

**New Hampshire State Priority Plan
Forest Land Enhancement Program
June 30, 2003**



FLEP



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New Hampshire State Priority Plan for the Forest Land Enhancement Program (NHFLEP Plan)

June 30, 2003

General Information and Program Purpose

The Forest Land Enhancement Program (FLEP) is authorized under the Cooperative Forestry Assistance Act of 1978 as amended by the Farm Security and Rural Investment Act of 2002 and is established to encourage the long-term sustainability of non-industrial private forestlands (NIPF). NHFLEP is implemented through the New Hampshire Division of Forests and Lands.

Enabled by state law, The NH Division of Forests and Lands and UNH Cooperative Extension (UNHCE) have a Memorandum of Understanding, in existence since 1925, that enables UNHCE to provide education and technical assistance to non-industrial private forest landowners, and others, on behalf of the State Forester.

The New Hampshire State Priority Plan (NHFLEP Plan), states the procedures by which the NH Division of Forests and Lands and the University of New Hampshire Cooperative Extension will administer FLEP in cooperation with its partners and stakeholders to promote sustainable forest management practices on non-industrial private forestland. Management activities and practices funded under this program will provide multiple resource benefits.

NHFLEP will be a coordinated state and federal program that provides management expertise, financial assistance, and education to NIPF owners. State and other programs, where available, will be used to complement the program objectives.

Ten full time equivalent forestry professionals working on private lands (Through UNH Cooperative Extension and the NH Division of Forests and Lands), along with consulting foresters and other natural resource professionals, will provide technical assistance to implement FLEP practices

This plan details program priorities, policies, and procedures to achieve the objectives of the federal program by providing educational opportunities, technical assistance, and financial assistance for forest landowners that participate in the program.

New Hampshire's objectives are in accordance with the federal objectives, which are to establish, restore, protect, manage, maintain, and enhance the health and productivity of the NIPF lands in the United States for timber, habitat for flora and fauna, soil, water, and air quality, wetlands, and riparian buffers. The program targets regeneration, improvement of wildlife habitat, improvement of poorly stocked stands, improvement of water quality, and timber stand improvement. Other objectives are to reduce the risks and to help restore, recover, and mitigate the damage to forests caused by fire, insects, invasive species, disease, and damaging weather, among other benefits.

This plan outlines program policies, priorities, and procedures necessary to accomplish the objectives. It has been developed by the State Forester in coordination with the NH Forest Stewardship Committee.

The plan will become effective October 1, 2002, contingent upon the concurrence of the Director, Northeastern Area, USDA Forest Service, and receipt of program funding to the state, and continues through Federal FY 2007, which ends on September 30, 2007. However, the plan can be revised annually, if necessary.

Public Participation in Plan Development

Stakeholders are formally involved in developing this plan in coordination with the NH Forest Stewardship Committee, a committee representing diverse interests.

Forest landowners have been informed about plan development and invited to submit suggestions and comments through newsletters regularly read by this community including those of the NH Timberland Owners, UNH Cooperative Extension county and statewide, Conservation Districts, NH Farm Service Agency, and the NH Department of Agriculture.

Public meetings for natural resource professionals and landowners were also held to inform them of FLEP and also to solicit feedback.

The public and special interest groups, including landowners, are invited to review information about NHFLEP and also the NHFLEP Plan on the web at http://ceinfo.unh.edu/forestry/documents/woodlots.htm#FS_Twa. This site is dynamic and updated as the program develops. Site visitors are invited to provide feedback through email, a 1-800 number, or regular mail.

Underserved audiences are reached by direct mailing information about plan development and NHFLEP to organizations and agencies representing non-traditional audiences using the NH Farm Service Agency's outreach mailing list.

All audiences are invited to learn about and participate in plan development and NHFLEP through newreleases to local and statewide media outlets.

Roles and Responsibilities

State Forester will:

- Develop and maintain a state priority plan (NHFLEP Plan) to establish program priorities, policies, and procedures.
- Document Stewardship Committee program involvement.
- Administer FLEP funding.
- Administer the cost share program according to a Memorandum of Understanding between NH Division of Forests and Lands, UNHCE, and the NH Farm Service Agency (appendix).
- Monitor program progress.
- Administer the program.
- Submit the state FLEP priority plan to the Director, USDA-FS-NA for concurrence.

State Forest Stewardship Committee will:

- Advise in the development of the NHFLEP Plan.
- Maintain written records of program involvement through minutes and other documentation.
- Monitor program progress.
- Advise the State Forester and UNH Cooperative Extension on program development.

UNH Cooperative Extension will:

- Develop and deliver educational programs.
- Provide technical assistance to landowners.
- Administer the cost share program as detailed in a Memorandum of Understanding between NH Division of Forests and Lands, UNHCE, and the NH Farm Service Agency.
- Provide accomplishment reports using reporting procedures prescribed by the USDA Forest Service, Northeastern Area such as the PMAS reporting system.

The NH Farm Service Agency will:

- Administer the cost share program as detailed in a Memorandum of Understanding between NH Division of Forests and Lands, UNHCE, and the NH Farm Service Agency.

