**FOREST LEGACY PROGRAM**

**PROJECT SCORING GUIDANCE**

***(updated July 2020)***

**Introduction:**

This document provides guidance to the National Review Panel on how to score and rank individual Forest Legacy Program (FLP) projects according to national core criteria, project readiness, and other evaluation considerations. *See the annual reply due letter to Regions/ITTF for more information on the evaluation process and considerations.*

The outcome from the National Review Panel will be a ranked and prioritized list of FLP projects. Its objectives are to:

* Provide a clear and defensible ranking process that can be easily articulated to program participants and partners; and
* Ensure fair, equitable, and thorough review of all projects by the National Review Panel.

**National Project Selection:**

**Region/IITF Role:**

* Work with State Lead Agencies (States) to produce eligible, high quality, and “ready” FLP projects;
* Work with States to ensure the proposed project meets eligibility and other requirements;
* Work with States to evaluate the State’s fulfillment of core program requirements;
* Work with States to identify which projects can be phased and the funding threshold.

**Washington Office Role:**

* Work with Regions/IITF to produce highly competitive FLP submissions;
* Ensure that project selections meet congressional direction and national program goals.

**National Review Panel Role:**

* Score projects using the national core criteria (Importance, Threatened, and Strategic);
* Develop a National List of ranked projects.

**Project Requirements:**

Before projects are submitted to the National Review Panel for consideration, Regions/IITF will work with States to ensure the following eligibility and other project requirements are met:

* Complies with the May 2017 Forest Legacy Program Implementation Guidelines, as amended;
* Requested federal funds does not exceed $20 million per state (1-3 projects per state);
* Non-federal cost share must be at least 25 percent of the total project cost;
* Estimated costs of each tract should be rounded to the nearest $5,000;
* All pertinent project information is in the Forest Legacy Information System (FLIS);
* Projects are consistent with the goals of the States’ Forest Legacy Assessment of Need as incorporated in the State Forest Action Plan;
* Projects are within, or partially within, a designated Forest Legacy Area;
* Projects have been reviewed and evaluated by the State Forest Stewardship Coordination Committee and approved by the State Lead Agency;
* Project tracts have a minimum of 75 percent forestland, or a plan to reforest;
* The landowner(s) is willing to sell or donate the interest in perpetuity;
* Written letters of support have been provided to the Region/IITF for all supporting parties listed in the project proposal;
* If the proposed project falls within the boundaries of a designated Federal management unit, a written letter of support from the applicable Federal Official has been provided to the Region/IITF. (Note: This letter should be updated if the project is a resubmittal or continuing phase.); and
* Projects are sufficiently “ready” to be completed within two years of grant award.

**Project Descriptions:**

Project briefs should 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.

Projects with multiple landowners must show these as multiple tracts within the project table and in the project map. A multi-tract project will be scored based on how all the tracts fit within the criteria. For example, if only one tract meets the highest point criteria, the project will not likely obtain the highest points.

If a project has multiple phases, the Review Panel will focus on evaluating the phase and associated tracts that are being proposed for the applicable fiscal year. Accordingly, the project proposal should be clear through all sections on the relative importance, threat, and strategic contribution of the tracts being currently proposed. If many different tracts are being proposed, then the project proposal should speak to the collective attributes of the group of tracts being proposed for the applicable funding year.

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. 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.

**National Core Criteria:**

First, the National Review Panel members will evaluate and score each project based on the core criteria listed below (Importance, Threat, and Strategic). Second, ranking and associated funding level decisions will be made by the full panel and will incorporate the additional considerations described below.

**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 attributes outlined is viewed as nationally significant because of its strong alignment with the purposes and Strategic Direction 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) 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. 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.

A project need not have all the attributes listed to receive maximum points for this category, but projects that contain more attributes should receive a higher score. 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. 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.

* *High Importance* (21-30) points) – The project contains a majority of the attributes and those attributes are very significant and of high-quality.
* *Medium (11-20 points) –* The project contains a majority of attributes, several of which are very significant and of high-quality.
* *Low (0-10) –* The project contains only a few attributes or it could contain all of them, but does so in a limited, marginal, or tertiary way.

