

## **IX. APPLICATION AND PRIORITIZATION PROCESS FOR MAINE FOREST LEGACY PROJECTS**

With approval from the Governor, each year the Maine DACF submits a prioritized list of potential Maine Forest Legacy Program projects to the U.S. Forest Service in hopes of securing Forest Legacy Program funding. This prioritized list is based on a ranking process undertaken by Maine's Forest Legacy Committee. In order to consider the broadest range of potential Forest Legacy Program projects from throughout Maine's Forest Legacy area, the Forest Legacy Committee issues a Request for Proposals (RFP) once each year.

Projects must be described in a proposal and submitted in five copies to the DACF BPL by the RFP deadline, which is typically in June. Landowners and land protection partners interested in submitting proposals must include the following in a narrative application (each item must comply with page limits, have 1" page margins, single spacing and font size of 11 point or larger):

- A. Summary Information Form (see attached – Maximum of 2 pages);
- B. A detailed description of how the proposed project meets the Minimum Required Criteria of Maine's Forest Legacy Program (see attached list) (Maximum of 2 pages);
- C. A detailed description of how the proposed project addresses each of Maine's Forest Legacy Scoring Criteria (see attached list) (Maximum of 10 pages);
- D. Map(s) of the project area;
- E. Letters of support; and
- F. A budget of the project, including the source and amount of matching funds, and detailing how the project meets Forest Legacy Program match requirements of at least 25% of the total project costs. The project budget should include a line item for a stewardship endowment, and a description of the extent of the applicant's commitment to raise stewardship endowment funds by the date of closing, or an explanation of planned alternative approaches or commitments to stewardship. A signed Memorandum of Understanding between the State lead agency and the applicant concerning the stewardship endowment must be executed prior to submitting the application to the U.S. Forest Service.

Proposals are first evaluated and numerically scored by a Scoring Subcommittee of Maine's Forest Legacy Committee. The Scoring Subcommittee is comprised of two or three other Maine Forest Legacy Committee members. No Maine Forest Legacy Committee member representing an applicant may serve on the Scoring Subcommittee. Numerical scores and a narrative assessment of each project, including a judgment as to the project's readiness, will be forwarded to the full Forest Legacy Committee. This scoring is advisory to the full Forest Legacy Committee and is intended to provide a systematic context for considering the applications. The full Forest Legacy Committee will then make a final recommendation on the selection and prioritization of that year's potential Maine Forest Legacy projects. No Forest Legacy Committee member representing an applicant, the landowner or other partner with a material interest may vote on funding recommendations. The Forest Legacy Committee member representing the DACF BPL may vote and participate in these deliberations. Applicants will be notified of the Committee's project selection and prioritization recommendations within four months of the RFP deadline. Selected applicants will then work with BPL to prepare project briefs to submit to the U.S. Forest Service. The Maine DACF will submit draft project briefs and a prioritized list, including requested funding levels, of potential Maine Forest Legacy projects to the U.S. Forest Service, Eastern Region for funding in the following fiscal year. Following review by the Eastern Region Forest Legacy Program staff, additional edits to project briefs may be made by the applicant and BPL prior to

final submission to the U.S. Forest Service Washington Office. The Maine DACF will ensure that all materials are submitted in accordance with the deadlines set forth in the Forest Service call for projects for that year.

**A. Maine Forest Legacy Program Summary Information Form**

Maine Forest Legacy Program proposals are due once each year, generally June 1st. Proposals in five copies must be sent to the Department of Conservation, Bureau of Parks and Lands, 22 State House Station, Augusta, Maine 04333-0022. An electronic copy of the proposal must also be submitted by pdf. Please provide the following information as part of your Maine Forest Legacy Program proposal (maximum of 2 pages).