The United States Department of Agriculture- Forest Service (USDA-FS) will:

- Provide general program oversight.
- Distribute funding to states.
- Be guided by the rules to distribute funds.
- In consultation with the state forester, may develop priorities and practices in addition to national priorities of tree planting, forest stand maintenance and improvement.
- Provide concurrence to State Priority Plans.
- Enter into agreements with other USDA agencies.
- Retain final authority to resolve issues which may arise.

The New Hampshire Forest Resource- Baseline Data

New Hampshire forests are important to the state's economy. The forest products industry is the third largest industry in terms of value of shipments. Each acre of forestland generates \$313 per acre per year of economic activity in the forest products industry. (*The Economic Importance of NH's Forests*, Northeast State Foresters Association, 2001).

According to the 1998 Forest Inventory and Analysis, eighty-four percent of New Hampshire is forested with the majority of the state's forestland privately owned. There are approximately 84,000 landowners in New Hampshire who have various reasons for owning their land. Private non-industrial forest landowners own 3,260,000 acres, about 70 percent, of the forest land. The average size non-industrial private property is 37 acres.

Past studies show these individuals typically own land for reasons other than timber production, including aesthetic enjoyment, provision of wildlife habitat, recreational opportunities, in association with a residence, and as an investment. In one survey, only 48 percent of respondents ranked "timber production or other products for sale" as a somewhat or very important reason for owning their woodland. (*NH Forest Resources Plan Assessment Report*, 1995). However, a large number of these owners represent a relatively small percentage of the resource base (According to 1998 FIA, in New Hampshire 60% of the owners own only 14% of the NIPF land).

A recent study found that 73 percent of New Hampshire landowners (owning 10+ acres) don't have a management plan. Many of these landowners expressed interest in developing management plans to help them identify and meet their objectives for their property (*NH Forest Resources Plan Assessment Report*, 1995).

Trends such as increasing population, fragmentation of the forest resource base and changes in land ownership all effect the ability of New Hampshire's forests to meet the diverse needs of the people. Increased pressures have been placed on the forested landscape as population has grown. From 1990 to 1998, New Hampshire was the fastest growing state in the six state New England region, registering a 6.8% population gain between 1980-1998. (*The Changing Landscape of New Hampshire*, 1999).

This population growth and associated development has reduced available forest land. The Natural Resource Inventory, conducted by the Natural Resources Conservation Service, indicated that between 1982 and 1992, an average of 13,000 acres of forest land was lost each year to development. Increased development pressures and conversion of land to non-forest uses results in fragmentation of the forest resource base. Since 86% of New Hampshire's private forest land is owned by 40% of the private forest landowners, efficient use of FLEP resources can be made by targeting these people in involvement in the FLEP program.

Studies also show NH's population is aging. The average age of individual owners is approximately 60 years old. A recent USDA Forest Service survey of private forest land owners found that the percentage of New Hampshire landowners who are retired jumped from 15 to 40 percent between 1983 and 1994. They now hold nearly 1.5 million acres of New

Hampshire forest land. This means that 40 percent of the landowners -- or more than one fourth of the forest land in the state will change owners in the next 25 years (*NH Forest Resources Plan*, 1996).

With increased demands and pressures, comprehensive planning and management for the future is critical to maintain the resource base and the benefits it provides.

An intensive program of information and education targeted specifically for private non-industrial forest landowners is necessary to make them aware of the opportunities in forest resource management activities.

Concerns, Issues and Threats Related to New Hampshire's Forest Resources

The two largest concerns, issues, and threats to New Hampshire's forest resource are:

- poor or no management due to uninformed decisions and
- loss of the productive forest land base.

New Hampshire has 84,000 landowners who own over 3 million acres. In the last 10 years, we estimate that 15% of the landowners have received professional forestry advice and that 15 % of the private land has a forest stewardship plan. (Forest Stewardship Program reports).

We also estimate that through land development and sprawl, an estimated 13,000 acres is converted from forest to other land uses losing the ecological and economic benefits that undeveloped forested land provides.

Desired Objectives and Environmental, Economic, and Societal Values and Public Values to Be Derived

The New Hampshire Forest Resources Plan (NH RSA 227-I:8) guides the state's forest policy, management, education, and outreach. It targets eleven desirable objectives. The FLEP program will contribute directly to achieving 6 of these objectives. They are:

- Keeping contiguous blocks of forests intact and under consistent management.
- Developing mechanisms for sustaining managed forests.
- Conserving New Hampshire's biological diversity.
- Instilling or enhancing appreciation, knowledge and skills of forest resource conservation among youth, adults, and forest resource professionals.
- Acquiring and managing lands and easements for which there is a public interest and that complement the benefits provided on private lands.
- Enhancing awareness of the importance of conserving community forests for their ecological and social values.

To achieve the objectives of the *New Hampshire Forest Resources Plan* and the environmental objectives of the FLEP program, New Hampshire will endeavor to involve more people and acres in land stewardship and protect and manage large contiguous blocks of land by involving non-participants, owners with larger acreages, and owners with protected land.

We proposed to do that by bringing landowners and decision-makers along a continuum of awareness, knowledge, and informed action. Because of our mobile society and ownership changes, we will reach out to new owners and non-traditional audiences; encourage them to connect with other landowners through volunteer, peer to peer networks and conservation organizations; encourage them to connect with natural resource professionals; and develop and follow a forest stewardship plan.

