FLORIDA FOREST LEGACY PROGRAM

ASSESSMENT OF NEED

NOVEMBER 12, 2003

Florida Division
of Forestry

USDA Forest Service
Forest Legacy Program

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Executive Summary

Florida's forests are an integral part of the landscape. Covering 42% of the state's 34.6 million acres, Florida's forests offer recreation, wood products, clean water, wildlife habitat, and a host of other benefits.

Despite one of the most vigorous and ambitious land conservation programs in the country, Florida continues to lose forest lands at an alarming rate. The fastest-growing state in the union, 750 new residents arrive *daily* and forested landscapes continue to disappear. With a doubling of Florida's population expected by 2030, the state could lose another 5 to 7 million acres of forest.

This loss of forest land was recognized by the US Forest Service, and as a component of the Cooperative Forestry Assistance Act of the Farm Bill, the Forest Legacy Program was developed in 1990. The purpose was to give forest landowners an option other than conversion. The Legacy Program allows the outright purchase of threatened forest land or the purchase of the development rights through conservation easements. The Act was amended in the 1996 Farm Bill to allow state agencies to hold the title or easement on properties in the Program.

On February 10, 2003, Florida Governor Jeb Bush petitioned US Department of Agriculture Secretary Ann M. Veneman to allow Florida to participate in the Forest Legacy Program with the Division of Forestry in the state Department of Agriculture and Consumer Services as the Lead Agency. The Forest Service approved the request pending the development of an Assessment of Needs document and its approval.

Following a meeting with the State Forest Stewardship Coordinating Committee (SFSCC) a working group was formed consisting of members and representatives of the SFSCC and the Florida Natural Areas Inventory to discuss and layout the direction of Forest Legacy in Florida. Utilizing data developed for the new agricultural lands conservation initiative and other successful conservation programs in Florida, the working group recommended a set of measurable criteria to be used as a basis for establishing Forest Legacy Areas and qualifying individual tracts for Forest Legacy.

In an effort to secure broad support for Forest Legacy in Florida and to seek further input into potential criteria and focus areas, the Lead Agency held a series of eight Public Participation Workshops around the state. A comprehensive plan was developed to allow maximum participation by Florida citizens and potential stakeholders, including nearly 900 letters to potential stakeholders; news releases; public notices; and, a web site to provide program updates and a response form for providing input on-line.

Input from the Public Participation Process supported the recommendations of the SFSCC Working Group with respect to the natural resource based criteria, and urged a broad approach when considering Forest Legacy Area (FLA) boundaries. Based on the recommendations of the SFSCC Working Group and public input, Florida has established two Forest Legacy Areas.

The **key benefits of Forest Legacy in Florida** are: 1) *Focused* specifically on forest lands *threatened* by permanent conversion to non-forest uses; 2) *Partnerships* to compliment existing land conservation efforts; and, 3) *Incentive* to partners to direct local program funding to the conservation of forest lands. Individual tracts will be evaluated based on a set of measurable criteria and other social, economic, cultural, and political factors to select tracts for inclusion in Florida's Forest Legacy Program and to make recommendations to the US Forest Service on prioritization for FOREST LEGACY PROGRAM funding.

I. Introduction

The Forest Legacy Program (FLP) is a Federal/state cost share program whose mission is to slow the conversion of productive forests to non-forest uses. FLP is a voluntary program, protecting lands primarily by using conservation easements, and to a lesser degree, outright purchase. It has its roots in the Federal Cooperative Forestry Assistance Act of 1978, which directs the USDA Forest Service to provide technical and financial assistance to states to help them wisely manage and protect forest resources. Congress first enacted FLP in the Farm Bill of 1990, and renewed it in the 2003 Farm Bill.

FLP funding has increased dramatically in recent years. From 1992-1999, national funding averaged $5.5 million per year. In 2000, funding rose dramatically to $30 million, then doubled to $60 million in 2001. Current FLP funding is $65 million, and is expected to grow as development continues to threaten the nation's forests.

Despite one of the most vigorous and ambitious land conservation programs in the country, Florida continues to lose forest and agricultural lands at an alarming rate. The fastest-growing state in the union, 750 new residents arrive *daily* and forested landscapes continue to disappear. Experts estimate that for each new resident, at least a third of an acre of forest disappears forever. With a doubling of Florida's population expected by 2030, the state could lose another 5 to 7 million acres of forest.

To fully appreciate the direction Florida intends to take with its Forest Legacy Program one must understand that while Florida's Division of Forestry plays an integral role in evaluating, consulting, and managing forest lands, it does not control the vast majority of funding earmarked for natural resource conservation. Florida has more than ten separate programs dedicated to the protection of natural resources in the state, and at some level all of these integrate the conservation of significant forest resources in achieving their program goals. Many of these programs receive more funding annually than do many states. As a result the Division of Forestry's primary role as lead agency will be to coordinate with these programs in an effort to identify, evaluate, and recommend the highest quality forest legacy projects throughout the state.

On February 10, 2003, Governor Jeb Bush sent a letter to the US Department of Agriculture Secretary Ann M. Veneman designating the Florida Division of Forestry (DOF) within the Department of Agriculture and Consumer Services as the lead agency for Forest Legacy in Florida. To qualify for Federal cost-share funding (75% Federal and 25% state), the DOF, in consultation with the State Forest Stewardship

Coordinating Committee (SFSCC), has prepared this *Assessment of Need (AON)* for Federal review and approval.

The DOF and SFSCC used the following process to complete this AON:

Step One SFSCC Role: The lead agency defined the State Forest Stewardship Coordinating Committee's role as required by Forest Legacy Program Guidelines. Each member was invited to participate or designate a representative. Appendix E lists SFSCC's current membership.

The Committee cooperated with the DOF to complete the AON, identify Florida's eligibility criteria and proposed Forest Legacy Areas, and will recommend priority lands for consideration once the AON has been approved. The State Forester chairs the Committee and makes final program decisions after considering Committee comments and recommendations.

Step Two - First Approximation of Forest Legacy Areas: A subcommittee of the SFSCC was formed and met with the DIVISION OF FORESTRY in May 2003 for a briefing on the program, to clarify their role, and to review potential forest conservation criteria. From the analysis of current programs and criteria, the SFSCC recommended a tentative set of eligibility criteria for identifying Forest Legacy Areas. The committee queried the Florida Natural Areas Inventory's GIS to identify potentially eligible forest lands throughout the state. The Florida Natural Areas Inventory (FNAI) is a non-profit organization administered by The Florida State University. They are dedicated to gathering, interpreting, and disseminating information critical to the conservation of Florida's biological diversity.

FNAI staff continually builds and maintain a comprehensive database of the biological resources of Florida, which now includes more than 28,000 element occurrences of rare plants, rare animals, and high-quality natural communities. These occurrences are maintained in a GIS (Geographic Information Systems) database for mapping and analysis.

FNAI also serves as the primary source for information on Florida's conservation lands. The FNAI database includes GIS boundaries and statistics for more than 1,400 federal, state, local, and private managed areas. The database also includes information on Florida Forever environmental land acquisition projects.

FNAI staff has expertise in a range of fields, including botany, zoology, ecology, land management, environmental planning, GIS, and database management.

Step Three - Forest Resources Overview: Existing land conservation programs were assessed using FNAI data layers; other data sources were also compiled and synthesized. This assessment helped further define the Forest Legacy Program in Florida, including how the program would best compliment existing efforts.

Step Four - Public Participation: A comprehensive plan was developed to allow maximum participation by Florida citizens and potential stakeholders, including:

- A Notification of Intent letter to potential stakeholders
- News releases
- Public Notices
- Eight regional stakeholder workshops
- A web site to provide program updates and a response form for providing input online
- A designated Forest Legacy Program Coordinator and contact information
- Individual letters, emails, and face-to-face meetings

Step Five - Public Input Analysis: Public input was compiled and synthesized from the web site, eight workshops, and other sources. Recommendations were incorporated into decision-making about eligibility criteria for FLAs, completing a second FLA approximation, and setting goals for each.

Step Six – Final Recommendations and AON Preparation: Staff used the public input, forest overview data and trends, the FNAI/GIS data layers, and consultations with the State Forest Stewardship Coordinating Committee to establish regional program goals and objectives, selection criteria, Forest Legacy Areas, craft the AON, and submit it for review.

II. Forest Legacy Program Goals and Definitions

The federal Forest Legacy Program's mission is to protect environmentally important private forests that are threatened by conversion to non-forest uses.

The Florida Forest Legacy Program will help to support the national mission while providing an incentive to partners to direct limited resources to the conservation of forest resources under threat of conversion through the acquisition of voluntary easements and outright purchases, focusing solely on forested lands that might not be otherwise conserved without Forest Legacy.

Florida's Forest Legacy Goals are to:

1. Conserve important forested communities to enhance the environmental, social, and economic health of the state.
2. Seek established public conservation partners to leverage federal funding.
3. Pursue high quality forest lands that support statewide strategic conservation efforts.
4. Mitigate the state's rapid loss of environmentally important forests, focusing on those which are threatened by conversion from all sources.

5. Respect the property rights of private landowners by limiting participation to willing sellers.

"Environmentally important forests" will be defined by the eligibility criteria selected for identifying Forest Legacy Areas through the public participation process.

"Threatened" is defined as those forested areas that have development potential between 2005-2030 based on the Geoplan Growth Allocation Model, and forest resources under threat of conversion from parcelization and fragmentation.

III. Overview of Florida's Forest Resources and Trends

Florida's forests are an integral part of the landscape. Covering 42% of the state's 34.6 million acres, forests offer recreation, wood products, clean water, wildlife habitat, and a host of other benefits. Total forest acreage is down from 52% in 1970 and 60% in 1949. The USDA Forest Service defines *forest* as land no smaller than an acre that has at least 10% tree cover. The percentage of land covered by forests ranges from a low of 3% in Broward County to a high of 96% in Liberty County. Most of Florida's 14.7 million acres of forests are in the northern half of the state, as are most of the large forest industries. Privately-held forestlands make up 80% of the forested acreage.

Florida's abundance of tree species includes softwoods such as slash and loblolly pines, cypress and cedar; hardwood trees such as oak, ash, elm, and maple; and the colorful redbuds and dogwoods.

A. Resource Values

In addition to the narrative, figures, and tables in the main body of this report, readers should refer to Appendix C. for a comprehensive set of 15 GIS-based maps. These maps represent data collected from dozens of experts over many years and have been used extensively in Florida's land conservation efforts.

1. Cultural and Historic Significance [10, 14, 26, 30]

Florida's forests have played a key role in the state's culture and history. In the 18th century, the state's forests supplied abundant oak and pine for ship building, homes, shipping containers, and other needs. In the 19th and 20th centuries, forests became an important source for lumber, pulp, and paper.

In the early 1920's, activists began to form forest-related organizations and to promote legislation to protect and conserve forests. In 1923, a group of concerned citizens formed the Florida Forestry Association. Legislation created the Florida Board of Forestry in 1927, which then developed the Florida Forest Service of today.

During the 1930's and 1940's, several large companies set up operations in Florida, including International Paper Company, who built the state's first pulp mill, Glidden Company, the first gum distillation plant, and Hudson Pulp and Paper Company, which opened in 1947.

The period between the late 1950's and the mid-1970's saw the creation of numerous forestry-related environmental protection laws. Several legislative acts dealt with forest fire protection, and in 1957, forest fire prevention committees were established in all of Florida's 67 counties. In 1962, the Greenbelt Law was created to provide tax incentives for growing trees.

The year 1972 was designated as the "Year of the Environment", when the legislature passed the Florida Water Resources Act. The Department of Environmental Regulation followed in 1975. These two actions gave Florida a head start on complying with the Federal Water Pollution Control Act section 404, which deals with forest practices. The 1970's also spawned a number of land use regulations as the migration to Florida gathered momentum. Florida's population grew to 9.7 million people in 1975.

Land use and planning regulations continued to be enacted during the 1980's, spurred by the state's population growth rate. The state Comprehensive Growth Plan and the Wetland Protection Act were both enacted in 1984.

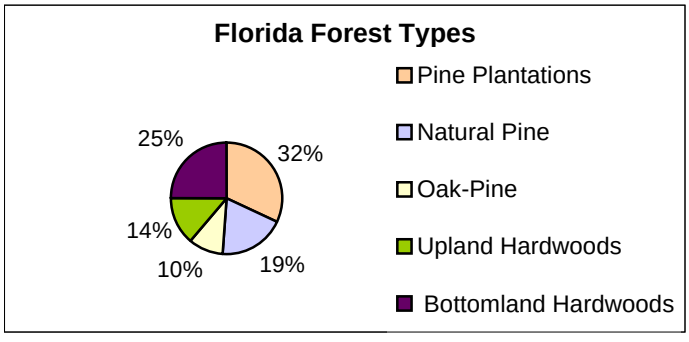
Long before the arrival of European settlers, Florida was home to native peoples. Archaeologists have identified more than 12,000 Native American sites ranging from large settlements to temporary campsites. Many more probably wait to be discovered, buried deep in forests or streambeds. Map MF1—*Significant Archeological Sites*, is located in Appendix C-12.

Adding to the state's cultural resources are several thousand sites representing the early Spanish mission settlers and other pioneers. Florida's Division of Historical Resources has Best Management Practices designed to help landowners care for sites on their property.

2. Forest Ecosystems and Types [7, 14, 16, 22]

Based on the USDA Forest Service classification system, Florida has 5 management classes and 11 forest types. Florida's management classes include: pine plantations, natural pine, oak-pine, upland hardwoods, and bottomland hardwoods. Figure 1 below shows forest types by percentage. Florida has the highest percentage of forestland in pine plantations of any southern state.

Figure 1.



Source: Carter and Jokela, Florida's Renewable Forest Resources

The eleven forest types are evenly divided between hardwood and softwood. Softwood types include: slash pine (5.1 million acres), loblolly pine (807,000 acres), longleaf pine (740,000 acres), and sand pine (634,000 acres). The hardwood types are: oak-gum-cypress (3.7 million acres), oak-pine (1.5 million acres), oak-hickory (1.4 million acres), and scrub oak (575,000 acres). The pines and oaks in particular are commercially important, while cypress is a key wetland indicator species which also has some commercial value.

3. Florida Natural Resources Inventory

The Florida Natural Areas Inventory has developed a hierarchical classification and brief descriptions for 82 Natural Communities which collectively make up the original, natural biological associations of Florida.

A Natural Community is a "distinct and recurring assemblage of populations of plants, animals, fungi and microorganisms naturally associated with each other and their physical environment".[16]

The levels of the hierarchy are:

- **Natural Community Category:** defined by hydrology and vegetation.
- **Natural Community Groups:** defined by landform, substrate, and vegetation.
- **Natural Community Type:** defined by landform and substrate; soil moisture condition; climate; fire; and characteristic vegetation.

Florida has six Natural Communities: 1) terrestrial, 2) palustrine, 3) lacustrine, 4) riverine, 5) subterranean, and 6) marine/estuarine. Of these, two have forested natural communities: terrestrial and palustrine. A brief description of each follows:

A. Terrestrial: Upland habitats dominated by plants which are not adapted to anaerobic soil conditions imposed by saturation or inundation for more than 10% of the growing season.

1. Xeric Uplands - very dry, deep, well-drained hills of sand with xeric-adapted vegetation.

a) Sandhill - upland with deep sand substrate; xeric; temperate; frequent fire (2-5 years); longleaf pine and/or turkey oak with wiregrass understory.

b) Scrub - old dune with deep fine sand substrate; xeric; temperate or subtropical; occasional or rare fire (20 - 80 years); sand pine and/or scrub oaks and/or rosemary and lichens.

c) Xeric Hammock - upland with deep sand substrate; xeric-mesic; temperate or subtropical; rare or no fire; live oak and/or sand live oak and/or laurel oak and/or other oaks, sparkleberry, saw palmetto.

2. Mesic Uplands - dry to moist hills of sand with varying amounts of clay, silt or organic material; diverse mixture of broadleaved and needle leaved temperate woody species.

a) Slope Forest - steep slope on bluff or in sheltered ravine; sand/clay substrate; mesic-hydric; temperate; rare or no fire; magnolia, beech, spruce pine, Shumard oak, Florida maple, mixed hardwoods.

b) Upland Hardwood Forest - upland with sand/clay and/or calcareous substrate; mesic; temperate; rare or no fire; spruce pine, magnolia, beech, pignut hickory, white oak, and mixed hardwoods.

c) Upland Mixed Forest - upland with sand/clay substrate; mesic; temperate; rare or no fire; loblolly pine and/or shortleaf pine and/or laurel oak and/or magnolia and spruce pine and/or mixed hardwoods.

d) Upland Pine Forest - upland with sand/clay substrate; mesic-xeric; temperate; frequent or occasional fire; longleaf pine and/or loblolly pine and/or shortleaf pine, southern red oak, wiregrass.

3. Rocklands - low, generally flat limestone outcrops with tropical vegetation; or limestone exposed through karst activities with tropical or temperate vegetation.

a) Pine Rockland - flatland with exposed limestone substrate; mesic-xeric; subtropical; frequent fire; south Florida slash pine, palms and/or hardwoods, and mixed grasses and herbs.

b) Rockland Hammock - flatland with limestone substrate; mesic; subtropical; rare or no fire; mixed tropical hardwoods, often with live oak.

c) Sinkhole - karst feature with steep limestone walls; mesic-hydric; subtropical or temperate; no fire; ferns, herbs, shrubs, and hardwoods.

4. Mesic Flatlands- flat, moderately well-drained sandy substrates with admixture of organic material, often with a hard pan.

Pine flatwoods cover approximately 50% of Florida. Animals common in pine flatwoods include fox squirrel, armadillo, eastern cottontail rabbit, skunk, opossum, red-shouldered hawk, Bobwhite quail, piliated woodpecker, eastern diamondback rattlesnake, pygmy rattlesnake, oak toad, and pinewoods tree frog. Threatened or endangered animals associated with this community include Florida black bear, Florida panther, red-cockaded woodpecker, Florida sandhill crane, flatwoods salamander, and eastern indigo snake.

a) Mesic Flatwoods - flatland with sand substrate; mesic; subtropical or temperate; frequent fire; slash pine and/or longleaf pine with saw palmetto, gallberry and/or wiregrass or cutthroat grass understory.

b) Prairie Hammock - flatland with sand/organic soil over marl or limestone substrate; mesic; subtropical; occasional or rare fire; live oak and/or cabbage palm.

c) Scrubby Flatwoods - flatland with sand substrate; xeric-mesic; subtropical or temperate; occasional fire; longleaf pine or slash pine with scrub oaks and wiregrass understory.

B. Palustrine- Wetlands dominated by plants adapted to anaerobic substrate conditions imposed by substrate saturation or inundation during 10% or more of the growing season. Includes non-tidal wetlands; tidal wetlands with ocean derived salinities less than 0.5 ppt and dominance by salt-intolerant species; small (less than 8 ha), shallow (less than 2 m deep at low water) water bodies without wave-formed or bedrock shoreline; and inland brackish or saline wetlands.

Swamps provide important habitat for food, cover, and nesting. Animals commonly associated with floodplain communities include bobcat, white-tailed deer, gray fox, mink, turkey, otter, beaver, hawks, yellow-rumped warbler, white ibis, marbled salamander, alligator, rainbow snake, diamondback rattlesnake, and water moccasin. Threatened or endangered species that may occur include Florida black bear, Florida panther, Indiana bat, mangrove fox squirrel, Bachman's warbler, and bald eagle.

1. Wet Flatlands - flat, poorly drained sand, marl or limestone substrates.

a) Hydric Hammock - lowland with sand/clay/organic soil, often over limestone; mesic-hydric; subtropical or temperate; rare or no fire; water oak, cabbage palm, red cedar, red maple, bays, hackberry, hornbeam, blackgum, needle palm, and mixed hardwoods.

b) Wet Flatwoods - flatland with sand substrate; seasonally inundated; subtropical or temperate; frequent fire; vegetation characterized by slash pine or pond pine and/or cabbage palm with mixed grasses and herbs.

2. Floodplain Wetlands - flat, alluvial sand or peat substrates associated with flowing water courses and subjected to flooding but not permanent inundation; wetland or mesic woody and herbaceous vegetation.

a) Bottomland Forest - flatland with sand/clay/organic substrate; occasionally inundated; temperate; rare or no fire; water oak, red maple, beech, magnolia, tuliptree, sweetgum, bays, cabbage palm, and mixed hardwoods.

b) Floodplain Forest - floodplain with alluvial substrate of sand, silt, clay or organic soil; seasonally inundated; temperate; rare or no fire; diamondleaf oak, overcup oak, water oak, swamp chestnut oak, blue palmetto, cane, and mixed hardwoods.

c) Floodplain Swamp - floodplain with organic/alluvial substrate; usually inundated; subtropical or temperate; rare or no fire; vegetation characterized by cypress, tupelo, black gum, and/or pop ash.

d) Freshwater Tidal Swamp - river mouth wetland, organic soil with extensive root mat; inundated with freshwater in response to tidal cycles; rare or no fire; cypress, bays, cabbage palm, gums and/or cedars.

e) Strand Swamp - broad, shallow channel with peat over mineral substrate; seasonally inundated, flowing water; subtropical; occasional or rare fire; cypress and/or willow.

4. Water and Water Quality [5, 14, 17, 20, 31]

Of Florida's 65,758 square miles, 11,761 are covered by water. Despite water's abundance, the demands on it are enormous—it supports the state's nearly 16 million residents along with industry, agriculture, a $ 7 billion fishing industry, recreation, and abundant fish and wildlife, including Threatened and Endangered species.

Florida has 51,858 miles of rivers and streams, a portion of which are ditches and canals. The Apalachicola River in the northern part of the state drains more than 19,000 square miles, while the St John's River is the longest river flowing entirely within the state, starting in St Lucie County and reaching the sea in Jacksonville. The state has more than 7,770 lakes that are greater than 10 acres, and 4,385 square miles of estuaries.

A hydrologic divide that stretches from near Cedar key on the Gulf coast to New Smyrna Beach on the Atlantic coast creates a barrier to the movement of surface and groundwater. Most of the major rivers in the panhandle receive part of their water from north of the state. South of the divide, rain is the only source of water to replenish surface and underground water supplies. [20]

Florida is nearly flat; its highest elevation is 345 feet. Below Lake Okeechobee, the relief is less than six feet, so most of the rivers and streams there are slow-moving and carry little sediment. In the north, there's more relief, and most rivers and streams there are classified as alluvial, or sediment-carrying. The state's porous karst geology means that surface water and ground water are closely linked. Water can enter the ground and re-emerge in springs and seeps far from its original location.

Wetlands are critical ecosystems—they supply wildlife habitat, store water, harbor rare plants, and serve as the headwaters for rivers and streams. The Green Swamp in central Florida is the headwaters for five major rivers: the Withlacoochee, Ocklawaha, Peace, Kissimmee, and Hillsborough. In north Florida, the famous Okefenokee Swamp, which extends into Georgia, gives rise to the Suwannee and St. Mary's rivers.

The state has more than 600 springs which collectively produce more than eight billion gallons per day. Florida has thirty-three of the United State's seventy-eight first-order magnitude springs, which each average 65 million gallons per day.

Nearly 90% of Florida's drinking water comes from underground aquifers. Protecting the sources of pure water is a critical challenge.

5. Geology and Minerals [14, 17, 20, 29]

More than 40 million years ago, Florida was beneath the sea. The peninsula started life as part of an undersea tectonic platform called the Florida Plateau. Over millions of years, the remnants of marine animals and plants were deposited on the plateau, creating limestone bedrock. Then sea levels dropped, exposing a several thousand-foot deep peninsula.

