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FSM 3800 – LANDSCAPE SCALE RESTORATION PROGRAM

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Digest:

3800 - Establishes new chapter and sets forth codes, captions, and direction for Landscape Scale Restoration Program.

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This section implements the State and Private Forestry (S&PF) Landscape Scale Restoration (LSR) Program as added by section 8102 of the Agriculture Improvement Act of 2018 (Pub. L. 115-334 (December 20, 2018)).

3801 – Authority

The principal laws governing the Landscape Scale Restoration Program are:

1. Section 13A of the Cooperative Forestry Assistance Act (CFAA) of 1978 (16 U.S.C. 2109a). This section of the CFAA establishes the Landscape Scale Restoration program.
2. Section 2A of the Cooperative Forestry Assistance Act (CFAA) of 1978 (16 U.S.C. 2101a). This section of the CFAA requires States to develop a State-wide assessment of forest resource conditions and long-term State-wide forest resource strategy.
3. Sections 3, 5, 8, 9, and 10(b)(1) – (2) of the Cooperative Forestry Assistance Act (CFAA) of 1978 (16 U.S.C. 2102, 2103a, 2104, 2015, 2106(b)(1)-(2)). These sections respectively establish the following programs: Rural Forestry Assistance, Forest Stewardship, Forest Health Protection, Urban and Community Forestry, and Community and Private Land Fire Assistance (State Fire Assistance).

3802 – Objectives

The LSR Program is a competitive grant program that promotes collaborative, science-based restoration of priority forest landscapes and furthers priorities identified in State Forest Action Plans. Desired outcomes of the program include reduced wildfire risk; improved fish and wildlife habitats, including for threatened and endangered species; maintained or improved water quality and watershed function; mitigated invasive species, insect infestation, and disease; improved important forest ecosystems; and improved measures of ecological and economic benefits, including air quality, and soil quality and productivity.

3803 – Policy

The delivery of S&PF Programs is most effective when available resources are focused on priority issues and landscapes, and leverage public and private resources.

Forest Service policy is to promote voluntary and collaborative, science-based restoration of priority forest landscapes through high impact projects that lead to measurable outcomes on the landscape, leverage public and private resources, and further priorities identified in each State Forest Action Plan or an equivalent restoration strategy.

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3804 – Responsibility

3804.1 – Deputy Chief, State and Private Forestry

The Deputy Chief shall:

Ensure the overall program objectives are met. Collaborate and consult with the Natural Resources Conservation Service, the Regional State Forester Organizations, and other relevant stakeholders on program administration and identification of other applicable resources for landscape-scale restoration.

3804.2 – Regional Foresters

The Regional Forester shall:

1. Provide management and oversight of the program at the regional level.
2. Participate with State Foresters or equivalent cooperators in conducting periodic joint State/Federal program and activity reviews.
3. Designate a point of contact to coordinate with the Washington Office and regional Program Managers on program implementation.

3804.3 – State Foresters

The State Forester or equivalent State official is responsible for providing management and oversight of the program in their State to achieve national program objectives and State priorities.

3805 – Definitions

Indian Tribe. The Tribe has the same meaning as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), which defines “Indian tribe” to mean a federally recognized Indian tribe.

Non-industrial private forest land. Land that meets all of the following criteria:

1. Is rural (as defined in this section);
2. Has existing tree cover or is suitable for growing trees; and
3. Is owned by:

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- a. Any private individual, group, association, corporation, or other private legal entity, except a landowner or legal entity whose major objective for ownership is commercial timber production, or
- b. An Indian Tribe.

Tribal land held in trust by the United States is not considered “Indian-owned land.”

Non-profit organization. Has the same meaning as defined in 26 U.S.C. § 501(c)(3).

Project Proposal. A landscape-scale restoration proposal that:

1. Is based on a restoration strategy; and
2. Includes one or more projects that meet the objectives specified in section 3806.

Regional State Forester Organization. An organization of State Foresters including the following:

1. The Council of Western States Foresters for the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, Territory of American Samoa, Republic of Palau, Federated States of Micronesia, Territory of Guam, Commonwealth of Northern Mariana Islands, and the Republic of the Marshall Islands.
2. The Northeast-Midwest State Foresters Alliance for the States of Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia and Wisconsin.
3. The Southern Group of State Foresters for the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, and for Puerto Rico and the U.S. Virgin Islands.

