



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



**IRA Round 2 Project Applications are due by 5:00 PM, March 22, 2024.**

**LWCF Project Applications are due by 5:00 PM, June 28th, 2024.**

### Program 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 to protect environmentally important forestland threatened to conversion to non-forest use through either conservation easement or fee-title acquisition. 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; public access; and biodiversity. In addition, the Forest Legacy Program promotes stewardship and sustainable management. 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 held by a state or local government entity or for a conservation easement granted 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.

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 Oregon's Forest Legacy Program Eligibility Criteria (page 12) or [Forest Legacy Program Guidelines](#) for additional information on project eligibility.

Forest Legacy Program project must be held-in fee title or conservation easement-by a government entity as defined by the [Forest Legacy Program Guidelines](#). Projects should have an identified and committed government entity willing to hold the interest in lands at application. Proposed projects where ODF would be the government entity holding title may require additional vetting at the project consultation phase and are encouraged to communicate with ODF as soon as possible.



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### IRA Funding

Each state is limited to up to five project submissions in each round for IRA funding consideration within the following project categories; further defined in the [FY24 IRA Project Scoring Guidance](#).

1. One Large Landscape project (not to exceed \$50 million per project)
2. One State-Tribal Partnership project (not to exceed \$50 million per project)
3. Three Strategic Small Tract projects (not to exceed \$1.5 million per project)

The USFS Forest Legacy Program Inflation Reduction Act Projects Proposal Submission Process and Scoring Guidance will guide Oregon's Forest Legacy Working Group within the Committee for Family Forestland in their evaluation of projects and recommendation on which project(s) ODF should submit for federal funding consideration. Potential applicants should coordinate with Oregon's Forest Legacy Program Administrator on potential project impacts based on the USFS Forest Legacy Program Inflation Reduction Act Projects Proposal Submission Process and Scoring Guidance.

### LWCF Funding

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. For projects considered in FY25, states were limited to a total of 3 new 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 Legacy Working Group within the Committee for Family Forestland in their evaluation of projects and recommendation on which project(s) ODF should submit for federal funding consideration. Potential applicants should coordinate with Oregon's Forest Legacy Program Administrator on proposed project impacts based on the USFS Forest Legacy Program Request for Proposals and [Scoring Guidance](#).

### For more information contact:

Oregon Department of Forestry  
2600 State St Bldg. D  
Salem OR 97310

**Christina Helige**  
Forest Legacy Program Administrator  
[christina.n.helige@odf.oregon.gov](mailto:christina.n.helige@odf.oregon.gov)  
503-302-7544

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# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### 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 Administrator to evaluate new potential projects. Prior to a project consultation, background documentation should be provided to Oregon’s Forest Legacy Program Administrator 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. If feasible, a site visit of the subject property can be valuable in assessing project compatibility as well as aid in the development of the Project Brief.

If the project’s land interest is desired to be held by ODF, this meeting would offer the opportunity to propose the project for ODF to consider their strategic interest in holding title. Additional information may be requested to facilitate ODF’s consideration in the project.

**IRA Round 2 Project Consultations should occur no later than March 15<sup>th</sup>, 2024.**

**LWCF Project Consultations should occur no later than May 15th, 2024.**

- 2) Project Application- Project application consists of Project Brief, map, property descriptions, landowner intent to apply for Forest Legacy funding letter and any other supporting documentation demonstration project readiness.

The project application materials are intended to 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 necessary to ensure the project can close within two years of funding 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 Administrator, Christina Helige at [christina.n.helige@odf.oregon.gov](mailto:christina.n.helige@odf.oregon.gov).

NOTE: All project materials will receive feedback throughout the application process.

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# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### 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 the [Forest Legacy Program Project Scoring Guidance](#) or the [IRA Projects Proposal Submission Process and Scoring Guidance](#).

**GENERAL DESCRIPTION:** The general description section is limited to 1250 total characters.

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. This section should include the general location of the property, whether the project is a fee-title acquisition or conservation easement purchase, and summary of why this project should receive funding.

**IMPORTANCE:** The importance section of the project brief should be limited to 20 bullets each 300 or less total characters.

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
- Economic Benefits from Non-timber Products and Recreation
- Threatened or Endangered Species Habitat
- Fish, Wildlife, Plants, and Unique Forest Communities
- Water Supply, Aquatic Habitat, and Watershed Protection
- Cultural/Tribal/ Historic
- Public Access • Scenic
- Carbon Sequestration/Climate Resilience/Adaptation to Climate Change



## OREGON FOREST LEGACY PROGRAM Application Instructions



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

This criterion estimates the likelihood from conversion to non-forest 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
- Ability to Develop

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

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 submitted project map should support this category and it is important to make sure the text and map are consistent. See [Recommendations for the Project Brief Map](#).



