

Appendix

NOTE: THE FOREST LEGACY PROGRAM APPENDIX THAT FOLLOWS WAS AUTHORED BY THE TENNESSEE DIVISION OF FORESTRY, AND TDF IS SOLELY RESPONSIBLE FOR THE SECTION'S CONTENTS.

Appendix D. Forest Legacy Program

Purpose of the Forest Legacy Program

Implementation of the Forest Legacy Program (FLP) fills an important gap and provides a safety net to protect environmentally important resources in Tennessee. The FLP complements existing programs administered by state and local agencies, land trusts and conservancies, forest industries, and conservation organizations whose efforts are focused on conserving unprotected resources on private lands. The FLP process also provides improved coordination of effort by which all interested organizations and individuals can participate as partners to achieve protection of significant forest resources. The FLP offers landowners an opportunity to voluntarily protect important resources by donating or selling forested tracts. Through fee simple or conservation easements, these landowners protect property with key resource values, establish management goals, and implement land-use restrictions. In this way, the program can help maintain the forestland base, protect special forest resources, and provide opportunities for traditional forest uses for future generations. Although landowners that participate in FLP may choose to donate or sell partial interest to their lands by means of conservation easements, fee title acquisitions are the preferred method of protecting important forestlands. Fee title acquisitions enable perpetual conservation and management of acquired lands consistent with state and federal programmatic objectives. FLP acquisitions are from willing landowners only.

Authority

The Cooperative Forestry Assistance Act (CFAA) of 1978, as amended, (16 USC 2101 et seq.) provides authority for the Secretary of Agriculture (Secretary) to provide financial, technical, educational, and related assistance to States, communities, and private forest landowners. Section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (P.L. 101-624:104 stat.3359; 16 USC 2103c), also referred to as the 1990 Farm Bill, amended the CFAA and directs the Secretary to establish the FLP to protect

environmentally important forest areas that are threatened by conversion to non-forest uses. This authority continues indefinitely. Through the 1996 Farm Bill (Federal Agricultural Improvement and Reform Act of 1996; Public Law 104-127; Title III - Conservation; Subtitle G - Forestry; Section 374, Optional State Grants for Forest Legacy Program), the Secretary is authorized, at the request of a participating State, to make a grant to the State to carry out the FLP in that State, including the acquisition by the state of lands and interests in lands.

Program Implementation

TDF, the lead state agency in Tennessee, elects the state grant option pursuant to the provisions of the 1996 Farm Bill, Title III; Subtitle G, Section 374. Therefore, FLP acquisitions will be transacted by the state with the title vested in the state or a unit of state government. One exception to this policy involves donations where the donor may wish to donate to land trust, local, or federal government, and the potential receiving agency/organization agrees to accept the donation and to manage the lands or interest in perpetuity for FLP purposes.

Program Funding

The Cooperative Forestry Assistance Act, as amended, and USDA Forest Service FLP Implementation Guidelines established a cost-sharing process for state FLPs. The maximum federal contribution may not exceed 75 percent of project costs and is subject to availability of federal appropriations. FLP costs that may be covered by federal funds include the purchase of conservation easements or other interests in land by the state or eligible non-profit land trusts. Activities that qualify for federal cost-sharing include inventories, mapping, baseline resources descriptions, title searches, initial appraisal work, surveys, and drafting and developing easement terms. (For a more comprehensive list of items covered by federal funds, refer to the Forest Legacy Program Implementation Guide.)

The remaining 25 percent of project costs must be paid with non-federal matching funds or in-kind contributions from state, local, and non-governmental sources. In addition to the donation of goods and



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services, the appraised value of conservation easements meeting Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), or “Yellow Book” standards accepted as donations to the program may qualify as a major part of the non-federal match.

Use of “bargain sales” by landowners will also be encouraged by the state. In such sales, landowners receive payment for portions of the fair market value (UASFLA) of the rights that are conveyed through conservation easements or other interests in land, and make a charitable donation of the remainder of that value.

Funding for subsequent monitoring and enforcement may include: (1) donations by landowners, non-profit organizations, or other sources; (2) contributions from participating landowners that might be generated by management activities; and (3) public appropriations for the purpose at the state and local level.