The need for planning is emphasized in *Good Forestry in the Granite State: Recommended Voluntary Forest Management Practices for New Hampshire* (NH RSA 227 I:4), “The most sensible first step for landowners is to learn as much as possible about their forest and to establish appropriate goals for managing it”.

Connection to the New Hampshire Forest Stewardship Program Plan

The New Hampshire Forest Stewardship Program Plan (appendix) summarizes the philosophy and strategy New Hampshire uses to deliver landowner assistance programs. The FLEP program adopts the same philosophy and supplements strategies outlined in that plan. Key elements are summarized below.

The NH Forest Stewardship Program began in 1990 with the creation of the NH Forest Stewardship Committee and development of a statewide five-year plan. The plan was revised in 1996 and in 2001. The program encourages long term, integrated resource planning and management on private forestlands

Stewardship planning includes identifying and evaluating the entire array of forest-related resources on a piece of property. These include its wildlife habitat, soil and water, recreational opportunities, wetlands, timber, unique natural communities, and historic values. Addressing all these resources in the planning process enhances the potential for forest health, beauty and productivity for future generations.

New Hampshire's approach is to inspire landowners to care for their land, provide them with information about long term stewardship of natural resources, and encourage them to develop and implement stewardship plans under the guidance of private licensed foresters.

Promotional efforts include the use of public service announcements, targeted mailings, exhibits, and slide shows. In addition, demonstration trails and forests are used to inform and educate people about stewardship planning and management. Connecting with the many non-governmental organizations in the state is an important means of disseminating the forest stewardship message.

New Hampshire's program has relied on public and private sector partnerships. While public sector efforts focus on providing stewardship information and education, private sector foresters write and implement forest stewardship plans. Continuing education for natural resource professionals on stewardship topics is an important component.

Since the program began, nearly 1,990 stewardship plans have been written for landowners covering 520,000 acres of forest land. Eighty-five private licensed foresters have been involved, writing and implementing stewardship plans.

The FLEP program will help achieve the goals for developing landowner stewardship plans as outlined in the New Hampshire Forest Stewardship Program Plan. The same criteria for forest stewardship plans will be used by both programs. The forest stewardship plan guidelines have been revised to include additional priorities of the FLEP program such as invasive and exotic species.

An approved Forest Stewardship Plan written by a NH licensed forester (NH RSA 310-A:99) must be in place to receive FLEP cost share.

How FLEP complements other USDA and other forestry assistance programs

New Hampshire anticipates receiving more cost share funds from other USDA and other state agencies than through FLEP, therefore we will focus FLEP funds to complement these other programs.

The NH Division of Forests and Lands and UNH Cooperative Extension cooperates with the NH Farm Service Agency and the Natural Resources Conservation Service (NRCS) according to memorandums of understanding.

NRCS and UNHCE will market cost share and technical assistance to landowners according to landowners needs and not as separate programs. County Extension Foresters and District Conservationists will provide information to landowners about the services and programs of each and where appropriate provide technical assistance as a team.

Each agency will provide prior and final approvals of practices according to their expertise.

Where applicable, FLEP cost share practices will use EQIP technical standards and cost share rates.

The NH Department of Fish and Game has a small grants and a Landowner Incentive Program, providing financial and technical assistance for wildlife habitat improvement to private landowners. These programs will be promoted to landowners as a means to accomplish practices indicated in their forest stewardship plans.

This cooperative approach in program delivery will increase the impact of technical assistance and educational outreach helping us to meet landowner and resource needs beyond the money available through FLEP alone. FLEP dollars are leveraged to provide better quality and quantity of landowner assistance. This result is more accomplishment and more positive impact on the forest resource.

Distribution of funds to program components, objectives, and measurable outcomes for program administration, education, technical assistance and cost share financial assistance

New Hampshire proposes to use FLEP and other state and USDA program funds to complement each other to provide a complete package of education, technical assistance, and cost share to non-industrial private owners. After administration costs (10% of total allocation), FLEP funding targets will be: education and technical assistance (25%), cost share (75%).

It is anticipated that funding targets will be changed through an amended priority plan as program needs shift.

Program Administration

Objectives

- To leverage the FLEP program objectives, activities, and dollars with other programs such as Forest Stewardship, EQIP, WHIP, and state general funds to provide a complete suite of services to New Hampshire landowners.

Measurable Expected Outcomes and methods for documenting accomplishments and program evaluation

- Measurable expected outcomes are discussed under education, technical assistance, and cost share.
- Compliance with program requirements including distribution of funds, compliance monitoring, and reporting of accomplishments using PMAS.

Educational Assistance includes activities, events, programs, curriculum, written materials, workshops, training sessions, website construction and maintenance, and similar activities designed to bring landowners to an informed decision point and accelerate the adoption of sustainable forest practices.

Objectives

- Create an awareness in landowners not previously involved in forestry education and technical assistance programs (with a special emphasis on larger acreages) of the value of forest stewardship plans and activities and motivate them to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities.

- To maintain existing landowner commitment to stewardship and provide information of new opportunities, motivate landowners previously involved in forestry education and technical assistance to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities, if they haven't yet done so.
- Leverage long term program benefits by working with landowners who own protected land and who are not currently managing the property under a stewardship plan. Motivate them to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities. Target second and third generation owners of these lands who may not have the forest stewardship values that the original owners had.
- Prepare NH licensed foresters to respond to FLEP cost share practice requests including understanding the process to access cost share funds and also plan for and implement FLEP practice activities.
- Provide foresters and landowners with advanced education about forest stewardship topics so plans and activities reflect FLEP priorities.

