

Frequently Asked Questions: Coastal Forest Conservation Initiative (CFCI)

1. **What is the goal of the Coastal Forest Conservation Initiative (CFCI) and how will this goal be achieved?**

The goal is to conserve and protect coastal forest resources in Louisiana which provide a significant benefit to the citizens of Louisiana from multiple perspectives. The primary objective of the CFCI is to acquire land rights (fee title or conservation servitude/easement) from willing landowners to address demonstrated threats of conversion and/or opportunities for restoration, conservation, or enhanced sustainability of coastal forest tracts that provide significant ecological value and/or provide storm damage reduction functions. Funds have been made available to acquire these land rights. (Guidelines Sections 1.2 and 1.3)

2. **Why will only fee title or perpetual conservation servitudes be purchased; why not allow term servitudes, such as for 30 years?**

Term servitudes are not included as an option for the current CFCI sign-up because they are not nearly as effective at achieving the goals of this initiative. The goal of the CFCI is to conserve the ecological and storm damage reduction values of the forested tract in perpetuity. In addition, many forest types have significantly long life cycles which make 30 year servitudes ineffective. (Guidelines Section 1.3)

3. **Will land rights be acquired only from willing landowners?**

Yes; there will be no expropriation or condemnation of property rights from any landowner under this program. Participation in the CFCI program is completely voluntary. (Guidelines Sections 1.3, 1.3.1, and 2.1)

4. **Who will actually hold the conservation servitudes or the title to acquired land?**

The expectation is that the Louisiana Coastal Protection and Restoration (CPRA) or the State Land Office will be the primary entities either holding title to lands purchased in fee and/or executing conservation servitudes. (Guidelines Sections 1.3.1 and 2.6)

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5. Who will monitor and manage properties under conservation servitudes or acquired in fee title?

Who will enforce provisions of conservation servitudes? The management and monitoring of CFCI properties will be determined on a site specific basis, as site specific needs and opportunities dictate. Partnerships with other entities to assist in monitoring and management will be utilized whenever possible. Enforcement will be done by the entity holding the conservation servitude. (Guidelines Section 2.6.3)

6. Will landowners be allowed to harvest timber on the conservation servitude area? No. It is envisioned that the only cutting of timber allowed on conservation servitude areas will be by the approved management entity, to improve forest health and meet the overall program goals. Land owners will be compensated for the value of the timber and harvesting rights as part of the purchase price. (Guidelines Sections 1.3 and 2.6.2)**7. Will the participating landowners retain their mineral rights?**

Yes. It is not the intention of this program to acquire mineral rights on these properties. (Guidelines Section 1.3.1)

8. Will oil and gas exploration and/or production activities be allowed?

Such activities may be allowed if they are consistent with the CFCI guidelines, the property's Conservation Plan, and the provisions of the conservation servitude agreement. At a minimum, surface access for such activities may require: 1) an approved OCPRA access agreement; 2) the use of best available technology to avoid and minimize impacts to coastal forest functions and values; 3) full compensatory mitigation of unavoidable losses of those functions and values in wetland areas, and 4) restoration of impacts. (Guidelines Section 1.3.1)

9. Will livestock grazing be allowed on conservation servitude areas?

The expectation is that no livestock grazing will be allowed because it is damaging to the overall forest health. (Guidelines Sections 1.3 and 2.6.2)

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10. **Will conservation servitudes allow hunting by the landowner, or leasing of hunting rights by the landowner to others?**

Yes, if the owner chooses to do so, and it is consistent with the Conservation Plan goals. (Guidelines Section 1.3.1)

11. **Will conservation servitudes allow public access to the private lands covered by such servitudes?**

Not without landowner permission and only within the guidelines of the conservation servitude. The servitudes will not convey access rights to the public. Will public access be allowed on lands acquired in fee? The management entities for tracts acquired in fee will decide the degree of public access allowed on those tracts. Public access is typically allowed on such publicly managed lands, subject to regulations. (Guidelines Section 1.3.1)

12. **How will the amount of money to be paid to landowners for conservation servitudes be determined?**

Payments will be based on appraisal by approved methods for the rights acquired by servitude or fee title of property. Independent appraisals will be completed and reviewed at no cost to the land owner. (Guidelines Section 2.6.1)

13. **How will evaluation and selection of parcels be done?**

Evaluation and selection will be done in a transparent manner consistent with the program guidelines. (see Guidelines for further details) A scoring tool has been developed to assist with this process. A committee will utilize all available information to make the final decision. (Guidelines Section 2.5)

14. **What is the deadline for submission of applications and what can I expect after that?**

The current application deadline is September 28, 2012. If additional information is needed, we will contact you. Otherwise we will notify you when a decision has been reached as to whether or not your parcel has been selected for further evaluation.

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15. When will I know if my parcel has been selected?

You will be notified within 90 days of the close of the application period whether your property was selected to move forward in the evaluation process.

16. Will I get another chance next year?

Do I need to reapply each year or am I automatically reconsidered? You do not need to reapply each year. There is a place on the application to indicate if you want to be reconsidered in subsequent years.

17. Will any money be available for restoration projects?

Yes, a small portion of the available CFCI funds is intended for implementing small-scale projects to restore and enhance forest sustainability. Can I request funds for restoration of my property without submission for purchase of a conservation servitude or fee title? We encourage landowners to submit their recommendations for small-scale coastal forest restoration projects on their land, at any time. Those recommendations, however, need not be tied to a CFCI servitude or fee title proposal. Restoration proposals will be evaluated on a case by case basis for potential implementation by CPRA or other entities using CFCI or other funding sources. (Guidelines Section 1.3.2)

18. Who is eligible to apply?

Any willing land owner who can show proof of ownership and who's property meets the following criteria may apply (Guidelines Section 2.1):

- Property holds storm damage reduction potential, ecological significance, or is in imminent threat of conversion
- Native forest on at least 75% of property - parcels that do not meet this requirement but could support native forest and are highly desirable for other reasons may be considered. Parcels may also be subdivided to enter the more forested area in to the CFCI program.
- 20 acres or larger - exceptions will be made for unique or rare habitat types (such as live oak natural levee forests, coastal live oak-hackberry forests (i.e., cheniers), maritime ridges, or barrier

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island live oak forests) or where the property is contiguous with another tract of coastal forest or other protected land that in total is 20 acres or more.

- Lack of duplicative conservation servitudes – an exception may be made if the current servitude does not cover all the provisions of the CFCI servitudes (for example a non-perpetual servitude may be eligible under CFCI to become a perpetual conservation servitude).

19. Does it cost me anything to apply?

There is no application fee.

20. If a property is sold between the time of application and the time of acquisition, will the original CFCI application be transferrable to the new owner if the property is selected for inclusion in the program and the new landowner is still interested in participating?

Yes, if a property is sold prior to acquisition and the new landowner would still like to participate in the CFCI program, the original application will be transferable to the new owner as long as the new owner and the property are still eligible given other CFCI program requirements. In the event a new landowner does not want to participate in the program, the original application will be considered void and there will be no further commitments to the CFCI program on the part of either party.

21. Who do I contact if I have questions?

For other questions regarding the CFCI Program, please contact:

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