Florida's topography is relatively rare. Called Karst, it's characterized by limestone, organic matter, confining beds, and moving water, which sculpted networks of caverns and caves, disappearing rivers, sinkholes, subsurface water, drainage basins, and springs. This unique mix provides fresh water and an abundance of prehistoric fossils.

Limestone is a key feature of Florida's geology. Soft and highly erodible, it's constantly being dissolved and shaped by water, both on the surface and underground. Beds of clay, silt, and sand reduce permeability and allow sinkholes and lakes to form, besides helping to shape the flow of water in underground aquifers and rivers.

From about 20 to 25 million years ago, changes throughout the Gulf coast region caused streams to carry sand, clay, marl, phosphatic boulders, and other minerals to Florida. As a result, minerals such as quartz, feldspar, mica, hornblende, calcite, and gypsum have contributed to a variety of soil types seen today. These include red, loamy soils in the panhandle, sandy, poorly drained soils in flatwoods, peat soils in the northern Everglades, and shallow lime-rock soils in southernmost Florida.

Florida has ten distinct physiographic subdivisions: 1) Sea Island District in northeastern Florida with upland terraces, plains and ridges with predominately sandy soils and some clay; 2) Eastern Flatwoods District in the east, low and flat, where soils are generally sandy or high in peat; 3) Gold Coast-Florida Bay District low-lying with slow drainage, and with limestone, sand, marl, and organic material; 4) Southwestern Flatwoods District characterized by low plateaus and ridges with sand, clay, limestone, and organic deposits; 5) Central Lake District with sandhills lakes, and highly permeable sand, making it the state's principal water recharge zone; 6) Ocala Uplift District with a wide range of elevations, landscapes, and soils, located in the northwestern quarter of the state; 7) Tifton Upland District in the north central portion of the panhandle, where the soils are clay or loam topped with sand, and the topography has been shaped by thick sediment deposits; 8) Dougherty Karst District located in the northwest central part of the panhandle, dominated by limestone close to the surface and a mostly karst landscape with some clay or loam on sand; 9) Apalachicola Delta District located in the south central panhandle, which is built with sediments from the Apalachicola River. Soils are sandy to loamy; and 10) Southern Pine Hills District in the far western panhandle, an area of thick sediments, with loam and clay and an increasing thickness of sand from north to south. [29]

6. Aesthetics and Recreation [5, 8, 14, 18]

There's a reason so many people come to Florida to vacation or live—some of the most outstanding scenic and recreational values America has to offer! From wetlands teeming with colorful birds, to largemouth bass testing the seasoned angler, to palms swaying in gentle tropical breezes, to the north's majestic pines, to the flowing "river of grass" in the Everglades—there is something for almost every taste!

Whether up close or in panoramic view, forests are central to many of the state's scenic qualities. Florida's forested ecosystems, from longleaf, slash, and scrub

pines to tropical hammocks provide visual variety, shelter watchable wildlife, and protect water. Opportunities to enjoy this scenic variety include bird watching trails or a dip in one of the state's numerous springs. While not known for their fall color, Florida's hardwood forests do signal the changing seasons and provide an interesting backdrop for recreational and other activities.

Florida is home to three National Forests that together encompass 1.25 million acres: the Ocala, the Osceola, and the Apalachicola. The Florida National Scenic Trail meanders through all three. The trail offers more than 1,300 miles of hiking, passing through the only subtropical region in the United States. Besides the trail, Forest visitors can enjoy camping, fishing, bird watching, kayaking, and other pursuits. Together, these forests hosted an estimated 1.98 million visitor days in 2000.

Spanning the southern tip of the Florida peninsula and most of Florida Bay, Everglades National Park is the only subtropical preserve in North America. It contains both temperate and tropical plant communities, including sawgrass prairies, mangrove and cypress swamps, pinelands, and hardwood hammocks, as well as marine and estuarine environments. The park is known for its rich bird life, particularly large wading birds, such as the roseate spoonbill, wood stork, great blue heron and a variety of egrets. It is also the only place in the world where alligators and crocodiles coexist.

Everglades National Park has been designated a World Heritage Site, an International Biosphere Reserve, and a Wetland of International Importance. Covering about 1.5 million acres, the park hosted 940,482 visitors in 2002.

The State of Florida owns more than 3.2 million acres of conservation lands, which are managed to conserve important natural and cultural resources and to provide for public use and enjoyment. There are more than 500 state forests, parks, wildlife management areas, and other conservation and recreation areas.

Florida has 3 million acres of freshwater lakes and reservoirs. The freshwater recreational fishery in Florida is worth more than $1.4 billion and provides fishing opportunities to approximately 1.14 million recreational anglers each year. These anglers take 16.5 million trips, generate $37.4 million in taxes, and provide 18,873 jobs.

Florida licensed 233,992 hunters in 2002; the economic impact was estimated at nearly $385 million.

7. Threatened and Endangered Species [7, 12, 15, 16]

Florida is one of the most species-rich states in the nation, but many of its native species are under pressure. The state has more than 100 plants and animals listed as either Threatened or Endangered. Another 256 species are potential candidates for protection.

a) Animals

Florida has 56 animals on the threatened and endangered species list. Automobile collisions are a major cause of mortality for several of the state's large threatened or endangered species, including the Florida panther, Florida

black bear, Key deer, bald eagle, and American crocodile. According to a Florida Fish and Wildlife Conservation Commission (FWC) study, 44% of all of Florida's vertebrates are known or suspected to be declining in number or distribution. To further complicate matters, due to Florida's subtropical climate, many non-native, invasive species have become established.

These are some of the State's Threatened or Endangered Species and the habitats they occupy:

Black bear, Florida (*Ursus americanus floridanus*)	Hardwood swamps, dense thickets
Squirrel, Sherman's fox (*Sciurus niger shermani*)	Pine flatwoods, sandhill communities
Woodpecker, red-cockaded (*Picoides borealis*)	Sandhill, mesic flatwoods
Tortoise, gopher (*Gopher polyphemus*)	Scrub, sandhills, coastal strand, flatwoods
Snake, Florida pine (*Pituophis melanoleucus mugitus*)	Scrub, sandhills, flatwoods
Frog, Florida gopher (*Rana capito aesopus*)	Sandhills, pine flatwoods, ephemeral ponds
Bass, Suwannee (*Micropterus notius*)	Streams and rivers

Of Florida's listed species, the Red-Cockaded Woodpecker (RCW) has had the greatest impact on forestry. The bird typically needs older pines for roosting and nesting cavities, as well as extensive forests for foraging and mating. Federal guidelines for RCW management and recovery have substantially reduced harvests on National Forests in the state. This situation is expected to continue.

Florida has two laws to protect listed wildlife species. The *Florida Endangered and Threatened Species Act of 1977* has no specific prohibitions or penalties, but does establish conservation and wise management of endangered and threatened species as state policy. The *Endangered Species Protection Act* prohibits intentional wounding or killing of any fish or wildlife species designated by the TWC as "endangered", "threatened", or "special concern". The statute also prohibits intentional destruction of nests.

b) Plants

Florida has 55 plants listed under the U. S. Endangered Species Act (ESA) as Endangered (44) or Threatened (11). The state has enacted two plant conservation laws. The *Protection of Native Flora of Florida Act*, passed in1978, has broader definitions of "endangered" and "threatened" than the ESA. For example, it includes "commercially exploited" plants that are not currently threatened but need to be monitored. The law also extends to plants on non-federal lands. For example, the law prohibits destruction or harvesting of any

state-listed endangered plant from any private or public lands without permission of the landowner and a permit from the state.

While the Protection of Native Flora of Florida Act was intended to prevent destruction or exploitation of native plants, it does not specifically address habitat conservation. Instead, it regulates the movement of plant materials for commercial purposes. Unfortunately, the law has no mechanism for the recovery of plant species that have seriously declined or are near extirpation or extinction. The law also does not restrict individual property owners from destroying rare plants on their own lands for non-commercial purposes.

Some local ordinances provide more comprehensive protection by limiting the landowner's right to use property in ways detrimental to endangered plants, or by prohibiting removal of certain native species, endangered or not. The Division of Plant Industry is the lead state agency for enforcement of the Act.

The *Florida Plant Conservation Program* originated in 1992 by the Division of Forestry to work toward the recovery of federally-listed endangered and threatened plant species in Florida. The program's goal is to restore and maintain existing populations of listed plants on public and private lands managed for conservation. Projects address demography, monitoring, reintroduction, germination, pollination, and other aspects of population ecology. The Program is administered by the DOF and funded through grants from the U. S. Department of Interior, Fish and Wildlife Service under the U. S. Endangered Species Act. Grants are 75% Federal and 25% matching funds.

The Florida Natural Areas Inventory (FNAI) and the U.S. Fish and Wildlife Service (USFWS) have made substantial progress in documenting the distribution and habitat of Florida's rarest plants, and state and federal agencies have initiated programs to categorize, map, and evaluate Florida's terrestrial ecosystems. The Florida Endangered Plant Advisory Council (EPAC), a group of individuals who represent academic, industry, and environmental interests, makes recommendations for modifications to the State list of threatened and endangered species. The Center for Plant Conservation has collected, adapted, and circulated expert opinions regarding species status via one statewide and two regional Task Forces composed of plant biologists and ecologists.

The following plants are examples from the list of *Regulated, Endangered, Threatened, and Commercially Exploited Plant Species in Florida*. Compiled by EPAC, the list includes 536 plants. The Florida Natural Resources Inventory uses this list. Plants shown in bold are on the Federal Endangered plants list.

Aletris bracteata	Pine rocklands, marl prairies
Aristida simpliciflora	Moist pine woods, fields
Centrosema arenicola	Open woodlands, pine or oak-palmetto thickets
Gentiana pennelliana	Wet flatwoods, slash pine plantations, roadside ditches
Hexalectris spicata	Pine-hickory woods, secondary woods, calcareous hammocks

Matelea floridana	Bluffs, pine-oak-hickory woods;
Nolina brittoniana	Dry pinelands and sand pine scrub
Pityopsis flexuosa	Sandy oak and pine woods
Ziziphus celata	Sand pine scrub and longleaf pine

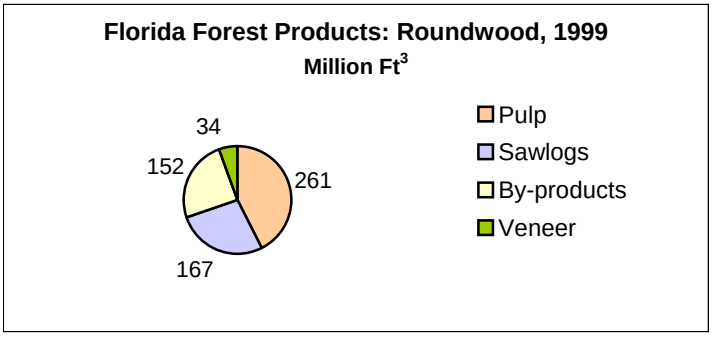
8. Forest Products; Other Economic and Social Benefits [2, 4, 5, 14, 18, 22, 26, 30, 33, 37]

Of the state's forest resources, 90% are suitable for producing marketable timber. Another 3.5% are in the reserved category—capable of producing merchantable materials, but restricted for reasons such as wilderness areas on National Forests or other reasons. About 6.5% of the forest is classified as "woodland"—lands that have forest cover but are not productive for timber.

Florida's forest resources make substantial contributions to the state's economy. Many rural towns, particularly in the northern part of the state, depend heavily on forest-related jobs. Statewide, forests account for more than 67,000 jobs with an annual payroll of $2.5 billion. Another 65,000 jobs are tied indirectly to forests. The total value of forest industries to Florida's economy tops $8.5 billion. Of this amount, $432 million comes from lumber and wood products. Of natural resource-based enterprises, forest industries ranks third in economic contribution to the state's economy, behind fruits and vegetables and horticultural products.

In 1999, the volume of roundwood from Florida's forests totaled 499 million cubic feet, 4 percent less than in 1997. Primary manufacturers generated 152 million cubic feet. Nearly all plant residues were used primarily for fuel and fiber products. Pulpwood was the leading roundwood product; sawlogs ranked second, and veneer logs were third. Figure 2 on page 10 shows forest products in million cubic feet. Total receipts declined 7 percent to 494 million cubic feet. The number of primary processing plants declined from 101 in 1997 to 93 in 1999.

Figure 2.



Source: Bentley, Johnson, and Ford, USDA Forest Service, 2002

In addition to managing for timber, forest landowners in Florida also benefit economically from a number of other products. Leasing land for cattle grazing and hunting leases can provide income to landowners. A relatively new product, pine-straw, can be used as a landscape mulch. Other forest products include Shiitake mushrooms, firewood, fee fishing, and specialty products such as Spanish moss,

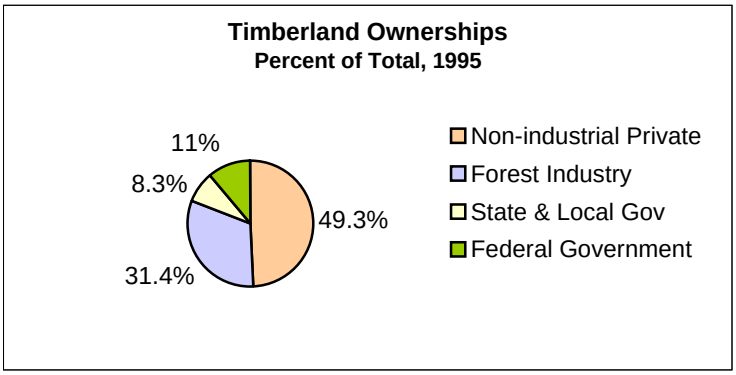
pine cones, and palm fronds for floral arrangements. The saw-palmetto berry industry that has grown up in Central and South Florida shows the potential that the diversity of Florida's 3,500 plants can offer.

Florida's forests provide a multitude of other commercial products and benefits. Recreation is an important source of income. In 1996, 1.8 million people traveled to Florida's forests, parks, and natural areas, spending $1.7 billion. Twenty percent of Florida's residents and 8% of the state's 40 million tourists participate in camping, picnicking, hunting, and nature study.

B. Ownership Patterns

Florida has the second highest amount of forestland in public ownership in the south, and ranks first in state-owned forestland. Between 1987 and 1995, public ownership increased by 16%, fueled primarily by initiatives such as Save Our Rivers, Conservation and Recreation Lands Program (CARL), Preservation 2000, and Florida Forever. Figure 3 shows the percentage of timberland ownership by ownership type.

Figure 3.



Source: USDA Forest Service FIA, 1995, Table 10

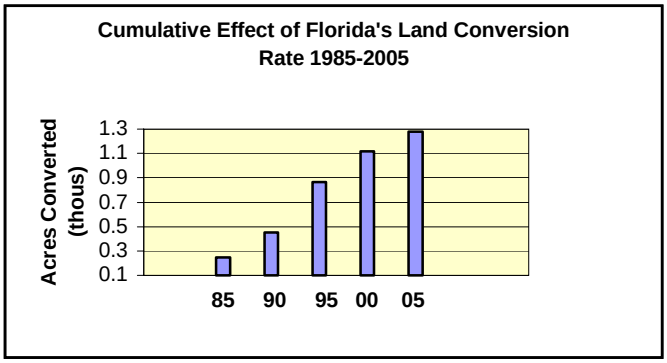
Florida's forest ownerships range from small, individual holdings to industrial owners who control thousands of acres. According to the 1995 Forest Inventory and Analysis (FIA) by the USDA Forest Service, Florida's timberland area decreased by 2 percent to less than 14.7 million acres between 1987 and 1995. Timberland under non-industrial private ownership increased 2 percent to 7.2 million acres, and public ownership increased 16 percent to 2.8 million acres, which includes State and local lands and four National Forests. However, forest industry-controlled timberland decreased by 16 percent to 4.6 million acres, or 27% of the total. Pine plantations now account for 32 percent of the State's timberland, the highest proportion in the South.

Somewhere between 300,000 and 350,000 individuals own Florida forestland, with more than two-thirds holding less than 9 acres. Only 7% of individual owners have more than 50 acres, yet control nearly 85% of the forestland.

Landowner goals and objectives have a profound effect on the state's forests. Industrial and corporate owners usually seek to maximize profits from their lands that can include timber production and other methods, while private owners may have multiple objectives that could include recreation, aesthetics, wildlife habitat, and timber production. Public lands are usually managed for multiple values.

Development pressure and other land use changes are having an impact on the state's forest resources. Between 1987 and 1995, forest acreage was lost at the rate of 41,500 acres per year, adding up to 332,000 acres—a net loss of 2%. More than 50% of the lost acreage was developed and about 25% was converted to agricultural uses. Figure 4 illustrates graphically how conversion rates lead to a steady loss of forestland over time.

Figure 4.



Source: Florida's Renewable Forest Resources, Univ. Fl. Numbers approximate based on average 41,000 acre/yr loss from 1987-1995 & current conversion rate of 83,000 acres/year at 1/3 acre per new resident.

Today, yearly losses to land use conversion exceed 80,000 acres and continues to accelerate with the population growth rate. Land use change is creating more fragmentation—remnants of forest land interspersed with development or other non-forestry uses. Fragmentation causes a host of problems ranging from disruption of wildlife habitat to "islands" of forestland that are too small to manage economically and lose much of their environmental value.

C. Population Pressures and Conversion Threats [1, 3, 4, 15, 19, 23, 32]

Despite intensive conservation efforts during the last 50 years, Florida's priceless natural resources are under more pressure than ever. Florida's population, which currently stands at over 16 million, is expected to double by 2030 to about 33.4 million. Between 1990 and 2000, the population grew by 23.5%, an increase of three million people.

The fourth most-populated state in the country—and projected to be the third most-populated by 2025—attracts 750 new residents *every day*. Statistics indicate that each new resident means 1/3 of an acre of forest permanently converted to

other uses. At the current conversion rate, another 5 million acres of forest could be lost to non-forest uses permanently.

Florida loses about 230 acres of forest every day—or an average of 1,600 acres a week—6,900 acres a month—83,000 acres a year.

US Census Bureau data show the number of acres of land consumed by urban sprawl between 1970 and 1990: for Orlando it was 168,256 acres; for Tampa-St. Petersburg-Clearwater, 229,568 acres; Jacksonville,100,096 acres; West Palm Beach-Boca Raton, 108,928 acres, and Pensacola 56,896 acres.

This staggering growth rate will continue to have a profound effect on the state's natural resources. As more land is paved over, the state is losing valuable water recharge areas; in the Tampa Bay area alone, 200,000 acres were developed between 1982 and 1987, preventing an estimated 7.3 million to 17 million gallons of water from reaching the region's underground aquifers.

Florida leads the South in the amount of timberland lost to development, dropping from more than 20 million forested acres in the 1950's to roughly 16 million acres now.

D. Conversion, Fragmentation, and Parcelization

While development pressure and permanent land conversion cause the most acute pressure on Florida's forests, two other land use dynamics need to be considered: fragmentation and parcelization.

Fragmentation occurs when large blocks of contiguous forest become interspersed with pockets of development. Just one owner of a 1,000 acre forest may develop 10 acres, or 1% of the total, and fragment important natural resources. Small, developed tracts can have an inordinately greater effect on the landscape than their size might suggest, because roads, utility corridors, and other infrastructure interlace the once-unbroken expanse of forest. This loss of continuity can affect wildlife corridors, introduce more pollution sources such as pesticides and herbicides from lawns and businesses, introduce non-native invasive species, and create conflicts between pre-existing species that need deep woods habitats and those that thrive closer to human activity. Finally, managing forests may prove more difficult since new residents are not familiar with forestry practices and sometimes object to activities such as harvesting operations or prescribed burning.

Parcelization occurs when larger forest ownerships are split up and sold. While property lines might not be visible on the landscape, they can lead to fundamental changes in the nature of the forest. There might be no conversion for years, but now dozens of new owners control the forest. Each of these owners brings different attitudes and management strategies to their new, little piece of forest.

The latest Forest Inventory and Analysis (FIA), prepared by the USDA Forest Service, plus work by the University of Florida Extension, show that parcelization is accelerating in Florida as more urban dwellers seek land for first or second homes, recreation, and even investments. According to USDA Forest Service studies, almost half of these owners are not interested in managing their forest, nor do they have sentimental attachments to the land. Nearly two-thirds live away from their forest and less than half live in rural areas.

Nationally, about 10% of the nation's non-industrial private forestland changes hands each year, creating many thousands of new landowners. In Florida, more than 300,000 non-industrial private forest land owners control 7.2 million acres, about half of the total. Table 1 shows ownership sizes as of 1995.

Table 1: Non-industrial Private Forest Acres in Florida by Ownership Size, 1995

Tract Size Class(Acres)	Acres (Millions)	% of Total Acres
0-10	1.1	15
11-50	1.5	21
51-100	0.9	13
101-200	1.1	15
201-500	1.3	18
501 +	1.3	18
Total	**7.2**	**100**

Source: USDA Forest Service FIA, Fl, 1995

Parcelization has even more negative effects on forest management and productivity. Owners of smaller parcels are less likely to prepare a written stewardship or other multi-resource plan, while the intent to actively manage forest resources is closely linked to these plans. Cost-sharing programs are more likely to benefit owners who have larger tracts. It costs more to manage smaller tracts because owners, managers, and operators lose the economy of scale for harvesting and marketing forest products. The opportunity to conserve land diminishes because it is more difficult to negotiate easements or fee purchases with multiple landowners—and prices are usually higher. Besides, owners of small properties may be less willing to sell their property or negotiate a conservation easement, since the property isn't large enough to reserve many landowner rights. As a consequence, these lands tend to become even more fragmented with time. Natural pine stands appear to be more prone to parcelization than other classes.

IV. Other Land Conservation Programs and the Need for Forest Legacy

A. Florida's Conservation History [1, 7, 14, 15]

In the 1930's, draining of the Everglades began, ushering in a period of rampant growth that now threatens the state's unique ecosystems. Starting in the 1950's, Florida's population began to rise at an annual rate of about 4%. In the last 50 years, more than eight million acres of forests and wetlands, about 24% of the state's land area, were cleared or modified to accommodate the state's growing population. In 1990, about 19 acres of forests, wetlands, and agricultural lands were converted to urban uses every hour. Because of this phenomenal growth, many consider Florida's ecosystems to be the country's most endangered.

Fortunately, Florida has a strong conservation history—the nation's first wildlife refuge, Pelican Island, and one of its first eastern National Forests, the Ocala, are located here. The state has several substantial land acquisition programs to save native landscapes from development. Some of these include:

1964: Established a $20 million bond program to acquire recreational lands.

1972: Created an additional $40 million outdoor recreation bond.

1979: Established the Conservation and Recreational Lands Program (CARL).

1981: Established Save Our Coast (SOC) and Save Our Rivers (SOR).

As Florida's population continued to grow, it was apparent that development would place greater demands on what remained of natural Florida. Former Governor Bob Martinez created a blue ribbon commission in 1990 to evaluate the state of the environment. The commission warned that, at the 1990 development rate, about three million acres of wetlands and forests would be converted to other uses by the year 2020, compromising much of Florida's fresh water aquifer recharge areas, unique ecological diversity, open space, recreation lands; land many of the state's 548 species of endangered and threatened plants and animals. The commission concluded: "the single most effective way to accomplish large scale gains in our environmental well-being is to substantially increase the level of funding for the state's land acquisition programs."

Created in 1990, Preservation 2000 was Florida's land conservation program of the 90's. At the time, it was the largest program of its kind in the United States. More than 1.25 million acres of forest and agricultural land in 60 counties were acquired and placed under public ownership.

