



MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
FOREST, MINERAL AND FIRE MANAGEMENT

## FOREST LEGACY PROGRAM NOMINATION APPLICATION

*This information is required by authority of Part 501 of the Natural Resource and Environmental Protection Act, Act 451, P.A. of 1994, as amended, to be considered for nomination.  
Co-sponsored by*

USDA Forest Service, State and Private Forestry Program  
Michigan Department of Natural Resources, Forest, Mineral and Fire Management

March 2009

**DUE DATE: JUNE 19, 2009**

### GENERAL INFORMATION:

Michigan Department of Natural Resources (MDNR) - Forest, Mineral and Fire Management (FMFM), in cooperation with the USDA Forest Service, has established a Forest Legacy Program to protect privately owned forest lands from being used for non-forest uses. Funding is federal money from the USDA Forest Service, State and Private Forestry Program, Forest Stewardship Program (CFDA 1066.4). **Participation in Michigan's Forest Legacy Program is strictly voluntary.**

The purpose of Michigan's Forest Legacy Program is to use federal funds and local matching funds, to purchase development rights, conservation easements, or fee simple interest on those environmentally important forests threatened by conversion to non-forest uses within designated geographic areas, known as Forest Legacy Areas. Unless fee simple interest is purchased, these forests shall remain in private ownership, except for the conveyed easement items, such as development rights, which become State-owned and protected. **Michigan's Forest Legacy Program requires that the rights of public access be conveyed to the State on all land or interest in land acquired with Forest Legacy Program funding.**

Please note all easements and interests in land acquired for Forest Legacy are conveyed in perpetuity, and must contain such covenants and language to insure perpetuity of Forest Legacy easements.

For projects to be funded in federal fiscal year 2011, **the deadline for application submittal is June 19, 2009.**

**Please note all submitted materials become the property of the State of Michigan and are non-returnable. Disclosure of this information is voluntary. However, failure to provide all of the requested information will substantially decrease the ability of designated persons to properly review and rank your application and property for participation in Michigan's Forest Legacy Program.**

For additional information, visit the MDNR website at [www.michigan.gov/dnr](http://www.michigan.gov/dnr), or contact:

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# FOREST LEGACY PROGRAM NOMINATION APPLICATION

*This information is required by authority of Part 501 of the Natural Resource and Environmental Protection Act, Act 451, P.A. of 1994, as amended, to be considered for nomination.*

**Instructions:** Applications will be accepted from individuals and privately owned corporations or from agents, such as a land trust or conservancy or other legally authorized representative.

**The application must demonstrate that property nominated for consideration does not have pre-existing agreements attached to the deed which are in opposition to the purpose and function of the Forest Legacy Program.**

## PART I.

This portion of the application provides information on ownership, location and size of the parcel nominated, as well as providing straightforward information regarding the estimated appraisal value of the property and the easement. It also provides information as to whether or not the landowner participates in other federal land programs, as well as indicating if this parcel is subject to any other land protection agreements or easements that could affect its participation for the Forest Legacy Program.

Primary Landowner's Name:		Contact Person (Individual Contact Name):	
Address:		Address:	
City, State and Zip Code:		City, State and Zip Code:	
Telephone Number: ( )	Fax / E-mail:	Telephone Number: ( )	Fax / E-mail:
Federal Employer Identification Number (FEIN): (This 9-digit number <b>must</b> be provided):			Check <input checked="" type="checkbox"/> <b>One:</b> <input type="checkbox"/> Corporation <input type="checkbox"/> Individual

Land Protection Method: (Check  **One**):

Conservation Easement  Fee Simple Acquisition

Written Forest Management or Multi-Resource Management Plan by the MDNR approved consultant/forester? If checked, please provide:

- a copy of your management plan with this application, along with
- consultant's/forester's name \_\_\_\_\_, phone number \_\_\_\_\_, and e-mail \_\_\_\_\_

## Financial Information

Estimated appraisal value of property: \_\_\_\_\_ \$

Estimated appraisal value of interests transferred by conservation easement to the Michigan Forest Legacy Program: \$ \_\_\_\_\_

**Note: This is not necessarily the funding requested from the Michigan Forest Legacy Program**

Proposed Management and Monitoring Entity: \_\_\_\_\_

## Property Information

County:	Township:	Township, Range, Section:
Total Property Acres:	Total Forested Acres:	Current Land Use Zoning:

By category, state below how much total acreage is nominated for participation in Michigan's Forest Legacy Program.

