

Appendix III

STATE OF DELAWARE FOREST SERVICE FOREST LEGACY ASSESSMENT OF NEED



October 2020

STATE OF DELAWARE FOREST LEGACY PROGRAM ASSESSMENT OF NEED

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July 20, 2020

Michael A. Valenti, Delaware State Forester
c/o Delaware Forest Service
2320 S. DuPont Highway
Dover, DE 19901.

Dear Mr. Valenti,

I am writing to express my support of the Delaware Department of Agriculture Forest Service's updated "Assessment of Need" for the U.S. Forest Service's Forest Legacy Program.

Delaware's Forest Legacy Program has been instrumental in helping to foster a thriving and sustainable forest products industry in our state. The program has been successful in preserving more than 3,300 acres over the past 30 years through easements or fee simple purchases.

Delaware's updated "Assessment of Need" not only creates new forest legacy areas to target for potential program funding, it also identifies additional partners in conservation from the non-governmental sector – such as Delaware Wild Lands Inc., Nanticoke Watershed Alliance, The Nature Conservancy, and others – in addition to support from the state, county, and local governments.

I strongly support this initiative and the Delaware Forest Service's ongoing efforts to enhance the natural benefits that forests provide, maintain our quality of life, and ensure the future economic vitality of the forest industry.

Thank you for your hard work on the issue of conserving and maintaining the health of forests in Delaware.

Sincerely,

A handwritten signature in blue ink that reads "John C. Carney".

John C. Carney
Governor, State of Delaware

Delaware Forest Stewardship Committee Members

Committee Member

Agency Represented

Al Rizzo	U.S. Fish & Wildlife Service
Alex Fignar	Johnson Lumber Company/Delaware Forestry Association
Amy Hill	U.S. Forest Service
Arthur Egolf	Egolf Forest Harvesting Co./Delaware Forestry Association
Bill Jones	Department of Natural Resources and Environmental Control
Bill McAvoy	Department of Natural Resources and Environmental Control
Brian Jennings	U.S. Fish & Wildlife Service
Charlie Eggleston	Forest Landowner
Christopher "Kitt" Heckscher	Delaware State University
Craig Rhoads	Department of Natural Resources and Environmental Control
Dan Rider	Maryland Department of Natural Resources
Dot Abbott	University of Delaware, Cooperative Extension (Retired)
Doug Simpson	Johnson Lumber Company
Heather Beaven	USDA Natural Resources and Conservation Service
Jaime Argo	USDA Natural Resources and Conservation Service
Kate Hackett	Delaware Wildlands, Inc.
Leslie Merriken	Forest Landowner
Marcia Fox	Department of Natural Resources and Environmental Control
Natasha Whetzel	The Nature Conservancy
Patti Webb	Department of Natural Resources and Environmental Control
Skip Jones	Parker Forestry Consulting Services
Ted Palmer	Forest Landowner
<hr/>	
Sam Topper	Delaware Forest Service
Kyle Hoyd	Delaware Forest Service
Michael Valenti	Delaware Forest Service



**Roughly
96% of Delaware's
forestland is classified
as timberland that can
produce wood products
such as sawtimber,
pulpwood, veneer,
and pilings.**

Introduction

From a historical perspective, forests have played a significant role in the lives of all people who settled here in Delaware. The plentiful oak, hickory, and pine provided building materials, food, and shelter at first. But as the population expanded in the late 1600s and throughout the 1700s, timber harvesting, ship building, and charcoal production became important industries. With this came forestland clearing for farming and settlements. The virgin forests that once covered 1.1 million acres (88%) of the state were eventually whittled down to 350,000 acres by the early 1900s representing less than one-third (28%) of Delaware's land area. Today, that total is 359,000 acres and is actually a decrease from the mid-20th century maximum of 454 acres (36%) in 1953. Roughly 96% of Delaware's forestland is classified as timberland that can produce commercial wood products such as sawtimber, pulpwood, veneer, and pilings. Woody biomass may also become a major use of wood fiber in the future. All forestlands in Delaware provide a number of crucial natural benefits to both humans and the ecological systems in which they grow—clean air, clean water, soil protection, wildlife habitat, and recreational opportunities.