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### IRA PROJECT 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 one or more of the following national goals:
  - a. Climate resilience
  - b. Carbon sequestration
  - c. Habitat connectivity
  - d. Benefits for disadvantaged or Tribal/indigenous 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 – a large investment now will be more cost effective and efficient than phasing over time.
- 5) High readiness and capacity – States will 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.
- 6) Stewardship Capacity – State has sufficient funding and plans in place for long term monitoring and stewardship of this large acreage project

#### **State-Tribal Partnership Projects:**

- 1) Active Engagement of Tribes – Meaningful support and involvement of Tribes (beyond letters of support) in the design, implementation, and stewardship of the project.
- 2) Strong Partnerships – Establishes or enhances long-term, stewardship-oriented relationships between States and Tribes. There is legal certainty and clarity around the agreement to co-manage the land.
- 3) Tribal/Cultural Values – Supports the protection of tangible or intangible cultural resources and/or traditions. The State and Tribe will work together to manage public Enclosure 1 9 access to protect cultural resources and traditions. Tribal members will have access to the property for cultural purposes.



## OREGON FOREST LEGACY PROGRAM Application Instructions



- 4) National goals - contributions to one or more of the following national goals:
  - a. Climate resilience
  - b. Carbon Sequestration
  - c. Habitat connectivity
  - d. Benefits for disadvantaged or Tribal/indigenous communities
- 5) High readiness and capacity – States will 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 in stewardship of the project area. Management plans should incorporate traditional indigenous ecological knowledge/practices to reflect joint-stewardship.

### **Strategic Small Tracts:**

- 1) High strategic value – Inholdings or adjacent properties to already conserved lands (lands held in federal, state, or local public ownership; conservation easements, etc.), including tracts that complement previous program investments.
- 2) National goals - contributions to one or more of the following national goals:
  - a. Climate resilience
  - b. Habitat connectivity
  - c. Benefits for disadvantaged communities
- 3) Public access – Public access is expected, with the goal of enhancing public access to existing protected lands where applicable and strategic.
  - 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 rare and based upon justification of other applicable strategic values (habitat connectivity, protection of cultural/natural resources, and/or lack of public access on adjacent protected parcels, etc.)
- 4) High readiness and capacity – States will need to demonstrate high readiness and capacity for successful project implementation within 12 months of grant award.
- 5) Stewardship capacity – State has sufficient funding and plans in place for long term monitoring and stewardship of small tracts with multiple landowners



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



**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:

- Project Category: Large Landscape, State-Tribal Partnership, etc
- Forest Legacy Program funding request (A Market Analysis is required to support requested funding level)
- 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
- If the project can be phased or it is anticipated to be a multi-phased project include future phase details

Example Summaries:

Year of Funding	Project Phase(s) (I, II, III, ...)	FLP Federal Request (\$)	Non-Federal Match (\$)	Source of Match	Total Project Funds(\$)	Total Project Acres
FY 2025						
FY 2026						
FY 2027						
Total						

Year of Funding	FLP IRA Funding Category	Tract Name	FLP Federal Request (\$)	Non-Federal Match (\$)	Source of Match	Total Project Funds (\$)	Total Project Acres
FY24 IRA Round 2							

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>1) Name of the tract</li> <li>3) County</li> <li>5) Acres</li> <li>7) County Zoning and Tax Designation</li> <li>9) Structures on the property</li> <li>11) Congressional District</li> <li>13) Percent of Property that is Forested</li> </ul> | <ul style="list-style-type: none"> <li>2) Landowner(s)</li> <li>4) Tax Lot #(s)</li> <li>6) Legal Description</li> <li>8) Ownership of Mineral Rights (indicate if unknown)</li> <li>10) Existing Easements and Right of Ways</li> <li>12) Forest Legacy Program Funds Requested</li> <li>14) Entity Intended to hold title (either fee title or CE)</li> </ul> |
|--|---|

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.





## OREGON FOREST LEGACY PROGRAM

### Application Instructions



**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 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.



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### APPLICATION REVIEW PROCESS

- 1) Develop Forest Legacy Information System (FLIS) Project Brief – Project brief can be input into FLIS or completed in a word document. The project brief should follow the most recent scoring criteria and standard practices for creating high quality project briefs (resources can be provided by Oregon’s Forest Legacy Program Administrator). The project brief becomes the primary document for assessing the qualities of the project. If the project has multiple phases or multiple tracts, please coordinate with the Forest Legacy Program Administrator on how to address the project in the Project Brief.
- 2) Submit Initial Project Application Materials by the due date - Initial project application materials: project brief, property description, map, and landowner’s intent to apply for FLP funding letter must be submitted by:

**IRA Round 2 Project Applications are due by 5:00 PM, March 22, 2024.**

**LWCF Project Applications are due by 5:00 PM, June 28<sup>th</sup>, 2024.**

- 3) Western States Regional Review (optional) – Project Briefs may be submitted for additional feedback and review through the Western project 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 to strengthen them for submittal to the National Review Panel. This is an optional opportunity for with dates TBD.
- 4) Presentation to the Forest Legacy Workgroup – The Application Representative, landowners (and other partners) are invited to present their DRAFT Project Briefs to the Forest Legacy Workgroup during their summer meeting (exact date TBD and will be coordinated with project partners). The Committee will provide feedback to all applicants on ways to strengthen their Project Briefs.
- 5) Supporting Materials – All supporting materials that the Application Representative would like to make available to the Forest Legacy Workgroup for their consideration in the review, evaluation and possible submittal and ranking for Forest Legacy Program funding must be received by the due date. This includes formal letters of support from all supporting organizations, entities, and individuals as well as any completed project readiness elements. Signed landowner testimony and permission after review of the final FLIS project brief should also be included.