Total Forested Acres:	Total Open or Cleared Acres:	Total Acres of Water:
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Is any of this nominated land currently enrolled in any of the following State or Federal land protection programs?  Yes  No  
(If yes, state number of acres below).

Commercial Forest Program: _____ Acres	Forest Stewardship/Forest Land Enhancement Program: _____ Acres	Conservation Reserve Program: _____ Acres
Wetlands Reserve Program: _____ Acres	Wildlife Habitat Incentives Program: _____ Acres	Environmental Quality Incentives Program: _____ Acres

Other (identify): \_\_\_\_\_ Acres

Is any other land protection program or easement that affects or impacts the use or management of those acres nominated for participation?  Yes  No. If "Yes," please state name of agency (s), organization (s), corporation (s), or individual(s) involved, and acres affected.

Agency(s)	Acres	Organization(s)	Acres
Corporation(s)	Acres	Individual(s)	Acres

**Liens and Encumbrances:** (that may affect the eligibility of this parcel for nomination in the Forest Legacy Program. Failure to complete this section may result in immediate dismissal from consideration in the Program.)

Please list any and all liens and encumbrances on the property proposed for enrollment in Michigan's Forest Legacy Program. Examples: mortgages, utility easements, public rights-of-way, water flow or water use restrictions, septic systems or water easements, deed restrictions, or covenants, mineral extraction rights (gas, oil coal, stone, etc.), tax liens, dump sites, underground fuel tanks, or any other environmental hazards, etc.

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**Landowner Goals and Objectives:** (why this parcel is important to the landowner and what benefits the landowner receives as the result of owning this property.)

Describe long-term goals and objectives for nominated property. This may include stating why property is important to you, what benefits you accrue from owning it (e.g., financial, aesthetic, spiritual), present use and considerations for future management (e.g. timber products, biodiversity, recreation, aquatic habitat).

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**List of Rights Wishing to be Retained by Landowner:** (essential information that identifies what parts of your ownership you are willing to sell or convey to the Forest Legacy Program). It is not a commitment form, but should be considered very seriously since it provides us with key information regarding the parcel's potential to meet Forest Legacy goals and objectives. It will affect the desirability of your parcel and its appraised value. Please indicate whether you wish to "KEEP", "SELL", OR "UNSURE" for each of the interest or uses stated in this section. Be sure to check every item. You may add other interests to this section if needed.

**Note:** "KEEP" means this is a forest use or interest you wish to retain or control. All other rights may become the property of the State of Michigan upon successful completion of negotiations between the State of Michigan and yourself. "SELL" means you are interested in selling this forest use or interest to the program. Checking "Sell" does not limit your ability to negotiate price and options in the future; it merely assists the Forest Stewardship Advisory Committee when evaluating your parcel. "UNSURE" means you need more information or have not yet decided on this use or interest.

**Note:** Checking "Keep" or "Sell" does not commit you to anything at the time of application. Completion of this checklist is a tool to help the Stewardship Advisory Committee when inspecting, prioritizing, and evaluating your parcel. Also, development rights are the minimum rights purchased on Forest Legacy Parcels and therefore are not included on the list below.

Forest Use or Interest:	Keep	Sell	Unsure	Retain control of the following recreational activities:			
				Keep	Sell	Unsure	
Timber and wood product rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hunting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mushroom/herb and root/craft material collection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fishing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mineral rights (unrestricted access to minerals).*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Camping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mineral rights (restricted with limited surface occupancy).**	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hiking or other passive recreation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oil and Gas rights (unrestricted with limited surface occupancy).**	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bicycling/Mountain Bike Riding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Horseback Riding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right to limit or control public or control public access.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Motorized Vehicle Access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Non-Forest uses within easement areas***</b>							
Grazing (amount of area _____ acres).					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farming (amount of area _____ acres).					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road Construction (other than for forest management/protection).					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Buildings and other improvements (amount of area _____).					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Retention of unrestricted mineral or Oil and Gas rights will exclude that portion of the tract from consideration in the Forest Legacy Program.