Over the last 20 years, Delaware's forest base has remained relatively stable. However, a closer look reveals that the species composition has changed somewhat from higher-value upland hardwoods to lower quality bottomland hardwoods even though total hardwood sawtimber volume has increased four-fold. Loblolly pine acreage has increased slightly over the last 30 years and more board foot volume is contained in the larger trees (≥ 13 inches dbh). The largest threat to all tree species, and forestland in general, in Delaware is the ever-increasing human population and the pressures this puts on the land. Housing developments, major infrastructure projects, and commercial land development continuously fragment Delaware's remaining forests into smaller and smaller blocks. This impairs the full ecological potential of large forested tracts of land. The trend in upward population growth continues to this day and is expected to crest the 1,000,000 mark in 2020 (up from 744,066 in 1998 when the original Delaware Forest Legacy Program Analysis of Need was written). And to make matters worse, the constant barrage of invasive species, both plant and animal, further reduces the environmental benefits of healthy, pest-free forests.

Sound forest management is essential to maintaining healthy, vigorous working forests no matter what the landowner goals are—wood products, wildlife protection, aesthetics, climate mitigation, recreation, or watershed/aquifer, air, and soil protection. Delaware is home to a variety of unique natural areas and is a key location along the Atlantic Flyway for migratory birds. Fragmentation and poor forestland management are serious threats to the ecological functionality of forests that harbor many rare plant and animal species.

With similar concerns regarding forestland loss and degradation across the country, the United States Congress established the Forest Legacy Program as part of the 1990 Farm Bill. This program offers the opportunity to safeguard forested lands through fee simple acquisitions and conservation easements. The ultimate goal is to protect working forestlands whenever and wherever possible. Delaware's Forest Legacy Program Assessment of Need (AON) evaluates the potential use of this program to preserve valuable working forests in Delaware.

Forest Legacy Requirements

A. Forest Resources and Benefits

Aesthetic and Scenic Values

The aesthetic and scenic benefits of Delaware's forestlands are clearly evident to the tourist industry along the coastline and the housing industry in the northern piedmont areas. More importantly, the forests greatly benefit the quality of life in Delaware. Forests maintain a rural character in the face of urbanizing pressures. A 1975 study of forestland ownership found aesthetics as the most prevalent benefit to forest landowners.

Delaware enjoys a significant variety of forest species in a small geographic area. Delaware is the northern extreme for southern species such as, loblolly pine and baldcypress. Delaware's forest interior habitats support the greatest diversity of native vascular plants, more than any other specific habitat type with upland forests. Delaware's forests are also home to over 900 animal species.

Fish and Wildlife Habitat

Forests can impact fisheries in a variety of ways. In many areas of Delaware, there is a potential for nonpoint source pollution and groundwater contamination. Forestlands play a major role in influencing both water quality and quantity throughout watersheds. In both the Coastal Plain and the Piedmont regions of the state, forestlands help maintain stream flows, moderate temperatures, and provide shoreline fish habitat.

Proper forest management can also improve estuarine areas by helping to provide a constant water flow into these areas. It is well known that estuaries provide nurseries for many marine fish species. The quality of the estuarine area is very dependent upon watershed activities, including proper forest management.

Public Recreation Opportunities

Forestlands are a popular arena for outdoor recreation. They are utilized for hiking, nature study, horseback riding, fishing, hunting, camping, and other activities. In 2018, Delaware reported that more than 9 million people visited state attractions and six of the top 20 attractions utilized outdoor recreational resources including Delaware's forests.

In Delaware, recreation is very important and is the backbone of the state's tourist industry—one of the top businesses in the state. Because forestlands offer such a wide variety of recreational opportunities, they play a major role in attracting tourists to the state.

Delaware has a balance of federal, state, and local recreational lands. For example, two federal land-managing agencies own 29,453 acres of outdoor recreational lands. State government has three agencies (Parks & Recreation, Fish & Wildlife, Forest Service) managing 117,150 acres. Although these lands have both forested and no forested areas, the majority of recreational lands are forested.

Forests greatly benefit the quality of life in Delaware. A study of forestland ownership found aesthetics as the most prevalent benefit to forest landowners.





Soil Productivity

Most of Delaware's forests occur on three broad soil types, (1) Piedmont soils, (2) Coastal Plain well-drained soils, and (3) Coastal Plain poorly-drained soils. While all types are capable of producing good tree growth, native cover types and equipment limitations differ.

Soil quality is relatively good throughout Delaware. While nearly all of Delaware's land was farmed at one time since European settlement, except the very wettest sites, these activities resulted in minimal damage. Unlike other areas throughout the country that experienced significant soil erosion as forests were cleared for agriculture, Delaware's relatively flat terrain did not produce such dramatic erosion.