Restoration Strategy. The appropriate State Forest Action Plan or a restoration strategy that is:

1. Complete or substantially complete;
2. For a multiyear period;

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3. For non-industrial private forest land or State forest land;
4. Accessible by wood-processing infrastructure; and
5. Based on the best available science.

Rural. Any area other than an urbanized area, as currently defined by the United States Census Bureau, such as a city or town that has a population of greater than 50,000 inhabitants according to the latest U.S. Census.

State. Each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the territories and possessions of the United States.

State Forest land. Land that is:

1. Rural (as defined in this section);
2. Owned by a State or local Government; and
3. Considered to be non-Federal forest land.

State Forest Action Plan. A document that describes a State's forest resources, conditions and trends and describes the management strategies for conservation (formerly known as the Statewide Forest Resource Assessment and Strategy).

State Forester or Other Appropriate State Official. Means the State Forester for the State in which the project proposal would be carried out or other appropriate State official.

3806 – ELIGIBILITY FOR GRANT

3806.1 – Applicant Eligibility

1. The following entities are eligible to submit a project proposal for funding:
 - a. A State forestry agency or an appropriate State agency.
 - b. A unit of local Government.
 - c. An Indian Tribe.
 - d. A non-profit organization.

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- e. A university.
 - f. An Alaska Native Corporation.
2. For-profit entities are not eligible to apply for a grant under this program.

3806.2 – Project Eligibility

3806.21 – Location of Projects

An eligible applicant may apply for a grant for a project proposal to be conducted on:

- 1. Nonindustrial private forest land;
- 2. State forest land; or
- 3. Both.

3806.22 – Project Objectives

1. A project proposal must advance priorities identified in a State Forest Action Plan or an equivalent restoration strategy that:
- a. Is complete or substantially complete;
 - b. Is for a multi-year period;
 - c. Covers non-industrial private forest land or state forest land;
 - d. Is accessible by wood processing infrastructure; and
 - e. Is based on the best available science.
2. A project proposal must be designed to achieve one or more of the following objectives:
- a. Reduce the risk of uncharacteristic wildfires.
 - b. Improve fish and wildlife habitats, including habitats for threatened and endangered species.
 - c. Maintain or improve water quality and watershed functions.

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- d. Mitigate invasive species, insect infestation, and disease.
 - e. Improve important forest ecosystems.
 - f. Measure ecological and economic benefits including air quality and soil quality and productivity.
 - g. Take other actions as determined by the Forest Service.
3. The following projects will not be eligible for grant funds:
- a. Research projects.
 - b. Construction projects, including construction of new buildings or roads.
4. Projects in a proposal must be delivered utilizing the authorities for one or more of the following programs in the Cooperative Forestry Assistance Act of 1978:
- a. Forest Stewardship.
 - b. Rural Forestry Assistance.
 - c. Urban and Community Forestry.
 - d. Forest Health Protection.
 - e. Community and Private Land Fire Assistance (State Fire Assistance).
5. Projects in a proposal may not be delivered utilizing the authorities for any of the following programs in the Cooperative Forestry Assistance Act of 1978:
- a. Rural Volunteer Fire Department Assistance (Volunteer Fire Assistance).
 - b. Forest Legacy.
 - c. Community Forest and Open Space Conservation.
 - d. Federal Lands Forest Health Management.

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3806.23 – Projects to be Given Priority

Priority must be given to selecting project proposals that:

1. Promote cross boundary collaboration:
 - a. By their proximity to other land ownerships; or
 - b. By their inclusion of a combination of land ownerships, including tribal, State and local Government, and private lands (such as, multiple private landowners. private and State landowners; State and Federal landowners; State and local Government; and State and Tribal landowners).
2. Coordinate with or are in proximity to other complementary landscape-scale projects on National Forest System lands, or lands under the jurisdiction of the Secretary of the Interior or a State, that are carried out:
 - a. Under the Collaborative Forest Landscape Restoration Program (16 U.S.C. 7303).
 - b. In landscape areas designated for insect and disease treatments under section 602 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591a).
 - c. Under the Good Neighbor Authority (16 U.S.C. 2113a).
 - d. Under the stewardship end result contracting and agreement authority (16 U.S.C. 6591c).
3. Coordinate with or are in proximity to other complementary landscape-scale projects on State land.
4. Coordinate with Natural Resources Conservation Service (NRCS) programs and appropriate State-level programs.
5. Leverage funding from multiple entities.

