

FOREST LEGACY PROGRAM
INFLATION REDUCTION ACT PROJECTS
PROPOSAL SUBMISSION PROCESS AND SCORING GUIDANCE

May 2023

Introduction:

The Fiscal Year (FY) 2024 selection process for Forest Legacy Program (FLP) projects funded through the Inflation Reduction Act (IRA) will be competitive and merit based. This process will run in conjunction with the Forest Legacy annual proposal process for Land and Water Conservation Funding (LWCF). See separate call letter issued April 2023 for LWCF FLP proposals is posted on the [Forest Legacy website](#).

This document provides guidance to States and Territories (States) on how to submit project proposals to the US Forest Service for Inflation Reduction Act Forest Legacy Program funding consideration. Only designated State lead agencies are eligible to submit proposals. State agencies can partner with land trusts and other land conservation organizations to develop and implement projects.

This document also provides guidance to the National Review Panel for scoring and ranking of proposals for Inflation Reduction Act funding consideration. Projects will be evaluated by the National Review Panel (composed of Forest Service and State Lead Agency Representatives) according to National Core Criteria, Special Emphasis Criteria, project readiness, and other evaluation considerations outlined below. Applicants should use these criteria as a guide when developing and submitting project proposals.

This process is aligned with and supports current Administration priorities including:

- [Executive Order 14008, Tackling the Climate Crisis at Home and Abroad](#) (2021);
- [Justice40 Initiative](#) which focuses 40% of government-wide investments in disadvantaged communities; and
- President Biden's challenge to conserve 30% of our lands and waters by 2030.

Objectives of this Scoring Guidance:

- Provide direction on proposal process and eligibility requirements for Forest Legacy Program IRA project funding.
- Provide a clear and defensible ranking process to distribute Forest Legacy Program IRA funding.
- Ensure fair, equitable, and thorough review of all projects by the National Review Panel.

The outcome of review by the National Review Panel will be three ranked and prioritized lists of FLP IRA-funded projects:

1. Large Landscape Projects
2. State-Tribal Partnership Projects

3. Strategic Small Tract Projects

Levels of funding awarded will depend on the number of eligible and quality proposals received, with the goal of awarding all IRA FLP funds by the end of FY 2027.

Project Submission and Evaluation Process:

Step 1: State Lead Agencies Submit Project Proposals to Region/Institute

States can submit up to five projects in each round for funding consideration within the following project types/category:

- 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 Special Emphasis Criteria (see below) provide further details for each project type.

Each Forest Service Region and the International Institute of Tropical Forestry (Regions) should work with State Lead Agencies to ensure all proposed projects are entered into the Forest Legacy Information System (FLIS) for regional review by these dates.

Note: Some Regions may have Region-specific deadlines earlier than the above due dates. States should work closely with the Region to ensure all deadlines are met.

Step 2: Regions Send Project List and State Matrix to Washington Office

By these dates, each Region will send a letter to the Washington Office summarizing the projects proposed by each State and confirming each project meets the requirements listed below.

In addition, each Region will evaluate the status of each States' compliance with core program requirements, status and amount of outstanding project grants, past performance, and project readiness to inform the National Review Panel ranking process. Regions will use the State Matrix (Enclosure 2) to summarize this information, and ensure all information provided is accurate and complete. See Additional Considerations section below for details on how this information will be used during the panel process.

Step 3: WO Sends Project Briefs to the National Review Panel

The WO will compile all project briefs from FLIS for distribution to the National Review Panel members. These documents will be the primary source of project information used by the National Review Panel to score and prioritize the projects.

Within each of the three project categories, the National Review Panel members will evaluate and score each project based on the Special Emphasis Criteria. The panel will also score each project based on the Forest Legacy Program Core Criteria (Importance, Threat, and Strategic).

Step 4: National FLP IRA Review Panel Meeting

The WO will convene a National Review Panel to review project proposals and develop a National Project List. The panel will include Forest Service Washington Office representatives, Regional Forest Service representatives, and State Lead Agency representatives.

The panel will first review and rank the projects based on Special Emphasis Criteria and Core Criteria. Then the National Review Panel will, as a full group, evaluate and determine prioritized rank and funding levels within each project category using the Core Criteria, Special Emphasis Criteria, and Additional Considerations.

If the National Review Panel considers a significant change to a submitted project (e.g., funding reduction), an attempt will be made to consult with the affected State. Regional and State Forest Legacy Program Managers should plan to be available during this timeframe to answer questions and provide information as requested by the National Review Panel.