1. Date
2. Project Title
3. Project Location (township and county)
4. Name, Address, Telephone Number and Contact Person of Landowner
5. Name, Address and Telephone Number and Contact Person of Partner Organization (if applicable)
6. Land Protection Method (easement or fee) and Management Entity Proposed
7. Abstract of Project
8. Estimated Total Project Cost
  - a. Acquisition cost
  - b. Pre-acquisition costs including, but not limited to, legal, survey and appraisal costs
9. Forest Legacy Funding Request (\$) (must not exceed 75% of the above Total Project Cost)
10. Matching Funds to be provided (\$ and source) (must equal at least 25% of the Total Project Cost)
11. Annual Management Costs and Easement Stewardship Endowment Commitment (see Appendix 7)

**B. Maine Forest Legacy Program Minimum Required Criteria**

1. Parcels must be within Maine's Forest Legacy Area.
2. Parcels must be at least 75% forested, and more than 50% of the land must meet the definition of commercial forest land (land used primarily to grow trees for the harvest of timber, wood and other forest products for commercial use, but does not include ledge, marsh, open swamp, bog, water and similar areas, which are unsuitable for growing a forest product or for harvesting for commercial use even though these areas may exist within forest lands).
3. Parcels must be threatened by conversion to non-forest use (contains characteristics which make such land attractive to changes such that the traditional uses and values of the property are reasonably expected to be at risk. These characteristics include, but are not limited to: close proximity to roads; short travel time from population centers; habitat and forest degradation; potential for parcelization; the existence of water resources such as streams, rivers, ponds, and lakes; scenic values and the presence of outdoor recreation opportunities). It is recognized that pre-acquisition of land may occur by a land protection partner at the request of the State as part of the land protection strategy for particular parcels. In this case, the parcels must have been threatened by conversion to non-forest use prior to pre-acquisition to meet the Minimum Required Criteria for Maine's Forest Legacy Program.

4. Proposed holder of right, title or interest in parcel must be among those cited in Section VI.
5. To the extent that it has the legal authority to do so, the landowner must guarantee unencumbered foot access to the parcels.
6. Landowner must guarantee access on the parcels for non-motorized recreational uses of the parcels, including but not limited to hunting, fishing, hiking, cross-country skiing and wildlife watching by the general public.
7. Proposal must meet Forest Legacy Program match requirements (the Forest Legacy Program will pay no more than 75% of the total project costs).
8. Proposal must provide evidence of intact mineral rights or demonstrate a plan to acquire them in time for application to the U.S. Forest Service.

**C. Maine Forest Legacy Program Scoring Criteria** *(for applications that meet Minimum Required Criteria)*

**MAXIMUM Total Points: 100**

**IMPORTANCE CRITERIA (30 points maximum)**

1. Identify total size of project: (0 pts if < 10,000 Acres; 2 pts if > 10,000 Acres, 5 pts if > 20,000).
2. Describe to what extent the project contains each public value and how it will be protected through the project (maximum of 15 points)
  - a. Economic benefits from timber and potential forest productivity (including landowner commitment to sustainable forest management in accordance with a management plan and whether land is third party certified; whether forestry activities contribute to the region's resource-based economy; and whether the property contains characteristics to sustain a productive forest)
  - b. Economic benefits from non-timber products (such as non-timber forest products and guided outdoor recreation)
  - c. Public recreation opportunities
  - d. High value plant and animal habitat as identified by state, regional, or federal programs, including but not limited to Significant Wildlife Habitat; Beginning with Habitat Focus Areas; habitat for rare, threatened or endangered plant or animal species (including Essential Habitat and Critical Habitat); and rare or exemplary natural communities.<sup>1</sup>
  - e. water supply and watershed protection, and/or containing important riparian areas, wetlands, shorelines, or river systems
  - f. scenic resources (such as mountain viewsheds, undeveloped shorelines, visual access to water, areas along state highway system)
  - g. historic/cultural/tribal resources of significance as formally documented or confirmed by a government agency or non-governmental organization

*(1 pt for each public value significantly represented by the project; 0 additional pts if project is of primarily regional significance; 4 additional pts if project is of state significance; 8 additional pts if project is of national significance)*

*<sup>1</sup>Relevant data to this criterion may be obtained from MDIFW, the Maine Natural Areas Program, or the U.S. Fish and Wildlife Service. Other private or non-profit sources or individuals may have additional information relevant to this criterion.*

*parcel is being guaranteed and vehicle access to the project will be available; scoring will recognize that vehicle access to certain lands such as high elevation parcels may not be appropriate).*

4. Describe the future forest management objectives, what entity will be responsible for future forest management, how the property will be sustainably managed to protect the values identified in #2, and whether the property is or will be certified by a third party. (5 pts for third party certification).