Tennessee Program Objectives

Tennessee’s FLP objectives will be used to determine which eligible tracts will receive priority for participation in the program. Objectives are aimed at protecting forest resource values that constituencies and the public consider of greatest concern. The mission of Tennessee’s Forest Legacy Program is to protect environmentally important, private forestlands threatened with conversion to non-forest uses. The primary focus of the program is to maintain well-managed, working forests on the landscape. The objectives of the FLP in Tennessee are as follows:

- Prevent conversion of forestlands to other uses.
- Preserve forestlands for current and future wood production.
- Preserve and protect water quality, fisheries, and water supplies.
- Preserve and protect riparian habitats.
- Preserve and protect fish and wildlife habitats, rare plants, and biological diversity.
- Preserve and protect natural beauty.
- Preserve and protect forest-based recreation opportunities.

In ranking applicant proposals, the State Forest Stewardship Coordinating Committee (SFSCC) FLP Ranking Subcommittee will place priority on tracts that possess multiple significant resources and opportunities that will achieve two or more FLP objectives when

providing recommendations to the State Forester. Priority will also be given to tracts whose owners demonstrate their intentions to actively accomplish the objectives of the program. Additional consideration will be given to larger parcels, which may be able to utilize program resources more efficiently.

Program Management

For projects involving conservation easements, TDF and easement holders are responsible for working cooperatively with participating landowners to develop the details of easements. Landowners will be responsible for managing the resources covered by easements. Federal law and FLP Guidelines require preparation of a Forest Stewardship Plan or Multi-Resource Management Plan that must be prepared and approved prior to conveying acquisition of the easement. For guidance on Multi-Resource Management Plans, see Section 17 – Multi-Resource Management Plans found in the Forest Legacy Program Implementation Guidelines. For guidance on Multi-Resource Management Plan content, see Appendix O -Sample Content of a Multi-Resource Management Plan found in the Forest Legacy Program Implementation Guidelines. The Forest Legacy Program Implementation Guidelines can be found at the following website: https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/15541-forest-service-legacy-program-508.pdf

For Tennessee projects seeking to purchase a conservation easement, a current Multi-Resource Management Plan or abstract detailing landowner’s management intent must be established at the time of application. The management objectives identified within the Multi-Resource Management Plan (MRMP) or abstract detailing landowner’s management intent must be consistent with the purposes of the FLP and further Tennessee’s programmatic objectives through planned practices promoting forest health and active forest management. Multi-Resource Management Plans must clearly describe specific management objectives and strategies for significant resources identified in their easements. Management plans associated with third-party certifications are acceptable.

For projects involving fee simple acquisitions, the state agency responsible for management must ensure the acquired property is managed according to the tenets of the FLP. For tracts acquired in fee simple, a Multi-Resource Management Plan must be created for the FLP tract or the tract must be incorporated into an



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existing management plan for surrounding conservation lands. Multi-Resource Management Plans must include provisions to meet the purposes of the FLP. For projects involving fee simple acquisitions, a current Multi-Resource Management Plan or abstract detailing owner's management intent must be established at the time of application. The management objectives identified within the Multi-Resource Management Plan or abstract detailing owner's management intent must be consistent with the purposes of the Forest Legacy Program and further Tennessee's programmatic objectives through planned practices promoting forest health and active forest management. Multi-Resource Management Plans identify the management objectives of the property and describe actions to protect and manage soil, water, aesthetic quality, recreation, timber, fish and wildlife resources, and other conservation values identified on the FLP tract. Management plans associated with third party certifications are acceptable. The State Forester or designee is responsible for approving the plan and ensuring it meets the FLP and Tennessee's FLP requirements. Ongoing resource management plans of the managing state agency will suffice as evidence that properties are managed according to Forest Stewardship principles.

Monitoring

Each conservation easement established under FLP requires annual monitoring to ensure that the terms of agreement are being honored, and that resources are being protected and conserved. Baseline descriptions of resources will be developed by easement holders and used to assess changes in resource conditions over time, including any resource enhancements such as management of rare plants or measures to improve water quality. Easement monitoring will involve annual visits to tracts by easement holder (TDF) and/or third parties acting as agents of TDF to conduct the monitoring.

