

**Current status of the FCEP legislation: As of this writing, 7-27-23, HR 3424 has been introduced by Rep. Kent (R-Ms) and referred to Agricultural subcommittee on conservation. It is supported by 11 bipartisan representatives. Please see below for details of the bill.**

**Greg Kuhns**

## **The Forest Conservation Easement Program (FCEP)**

The Forest Conservation Easement Program (FCEP), which would be administered by the USDA Natural Resources Conservation Service (NRCS), is designed to keep forests from being converted to non-forest uses by purchasing development rights – via conservation easements – from willing private and tribal landowners. Private forests in a conservation easement can remain working forests, providing numerous benefits to rural and urban communities, and will stay on the tax rolls. Read the detailed FCEP description [here](#).

### **PRIVATE FORESTLAND BENEFITS & THREATS:**

Private forests sequester large amounts of carbon, filter nearly 30% of the nation's drinking water, provide habitat for 60% of at-risk species and support 2.5 million jobs. These forests face significant threats, mainly from conversion to housing and urban development. Once land is converted, it is highly unlikely it will ever revert to forestland.

### **FCEP STRUCTURE:**

As a forest-focused complement to NRCS's Agricultural Conservation Easement Program (ACEP), the Forest Conservation Easement Program has two components:

- Forest Land Easements (FLE), which will allow eligible entities – including conservation organizations (such as land trusts), state and local agencies, and tribes – to purchase working forest conservation easements; and
- Forest Reserve Easements (FRE), through which the USDA NRCS will purchase easements directly from private and tribal landowners. FRE is the successor to and expansion of the existing Healthy Forests Reserve Program (HFRP).

## **FCEP FILLS A GAP:**

Most working forestlands are not eligible for ACEP, which has a critical role in conserving agricultural lands, grasslands, and wetlands. Additionally, no existing forest easement program allows land trusts, tribes, and other NGOs to hold conservation easements. Specifically, the U.S. Forest Service's Forest Legacy Program provides funding for state agencies to acquire fee title and easements on lands within a state designated "Forest Legacy Area". HFRP easements are federally held by NRCS, and the program has received inconsistent and insufficient funding. While these programs all serve important purposes, FCEP fills the remaining void by replacing and improving upon HFRP with mandatory funding and the addition of an eligible entity-held easement (via FLE) to complement HFRP's federally held easement (will become FRE).

## **FCEP STATUS:**

A broad coalition of conservation, sportsmen, and working forest organizations and companies are working to include FCEP legislation in the 2023 Farm Bill's conservation title, with mandatory funding.

*So, NWOA members and readers, what do you think of this proposed legislation? Should NWOA sign on as one of the organizations in support? Tell us what you think: [execdirector@nationalwoodlands.org](mailto:execdirector@nationalwoodlands.org)*