

FOREST LEGACY

U P D A T E

August 2003

Forest Service responds to the House Appropriations Report

On June 14, 2002, the House of Representatives Committee on Appropriations, Surveys and Investigations Staff completed an inquiry into the Forest Legacy Program (FLP) (see November 2002, *Forest Legacy Update* for more information). The report outlined concerns regarding a lack of national program strategy, a need for more Washington Office structured direction,

policy and guidance, and insufficient financial management.

On May 27, 2003, the Forest Service provided a response to the House Appropriation's Report. A team of State Foresters and Forest Service personnel developed the response. Included in the response is an eight-page table with specific action items that commits the

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Several federally funded programs focus on conservation by purchasing lands and interests in lands. One of the oldest programs is the Land and Water Conservation Fund, established by Congress in 1964 (Public Law 88-578). The Act designated that a portion of receipts from offshore oil and gas leases be placed into a fund annually for state and local conservation, as well as for the protection of our national treasures. The Federal side provides for national forests, parks, and wildlife area easement and in holding acquisitions. The "State side" of LWCF is distributed to all 50 states, DC and the territories by a formula based on population among other factors. This grants program has also emphasized a

leadership role for states - a full partnership with national and local governments in planning, funding and providing nationwide recreation opportunities.

The North American Wetlands Conservation Act (Act) of 1989 provides matching grants to private or public organizations or to individuals who have developed partnerships to carry out wetlands conservation projects in the United States, Canada, and Mexico. The Act was passed, in part, to support activities under the North American Waterfowl Management Plan, an international agreement that provides a strategy for the long-term protection of wetlands and associated

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*Protecting Important
Forests from Conversion
to Nonforest Use*



Issaquah Creek Headwaters

On December 20, 2002, Washington State Department of Natural Resources (WADNR) partnered with King County to close on a conservation easement on the Issaquah Creek Headwaters parcel, securing the development rights on 1,590 acres of working forestland. The US Forest Service provided the funding for \$2,800,000 conservation easement transaction through the Forest Legacy Program. Only 20 miles from downtown Seattle, the property had been under intense pressure of urban sprawl; the private landowner planned to develop the property for residential use.

The Project provides a critical link between the City of Seattle's Cedar River Watershed and Tiger Mountain State Forest. King County acquired the fee interest in the property from Manke Lumber Co., who had

subdivided the property prior to sale. King County is managing the property as working forest.

Situated on Holder and Cary Creeks, with more than a mile of riparian frontage; the parcel is critical for protecting water quality in Issaquah Creek including an important fishery and Salmon rearing resource. This natural area recharges an important public drinking water aquifer, which is the main source of regional drinking water for the City of Seattle. The Issaquah Creek Headwaters parcel is situated at the southern boundary of the "Mountains to Sound Greenway" where thirty years of landscape planning, by the Mountains to Sound Greenway Trust and its partners, is actively preserving forests and associated uses for future generations.

Utah closes on Castle Rock

"This is a good project, preserving some great land, and has a strong matching funding ratio," noted State Representative, David Ure. And with the final phase of the Castle Rock Forest Legacy project closing in June 2003, over 9,900 acres have been protected with a conservation easement.

Located in the wilderness of the Uinta Mountains, the property is part of a large working cattle ranch where abundant aspen stands and high elevation conifer forests offer ideal habitat for many wildlife species. The Castle Rock Ranch provides winter range to over 1,400 head of elk, 1,200 deer and 80 moose. In a unique program to re-establish elk herds in the South, landowners have developed a partnership with wildlife agencies and have successfully transplanted over 150 elk from Utah to Kentucky. After disappearing over a century ago from the southern forests, Utah elk are being relocated to the Cumberland Plateau of eastern Kentucky. Located within a one-hour drive from the metropolis of Salt Lake

City and 30 minutes from Park City, the property was extremely threatened by development of home or cabin sites. Development would have also had a severe impact on the Chalk Creek watershed, which provides downstream water to the Wasatch Front. The conservation easement on the ranch today provides resource protection for vital watershed, big game wildlife and numerous non-game species, vast forested acreage, as well as continuing as a working cattle ranch.

The Utah Forest Legacy program partnered with The Nature Conservancy to design this project and the draft the easement. Support from the state Quality Growth Commission provided nearly \$1 million in supplemental funding. Landowners donated over \$5 million in value toward the \$9+ million easement value. When added to the neighboring easements that Utah Forest Legacy has completed in the Chalk Creek area, over 21,000 acres have been protected.



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Cummings Cove Tennessee

On Friday, January 31, 2003, Congressman Zack Wamp (R-TN), Undersecretary of Agriculture Mark Rey, Forest Service Chief Dale Bosworth, Tennessee State Forester Steve Scott, Tennessee River Gorge Trust Executive Director Jim Brown, Trust for Public Land Senior Vice President Al Front, and Scott Davis, State Director of The Nature Conservancy Tennessee Chapter celebrated the Forest Legacy Program at one of the project sites, Cumming Cove, Tennessee. The event took place at Sunset Rock, an overview site owned by the National Park Service.