B. Current Land Conservation Programs [1, 7, 8, 9, 15, 21, 23, 24]

Florida has several conservation programs:

1. Florida Forever, the state's newest blueprint for natural resources conservation, replaces the highly successful Preservation 2000 and is funded at $3 billion over ten years, or $300 million per year. It is by far the most ambitious land conservation program ever undertaken. The program is more than just an environmental acquisition mechanism. Its wide range of goals includes restoration of damaged environments, water resources development and supply, more public access, management and maintenance on public lands, and land protection via acquisition of conservation easements.

While *Florida Forever* provides funding for a variety of state conservation programs, the following discussion pertains for the Florida Department of Environmental Protection's (DEP) statewide conservation program which is a successor to the Conservation and Recreation Lands and Preservation 2000 programs. Under Florida Forever, the Division of State Lands in DEP receives $105 million annually from the sale for Florida Forever bonds. Future funding from the sale of bonds depends on legislative action, but the *Florida Forever Program* is scheduled to continue to the year 2010. Several other state agencies also receive Florida Forever funds each year and will be discussed later in this section.

Under DEP's *Florida Forever Program*, anyone can nominate a project. Sponsors have included federal, state, county, and local government agencies, conservation organizations, and private citizens. The *Acquisition and Restoration Council*, whose members represents five state agencies and includes four citizen representatives, decides what lands to buy. DEP's program acquires fee and less than fee interests in land.

The Florida Natural Areas Inventory (FNAI) prepared a detailed *Conservation Needs Assessment (CNA)* using GIS technology. The data layers have been used in this Forest Legacy Assessment of Need.

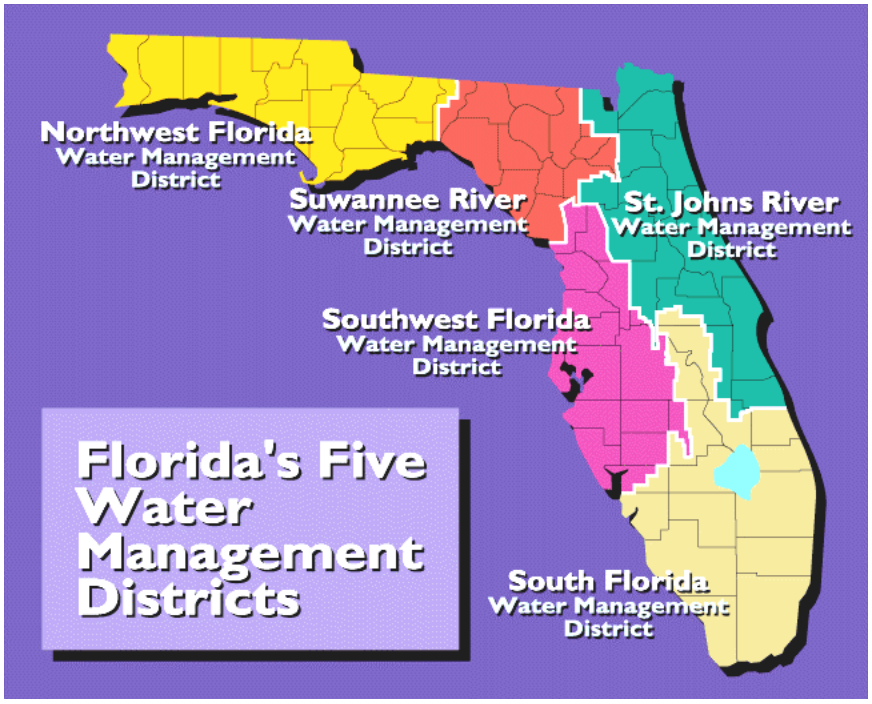
2. Save Our Rivers (SOR) [35]

Florida's five water management districts have multiple roles. Districts are authorized to administer flood protection programs, perform technical investigations related to water resources, develop water management plans to prepare for water shortages, and acquire and manage lands for water management purposes under the *Save Our Rivers* Program. Collectively, the WMD'S receive $105 million annually from *Florida Forever* and are a prime partner on conservation projects dealing with water and water quality. All of the water management districts have and continue to acquire fee title and, while each district has pursued less than fee acquisitions, only St. Johns River, Suwannee, and Southwest Florida water management districts have been successful to date.

Water Management Districts and locations are as follows:

1) The Northwest, located in Havana; 2) the Suwannee, located in Live Oak; 3) the St. John's River, located in Palatka; 4) the Southwest Florida, located in Brooksville; and the 5) South Florida, located in West Palm Beach.

Figure 5: Florida's Water Management Districts



3. Rural and Family Land Protection Act enacted and currently awaiting funding, was passed by the Florida Legislature in 2001. At the end of 2001, the State Department of Agriculture and Consumer Resources completed an *Agriculture and Resource Conservation Assessment* report in consultation with other public agencies. It addressed three specific needs: 1) protect valuable agricultural lands, including forest lands; 2) create easements to ensure sustainable agricultural practices and reasonable protection of the environment; and 3) protection of natural resources in conjunction with economically viable agricultural operations. The environmental benefits that the program will focus on protecting are: significant species habitat, natural flood plains, and groundwater recharge areas.

While *Florida Forever* focuses on protecting and conserving natural communities and providing nature-based recreation, the Rural and Family Lands Protection Program (RFLPP) will focus on maintaining Florida's agricultural practices, including forest lands that are actively managed for the production of fiber and wood products in support of rural economies. The RFLPP is a 100% less than fee program, indicative of the trend towards the use of easements as a conservation tool in Florida. The Florida Legislature provided $5 million in funding during the 2004 legislative session, but the funding was vetoed by the governor.

4. Florida Communities Trust (FCT) is a state land acquisition grant program, funded by Florida Forever and housed at the Florida Department of Community Affairs. FCT provides funding to local governments and eligible non-profit environmental organizations for acquisition of community-based parks, open space and greenways that further outdoor recreation and natural resource protection needs identified in local government comprehensive plans.

Matching and full grants for land acquisition projects are provided to communities through an annual competitive application cycle. FCT receives $66 million annually from Florida Forever and it is available to eligible applicants each year and applicants are eligible for up to 6.6 million or 10 percent of this amount. Purchases by local governments under Florida Communities Trust have all been fee purchases made to provide recreational opportunities and open space. Many of the grants awarded have included substantial forest resources and could qualify for consideration under Florida's legacy program.

5. Florida Greenways and Trails Land Acquisition Program receives $4.5 million annually under the Florida Forever Act. The DEP's Office of Greenways and Trails work directly with local governments, developers, private landowners and state and federal agencies to facilitate the establishment of the statewide system of greenways and trails. Encompassing a variety of landscape types, greenways effectively link Florida urban residents to the landscape and provide close-to-home recreational opportunities. The pathways also offer a chance for people to leave their automobiles at home, at least occasionally, and walk or bike to their destination.

Florida's community greenway systems incorporate forests, fields, pastures, groves, and other commodity-oriented lands. Many envision regional and statewide connections between core ecological preserves. Local land trusts frequently participate in these efforts. Purchases have been in fee title under this program and while some have proposed less than fee on non-trail portions of property, none have been successful to date.

6. Division of Forestry Inholding and Additions Program has acquired nearly 89,000 acres under its inholdings and additions program (A&I). Funding for this program was initiated under the Florida Preservation 2000 program and continues under Florida Forever for the purpose of acquiring parcels or properties that are adjacent to state forests that will improve the overall management of the state forest system. The Division of Forestry A&I program funding pursues those properties that have willing sellers, and are completely surrounded or adjacent to a state forest. Parcels that are acquired with DOF A&I funding are managed with the state forest that the property adjoins, and are not treated as separate individual units. There is a potential additional need within or adjacent to the existing state forests of approximately 81,000 acres for possible acquisition which would improve the management state forests or protect important natural resources. As additional state forests are acquired through the DEP Florida Forever program or as other important properties come to the attention of DOF field units, the list of additional properties continues to grow.

The state forests and lands acquired are managed by the DOF under a multiple-use management strategy. This includes the harmonious and coordinated management of timber, recreation, wildlife, forage, archaeological and historic sites, and water resources so that they are utilized in the combination that will best serve the people of the state. The parcels acquired are added to a state forest which becomes part of complex ecosystems that will be restored and maintained to ensure total forest health, public access, optimum system productivity and biodiversity. The parcels acquired and the state forests belong to the people of Florida and are available for their use, enjoyment and benefit. The public enjoys the natural resource based recreational opportunities and experiences that are available on state forests. Since these lands are acquired in and around existing state forests, DOF attempts to make acquired lands available to the public as soon as possible.

7. County Land Conservation Programs compliment Florida Forever, and have been approved in twenty-six Florida counties during the last 15 years. Citizens in those counties, which are typically coastal or other rapidly-growing counties, voted to tax themselves exclusively to create local land acquisition programs. Several of these counties have since re-invested in conservation by voting for additional tax increases to extend the programs. In all, the county programs contributed more than $900 million to land conservation during the Preservation 2000 program, and have conserved more than 169,000 acres of land. Voters have approved an additional $630 million for Florida counties since the inception of Florida Forever.

Local programs are frequently established specifically to partner with existing state or water management district projects, to quickly acquire particular sites, such as in Martin County's 1998 ballot measure, or for general land conservation at the local level. In Martin County's case, voters approved $43 million to acquire lands in four state-designated projects. Many other local governments have passed initiatives for purchasing environmentally endangered lands that meet locally established criteria. For example, Sarasota County approved $53 million in 1999, and Collier County passed a $75 million measure in 2000.

8. Land Trusts are active throughout the state. According to the National Land Trust Alliance (LTA), more than 40 Florida organizations have adopted LTA standards and practices and/or have become a sponsoring member of the national organization. These organizations are listed in Table 2 below.

Table 2: Florida Land Trusts

Land Trust	Location	Area of Operation
Alachua Conservation Trust	Gainesville	North-Central FL
Apalachee Land Conservancy	Tallahassee	None listed
Barrier Island Trust	Tallahassee	Barrier Islands, FL
Bay County Conservancy	Panama City	Bay County
Brevard County Environmental Endangered Lands	Melbourne	Brevard County
Calusa Land Trust & Nature Preserve of Pine Island	Bokeelia	SW FL near Pine Island
Conservation Trust for Florida, Inc	Micanopy	Working rural landscapes
CREW Land and Water Trust	Fort Myers	Lee and Collier Counties
Florida Keys Land and Sea Trust	Marathon	Monroe County
Florida Land Trust Network	Stuart	None listed
Florida Trail Land Trust, Inc.	Gainesville	None listed

Florida's Nature Coast Conservancy	Cedar Key	W. Coast & Levy City
Friends of the Scrub	Melbourne	None listed
Gasparilla Is. Conservation & Improvement Assoc.	Boca Grande	Boca Grande, SW Coastal FL
Green Horizon Land Trust	Lake Wales	Central FL - Highland, Osceola
Gulf Coast Conservancy	Aripeka	None listed
Henry County Land Trust	Sarasota	None listed
Indian River Land Trust	Vero Beach	Indian River County
Land Trust of Dade County	Miami	None listed
Lemon Bay Conservancy, Inc.	Englewood	Lemon Bay Area
Longboat Key Conservation Trust	Longboat Key	None listed
Myakka Conservancy	Sarasota	Myakka River Watershed
North Florida Land Trust	Ponte Verda Beach	Duval, St Johns, Flagler, Nassau, Clay, Putnam, Baker
Panhandle Land Conservancy	Destin	Florida Panhandle
Red Hills Cons. Program/Tall Timbers Research	Tallahassee	Red Hills Region in GA &FL
Sanibel-Captiva Conservation Foundation	Sanibel	Sanibel and Captiva
Sorrento/Greater Orlando Area Land Trust	Sorrento	None listed
SW Florida Land Preservation Trust	Naples	None listed
Tampa Bay Conservancy, Inc	Riverview	None listed
The Chamberlyne Foundation	Winter Haven	None listed
The Conservancy of Southwest Florida	Naples	Collier, Lee, Charlotte Counties
The Nature Conservancy, FL Field Office	Altamonte Springs	None listed
Trust for Public Land, SE Regional Office	Tallahassee	None listed
Volusia County Land Trust	Daytona Beach	Volusia County
Wildlands Forever Trust, Inc	Tampa	None listed

National conservation organizations such as the Nature Conservancy and the Trust for Public Lands also have vigorous conservation programs, and offices, in the state. The opportunities for conservation partnerships abound.

9. Current Use Taxation compliments the state's conservation efforts. The 1959 Greenbelt Law, Florida Statute 193.461, empowered country property appraisers to classify and assess agricultural land, including forest land, by its current use, rather than for its development potential. The purpose of the law was to improve the economic viability of farming and forestry by reducing the tax burden. The assessment is based on the present value of a future income or the site's productive value. If forest landowners were assessed and paid taxes on the property's highest and best use, thousands of acres might have been converted to more intensive and profitable uses.

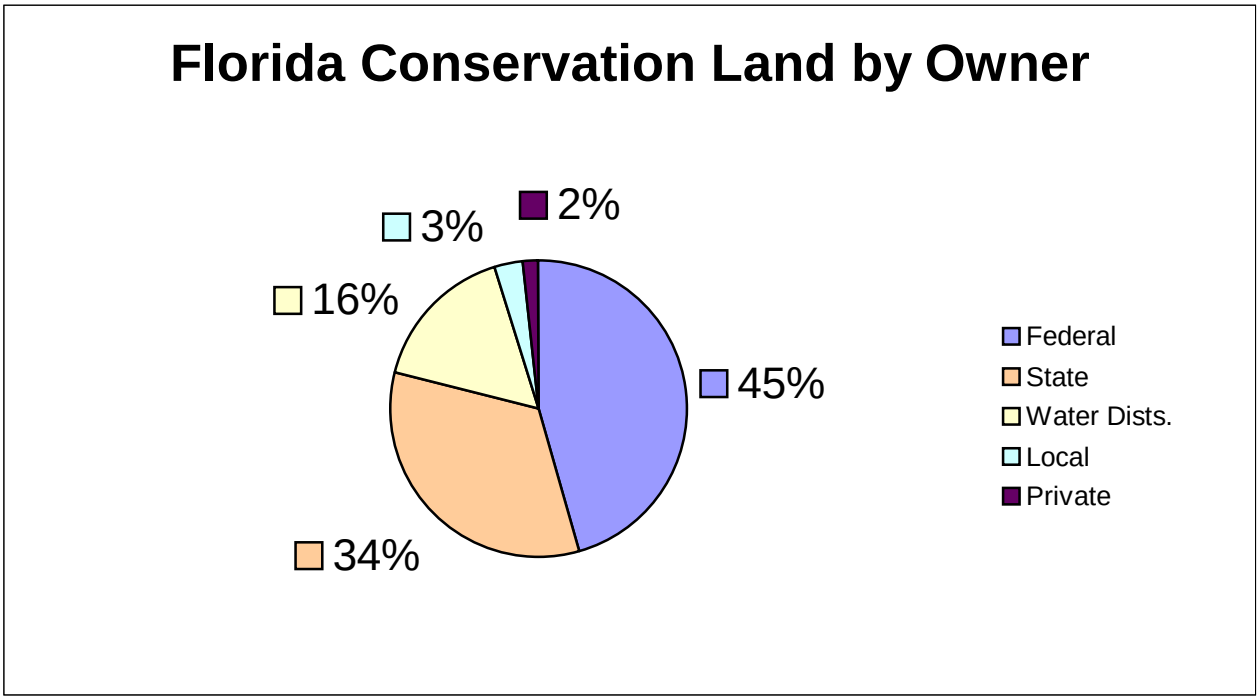
10. Federal Landowner Incentive Programs are an important stimulus for conservation measures on forest and agricultural lands. The Farmland Stewardship Program offers one-stop shopping—one application, one conservation farm plan.

The Forest Land Enhancement Program (FLEP) is a forest landowner assistance program intended to provide non-industrial owners with educational, technical, and financial assistance to promote the principles and practices of sustainable forestry. Congress enacted FLEP in May 2002 as part of the 2002 Farm Bill (Title VIII of the Farm Security and Rural Investment Act, Public Law 107-171). Congress appropriated $100 million over the life of the program, fiscal years 2002 through 2007.

C. An Overview of Existing Conserved Land [8, 16, 25]

With nearly 9.4 million acres of conservation land, Florida is an acknowledged leader in efforts to conserve natural resources. Figure 6 shows existing conservation land by ownership.

Figure 6.



Source: Jue, Kindell, Wojcik, Florida Conservation Lands, 2001

According to University of Florida statistics, another 2.7 million acres are being proposed for conservation through various initiatives. The FNAI map in Appendix C shows the location of conserved lands in the state.

Table 3 shows the acres of conserved lands in the state by ownership.

Ownership [1]	Acres
Federal	
USDA Forest Service	1,158,076
USDI Fish and Wildlife Service	481,715
USDI National Park Service	1,691,433
US Department of Defense	647,578
Other Federal	4,761
Total Federal (non-submerged)	**3,983,563**
State Conservation Lands	**Acres**
DACS Division of Forestry	978,112
DEP Division of Recreation & Parks	598,415
DEP Office of Coastal & Aquatic Managed Areas	54,935
DEP Office of Greenways & Trails	79,537
DEP Division of State Lands (Conservation Easements)	47,300
DEP Bureau of Mine Reclamation	10,811
Fish & Wildlife Conservation Commission	1,416,201
Dept. of Military Affairs	73,076
Dept. of Corrections (managed by P.R.I.D.E)	18,200
State Universities	13,225
Undesignated State Lands	4,063
Water Management Districts	1,625,896
Total State (non-submerged)	**4,919,771**
Local (County and Municipal)	**344,312**
Total State, Federal, Local (non-submerged)	**9,247,646**
Private Conservation Lands	**141,694**
Total (All Conserved Lands)	**9,388,340**

Source: Florida Natural Areas Inventory, March 2004

1. *Defined as owned and managed by entities dedicated to maintaining them as open space.*

D. Forest Legacy's Role in Florida

Florida is one of the most proactive states when it comes to protecting and conserving natural resources. The "flagship" program, *Florida Forever*, pumps $300 million per year into land conservation. Its predecessor, Preservation 2000, conserved more than 1.25 million acres in a decade.

While land acquisition and other conservation initiatives continue, none, with the exception of FLP and FLEP, focus exclusively on productive forestland. **The key benefits of Forest Legacy in Florida are: 1) *Focused* specifically on forest lands *threatened* by permanent conversion to non-forest uses; 2)**

***Partnerships* to compliment existing land conservation efforts; and, 3) *Incentive* to partners to direct local program funding to the conservation of forest lands.**

In Florida, stakeholders and other conservationists envision Forest Legacy as a "niche" program, a strong compliment to *Florida Forever* and other local initiatives. Forest Legacy will encourage funded state and local programs to concentrate on truly special forested tracts that are threatened by conversion, and contain important forest-based environmental values that could be irretrievably lost. Forest Legacy may also provide opportunities for partnerships with local governments that have been unable to afford the full cost of a land conservation initiative.

V. Establishing Eligibility Criteria

A. Planning Process and Initial Recommendations

The working group consisting of members of the State Forest Stewardship Coordinating Committee (SFSCC) or their representatives met with Division of Forestry staff in May 2003 to recommend program criteria and perform a first approximation for potential Forest Legacy areas. The analysis steps included:

Step 1. The working group compared Florida's existing conservation programs to potential eligibility criteria for Forest Legacy Areas. They created a matrix to determine whether the state's key conservation programs, *Florida Forever* and *Rural and Family Lands Protection,* adequately addressed important factors such as sustainable forestry or wetlands. Potential criteria that were judged to be best suited for Forest Legacy were identified. The criteria used for *Florida Forever* include the key criteria used by the five water management districts in implementing the *Save Our Rivers Program*.

The working group recommended the potential eligibility criteria, shown in Table 4; detailed resource data layer maps related to these criteria are located in Appendix C.

Table 4: Florida Forest Legacy Program Criteria Matrix

Criterion	Forest Legacy	Rural & Family Lands	Florida Forever	Data Available	Source
Aesthetic & Scenic Value				N	
Fish and Wildlife Habitat	X	X	X	Y	FNAI, FWC
Mineral Resource Potential				N	
Public Recreation			X	N	
Soil Productivity				N	
Timber Resource		X	X	Y	FNAI, DOF
Watershed Values	X		X	Y	FNAI
Forest Conversion	X			Y	GEOPLAN
Historic & Future Land Use				Y	DAVIS MAP, GEOPLAN
Ownership Patterns				N	
Cultural Resources			X	Y	DHR
Geological Features				N	FNAI
T&E Species	X	X	X	Y	FNAI
Floodplain	X	X	X	Y	FNAI, WMD
Groundwater Recharge	X	X	X	Y	FNAI
Landscapes & Linkages	X		X	Y	UNIV FL
Natural Communities	X		X	Y	FNAI
Coastal Resources			X	Y	FNAI
Wetlands	X		X	Y	FNAI, NWI
Sustainable Forestry	X		X	Y	FNAI

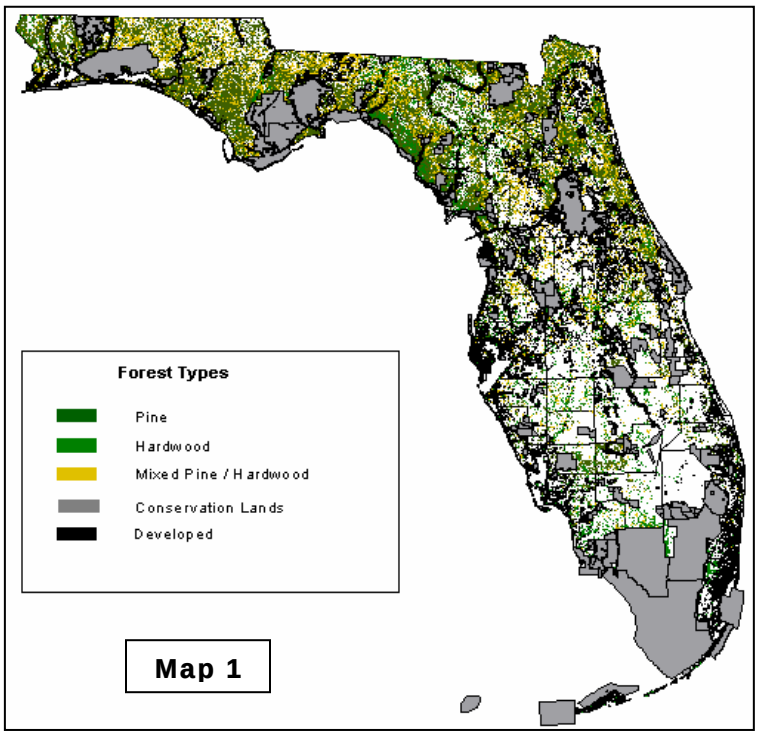
Recommended Criteria for Forest Legacy

The following sections describe the recommended Forest Legacy criteria in Table 4 above as defined by the Florida Natural Areas Inventory. Maps are compilations of data layers in Appendix C used during the public participation workshops and used to create the initial Potential Forest Legacy Areas (Map 6). Throughout this assessment is reference to “forest lands with resources” which means lands that are or could be used for sustainable forestry that have one or more of the natural resource criteria listed on pages 30 through 33.

Remaining Private Forest Lands

FNAI Florida Forever Sustainable Forestry layer

First and foremost, lands considered for Forest Legacy in Florida must be able to support sustainable forestry practices. The Florida Natural Areas Inventory used 1995 WMD landcover data to identify land available for sustainable forest management, including existing pine (natural or planted) or potential to support pine (e.g. pasture that was historically sandhill). The hardwoods data layer was developed from 1995 landcover data developed by Florida's five water management districts, using the appropriate hardwood and mixed forest land use categories.