#### **THREATENED CRITERION (20 points maximum)**

5. Describe the extent to which the values identified in #2 are under threat of loss or conversion to non-forest uses (or were under threat prior to pre-acquisition). Describe the type, severity and imminence of the threat. Include a description of any legal protections that currently exist on the property; landowner circumstances; adjacent land use; and physical attributes of the parcel that could facilitate conversion: (5 pts if threat of loss or conversion is low; 10 pts if threat of loss or conversion is moderate or long-term; 20 pts if threat of loss or conversion is high or imminent).

#### **STRATEGIC CRITERION (30 points maximum)**

6. Describe the property's relevance or relationship to conservation efforts on a broader level. Describe the scale of the broader conservation plan, the scale of the project's contribution to that plan, and the placement of the project within the plan area. Describe whether the project is adjacent to or otherwise located so as to significantly enhance the values of existing conservation land. (0 pts if property is not part of a broader conservation plan and does not substantially connect to other conserved lands; 15 pts if the property makes a modest contribution to a conservation effort and is near already protected lands; 30 pts if the property significantly advances a landscape scale or watershed-based conservation strategy through infill and/or key linkages and supports previous conservation investments.)

#### **READINESS FACTORS AND OTHER CONSIDERATIONS (20 points maximum)**

7. Describe the degree of match being provided as a percentage of the Total Project Cost (the Total Project Cost is the sum of acquisition and pre-acquisition costs, but does not include stewardship endowment; do not include funds raised for stewardship endowment as match). *(0 pts if percent match is <50%; 10 pts if percent match is 50% or greater).*
8. Describe the degree of project readiness including the status of each of the following:
  - a. preliminary appraisal
  - b. agreement on easement or fee acquisition conditions between landowner and state
  - c. cost-share commitment has been obtained from a specified source
  - d. 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
  - e. title search is completed and includes statement of minerals determination

*(2 pt for each readiness factor completed, up to 10 pts maximum).*

9. Describe the nature of ongoing management and stewardship of the fee or easement parcel. If fee, describe the potential for the parcel to generate revenue through timber harvesting, recreational fees, or other revenue streams directly connected to the parcel. Describe the annual management and stewardship costs of the parcel and the size of endowment needed to cover these costs using, in the case of easements, the model recommended in Appendix 7. Describe landowner or conservation partner's commitment to raise the necessary endowment. (*No points*)

## **X. NON-DISCRIMINATION**

Maine's Forest Legacy Program complies with all State and Federal statutes relating to nondiscrimination and all applicable requirements of all other State and Federal laws, Executive orders, regulations, and policies. Maine's Forest Legacy Program does not discriminate on the basis of disability, race, color, creed, religion, gender, sexual orientation, age, national origin or ancestry, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and the Maine Human Rights Act and Executive Order Regarding State of Maine Contracts for Services. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to the ADA Compliance/EEO Coordinators, Natural Resources Service Center, 155 State House Station, Augusta, Maine 04333, 207-287-2214. Individuals who need auxiliary aids for effective communication in program and services are invited to make their needs and preferences known to Bureau of Parks and Lands or Forest Legacy Program staff.

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This document was prepared by Liz Petruska, in consultation with the Maine Forest Legacy Committee. It was reviewed and approved by: the Maine Forest Legacy Committee and by Andy Cutko, Director, Bureau of Parks and Lands, on behalf of the State Lead Agency.