



Model Forestry and Wildlife Policy and Procedures

**Creating a Guide For Conservation Land Trusts
and Conservation Easement Landowners**

Outline for Today

- Identified Need for This Policy and Purpose
 - Policy Approaches
 - Model Policy - Requirements and Procedures
 - List of Items for Foresters to Include in a Forest Wildlife Management Plan
 - Process and Characteristics for Vetting Professional Foresters for Compatibility with the Land Trust Mission.
 - Tools (Procedures) for Land Trusts
 - Discussion of Regional Issues
 - Q & A
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Identified Need for this Model Policy and Tools

- This model policy will provide a sound way to demonstrate the compatibility of active forest management, including timber harvesting with promoting and protecting conservation values and ecological integrity and provide tools for landowners and Land Trusts alike.
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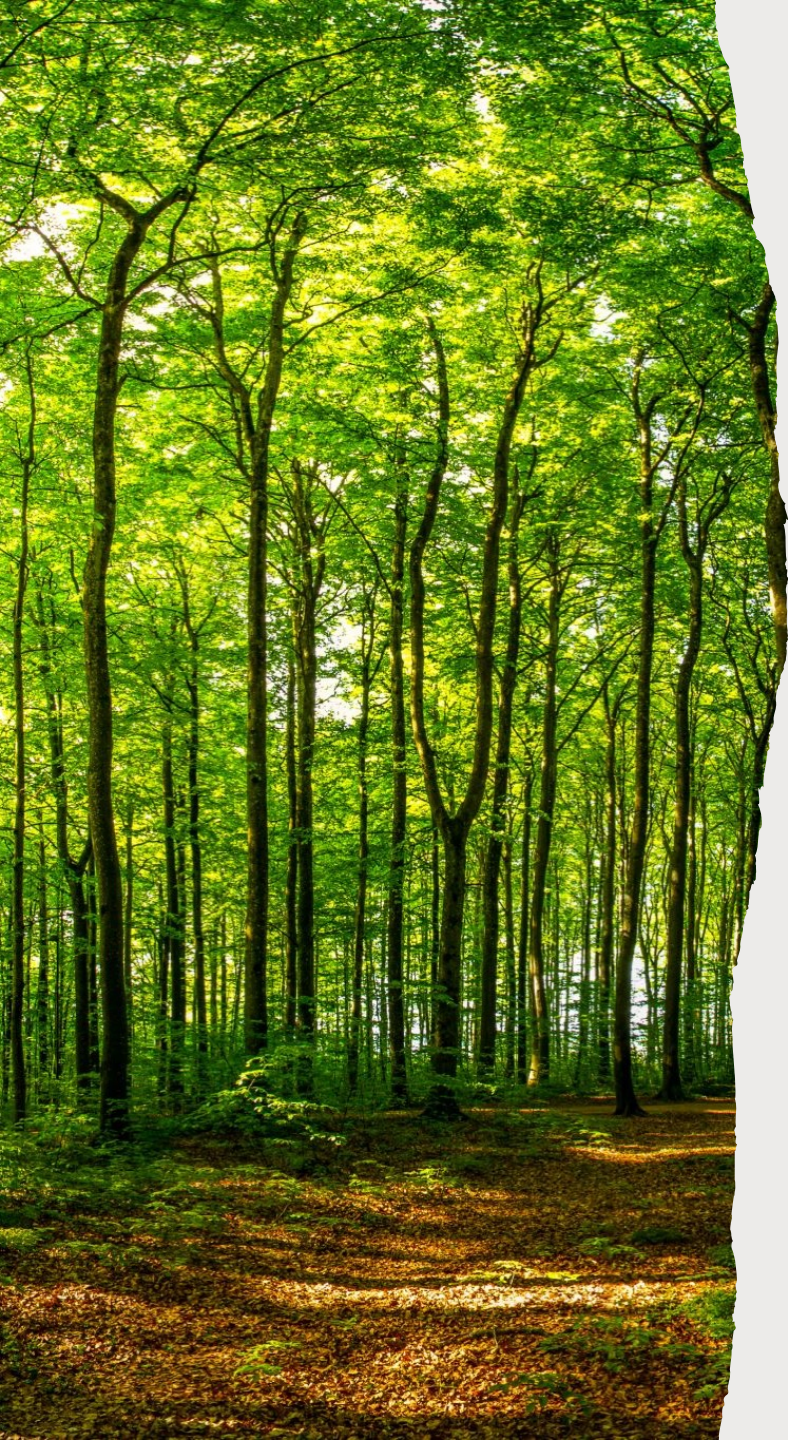
Land Trusts have experienced poor forest management practices on their Conservation Easements.