Forest Products and Timber Management Opportunities

Wood products have always been a critical component of Delaware's economy. Lumber remains the primary building material for new houses, businesses, and farming operations, primarily chicken houses to support the state's high demand for broiler chickens. Delaware continues to produce quality pulp and sawtimber through various incentive programs that are offered to landowners throughout Delaware.

From 1972-2017, Delaware has had a large jump in larger stand diameter size (see [Resource Assessment Figure 11](#)). One reason for this is that much of the publicly-owned land that Parks & Recreation and Fish & Wildlife manage has not been harvested for many years. Through the use of cooperative agreements, the Delaware Forest Service (DFS) has worked with these agencies to optimize timber production and improve forest health. Several timber sales have been completed to date with these agencies. The DFS continues managing State Forests to safeguard forest health and take advantage of timber harvesting opportunities. The DFS is aware of a trend in our area for larger sawlog-sized loblolly pine. This has benefited our state by sparking interest with smaller operators looking to grow their operations. Several mills are considering the installation of kilns to help with the demand and it is the DFS's goal to attract a larger processor to Delaware to handle the volume of standing wood the state currently has to offer.

Watershed Values Including Water Quality Protection

Clean and abundant water is necessary for all species. Clean water is also important for fishing, swimming, and other forms of recreation. Delaware's forests play an important role in protecting and improving water quality—both surface and groundwater. Delaware's forested wetlands serve as sinks to slow runoff, filter water, and release clean water into waterways and underground aquifers. The use of best management practices (BMPs) when harvesting timber helps maintain water quality and its features in forested areas.

The DFS continues to partner with local, state, and federal agencies to protect this valuable resource. One thing all these agencies have in common is that forests play a crucial role in water quality. Our forested wetlands provide a wide range of valuable functions including filtering water, slowing runoff, and trapping sedimentation before it reaches streams and waterways. Palustrine forested wetlands make up 147,421 acres throughout Delaware. It is important for all land management agencies to ensure that these areas are adequately cared for so that aquatic vertebrates (e.g., frogs, salamanders, turtles, etc.) and other biota can thrive. Clean and abundant water is crucial to Delawareans and proper forest management along with preservation is the key to a successful future.

B. Present and Future Threats of Conversion

Delaware's rural and urban forests face a multitude of challenges that threaten long-term health. Forest conversion and fragmentation is taking place due to development and agricultural conversion. Invasive plants, insects, and diseases also account for forest loss in Delaware. This is due to the fragmentation and conversion where native trees are now susceptible to these natural enemies.

Much of the privately-owned forestlands in Delaware are near or within growth zones that have been identified by our three counties. The number of large continuous forest blocks (greater than 250 acres) is steadily decreasing. This is due to ownership change and the public's perception of forestland. During a 2019 strategic stewardship planning meeting, the group discussed how family values, dynamics, and land values drive forest fragmentation and conversion. As property values increase within the growth zones, families are utilizing forestlands for new homesites and additional income. Many of these properties have been in their families for centuries and have always been a source of income through timber sales and leases, however generational differences have the forestland now viewed as potential income through the conversion to home sites for human development.

C. Historic and Traditional Uses of Forest Areas

Delaware's forests have evolved considerably from the virgin acres of oak and hickory that greeted its early Swedish settlers in the 1600s and provided them with rich timber resources for ship building, charcoal making, farming, and settlements. As the demand for wood products rose at the turn of the new century, dozens of small to medium-sized sawmills, now fueled by steam (later by electricity), went to work in earnest on the seemingly inexhaustible supply of the state's timber resources. Wood production rose to a high of 55 million board feet in 1909 and dropped to a low of 5.2 million board feet in 1918, notwithstanding a high demand for wooden boxes, crates, and baskets for overseas food shipments. Thereafter, another boom cycle began as numerous "basket wood" and "spoon wood" mills flourished until the early 1950s, producing a variety of machine-made products for Delaware agricultural goods. The species most in demand for this use were the "sweet" woods—sweetgum, yellow-poplar, and maple. Box and basket-making machines exist today only in personal collections and local farm museums, their output replaced by that of the plastics industry.