Map 1

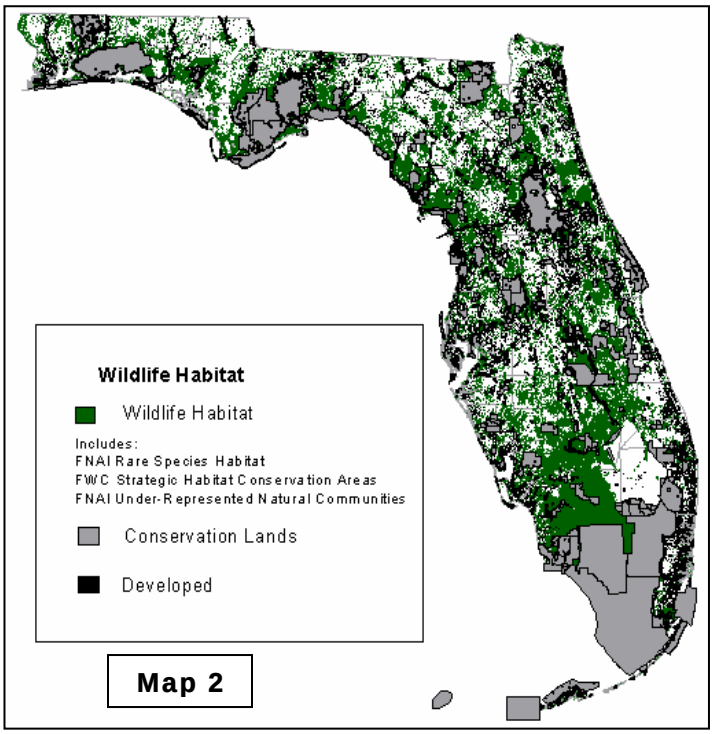
Habitat

FNAI Habitat Conservation Priorities for Rare Species

FNAI developed occurrence-based habitat for 250 rare species having the greatest conservation need. Habitat quality for each species was ranked and species were assigned a conservation needs weighting factor based on rarity and degree of protection. Weighted habitats were overlaid to determine Habitat Conservation Priorities.

FWC Strategic Habitat Conservation Areas

Strategic Habitat Conservation Areas (SHCA) from Closing the Gaps in Florida's Wildlife Habitat Conservation System (Florida Game and Fresh Water Fish Commission 1994), habitats from Habitat Conservation Needs of Rare and Imperiled Wildlife in Florida (Florida Fish and Wildlife Conservation Commission 1999), and land acquisition priorities determined by expert working groups for Florida black bear and Florida panther. Habitats for 55 animal species and SHCAs for 4 natural communities were prioritized by the Florida Fish and Wildlife Conservation Commission (FWC).



Map 2

Threatened & Endangered Species

FNAI Element Occurrence Database

FNAI maintains precise locations of occurrences of rare plant and animal species, including all federally listed species.

Natural Communities

FNAI Under-represented Natural Communities layer

FNAI identified 7 under-represented natural community types: (1) upland glades and pine rocklands; (2) scrub, sandhill, tropical hardwood hammock, and seepage slope; and, (3) upland hardwood forest. The committee ranked them in this order by comparing their historic and present occurrences. Geographic coverage for these communities was synthesized from one or more of the following data sets: Florida Natural Areas Inventory element occurrence records, 1995 WMD land cover data, 1985-89 FWC Landsat land cover data, and 1992-94 U.S. Fish and Wildlife Service/Archbold Biological Station scrub survey. Pine flatwoods has since been added to this data layer.

Water Related Resources

Watershed Values

FNAI Florida Forever High Quality Watersheds layer

This is a combination of two data layers originally created for the Florida Forever Conservation Needs Assessment: Significant Surface Waters, and Floodplain.

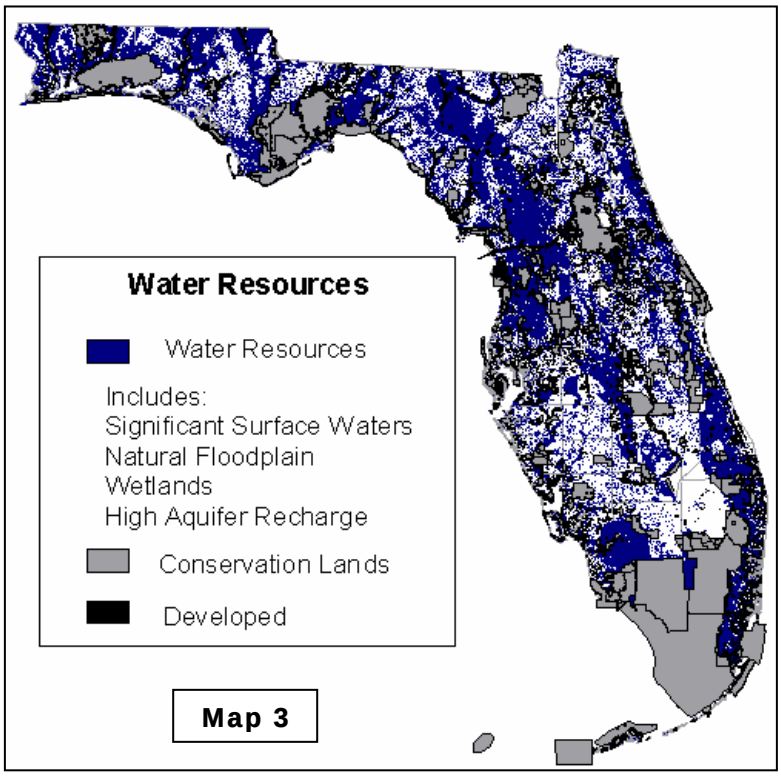
Significant Surface Waters: Synthesis by Florida Natural Areas Inventory and Dept. of Environmental Protection/Office of Coastal and Aquatic Managed Areas of the following data: Outstanding Florida Waters, shellfish harvesting areas (Dept. of Agriculture and Consumer Services/Division of Aquaculture), seagrass beds (Florida Marine Research Institute), springs, and sub-basins (Dept. of Environmental Protection) that fully meet their designated use (DEP State Water Quality Assessment 305(b) report).

Floodplain: “Natural floodplain” is defined as wetlands adjacent to natural waterways, as recommended by Kathleen Swanson, DEP/Bureau of Submerged

Lands and Environmental Resources. All streams identified by the USGS Digital Line Graph 1:2,000,000 hydrography were used to represent the major riverine systems in Florida. All contiguous wetlands occurring within the drainage sub-basins of these rivers were included as floodplain. Wetlands identified as urban, developed, or agricultural by 1995 WMD landcover data were excluded so that the resulting data layer was "natural floodplain."

Groundwater Recharge

FNAI Florida Forever Aquifer Recharge layer



Compiled by Florida Natural Areas Inventory from the following sources: Suwannee River WMD (Floridan aquifer in the SRWMD); St. Johns River WMD (Floridan aquifer in the SJRWMD); Florida Geological Survey, 1995 Generalized Prime Recharge for Aquifers of Primary Use, Scale 1:250,000, Open File Map Series 69-82 (Floridan aquifer outside of SRWMD and SJRWMD, sand and gravel aquifer in the western panhandle, surficial aquifer along Atlantic coast north of St. Lucie County); Recharge rates to the intermediate aquifer system in the Southern West-Central Florida Ground-Water Basin, Southwest Florida WMD (intermediate aquifer in SWFWMD); Fairbank, P. and S. Hohner, 1995. Mapping Recharge (Infiltration/Leakage) throughout the South Florida Water Management District, Technical Publication 95-02 (surficial aquifer on east coast south of Indian River County); Dr. Thomas Missimer, Missimer International, Inc. (surficial aquifer in Lee, Collier and Hendry Counties.)

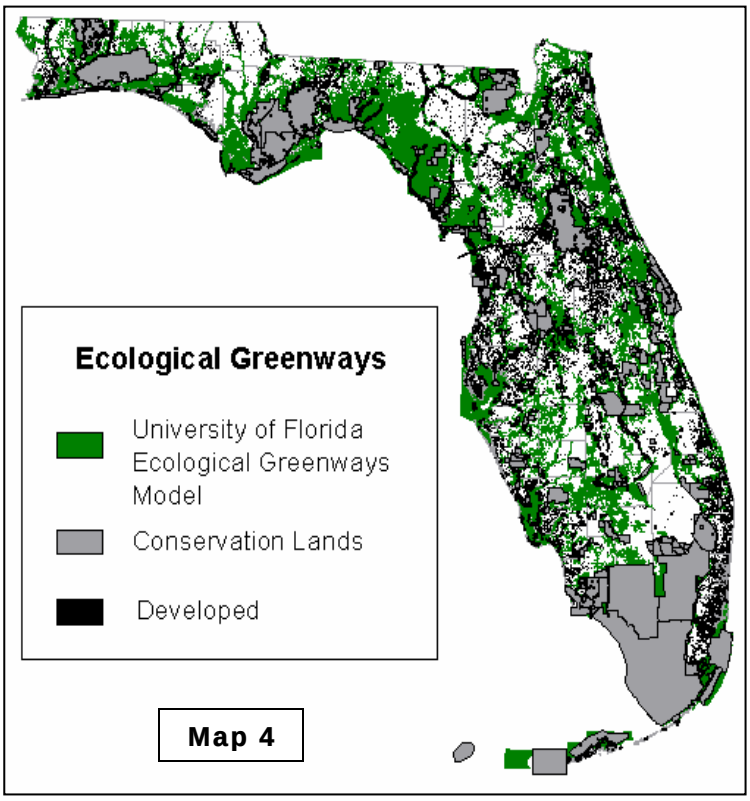
Wetlands

FNAI Florida Forever Functional Wetlands layer

Based on the National Wetlands Inventory. Degree of disturbance was assumed to be an indicator of functionality. Only those wetlands that were considered as natural landcover types by the WMD landcover data were included. Natural wetlands within FNAI Potential Natural Areas (PNA) were given higher priority than those outside PNAs.

Connectivity

Landscapes and Linkages



University of Florida / Office of Greenways & Trails Ecological Greenways

Ecological Greenways of the Statewide Greenways System Planning Project developed by the University of Florida and Dept. of Environmental Protection (DEP)/Office of Greenways and Trails (OGT). Ecological network results were prioritized by Tom Hoctor, Dept. of Wildlife Ecology and Conservation, University of Florida and approved by the Florida Greenways and Trails Council.

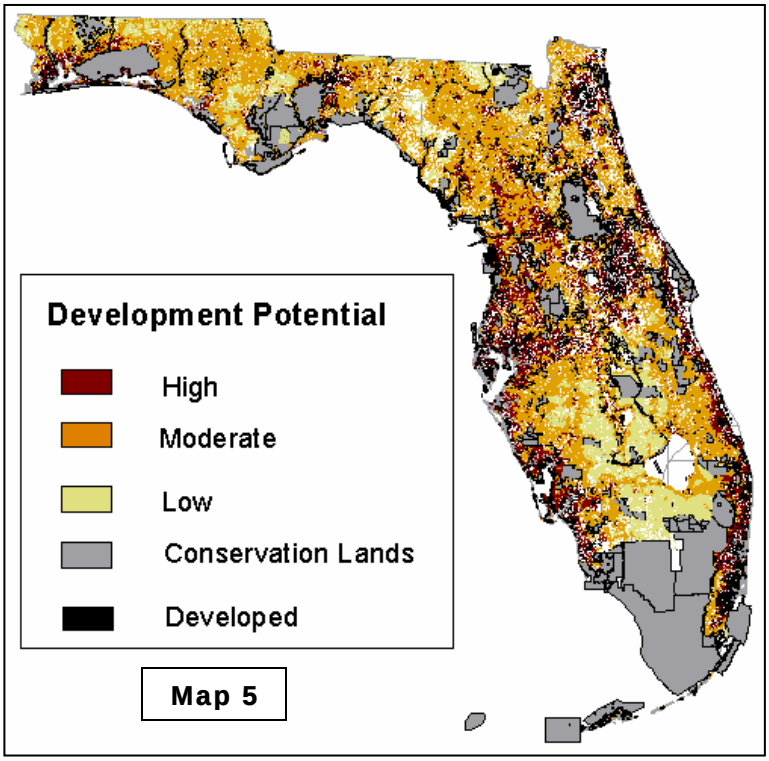
Ecological greenways were prioritized based on the following criteria:

(1) Potential importance for maintaining or restoring populations of wide-ranging wildlife species (e.g., Florida black bear and Florida panther; (2) importance for maintaining a statewide, connected reserve network from south Florida through the panhandle; (3) redundant landscape linkages that provide other important opportunities to maintain statewide connectivity; and, (4) importance as a riparian corridor to protect water resources, provide functional habitat gradients, and to possibly provide connectivity to areas within other states.

Development Pressure

Forest Conversion

Geoplan Growth Potential Model

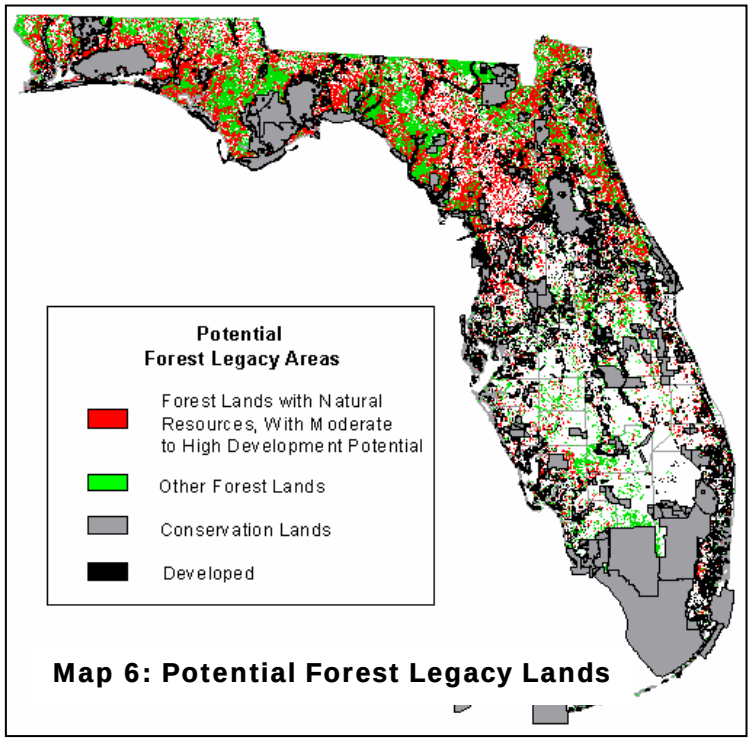


An analysis of anticipated land use conversion patterns from 2005 to 2030 based on buffers of existing developed areas, historic growth patterns, vacant land, and population projections.

The purpose of the Statewide Growth Potential Analysis is to identify areas with the greatest potential for conversion from non-urban to urban land uses. The model is intended to be used for statewide growth management decisions including agricultural and conservation land protection. The Growth Potential map displays the potential for parcels currently in non-urban land uses to be converted to residential land uses. The model is divided into four sections: Growth Potential based on Location, Historic Growth, Existing Vacant Residential and Projected Future Growth. Each of the four final data sets were weighted and combined. Exclusionary areas such as lakes, wetlands, and conservation lands are removed resulting in the Final Growth Potential Data Set.

This projection does not include conversion potential due to parcelization and fragmentation of private forest lands which is a major contributor to the loss of sustainable forest tract in north Florida.

Step 2. Data layers for each eligibility criterion were merged using the FNAI Geographic Information to show intercepts that meet these criteria. Map 6 depicts the lands that would qualify for Forest Legacy (highlighted in red) based on these intercepts. In developing these preliminary maps, the decision was made to initially include only those private forest lands with the resources summarized in the preceding section that were under moderate to high development threat based strictly on the Geoplan model. During the public participation process the natural resource criteria and development model impact were intended to provide participants with a starting place for discussion and evaluation of the program and its direction in Florida.



Map 6: Potential Forest Legacy Lands

B. Public Participation Plan

A comprehensive statewide public participation plan was crafted early in the AON process. This plan was designed to provide maximum opportunities for stakeholders and the general public to participate. Here are the major components of that plan:

1. Regional Stakeholder Workshops

Potential stakeholder groups were identified and a mailing list of more than 900 names was compiled from Division of Forestry Districts, web sites, and existing contact lists, including the Forest Stewardship Program mailing list. Targeted groups included landowners, forest industry, congressional delegation, state legislators, non-profit organizations, land trusts, consulting foresters, country conservation officials, Federal officials, state agencies, county foresters, and others. Everyone on the list was sent a regional stakeholder workshop invitation urging them to attend at least one of 8 workshops to be held around the state. District staff made follow-up calls to encourage people to participate.

Table 5: Public Workshops

County	Location	Date
Alachua	Doyle Conner Building - Gainesville, FL	09/17/03
Volusia	UF Agricultural Center - Deland FL	09/22/03
Nassau	Jacksonville District Office - Bryceville, FL	09/23/03
Jackson	Jackson County Extension Office - Marianna, FL	09/24/03
Okaloosa	Okaloosa County Extension Service - Crestview, FL	09/25/03
Polk	Bob Crawford Facility - Bartow, FL	09/29/03
Madison	UF AG Extension Service Office - Madison, FL	09/30/03
Charlotte	East Port Environmental Campus - Port Charlotte, FL	10/02/03

News releases and public notices were placed in local news outlets prior to the workshops, and articles were inserted in newsletters as opportunities arose. Each workshop was professionally facilitated. A summary of workshop details and results are on file in the Florida Division of Forestry – Forest Management Bureau (*see Appendix G for contact information*).

2. Division of Forestry Website and Response Form

The Division of Forestry began to publicize the Forest Legacy Program on its website as early as June 2003. The DOF posted general information about the program and upcoming public participation opportunities, including the dates and times for the eight regional stakeholder workshops.

The DOF provided an online response form for anyone who could not attend one of the workshops. The simple format allowed viewers to rank eligibility criteria and relate their knowledge about important forests that need to be conserved.

Figure 7: Sample Text from Division of Forestry Forest Legacy Web Site

Forest Legacy Is Coming To Florida...

Forestlands not only supply timber products, but also provide wildlife habitat, watershed protection, and recreation and aesthetic values. The rapid development of Florida's forest areas to non-forest uses poses an ever-increasing threat to maintaining the state's valuable forestlands. Fragmentation and parcelization across our state is resulting in the loss of these valuable ecosystems and the biological, economic and social values they provide.

About 750 people move to the state every day and more and more forests are converted to non-forest uses. Each day about 240 acres of Florida's forests disappear. How much and which forests should we conserve for our children and their children? The Forest Legacy Program can help us do that by complimenting the state's existing conservation programs, including the Rural and Family Lands Protection Program.

3. Direct Contact with Division Personnel

Ed Kuester, Forest Legacy Program Coordinator for the Division of Forestry, was named the point of contact, available and District personnel were available to answer questions or take recommendations via email, telephone, or in writing.

4. Public Input Summary

Approximately 140 people helped shape the proposed Forest Legacy program: 118 stakeholders at eight regional workshops, 18 members of the State Forestry Stewardship Coordinating Committee, and several by mail or through the Division of Forestry's Forest Legacy web site. Some of the interests represented included those listed in Table 6 below.

Table 6: Cross-section of Workshop Participants

County conservation officials	Private landowners	County foresters
National conservation groups	Academia	Local land trusts
Private land managers	Consulting foresters	Extension service
Municipal planners	State agencies	News media
Federal agencies	Trail associations	General public

At each workshop participants were asked for input on Forest Legacy Areas. After an explanation of what FLAs were and criteria would be used to identify potential FLA lands, participants were specifically asked if Florida should concentrate on specific areas or use a broad approach. While this would have been an opportunity for regional participants to recommend focusing on important forest resources in their area, participants at all of the meeting urged us to use the broadest approach practical in establishing our Forest Legacy Areas.

The following statements are typical of the general comments:

- Include a wide variety of regional focus areas identified in the stakeholder workshops in the Forest Legacy Areas.
- All of Florida should be included in the program and there should be as broad an approach as possible.
- Forest Legacy areas should be large so as not to exclude potentially good projects.
- Make the Forest Legacy Areas (FLAs) broad to allow maximum flexibility. The state's development dynamics are rapidly changing.
- High development areas should be excluded since they will yield fewer benefits for the dollars spent.
- Could reduce fear of government by keeping easements simple, not imposing more regulations, and making sure the deal is mutually beneficial.
- Make this program available to the small non-industrial private landowners—not merely the industrial and institutional owners.

Support for the Forest Legacy Program: Everyone supported the program, although a few private landowners expressed a preference for term limited easements, and a few were apprehensive about dealing with government.

Preferred Eligibility Criteria: The following matrix shows the top 10 criteria from each of the eight stakeholder workshops, other written input, suggested new criteria, and the overall rank of the criteria. While the ranking of specific criteria varied from meeting to meeting, the top ten criteria identified in the public meetings were identical to the criteria identified by the working group in May, 2003.

Table 7: Preferred Eligibility Criteria (Top 10 in Outline Box)

Criterion	Gainesville	Deland	Bryceville	Marianna	Crestview	Bartow	Madison	Port Charlotte	Other	Score	Rank
Fish/Wildlife [2]	3	7	2	5	1	2	1	5	5	68	1
Conversion Threat [2]	6	4	1	4	1	6	6	2	2	67	2
Watershed [2]	1	0	2	7	4	1	2	1	7	63	3
Sustainable Forestry [2]	1	1	2	5	0	7	4	9	6	53	4
T & E [2]	8	3	3	9	4	3	0	4	3	51	5
Connectivity [2]	3	6	2	10	8	4	9	8	1	38	6
H20 Recharge [2]	0	2	2	2	7	9	3	0	8	44	7
Wetlands [2]	5	8	4	0	3	5	7	5	9	42	8
Floodplain [2]	9	10	2	8	8	7	8	2	0	34	9
Nat. Communities [2]	0	5	0	0	8	0	0	8	4	19	10
Historic/Cultural	0	0	0	0	0	0	10	0	0	11	11
Recreation/Scenic	0	0	5	0	0	0	0	0	0	6	12
Ownership	10	9	0	0	0	0	0	0	0	3	13
Geologic features	0	0	0	0	0	0	0	0	10	1	14
New Criteria Added by Groups (Too few votes to make master list)											
Benefit NIPFO	0	0	0	1	0	0	0	0	0	10	1
Old Growth	0	0	0	2	0	0	0	0	0	9	2
Landowner Rights	0	0	0	0	0	5	0	0	0	6	3
Eradicate Exotics	0	0	0	0	0	0	0	5	0	6	3
County Acquisition List	6	0	0	0	0	0	0	0	0	5	4
Fire Interface	0	0	0	0	6	0	0	0	0	5	4
In-holding/buffer	0	0	0	0	0	10	0	0	0	1	5

1. Score determined from ranked position: 1st=10 pts, 2nd= 9 pts, etc
2. Identified as high priority by State Forest Stewardship Coordinating Council (SFSCC)

C. Summary Findings for Forest Legacy from Public Input

Support for Objective Resource Criteria: The initial recommendations of the SFSCC Working Group identified potential Forest Legacy lands using the SFSCC's tentative resource criteria. Input from the ***public participation process supported the objective scientific resource criteria*** established by the SFSCC/DOF working group.

Threat of Conversion: While the SFSCC Working Group initially looked at development threat, various publics told us the whole state is threatened by burgeoning development, a perception verified by statistics. People characterized these threats as "severe" and "eminent". By 2030, the state's population will have doubled to more than 30 million, and another 5-7 million acres of forest will have been lost. In addition to traditional development, participants emphasized the additional conversion threat posed by parcelization and fragmentation resulting from the sell-off of large industrial and institutional forest ownerships. Consensus was that the threat of conversion to non-forest uses from urban sprawl combined with the threat from fragmentation and parcelization were equal for all remaining private forest lands in Florida. It was confirmed that the Geoplan model did not consider parcelization and fragmentation. Therefore, ***the Geoplan development model was not used for limiting the boundaries of Forest Legacy Areas, but will be used instead to assist in prioritizing individual projects***.