- Land Trusts and Conservation Easement Landowners need to have the oversight and guidance of a Professional Forester when conducting forest management on conservation lands.
- Conservation values and ecosystem services need to be protected on forested lands.
- Poor forest management practices include indiscriminate clearcutting, poor logging road layout, lack of equipment sanitation, excessive slash left on site, and high-grading.
- These practices can result in excessive erosion, stream damage, reduction in water quality, introduction and expansion of invasive species, and loss of biodiversity and ecological services.



Land Trusts may have staff and board challenges.

- Land Trust staff and boards change over time so having an adopted policy in place will assist staff with consistency with writing their management plans and implementing their management activities on land trust owned properties.
- This will strengthen the Land Trust's internal review of existing CE reserved rights .
- Understanding that the policy and procedures developed were done with a science-based approach will assist with acceptance of the policy.
- Developing this model FWMP and educating the land trust staff helps ensure that professional foresters go beyond their standard language in the plan, which may or may not align with the stated goals in existing Conservation Easements. For example, timber harvests are not required.



Climate Change and Complex Challenges

- Poor harvesting practices may decrease long term carbon sequestration by delaying or failing to achieve regeneration, depleting soil carbon, removing too much standing and downed dead wood or failing to utilize the growing capacity of the site.
 - **Mitigation and Adaptation- two complimentary forest management approaches**
- Our forests can *mitigate* the effects of climate change through increased carbon sequestration and storage.
- Our approach must include management that enhances a forest's ability to *adapt* to climate change through enhanced forest health and resilience.
 - Restore ecological functions to impaired forests
 - Afforest and reforest where appropriate
 - Implement forestry practices that yield high levels of on-site carbon storage and sequestration

Policy Approaches

- Prescriptive vs. Outcomes Based Management Approaches
 - Climate Mitigation and Adaptation Approach
 - Woodland Management for Sustainability
 - Thoughts on Landowner Education
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Prescriptive vs. Outcomes Based Management Approaches

- Income focused management as a prescription: focuses on ensuring rapid dominance of desired harvest species and treatments such as thinning and pruning to improve the timber quality and quantity.
- Habitat focused management as an outcomes-based approach encourages diverse forest conditions that favor songbirds or game species, for example, and managing for increased ecological complexity. Also called adaptive management.
- Recreation/Aesthetics management focus is a prescription-based approach and can be intrusive or non-intrusive.
- *Note: multiple management strategies can be employed on one property, according to the stand objectives.*



Climate Mitigation and Adaptation Challenges and Approach

Challenges to Illinois forests
include:

- altered surficial and groundwater hydrologic regimes from development and agriculture, as well as from a hotter, drier climate that may have periods of more intense precipitation events.
- a disjunct food web structure
- the spread of invasive species
- environmental stressors that are changing animals' microbiomes and their ability to compete



Woodland Management for Sustainability

- Forest management recommendations must deal holistically with a full range of forest threats such as fragmentation, pollution, changes in hydrologic patterns, soil erosion, tree pests, climate change and invasive species.
- This can be problematic because of high levels of uncertainty and the impossibility of precise predictions for complex systems, therefore diversifying management strategies is, in itself, a strategy.
- This relies on an outcome-based approach. An adaptive management plan would be most useful for identifying outcomes particularly with specific management practices such as controlling invasive species.



Thoughts on Landowner Education

- Ownership of land changes over time. New owners rarely have expertise in forestry.
- The lack of forestry knowledge by those that own or have easements on forested land may lead to poor forest management decisions.
- For those that do hire a professional forester to prepare or update a Forest Management Plan, clearly describing the desired outcomes to the forester and clarifying goals is important during the walk-through meeting.
- Requiring or recommending landowner forestry education as a condition of granting a conservation easement is something that can be discussed with the landowner prior to granting an easement.



