

**File Code:** 3360**Date:** July 30, 2020**Route To:****Subject:** Fiscal Year 2022 Project Selection Process for the Forest Legacy Program**To:** Regional Foresters and IITF Director**REPLY DUE OCTOBER 21, 2020**

The fiscal year (FY) 2022 project selection process for the Forest Legacy Program (FLP) will be competitive, merit-based, and coordinated by the Washington Office (WO). The outcome from this process will be a ranked and prioritized list of FLP projects for consideration in the President's Budget. The process will be as follows:

Step 1: State Lead Agencies Submit Project Proposals to R/I Due: October 16, 2020

States can submit up to three projects, not to exceed a total of \$20,000,000. Each Region and the Institute (R/I) should notify State Lead Agencies of this deadline and ensure that all proposed projects are entered into the Forest Legacy Information System (FLIS) by this date. The State Lead Agency is responsible for data entry and accuracy. The R/I is responsible for reviewing and validating the information for each project. All proposed projects must meet the following criteria:

- Comply with the May 2017 Forest Legacy Program Implementation Guidelines, as amended;
- Be reviewed, evaluated and selected by the State's Forest Stewardship Coordinating Committee and approved by the State Lead Agency;
- Be consistent with the goals of the States' Forest Legacy Assessment of Need as incorporated in the State Forest Action Plan;
- Be located within a designated Forest Legacy Area; and
- Be sufficiently "ready" to be completed within two years of grant award.

The information provided by the States to the R/I for each project should include:

- The project's priority rank, if indicated by the State (States may include priority ranking if more than one project is submitted, but it is not required);
- List of supporting tracts in order of priority, if applicable;
- Estimated total project costs (not to exceed \$20,000,000 per State across 1-3 projects);
- Estimated non-federal cost-share, which must be at least 25 percent of the total project cost;
- Estimated costs of each tract rounded to the nearest \$5,000;
- Project description in FLIS;
- Project map in FLIS;
- Written letters of support for all supporting parties listed in the project proposal; 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. (Note: This letter should be updated if the project is a resubmittal or continuing phase.)

The R/I should provide the State Lead Agencies with the following enclosures to inform preparation of project proposals. Enclosure 1 is the scoring guidance that will be used by the National Review Panel to review and rank projects. Enclosure 2 provides recommendations for project maps. Enclosure 3 provides a glossary of terms for Threatened & Endangered species information.

Step 2: Regions Send Project List and State Matrix to WO

Due: October 21, 2020

Each R/I should send a letter summarizing the projects proposed by each State and confirm that all project details and requirements as described above have been met. The R/I should also identify any projects that must be funded in their entirety and cannot be phased.

In addition, the R/I should evaluate the status of each State's compliance with core program requirements, outstanding funds, and past performance to inform the National Review Panel ranking process. Please provide a summary of this information using the attached matrix (Enclosure 4), and ensure all information provided is accurate and complete.

Core Program Requirements - Prior to developing the Regional project list, each R/I should evaluate each State's fulfillment of the following FLP core program requirements:

1. Completed baseline reports or 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. Conducted annual monitoring for all closed conservation easements tracts, and has recorded information in FLIS;
5. Addressed, or is in the process of addressing, all major conservation easement violations, and has recorded information in FLIS;
6. Implemented a record keeping protocol for all FLP tracts;
7. Developed, and is implementing, an action plan to address recommendations in State Program Review;
8. Developed, and is implementing, an action plan to address recommendations in a Quality Assurance Inspection; and
9. Is up-to-date on grant reporting requirements.

Prior to the due date, Forest Service WO and R/I FLP program staff will discuss deficiencies to ensure consistent treatment of States' projects and will share the outcome with the State. We expect that the R/I 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 R/I identifies persistent deficiencies in core program requirements, the R/I may choose either to not submit the State's projects for consideration or notify the WO that the State's projects should not be reviewed and ranked by the National Review Panel.