Partnerships: Another key observation and comment made during the public participation process pertained to the ***continuation of past forest land conservation efforts and utilizing partnerships to facilitate this effort***. In addition to those state agencies and water management districts acquiring land and easements to conserve natural resources, since 1988, twenty-six Florida counties have established dedicated sources of funding for land conservation. As a result of this local government initiative, more than 169,000 acres of land have been conserved at a total cost of $831 million. While it is anticipated that the various state and water management district programs will provide the majority of the partnership opportunities, these counties deserve the opportunity to "partner" with the Forest Legacy Program on future acquisitions, making these counties prime sources of matching funds. Additionally, the Rural and Family Lands Protection Program, if funded by the state legislature, will provide increased opportunities to private, non-industrial forest land owners who want to enter into easements to continue sustainable forestry practices important to maintaining the economic viability of Florida's forests. It should be noted that the state, water management district, and many county programs use the same scientific based GIS data being utilized by Forest Legacy for evaluating and prioritizing potential conservation projects. Since each of these programs relies a great deal on partnerships to leverage dollars, there is a great deal of strategic conservation planning undertaken at the regional and statewide level. Forest Legacy will provide an incentive to partners to direct program funds to the conservation of important and strategic forest lands.

VI. Establishing Forest Legacy Areas

With Florida's long history of land conservation over 8.8 million acres of conservation lands (private, local, state and federal) have been protected, with over 5.4 million of these acres being forest lands. The disbursement of these protected forest lands is statewide. Recognizing that rapid growth and development in the state will continue to consume many of our remaining natural resource lands, Florida's conservation efforts have concentrated on expanding existing conservation areas, and making critical connections between many of these protected areas statewide. Florida's forests play an integral part in this effort, and the Florida's Forest Legacy Program will work to support these efforts.

All of Florida's major conservation programs use comparable GIS supported scientific data to evaluate, select, and prioritize lands for acquisition in fee title and conservation easements. Each of these programs has identified more high quality projects than funding to a pursue them, and as a result, are always looking for partners to leverage program dollars. While project quality is paramount, cost share dollars often influence programmatic decisions.

Whether it's providing habitat for the Florida Panther and black bear in Southwest Florida, providing regional ecosystem linkages in Northeast and Northwest Florida, protecting critical water resources in Big Bend, or helping preserve Florida's timber industry throughout the Northern half of the state, opportunities for Forest Legacy abound throughout Florida.

Using the science based criteria proposed by the SFSCC and supported by public input, the Division of Forestry has identified Forest Legacy Areas that meet these criteria and support Florida's Forest Legacy program goals and objectives. In recommending FLA boundaries to the SFSCC, the Division of Forestry concentrated on areas of the state that provided the best opportunity to buffer and connect existing conserved areas via active partner projects.

Florida's Forest Legacy Areas are:

- **North Florida FLA** consists of eligible forest lands within all or part of the following counties: Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Franklin, Liberty, Gadsden, Wakulla, Leon, Jefferson, Taylor, Madison, Hamilton, Suwannee, Lafayette, Dixie, Levy, Gilchrist, Columbia, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Seminole, Orange, Brevard, and Indian River.
- **South Florida FLA** consists of eligible forest lands within all or part of the following counties: Hardee, Highlands, DeSoto, Charlotte, Glades, Lee, Hendry, and Collier.

A. North Florida FLA

1. General Description:

This 42-county area contains some of the most productive commercial forestland in the state. Sustainable forestry is the key to much of the region's economic stability. Dozens of processing mills provide jobs to thousands in local communities.

Most of the land conservation is undertaken by the State and the state's five water management districts (only small areas in the southern ends of this FLA fall within the boundaries of the Southwest and South Florida Water Management Districts). County land conservation programs are also very active in the eastern portion of the area, with several counties expressing strong support for the Forest Legacy Program.

Dozens of significant river basins wind their way through this region; the most prominent being the Perdido, Escambia, Blackwater, Wacissa, Yellow, Choctawhatchee, Holmes, Chipola, Apalachicola, Ochlockonee, Aucilla, St. John's, Suwannee, and Withlacoochee Rivers. This region produces 80% of the state's drinking water supply, and is the major source of water for 80% of the state's population residing in the southern half of the state.

Other important features include natural springs, numerous large water bodies including Lake George, Crescent, Santa Fe, Wimico, Talquin, and Monroe, and highly productive forestlands.

The Nature Conservancy calls northwest Florida one of the nation's "hot spots" because of its biodiversity and development risk. This area includes the proposed Northwest Florida Greenway Corridor Project (Refer to map in Appendix C ~ Other Maps). The Nature Conservancy and the 1000 Friends of Florida have proposed this multi-county project to the following partners: Department of Defense (Eglin AFB), Florida Department of Environmental Protection (DEP), University of West Florida, and Okaloosa County Economic Development Council. While not yet an adopted project, this corridor could, if adopted, provide a number of high quality Forest Legacy projects over the next few years.

Major publicly-conserved lands include the Blackwater, Pine Log, and Tate's Hell State Forests, Eglin AFB, Apalachicola National Forest, Osceola National Forest, Ocala National Forest, and numerous State Forests, Parks, and Refuges including Manatee Springs Parks, Waccasassa Bay Preserve, Goethe State Forest, Big Bend Wildlife Management Area, and Camp Blanding Military Reservation.

Other features include important wildlife habitat and natural communities for imperiled species such as the Florida black bear, Red-Cockaded Woodpecker, Chapman's rhododendron, and tropical waxweed.

2. Conversion Threats:

In the Panhandle development is creeping northward from major Gulf coast population centers. The Jacksonville metropolitan area sprawl is moving rapidly north to the Georgia state line and west toward the Osceola National Forest. Water quality in major river basins is at risk. Other rapidly-developing areas include the coastal cities south of Jacksonville to Brevard County, such as Daytona. Expansion has moved west beyond the I-95 corridor and continues to accelerate. The last pockets of coastal forest are at high risk. Interior cities such as Orlando, Lake City, Gainesville, and Ocala are also expanding at alarming rates. The influences from Orlando attractions now reach out at least 50 miles in all directions.

Large industrial ownerships in this area continue to sell-off industrial forestlands (St. Joe Paper, Rayonier, International Paper, etc.) to speculators and developers. Parcelization is also an issue as affluent buyers from south Florida purchase large parcels for ranches, retirement, or investment.

3. Public Benefits:

- Stabilization of the forest-based economy
- Fish and wildlife habitat, including Threatened and Endangered Species
- Established wildlife corridors
- Conserved natural springs
- Safe, potable water supplies
- Critical Natural Community conserved
- Public lands buffers
- Curb parcelization and fragmentation of forest resources
- Public Recreational Opportunities on fee purchased lands

B. South Florida FLA

1. General Description:

There are only 8 counties in this Forest Legacy Area. The counties in this region lies mostly south of the prime, forested areas of the state, but contains unusual natural communities critical to the state's ecosystems. It is an area characterized by heavy development along the Gulf coast from Tampa-St Petersburg to Naples, with large tracts of undeveloped farmland, citrus groves, sugar cane, wetlands, and large private ranches. Florida's National Scenic Trail Corridor passes through most of this area. While the area still supports a viable commercial forest industry, forest vegetation is generally non-commercial, but contains pockets (some quite large) of critical forest habitat.

At the southern end of the area are the famous Everglades National Park and Big Cypress Swamp. Many of the waterways in the northern part of this area feed these great ecosystems and are vital to their health.

Although commercial forestland is not a prominent feature of the landscape, there is still an interesting mix of forested natural communities. In general, wetlands, canals, citrus groves, agriculture, and pockets of forest characterize the landscape.

Water dominates the area and provides much of the water supply for the Everglades ecosystem. The Lake Okeechobee is the largest inland water body in Florida and is located on the eastern border of this FLA. In addition to the headwaters of Fisheating Creek, other major river basins include the Peace and Caloosahatchee.

Significant public lands include the Loxahatchee National Wildlife Refuge, Myakka River, Lake Manatee, Highlands Hammock, and Oscar Scherer State Parks, and Everglades National Park at the south end.

2. Conversion Threats:

Clearly, the major threat to conversion is the expanding development and sprawl from coastal communities and cities. On the west coast, Tampa-St. Petersburg, Sarasota, Port Charlotte, Fort Myers, and Naples have all expanded eastward beyond the I-75 corridor. Other threats are coming from conversion of forested lands to agriculture and mining.

3. Public Benefits:

- Fish and wildlife habitat, including Threatened and Endangered Species
- Established wildlife corridors
- Safe, potable water supplies
- Public lands buffers
- Curb parcelization and fragmentation of forest resources
- Public Recreational Opportunities on fee purchased lands

C. Forest Legacy Area Goals

As outlined in the introduction of this assessment Florida's program goals for Forest Legacy are to:

1. Conserve important forested communities to enhance the environmental, social, and economic health of the state.
2. Seek established public conservation partners to leverage federal funding.
3. Pursue high quality forest lands that support statewide strategic conservation efforts.
4. Mitigate the state's rapid loss of environmentally important forests, focusing on those which are threatened by conversion from all sources.
5. Respect the property rights of private landowners by limiting participation to willing sellers.

While these goals pertain to Forest Legacy lands throughout the state, the environmental, social and economic health benefits of the program (Goal No. 1) vary for Florida's two Forest Legacy Areas.

To capture these differences, Florida has established additional FLA goals for Forest Legacy in Florida as follows:

- **North Florida FLA Goals**

  1. Support sustainable forestry practices important to the area's economic viability.
  2. Focus on riverine systems, aquifer recharge, and natural spring protection.
  3. Conserve critical fish and wildlife habitat including threatened and endangered species such as the black bear and red cockaded woodpecker.
  4. Outreach to private, non-industrial forest landowners to participate in FLP, where practical.

- **South Florida FLA Goals**

  1. Maintain a healthy flow of clean water vital to rapidly expanding coastal communities and the Everglades Natural Communities, flora and fauna.
  2. Conserve critical fish and wildlife habitat including threatened and endangered species such as the Florida Panther, black bear, and whooping crane.

D. Limitations on Eligibility

Within each of the Forest Legacy Areas, the eligible lands for Forest Legacy are limited to those that:

1. Support sustainable forestry as defined in the *Florida Forever Sustainable Forestry data layer*, and meet or exceed the minimum forest cover requirement as provided for in the FLP National Guidelines; and
2. Provide one or more of the following scientifically supported, resource benefits defined under the natural resource criteria:
   a. Fish & Wildlife Habitat - *FNAI Habitat Conservation Priorities for Rare Species and FWC Strategic Habitat Conservation Areas*
   b. Threatened & Endangered Species - *FNAI Element Occurrence Database*
   c. Natural Communities - *FNAI Florida Forever Under-represented Natural Communities layer*
   d. Watershed Values - *FNAI Florida Forever High Quality Watersheds layer*
   e. Groundwater Recharge - *FNAI Florida Forever Aquifer Recharge layer*
   f. Wetlands - *FNAI Florida Forever Functional Wetlands layer*
   g. Landscapes and Linkages - *University of Florida/Office of Greenways & Trails Ecological Greenways*;

E. Forest Legacy Area Summary

Table 8 is a breakdown of the Florida's two Forest Legacy Areas. The combined area of the two FLAs covers less than 50 percent of Florida's 34.6 million acres. In addition to the remaining private forest lands with significant natural resource values, each FLA includes pockets of public conservation lands, developed lands, agricultural lands, and forest lands that do not meet the eligibility criteria for Forest Legacy. These non-Forest Legacy lands account for about 40 percent of the combined Forest Legacy Areas (38% in the north and 65% in the south).

Table 8 – Forest Legacy Area Acreage Breakdown Chart by Region

	A	B	C	D	E	F	G	H
FLA	**FLA Acres**	**Conserved Forest with Resources**	**% of FLA (1)**	**Private Forest with Resources**	**% of FLA (2)**	**Private Forest in Partner Projects**	**% of FLA (3)**	**% of Column D (4)**
North Florida	15,004,270	3,820,291	25%	9,352,156	62%	1,591,164	11%	17%
South Florida	1,580,977	266,935	17%	554,774	35%	282,115	18%	51%
Total	16,585,247	4,087,226	25%	9,906,930	60%	1,873,279	11%	19%

(1) Percent of FLA with forest cover already conserved. [B/A]

(2) Percent of FLA with forest land with resources not already conserved [D/A]

(3) Percent of FLA with forest land with resources in Partner Projects [F/A]

(4) Percent of remaining private forest lands in Partner Projects [F/A]

To recognize the importance of partnerships to Florida's Forest Legacy Program, eligible forest lands within existing partner project boundaries have been identified, and it is anticipated that they will be the primary source of projects for Forest Legacy in Florida. While there are nearly 10 million acres of potential forest legacy lands within the two FLAs, column F in Table 8 shows that less than two million of these acres lay within existing partner projects.

Florida's conservation programs have a willing seller requirement which prohibits the listing of property on any acquisition list without landowner consent. Therefore, many outstanding forest tracts are not presently within established projects, but are monitored for availability. When the window of opportunity is opened, conservation program partners move quickly to incorporate these tracts into existing projects or create new projects to accommodate them. Florida's Forest Legacy Program will work with program partners to identify and encourage the acquisition the highest quality forest resources from willing sellers.

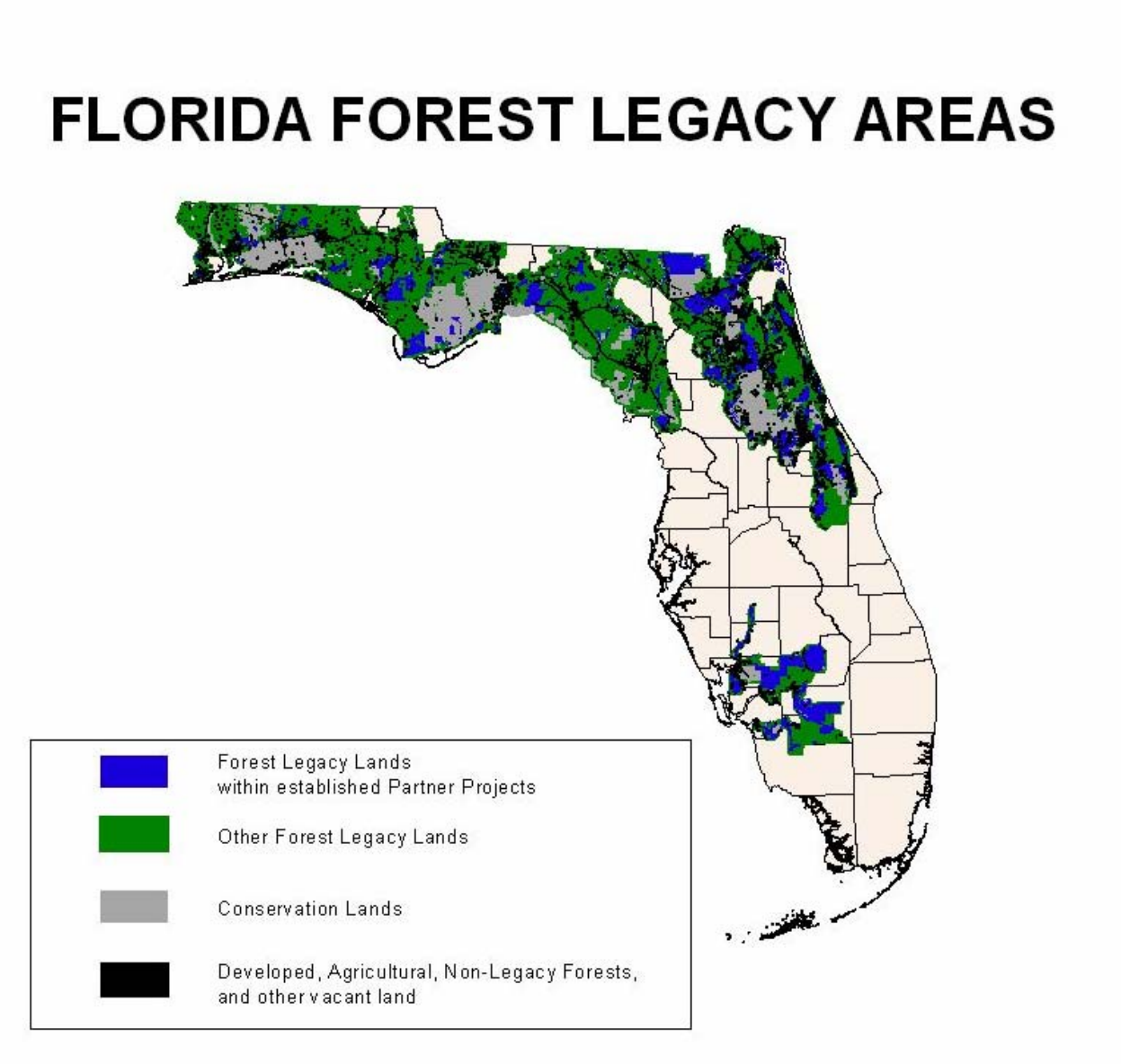
Map 7 shows the boundaries of Florida's two Forest Legacy Areas. While the protection of other resources competes for program dollars, the dark blue shaded areas on the map reflect FLA lands currently identified by major state conservation programs for acquisition in fee or less than fee. As can be seen on the map, many of these projects are part of a statewide conservation strategy with projects designed to connect protected lands (shaded in gray), or work toward establishing conservation corridors. The green shaded areas on the map provide a glimpse of the challenge that lies ahead for conserving Florida's rapidly dwindling forests. These areas provide the best opportunity to continue the strategic conservations efforts currently underway by providing additional linkages and/or buffers. The

green and blue shaded areas combined comprise Florida's Forest Legacy lands within its FLAs.

While most major developed areas of the state have been cut out of the FLAs, there are pockets of development, agriculture, and other non-forested, undeveloped land that remain within the boundaries of the two FLAs. These areas are depicted on the map as black shaded areas, with over 1.8 million acres in the North Florida FLA and over 750,000 acres in the South Florida FLA.

F. Florida's Forest Legacy Area Map

Map 7: Florida's Forest Legacy Areas



VII. Evaluating Tract Applications

A. Application & Evaluation Process

Anyone can submit tract applications, which will be accepted on an on-going basis. The following review steps will be used for each nomination:

1. Initial Review of Application by Division of Forestry

- Review the application within 30 days to assure it has sufficient information.
- Determine whether the project is within the approved FLA and meets the FLP guideline for forest cover.
- Notify the applicant of preliminary acceptance and schedule the application for final review.
- Establish a deadline 30 days prior to the SFSCC meeting at which projects are ranked for projects to qualify for the current FLP funding cycle.

2. Technical Review of Applications by Division of Forestry

- Complete a scientific resource evaluation for each project based on resource criteria established in the AON.
- Using available GIS data locate and determine strategic connectivity or potential connectivity with other protected areas.
- Determine degree of development, parcelization, and/or fragmentation utilizing Geoplan data and other available sources.
- A site visit and inspection of the actual property is required for properties being considered. The lead agency may perform the site visit, or rely on an independent inspection and report performed by another entity qualified to perform such an inspection.
- Notify applicants if the parcel meets established selection criteria. Applications not meeting the selection criteria shall be rejected and not forwarded to the SFSCC.
- DOF shall prepare a set of recommendations to the SFSCC along with 1) the application, and any supporting maps and documentation provided by the applicant; and, 2) the Project Evaluation Form (Appendix G) scoring the Resource, Strategic, Threat and Readiness of the project.

B. Project Approval and Prioritization Process

1. Final Project Approval and Ranking

- DOF recommendations shall be submitted to SFSCC annually approximately 60 days prior to date established by FS regional unit for submittal of projects for inclusion on *Project Opportunity List*. SFSCC shall be provided the technical review and supporting documentation on

the importance, threat, readiness, and strategic nature of each tract, along with a recommendation of the State Lead Agency as guidance for the SFSCC's evaluation and recommendation for prioritization. The SFSCC shall also consider the degree to which the project meets the Established FLA Program Goals and specific FLA Goals in prioritizing each project. SFSCC shall use the objective technical evaluation, but may consider other social, economic, cultural, environmental and political aspects of the project in its decision process.

- SFSCC shall have up to 30 days to evaluate projects and make its recommendations to DOF as the state lead agency, but the SFSCC must complete its final recommended project prioritization list at least one week prior to the deadline established by FS regional unit for submittal of projects for inclusion on *Project Opportunity List*.
- Applicants will be notified of the final project ranking once the SFSCC has completed their assessment and made its recommendations through the State Forester.
- After SFSCC approval, the Division of Forestry, as state lead agency shall submit the prioritized list of projects to USDA Forest Service for inclusion on the *Project Opportunity List* for national ranking and funding.

Table 9 depicts the application and selection criteria that will be used for evaluating all of Florida's FLP projects. These criteria will be used as guidelines by the SFSCC, subject to revision as experience dictates.

Table 9: Florida Forest Legacy Project Selection Criteria

Application Criteria	Description
1. Forest Legacy Area	Forest land must meet one or more approved FLA resource criteria (see below).
2. Willing Landowner	Landowner must provide written expression of interest and willingness to participate in FLP.
3. Sufficient Forest Cover or Potential	Consistent with FLP guidelines.
4. Partnerships & Local Match	Partnerships with local, state, or other conservation groups providing at least 25% of project costs from non-federal cash or in-kind. Partnerships with other federal management agencies are encouraged but can not be included in 25% local match requirement.

Selection Criteria	
Resource Criteria	**Description**
1. Sustainable Forestry	FNAI Florida Forever Sustainable Forestry layer o Forest Type & Condition
2. Fish & Wildlife Habitat	FNAI Habitat Conservation Priorities for Rare Species and FWC Strategic Habitat Conservation Areas
3. Threatened & Endangered Species	FNAI Element Occurrence Database
4. Natural Communities	FNAI Florida Forever Under-represented Natural Communities layer
5. Watershed Values	FNAI Florida Forever High Quality Watersheds layer o Significant Surface Waters o Floodplain: "Natural floodplain"
6. Groundwater Recharge	FNAI Florida Forever Aquifer Recharge layer
7. Wetlands	FNAI Florida Forever Functional Wetlands layer
8. Landscapes and Linkages	University of Florida/Office of Greenways & Trails Ecological Greenways
Other Selection Criteria	**Description**
1. Strategic Connectivity	Contiguous or adjacent to other public and protected lands, or lands slated for purchase as part of an established conservation project.
2. Threat of Conversion	Conversion to non-forest use o Development Pressure from GeoPlan Model o Parcelization Threat o Fragmentation Threat
3. Readiness	Clear description of project's current status; timeline for completion.

Note: Application Criteria shall be considered along with the Selection Criteria for the final evaluation and prioritization by the SFSCC.

VIII. Land Acquisition Strategies and Requirements

A. Title Interests

Conservation efforts in Florida have traditionally focused on fee purchases, but a trend towards more conservation easement acquisitions can be seen in recent years. With respect to the title interest acquired, Florida's Forest Legacy Program intends to rely on the requirements of the local matching partner and focus its evaluation strictly on:

- the quality of the forest resource proposed for conservation;
- the number and quality of FLP selection criteria met;
- the threat of conversion on that resource; and,

- project readiness (commitment from partner, willing seller, and likelihood of success)

While programs like the Rural and Family Lands Protection Program are 100% less than fee, other major state programs are still predominantly fee acquisitions programs providing natural resource conservation and public recreation opportunities.