Step 5: National Awarded FLP IRA Project List Announced

Round 1 Anticipated: Spring 2024

Round 2 Anticipated: Fall 2024

The final project list will be submitted to the Forest Service State, Private, and Tribal Forestry Deputy Chief for approval. The final list of funded projects will be announced in Spring 2024 for first round applications and Fall 2024 for second round applications.

Step 6: Region and States Implement Funded Projects

Upon completion of the selection process, the Region will issue project-specific grants to States for funding in accordance with the final project list. The grant period of an award will depend on project type (12 months for the Small-Strategic Projects and three years for the other project types). We expect all projects submitted by States to the National Review Panel are sufficiently ready to be completed within this timeframe and the submitting State has capacity to complete the projects within this timeline. States can request an extension beyond the initial grant period if challenges are encountered and an extension is warranted, but those situations should be the exception, not the norm.

Project briefs provided to the National Review Panel are expected to be an accurate representation of the property and of the interest to be acquired. 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 Region in consultation with the Washington Office. For substantial changes, the Washington Office may seek review from the National Review Panel.

Project Submission and Evaluation Roles:

State Lead Agency (States):

- Conduct outreach to landowners, community partners, and Tribes to develop projects;
- Solicit project proposals in alignment with program goals and procedures identified in the

State Forest Action Plan/Assessment of Need;

- Evaluate project applications for eligibility, quality, and readiness;
- Develop and submit proposals for national funding consideration with input from the State Forest Stewardship Coordinating Committee.
- Enter project data into the Forest Legacy Information System (FLIS) in coordination with the landowner and project partners, and ensure all information provided is accurate.
- State agencies can partner with land trusts and other land conservation organizations to develop and implement projects.

Region:

- Work with State Lead Agencies to produce eligible, high quality, and “ready” FLP projects;
- Work with States to ensure the proposed project meets eligibility and other requirements;
- Review and validate information in FLIS for each project and confirm all project requirements have been met;
- Work with States to evaluate the State’s fulfillment of core program requirements;
- Provide the National Review Panel with information on each State’s capacity to undertake the proposed projects and compliance with core program requirements, status of outstanding grants, past performance, and project readiness using the State Matrix template (Enclosure 2).

Washington Office:

- Work with Regions to produce highly competitive, and “ready” IRA FLP submissions;
- Organize and convene National Review Panels;
- Ensure that project selections meet congressional direction and national program goals.

National Review Panel:

- Score projects using the National Core Criteria (Importance, Threatened, and Strategic) and applicable Special Emphasis Criteria (*of the three project types*); and
- Develop three national lists of ranked projects with recommended funding levels considering project scores, project readiness, and other evaluation considerations.

Project Requirements:

All proposed projects **must** meet the following criteria:

- Complies with the [May 2017 Forest Legacy Program Implementation Guidelines](#), as amended (see *Part III – Project Eligibility and Selection*);
- The landowner(s) is willing to sell or donate the interest in perpetuity;
- Reviewed, evaluated and selected by the State’s Forest Stewardship Coordinating Committee and approved by the State Lead Agency;
- Consistent with the goals of the States’ Forest Legacy Assessment of Need as incorporated in the State Forest Action Plan;
- Located within a designated Forest Legacy Area;
- Project tracts have a minimum of 75 percent forestland, or a plan to reforest;
- Sufficiently “ready” to be completed within targeted timeframes applicable to each project type;

- A comparative market analysis* has been completed, and documentation provided to the Region for each tract in the project.

States **must** provide the following information to the Region for each proposed project:

- Estimated total project costs;
- Estimated non-federal cost-share, which must be at least 25 percent of the total project cost (unless waived or reduced for substantial benefits to disadvantaged or Tribal/indigenous communities – *see below for more details*);
- Estimated costs of each tract rounded to the nearest \$5,000;
- Project description in FLIS;
- Project map in FLIS;
- Documentation supporting the readiness score provided in FLIS;
- Written letters of support for all supporting parties listed in the project proposal;
- If cost-share reduction or waiver is requested, a letter describing the need and benefits to be delivered to disadvantaged communities (described below); and
- If the proposed project falls within the boundaries of a designated Federal management unit a written letter of support from the applicable Federal Official.

*Comparative Market Analysis - For full fee acquisitions, estimate of market value based on recently sold, similar properties in an applicable market area. For conservation easement projects, an estimate of market value “as is” and an estimate of market value “as if encumbered with the proposed conservation easement” using comparable properties that are similarly encumbered. The difference between the “as is” and the “as if” market values would represent the estimated cost to acquire the conservation easement. If an appraisal has been recently completed for the subject property, then it can be considered as a data point for the market analysis along with other applicable market research. A market analysis does not need to be conducted by an appraiser. The market analysis will include information about who prepared it, the date of the market analysis, information used and the source of that information. This must be in writing and it must be submitted to the Region before the submission due date.