Wood production has remained stable up until the past few years and now Delaware is experiencing a decrease in larger mill operations and an increase from the smaller mills looking to expand their operations. Delaware produces approximately 15.2 million cubic feet annually, which is divided into 36% softwood, and 64% mixed hardwoods. In addition to sawtimber, considerable amounts of pulpwood (primarily loblolly pine) are harvested annually in Delaware with some of the best quality coming out of State Forest properties. Logs for veneer, including plywood and specialty veneer stock, along with pilings remain an important and highly sought-after product of the First State's woodlands, particularly from the straight boles of our native loblolly pine.

Delaware's forest base has remained relatively stable, with only a 6% reduction in the past 20 years. Approximately 29% of Delaware is forested with 359,000 acres of forestland. Of these acres, 96% is classified as commercial timberland and can provide sawtimber, pulpwood, veneer, and pilings.





D. Current and Future Ownership Patterns

Delaware is currently experiencing a shift in forestland ownership. Several large landowners in Delaware are liquidating their properties due to company shutdowns and changes within their families. Due to this, Delaware is experiencing forest fragmentation on sites that are not purchased by state agencies and non-governmental organizations (NGOs). Timber harvesting is not as economical when a forest tract is fragmented, and many wildlife species suffer as well. With a shift in ownership, forests also become increasingly more difficult to manage as goals (short/long term) are more difficult to achieve. Many of the new landowners have little or no desire to cut timber as it is seen as having a negative impact on the land.

The current landowner trend has created partnerships at the local, state, and federal levels to protect these larger blocks of forested lands. Agencies are working together with NGOs to strategically protect large blocks of forestland either by fee simple purchases or through conservation easements. Delaware's Open Space Council annually receives \$10 million for the purchase of lands. This successful program has given state agencies, including the DFS, and NGOs the ability to match federal projects and complete purchases at a much higher level than in the past. It is expected that at least a one-third of the remaining larger forested parcels will be protected in the next five years.

E. Cultural Resources

Before European colonists arrived in what is now Delaware, the Lenape and Nanticoke Indians lived throughout the forests. Their homes, hunting grounds, and way of life can be found at numerous archaeological sites dating from both prehistoric and early historic periods. Delaware also has a rich colonial history with one of the first Swedish settlements in the United States. Delaware's oak and hickory forests helped early Swedish settlers build their forts and cabins, and provided planking for their ships. Many of our state agencies work to preserve historical sites through financial and educational assistance. By providing funding, it has helped preserve lands (through fee simple purchases and conservation easements) where historical activities took place. Commonly, these sites are home to educational tours and educational centers.

F. Outstanding Geological Features

Delaware is located on two physiographic provinces, separated by a fall line. The Piedmont Province lies north of the fall line and comprises about 6% of the state's area. Groundwater in the Piedmont occurs in crystalline rocks. The Coastal Plain Province located south of the fall line encompasses the remaining 94% of Delaware. This province is composed of a wedge-shaped deposit of alternating layers of sand and clay that overlies the crystalline basement of rocks and increases in thickness to the southeast, attaining a depth of 15,000 feet in southeastern Delaware. Although the Piedmont region of the state has some rolling terrain, most of Delaware is relatively flat and considered a coastal plain. Due to the nature of Delaware's geology, outstanding features are not a significant component of Delaware's forested lands. Thus, geologic features will not be a critical consideration in the eligibility criteria for Forest Legacy projects.

G. Threatened and Endangered Species

Forests provide habitat for numerous animal species and are home to a wide variety of plant species. Some rare plants are found only in specific types of forest, and some rare animals require certain forest habitat for their survival. Protecting and conserving the wide range of forests native to Delaware is vital for the survival of many plant and animal species, both rare and common. Recognizing and understanding the rare, threatened, and endangered species of plant and animals found in our forests is the first step to conserving and protecting them.

In 2015, Delaware's Wildlife Action Plan (DEWAP) was updated and approved after a three-year period by the U.S. Fish & Wildlife Service. This plan is critical to helping Delaware fulfill its goals in ensuring the survival of our threatened and endangered species for the enjoyment of future generations. <http://www.dnrec.delaware.gov/fw/dwap/Pages/default.aspx>

More than 2,500 animal species are native to Delaware (see Resource Assessment Table 4). Of these, 584 are determined to be Species of Greatest Conservation Need (SGCN). There are 13 State of Delaware endangered forest-dependent vertebrate species (see Resource Assessment Table 5). No vertebrates in Delaware are currently on the U.S. Fish & Wildlife Service threatened and endangered species list.