Outstanding Funds and Past Performance - In addition, the R/I should provide the following information on outstanding funds and past state performance:

1. List of current project grants, dates of grant awards, and amount of unspent funds (current as of Oct 16, 2020 or later);
2. Unprocessed de-obligations or imminent project closings that reduce a State's outstanding balance; and
3. Average duration between project funding and completion for the last three projects.

The panel will evaluate outstanding funds as part of the development of the prioritized project list. States with outstanding grant funding that is 3 years or older (FY2017 or older obligated grant funds) may not be placed highly on the prioritized project list. Also, States with greater than \$10 million in total of unspent funds, regardless of age, will likely have their projects placed lower on the prioritized project list.

For those States with outstanding grant funds, the R/I should confirm that the State has sufficient capacity to successfully undertake these additional project grants and can make progress if it receives the new grant awards. Regional submissions may include a rationale for considering projects when extraordinary circumstances exist for a State with 3 year or older obligated grant funding (FY2017 or older) or total funds above \$10 million. This information will be made available during the panel discussion.

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

October 30, 2020

The WO will compile all project briefs from FLIS for distribution to National Review Panel members by October 30, 2020. These documents will be the primary source of project information used by the National Review Panel to score and rank the projects. The package sent to panel members will include project briefing sheets, regional project lists, and the scoring guidance (Enclosure 1).

The National Review Panel will also receive the state-level information provided by each R/I regarding core program requirements, outstanding funds, and past performance. This information will not be used by individual panel member for the initial scoring process but rather considered by the full panel during the ranking process.

Step 4: National FLP Review Panel Meeting

November 18-19, 2020

The WO will convene a National Review Panel to facilitate the development of a National Project List. The panel will include three Forest Service WO representatives, three R/I Forest Service representatives, and six State Lead Agency representatives. The panel will review and rank the projects based on the scoring guidance (Enclosure 1).

If the Review Panel considers a significant change to a submitted project (i.e., project phasing, funding reduction, or selection out of State priority order), an attempt will be made to consult with the affected State. R/I and State Forest Legacy Program Managers should plan to be available during this timeframe to answer questions and provide information as requested by the Review Panel.

Step 5: National FLP Project List Sent to OMB/Congress**November 30, 2020**

The final Project List will be submitted to the State and Private Forestry (S&PF) Deputy Chief for approval. The S&PF Deputy Chief will work with the Director of Forest Service Strategic Planning, Budget and Accountability to provide the Project List to the Office of Management and Budget and the House and Senate Appropriations committees for budget consideration in accordance with current law, policy and direction.

Step 6: R/I and States Implement Funded Projects

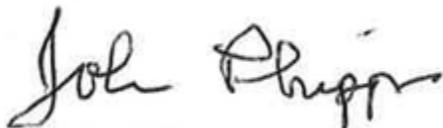
Upon completion of the annual appropriations process, R/Is will issue project-specific grants to States for funding in accordance with the final Project List. Upon receiving grant funding, States must show that they have initiated work on required due diligence within the first calendar year after grant award.

The initial grant period of an award will be two years. While it is possible to extend beyond that period if challenges are encountered and an extension is warranted, the expectation is the acquisition will be completed within the initial two-year grant period and States should plan accordingly.

For projects that were either phased or received reduced funding than the original proposal, it is expected that the State will proceed with implementing the portion of the project it can complete with the appropriated FLP funds. States can seek additional funding in a future fiscal year for a phased project, but they are expected to implement the funded portion of the project upon grant award, and not wait for future funding.

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 R/I. If a project changes substantially from what was originally proposed, then project changes may also require additional review and approval by the WO and National Review Panel.

If you have any questions, please contact Claire Harper, Acting National Forest Legacy Program Manager, at 303-895-6157 (cell).



JOHN PHIPPS
Deputy Chief, State and Private Forestry

Enclosures (4)

cc: Scott Stewart, Claire Harper