Model Policy: Requirements and Procedures

- What should be required vs. what should be optional.
 - In the FWMP, rather than only including the minimum required forestry practices to satisfy IDNR requirements, foresters should list additional, optional practices that can be taken to restore oak ecosystems and improve wildlife habitat.
 - Optional practices, if included in the FWMP, would allow the landowner to apply for EQIP cost share.
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Required vs. Optional Policy

- The language of some existing CE's may not be congruent with this policy. Land trusts should take care to give precedence to the CE terms in order to avoid potential legal challenges from the landowner.
- There is, therefore, a section on policy requirements. It is suggested that the land trust disseminate a 'brochure/flyer' outlining what it will take for the land trust to approve a timber harvest, for example. The PSCC will provide a template to the land trust.



Forest and Wildlife Management Plan

- Additional practices to traditional Forest Management Plans
 - Land Trusts have experienced poor forest management practices on their conservation easement holdings.
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Additional practices to traditional Forest Management Plans

- Plan objectives are based on outcomes and prescriptions. Common treatments are planting, invasive species control, thinning, harvest, and fire prescription, etc.
- The adaptive forest and habitat management plan must identify performance measures for its prescriptions and monitoring protocols to determine and measure outcomes.





Land Trusts have experienced poor forest management practices.

- Develop clear mitigation requirements for landowners for failure to comply with both the policy and the easement terms.
- Description of any threats need to be added to the plan, such as the danger of soil erosion due to logging activities on steep slopes, forest mesophication, and climate change induced challenges. Remediation strategies also need to be implemented.

Vetting Professional Foresters

- Interview
 - Land Trusts will host an in-person or virtual interview with Professional Foresters to see if they understand and are in alignment with **(land trust's)** mission.
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A photograph of a dense forest with tall, thin trees and a thick canopy of bright green leaves. Sunlight filters through the trees, creating a dappled light effect on the forest floor. The ground is covered with fallen leaves and some green undergrowth.

Interview Questions

- Education and continuing education credentials
- Experience
- Forestry Management Philosophy
- Worked with CE landowners?
- Worked with Conservation Land Trusts?
- References



Interview Questions

- Professionalism, responsiveness

Knowledgeable recommendations that align with landowner's goals and objectives?

- Are they in the Directory of Consulting Foresters?
- Are they willing to work on a fee for service basis instead of a commission basis?

Tools (Procedures) for Land Trusts

- FOREST & WILDLIFE
MANAGEMENT PLAN TEMPLATE
 - TIMBER SALES CONTRACT
TEMPLATE
 - PROFESSIONAL FORESTER
AGREEMENT CONSIDERATIONS
 - EXAMPLE CONSERVATION
EASEMENT LANGUAGE
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TOOLS: FOREST & WILDLIFE MANAGEMENT PLAN TEMPLATE

- Landowner Goals & Objectives
- Property Location & Description
- Stand Descriptions, Analysis & Recommendations for management, with required and optional activities
- Planned Management Activity Schedule
- Options for Woody Invasive Species Control
- Monitoring for Adaptive Management
- Resources




TOOLS:TIMBER SALES CONTRACT TEMPLATE

- Buyer understands that this property is under a conservation easement and must be familiar with its terms.
- Buyer understands and agrees only designated trees specifically described and marked may be cut.
- Payment and timing clauses
- Liability and Damage clauses
- The Illinois *Wrongful Tree Cutting Act* allows for payment of three times the stumpage value, plus for conservation properties, it also allows for restitution to be paid for restoration/remediation activities.
- Buyer needs to be licensed in Illinois
- Access and notifications
- ***Any management plan that recommends a tree harvest needs to support the restoration goals and enhance the conservation values of the CE.***



TOOLS: PROFESSIONAL FORESTER AGREEMENT CONSIDERATIONS

- Description of the services to be performed
- Identification of how and when payments are to be made to the forester for the services provided.
- Certificate of Insurance
- Best Management Practices
- A statement giving the consultant permission to request data on endangered resources
- Identification of who will submit cost sharing documentation



TOOLS: EXAMPLE CONSERVATION EASEMENT LANGUAGE

- **Forest Management.** Grantor reserves the right to conduct sustainable forest management practices in Forested Areas.
- the term “sustainable forest management” shall be defined as managing forested land in an ecologically sustainable manner.
- Requires a Forest and Wildlife Management Plan (“FWMP”) prepared by a professional forester and approved by the Grantee

Partnering with (Land Trust) for Stewarding your Conservation Forest/Woodland



Congratulations!