Measurable/ expected outcomes

- The number and acres of forest stewardship plans completed will increase by 50% over current targets.
- 100% of the cost share funds made available through FLEP will be used. (Targets for each category of funding will depend on FLEP allocation to New Hampshire. See cost share section for estimated targets).
- 100% of the cost share funds made available through the EQIP program for forest-related activities will be used. (Currently, 20% of the EQIP funds are targeted for this use).

Types of activities

- Press releases: Using a statewide database of media outlets, an average of three press releases will be distributed each year to raise awareness of FLEP. These will also be distributed to conservation organizations, town offices, conservation volunteers, and other specialty audiences.
- Brochure development and distribution: Develop a brochure that describes the suite of programs and practices available to landowners including FLEP, EQIP, WHIP, the NH Fish and Game program, and others. Distribute them through direct mail to targeted watersheds or other geographic regions and targeted audiences such as landowners with permanently protected land, large acreages, or landowners who have never participated in forestry education and technical assistance programs.
- Webpage development and maintenance: Develop and maintain a webpage that includes the NHFLEP Plan, press releases, brochures, and cost share program and practice descriptions.
- Convene a work group to explore new ways to reach non-participants and experiment with new methods suggested.
- Professional development for natural resource professionals: Conduct an average of four workshops a year targeted to natural resource professionals with an emphasis on foresters that focus on FLEP related topics including the FLEP program, invasive species, wildfire and catastrophic risk reduction and recovery, and forest health.
- Workshops on FLEP topics for landowners: Conduct an average of five workshops a year targeted to landowners with a special emphasis on those with large acreages, those whose

land is permanently protected and those who are not engaged in active stewardship on topics including the FLEP program, invasive species, wildfire and catastrophic risk reduction and recovery, and forest health.

Methods of documenting and evaluating

- Accomplishments will be documented using PMAS and any supplementary information requested by the USDA-Forest Service.
- Outreach and education efforts including press releases and brochure development and distribution will be evaluated according to the success in reaching targets for cost sharing practices, specifically for forest stewardship plans and practices completed on those properties; percentage of new owners/ acres involved; acres of permanently protected land improved; and numbers/ acres of landowners using professional forestry advice.
- The webpage will have an easy-to-use method for visitors to give feedback on the page's usefulness.
- All workshops will be evaluated for quality and utility. Attendees to at least half of the workshops will be asked at 6 months to a year after the program how the information was used to inform their management plans and activities.

Technical Assistance includes landowner technical advice, field visits, stewardship and forest management plan preparation, management plan reviews, approval of cost share practices including on-site inspections, and verification of practice completion.

Objectives

- Provide on-site assistance to non-industrial private forest landowners eligible for FLEP with a special emphasis on landowners not previously involved in forestry technical assistance programs, larger acreages, and landowners owning land that is permanently protected.
- Motivate them to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities.

Measurable expected outcomes

- The number and acres of forest stewardship plans completed will increase by 50% over current targets.
- 100% of the cost share funds made available through FLEP will be used. (Targets for each category of funding will depend on FLEP allocation to New Hampshire. See targets in cost share section for estimated targets).
- 100% of the cost share funds made available through the EQIP program for forest-related activities will be used. (Currently, 20% of the EQIP funds are targeted for this use).

Method for documenting accomplishments/ evaluating

- Accomplishments will be documented using PMAS and any supplementary information requested by the USDA-Forest Service.
- Technical assistance efforts will be evaluated according to the success in reaching targets for cost sharing practices, specifically for forest stewardship plans and practices

completed on those properties; percentage of new owners involved; acres of permanently protected land improved; and numbers of landowners using professional forestry advice.

- Landowners will be asked to complete a customer satisfaction card to gauge quality and utility of the technical assistance. Intention to adopt practices and will also be asked.

Financial Assistance (Cost Share) includes practices FLEP 1- FLEP 11 and will be approved in accordance with priorities developed by the State Forester in coordination with the Forest Stewardship Committee.

Objectives

- Motivate landowners who have never been involved in forestry cost share (with a special emphasis on larger acreages) to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities.
- To maintain existing landowner commitment to stewardship, motivate landowners previously involved in forestry cost share (with a special emphasis on larger acreages) to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities, if they have not already done so.
- Leverage long term program benefits by working with landowners who own protected land and who are not currently managing the property under a stewardship plan. Motivate them to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities. Target second and third generation owners of these lands who may not have the forest stewardship values that the original owners had.
- Motivate landowners with land that is permanently protected through Forest Legacy or similar projects to develop objectives, create a forest stewardship plan, connect with a forester, and conduct appropriate management activities.