Cummings Cove is the general name for a parcel in Hamilton and Marion Counties in Southeastern Tennessee. This tract is 1,200 acres that the landowner voluntarily placed in protected conservation status. It is located in close proximity to the ever-expanding city of Chattanooga. The tract, valued at \$1,440,000 was purchased by the State of Tennessee for \$1,000,000 with the landowner donating the remaining value. The Tennessee Wildlife Resources Agency now manages the tract for timber, game and non-game species. Plans are underway to connect trail with the popular Cumberland Hiking trail system.

The Cummings Cove tract adds to ongoing efforts to the protected and vast forest continuum that includes the TN River Gorge, Prentice Cooper State Forest, and the North Chickamauga Creek Natural Area. This continuum extends into Northern Alabama and Georgia and north towards the Kentucky border.

Report response cont'd

Forest Service to improve the management, accountability, and effectiveness of the FLP. For example, the Forest Service committed to completing the Implementation Guidelines by June 30, 2003, and that the Guidelines will provide clarity and more detail on the following issues: project selection process, reprogramming process for unspent funds, cost sharing requirements, and appraisals and appraisal review standards. The Forest Service met that deadline commitment.

The response demonstrates the Forest Service's commitment to working with Congress, the States, and other partners to improve the FLP. The FLP gets 95% of the funding to the ground and the leveraging of Federal dollars with State and private contributions exceeds the minimum 25% non-federal cost share requirement. The regional FLP program managers are respected and said to be providing good technical and customer service. The FS and States are satisfied with FLP implementation at the State level. Good partnerships exist between the FS, States and non-profit organizations. Land trust and non-profit organizations are important partners to FLP and provide valuable assistance to the States.

LAND PROTECTED TO DATE	State	Acres	Total Value	FLP Payments
	California	3,275	4,850,000	40,000
Colorado	218	1,470,000	500,000	
Connecticut	1,261	2,271,050	390,000	
Illinois	236	1,080,548	765,411	
Indiana	1,424	850,000	534,000	
Maine	52,409	13,607,000	8,678,000	
Maryland	966	2,325,000	650,000	
Massachusetts	2,468	8,879,400	5,059,900	
Minnesota	620	1,824,000	1,037,000	
Montana	99,855	24,749,000	11,795,000	
New Hampshire	47,769	13,776,072	7,688,072	
New Jersey	2,597	14,003,000	2,262,000	
New York	1,555	4,773,400	2,403,400	
North Carolina	2,590	5,665,575	4,104,060	
Puerto Rico	1,429	1,576,875	791,700	
Rhode Island	915	2,436,000	1,498,000	
South Carolina	8,853	13,050,854	9,891,910	
Tennessee	7,527	11,440,000	5,500,000	
Utah	40,486	35,687,425	12,464,425	
Vermont	51,619	9,381,000	6,010,000	
Virginia	2,056	2,900,000	2,171,000	
Washington	3,411	19,770,895	10,219,000	
Wisconsin	35,337	13,251,375	5,000,000	
TOTAL	368,876	209,618,469	99,452,878	



Forest Legacy Guidelines revision completed

The Revised Forest Legacy Program Implementation Guidelines are being published in the Federal Register thanks to the hard work of a committee of federal and state representatives from across the country. The team used hundreds of public comments and the report from the Surveys and Investigations Staff of the House of Representatives Appropriations Committee to craft this document. Says Rick Cooksey, National Forest Legacy Program Manager, "We believe this effort will guide the Forest

Legacy Program into the future with current, clear, and transparent implementation policies."

These guidelines clarify the appraisal review process, how projects are selected for funding, how allocations are made to state lead agencies for specific projects, and the role of land trusts in the implementation of the Forest Legacy Program. To obtain a copy go to <http://www.fs.fed.us/spf/coop/programs/loa/flp.shtml>.

Other programs cont'd

uplands needed by waterfowl and other migratory birds in North America.

Established in 1996, the Farmland Protection Program originally provided matching grants to states, local and tribal and entities with existing farmland protection programs for the purchase of agricultural conservation easements. Language approved by Congress in 2000 expanded the program to make nonprofits eligible to apply for grant funds and to include ranchland as an eligible recipient. The USDA Natural Resources Conservation Service, located in each state, administers this program.

TPL worked with Congress to create the newly minted "Coastal and Estuarine Land Conservation Program" (CECP). In the program's first year out, Congress funded over \$15 million in acquisitions. Congress also directed NOAA to come up with specific guidance and/or regulations for this program by the end of FY02 (Sept. 30, 2002). This program essentially funds pass-through grants to states and local governments for land acquisition in a state's coastal zone. Until NOAA completes work on their recommended guidelines, access to CECP funds must be obtained through a Member of Congress via the appropriations process.

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The Forest Legacy Program was established in the 1990 Farm Bill. State and Federal partners implement the program together. Information sharing occurs in many ways including this periodic update. If you would like to receive a copy, please send a request to *Forest Legacy*, USDA Forest Service, 1720 Peachtree Road NW, Atlanta, GA 30309.

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