3806.24 – Matching Requirements

1. Matching Contributions. Except as provided in paragraph 2, a grant recipient shall be required to match the Federal grant funds 1:1 from non-Federal sources with funds or in-kind contributions.

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2. Exception. The following territories, flag islands, and freely associated States of the United States are not required to provide a 1:1 match for a grant \$200,000 or less:

- a. The Virgin Islands of the United States.
- b. The Commonwealth of the Northern Mariana Islands.
- c. The Federated States of Micronesia.
- d. The Republic of the Marshall Islands.
- e. The Republic of Palau.

3. Use of Matching Contributions. Matching contributions provided by the grant recipient must be used for activities that meet the same requirements applicable to grant funds. None of the matching contributions may be used for construction, research, and other ineligible activities.

4. Leverage Funding. A project proposal must maximize grant funding by using it to leverage contributions from non-Federal entities. Project applications should include a budget table that clearly identifies grant funds and associated non-Federal contributions from each partner and separately documents non-match leveraged contributions. Grant recipients will be required to report information on match and non-match leverage each fiscal year.

3807– REGIONAL STATE FORESTRY ORGANIZATIONS

3807.1 – Requests for Proposals

Each Regional State Forester Organization shall:

1. Develop a Request for Proposals (RFP) or Request for Applications (RFA) that is consistent with this policy.
2. Issue the RFP or RFA on its website.
3. Provide access to relevant program and application resources and lists of final projects awarded grants via a publicly accessible website.

A Request for Proposals or Request for Applications must include the following elements:

1. The process for submitting a project proposal.

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2. The applicants who are eligible for a grant under the program.
3. The types of projects that may be funded, including any regionally specific criteria that is consistent with these directives.
4. The types of project that will be given priority.
5. The matching requirements for a project as specified in section 3806.24.
6. The contents required for a project proposal as specified in section 3807.2.
7. The composition of the grant review team.
8. An overview of the process for how the grant review team will evaluate project proposals, including:
 - a. Guidance on how a project proposal will be scored and the weights given to each selection criteria.
 - b. An explanation of how the rankings will be made during the competitive process.
9. For a Regional State Forester Organization that requires the State Forester to rank project proposals submitted for their State, the RFP shall provide information explaining how the rankings will be applied.
10. A point of contact to answer questions and concerns, as well as share and coordinate information to ensure consistency and clarity.
11. The date by which an applicant shall submit a project proposal to the Regional State Forester Organization.

3807.2 – Contents of Project Proposals

A Request for Proposals must require that applicants submit a project proposal that addresses the following elements:

1. Purpose Statement. A project proposal will address the program’s purpose statement which is “to encourage collaborative, science-based restoration of priority forest landscapes.”
2. Project Scale. A project proposal must describe the project area, the land ownerships within the area, and specific areas targeted for treatment. The scale of a project must be the most appropriate size based on the land ownerships, objectives, and outcomes (including cross boundary goals) for the landscape.

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3. Partner engagement. A project proposal must identify partners that will be actively engaged in carrying out the project and add value to project planning and implementation. Collaboration may be qualitative in nature, and the contribution of a partner may be more important than the number of partners.
4. Objectives. A project proposal must prioritize funding and other resources to meet one or more of the resource objectives identified in section 3806.22, paragraph 2. Successful projects will, in many instances, address multiple resource objectives.
5. Restoration Strategy. The project proposal must demonstrate how the objectives of the project will achieve the priorities in the State Forest Action Plan or other restoration strategy.
6. Measures and metrics. A project proposal must describe the following:
 - a. How the selected objectives will lead to measurable outcomes on the landscape.
 - b. How the applicant will measure progress towards those outcomes (such as, acres treated to reduce hazardous fuels, acres treated for insects and disease, acres of trees and seedlings planted to enhance water quality).
 - c. The proposed metrics for measuring progress, which must be specific, measurable, achievable, realistic, and timely.
7. Matching Requirements. A project proposal must show how the applicant will meet the matching requirements in section 3806.24.
8. Duration. A project proposal must describe the duration of the project, which should not take longer than 3 years to complete from the time of the award.
9. Knowledge and technical transfer. A project proposal must describe what others will learn from implementation of the project and the potential of the project to inform practitioners and enhance the effectiveness of similar initiatives. This technical transfer (the sharing of knowledge, tools and innovations for practical application) need not necessarily be between states, but the project proposal shall aim to share innovation across the landscapes. While a project proposal may include a component of outreach, education and training as a means to achieve the project objectives, education and outreach should not be the sole project outcome.