The State Lead Agency (TDF) and other governmental entities (as applicable) holding title to interests in land acquired with FLP funds (conservation easement or fee simple holders) are responsible for the monitoring and management of those interests in perpetuity. The holder may delegate or assign monitoring and management duties but must retain enforcement responsibilities. The delegation or assignment of responsibility must be documented by a written agreement, and the Forest Service Regional Forest Legacy Program Manager must be notified. Only individuals and/or

organizations that are clearly qualified to assess the condition of the resources under easement will conduct monitoring. Forest Legacy funds may not be used to conduct monitoring activities. Therefore, in the case of purchased conservation easements, the program participant (grantor or landowner) must assume the annual monitoring responsibility to be audited annually by TDF.

A fee simple purchase acquired under the FLP is not subject to annual monitoring requirements for conservation easements. Instead, for all FLP fee simple and cost-share tracts, the State Lead Agency must monitor the condition of each tract periodically, including those owned and managed by other governmental entities within the state (such as other state agencies or local governments). The Lead State Agency will also submit a self-certifying statement to the USDA Forest Service Regional Program Manager every 5 years as part of the State FLP program review. Similarly, for fee simple cost-share tracts held by a qualifying nonprofit conservation organization, the State Lead Agency must acquire from the fee interest holder a self-certifying statement for submission to the USDA Forest Service Regional Program Manager as part of the State FLP program review. The self-certifying statement must identify and document the condition of each fee tract, including changes in title, land conversions to non-forest uses, or uses inconsistent with the purposes of the FLP. If there are deviations from FLP purposes, the statement must describe the actions taken or to be taken to address documented deviations. Forest Legacy funds may not be used to conduct monitoring activities. Therefore, in the case of fee simple and cost-share tracts, the fee interest holder must assume monitoring responsibility to be audited periodically by TDF.

Forest Legacy Assessment and Identification of Forest Legacy Areas

Broadly speaking, Tennessee's FAP guides the work of Tennessee's forestry community. As the lead agency administering the FLP in Tennessee, TDF's continued participation in the program requires periodic evaluation of current forest uses, trends and conditions, and factors influencing conversion to non-forest uses, all of which are integrated into the FAP. For purposes of the FLP, the FAP provides an assessment of forest conditions, uses and trends, provides the framework to identify priority forest landscapes, and addresses the following key components:



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- **Forest resources and benefits including:**

- o Aesthetic and scenic values
- o Fish and wildlife habitat
- o Public recreation opportunities
- o Soil productivity
- o Forest products and timber management opportunities
- o Watershed values including water-quality protection
- o Present and future threat of conversion of forest areas to non-forest uses
- o Historic or traditional uses of forest areas, and trends and projected future uses of forest resources
- o Current ownership patterns, size of tracts, and trends and projections of ownership patterns
- o Cultural resources that can be effectively protected
- o Outstanding geological features
- o Threatened and endangered species
- o Other ecological values
- o Mineral resource potential
- o Protected lands including Federal, State, municipal lands, and private conservation organization lands
- o Issues identified by the SFSCC and through the public-involvement process

Public Benefits Derived from Tennessee's Forest Legacy Areas

Protecting land through conservation easements or fee acquisition offers a variety of public benefits. Privately owned forests contribute significantly to the state's supply of timber and timber products, while also providing important wildlife habitat, watershed protection, recreation opportunities, and aesthetic values. Forest Legacy Areas, whether through conservation easements or fee acquisition, reduce the rate at which land becomes fragmented, and they protect valuable ecosystems and the biological, economic and social values they provide. The FLP will help maintain the forestland base, protect special forest resources, and provide opportunities for traditional forest uses for future generations.

Eligibility Criteria for Tennessee's Forest Legacy Areas

The CFAA directs the Secretary to establish eligibility criteria for the designation of Forest Legacy Areas (FLAs), in consultation with State Foresters via recommendations of the SFSCC. These criteria should be based upon the FLP purpose to protect environmentally important forest areas that are threatened by conversion to non-forest uses, and these criteria should be further developed through the state FAP.