Delaware forests are home to more than 250 non-wetland native plant species that are forest dependent, many of which are rare and uncommon in the state. Two species are federally listed by the U.S. Fish & Wildlife Service—swamp pink (threatened, *Helonias bullata*) and small whorled pogonia (threatened, *Isotria medeoloides*).

H. Other Ecological Values

For being the second smallest state in the United States, Delaware offers a variety of ecological values. Many of these values can be found in upland sites within the Piedmont region or within Coastal Plain sites. From native grasses and plants, to loblolly pine forests, Delaware has many different features for natives and visitors to enjoy. Many of these features can be found on publicly-owned land, which is 22% of the total land base in Delaware.

I. Mineral Resource Potential

There are very few historical mine sites within Delaware. Some in northern Delaware provided iron and gunpowder to growing industries in the late 1800s. With the closure of these sites, Delaware's main mineral resources are sand, and gravel. Most of our current sand and gravel operations are in Kent County and northern Sussex County and are primarily located near industrial or agricultural sites that do not impact forestlands.



J. Protected Land in the State

The State of Delaware and its partners have done an admirable job of protecting lands over the past several years. Over 25% of Delaware's forests are protected from development, this is due to fee simple purchases and conservation easements.

Funding continues to increase for agencies and NGOs throughout Delaware. The State of Delaware's Open Space Council and the Delaware Agricultural Lands Preservation Program each receive \$10 million in state funding annually to help purchase properties and development rights. Given the amount of funding that is available at the state level, many agencies are working with NGOs to provide financial assistance. The Nature Conservancy, Delaware Wild Lands, Inc., Nanticoke Watershed Alliance, and several other NGOs have done a great job expanding their footprint to protect valuable lands. The DFS would like to work with these NGOs along with other state agencies—Delaware Department of Transportation (DelDOT), Department of Natural Resources and Environmental Control (Division of Parks & Recreation and Division of Fish & Wildlife) to protect more valuable lands within FLP areas. Given that the ownership patterns of these groups are located within the identified FLP areas, it makes sense to work with them for fee simple acquisitions and conservation easements.

Thanks to private and public funding, over 100,000 acres of forestland have been protected through conservation easements or fee simple acquisitions. Delaware continues to build on its relationships and programs that are dedicated to protecting its forests and all of the benefits they provide. As development pressure increases, so does the need for a quality, diverse, landscape for the public to enjoy.

K. Issues Identified by the Delaware Forest Stewardship Committee and Through the Public Involvement Process

[Will have to add in later once the stewardship council reviews this.]

Current Forest Legacy Areas

Delaware currently has four Forest Legacy Areas (FLAs)—White Clay Creek, Blackbird/Blackiston, Redden/Ellendale, and Cypress Swamp—that were adopted in 1998 (see [Resource Assessment Figure 43](#)). More than 20 years later, these areas are still a high priority for fee simple purchases and conservation easements for the Forest Service and its partners. Since 2004, many acquisitions have taken place within the FLAs protecting valuable working forests—the main goal of the Forest Legacy Program (FLP). To date, 3,336 acres have been protected and remain working forests thanks to the Legacy program. Delaware hopes that by updating the AON, FLP funds can be better utilized within these areas to help protect our unique watersheds, including natural features like Delmarva Bays, pristine Piedmont stream courses, and freshwater forested wetlands. Delaware's NGO and state partners will also play a vital role in protecting our working forests by helping to identify and hold key parcels that are available to purchase either through conservation easements or fee simple. The Delaware Forest Service will continue to work closely with these partners to ensure parcels located within FLAs continue to have valuable resources—unique forestlands, historical and cultural areas, and the presence of other criteria that the Forest Legacy Program requires.

White Clay Creek

The White Clay Creek Forest Legacy Area is Delaware's northernmost legacy area, located in northern New Castle County (Figure A3-1). Its northern boundary is Delaware's boundary with Chester County, Pennsylvania. It is bound on the west by State Route 896. The area's southern boundary is made up of several roads and property lines. Starting at State Route 896, the southern boundary follows the University of Delaware property line eastward, across White Clay Creek, to Paper Mill Road. It then follows Paper Mill Road north to Milford Crossroads, where it follows Possum Park Road south to Kirkwood Highway. It then follows Kirkwood Highway east several thousand feet, until it follows Polly Drummond Hill Road north. It then follows New Linden Hill Road east to State Route 7. It turns north for a short distance on State Route 7, then follows Mermaid Stoney Batter Road east to Mill Creek Road. It continues east on Mill Creek Road (which turns into Hercules Road) until it intersects with State Route 48. The boundary turns east on State Route 48 for a short distance, then turns north on Rolling Mill Road. It again turns east on Barley Mill Road and continues until the junction of Centreville Road, where the eastern boundary of the legacy area begins. This boundary follows Centreville Road north to State Route 82, where it turns west and crosses Hoopes Reservoir. It then turns north, following Owls Nest Road north (which later turns into Twaddell Road) to the junction of State Route 100. The final leg of the eastern boundary of the White Clay Creek Forest Legacy Area follows State Route 100 north to the Pennsylvania line.