You are one of the few special people carefully stewarding a very treasured natural area. Your forested land is looking to you to keep it healthy and biologically diverse. Your partnership with (Land Trust) in protecting the conservation values of your forested land has some perks, and we have some tools and resources to assist you in managing your special landscape.



Your easement is a gateway to a two-way partnership for win-win stewardship solutions.

(Land Trust) has some responsibilities to protect land held in conservation easements. The information contained in this flyer is provided to alert you to important tools and resources, as well as (Land Trust's) responsibilities as your partner in conservation. These may be part of the terms of your easement and are designed to protect conservation values while also respecting the terms of the reserved rights in your easement.

(Land Trust) is here as a support and a resource for you.

(Land Trust) has adopted a policy to assist you in implementing forest management activities that reflect your goals as a conservation landowner, and protect the land for the future. At your request, (Land Trusts) will conduct a thorough and complete review of your conservation easement, interpreting the easement language, and/or approval to engage in forest management activities, including timber harvest.

What the (Land Trust) can provide you:

- (Land Trust) must approve your Forest Management Plan (FMP) prior to implementation. Responsibilities include vetting and approving a list of professional foresters. This service will assist you in preparing or updating your FMP to include wildlife and habitat considerations consistent with the conservation values of your easement.

- The (Land Trust) has a Forest and Wildlife Management Plan (FWMP) template. A FWMP is a more comprehensive plan that may assist you and your professional forester in creating goals and objectives for sustainable forest management. Using this template will also assist the (Land Trust) with reviewing and supporting your goals and objectives for management and monitoring activities.

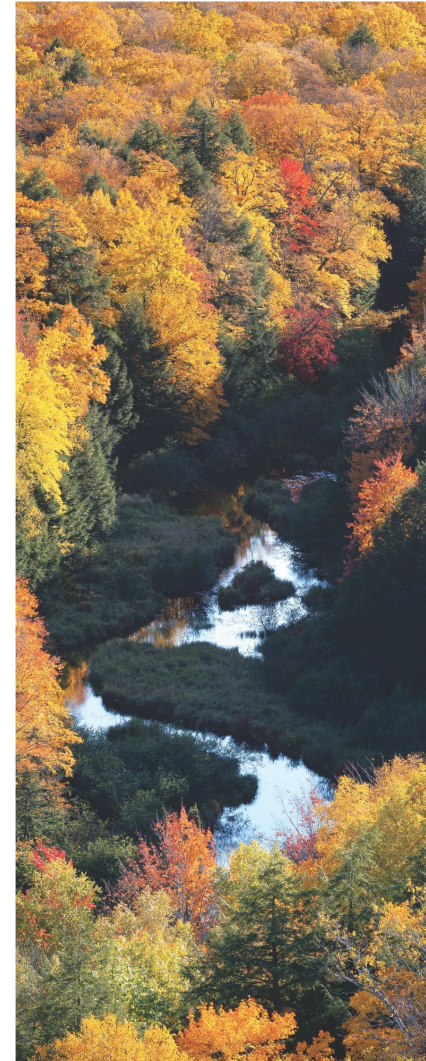
- Using a professional forester is important so that you, as the easement landowner, may be eligible to apply for state and federal cost share programs, if interested. *Note that you will need to obtain the Illinois Department of Natural Resources' (IDNR) approval of the plan to be eligible for certain benefits. Your professional forester can assist with that.*

- The (Land Trust) has a template for a timber contract should you be considering a timber sale. This template has been designed to protect you, your forest, and its conservation values during any potential logging activities. This template is based on the IDNR contract.

- The Prairie State Conservation Coalition (PSCC), working with University of Illinois Extension Forestry, will periodically sponsor workshops and field days for conservation easement landowners to learn about the best care of their forest. The (Land Trust) will inform you of these events as they become available.

The (Land Trust) is honored to be your partner in stewarding this important resource. Our goal is to make it as easy as possible for you to achieve your goals and objectives. Both of these templates are available for you and your forester at (www.aaaaa.aaa)

Ongoing conversations about your goals and management activities with the (Land Trust) stewardship staff will be important to protecting your investment and maintaining a beautiful, functional, and healthy forest/woodland.



(Land Trust Logo Goes Here)

Please contact the (Land Trust) at 000-000-0000 or email (aaaaaaa@aaaaaaa) to find out more.

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