Forestry Programs: Forest Legacy Program

The State of Texas contains 26 million acres of forestland, primarily in the Eastern third of the state. This forestland provides the state with its third most valuable agricultural commodity, creating more than 91,000 jobs with more than $2.3 billion in wages and salaries. In addition, forests in Texas provide non-timber benefits such as clean water, habitats for diverse wildlife, eco-tourism, historical preservation, and carbon sequestration abilities.

For these reasons, it is vitally important to protect forestland in Texas. Private non-industrial landowners own approximately 63% of the forestland in Texas, while the forest industry accounts for about 16% of forest ownership in Texas. These landowners face increasing incentives to utilize their land for non-forest purposes due to population growth and a rising demand for non-agriculturally developed land. Because of these pressures, forestland in Texas is becoming increasingly fragmented and thus the benefits of forests are being negated. Therefore, Texas displays a need for a program that fosters a long-term commitment to sustainable forest management.

The United States Department of Agriculture Forest Service (USFS) provides just such a program, known as the Forest Legacy Program (FLP). Established in the 1990 Farm Bill, the FLP strives to protect environmentally sensitive forestlands through the acquisition of conservation easements, which are legally binding agreements transferring a negotiated set of property rights from one party to another without removing the property from private ownership. The process of acquiring conservation easements through the FLP is accomplished through interactions of federal, state, and local branches of government as well as non-governmental organizations. Landowner participation in the program is entirely voluntary, and no land or interest in land will be forcefully sold.

The Texas Forest Legacy Program is a cooperative effort between the Texas A&M Forest Service and the USDA Forest Service to protect environmentally important forestlands from conversion to non-forest uses. Working forest easements protect conservation values while allowing forest landowners in Texas to maintain the economic and recreation uses of their forests. By offering interested Texans this opportunity, the Texas A&M Forest Service hopes to sustain the benefits of Texas forests, including economic development, enhanced water and air quality, habitat diversity, and historical preservation.

In order to participate in the Forest Legacy Program, the Texas A&M Forest Service compiled an Assessment of Need document, available below, evaluating existing forest resources and conditions, identifying threats to Texas forests, and detailing how the program will work in Texas. http://texasforestservice.tamu.edu/pdf/admin/ir/tflp/tflp%20aon.pdf
Landowners who wish to participate in the program may be asked to provide the following information:

- Name, address and phone number of applicant landowner.
- All other owners of record for this tract, and their addresses.
- Name, address and phone number of authorized agent representing landowner(s), if applicable.
- Location of property.
- If the landowner intends to reserve rights to forestry uses or other resource management activities, a copy or reference to the State-approved landowner Forest Stewardship Plan or multi-resource management plan.**
- List of the significant scenic, natural, recreational, wildlife, timber and other resource values contained on the property.
- Identification of all dams, dumps or waste disposal sites on the property.
- Signed statement giving the FS and State lead agency permission to enter the property for review and appraisal purposes.
- Legal description.
- List any encumbrances or liens existing on the property including, but not limited to contracts, leases, or outstanding rights not of record.
- Copy of plat or survey map of the property, if existing. If only a portion of the property is being offered, identify it on a plat showing the portion offered in the context of the entire tract.
- Tract acreage and total number of acres of forests and cleared/open land.
- List of existing permanent improvements on the tract, including houses, barns, lakes, ponds, dams, wells, roads, and other structures, and total number of acres occupied by improvements.

** A State approved Forest Stewardship Management Plan must be in place at the time of the closing. Language in the easement will refer to the plan and will require that the plan be reviewed every 5 years.