Cost-Share Reduction or Waiver:

The Forest Legacy program requires non-federal cost-share to equal at least 25 percent of the total project cost. For IRA funded projects only (not applicable to LWCF proposals), cost-share may be reduced or waived for projects that take place in and deliver substantial benefits to disadvantaged and/or Tribal/indigenous communities. Cost-share waiver or reduction will only be considered for projects applying under the Small Strategic and State-Tribal Partnership categories. Recommendations around cost-share waiver or reduction will be limited and made on a project-by-project basis by the National Review Panel, for discretionary approval by the Secretary.

Projects seeking full or partial cost-share waiver must (1) indicate the request in the project application and budget in the applicable section within the Forest Legacy Information System (FLIS), (2) clearly describe the need for waiver/reduction and the benefits to be delivered to disadvantaged communities in a letter from the State to the Region, (3) identify whether the project area falls within a disadvantaged community as identified in the Climate and Economic Justice Screening Tool (CEJST) and (4) identify other applicable government sponsored data tools that further support the disadvantaged community designation and associated benefits of

the proposed project for this community (e.g., EPA Environmental Justice and Screening Mapping Tool (EJScreen), EPA EnviroAtlas Interactive Map, USDA-ERS Persistent Poverty Counties).

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.

Project submissions should address National Core Criteria (Important, Threatened, Strategic) and project-specific Special Emphasis Criteria (described below). Applicants will be 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.

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. 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 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.

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.

State-Tribal Partnership Projects:

Projects where the State works in partnership with Tribes to identify and conserve lands with high importance and significant benefits for those Tribes. This opportunity is open to fee simple acquisitions only. Only privately held lands are eligible for acquisition under this opportunity.

The State and Tribe will manage the acquired property together for long-term stewardship, with

the terms of the relationship between the State and Tribe documented in a formal agreement and/or 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 acquisition but do need to be formalized with mutual agreement by closing. The goal of this funding opportunity is to encourage and support meaningful partnerships between States and Tribes to identify, acquire, and co-manage properties with significant Tribal cultural and economic benefits as well as other public benefits.

Acquired lands will be held by the State (or unit of state government), for the purpose of perpetual conservation and joint stewardship in partnership with the Tribe (as outlined in the formalized agreement and/or deed). States may work with federally and state recognized Tribes, as well as equivalent governmental representatives of native indigenous communities. Projects could include lands either near or adjacent to trust lands, or lands in other areas with historical and cultural importance to the partner Tribes.

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

Special Emphasis Criteria – 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 access to protect cultural resources and traditions. Tribal members will have access to the property for cultural purposes.
- 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.

State-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-stewardship with the Tribe is 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 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 adjacent properties to already conserved lands, including strategic tracts that complement previous Forest Legacy Program investments. 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 the purposes of this opportunity, a “tract” is defined as contiguous land under the same legal ownership. 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).

Special Emphasis Criteria – 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.

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 and provides for public access. The project is exceptionally 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 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 strategic values and is in alignment with program Core Criteria.

National Core Criteria:

In addition to evaluating projects on basis of the Special Emphasis Criteria described above, the National Review Panel will consider the Forest Legacy Program Core Criteria and score each project based on alignment with the **Importance, Threatened, and Strategic** criteria. *Note: these are the same criteria considered in the annual LWCF proposal process.*

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.

National significance of a project is demonstrated in two ways:

1. A project that solidly represents a majority of the components outlined below under “Attributes to Consider” is viewed as nationally significant because of its strong alignment with the purposes of the Forest Legacy Program.
2. A project that supports Federal laws (such as Endangered Species Act, Safe Drinking Water Act, and Clean Water Act) contributes to Federal initiatives or contains or enhances Federal designations (such as Wild and Scenic Rivers, National Scenic Byways, National Recreation Trails, and cultural resources of national importance). When determining Federal importance, interstate/international resources (such as migratory species, or trail and waterways that cross state or international boundaries) will also be considered.

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. Significance of attributes is demonstrated by the quality and scope of the attributes. 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.

For a project to receive the maximum point score, it must contain a majority of the attributes, and must significantly address one or more of the Federal laws or initiatives noted above. In rare situations a project may be granted a high score based on a single attribute if that attribute is truly singular in nature (e.g., containing the last population of an endangered species).

A project brief that discusses the majority or all the attributes, but demonstrates only limited importance for each attribute, should not receive maximum or perhaps even medium ranking. The measure is the significance of the attributes discussed, not simply that there is an entry for each attribute.

