

July 19, 2023

The Honorable Debbie Stabenow  
Chair  
328A Russell Senate Office Building  
U.S. Senate Committee on Agriculture,  
Nutrition, and Forestry  
Washington, D.C. 20510

The Honorable Glenn “GT” Thompson  
Chair  
1301 Longworth House Office Building  
U.S. House Committee on Agriculture  
Washington, D.C. 20515

The Honorable John Boozman  
Ranking Member  
328A Russell Senate Office Building  
U.S. Senate Committee on Agriculture,  
Nutrition, and Forestry  
Washington, D.C. 20510

The Honorable David Scott  
Ranking Member  
1010 Longworth House Office Building  
U.S. House Committee on Agriculture  
Washington, D.C. 20515

Dear Chairwoman Stabenow, Chairman Thompson, Ranking Member Boozman, and Ranking Member Scott:

The undersigned organizations respectfully request that you include the Forest Conservation Easement Program (FCEP) Act of 2023 (H.R. 3424) in the conservation title of the Farm Bill with mandatory funding. The FCEP Act of 2023 was introduced by U.S. Representative Trent Kelly (R-MS-1) and U.S. Representative Annie Kuster (D-NH-2). The purpose of FCEP is to keep forests as forests through the use of conservation easements that purchase development rights from willing private and tribal landowners to prevent conversion to non-forest uses. Private forests in a conservation easement can remain privately owned and working.

FCEP is designed to:

- Significantly improve and enhance the ability of the Natural Resources Conservation Service (NRCS) to effectively conserve working forests at scale through conservation easements;
- Prioritize keeping forests as forests continuing to provide a multitude of environmental, economic, and societal benefits;
- Help landowners restore, enhance, and protect habitat for at-risk species while increasing carbon sequestration; and
- Provide landowners with two proven options for placing voluntary conservation easements on their land, with one held by the federal government and one held by eligible entities and land trusts.

It accomplishes this via two program components: **Forest Land Easements** (modeled after Agricultural Land Easements under NRCS’s Agricultural Conservation Easement Program) and **Forest Reserve Easements** (as the successor to NRCS’s Healthy Forests Reserve Program).

Under **Forest Land Easements (FLE)**, eligible entities such as land trusts, state and local agencies, and tribes, purchase working forest conservation easements from private and tribal landowners. Landowners may continue to manage their land as a working forest. NRCS will provide up to 50 percent of the fair market value for the purchase of the easement, with the remaining share coming from any combination of cash resources from the entity, landowner donation/bargain sale, and costs associated with the acquisition of the easement. In the case of forests of special environmental significance or land owned by historically underserved landowners, NRCS will provide up to 75 percent of the fair market value. Under the

proposal, 10 percent of total FCEP funding in each fiscal year would be directed towards enrolling land owned by historically underserved landowners.

Under **Forest Reserve Easements (FRE)**, NRCS helps landowners restore, enhance, and protect forest resources by purchasing easements on private and tribal lands, while allowing landowners to continue working forest production and related uses. Enrolled land will be subject to a forest reserve easement plan that describes the practices and measures necessary to restore, maintain, and enhance habitat for at-risk species. Landowners will also have the option to enter into safe harbor agreements or similar assurances to avoid future regulatory restrictions on the use of that land under the Endangered Species Act. NRCS will purchase permanent easements from the landowner for fair market value of the easement and will provide financial assistance up to 100 percent of the eligible costs of practices and measures identified in the forest reserve easement plan. Financial assistance for 30-year easements and contracts will be 75 percent of that which would be paid for a permanent easement. Under the proposal, 10 percent of total FCEP funding in each fiscal year would be directed towards enrolling land owned by historically underserved landowners.

Thank you for your consideration and for your dedication to the preservation of private and tribal forestland.

Signed,

Adirondack Land Trust, NY	Capital Region Land Conservancy, Mid-Atlantic	Eagle Valley Land Trust, CO
Agricultural Stewardship Association, NY	Carbon180, National	Environmental Real Estate Solutions, NY
Alachua Conservation Trust, FL	Catch-A-Dream Foundation, MS	Estes Valley Land Trust, CO
Alliance for the Shenandoah Valley, VA	Center for Large Landscape Conservation, MT	Florida Conservation Group, FL
American Bird Conservancy, National	Central Virginia Land Conservancy, VA	Florida Forestry Association, FL
American Chestnut Land Trust, MD	Chesapeake Conservancy, Mid-Atlantic	Foothills Conservancy of North Carolina, NC
American Forest Foundation, National	Coalition of Oregon Land Trusts, OR	Forest Society of Maine, ME
American Forest Management, National	Coastal Rivers Conservation Trust, ME	Forever Maryland, MD
American Forests, National	Colorado Open Lands, CO	Forterra NW, WA
Appalachian Mountain Club, Eastern U.S.	Columbia Land Trust, OR/WA	French & Pickering Creeks Conservation Trust, PA
Appalachian Trail Conservancy, East Coast	Congressional Sportsmen's Foundation, National	Friends of the Mississippi River, MN
Association of Fish and Wildlife Agencies, National	Conservation Florida, FL	Friends of Wilson Pond Area, Inc, ME
Backcountry Hunters & Anglers, National	Conservation Foundation of the Gulf Coast, FL	Galveston Bay Foundation, TX
Bayou Land Conservancy, TX	Council to Advance Hunting and the Shooting Sports, National	Gathering Waters: Wisconsin's Alliance of Land Trusts, WI
BLAC Land Trust, Southeast	Defenders of Wildlife, National	Grand Traverse Regional Land Conservancy, MI
Blue Ridge Land Conservancy, VA	Delta Waterfowl, National	Green Diamond Resource Company, National
Boone and Crockett Club, National	Ducks Unlimited, National	Groundswell Conservancy, WI
Brunswick-Topsham Land Trust, ME	Dutchess Land Conservancy, Inc., NY	HeadWaters Land Conservancy, MI
		Heart of the Lakes, MI
		Houston Safari Club, TX