## OREGON FOREST LEGACY PROGRAM Application Instructions



6) [Forest Legacy Workgroup Review, Evaluation and State Priority Ranking](#) – The Forest Legacy Workgroup will review and evaluate the revised Project Briefs. The Committee will make a recommendation to the Oregon Department of Forestry. The Department will notify applicants as soon as feasible after this meeting.

7) [The National Project Selection Process](#) requires that the final FLIS Project Briefs to be used by the National Review Panel be submitted by the following dates:

**IRA Round 2 final FLIS Project Briefs are due by May 10th, 2024.**

**LWCF Project Supporting Materials are due by mid-September 2024.**

(Exact date TBD when USFS releases their FY26 Request for Projects)

8) The National Review Panel will meet to make recommendations for project inclusion (and ranking) in the President's 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 the Oregon Department of Forestry: Christina Helige, [christina.n.helige@odf.oregon.gov](mailto:christina.n.helige@odf.oregon.gov) or Lori Bell, [lori.bell@odf.oregon.gov](mailto:lori.bell@odf.oregon.gov), with any questions, needed assistance or verification that your project is within a Forest Legacy Area.



# OREGON FOREST LEGACY PROGRAM

## Application Instructions



### Oregon Forest Legacy Program Project Eligibility Criteria

To be eligible for Oregon's Forest Legacy Program, proposed project forestlands must meet the following criteria:

- Project must be located within one of Forest's [Forest Legacy Areas](#) as identified in the current Forest Action Plan.
- Project must meet one of more of Oregon's FLP goals as identified in the current [Forest Action Plan](#).
- Project must be privately owned (non-federal, state, or local government).
- Project must be 75% forestland (defined as land that is at least 10 percent occupied by tree canopy cover or capable of sustaining at least that level of tree cover).
- Project must be sponsored by a state agency or a land trust or conservation organization.
- Project must have an FLP eligible entity willing to hold title or interest in lands through conservation easement at acquisition.
- Project must have a minimum of 25% cash or in-kind, non-federal match available at acquisition. The FLP will fund up to 75% of total program costs (acquisition costs plus other allowable expenses).
- Landowners must agree to follow federal FLP acquisition requirements and implementation rules including:
  - The purchase price will be based upon a United State Federal Land Acquisition Standard appraisal which must be obtained following FLP requirements.
  - If FLP project is a conservation easement:
    - future management must be guided by a multi-resource management plan, with the stated purposes of maintaining, enhancing, and/or conserving in perpetuity the forestland and conservation values of the property.
    - Allowing annual monitoring for conservation easement (CE) compliance.

The Forest Legacy program is a willing seller, willing buyer and is the result of project negotiations. The sale of a Forest Legacy project-through fee title or interest in lands through a conservation easement-is strictly voluntary and eminent domain will not be used if negotiations do not result in an amicable agreement. Project partners should ensure this is upheld in all communication with the landowner.



## OREGON FOREST LEGACY PROGRAM Application Instructions



### LANDOWNER TESTIMONY AND PERMISSION

The information in the \_\_\_\_\_ (insert FLP project name) application is true to the best of my knowledge and belief. I, as the landowner or landowner's authorized representative (proof of authorization must accompany the application), agree to allow any needed inspection, appraisal and survey of the property being offered for consideration under the Oregon Forest Legacy Program. I agree to allow members of the Oregon Department of Forestry and FLP project partners to inspect my property at any reasonable time for the purposes of this application and the project. I understand that I shall be notified in advance of all inspection visits.

I also understand that the resource values identified by me in this application for protection will be used by the Oregon Department of Forestry to rank the project and consider for Forest Legacy Program funding consideration. Therefore, future protection and management of these resources are implied in the application and will be required in the easement (if applicable) and subsequent management plans. Substantial modifications of the intent set forth in this application will necessitate a review of the project and may jeopardize its selection and possible funding.

I also understand that this property (i.e., conservation easement or fee title acquisition) will not be purchased if negotiations do not reach an amicable agreement, or if the property does not meet the needs or questions of the Oregon Department of Forestry or if funding is unavailable. I understand that Forest Legacy Program projects will only be purchased from willing sellers.

I also understand that this application is only a request for the nominated property to be considered for the Oregon Forest Legacy Program and does not constitute an agreement to purchase. The Forest Legacy Program is a willing seller, willing buyer program.

Signature(s) of landowner(s) or legal agent, date

\_\_\_\_\_  
\_\_\_\_\_