3807.3 – Submission of Project Proposals

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1. Except as provided in paragraph 2, an applicant shall submit a project proposal to the Regional State Forester Organization as required by the RFP or RFA.
2. An Indian Tribe may submit a project proposal in response the appropriate RFP or RFA through the Tribal liaison in the Forest Service Regional Office where the project would be located. The Forest Service Region shall transmit the project proposal to the appropriate grant review team for consideration in the evaluation process. If a project proposal submitted by an Indian tribe is selected for funding, the Forest Service region will work directly with the Indian Tribe to award the grant.
3. Applicants are encouraged to seek guidance from the appropriate State Forester and Forest Service Regional Office during project development to ensure the project aligns with the program purpose, eligibility, and other criteria.
4. A Regional State Forestry Organization may utilize informal and formal opportunities to review project proposals in advance of submitting the project proposal, including abstracts and pre-proposals.

3808 – EVALUATION OF PROJECT PROPOSALS

The competitive process is intended to support high impact projects that promote collaborative, science-based restoration of priority forest landscapes, leverage public and private resources, and advance priorities identified in a State Forest Action Plan or other restoration strategy.

1. Establishment of Grant Review Team. To ensure the grant review process is transparent and fair, each Regional State Forester Organization must establish a grant review team that consists of an equal number of Forest Service and State representatives having diverse skills.
2. Duties of Grant Review Team. A grant review team shall:
 - a. Engage additional Federal, State, or local governmental representatives, as necessary, during the grant review process to ensure that the team has the appropriate composition and expertise needed to review the submitted project proposals.
 - b. Develop a process to ensure consistent evaluation of the submitted project proposals.
 - c. Establish the duration of terms for grant review team members.
 - d. Address possible conflicts of interest (such as State representative scoring a project proposal he or she submitted).

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- e. Evaluate each project proposal to determine a score based on the criteria in the Request for Proposal and rank the project proposals based on the scores.
 - f. Submit the rankings of the project proposals to the Deputy Chief for State and Private Forestry and Deputy Area Budget Coordinator for review.
3. Cross-Regional Project Proposals. Regional State Forester Organizations must coordinate with each other when evaluating a cross-regional project proposal and shall determine which Regional State Forester Organization will review and score the proposal. Regional State Forester Organizations shall collaborate during the respective evaluation process for the cross-regional project proposals and work with the appropriate Forest Service Regional Offices to ensure the projects can be funded if selected.

3809 – ALLOCATION OF FUNDING

When the Forest Service receives its annual appropriation from Congress for the LSR grant program, the Deputy Chief for State and Private Forestry shall:

1. Allocate the funding equally among the Regional State Forester Organizations, to the extent practicable, for project proposals in accordance with the ranking given by each grant review team
2. Notify the appropriate Forest Service Regional Office regarding the project proposals that will receive funding.

3809.1 – Grant Administration

1. Administration. All grants must be administered in compliance with these directives and the regulations generally applicable to grants at 2 CFR 200. See FSH 1509.11, chapter 10.
2. Modifications. The grant recipient may submit a request for modification of the grant to the appropriate Forest Service authorized official. Any modification must be signed by all grant recipients, the State Forester, and the appropriate Forest Service authorized official.
3. Consolidated Payments. A State Forester or other appropriate State forestry agency that receives a grant may include an LSR project in their consolidated payments grant in order to meet the matching requirements.
4. Multi-Year Projects. A multi-year project proposal must be fully funded by the grant for the first year. Subsequent phases of a multi-year project proposal will have to be submitted through the annual competitive process.

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5. SAM registration. All applicants must have a valid registration with the System for Award Management (SAM) at www.sam.gov prior to applying for a grant. SAM registration must be renewed annually.

3809.2 - Reporting and Accountability

All grant recipients are required to provide an annual report of accomplishments through the Landscape Scale Restoration (LaSR) database. Accomplishments will also be recorded spatially by identifying discrete areas where on-the-ground implementation will occur during the life of the project. This reporting is in addition to financial and performance reporting required by the grant.