\*\* Retention of restricted mineral or Oil and Gas rights which allow less than 10 percent surface occupancy may be consistent with the Forest Legacy Program with reclamation plan.

\*\*\* Total area of all non-forest uses cannot exceed 25 percent of the total tract area.

**Financial Information**

The first section provides financial information about your parcel and the forest uses or interests that you are willing to sell or donate to the Forest Legacy Program. This information will help in ranking your application. An official property appraisal is not required to complete this section, but doing so may help in the project priority ranking process. Any offer by the Forest Legacy Program to purchase easements must utilize an appraisal that meets the December 2000 edition of "Uniform Appraisal Standards for Federal Land Acquisitions." These appraisals are coordinated by the MDNR after the project has been selected as a candidate to receive Forest Legacy funds.

The following estimates are for preliminary use only. Any final offer for conservation easement purchase cannot exceed fair market value, as determined by an appraisal meeting federal appraisal standards.

Estimated total value of nominated property: \$ _____	Estimated value of the interests proposed for transfer by conservation easement: \$ _____
How were these values determined? (e.g. landowner's personal estimate, licensed appraiser, realtor, written legal appraisal): _____	Date of appraisal: _____
Are you willing to donate part of the easement value? <input type="checkbox"/> Yes <input type="checkbox"/> No	Percentage of easement value to donate: _____%
	Approximate asking price for interests being offered: \$ _____

**NOTE: Donations may constitute a charitable contribution for income tax purposes, depending on applicable Internal Revenue Service guidelines and regulations.**

**PART II. SELF EVALUATION AND SCORING - Please provide a narrative for each category.**

The narrative information provided here will be crucial in helping us in a preliminary scoring and ranking of your proposal. This section helps to identify nominated parcels that have state, regional, and national significance. Refer to the "Eligibility Criteria" and the associated rating descriptions as aids in completing this section.

**Traditional Forest Uses Maintained:** Traditional forest uses provide timber and other forest products and amenities. Explain the traditional forestry values of this parcel and if they are maintained with a MDNR approved resource management plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Scenic Resources and Public Recreation Opportunities:** Please explain how your parcel provides these values, especially with respect to proximity to a national trail, major fall color tour or one of the Great Lakes shorelines.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Riparian and Hydrologic Areas:** Please describe and explain how your property provides water resource values, such as cold water trout habitat, wetlands, floodplains, riparian corridors or areas of high groundwater recharge potential. Also state if your property has frontage on a Federal Scenic and Wild River or State Natural River.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Fish and Wildlife Habitat:** Explain how your property protects and enhances wildlife and fish habitat and values.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Habitat for Known, Rare, Threatened and Endangered Species:** Describe if your property contains rare, threatened or endangered plant and/or animal species.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Known Historic, Cultural and Archeological Resources:** Describe if your property contains such resources as Native American burial sites or areas with artifacts related to early European settlement or any other artifacts you think fit this category.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Other Ecological Values:** Describe if your property has other significant ecological values. Examples include area(s) of globally imperiled natural communities (Hemlock-Yellow Birch Forest, Wooded Due and Swale), Coastal Dune area or Niagara Escarpment based communities.

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**Size and Contiguity:** Describe the size of your parcel(s), and if the property nominated is in large contiguous blocks (greater than 1,000 acres).

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This self-scoring section provides you and the Forest Legacy Program more precise information regarding how your parcel meets the goals and objectives of Michigan's Forest Legacy Program.

