

Forest Conservation Easement Program (FCEP): Combating Climate Change by Preserving Working Forestlands

GOALS:

Organizations have been working for over 10 years to fill the gap in federal forest easement funding to ensure we can preserve working forestlands at scale and put working forestland on par with other working lands. **The goal of the proposed Forest Conservation Easement Program (FCEP) is to keep forests from being converted to non-forest uses by purchasing conservation easements (development rights) from willing private and tribal landowners.**

- 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, with the potential for the U.S. to lose a net of 37 million acres ([15 million hectares](#))—the size of Illinois—of forest by 2060. Once land is converted, it is highly unlikely it will ever revert to forestland.

HOW IT WORKS:

- FCEP would replace, rename, and expand upon the Healthy Forests Reserve Program (HFRP) and, like HFRP, would be administered by the USDA Natural Resources Conservation Service (NRCS).
- Private forests in an FCEP conservation easement can remain working forests, providing numerous benefits to rural and urban communities, and will stay on the tax rolls.
- As a forest-focused complement to NRCS's Agricultural Conservation Easement Program (ACEP), FCEP has two components:
 - ◇ **Forest Land Easements (FLE)**, which will provide funding for eligible entities—including conservation organizations (such as land trusts), state and local agencies, and tribes—to purchase working forest conservation easements on private and tribal forestland. FLE is structured based on the ACEP Agricultural Land Easement (ALE) statute.
 - ◇ **Forest Reserve Easements (FRE)**, through which NRCS will purchase easements directly from private and tribal landowners on forestland that will benefit at-risk species. FRE is the successor to HFRP and is structured based on the HFRP statute.



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 federal forest easement program provides funding for land trusts, tribes, and other NGOs to acquire conservation easements.
 - ◇ The USDA 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;
 - ◇ Offering an entity-held easement (via FLE) to complement HFRP's federally held easement (will become FRE); and
 - ◇ Providing broader forestland eligibility than existing federal forest easement programs.

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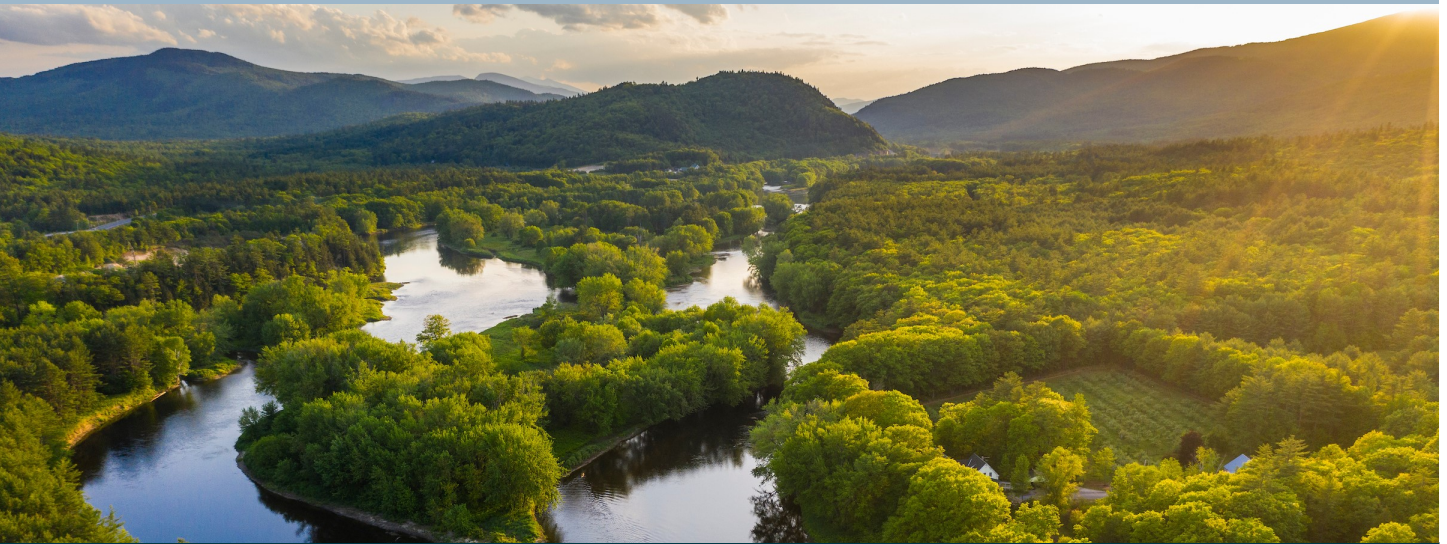
COMBATING CLIMATE CHANGE:

FCEP would provide significant climate benefits, serving as a vital tool for keeping forests as forests. There is no better land use for climate mitigation than a forest, and no better technology for capturing carbon than a forest. Private working forests make up 47% of the overall forest acreage of the U.S. However, **private working forests provide outsized carbon benefits, accounting for approximately 80% of U.S. forests' annual carbon sequestration and approximately 51% of the total carbon storage** (according to the National Alliance of Forest Owners).

- Private working forest owners replant, regrow, and regenerate an equivalent amount to what they harvest each year, ensuring a perpetual and sustainable cycle.
- These working forests are sustainably managed to not only support clean air, clean water, and wildlife habitats but also yield a consistent, renewable supply of wood for various forest products such as lumber, energy, paper, packaging, and numerous everyday consumer items.
- As trees grow, they convert CO₂ to carbon and store it in their trunks, roots, branches, and leaves. Forest products continue to store carbon in the built environment, with the production of new forest products adding roughly 100 million metric tons of CO₂ equivalent (CO₂e) each year to the 10 billion metric tons of CO₂e already stored in existing harvested wood products (according to the National Alliance of Forest Owners).

As stated by the [Intergovernmental Panel on Climate Change](#):

“In the long term, a sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks, while producing an annual sustained yield of timber, fibre, or energy from the forest, will generate the largest sustained mitigation benefit.”



FARM BILL OPPORTUNITY:

- A broad coalition of [over 170](#) 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.
- **The Forest Conservation Easement Program Act of 2023 (S. 2631/H.R. 3424) has been introduced by Senators Gillibrand (D-NY) and Wicker (R-MS) and Representatives Kelly (R-MS-1) and Kuster (D-NH-2).** The House bill has 14 additional bipartisan cosponsors.
- If FCEP isn't created in this Farm Bill, we'll need to wait at least another 5 years to try again, further delaying the ability to significantly scale up efforts to preserve our nation's working forestlands.