Florida law provides guidance to all entities on easement provisions for conservation purposes. Section 704.06, Florida Statues states:

> "conservation easement" means the right or interest in real property which is appropriate to retaining land or water areas predominantly in their natural, scenic, open, agricultural, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; retaining the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance; or maintaining existing land uses and which prohibits or limits any or all of the following:
>
> (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground.
>
> (b) Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials.
>
> (c) Removal or destruction of trees, shrubs, or other vegetation.
>
> (d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface.
>
> (e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition.
>
> (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
>
> (g) Acts or uses detrimental to such retention of land or water areas.
>
> (h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

Within Section 570.71, Florida Statutes which created the Rural and Family Lands Protection Act it states:

> (3) Rural-lands-protection easements shall be a perpetual right or interest in agricultural land, which is appropriate to retain such land in predominantly its current state and to prevent the subdivision and conversion of such land into other uses. This right or interest in property shall prohibit only the following:
>
> - Construction or placing of buildings, roads, billboards or other advertising, utilities, or structures, except those structures and unpaved roads necessary

for the agricultural operations on the land or structures necessary for other activities allowed under the easement, and except for linear facilities described in s. 704.06(11);

- Subdivision of the property;
- Dumping or placing of trash, waste, or offensive materials; and
- Activities that affect the natural hydrology of the land or that detrimentally affect water conservation, erosion control, soil conservation, or fish or wildlife habitat, except those required for environmental restoration; federal, state, or local government regulatory programs; or best management practices.

B. Acquisition and Management Requirements and Assurances

1. Appraisals for FLP projects shall be prepared and reviewed following the Uniform Appraisal Standards for Federal Land Acquisitions as outlined in the Forest Legacy Program Implementation Guidelines.
2. Title to interests acquired shall be held by one or more of the qualified, local matching entities under the FLP State grant option.
3. Land management or easement monitoring shall be the responsibility of the entity or entities holding the title interest. The Division of Forestry, as lead state agency will provide sufficient oversight to assure that all FLP requirements are met.
4. Public access will not be required on conservation easement acquisitions, but may be pursued by the acquiring entity on a case by case basis. Public access is typically provided on fee purchases and designed to protect rare communities or species.
5. All tracts where either conservation easement or fee-purchase is used will have a comprehensive, forest stewardship or multi-resource management plan developed and used. These will be approved by the State Forester or her/his designee.

IX. Appendix - Florida Forest Legacy Assessment of Need

A. List of Tables, Figures, and Maps

B. Bibliography

C. Florida Natural Areas Inventory Maps

1. MG1 & G 2—Sustainable Forest Management [1]
2. MB 2—Priority Conservation Areas for Rare Species [1]
3. MS 1—Strategic Habitat Conservation Areas [1]
4. MB 4—Under-represented Natural Communities [1]
5. MC 5—Significant Surface Waters [1]
6. MC 4—Natural Floodplain [1]
7. MC 8—Functional Wetlands [1]
8. MD 3—Aquifer Recharge [1]
9. MB 3—Significant Landscapes, Linkages, and Conservation Corridors [1]

Other Maps:

10. Geoplan Growth Allocation Model
11. Proposed Northwest Florida Greenway Corridor
12. Florida's Forest Legacy Areas

D. Statewide Forest Stewardship Coordinating Committee Membership

E. Proposed Application Form and Draft Procedures

F. Forest Legacy Project Application

G. Forest Legacy Project Evaluation Form

H. Authorizing Legislation

I. Contact Information

1. Used for eligibility criteria for Forest Legacy Areas

Appendix A: List of Tables, Figures, and Maps

Appendix B: Bibliography

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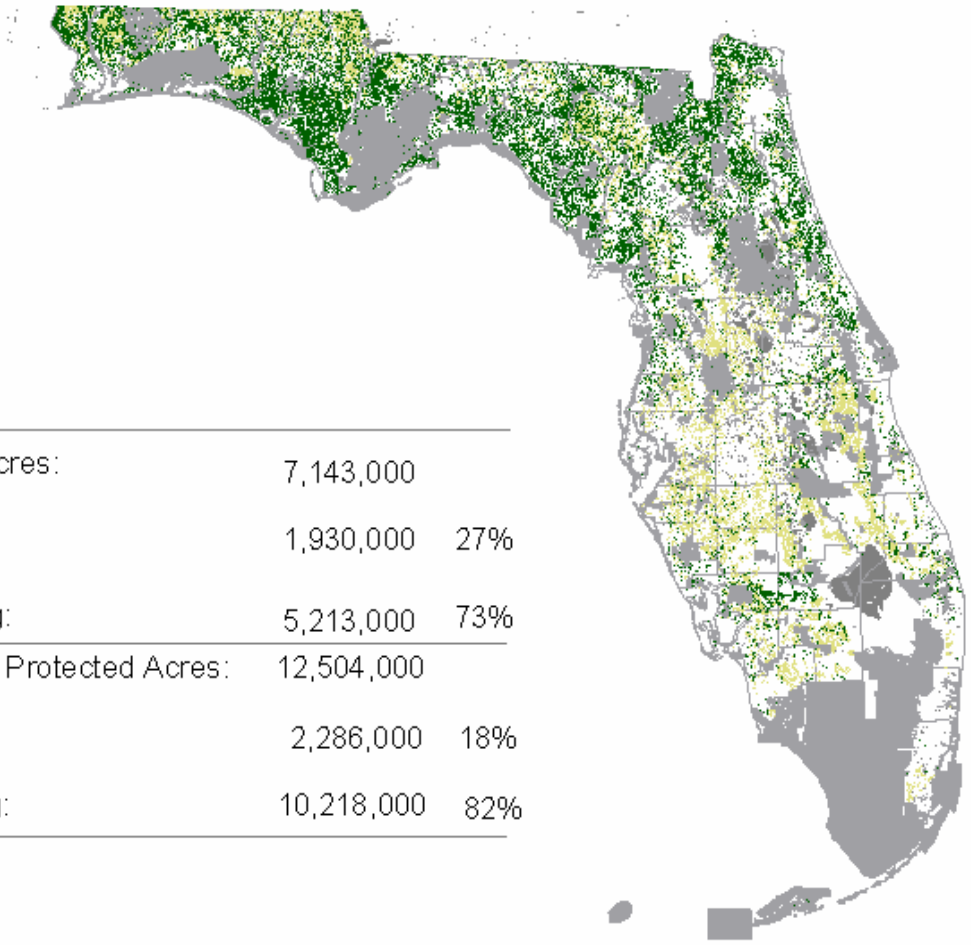
Appendix C: FNAI Maps

Measures G1 & G2 - Sustainable Forest Management
Source: Florida Natural Areas Inventory, based on Water Management District Land Use Landcover Data



Existing Acres:	7,143,000	
Protected:	1,930,000	27%
Remaining:	5,213,000	73%
Existing & Protected Acres:	12,504,000	
Protected:	2,286,000	18%
Remaining:	10,218,000	82%

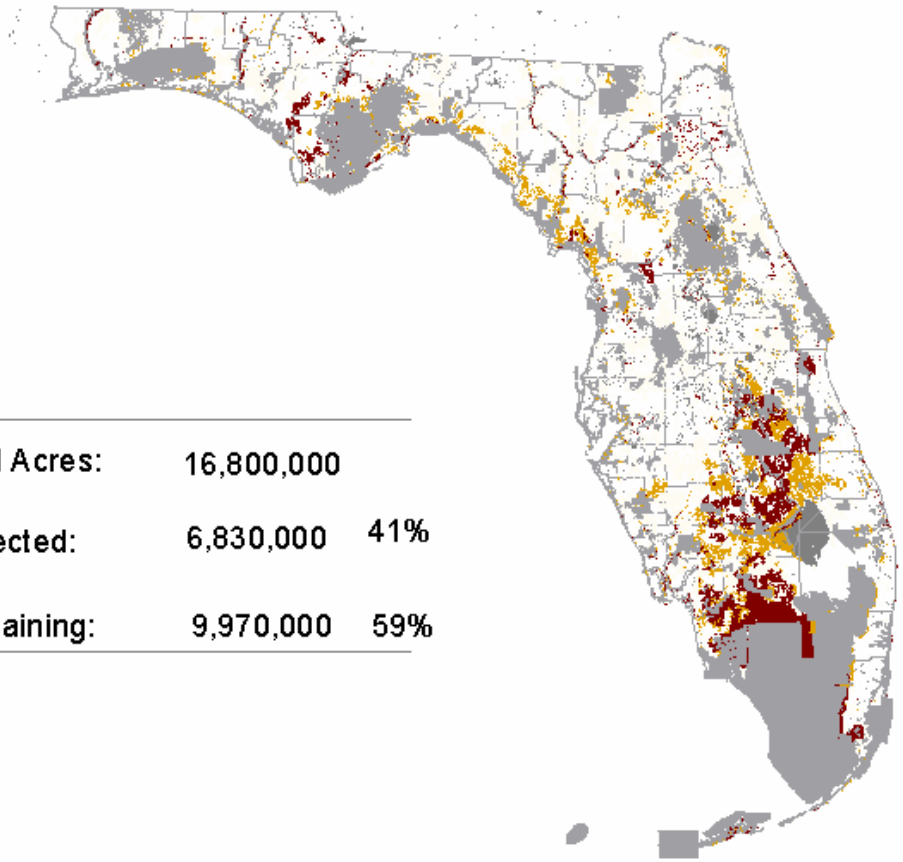
Legend

Pine Forest

- Existing
- Potential
- Conservation Lands or Tribal Lands
- Water

Appendix C: FNAI Maps

Measure B2 - FNAI Priority Conservation Areas for Rare Species
Source: Florida Natural Areas Inventory



Total Acres:	16,800,000	
Protected:	6,830,000	41%
Remaining:	9,970,000	59%

Legend

Habitat Conservation Priorities

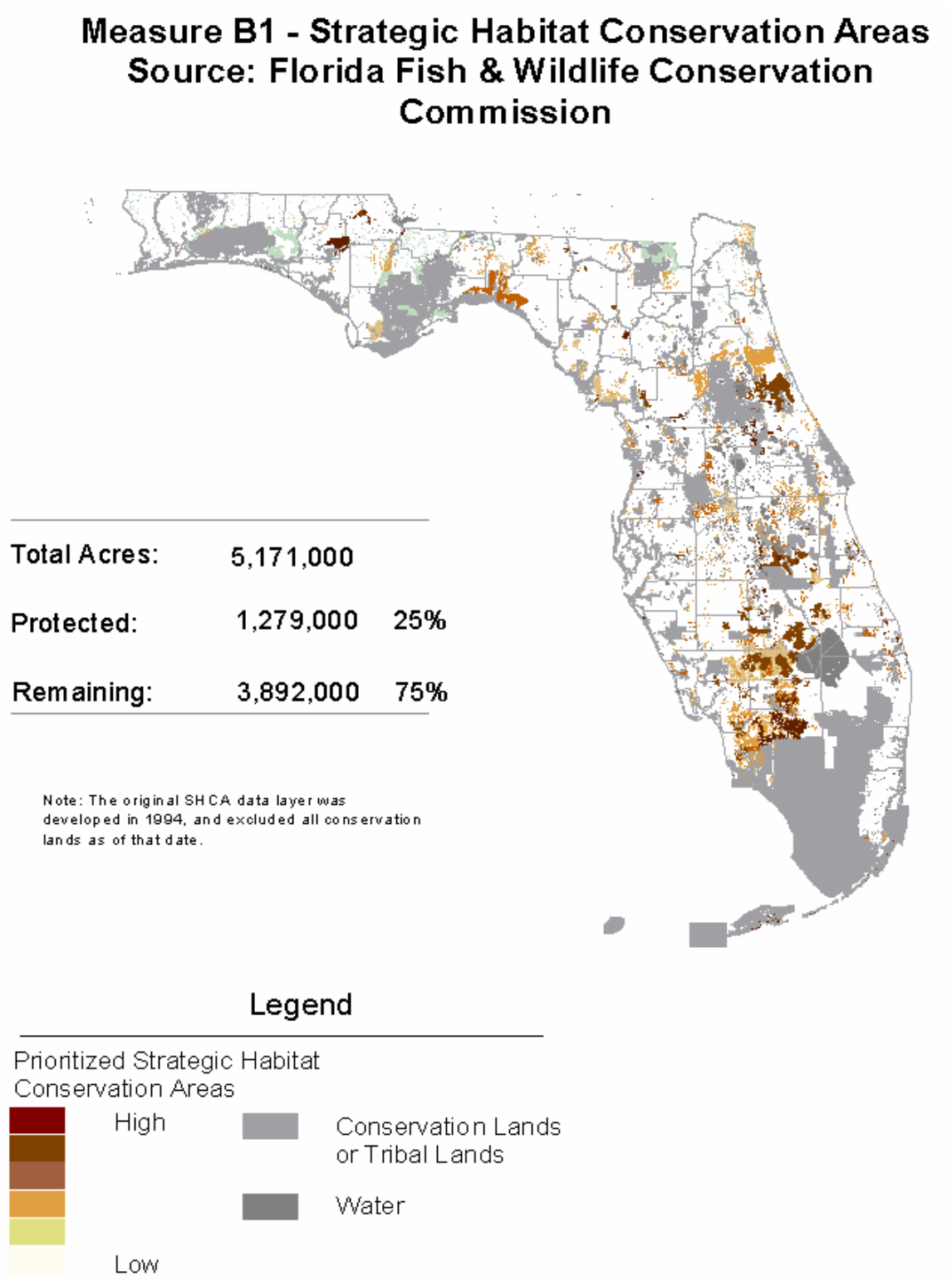
High

Low

Conservation Lands or Tribal Lands

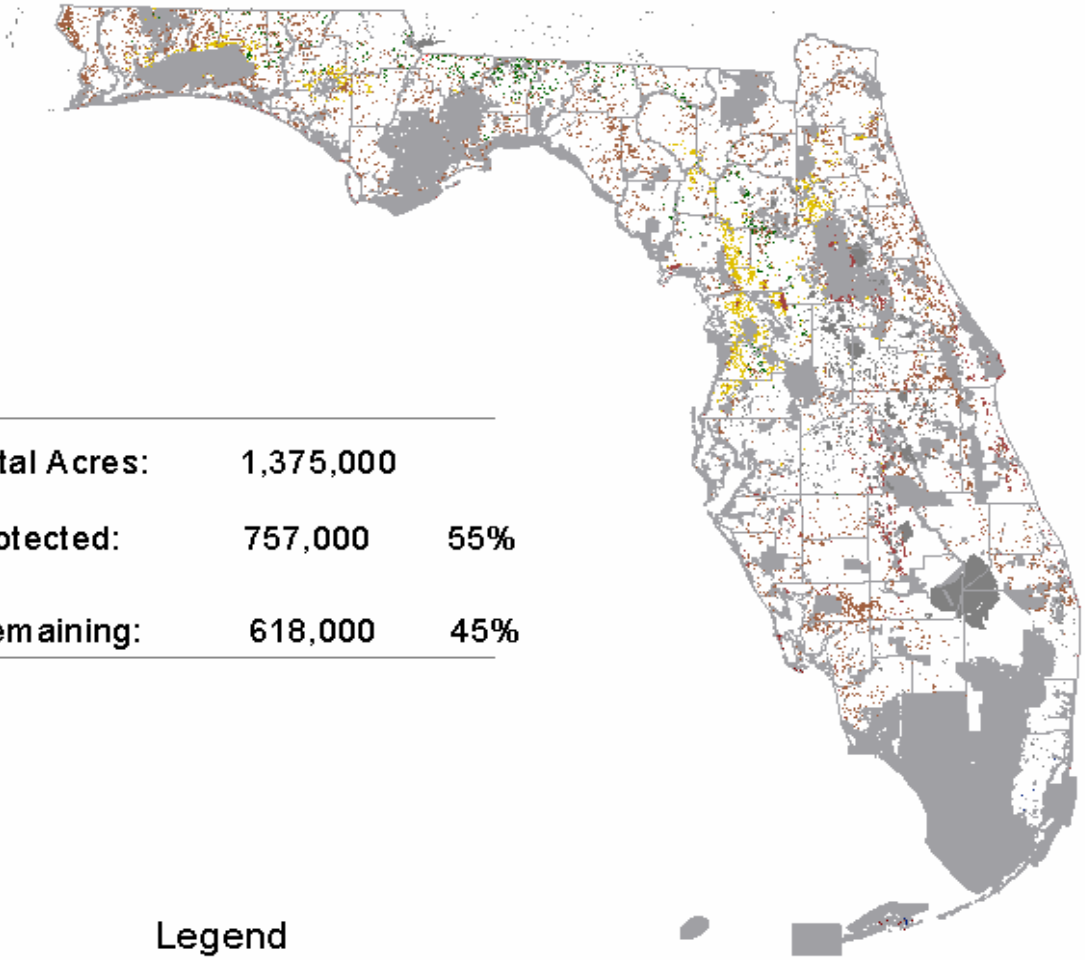
Water

Appendix C: FNAI Maps



Appendix C: FNAI Maps

Measure B-4 - Under-represented Natural Communities
Source: Florida Natural Areas Inventory



Total Acres:	**1,375,000**	
Protected:	**757,000**	**55%**
Remaining:	**618,000**	**45%**

Legend

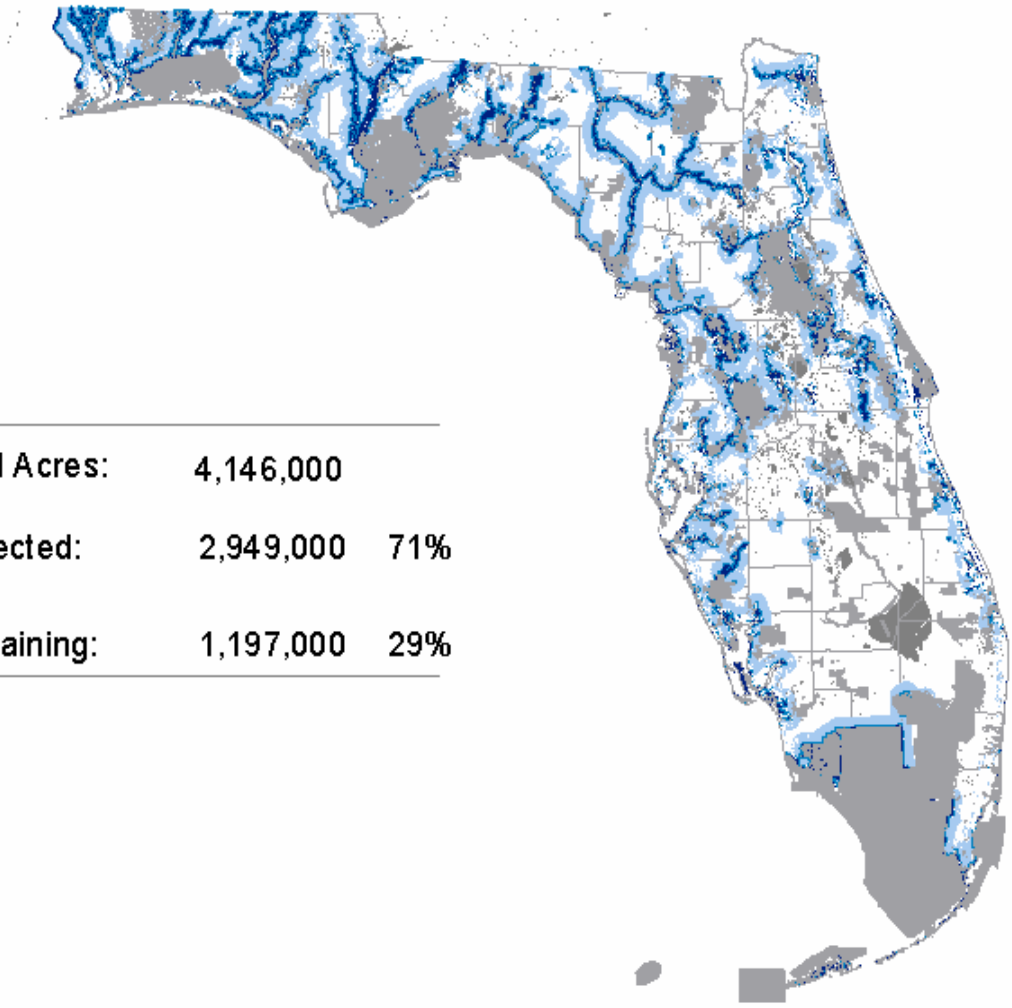
Under-represented Natural Communities

- Seepage Slope
- Upland Hardwood Forest
- Pine Rocklands
- Tropical Hardwood Hammock
- Sandhill
- Scrub
- Upland Glades

- Conservation Lands or Tribal Lands
- Water

Appendix C: FNAI Maps

Measure C-5 - Surface Water
Source: Florida Natural Areas Inventory, Florida Dept. of Environmental Protection, and Florida Marine Institute



Total Acres:	4,146,000	
Protected:	2,949,000	71%
Remaining:	1,197,000	29%

Legend

Prioritized Surface Water Protection Areas

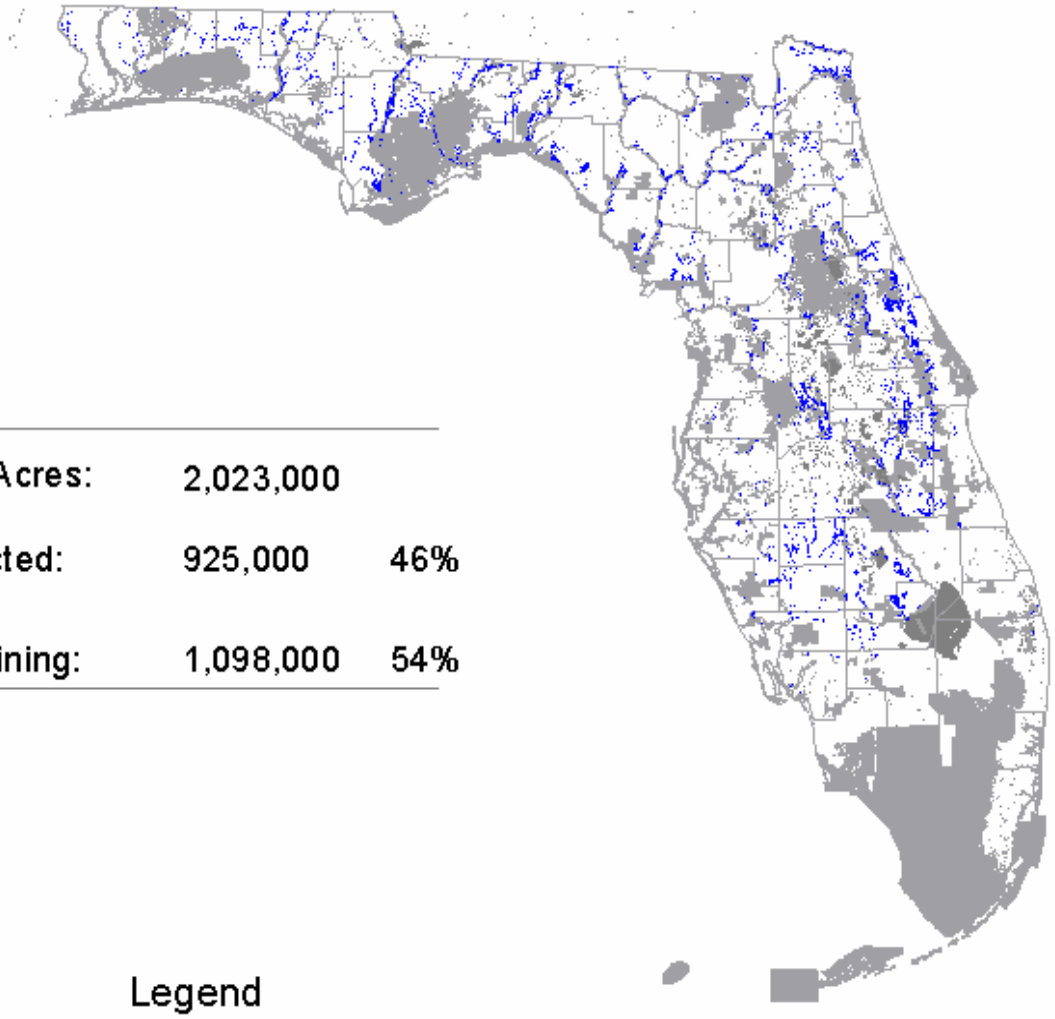
High

Low

Conservation Lands or Tribal Lands

Water

Measure C-4 - Natural Floodplain
Source: Florida Natural Areas Inventory and U.S. Geological Survey Data