States are responsible for determining what defines "threatened" and "environmentally important forest areas" in the state. However, environmentally important forest areas shall contain one or more of the following public values, as defined by the states:

- a. Timber and other forest commodities;
- b. Scenic resources;
- c. Public recreation opportunities;
- d. Riparian areas;
- e. Fish and wildlife habitat;
- f. Known threatened and endangered species;
- g. Known cultural resources; and
- h. Other ecological values.

TDF and its partners developed a set of criteria for determining Tennessee's FLAs. These criteria differ from past criteria for setting FLAs, most notably in the emphasis placed on protecting working forests from fragmentation and land use conversion for the 2020 FAP cycle. The goal of Tennessee's 2020 FLP is to prioritize forested tracts within high primary forest product producing counties while facilitating landscape connectivity and addressing risks to forest fragmentation and land-use conversion. The criteria for FLAs established in the 2020 FAP revision requires candidate properties must meet the following requirements:

- a. Property is a forested tract with at least 20 acres of continuous forest.
- b. Property is located in one of the top 60 percent of primary forest product-producing counties.
- c. Property is in an area with significant risk of becoming lightly stressed, stressed, impacted, or damaged due to the extent of impervious surface area by 2030, or at high risk of becoming urbanized by 2030.
- d. Property is identified in The Nature Conservancy's Resilient and Connected Prioritized Network.



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Eligible properties are identified using spatial datasets and geographic information system (GIS) analytical software. In the analytical process, a data layer is created for each FLA requirement, and these data layers are then overlaid to identify properties that met all requirements.

The National Land Cover Database 2016 (Yang et al. 2018) is used to identify all forestland (deciduous, evergreen, mixed, wetlands). This spatial layer of forestland is then intersected with a property parcel dataset kept for state property and tax records. To meet requirement (a), a property must be at least 20 acres and contain at least 20 acres of continuous forest.

The Timber Products Output (TPO) data available from the USDA Forest Service Forest Inventory and Analysis (FIA) program is used to map primary forest product production activities for each county in Tennessee. The TPO dataset is developed from surveys of mills and reports the amount of timber processed at each mill site. A quantile analysis of TPO data identified the top 60 percent of counties of primary forest product producing counties. The TPO data is used as a proxy for harvest removals due to data limitations regarding the amount of timber harvested in each county. Due to the different land areas of counties, the TPO dataset is normalized on a per acre basis prior to quantile analysis.

Projections of impervious surface from the Environmental Protection Agency (EPA) are used to identify areas at high risk of forest health and surface drinking water issues arising from declining surface permeability. Impervious surface projections are based on data layers generated for the Integrated Climate and Land-Use Scenarios project. Impervious surface projections are stratified into stress index classes based on the extent of impervious surfaces: unstressed (<1 percent), lightly stressed (1-5 percent), stressed (5-10 percent), impacted (10-25 percent), and damaged (>25 percent). Areas projected to be classified as lightly stressed, stressed, impacted, or damaged by 2030 given current socio-economic and climate conditions (i.e., the base case scenario) are identified for inclusion in FLAs. Additionally, forests at 60 percent or greater probability of becoming urbanized or projected to be categorized as suburban, urban, or industrial by 2030 meet eligibility requirement (c). Probability of urbanization is determined using SLEUTH data. Projections of suburban, urban, and industrial land use classes are generated for the Integrated Climate and Land-Use Scenarios project.

Landscape connectivity and resilience to climate change is used as a key factor of FLA eligibility in addition to forest products potential and threat of land use conversion (i.e., development). The Nature Conservancy developed the Resilient and Connected Prioritized Network to delineate areas critical to forests and wildlife that are more adaptive to climate change due to the presence of micro-climates, micro-sites, and biological diversity. In the eastern U.S., the Prioritized Network is equivalent to 20 percent of total land area. Protected lands such as National Forests and Parks are excluded in the analysis. Forests contained in the Prioritized Network data layer meet eligibility criterion (d).

Description/Identification of Tennessee's Forest Legacy Areas

Using the process described above, the FLP in Tennessee includes approximately 3.2 million acres (Table 20) as of June 2020. Eligible properties are concentrated in the Cumberland Plateau, the Highland Rim corridor arcing north of the Nashville metropolitan area, and the Highland Rim corridor in proximity to the Tennessee River, as shown in Figure 58. The following counties have at least 100,000 acres eligible for FLP funding: Campbell, Cumberland, Fentress, Franklin, Hickman, Humphreys, Marion, Morgan, Perry, Scott, and Wayne.