Measurable Expected Outcomes

- 100% of the cost share funds made available through FLEP will be used. (Targets for each category of funding will depend on FLEP allocation to New Hampshire. See targets in cost share section for estimated targets).
- 100% of the cost share funds made available through the EQIP program for forest-related activities will be used. (Currently, 20% of the EQIP funds are targeted for this use).
- 50% of cost share participants will be new to cost share activities.
- The following accomplishments are targeted annually (Targets are given only for those practices given a high priority for cost share in NHFLEP Plan).
 - 30,000 acres of forest stewardship plans
 - 700 acres of FLEP 3 forest improvement
 - 100 acres of FLEP 2 reforestation
- The number and acres of forest stewardship plans completed will increase by 50% over current targets.
- By 2007, 75% of the landowners will implement at least one practice recommended in the plan. This includes cost share and non-cost share practices.

Cost Share Administration

Landowner Eligibility Requirements

- All NIPF landowners, including those who produce forest products on a part-time or intermittent basis, and who meet the requirements of this section, are eligible to apply for and receive assistance under the program without regard to race, color, religion, national origin, age, sex, marital status, or handicap.
- The following are eligible: individuals including foreign owners; joint ventures; indian tribes; associations; corporations without publicly traded stock; and other private entities.
- The following are not eligible: federal, state, or local governments; corporations with publicly traded stock; and forest products manufacturers.

Land Eligibility Requirements

- Landowners must own at least ten (10) acres of undeveloped land including non-industrial private forestland (NIPF) and non-forest acres covered qualifying for FLEP practices 1-11.

Payment Limitations

- An “ownership entity” is eligible to receive a maximum of \$10,000 in cost-share funds annually, with a total maximum payment of \$50,000 over the life of the FLEP program as defined in the 2002 Farm Bill (i.e. through September 30, 2007).
- If more than one persons or “entity” own property, they shall be counted as one “ownership entity” and the maximum payment limitations applies to that entity not to individuals or entities that comprise the ownership entity.

Cost Share Rates and Practice Standards

- Forest Stewardship Plans will be cost shared at a maximum rate of 75%. All other practices will be cost shared at the same maximum rates as used by EQIP. Plan practice standards are contained in the FLEP handbook. All other practice standards will be the same as those used for EQIP and WHIP.
- Landowners may use non-federal programs or donated assistance to supplement FLEP funds, but the total of all funds shall not exceed 100 percent of the cost of implementing the practice.
- If the sale of forest products is part of the cost shared practice, the federal share of the total cost shall be reduced by the gross revenue.

Failure to meet minimum standards

- When a practice fails to meet minimum standards due to factors beyond a landowner’s control, cost share payments may be made under the following conditions:
 - The landowner repeats the application or establishes additional eligible practices.
 - The landowner makes a reasonable effort to meet the minimum requirements and the practice as performed adequately meets the objective of the plan.

Death or incompetence

- In the case of death or incompetence, cost share payments may be approved to the successor in title or other persons or entities in control of the property, if they agree to maintain the practice for the duration of the required maintenance period.

Practice Time Limitations

- Practices will be given a 12 month time limitation with the ability to receive a 6 month extension upon request. A second 6 month extension may be granted upon written request and if the landowner shows good cause.

Minimum Project Acreage

- Five acres is the minimum project size, with the exception of projects under the following FLEP practices: FLEP4, FLEP6, FLEP8, FLEP9 and FLEP11.
- FLEP 1 has a minimum project size of 10 acres.

Maximum Project Acreage

A landowner is eligible to receive cost share for treatment of not more than a total of 1,000 acres of land annually, except where the State Forester determines that significant public benefit would accrue from approval of treatment of up to 5,000 acres annually. Forest Stewardship plans are exempt from this treatment limitation.

Forest Stewardship Plans required for FLEP cost share

- A forest stewardship plan is the only plan that may be cost-shared. To qualify for FLEP 2-11, landowners must have a forest stewardship plan, or equivalent prepared or approved by a New Hampshire licensed forester or other qualifying natural resource professional approved by the State Forester. This will be documented on the FLEP application form. The UNH Cooperative Extension Forester will determine whether a landowner's management plan is the equivalent of a Forest Stewardship Plan. This plan must describe projects and activities to be carried out by the landowner. Landowners are not required to have a forest stewardship plan or a farm conservation plan on open lands, such as farmland, or pasture land, but these lands have significant wildlife benefit and landowners are encouraged to include these non-forested areas in their forest stewardship plan and to conduct appropriate conservation practices to enhance the values of the FLEP program.

Sign up and Practice Approval

- At the beginning of each "FLEP year" (defined as beginning when funds are received in the state and agencies are ready to disburse them), there will be a "sign up" period of at least one month. The availability of FLEP funds will be promoted to reach the intended audiences.
- Landowners or their agents will sign up for practices at the county FSA Offices. Requests will be reviewed by the County Extension Forester and approvals made with the advice of the FSA County Committees according to program priorities established in this plan, availability of funds, protection status of the property, and stewardship of resources of statewide significance. The approval process will endeavor to involve as many people as possible in the program.
- Additional requests will be accepted throughout the year and approvals made as funds are available in accordance with program priorities.

Appeals

Appeals may be made with respect to an applicant's denial of participation, or determination by UNH Cooperative Extension regarding compliance with program requirements or the making of payments.

Appeals may not be made with respect to determinations which are due to general program provisions or statutory requirements applicable to all program participants and determinations of a technical nature by UNH Cooperative Extension.

Appeals must be made in writing to the appropriate county FSA office within 30 days following receipt of the initial determination.