- *High Importance (21-30 points)* – The project contains a majority of the attributes, and those attributes are nationally significant and of high-quality, or one or more attributes are exceptionally important.
- *Medium (11-20 points)* – The project contains a majority of attributes, several of which are significant and of high-quality.
- *Low (0-10 points)* – The project contains only a few attributes, or it could contain all of them, but does so in a limited, marginal, or tertiary way or importance of attributes are important regionally or locally but not nationally.

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

Benefits of projects for **disadvantaged communities** and environmental justice initiatives should be highlighted where applicable. For example, benefits can be discussed within economic benefits, water, cultural, public access, or climate resilience. Benefits for disadvantaged communities should also be discussed in the Strategic section and are among the “Additional Considerations” that will be examined by the National Review Panel when developing the final list of ranked projects and associated funding levels.

The term **disadvantaged communities** is used in [Executive Order 14008, Tackling the Climate Crisis at Home and Abroad \(2021\)](#). It is specifically referenced within the context of the Justice 40 Initiative, which establishes a government-wide goal of directing 40% of the overall benefits of specific federal investments associated with certain covered programs to flow to disadvantaged communities.

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.

Attributes to consider: The descriptions listed below represents the ideal project for each attribute. *These attributes are not listed in priority order.*

- 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. The importance of habitat to an international initiative to support and sustain migratory species can be viewed as national importance if conserving the property will make a significant contribution. Occasional use of the property or a modest contribution to an international initiative does not raise the property to national importance.
- 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/Tribal/Historic – The property contains features of cultural, Tribal, and/or historical significance that are documented by a governmental, Tribal, or a non-governmental organization. A Federal designation should receive greater consideration.
- Public Access – Protection of the property will maintain or establish new/expanded 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* – Protection of the property will result in benefits related to climate resilience and adaptation, and carbon sequestration.

*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 terms 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.

- *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.

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.

Attributes to consider: The descriptions listed below represent the ideal project for each attribute.

These attributes are not listed in priority order.

- 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 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. When evaluating strategic, three considerations should be made: 1) how the project contributes to an existing or new a conservation initiative, strategy, or plan; 2) how the project complements protected lands; and 3) the relative contribution of the project to landscape scale conservation goals and public benefits.

- *High (21-30 points)* – The property makes an exceptional strategic contribution to: a conservation initiative, strategy, or plan; complementing protected lands; and/or landscape scale conservation goals and benefits.
- *Medium (11-20 points)* – The property makes a substantial strategic contribution to: a conservation initiative, strategy, or plan; complementing protected lands; and/or landscape scale conservation goals and benefits.
- *Low (0-10 points)* – The property makes a modest strategic contribution to: a conservation initiative, strategy, or plan; complementing protected lands; and/or landscape scale conservation goals and benefits.

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* of this Scoring Guidance (at the end of this document).

Attributes to consider: The descriptions listed below represent the ideal project for each attribute. *These attributes are not listed in priority order.*

- 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 enhance already protected lands including past FLP projects, already protected Federal, State, or non-governmental organization lands, or other Federal land protection programs (REPI, NRCS, NOAA, etc.)
- Benefits to Disadvantaged Communities – Projects that benefit disadvantaged communities (as defined in the Importance section) and/or address environmental justice should receive additional consideration.
- Other Landscape Scale Goals and Public Benefits – How the project strategically contributes to the advancement of larger scale conservation goals and public benefits. Examples of larger scale goals and benefits could include but are not limited to climate resilience and mitigation, reduced community impacts from wildfire, floods, invasive species, etc., 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 ranked projects and associated funding levels, and not by the individual panel members when scoring projects. Note: these items are also considered in the annual LWCF proposal process.

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 below for more details on core program requirements.*
2. **Outstanding Grant Funds:** Regions will provide the amount of unspent funds for existing project grants, dates of grant awards, and number of projects and tracts a State has that are outstanding on the State Matrix. In addition, outstanding grant funding information will be pulled from FLIS on January 31, 2024 (for Round 1 submissions) and July 1, 2024 (for Round 2 submissions).

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 (including LWCF FLP) that is three years or older (FY 2020 or older obligated grant funds) may not be placed highly on the prioritized project list. 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 (this differs, depending on project type).

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:

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

The Region will provide this information to the National Review Panel on the State Matrix. 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 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 determining ranks 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 determining ranks 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;
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 and ranked 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 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 FLIS deadline (*December 1, 2023 for Round 1 applications and May 10, 2024 for Round 2 applications*).

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

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*, 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.

*Letter of Commitment – Signed letter that indicates the signatory’s commitment of resources to the proposed project should federal funds be awarded.

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

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.