TDF chose to identify FLAs at a smaller scale than county or watershed so that parcel size could be considered and mapped as a criterion for FLP funding. FLAs are often located near protected lands, such as the Tennessee Wildlife Refuge, Cherokee National Forest, state forests, parks, and wildlife management areas. This proximity to protected lands, either public or in private conservation easement, enhances the conservation potential of properties by creating blocks of forest protected from development.

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Landowner participation – application, selection, and development of easements

A request for project proposals may be released from TDF annually. Landowners interested in participating in the program must submit a completed submission packet. Forest Legacy application materials may be requested by contacting the Forest Legacy Program Coordinator or by visiting TDF’s website.

Landowners should decide whether they prefer to donate property to the FLP or apply to have property purchased through the FLP. Donated property may be held either by government or non-government entities

where the respective organization agrees to accept the donation to manage the lands for Forest Legacy purposes. Organizations eligible by law to hold property donated to the program include the USDA Forest Service, state or local agencies, and non-profit trusts and conservancies. The state must hold easements or lands purchased with federal funds. Nonprofit entities, such as land trusts, are not eligible to hold land or interests in land that are purchased with FLP funds. However, qualified nonprofit organizations can hold land and interests in land for fully donated tracts enrolled in the FLP.

The State Forester, in consultation with the SFSCC, will appoint a FLP subcommittee (Ranking Committee) that will review FLP applications at least annually and make