**Please score the following criteria using points to the right of each specific description. Note: These criteria shall serve as guidance for the Selection Committee to use in the overall process of prioritizing and ranking projects. The committee may also use other information to qualify and determine project ranking and selection.**

Criteria	Total Points	Comments
<b>Conversion Threat</b>		
Conversion threat is imminent and will occur within 2 years if no action to acquire easement occurs.	40 Pts.	
Conversion threat is present and is likely to occur within 3-5 years.	20 Pts.	
Conversion threat is a possibility within 6-10 years.	10 Pts.	
Conversion is unlikely in the foreseeable future.	0 Pts.	
<b>Public Access</b>		
Full access to entire parcel allowed throughout the year.	40 Pts.	
Limited access to parcel.	20 Pts.	
Public access restricted to protect environmentally important resources.	20 Pts.	
Limited access to only one portion of the parcel.	10 Pts.	
No access allowed.	0 Pts.	
<b>Abuts Public or Other Protected Forest Land</b>		
Abuts lands owned and managed by the MDNR, NPS, USFS, or USFWS.	40 Pts.	
Abuts property owned by land trust or other conservation group.	20 Pts.	
Abuts municipally owned property managed as park or open space.	10 Pts.	
<b>Size and Contiguity of Forest Land</b>		
Parcel is contiguous block > 10,000 acres in UP, > 5,000 acres in NLP or > 500 acres in SLP.	20 Pts.	
Parcel is contiguous block > 50,000 acres in UP, > 1,000 acres in NLP or > 200 acres in SLP.	10 Pts.	
Parcel is contiguous block > 1,000 acres in UP, > 500 acres in NLP or > 100 acres in SLP.	5 Pts.	
Parcel does not meet size and contiguity criteria for pertinent region.	0 Pts.	
<b>Traditional Forest Uses</b>		
Approved management plan properly implemented, with parcel providing sustainable flow of timber and fiber; site quality and productivity for forest products is high.	40 Pts.	
Approved management plan properly implemented, etc.; site quality and productivity medium to fair.	20 Pts.	
Approved management plan properly implemented, etc.; site quality and productivity fair to poor.	10 Pts.	
<b>Scenic Resources</b>		
Parcel has frontage on one of the Great Lakes shoreline, designated Wild and Scenic or Natural River.	20 Pts.	
Parcel has frontage on North Country Trail, designated fall color tour route or regional scenic views.	10 Pts.	
Parcel has locally important scenic views.	5 Pts.	

Criteria	Total Points	Comments
<b>Known Historic/Archeological/Cultural Resources</b>		
Parcel contains two or more archeological/historic sites in good to excellent condition, as documented by the State Historic Preservation Officer (SHPO).	20 Pts.	
Parcel contains one SHPO documented archeological/historic site in fair condition.	10 Pts.	
Parcel may contain significant site or artifacts.	5 Pts.	
<b>Fish and Wildlife Habitat</b>		
Majority of parcel adjacent to or contains stream or inland lake regulated by the MDNR or for trout and/or salmon OR parcel provides and managed to provide for a diversity of wildlife habitat (e.g., old growth to seral tree species, mixed conifer/hardwood stands, coarse Woody debris) beneficial to game and non-game wildlife.	20 Pts.	
Portion of parcel managed for wildlife or cold water habitat suitable for trout and or salmon.	10 Pts.	
Parcel adjacent to another forest parcel > 200 acres.	5 Pts.	
<b>Riparian and Watershed Resource</b>		
Parcel has > 1,000' frontage on perennial cold water river or stream(s) or contains > 20 acres of lake or open water wetlands within easement boundary.	20 Pts.	
Parcel has > 300' frontage on perennial cold water stream or > 10 acres of lake/open water wetland within easement boundary.	10 Pts.	
Parcel has < 300' frontage on perennial cold water stream or > 5 acres of lake/open water wetland.	5 Pts.	
<b>Threatened and Endangered (T&amp;E) Species or Special Communities</b>		
Parcel supports at least three Federally or State listed T&E species.	20 Pts.	
Parcel contains at least one natural community rated G3 or higher or supports at least one Federally listed T&E species.	10 Pts.	
Parcel contains at least one State listed species.	5 Pts.	
<b>Other Ecological Values</b>		
Parcel contains coastal dune (>100 acres) OR Niagara Escarpment community (>20 acres) OR old growth forest (>50 acres, average age > 120 years) with element occurrence rank "B".	20 Pts.	
Parcel contains one or more of the above communities, but less than desired acreage OR contains other natural communities of "exceptional" quality.	10 Pts.	
Parcel contains at least one element occurrence or at least one vernal pond.	5 Pts.	
<b>Non-Timber Products</b>		
Parcel produces native seed of medicinal plants for commercial sale and use.	20 Pts.	
Parcel produces other non-timber forest products desired by public.	10 Pts.	
Parcel capable of producing valued non-timber products.	5 Pts.	
<b>Readiness</b>		
Source of 25 percent match identified and adjoining parcels' uses are compatible with values/goals of the Forest Legacy Program.	40 Pts.	
Written support to purchase parcel easement from the MDNR, land trusts, or other conservation groups.	20 Pts.	
Parcel is in good ecological condition with traditional uses compatible with parcel's natural values.	10 Pts.	
<b>TOTALS</b>		