Total Acres:	2,023,000	
Protected:	925,000	46%
Remaining:	1,098,000	54%

Legend

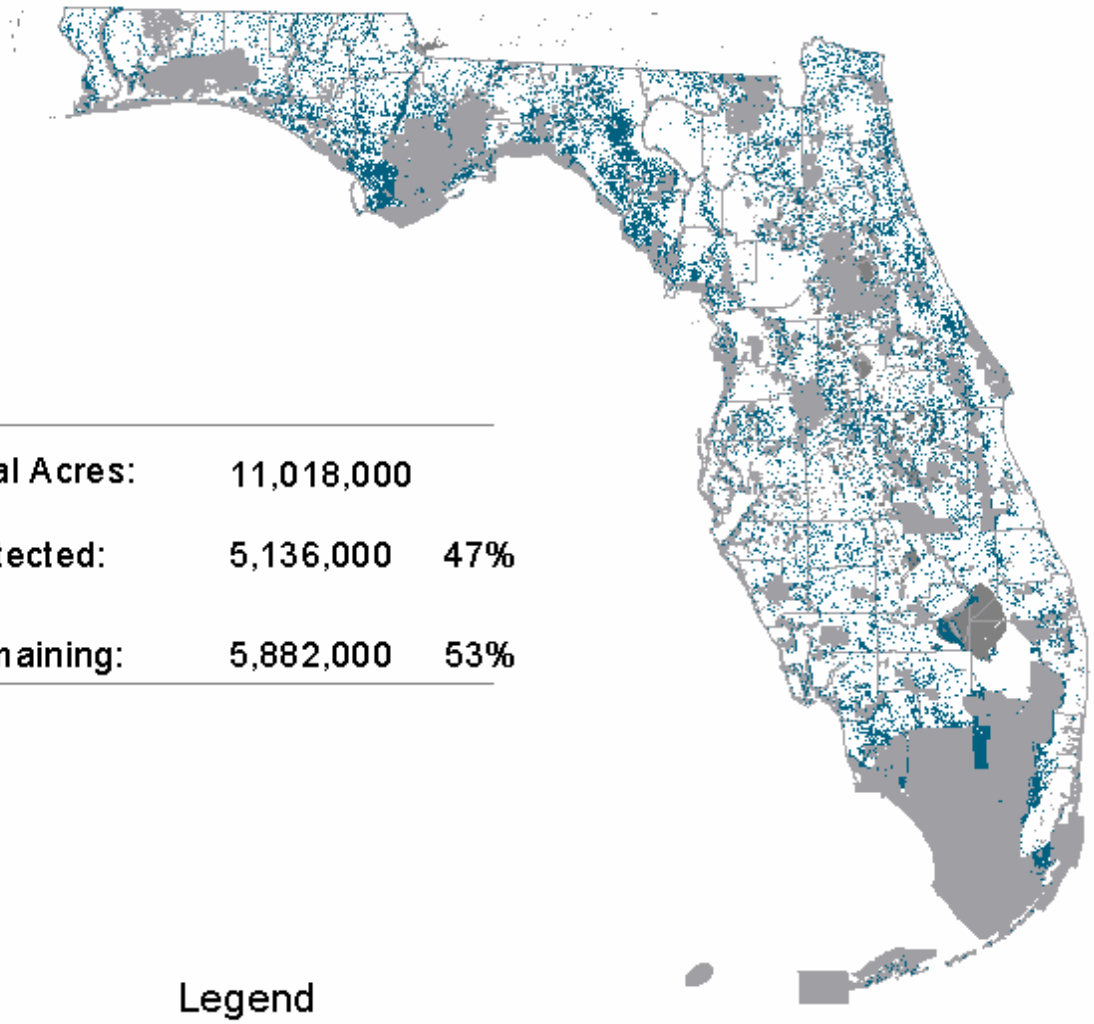
Natural Floodplain

Conservation Lands or Tribal Lands

Water

Appendix C: FNAI Maps

Measure C8 - Functional Wetlands
Source: Florida Natural Areas Inventory, based on National Wetlands Inventory



Total Acres:	11,018,000	
Protected:	5,136,000	47%
Remaining:	5,882,000	53%

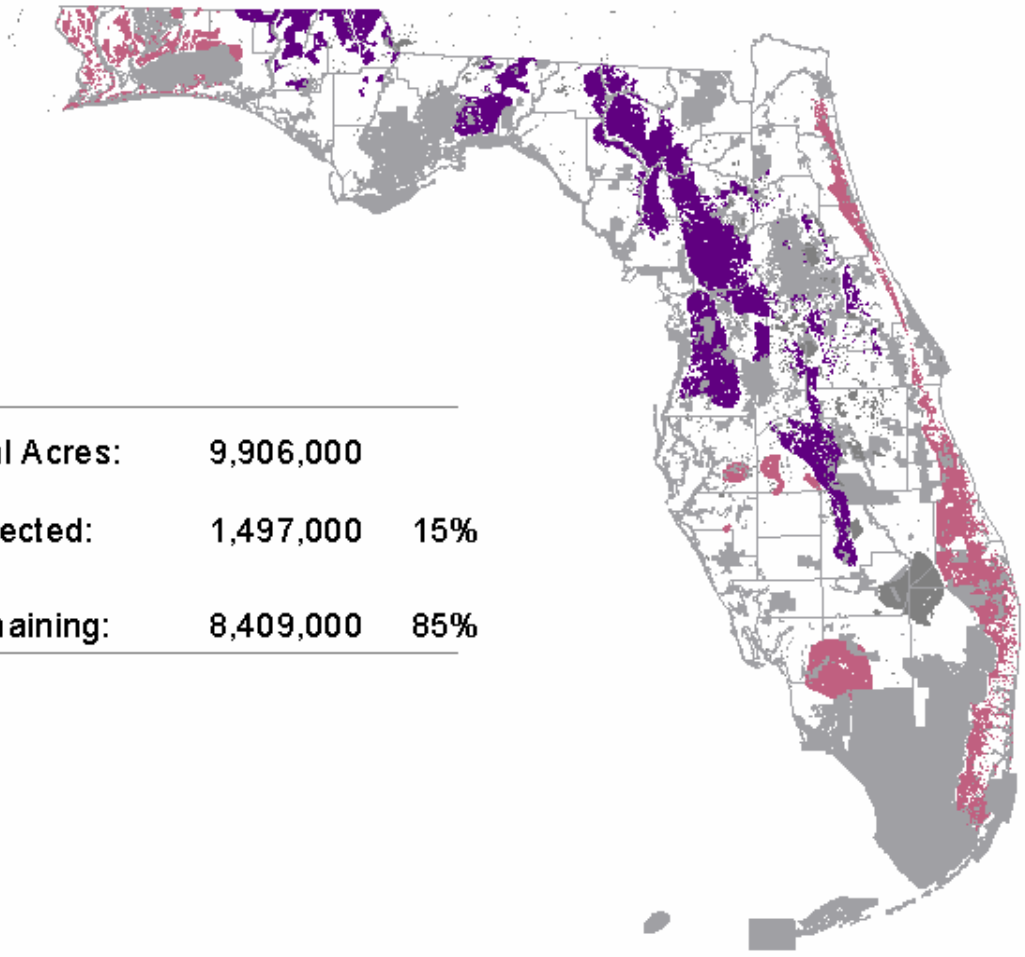
Legend

Wetlands in Undeveloped Areas

Conservation Lands or Tribal Lands

Water

Measure D3 - Aquifer Recharge
Source: Florida Geological Survey, Water Management Districts, and other water resource experts



Total Acres:	9,906,000	
Protected:	1,497,000	15%
Remaining:	8,409,000	85%

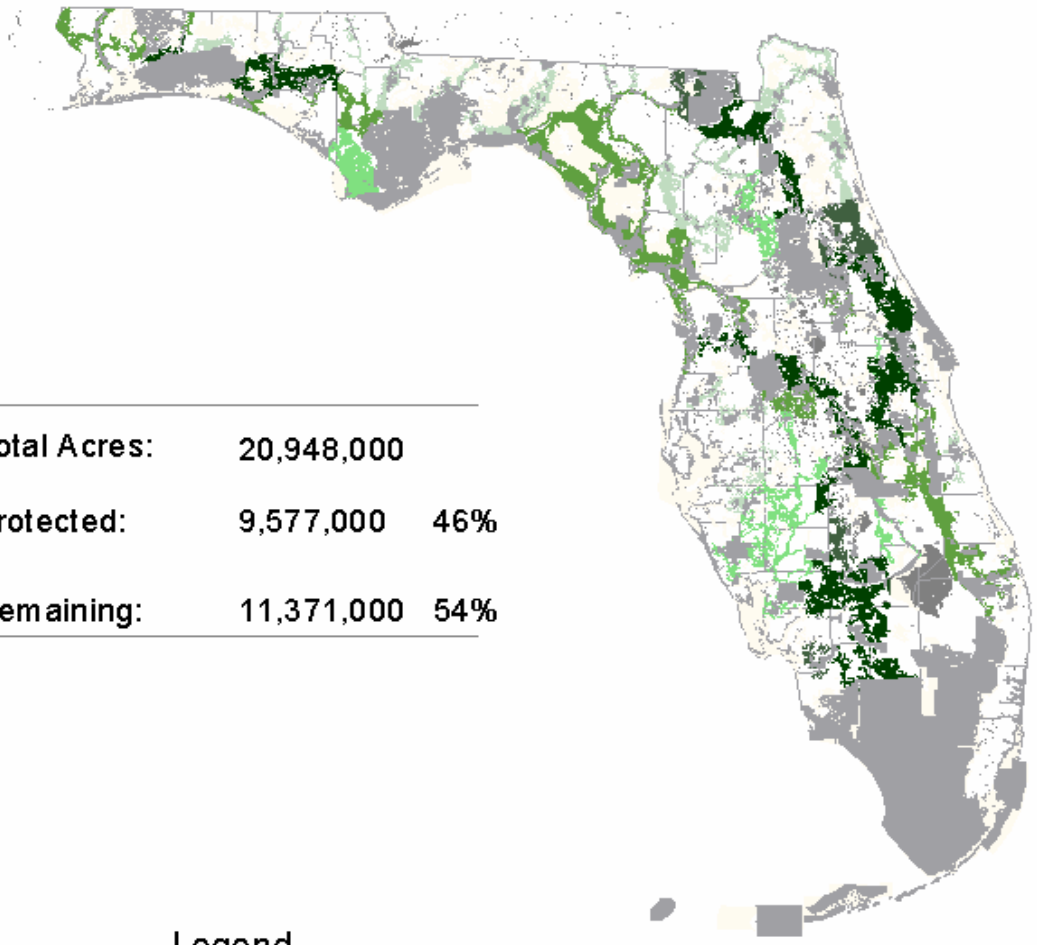
Legend

High Aquifer Recharge

- Recharge to the Floridan Aquifer
- Recharge to surficial or intermediate aquifers
- Conservation Lands or Tribal Lands
- Water

Appendix C: FNAI Maps

Measure B3 - Significant Landscapes, Linkages, and Conservation Corridors
Source: University of Florida and Florida Dept. of Environmental Protection, Office of Greenways and Trails



Total Acres:	20,948,000	
Protected:	9,577,000	46%
Remaining:	11,371,000	54%

Legend

Prioritized Ecological Greenways

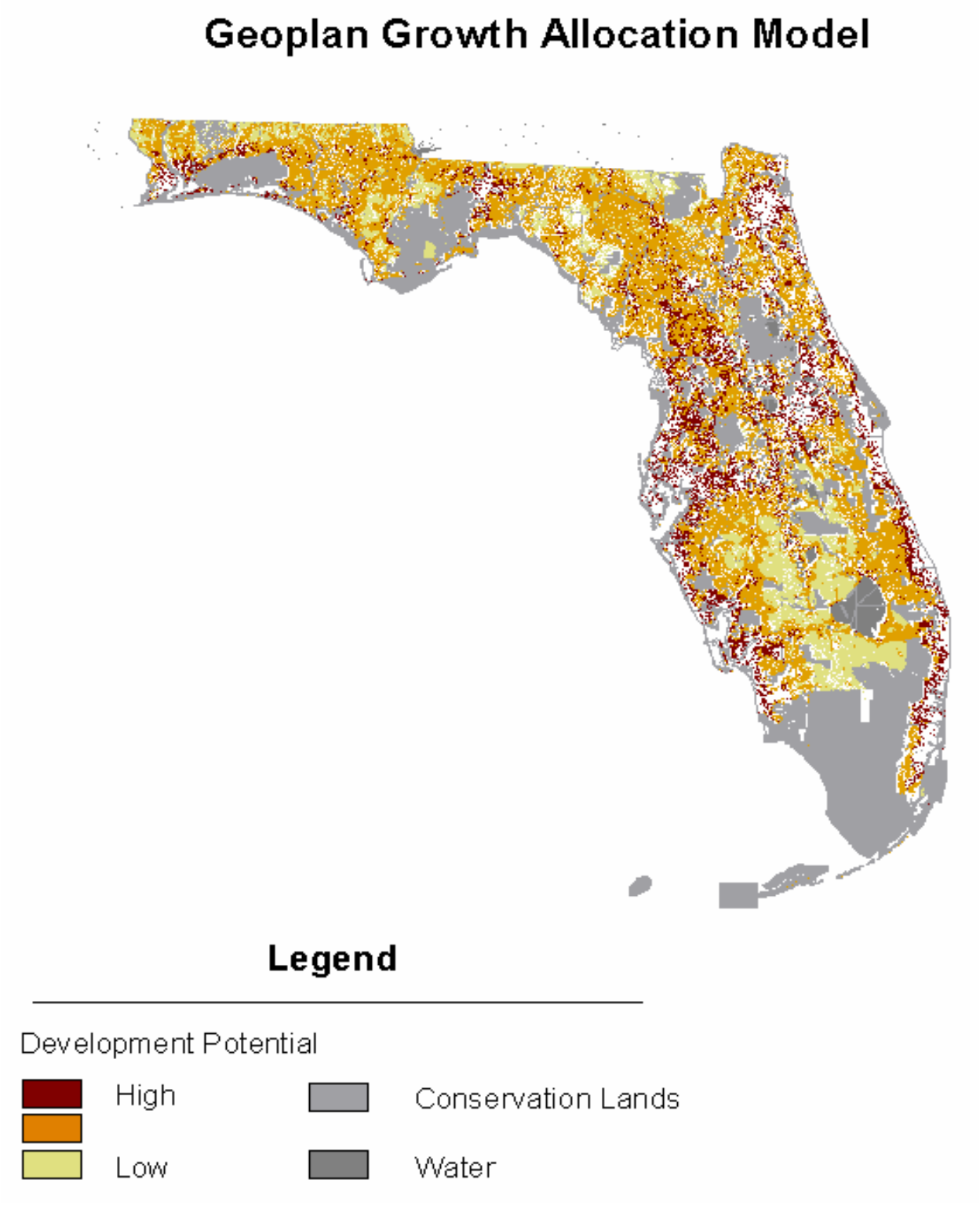
High

Low

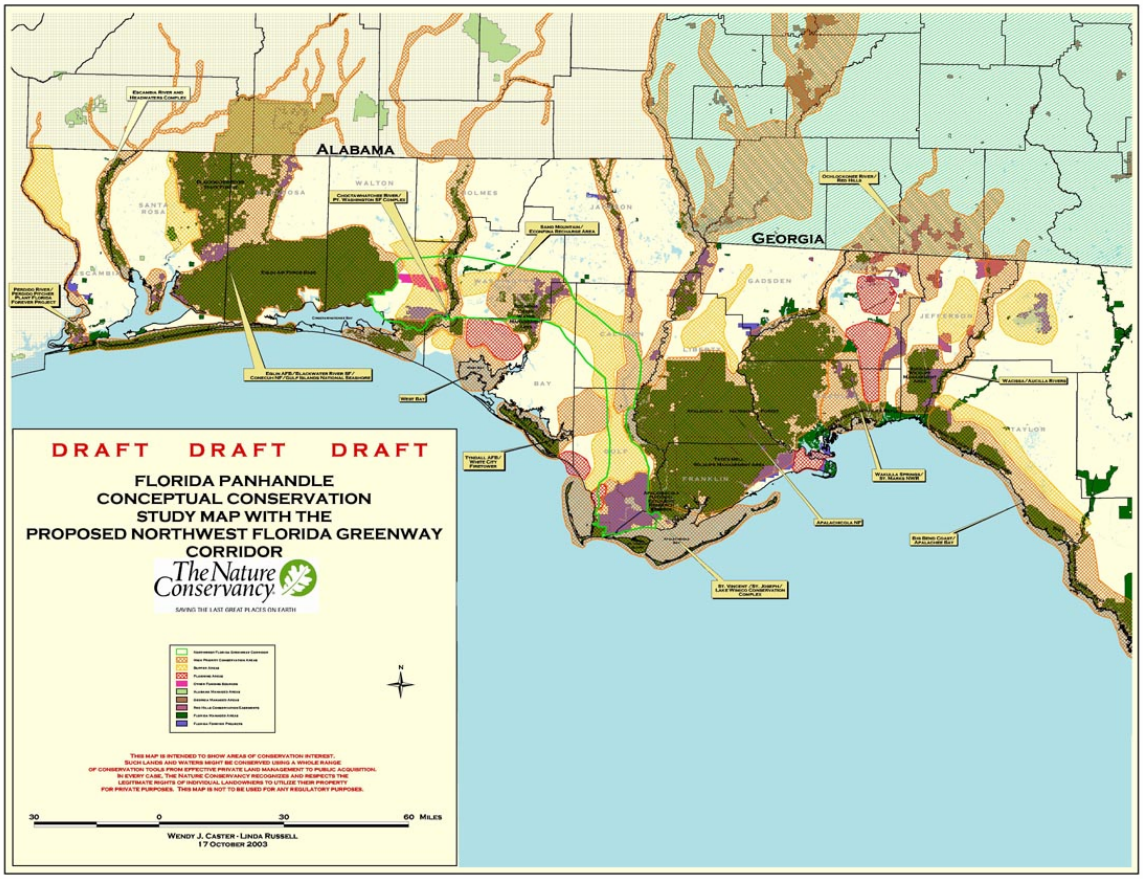
Conservation Lands or Tribal Lands

Water

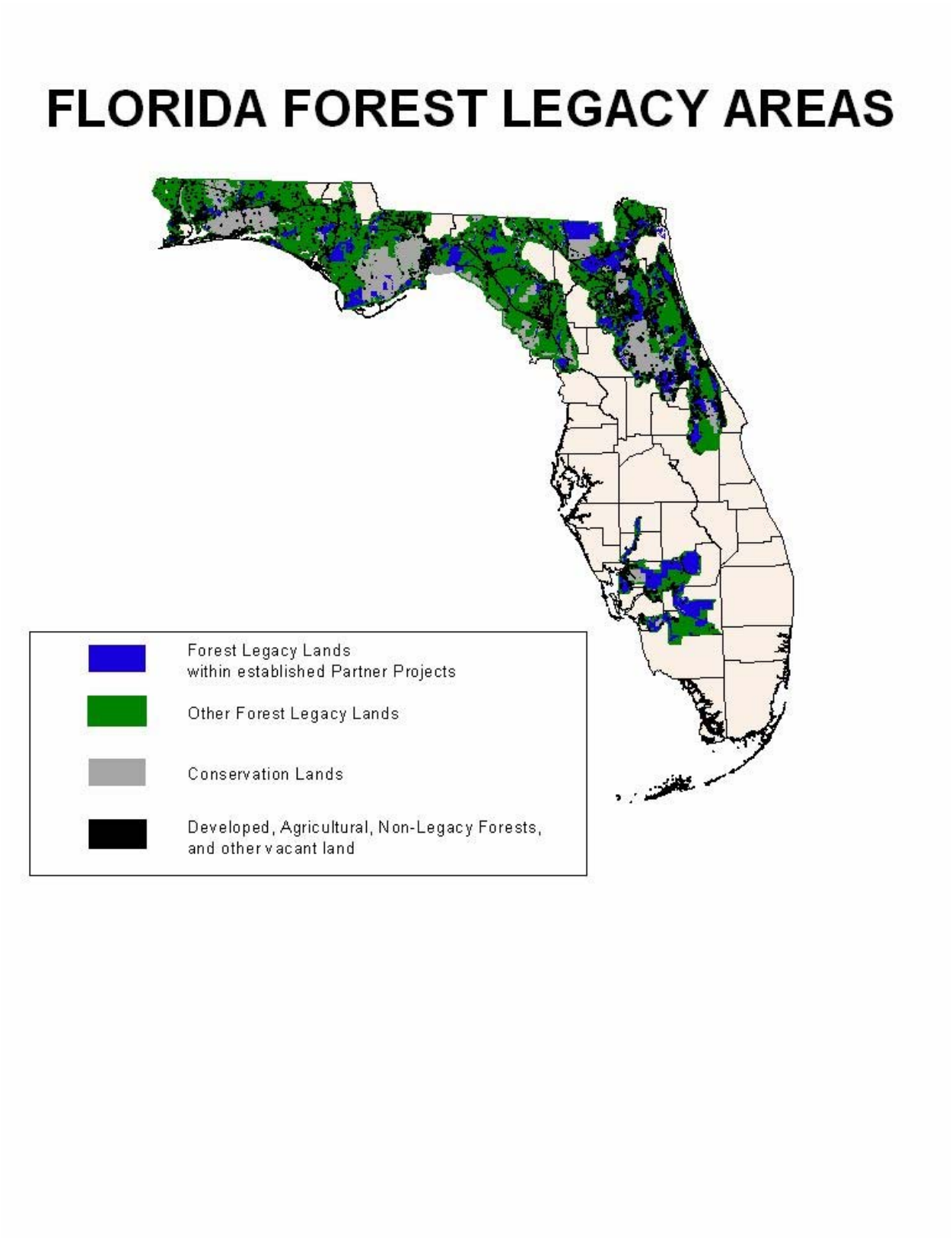
Appendix C: Other Maps ~ Geoplan Growth Allocation Model



Appendix C: Other Maps ~ Proposed Northwest Florida Greenway Corridor



Appendix C: Other Maps ~ Florida's Forest Legacy Areas



Appendix D: State Forest Stewardship Coordinating Committee

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Vacant
City of Tallahassee, Urban Forester
City Hall, Planning Department
300 South Adams Street
Tallahassee, FL 32301
850/891-8635, Fax 850/891-8734
E-mail –

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Forestry Consultant
Vacant

Appendix E: Draft Project Review and Ranking Procedures

Forest Legacy Project Application Review and Ranking Procedures

Step I - Preliminary Review of Acquisition Project Applications.

(1) Applications must be submitted in writing to:

Forest Legacy Program
Forest Management Bureau, Suite "I" (MS C-25)
Division of Forestry
3125 Conner Boulevard
Tallahassee, FL 32399 – 1650

(2) The Department shall accept applications on an ongoing basis.