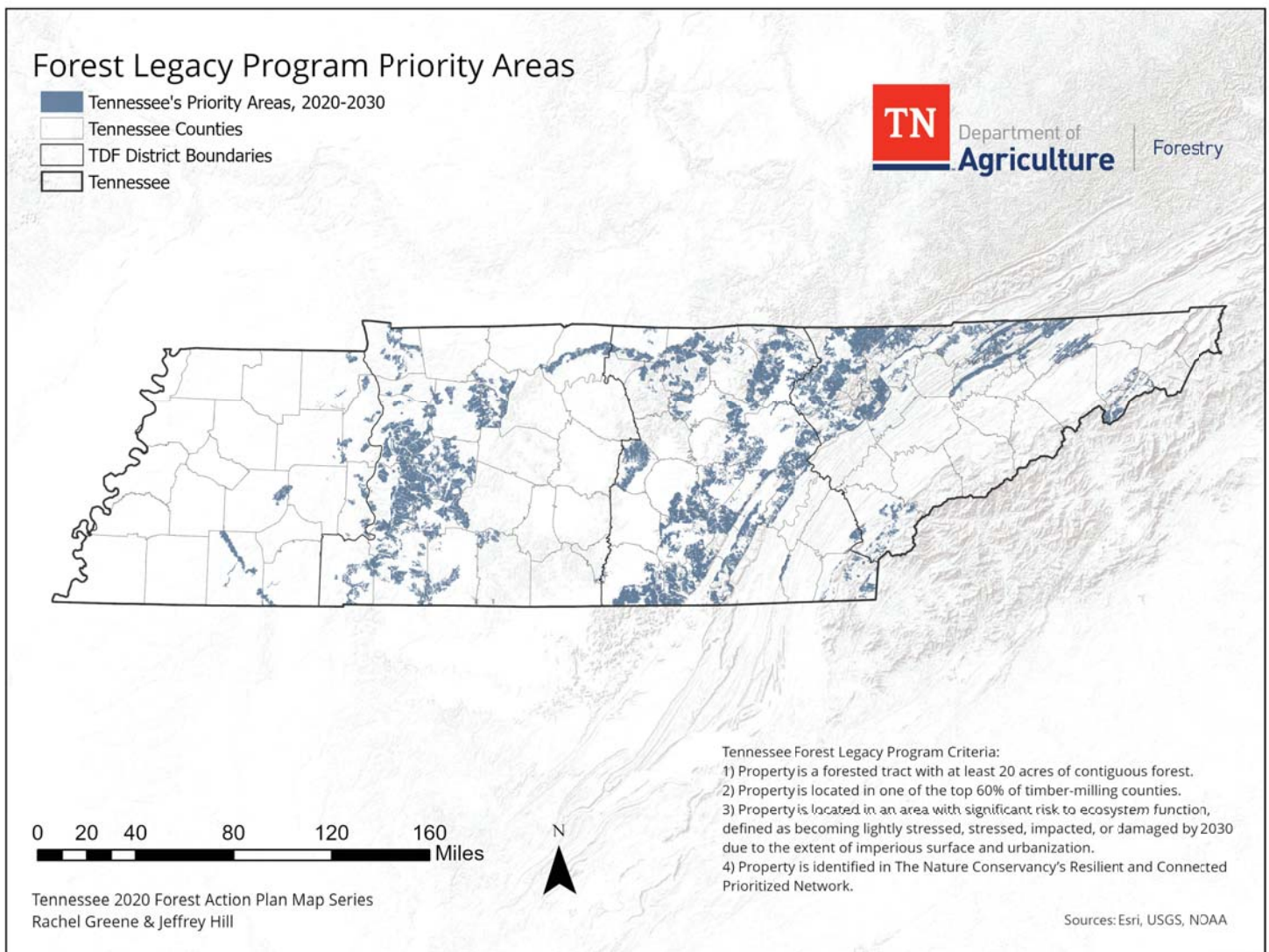


Figure 58. Forest Legacy 2020 Priority Areas.

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County	Forest Legacy Area (ac)	County	Forest Legacy Area (ac)
Anderson	56,000	Lawrence	36,800
Benton	26,500	Lewis	78,700
Bledsoe	76,000	Macon	36,800
Bradley	7,500	Madison	15,000
Campbell	144,300	Marion	145,300
Cannon	70,600	McMinn	11,700
Carroll	4,600	McNairy	7,400
Cheatham	71,600	Monroe	46,800
Claiborne	76,200	Moore	1,600
Clay	48,900	Morgan	133,400
Cumberland	113,800	Overton	61,200
Decatur	21,500	Perry	108,000
Dickson	66,500	Pickett	18,300
Fentress	132,700	Polk	36,200
Franklin	100,600	Putnam	67,400
Giles	17,700	Rhea	51,800
Grainger	45,500	Scott	147,200
Grundy	77,700	Sequatchie	74,700
Hancock	68,000	Smith	22,200
Hardeman	33,000	Stewart	47,500
Hardin	42,200	Sumner	49,900
Hawkins	82,700	Unicoi	31,100
Henderson	2,400	Van Buren	57,000
Henry	11,200	Warren	50,200
Hickman	200,400	Washington	9,700
Houston	11,200	Wayne	110,500
Humphreys	123,700	White	34,400
Jackson	67,700		
		Total	3,263,600

Table 20. Land area (rounded to the nearest 100 acres) of Tennessee counties eligible for Forest Legacy Program funding.

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recommendations regarding the value of tracts to Tennessee's FLP. The selection process will produce a list of landowner applications that will be prioritized for inclusion and potential funding. The prioritized list will be presented to the State Forester for final approval.

The State Forester-approved list will then be submitted to the USDA Forest Service's Regional Office in Atlanta. The Forest Service will make the final determination as to which conservation easements or fee simple purchase projects will receive federal funds, or, in the case of donations, will be approved for inclusion in the FLP under cost-share agreements. All acquisitions will be made subject to availability of federal funds. Tracts successfully funded will be appraised using UASFLA standards, and landowners will be informed of the appraised value prior to formal closing of the conveyance.

Following completion of the prioritization and approval process, properties will be purchased or conveyed as charitable donations. State agencies such as TDF, Tennessee Department of Environment and Conservation (TDEC), or Tennessee Wildlife Resources Agency (TWRA) may hold purchased, fee simple properties.

In cases where conservation easements are involved, specific terms of easements will be negotiated between individual landowners and easement holders. Terms will be site specific and will provide for the permanent protection of forest resources targeted by the landowner for protection. All easement acquisitions must follow UASFLA appraisal standards and State procedures and standards for negotiation, appraisal review, title review, survey, and other requirements. TDF will exclusively hold title to all conservation easements acquired with federal funding through the FLP.

