

PROTECTING OUR WORKING FORESTS

By **ROBERT SCHWARTZ**

Five years ago, the 2018 Farm Bill was signed into law, marking a pivotal moment for the land trust community. The bill has helped us make great strides in the conservation of working lands by significantly increasing funding to the Agricultural Conservation Easement Program (ACEP) and improving its effectiveness. While this was a huge victory for our community, the bill did not address the conservation of working forestlands.

According to the National Alliance of Forest Owners, approximately 360 million acres of working forests—or 70%—are on private lands. Conserving these forests provides a multitude of benefits for both rural and urban communities. In addition to being a powerful carbon sink that accounts for 72% of the total annual forest sequestration in the United States, private working forests also filter nearly 30% of the nation's drinking water, provide habitat for 60% of at-risk species and support 2.5 million jobs.

But over the last decade, private forestland has faced significant conversion pressure from housing and urban development. The United States currently loses approximately half a million acres of privately owned forestland each year. And foresters fear that number could increase, estimating that by 2060 the United States will have lost upward of 37 million acres total—an equivalent to the size of the state of Illinois. Yet, all hope is not lost.

Landowners of working forestlands may soon benefit from recently introduced federal legislation that aims to keep private forestland intact and working for generations to come by creating a dedicated Forest Conservation Easement Program (FCEP). This legislation could be a significant game changer in land trusts' efforts to increase the pace of conservation of working forested land.

INTRODUCING CRITICAL LEGISLATION

In May, Reps. Trent Kelly (R-Miss.) and Annie Kuster (D-N.H.) introduced the bipartisan Forest Conservation Easement Program Act in the U.S. House of Representatives; in July, the Senate bill was introduced by Sens. Kirsten Gillibrand (D-N.Y.) and Roger Wicker (R-Miss.). The legislation would enhance the Healthy Forests Reserve Program (HFRP) by putting in place a comprehensive program

to advance the conservation of working forestlands. Similar to HFRP, it would be administered by the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) and is designed to keep forests from being converted to non-forest uses. At the heart of the legislation is the ability to keep forests as forests through the purchasing of development rights from willing private and tribal landowners.

"Currently, no federal forest easement program allows land trusts and tribes to hold conservation easements on forestland. The proposed program aims to change that by conserving working forests while making considerable inroads toward mitigating the impacts of climate change and providing timber supply for the forest products we all need," says Lori Faeth, the Land Trust Alliance's senior government relations director.

The Alliance is optimistic that this critical legislation will be included in the conservation title of the 2023 Farm Bill.

"We already have strong support for this program from our members and a broad coalition of conservation, sportsmen and working forest organizations," says Faeth. "I believe these voices, from across the country, will have a significant impact on lawmaker's efforts to pass this critical legislation."

FILLING A GAP

The program would fill a gap in the conservation of our nation's forested lands. While HFRP promotes the recovery of threatened or endangered species and helps landowners restore, enhance and protect private and tribal forestlands, it is rarely funded and allows only federally held easements. Similarly, the U.S. Forest Service's Forest Legacy Program (FLP) is another successful program but with a very specific and important purpose: to provide funding to state agencies to acquire fee title and easements on lands within a state-designated "Forest Legacy Area." While it has helped conserve about 3 million acres of forestlands across the country, it is limited geographically.

Importantly, both HFRP and FLP do not provide opportunities for land trusts, tribes and other non-governmental entities to hold forest easements. FCEP would fill this gap by enhancing HFRP with mandatory funding and provide two distinct easement



Private Working Forests Help Us All

In the U.S., private working forests provide:

72%

OF TOTAL FOREST CARBON SEQUESTRATION

60%

OF AT-RISK SPECIES' HABITAT

30%

OF THE NATION'S DRINKING WATER

2.5M

JOB FOR PEOPLE

options for landowners to choose from as a means of conserving their land. It would also fill the void on eligible entities and eligible land necessary to round out and complement FLP, thus improving and enhancing the ability to effectively conserve working forests at scale.

The two options for landowners allow eligible entities—including conservation organizations such as land trusts, state and local agencies, and tribes—to purchase working forest conservation easements from willing private and tribal landowners, or allow NRCS to purchase easements directly while providing financial assistance for the management and restoration of the land.

WHAT LIES AHEAD

As of Aug. 1, the Forest Conservation Easement Program Act had a combined 14 sponsors in the House and Senate. At the same time, organizations like the Alliance have continued to advocate for its inclu-

sion in the 2023 Farm Bill's conservation title with mandatory funding.

The Land Trust Alliance joined The Conservation Fund, Wildlife Mississippi, the National Alliance of Forest Owners, the Congressional Sportsmen's Caucus and the Boone and Crockett Club to create a coalition advocating for a Forest Conservation Easement Program. There are now well over 160 organizations that support this legislation. The group launched foresteasement.org, a website where land trusts can find additional information about the legislation including factsheets, a legislative summary and FAQs. The site serves as a repository for all things related to the legislation and is frequently updated with the latest developments from Capitol Hill. Land trusts interested in learning more about these and other efforts to conserve private forests should email policy@lta.org.

In the meantime, the Alliance urges all land trusts to get behind this effort and stay engaged as our community works to provide ample opportunities for private forestland and forest landowners of all types and sizes to protect and conserve their land, now and for future generations. ☺

ROBERT SCHWARTZ is the Alliance's senior government relations manager.

AN EVER-EXPANDING PARTNERSHIP

To support land trust participation in Farm Bill programs, the Land Trust Alliance has built a long-standing partnership with the U.S. Department of Agriculture's Natural Resources Conservation Service. Through our partnership we have developed tools, training and resources, and provided the agency with recommendations to strengthen Farm Bill programs. We are pleased to share that our partnership is expanding and will soon include several new staff who will provide technical assistance and direct support to land trusts applying for conservation easement programs. We appreciate the agency's commitment to making Farm Bill programs work for land trusts and all partners.

BIGSTOCKPHOTO.COM/DAVIDZFER