

Congress of the United States

Washington, DC 20510

August 5, 2021

The Honorable Thomas J. Vilsack
Secretary
United States Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Secretary Vilsack,

We write in support of a change to the Forest Legacy Program (FLP) Implementation Guidelines that would unlock significant new lands and funding for conservation, helping to meet the Biden-Harris administration's goal to conserve 30 percent of our lands and waters by 2030. In their current form, the FLP guidelines do not allow accredited land trusts to hold the interests in land acquired through the program. Lifting this restriction would enhance the strategic implementation, landscape coverage, and impact of the program while expanding partnerships and reducing costs.

Under current guidelines, landowners are excluded from participating if they do not want a governmental entity holding the conservation easement acquired through the program, which has resulted in private landowners leaving FLP projects over this concern. Further, state participation is limited if those states do not already have robust state-held easement programs. Small local governmental entities otherwise eager to benefit from the program are constrained from holding interests in land due to their limited capacity. In each of these cases, accredited land trusts would be an ideal partner. For example, California's state Forest Legacy Program works with land trusts to hold those interests, and so do other federal conservation programs for private lands.

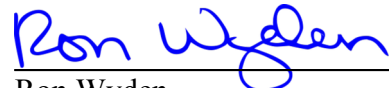
The current FLP guidelines also limit the amount of available funding or hinder the efficiency of how funds are used. Private charitable parties will fund accredited land trusts for conservation, but many won't fund governmental projects. And although most state money for conservation easements does not require a governmental hold, FLP funds cannot be melded with these other sources of public money if the landowner does not want a governmental partner. This change would fix these problems, while simultaneously reducing costs and liabilities for governmental entities that do not want to carry the liability or stewardship burden of a qualified conservation easement. We recommend the Forest Service make this modification to allow accredited land trusts to hold the interests in land (conservation easements and fee titles) that are acquired using program funding, if a state decides to elect that option.

Land trusts already source and develop projects, negotiate and close deals, and may also then do monitoring and stewardship as partners. Allowing them to hold easements would not significantly change the way the program is run but would significantly increase both conservation and efficiency. This change is a critical step towards accelerating private lands conservation to meet national conservation goals.

Sincerely,



Jared Huffman
Member of Congress



Ron Wyden
United States Senator



Suzanne Bonamici
Member of Congress



Ed Case
Member of Congress



Earl Blumenauer
Member of Congress



Peter A. DeFazio
Member of Congress



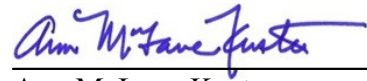
Lucille Roybal-Allard
Member of Congress



Susan Wild
Member of Congress



Kurt Schrader
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Ann McLane Kuster
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John Garamendi
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