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

Attributes to consider: The descriptions listed below represents the ideal project for each attribute. *Note that the attributes are not 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 (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 Enclosure 3 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.
* Public Access – Protection of the property will maintain or establish new/expanded access by the public for recreation; 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.
* Historic/Cultural/Tribal – The property contains features of historical, cultural, and/or tribal significance that are formally documented by a government or a non-governmental organization. A Federal designation should receive greater consideration.

**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 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; or
* Unlikely (0 points) – Current conditions exist that make conversion to non-forest uses unlikely.

Note: 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. *Note that the 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, aging landowner, future property by heirs 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. When evaluating strategic, four considerations should be made: 1) the scale of a conservation initiative, strategy, or plan; the scale of the project’s contribution to that initiative, strategy, or plan; 3) the placement of the parcel within the area of the initiative, strategy, or plan; and 4) how the project complements protected lands.

* *High* (21-30 points) – The property significantly advances a conservation initiative, strategy, or plan and complements protected lands.
* *Average* (11-20 points) – The property makes a modest contribution to a conservation initiative, strategy, or plan and is near already protected lands.
* *Low* (0-10 points) – The property is not part of a conservation initiative, strategy, or plan or near already protected lands, but will lead to locally-focused conservation effort.

Please note: The submitted project map should support this category and it is important to make sure the text and map are consistent.

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

*Note that the attributes are not listed in priority order.*

* Conservation Initiative, Strategy, or Plan *–* How the project fits within a larger conservation plan, strategy, or initiative as designated by either a government or non-governmental entity.
* 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 (NRCS, NOAA, etc.)

**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:

1. Core Program Requirements: The National Review Panel may remove a project from consideration if a State is determined to be deficient in core program requirements. Regions/IITF may also chose not to submit projects for consideration for those States with deficiency in core program requirements. See below for more details.
2. State Priority Ranks **-** States may include priority ranking if more than one project is submitted, but this it is not required. For projects with multiple tracts, states can choose to prioritize these tracts as applicable. The National Review Panel is not bound by a State’s priority ranking of projects. If the National Review Panel ranks projects out of a State’s priority order, then the panel will call that State to discuss the situation. However, the panel will not move a lower ranked project up the list to maintain the State’s priority ranking.
3. Outstanding Funds: Prior to the National Review Panel, Regions/Institute will provide the amount of unspent funds, dates of grant awards and number of projects and tracts a State has outstanding. States with outstanding grant funding that is 3 years or older (FY2017 or older obligated grant funds) will 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. The National Review Panel will give additional attention to projects from States that have not recently received funds as well as from States that are competing for the first time.
4. Readiness and Performance: The National Review Panel will consider readiness and past performance during the ranking process to break ties between projects with similar scores, recommend funding levels for projects, or evaluate second and third projects for a State. Data that will be considered includes:
	1. Project readiness score as tallied in FLIS (*see below for more details*);
	2. Average time to close projects for the last three projects (data from FLIS);
	3. Amount of funds leveraged for the proposed project (data from FLIS);
	4. Average funds leveraged for the last three projects (data from FLIS).
5. If total program budget allows, the National Review Panel may consider future planned phases for highly ranked projects above the $20 million state cap to gain efficiency in project implementation and maximize strategic impact.

State Core Program Requirements **–** Prior to project submissions, each Region/IITF will evaluate 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 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 Region/IITF 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 Region/IITF 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/IITF identifies persistent deficiencies in core program requirements, the Region/IITF may choose either to not submit the State’s projects for consideration as or notify the WO that the State’s projects should not be reviewed and ranked by the National Review Panel.

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 (one tally for each completed item, with a maximum tally of 7). Projects with multiple tracts will need to have the task completed for a majority of tracks before tally is given.

1. Documented support for the cost estimate, such as completed market analysis or preliminary appraisal.
2. Landowner and State have general agreement on conservation easement or fee acquisition conditions.
3. Cost share commitment has been obtained from a specified source.
4. A signed option or purchase and sales agreement is held by the State or at the request of the State **OR** At the request of the State, conservation easement or fee title is held by a third party.
5. Title search is completed, including identifying any temporary or permanent protections and reviewing whether existing encumbrances impact project eligibility.
6. Minerals determination is completed.
7. For conservation easement properties, a stewardship plan or multi-resource management plan is completed.