Appeals must contain the name, address and phone number of the appellant and a statement of facts regarding the case to include why the determination was not proper, violations of program regulations and failure of responsible agencies to consider all facts relating to initial determination.

First level appeals are reviewed by the FSA County Committee and the UNH Cooperative Extension Forester. Extension Foresters will issue a determination of these appeals based on input from the FSA County Committee within thirty days of receipt of the appeal.

Second level of appeal are reviewed by the State Forester who will issue a determination within thirty days of receipt of the appeal.

Third level appeals are reviewed by the Forest Service Regional Forester/ Area Director. The regional forester shall issue a determination within thirty days from receipt of the appeal

Prohibitions- No cost share payments shall be made for the following:

- Costs incurred before the application for cost share has been approved.
- Repeating practices on the same site by the same landowner which have been implemented under federal, state, or local government programs except where such practices are repeated due to a failure of the prior practice without the fault of the landowner.
- Practices associated with the development of, or improvement to nursery operations, nut or fruit orchards, Christmas trees, or any practice that is not related to the long term sustainability of nonindustrial private forest lands or agroforestry practices. Purchase of mushroom spawn, ginseng root, and similar specialty forest crops are considered short term activities designed for short term income rather than long term sustainable forest management, and therefore aren't allowed. Management activities to allow for such specialty crop production such as weeding and thinning is allowed.
- Forest stewardship plans to meet the requirements of the Forest Legacy Program.
- No program funds will be expended for capital investments, capital improvements, purchase in land or any interest in land, or any interest in an endowment.

Landowner Agreement

- Landowners must agree to maintain FLEP practices for a minimum of 10 years. Landowners who fail to maintain the practice for 10 years are subject to repay the NH FLEP program.

Recapture of funds for non-compliance:

- If an owner, successor, or assignee uses any scheme or device to unjustly benefit from this program, the financial assistance funds will be withheld or a refund of all or part of any program payments otherwise due or paid that person will be secured. A scheme or device includes, but is not limited to, coercion, fraud or misrepresentation, false claims, or any business dissolution, reorganization, revival or other legal mechanism designed for having the effect of evading the requirements of the program.
- If any owner or successor takes any action or fails to take action, which results in the destruction or impairment of the cost shared practice during the 10 year maintenance period, cost share funds will be withheld or recapture of all or part of any program payments due or paid will be secured based on the extent and effect of destruction and impairment.
- If an owner sells, conveys, or otherwise loses control of lands, upon which there is a continuing obligation to maintain the practice, the owner who was originally obligated to maintain the practice will be liable to return cost share on such practices, unless the new owner maintains the practice.
- Where the owner has received cost share for any practice that has been unsuccessful, due to factors beyond the owner's control, they may be required to reestablish the practice and be eligible for cost share of the activity.

Cost Share Practices and Description

Cost share activities under each practice, cost-share percentage, maximum payment and technical specifications are in the FLEP Handbook (appendix).

FLEP 1 Forest Stewardship Plan Development

Development or revision of a forest stewardship plan, or upgrading of an existing management plan to meet or exceed the FLEP forest stewardship plan standards.

FLEP 2 Reforestation/Afforestation

Site preparation, planting, seeding, or other practices to encourage natural regeneration, or ensure forest establishment.

FLEP 3 Forest Stand Improvement

Practices to enhance growth and quality of wood fiber, special forest products, and carbon sequestration.

FLEP 4 Agroforestry Implementation

Establishment, maintenance, and renovation of windbreaks, or other practices using trees and shrubs in conjunction with agricultural land use, including practices for energy conservation and carbon sequestration.

FLEP 5 Water Quality Improvement & Watershed Protection

Establishment, maintenance, renovation and /or restoration practices including any necessary design and engineering to improve and protect water quality, riparian areas and/or forest wetlands and watersheds.

FLEP 6 Fish & Wildlife Habitat Improvement

Establishment, maintenance, and restoration practices to create, protect, or improve fish and wildlife habitat for both game and non-game species, including any necessary design and engineering.

FLEP 7 Forest Health Improvement

Establishment of practices to monitor, assess, protect, improve or restore forest health; including detection and control of insects, diseases, and animal damage to established stands.

FLEP 8 Invasive Species Control

Establishment, maintenance and restoration practices to detect, monitor, eradicate, or control the spread of invasive plant species within forested areas.

FLEP 9 Wildfire and Catastrophic Risk Reduction

Establishment of practices to reduce the risk from wildfire and other catastrophic natural events.

FLEP 10 Wildfire and Catastrophic Event Rehabilitation

Establishment of practices to restore and rehabilitate forests following wildfire and other catastrophic natural events.

FLEP 11 Special Practices

Establishment, maintenance, and restoration practices addressing other conservation concerns on nonindustrial private forest lands as proposed by the State Forester in coordination with the NH Forest Stewardship Committee and approved by the Director, NA, USDA Forest Service.

Approval priorities for FLEP cost share funds:

Cost share funds result in changes “on the ground”, however, because of limited funding, the forest stewardship enhancement needs of New Hampshire can’t be met through FLEP cost share. The true value of these funds may be to act as a leverage to create stewardship ethic that landowners apply to non-cost shared actions.

A brief description of FLEP practices and priorities follows. The chart summarizes the priorities for funding for FLEP cost share practices. Priorities were developed based on importance of the practice for resource protection, enhancement, and development and anticipated funding from other sources to accomplish the practice.

