from consideration if a State is deficient in core program requirements. Regions may also choose not to submit projects for consideration for those States with deficiency in core program requirements. *See State Core Program Requirements below for more details.*
2. **Outstanding Grant Funds:** The National Review panel will consider outstanding project grant funding in determining priority and funding recommendations. Outstanding grant funding information will be pulled from FLIS approximately one week prior to the National Review Panel meeting<sup>6</sup>. In addition, Regions will provide additional details and explanations for outstanding grants and projects on the State Matrix.

The National Review Panel will give additional attention to projects from States that have no outstanding grant balances, have not recently received funds, or are competing for the first time.

States with outstanding grant funding that is three years or older (FY 2022 or older obligated grant funds) may receive heightened scrutiny from the National Review Panel. Regions may provide rationale (in the State Matrix) for considering projects when extraordinary circumstances exist for a State with three year or older obligated grant funding.

States with significant outstanding funds and/or multiple outstanding projects/tracts, regardless of age, may have their projects placed lower on the prioritized project list. For States with any outstanding grants in any amount, the Region should confirm (in the State Matrix) that the State has sufficient capacity to successfully undertake these additional project grants and can complete the new proposed project(s) within the required timeline.

Each Region/Institute should provide the following information about outstanding funds<sup>7</sup>:

- a. List of open project grants, dates of grant awards, and amount of unspent funds (current as of the date of reply);
- b. Unprocessed de-obligations or imminent project closings that will reduce a state's outstanding balance;
- c. Information on the reasons and circumstances for projects still outstanding after three years (FY2022 funding or older); and

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<sup>7</sup> Updated data on outstanding funds will be pulled from FLIS as late as is practical to ensure the most current data is considered during the National Review Panel discussions. Planned for November 12, 2024 for Round 1, and May 13, 2025 for Round 2.

- d. Confirmation and supporting details of the state’s capacity to undertake the proposed new project grants in addition to outstanding projects.
3. **Readiness and Performance:** The National Review Panel will closely evaluate and consider readiness and performance data for all projects. This information will be used when prioritizing projects, recommending funding levels for projects, and evaluating second and third projects for a State.

For this consideration, the Panel will use the following data<sup>8</sup>:

- a. Project readiness score as tallied in FLIS (*see **Project Readiness below***);
- b. Average time to close projects for the last three projects (from FLIS).
- c. Amount of funds leveraged for the proposed project (from FLIS);
- d. Average funds leveraged for the last three completed projects (from FLIS).

This data will be pulled from FLIS on November 12, 2024. The Region should provide additional details and explanation on the State Matrix for past projects that exceeded 24 months to complete. The National Review Panel will apply a higher degree of scrutiny to readiness and past performance the larger the proposal funding request.

*See below for more details on **Project Readiness elements and scoring.***

4. **Climate Resilience:** The National Review Panel will be provided a climate resilience score for each proposed project based on geospatial alignment with [Resilient and Connected Landscapes](#) data developed by The Nature Conservancy. The National Review Panel may use this information when evaluating priority for projects with similar scores. Note: This national dataset does not currently cover Hawaii or any of the territories. These States/territories can provide supplemental information through the Region to demonstrate contribution to climate resilience and connectivity.
5. **Disadvantaged Communities:** The National Review Panel will be provided with a geospatial analysis for each proposed project using the [Climate and Economic Justice Screening Tool](#). The National Review Panel may use this information when evaluating priority for projects with similar scores.

**State Core Program Requirements:** Prior to project submissions, each Region will evaluate and confirm the State’s fulfillment of the following core program requirements. States that do not meet these requirements may not be eligible for submitting project proposals to the National Review Panel or may have their projects removed from consideration during the panel process.

1. Completed baseline reports for all closed conservation easement tracts;

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<sup>8</sup> A project readiness score will be included as part of the Project Brief pulled from FLIS following submission to the WO on or before September 23, 2024. The remaining performance data will be pulled from FLIS as late as is practical. Planned for November 12, 2024.



2. Completed forest stewardship plans or multi-resource management plans for all closed tracts;
3. Developed, and is adhering, to written conservation easement monitoring policies and procedures;
4. For conservation easement tracts, conducted annual monitoring for all closed tracts and recorded information in FLIS;
5. For fee simple acquisition tracts, conducted five-year self-certification that management of tracts meets program purposes;
6. Addressed, or is in the process of addressing, all major conservation easement violations, and has recorded information in FLIS;
7. Implemented a record keeping protocol for all FLP tracts;
8. Developed, and is implementing, an action plan to address recommendations in State Program Review;
9. Developed, and is implementing, an action plan to address recommendations in Quality Assurance Inspection, and;
10. Is up-to-date on grant reporting requirements (project and administrative).

Prior to the due date, Forest Service WO and Region program staff will discuss any identified deficiencies to ensure consistent treatment of States' projects and will share the outcome with the State. We expect that the Region will work closely with the State to address deficiencies ahead of the national review process. States that are working to remedy deficiencies may still be allowed to submit project proposals if there is a written plan in place to meet the core program requirements in a timely manner.

In the rare case that a Region identifies persistent deficiencies in core program requirements, the Region may choose either to not submit the State's projects for consideration or notify the Washington Office that the State's projects should not be reviewed by the National Review Panel.

**Project Readiness:** To demonstrate project readiness, completed due diligence items need to be specified (including completion date) in FLIS and credit will only be given to those items completed and documented (one tally for each completed item, with a minimum of one and maximum tally of five). Multi-tract projects must have the readiness task completed for a majority of the tracks being proposed for the given funding year before an affirmative tally is given. The larger the proposed funding request, the higher the degree of scrutiny that will be applied by the National Panel during review.