(3) Two copies of each application and supporting documentation shall be submitted to the Department for review.

(4) Each acquisition project application shall, within 30 days of receipt, be reviewed by Department staff to verify sufficiency of information in accordance with the application requirements. Incomplete applications shall be returned to the applicant, with a letter identifying each deficiency, for completion and resubmission within 30 days of the date of the deficiency letter. If the information is not received within 30 days, the application will be returned to the applicant or placed on hold until the information is received.

(5) This initial review shall include a determination of:

(a) Landowner willingness to participate in Forest Legacy.

(b) Percent of forest cover consistent with Forest Legacy guidelines.

(c) Whether the project falls within an approved Forest Legacy Area. To make this determination, each complete application shall receive a preliminary review of natural resource benefits identified in the approved Assessment of Need. This shall be a quantitative evaluation only.

(d) Commitment from a local, state, or other conservation group project sponsor to hold the proposed title interest. While a commitment to provide at least 25% of project costs from non-federal source is not required to accept an application, it will be required prior to initiating Step III below.

(6) Applications shall be rejected if the project fails to meet all of the items listed under (5) (a) – (d) above, and the landowner shall be notified, in writing, of the reason(s) for the rejection.

(7) When the Department's preliminary review is complete and an application is accepted, the applicant shall be notified of the acceptance, and schedule for final review and ranking.

(8) For an acquisition project application to be considered for final review, during a particular cycle, a complete application must be received by the Department on or before 30 days prior to the scheduled meeting of the SFSCC at which the evaluation and ranking recommendations of FLP projects is to take place.

Step II - Comprehensive Review of Acquisition Project Applications

(1) Following review and acceptance of an application, a comprehensive evaluation shall be performed. The evaluation shall include:

(a) An analysis of the natural resource characteristics of the property both quantitatively and qualitatively. (*Importance*)

(b) An evaluation of connectivity, including its potential for providing linkage for greenways and its proximity to other public and protected lands or lands slated for purchase as part of an established conservation project. (*Strategic*)

(c) A determination of the level of threat of conversion to non-forest use. (*Threatened*)

(d) A detailed analysis on the projects current acquisition status, including commitment to provide at least 25% of project costs from non-federal source, and timeline for acquisition. (*Readiness*)

(2) The Division of Forestry, as lead agency for FLP, shall review the completed evaluations in (1) (a) – (d) above for each project and prepare a Project Evaluation Sheet for each project for the State Forest Stewardship Coordinating Committee (SFSCC).

III - Final Project Approval and Ranking

Division of Forestry findings shall be submitted to SFSCC annually approximately 30 days prior to date established by FS regional unit for submittal of projects for inclusion on *Project Opportunity List*. SFSCC shall be provided the technical review and supporting documentation on the importance, threat, readiness, and strategic nature of each tract, as guidance for its evaluation and final recommendations to the State Lead Agency. The SFSCC shall consider the degree to which the project meets the *Established FLA Program Objective* in recommending prioritization of each project. SFSCC shall use the objective technical evaluation, but may consider other social, economic, cultural, environmental and political aspects of the project in its decision process.

(1) Project evaluations shall be compiled by the Division of Forestry and submitted to the SFSCC at least once a year approximately 30 days prior to the deadline for submitting a priority list to the FS regional unit for inclusion on the "Project Opportunity List."

(2) Upon receipt of the Division's project evaluations, the SFSCC shall review each project and make a recommendation to the Lead Agency as to the ranking and prioritization of each project submitted.

(3) Based on the SFSCC recommendations the Lead Agency shall prepare a prioritized list of projects, and submit the list to USDA Forest Service – Regional Unit for inclusion on the "Project Opportunity List."

CHARLES H. BRONSON
COMMISSIONER

Florida Department of Agriculture and Consumer Services
Division of Forestry – Forest Management Bureau

FOREST LEGACY PROGRAM APPLICATION

F.S. 589.04

PRELIMINARY INFORMATION SUBMITTAL FOR:

☐ **PERPETUAL FOREST PROTECTION EASEMENT** (PERMANENT PROTECTION OF LAND FOR FORESTRY PURPOSES. INVOLVES 1) THE CONVEYANCE OF DEVELOPMENT RIGHTS; 2) AGREEMENT TO USE FORESTRY BEST MANAGEMENT PRACTICES (BMPS) TO PROTECT NATURAL RESOURCE VALUES; AND, 3) DEVELOPMENT AND IMPLEMENTATION OF A STEWARDSHIP OR MANAGEMENT PLAN)

☐ **FEE TITLE** (THE DONATION OR SALE OF FEE TITLE TO A STATE AGENCY, WATER MANAGEMENT DISTRICT OR QUALIFIED LOCAL GOVERNMENT WHO AGREES TO USE FORESTRY BEST MANAGEMENT PRACTICES (BMPS) TO PROTECT NATURAL RESOURCE VALUES AND MAINTAIN THE PROPERTY IN FORESTRY USE IN PERPETUITY)

PROPERTY NAME: _____ *(EXAMPLE: DOUBLE X RANCH)* **CONGRESSIONAL DISTRICT** _____

PROPERTY LOCATION: SECTION _____ **TOWNSHIP** _____ SOUTH/NORTH **RANGE** _____ EAST/WEST

ADDRESS OF PROPERTY: _____

OWNER(S) OF RECORD OF PROPERTY:

NAME: _____

ADDRESS: _____

TELEPHONE: _____ **E-MAIL ADDRESS:** _____

AGRICULTURAL LESSEE ON PROPERTY: □ **CHECK HERE IF OWNER OPERATOR**

NAME: _____ **TELEPHONE:** _____

ADDRESS: _____

TOTAL LAND AREA: _____ ACRES

UPLANDS: _____ ACRES

WETLANDS: _____ ACRES

ESTIMATED VALUE: $ _____

METHOD USED TO DETERMINE VALUE:

(APPRAISAL, OWNER'S ESTIMATE, _____)

LAND USES ON PROPERTY:

PINE FOREST: _____ ACRES

OTHER FOREST: _____ ACRES

OTHER AGRICULTURAL: _____ ACRES

NATURAL AREA: _____ ACRES

NON-AGRICULTURAL: _____ ACRES

ADDITIONAL PROPERTY INFORMATION

ON SEPARATE PIECES OF PAPER WITH THE CORRESPONDING HEADING, PLEASE TYPE:

1. GENERAL DESCRIPTION OF THE FORESTRY ACTIVITIES. *(ATTACH MANAGEMENT PLAN, IF AVAILABLE)*
2. DESCRIPTION OF ANY INHOLDINGS AND OUTPARCELS.

   NOTE: LOCATE EACH INHOLDING AND OUTPARCEL ON THE MAP PROVIDED WITH THE SUBMITTAL.
3. LIST OF KNOWN ENCUMBRANCES AND ENCROACHMENTS

   NOTE: PLEASE USE THE FOLLOWING FORMAT AND ATTACH COPIES OF ALL RECORDED AND UNRECORDED DOCUMENTS

LIST OF KNOWN ENCUMBRANCES
1. *Example:* ***MORTGAGE***
RECORDED: OR BOOK ***865*** PAGE ***77-82*** **OR** UNRECORDED

☐ **CHECK BOX IF ABSTRACT OF TITLE OR TITLE INSURANCE POLICY IS INCLUDED.**

4. AGRICULTURAL OR ENVIRONMENTAL ASSISTANCE PROGRAMS APPLIED FOR OR EXISTING ON PROPERTY.

   INCLUDE THE FOLLOWING:
   a. NAME OF THE PROGRAM (CRP, FLEP, WHIP, WRP, ETC.)
   b. THE PROGRAM SPONSOR (FEDERAL, STATE, COUNTY)
   c. TYPE OF AGREEMENT (EASEMENT CONVEYED, 10 YR., ETC.)
   d. AGREEMENT IN PLACE OR APPLIED FOR (IN PROCESS)?

☐ **CHECK BOX IF THERE ARE NO PROGRAMS EXISTING OR APPLIED FOR ON THE PROPERTY.**

5. A GENERAL DESCRIPTION OF WILDLIFE HABITAT ALONG WITH ANY PLANT OR ANIMAL SPECIES.
6. A GENERAL DESCRIPTION OF THE PROPERTY'S WATER RESOURCE VALUES AND BENEFITS WITH EMPHASIS ON GROUNDWATER RECHARGE AND NATURAL FLOODPLAIN.
7. DESCRIPTION OF EXISTING OR PLANNED DEVELOPMENT ON OR NEAR THE PROPERTY THAT COULD ADVERSELY AFFECT:
   a) THE CONTINUATION OF FORESTRY ACTIVITIES; OR,
   b) NATURAL RESOURCE VALUES (WILDLIFE HABITAT, GROUNDWATER RECHARGE OR NATURAL FLOODPLAIN)

SUPPORTING DOCUMENTATION TO BE PROVIDED

[IT IS REQUESTED THAT TWO (2) COPIES OF ALL SUPPORTING DOCUMENTATION BE SUBMITTED]

- VESTING DEED OR DEEDS IF THE PROPERTY WAS ACQUIRED IN MULTIPLE TRANSACTIONS.
- ABSTRACT OF TITLE OR TITLE INSURANCE POLICY, IF AVAILABLE.
- BOUNDARY SURVEY, IF AVAILABLE.
- ENVIRONMENTAL SITE ASSESSMENT, IF AVAILABLE.
- MANAGEMENT OR STEWARDSHIP PLAN, IF AVAILABLE.
- COPIES OF COUNTY TAX MAPS, PLAT MAPS OR FLORIDA DEPARTMENT OF TRANSPORTATION COUNTY GENERAL HIGHWAY MAPS, WITH THE BOUNDARIES OF THE PROJECT AND ANY INHOLDINGS/OUTPARCELS CLEARLY DELINEATED.

- A LEGIBLE OR ELECTRONIC COPY OF THE PROPERTY APPRAISER'S TAX IDENTIFICATION CARD(S) WITH THE TAX ASSESSED VALUE AND ACREAGE OF EACH PARCEL, DESCRIPTION AND APPROXIMATE VALUE OF IMPROVEMENTS, AD VALOREM TAXES ASSESSED, AND THE NAMES AND ADDRESSES OF EACH OWNER IDENTIFIED.

LANDOWNER

SIGNATURE IS AN EXPRESSION OF INTEREST IN FOREST LEGACY, BUT DOES NOT COMMIT LANDOWNER TO THE ULTIMATE SALE OR DONATION OF ANY INTEREST IN PROPERTY.

PRINT NAME _____ **SIGNATURE** _____

PRINT NAME _____ **SIGNATURE** _____

DATE _____

LESSEE

PRINT NAME _____ **SIGNATURE** _____

DATE _____

PROJECT SPONSOR

ENTITY INTENDING TO HOLD TITLE TO INTEREST ACQUIRED AND TO CONTRIBUTE THE LOCAL MATCHING FUNDS

NAME OF GOVERNMENTAL ENTITY _____

AMOUNT OR PERCENTAGE OF MATCHING FUNDS _____ **SOURCE OF MATCHING FUNDS** _____

AUTHORIZED SIGNATURE _____ **PRINTED NAME AND TITLE** _____

MAIL TWO (2) COPIES OF INFORMATOIN TO:
FOREST LEGACY PROGRAM
FOREST MANAGEMENT BUREAU
3125 CONNER BOULEVARD, SUITE "I"
TALLAHASSEE, FLORIDA 32399-1650

QUESTIONS AND INFORMATION:
ED KUESTER
PROGRAM ADMINISTRATOR
FOREST LEGACY PROGRAM
PHONE: (850) 414-9929 FAX: (850) 921-6724
KUESTEE@DOACS.STATE.FL.US

Appendix G: Forest Legacy Project Evaluation Form

Project: **SAMPLE PROJECT**

Acres: 3,000

IMPORTANCE MEASURES		Acres	% of project	Total 50 pts *5 pts per measure*	
B1: Strategic Habitat Conservation Areas					
Priority 1		0	0%	0.0	5
Priority 2		1,200	40%	1.6	4
Priority 3		0	0%	0.0	3
Priority 4		800	27%	0.8	3
Priority 5		0	0%	0.0	2
Priority 6		0	0%	0.0	1
Total Acres		2,000	67%	2.4	
B2: FNAI Habitat Conservation Priorities					
Priority 1		1,503	50%	2.5	5
Priority 2		0	0%	0.0	4
Priority 3		362	12%	0.4	3
Priority 4		0	0%	0.0	3
Priority 5		885	30%	0.6	2
Priority 6		0	0%	0.0	1
Total Acres		2,750	92%	3.5	
B4: Under-represented Natural Communities					
Pine rockland		0	0%	0.0	5
Upland glade		0	0%	0.0	5
Bog/seepage slope		0	0%	0.0	5
Tropical hammock		0	0%	0.0	5
Sandhill		0	0%	0.0	5
Scrub		0	0%	0.0	5
Upland hardwood		0	0%	0.0	5
Pine flatwoods		2,465	82%	4.1	5
Total Acres		2,465	82%	4.1	
C4: Natural Floodplain Function					
Priority 1		0	0%	0.0	5
Priority 2		950	32%	1.3	4
Priority 3		0	0%	0.0	3
Total Acres		950	32%	1.3	
C5: Surface Water Protection					
Priority 1		0	0%	0.0	5
Priority 2		0	0%	0.0	4
Priority 3		705	24%	0.7	3
Total Acres		705	24%	0.7	

IMPORTANCE MEASURES *(continued)*		**Acres**	**% of project**	**Total 50 pts** ***5 pts per measure***	
C8: Functional Wetlands					
Priority 1		216	7%	0.4	5
Priority 2		384	13%	0.5	4
Priority 3		1,323	44%	1.3	3
Priority 4		574	19%	0.4	2
Total Acres		2,497	83%	2.6	
D3: Aquifer Recharge					
Floridan		0	0%	0.0	5
Other		2,860	95%	4.8	5
Total Acres		2,860	95%	4.8	
G1: Sustainable Forestry					
Priority 1		1,735	58%	2.9	5
Priority 2		286	10%	0.4	4
Priority 3		349	12%	0.3	3
Priority 4		0	0%	0.0	2
Priority 5		15	1%	0.0	1
Total Acres		2,385	80%	3.6	
B3: Ecological Greenways					
Priority 1		231	8%	0.4	5
Priority 2		0	0%	0.0	4
Priority 3		375	13%	0.4	3
Priority 4		0	0%	0.0	3
Priority 5		689	23%	0.5	2
Priority 6		0	0%	0.0	2
Priority 7		0	0%	0.0	1
Total Acres		1,295	43%	1.2	
B6: Listed Species (# occurrences)					
G1		0			5
G2		1		4	4
G3		0			3
G4		0			2
G5		0			1
Total Occurrences		1		4	
Total IMPORTANCE Score				**28**	**50**

STRATEGIC MEASURES Acres	YES or NO	Total 50 pts	
Is it adjacent to other protected lands?	YES	10	10
>> If yes, if is it State or National Forest?	NO	0	10
Is acquisition part of a strategic conservation plan? (potential linkage if other planned acquisitions are successful)	YES	10	10
Does acquisition make a connection between protected areas?	NO	0	20
Total STRATEGIC Score		**20**	**50**

CONVERSION THREAT MEASURES	YES or NO	Total 50 pts	
High Development Threat	NO	0	20
Moderate-High Development Threat	YES	50	50
Moderate Development Threat	NO	0	40
Moderate-Low Development Threat	NO	0	30
Low Development Threat	NO	0	20
Total THREAT Score		**50**	**50**

READINESS MEASURES		YES or NO	Total 50 pts	
Letter from landowner (willing seller)		YES	5	5
Project Sponsor (public entity)		YES	10	10
Commitment of Local Match	25% - 33%		0	5
	33% to 50%	YES	10	10
	50% or more		0	15
Yellow Book Appraisal Complete		YES	10	10
Under Contract or Closed by 3rd Party		NO	0	10
Total READINESS Score			**35**	**50**

TOTAL PROJECT SCORE	**133**	**200**

Appendix H: Forest Legacy Authorizing Legislation

Excerpt from Title XII – State and Private Forestry
Forest Stewardship Act of 1990
Section 1217 – Forest Legacy Program

SEC. 1217 FOREST LEGACY PROGRAM.

The Act (16 U.S.C. 2101 et seq.) is amended by inserting after section 6 (as added by section 1216 of this Act) the following new section:

SEC. 7. FOREST LEGACY PROGRAM.

(a) ESTABLISHMENT AND PURPOSE- The Secretary shall establish a program, to be known as the Forest Legacy Program, in cooperation with appropriate State, regional, and other units of government for the purposes of ascertaining and protecting environmentally important forest areas that are threatened by conversion to nonforest uses and, through the use of conservation easements and other mechanisms, for promoting forest land protection and other conservation opportunities. Such purposes shall also include the protection of important scenic, cultural, fish, wildlife, and recreational resources, riparian areas, and other ecological values.

(b) STATE AND REGIONAL FOREST LEGACY PROGRAMS- The Secretary shall exercise the authority under subsection (a) in conjunction with State or regional programs that the Secretary deems consistent with this section.

(c) INTERESTS IN LAND- In addition to the authorities granted under section 6 of the Act of March 1, 1911 (16 U.S.C. 515), and section 11(a) of the Department of Agriculture Organic Act of 1956 (7 U.S.C. 428a(a)), the Secretary may acquire from willing landowners lands and interests therein, including conservation easements and rights of public access, for Forest Legacy Program purposes. The Secretary shall not acquire conservation easements with title held in common ownership with any other entity.

(d) IMPLEMENTATION-

(1) IN GENERAL- Lands and interests therein acquired under subsection (c) may be held in perpetuity for program and easement administration purposes as the Secretary may provide. In administering lands and interests therein under the program, the Secretary shall identify the environmental values to be protected by entry of the lands into the program, management activities which are planned and the manner in which they may affect the values identified, and obtain from the landowner other information determined appropriate for administration and management purposes.

(2) INITIAL PROGRAMS- Not later than 1 year after the date of enactment of this section, the Secretary shall establish a regional program in furtherance of the Northern Forest Lands Study in the States of New York, New Hampshire, Vermont, and Maine under Public Law 100-446. The Secretary shall establish additional programs in each of the Northeast, Midwest, South, and Western regions of the United States, and the Pacific Northwest (including the State of Washington), on the preparation of an assessment of the need for such programs.

(e) ELIGIBILITY- Within 1 year from the date of enactment of this section and in consultation with State Forest Stewardship Advisory Committees established under section 15(b) and similar regional organizations, the Secretary shall establish eligibility criteria for the designation of forest areas from which lands may be entered into the Forest Legacy Program and subsequently select such appropriate areas. To be eligible, such areas shall have significant environmental values or shall be threatened by present or future conversion to nonforest uses. Of land proposed to be included in the Forest Legacy Program, the Secretary shall give priority to lands which can be effectively protected and managed, and which have important scenic or

recreational values; riparian areas; fish and wildlife values, including threatened and endangered species; or other ecological values.

(f) APPLICATION- For areas included in the Forest Legacy Program, an owner of lands or interests in lands who wishes to participate may prepare and submit an application at such time in such form and containing such information as the Secretary may prescribe. The Secretary shall give reasonable advance notice for the submission of all applications to the State forester, equivalent State official, or other appropriate State or regional natural resource management agency. If applications exceed the ability of the Secretary to fund them, priority shall be given to those forest areas having the greatest need for protection pursuant to the criteria described in subsection (d).

(g) STATE CONSENT- Where a State has not approved the acquisition of land under section 6 of the Act of March 1, 1911 (16 U.S.C. 515), the Secretary shall not acquire lands or interests therein under authority granted by this section outside an area of that State designated as a part of a program established under subsection (b).

(h) FOREST MANAGEMENT ACTIVITIES-

(1) IN GENERAL- Conservation easements or deed reservations acquired or reserved pursuant to this section may allow forest management activities, including timber management, on areas entered in the Forest Legacy Program insofar as the Secretary deems such activities consistent with the purposes of this section.

(2) ASSIGNMENT OF RESPONSIBILITIES- For Forest Legacy Program areas, the Secretary may delegate or assign management and enforcement responsibilities over federally owned lands and interests in lands only to another governmental entity.

(i) DUTIES OF OWNERS- Under the terms of a conservation easement or other property interest acquired under subsection (b), the landowner shall be required to manage property in a manner that is consistent with the purposes for which the land was entered in the Forest Legacy Program and shall not convert such property to other uses. Hunting, fishing, hiking, and similar recreational uses shall not be considered inconsistent with the purposes of this program.

(j) COMPENSATION AND COST SHARING-

(1) COMPENSATION- The Secretary shall pay the fair market value of any property interest acquired under this section. Payments under this section shall be in accordance with Federal appraisal and acquisition standards and procedures.

(2) COST SHARING- In accordance with terms and conditions that the Secretary shall prescribe, costs for the acquisition of lands or interests therein or project costs shall be shared among participating entities including regional organizations, State and other governmental units, landowners, corporations, or private organizations. Such costs may include, but are not limited to, those associated with planning, administration, property acquisition, and property management. To the extent practicable, the Federal share of total program costs shall not exceed 75 percent, including any in-kind contribution.

(k) EASEMENTS-

(1) RESERVED INTEREST DEEDS- As used in this section, the term `conservation easement' includes an easement utilizing a reserved interest deed where the grantee acquires all rights, title, and interests in a property, except those rights, title, and interests that may run with the land that are expressly reserved by a grantor.

(2) PROHIBITIONS ON LIMITATIONS- Notwithstanding any provision of State law, no conservation easement held by the United States or its successors or assigns under this section shall be limited in duration or scope or be defensible by--

(A) the conservation easement being in gross or appurtenant;

(B) the management of the conservation easement having been delegated or assigned to a non-Federal entity;
(C) any requirement under State law for re-recordation or renewal of the easement; or
(D) any future disestablishment of a Forest Legacy Program area or other Federal project for which the conservation easement was originally acquired.

(3) CONSTRUCTION- Notwithstanding any provision of State law, conservation easements shall be construed to effect the Federal purposes for which they were acquired and, in interpreting their terms, there shall be no presumption favoring the conservation easement holder or fee owner.

(l) APPROPRIATION- There are authorized to be appropriated such sums as may be necessary to carry out this section.

Federal Agriculture Improvement and Reform Act of 1996 Title III – conservation Subtitle G -- Forestry

Sec. 374 Optional State Grants for Forest Legacy Program

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended

(1) by redesignation subsection (l) as subsection (m); and
(2) by inserting after subsection (k) the following:

(l) OPTIONAL STATE GRANTS.-

(1) IN GENERAL. – The Secretary shall, at the request of a participating State, provide a grant to the State to carry out the Forest Legacy program in the State.

(2) ADMINISTRATION. – If a State elects to receive a grant under this subsection-

(A) the Secretary shall use a portion of the funds made available under subsection (m), as determined by the Secretary, to provide a grant to the State; and

(B) the State shall use the grant to carry our the Forest Legacy Program in the State, including the acquisition by the State of lands and interests in lands.

The new subsection (m), formerly subsection (l), reads as follows:

(m) APPROPRIATIONS. – There are authorized to be appropriated such sums as may be necessary to carry out this section.

Appendix I: Forest Legacy Contact Information

Forest Legacy Program Assessment of Need

Prepared by:

Department of Agriculture and Consumer Services
Division of Forestry
Forest Management Bureau
November 12, 2003

Contact Information:

Richard Cooksey
National Forest Legacy Program Coordinator
USDA Forest Service
Washington Office
Sidney R. Yates Federal Building
201 14th Street, SW
Washington, DC 20250
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rcooksey@fs.fed.us

Liz Crane
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Southern Region
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November 2003