FLEP 1 Stewardship Plan Development and Revision receives a high priority rating since FLEP is the only program available that funds this practice.

FLEP 2 Reforestation/Afforestation receives a high priority for site prep and planting in forested conditions. NH is lacking in abundant desirable regeneration. Planting in open areas will not be allowed. At 84% forested, NH is lacking in open habitat types.

FLEP 3 Forest Stand Improvement receives high to low priority depending on the practice. New Hampshire has an overabundance of low quality trees.

FLEP 4 Agroforestry receives a medium rating only for sugar bush management, since management for maple syrup production in sugar maple stands has a positive economic impact. All other practices under this category will not be allowed.

FLEP 5 Water Quality Improvement & Watershed Protection practices rate low to medium priority. Though this is a high priority resource concern, it receives a low rating based on anticipated funding through EQIP. This priority may increase to high depending on other cost share program funding levels.

FLEP 6 Fish & Wildlife Habitat Improvement receives a low priority since other programs are anticipated to provide adequate financial assistance to benefit the landowner and the resource. This priority may increase to high depending on other cost share program funding levels.

When deciding on which lands and what management activities are worthy of funding through FLEP, statewide wildlife priorities will be considered. If species and habitats of concern are involved, the priority rating increases to medium.

The following state and regional wildlife programs and habitat and species priorities should be considered:

- 1) State and Federal Threatened and Endangered Species Lists
- 2) New Hampshire Partners in Flight Priority Species and Habitats (including lands which meet the New Hampshire Important Bird Areas Criteria)
- 3) North American Waterfowl Management Plan, Atlantic Coast Joint Venture, New Hampshire focus areas and priority species
- 4) New Hampshire Forest Resources Plan habitat priorities
- 5) New Hampshire Living Legacy Project priority habitats (identified under the auspices of the NH Ecological Reserve System Project). These are included under Important Bird Areas Criteria Category 4.

FLEP 7 Forest Health Improvement is a high priority for the resource, but will not be cost shared. FLEP cost share funds are too low to provide a meaningful solution. Education and technical assistance will be the focus of this area of concern. The forest stewardship plan technical specification has been amended to strengthen forest health protection. This may become a high priority in the event of a major insect or disease infestation not addressed by other funding sources.

FLEP 8 Invasive Plant Species Control Improvement is a high priority for the resource, but will not be cost shared. FLEP cost share funds are too low to provide a meaningful solution. Education and technical assistance will be the focus of this area of concern. The forest stewardship plan technical specification has been amended to include invasives species.

FLEP 9 Wildfire and Catastrophic Risk Reduction Improvement is a high priority for the resource, but will not be cost shared. FLEP cost share funds are too low to provide a meaningful solution. Education and technical assistance will be the focus of this area of concern. The forest stewardship plan technical specification has been amended to strengthen forest protection.

FLEP 10 Wildfire and Catastrophic Event Rehabilitation will be cost shared if there is a catastrophic event. This may become high priority in the event of a natural disaster, such as the ice storm of 98.

FLEP 11 Special Practice has two suggested practices- specialized inventories (natural heritage and wildlife) and educational trails. Specialized inventories receives a medium rating and priority for approval depends on the property. Educational trails, though a worthwhile contribution to the education component of FLEP, currently receives a low rating due to expected limited funds.

Rating of FLEP Priorities

	Resource Value	Educational Assistance	Technical Assistance	Cost share
Forest Stewardship Plan				
Development	High	High	High	High
Revision	Medium	High	High	High
Afforestation/Reforestation				
Planting in forest	High	High	High	High
Planting in open	Low open land	Low	Low	No
Site Prep including scarification	High	High	High	High
Forest Stand Improvement				
Weeding and Thinning	High	High	High	High
Pruning	Medium	Low	Low	Medium
Forester Assistance				
-non-commercial activity such as tree marking	High	High	High	Medium
-marking skid trails	High	High	High	Medium
-boundary marking	Low	High	High	Low
Agroforestry				
Sugar bush thinning	Medium	Medium	Medium	Medium
Water Quality				
Access Roads	High	High	High	Low
Critical Area Planting (eg riparian buffer rehabilitation)	High	High	High	Medium
Water Crossings	High	High	High	Low
Wildlife Habitat				
Fish Habitat	Medium	Medium	Medium	Low
Apple/fruited shrub, tree Release	High	High	High	Low
Brush clearing/mowing	High	High	High	Low
Old field restoration	High	High	High	Low
Woodland Openings	High	High	High	Low
Management for priority species & habitat	High	High	High	Medium
Forest Health	High	High	High	As needed
Invasive Species	High	High	High	No
Wildfire and Catastrophic Risk Reduction	High	High	High	No
Wildfire and Catastrophic Rehabilitation	High	High	High	As needed
Other				
-Specialized inventories	High	High	High	Medium
-Educational Trails	Medium	Low	Low	Low

Appendices

This MOU was executed on April 2, 2003 is on file with the parties

Memorandum of Understanding

Regarding

**Forestland Enhancement Program
In New Hampshire**

USDA Farm Service Agency

□

**State of New Hampshire Department of Resources and Economic Development
Division of Forests and Lands**

□

**University of New Hampshire Cooperative Extension
Forestry and Wildlife Program**

May 1, 2003

Background

Enabled by State law (RSA 227), the Director of the NH Division of Forests and Lands (DRED) provides New Hampshire forest landowners, natural resource professionals, forest products industries, and others with unbiased, research-based educational assistance on sustainable forest management practices, stewardship of all forest resources, timber harvesting, and the utilization and marketing of forest products. Upon request and whenever the director deems it essential to the best interest of the people of the state, the division cooperates with individuals and others in preparing plans for the protection, management, and reforestation of woodlots and timber tracts.