Hudson Highlands Land Trust, Inc., NY	National Wild Turkey Federation, National	Society of American Foresters, National
Ice Age Trail Alliance, Inc., WI	National Woodland Owners Association, National	Somerset Woods Trustees, ME
Idaho Forest Owners Association, Inc., ID	Natural Land Institute, IL	Southern Appalachian Highlands Conservancy, TN/NC
Indiana Forestry & Woodland Owners Association, IN	Natural Lands, PA/NJ	Southern Virginia Land Conservancy, VA
Izaak Walton League of America, National	New Jersey Conservation Foundation, NJ	Summit Land Conservancy, UT
Jamestown, Eastern U.S.	New River Land Trust, VA	Sustainable Forestry Initiative, National
Jefferson Land Trust, WA	North American Grouse Partnership, National	Tall Timbers, FL
Kaniksu Land Trust, ID/MT	Northeast Carbon Alliance, Northeast	Texas Conservation Alliance, TX
Kennebec Land Trust, ME	Northern Neck Land Conservancy, VA	Texas Land Trust Council, TX
Kennebunkport Conservation Trust, ME	Northern Prairies Land Trust, SD	The Carbon Fund, National
KKAC Organization, AR	Northern Virginia Conservation Trust, VA	The Climate Trust, National
L&C Carbon, OR	Northwest Arkansas Land Trust, AR	The Conservation Fund, National
Land Clinic, CA	Open Space Institute, Eastern U.S.	The Frontera Land Alliance, TX/NM
Land Trust Alliance, National	Openlands, IL	The Nature Conservancy, National
Leavitt Lake Ranches, CA	Orion: The Hunters Institute, MT	The Vital Ground Foundation, MT
Leelanau Conservancy, MI	Outdoor Alliance, National	The Watershed Association, TX
Legacy Land Conservancy, MI	Palmer Land Conservancy, CO	The Westervelt Company, National
Lowcountry Land Trust, SC	Pheasants Forever, National	The Wildlife Society, National
Lyme Timber Company, National	Pines and Prairies Land Trust, MN	Theodore Roosevelt Conservation Partnership, National
Mahoosuc Land Trust, Inc., ME	Pingree Associates, ME	Trust for Public Land, National
Maine Appalachian Trail Land Trust, ME	Pope & Young Club, National	Tug Hill Tomorrow Land Trust, NY
Maine Coast Heritage Trust, ME	PotlatchDeltic, National	Unique Places to Save, National
Manulife Investment Management	Potomac Conservancy, MD/VA/WV/DC	Upper Saco Valley Land Trust, NH
Timberland and Agriculture, National	Putnam Land Conservancy, FL	Upstate Forever, SC
Minority Outdoor Alliance, GA	Quail Forever, National	Valley Conservation Council, VA
Mississippi Land Trust, MS/AR	Rangeley Lakes Heritage Trust, ME	Vinalhaven Land Trust Inc., ME
Mississippi River Trust, AR/MS/LA	Resource Management Service, LLC, National	WeConservePA, PA
Montana Association of Land Trusts, MT	Rhode Island Land Trust Council, RI	Western Foothills Land Trust, ME
Mother Lode Land Trust, CA	Rocky Mountain Elk Foundation, West	Western New York Land Conservancy, NY
Mule Deer Foundation, National	Santa Fe Conservation Trust, NM	Western Pennsylvania Conservancy, PA
National Alliance of Forest Owners, National	Scenic Hudson, NY	White Oak Initiative, Eastern U.S.
National Association of State Foresters, National	Scenic Rivers Land Trust, MD	Whitetails Unlimited, National
National Bobwhite & Grassland Initiative Foundation, National	Sebasticook Regional Land Trust, ME	Wild Sheep Foundation, National
National Deer Association, National	Society for the Protection of NH Forests, NH	Wildlife Forever, National
		Wildlife Management Institute, National
		Wildlife Mississippi, MS