**OTHER PERTINENT FACTORS:** Please check all those factors that qualify; as this will also help in the scoring and ranking of your proposal.

Please check  as appropriate.

- 100% of easement area is forestland.
- There is written active support from the community for this Forest Legacy Program parcel.
- Parcel adjoins another accepted or nominated Forest Legacy Program parcel.
- Parcel compliments other federal investments or initiatives (e.g., 319 watershed projects, Forest Stewardship or Forest Land Enhancement).
- At least 50 percent of the easement value is to be donated or paid for by other sources.
- Parcel conveys rights in addition to development and mineral rights.
- Partnerships involved and identified.

### Testimony and Permission

Please be sure to sign and date this part of the application. This section asks for signed approval to allow designated program staff to review the nominated property and to attest to the information provided in your application. It is not necessary that all property owners sign this application. However, the person signing this application must have legal authority and provide documentation of proof of this to represent this property and the owners.

The information in this application is true to the best of my knowledge and belief. I/We, as the landowner(s) or authorized agent (proof of authorization must accompany the application) agree to allow inspection, appraisal, and survey of the property being offered for consideration under the Michigan Forest Legacy Program. I/We agree to allow members of the MDNR, the Michigan Forest Stewardship Advisory Committee, or their designated staff, to inspect the property at any reasonable time for the purposes of this application. I/We understand I/We shall be notified in advance of all inspecting visits. I/We also understand that this property (i.e., Conservation easement) will not be purchased if negotiations do not reach an amicable agreement, or if the property does not meet the needs or qualifications of the Michigan Forest Legacy Program. Conservation easements will only be purchased from willing sellers.

\_\_\_\_\_  
Signature(s) of Landowner(s) or Legal Agent

\_\_\_\_\_  
Date

### APPLICATION PACKET SUBMITTAL INFORMATION:

**This completed application must be submitted along with each of the following items:**

If you cannot locate or obtain these items, please contact the Forest Legacy Program manager for the appropriate substitute.

- Application Form Part I and Part II thoroughly completed and signed.
- Copy of the county map showing location of the property. Please outline the property and the proposed Forest Legacy area.
- Copy of plat or survey map of the parcel.
- Copy of the "last deed of record" for the parcel.
- Copy of the forest management or multi-resource stewardship plan.
- Aerial photo of the property (Available at your local Farm Services Agency or Natural Resources Conservation Office.) Please outline property and proposed Forest Legacy area.
- Map identifying dams, underground fuel tanks, dumps or waste disposal sites on the property.
- Map or list of permanent improvements on the nominated parcel (e.g. roads, buildings, ponds, dams, well, and other structures and approximate acreage occupied by these improvements).
- Any written comments you wish to provide.

**Please note that all submitted materials become the property of the State of Michigan and are non-returnable.**

**Return this completed Application (Original and 3 copies) and all required documentation (listed above) to:**

**FOREST LEGACY PROGRAM  
FOREST, MINERAL AND FIRE MANAGEMENT  
MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
P.O. BOX 30452  
LANSING MICHIGAN 48909**

**Do not send materials in folders or binders.**

**No faxes will be accepted.**

**Applications are due by 5:00 p.m., June 19, 2009**