The Division provides this assistance, in part, by enacting and maintaining a memorandum of understanding with the University of New Hampshire Cooperative Extension to support and implement a joint forest resources educational program between the division, cooperative extension and cooperating federal, state, and county partners.

NH Farm Service Agency has been a long time cooperating federal partner, with a state and county based delivery system, providing financial assistance to New Hampshire forest landowners through federal conservation cost share programs such as the Agricultural Conservation Program (ACP), Forestry Incentives Program (FIP), and the Stewardship Incentives Program (SIP).

The Forestland Enhancement Program (FLEP) provides for technical, educational, and financial assistance to promote sustainability on land owned by non-industrial private (NIPF) landowners. FLEP will be administered in accordance with the advice of the U.S

Forest Service, NH Stewardship Committee, the FLEP State Priority Plan, federal law and rules governing FLEP, and other applicable state and federal law and rules.

Purpose

This memorandum of understanding is to set forth the responsibilities of the parties in the administration of the financial assistance to NIPF owners in the New Hampshire Forestland Enhancement Program. The FLEP program is a USDA Forest Service program authorized under the 2002 Farm Bill. This memorandum of agreement is executed with the concurrence of the USDA Forest Service, State and Private.

Parties

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Term

This memorandum of agreement will commence on May 1, 2003 and continue throughout the period for which the FLEP program is authorized by Congress. This agreement may be terminated by either party upon 90 days notice in writing.

Responsibilities of each party

NH Division of Forests and Lands (State Forester's Office) Will:

- ❑ Provide the overall responsibility for the development, implementation and administration of the FLEP program in New Hampshire.
- ❑ Make timely and accurate payments to landowners in accordance with State procedures upon receipt of, and based on, documentation for payment from NH Farm Service Agency.
- ❑ Retain records of all approvals and payments in accordance with USDA and State of New Hampshire policies and will make such records available upon request to audits.

University of New Hampshire Extension Will:

- ❑ Market FLEP opportunities to all NIPF owners in New Hampshire. Outreach will include media, one-to-one contacts, group sessions, targeted newsletters and web site articles and notices. Outreach will include all areas of the state and efforts will be made to reach under-served audiences with messages about FLEP opportunities.
- ❑ Provide information and education to NIPF owners who have a need or an interest in learning about FLEP opportunities.
- ❑ Provide technical assistance to NIPF owners regarding practices under consideration for cost sharing.
- ❑ Provide technical assistance to natural resource professionals, specifically including foresters licensed in the State of New Hampshire, for the purposes of marketing and successfully implementing FLEP.
- ❑ Develop practices, cost share rates, criteria, funding limits and other practice specifications in the FLEP program, in accordance with USDA Forest Service. These will be subject to the approval of the State Forester and the concurrence of the USDA Forest Service.
- ❑ Accept applications and assist prospective participants in the application process. "Field sign-ups" will be included, where UNH Cooperative Extension staff can take applications on-site from landowners.
- ❑ Administer the continuous sign up for the program, with an initial annual sign up and approval period.
- ❑ Participate in the appeals process for adverse decisions according to the process developed for FLEP.
- ❑ Perform its duties in a timely manner, including approvals/denials, inspections, documentation and submission of completed forms.
- ❑ Maintain files for landowners participating in FLEP cost share program, to include copies of application forms, location maps, and other work products developed as part of the FLEP cost share.

New Hampshire USDA Farm Service Agency Will:

- ❑ Provide technical assistance to the State Forester and UNH Cooperative Extension in the development and implementation of cost share procedures.
- ❑ Provide the opportunity for landowners to receive and submit applications at each of the FSA county offices in New Hampshire.
- ❑ Make available its county committees to serve in an advisory capacity to review applications with UNH Cooperative Extension and to provide advice regarding eligibility, worthiness of cost sharing and identifying priorities.
- ❑ Process all FLEP applications, including determining eligibility, ensuring proper and timely notifications to applicants, verifying bills and other documentation, processing of approval/denial documentation from UNH Cooperative Extension and providing the NH Division of Forests and Lands with the authorization-for-payment documentation required for payment from the State of New Hampshire.
- ❑ Provide input, through the county committee system, for first level appeals of adverse decisions. UNH Cooperative Extension will issue determinations on appeals, with County Committee's advice.
- ❑ Retain records documenting the implementation of the process for each landowner and the approval documentation for each payment. Such records will be kept for a period of time in accordance with USDA and State of New Hampshire policies and shall be available for audits upon request.

Agreed this _____ day of _____, 2003

Philip Bryce
Director, NH Division of Forests and Lands

Robert Lee Edmonds
Program Leader, Forestry and Wildlife
UNH Cooperative Extension

Robb Thomson
Executive Director, NH
USDA Farm Service Agency