Forest Legacy Eligibility Requirements

All projects must meet the minimum eligibility requirements further described as follows:

- The project is situated within (whole or in part) a designated FLA or adjacent to a previously purchased Forest Legacy tract
- The project has at least 75 percent forest cover (or can be reforested to at least 75 percent forest cover)
- The project can be managed consistent with the

- purpose for which it was acquired by FLP
- The landowner is willing to sell or donate the interest in perpetuity
- The County Mayor(s) have reviewed the project proposal, which should include a summary of potential tax revenue impact and additional revenue sources (if applicable), and provided letters of support. Properties occurring in multiple counties need letters of support from each respective county.
- State Representative(s) and Senators have received a copy of the County Mayor(s) letter of support and reviewed the project proposal. Properties occurring in multiple congressional districts must have the project proposal sent for review by each respective state legislators.
- For fee acquisitions and projects seeking to sell a conservation easement: A current Multi-Resource Management Plan or abstract detailing owner's management intent must be established at the time of application. The management objectives identified within the Multi-Resource Management Plan or abstract detailing owner's management intent must be consistent with the purposes of the Forest Legacy Program and further Tennessee's programmatic objectives through planned practices promoting forest health and active forest management.

Project Application Scoring

This document provides guidance to the Tennessee Forest Legacy Ranking Committee on how to score individual Forest Legacy Program (FLP) projects, including additional clarification on the core national criteria, project readiness and other evaluation considerations used in this process. This guidance mimics the criteria used by the National Review Panel, who ultimately scores and ranks submissions from the states.

National Core Criteria:

IMPORTANCE

This criterion focuses on the attributes of the property and the environmental, social, and economic public benefits gained from the protection and management of the property and its resources. This criterion reflects the ecological assets and the economic and social values conserved by the project and its level of significance. National significance of a project is demonstrated in



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two ways: First, a project that solidly represents a majority of the attributes outlined is viewed as nationally significant because of its strong alignment with the purposes and Strategic Direction of the Forest Legacy Program.

Second, national significance can be demonstrated by a project that (1) supports Federal laws, such as Endangered Species Act, Safe Drinking Water Act, and Clean Water Act, (2) contributes to Federal initiatives, or (3) 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) should 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, or benefits of national significance. Significance of attributes is demonstrated by the quality and scope of the attributes. More points will be given to projects that exemplify a particular attribute or combination of attributes.

ATTRIBUTES TO CONSIDER:

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. 0-10 _____

Economic Benefits from Non-timber Products – Provides non-timber revenue to the local or regional economy through activities such as hunting leases, ranching, non-timber forest products (pine straw, ginseng collection, etc.), guided tours (fishing, hunting, birdwatching, etc.), and recreation and tourism (lodging, rentals, bikes, boats, outdoor gear, etc.). 0-5 _____

Threatened or Endangered Species Habitat – The site has documented rare, threatened or endangered plants and animals or designated habitat. Documented occurrence and use of the property 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. 0-5 _____

Fish, Wildlife, Plants, and Unique Forest Communities – The site 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. The mere occasional use of the property or a modest contribution to an international initiative does not raise the property to national importance. 0-5 _____

Water Supply and Watershed Protection – (1) Property has a direct relationship with protecting the water supply or watershed, such as provides a buffer to public drinking water supply, contains an aquifer recharge area, or protects an ecologically important aquatic area, and/or (2) the property contains important riparian areas, wetlands, shorelines, river systems, or sensitive watershed lands. When allocating points, the importance of the resource and the scale of the contribution of the project should be considered. Merely being located within an aquifer recharge area or in a water supply area should not be given the same consideration as a project that makes a significant conservation contribution to a high-quality project of high-value. 0-5 _____

Public Access – Protection of the property will maintain or establish access by the public for recreation; however, restrictions on specific use and location of recreational activities may exist. 0-5 _____



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Scenic – The site is located within a viewshed of a government designated scenic feature or area (such as trail, river, or highway). Federal designation should be given more consideration than state-only designations when evaluating the significance of this attribute.