The State must provide documentation to the Region demonstrating completion of each of the below items to support the readiness score shown in FLIS. Readiness scores can only be counted in the affirmative for items completed by the national deadline, as outlined in [Step 2](#).

Where applicable, a Region can provide updated readiness scores to the National Review Panel if additional items are completed before the panel convenes.

1. Draft conservation easement/deed language, or other comparable documentation, specific to the proposed project that demonstrates landowner and State agreement on easement or fee provisions including the requirements in the [Implementation Guidelines](#) (see *Section 14 – Conservation Easement Language* or *Section 15 – Fee Simple Purchase Deed Language* for specific examples).
2. Cost share commitment has been obtained from specified source(s) and documented through funding commitment letters<sup>9</sup>, bargain sale agreement with landowner, etc.
3. A signed option or purchase agreement is held by the State or at the request of the State **OR** at the request of the State, fee title has been pre-acquired by a third party.
4. Title search has been completed and reviewed, including identifying any temporary or permanent protections and reviewing whether existing encumbrances impact project eligibility.
5. Minerals rights have been evaluated through a title search and/or other research **AND** if rights are severed, then a minerals assessment and determination of remoteness has been completed.

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<sup>9</sup> Letter of Commitment – Signed letter that indicates the signatory’s commitment of resources to the proposed project should federal funds be awarded.

## **Appendix I: Endangered and Threatened Species Glossary of Terms**

One of the elements in the Importance section of Core Criteria used to evaluate Forest Legacy Program proposals is the presence of documented threatened or endangered plants and animals or designated habitats and wildlife corridors on the tracts being submitted for consideration (Threatened and Endangered Species Habitat). Forest Legacy Program applicants often use a mixture of federal and state laws and plans, as well as international and non-profit resources, to highlight threatened and endangered species that are found within the project area. The purpose of this document is to provide a guide for panel reviewers to understand the different categories and terms that applicants might use in this section of the proposal, and what the full scale looks like under each category so the National Review Panel can evaluate the proposals more consistently.

### **Federal Level (Endangered Species Act)**

#### **United States Fish and Wildlife Service and National Marine Fisheries Service (Vertebrates/Invertebrates Animals, Flowering/Non-flowering plants)**

- Endangered
- Threatened
- Proposed
- High Candidate
- Low Candidate

#### **Forest Service**

- Sensitive
- Species of Conservation Concern

### **State Level**

#### **Species of Greatest Conservation Need (SGCN) in State Wildlife Action Plans (SWAP)**

- Endangered
- Threatened
- Species of Concern

### **International Level**

#### **International Union for Conservation of Nature**

- Extinct in the Wild
- Critically Endangered
- Endangered
- Vulnerable
- Near Threatened
- Least concern

**Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

- Appendix I – species threatened with extinction and prohibition on international trade
- Appendix II – species may become threatened and trade is closely controlled
- Appendix III – species included at request of State parties that regulate trade in the species

**Non-governmental Organizations**

**NatureServe**

- G1 – Critically Imperiled: At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
- G2 – Imperiled: At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
- G3 – Vulnerable: At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.

**Audubon**

**Important Bird Areas (IBA) Priority Levels**

- Global – Highest priority and globally important
- Continental – High priority
- State – Priority for the state

**The Nature Conservancy**

**Resilient Lands – places that are most climate resilient and will retain high quality habitat**

- Far above average
- Above average
- Slightly above average
- Average
- Far below average
- Slightly below average
- Below average

**Connected Landscapes – climate corridors and movement zones to facilitate species range shifts**

- Climate corridor – high amounts of flow become concentrated in relatively small channels or pinch points
- Climate flow zone – intact natural areas where high amounts of flow can spread-out and expand in many directions

## **Appendix II: Recommendations and Best Practices for the Project Brief Map**

The following are observations and recommendations related to maps that are part of a Forest Legacy Program project application. These recommendations are the result of feedback from previous members of the National Project Review panel over multiple years. Following these recommendations on how to improve a map is not a requirement; these are suggestions to help in the development of a competitive application.

- **First impressions matter:** Many reviewers have indicated that the map was the first item they reviewed on a project brief. If the map was difficult to read, reviewers became confused from the outset about why the project was important, threatened, or strategic.
- **Tell the same story:** It is important to ensure that the project brief content and the map tell the same story and that the story is accurate (e.g., if a proposed tract is being highlighted for its public recreation amenities and none of those amenities are identified on the map, then it is difficult for reviewers to give you full points for that attribute).
- **Style suggestions:** The information portrayed on map should be clear, concise, and easy to read. Some map style suggestions are below:
  - Reserve bright colors for project area and other FLP areas (e.g., highlight the proposed FLP project tracts in a color that stands out).
  - Other projected lands are easy to spot as saturated earth tones (e.g., gradient shades of green to differentiate federal, state, and privately conserved land).
  - The map is easier to analyze if the base map is light gray or a neutral color, so it does not distract from the map message.
  - Label FLP tracts on the map with the year funded, proposed, or completed.
  - Do not clutter the map with unnecessary labels (e.g., local roads that don't pertain to navigation to the property or a landmark).
  - Be consistent with tract names/labeling. The map should use the same tract labels as they appear in the table on the first page of the project brief and/or referenced in the text.
  - Scale the project map to show how the project tracts fit into the area's conservation landscape. If the map is too localized, reviewers cannot understand how it ties to other conserved land. Conversely, if the map area is too large, it may be difficult to see what is adjacent to the proposed tract. Consider including a regional inset map to show where the project area is located within the state and to highlight conserved land nearby.