0-5 _____

Historic/Cultural/Tribal – The site contains features of historical, cultural, and/or tribal significance, formally documented by a government or a non-governmental organization. A Federal designation should receive greater consideration.

0 = no sites; 5 = designated sites _____

TOTAL SCORE: Importance (possible maximum of 45 points) _____

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 good land steward interested in conserving land should not be penalized. The following will be considered:

- Third Party Ownership - If property has been acquired by a third party with the support of the State, threatened will be evaluated based on the situation prior to the third party acquisition.
- 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, aging landowner, future property retention by heirs is uncertain, property is up for sale or has a sale pending, landowner anticipates owning 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.

Likelihood of conversion to non-forest uses.

- Imminent/Likely – 16 - 30 points. Multiple conditions exist that make conversion to non-forest uses likely. Circumstances indicate conversion may occur soon or within 5 years. Characteristics include: land has a subdivision plan, landowner has received offers from developers, landowner has sold off subdivisions of the property, land is located in a rapidly developing area, landowner(s) are elderly, or nearby comparable land has been recently sold for development.
- Possible – 1 - 15 points. A few conditions exist that make conversion to non-forest uses possible. Circumstances indicate conversion could occur within 5 to 10 years: Characteristics include: land is in an attractive location for development such as waterfront or an outdoor recreation area.
- Unlikely (within 10 years) – 0 points

Note: Individual project scores for threatened will be determined as a committee consensus

TOTAL SCORE: Threatened (maximum of 30 points) _____

STRATEGIC

This criterion reflects the project's relevance or relationship to conservation efforts on a broader perspective. When evaluating strategic variables, three considerations should be made: (1) the scale of a conservation initiative, strategy, or plan, (2) the scale of the project's contribution to that initiative, strategy, or plan, and (3) the placement of the parcel within the area of the initiative, strategy, or plan. Relevant national or multi-state conservation plan or strategies include but are not limited to the Southern Forest Land Assessment, Lower Mississippi Valley Joint Venture Study, USFWS Habitat Conservation Plan strategy, Partners in Flight Land Conservation Plan, North American Waterfowl Management Plan, and TNC Ecoregional Conservation Planning strategy. Relevant state conservation strategies include but are not limited to TN Statewide Forest Resource Assessment and Strategy,



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TN Conservation Heritage Trust Fund Preliminary Assessment of Needs, and TN Statewide Wildlife Action Plan.

Attributes to consider:

Conservation Strategy - How the project fits within a larger conservation plan, strategy, or initiative as designated by either a government or non-governmental entity.

Compliment 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 (NRCS, NOAA, etc).

- High - 31 - 40 points- The property significantly advances a landscape-scale or watershed-based conservation strategy through infill and/or key linkages and supports previous conservation investments. (Ex. – A KEY property in a formally developed national, multi-state, or state conservation effort.)
- Average -16 - 30 points- The property makes a modest contribution to a conservation effort and is near already protected lands. (Ex. – A NON-KEY property in a formally developed national, multi-state, or state conservation effort.)
- Low - 0 - 15 points- The property is not part of a conservation plan, but will lead to locally-focused conservation effort. (Ex. – Property will compliment or lead to additional conservation action locally.

TOTAL SCORE: Strategic (maximum of 40 points) _____

PROJECT READINESS

Project readiness is defined as the degree of due diligence completed. To demonstrate project readiness, completed items need to be specified (including completion date). Each due diligence item is worth 1 point, with a maximum score of 7 points for this section.

- A Forest Stewardship plan or multi-resource management plan is completed.
- Project is a donation or fee title acquisition.
- Cost share commitment has been obtained from a specified source.
- Documented support for the cost estimate, such as completed market analysis or preliminary appraisal.
- A signed option or purchase and sales agreement is held by the State or at the request of the State, conservation easement or fee title is held by a third party.
- Title search is completed, including identifying any temporary or permanent protections.
- Minerals determination is completed.

TOTAL SCORE: Project Readiness (maximum of 7 points) _____

TOTAL STATE CORE CRITERIA SCORE (maximum of 122 points):

Importance ____

+ Threat ____

+ Strategic ____

+ Project readiness ____

= Total ____