The Delaware Forest Stewardship Committee chose several objectives for the FLP in the White Clay Forest Legacy Area. The top priority is to identify and protect environmentally important privately-owned forestlands threatened with conversion to non-forest use. The second priority is to reduce forest fragmentation caused by development. The Committee's third priority is to protect the area's watershed and water supply capabilities.

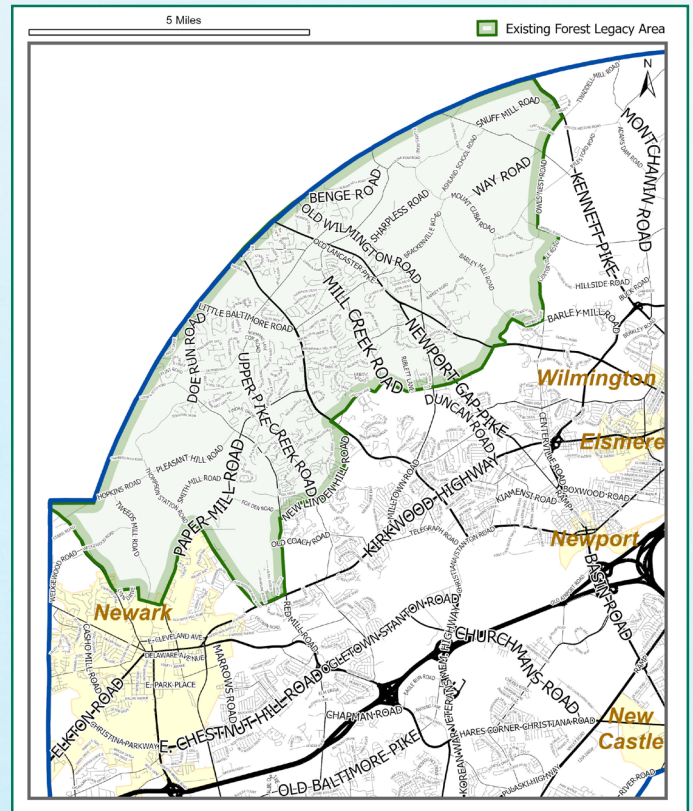
This resource area is a very diverse Piedmont stream valley, featuring old growth forests, steep slopes, old fields and freshwater wetlands. The area contains riparian habitat critical to maintenance of water quality and diverse plant communities with rare and endangered species. There are 24 rare plant species and two animal species of state concern in the area. The proximity of this resource base to urban centers makes this an excellent area for environmental education. The resource area's historic and archaeological features are prehistoric hunting camp locations, dating from 9000 B.C. to A.D. 1650, and historic settlement camps perhaps dating to as early as the 17th century. Several management units make up this resource area protecting over 2,000 acres and 6 miles of riparian corridor. The 593-acre Walter S. Carpenter Jr. State Park joins the 569-acre White Clay Creek Preserve, Delaware's portion of the Bi-State Preserve. (Pennsylvania manages 1,252 acres). Both units are managed by the State Division of Parks & Recreation. The Middle Run Natural Area is also part of this resource area. It contains 748 acres and is managed by New Castle County Department of Parks & Recreation.

The Greenspace Committee, under the auspices of the Governor's Environmental and Infrastructure Cabinet Council, designated parts of this area as land for increased protection. This resource area has become the most extensive greenway corridor in New Castle County and will protect an additional 2.2 miles of riparian corridor.

Goals of the White Clay Creek Forest Legacy Area

- Maintain and enhance this very diverse Piedmont stream valley and associated biotic communities.
- Protect the riparian corridors to maintain water quality, historic, and archaeological sites.
- Reduce forest fragmentation by linking state, county and private lands.
- Protection of the scenic and wild nature of the area.

Figure A3-1. White Clay Creek Forest Legacy Area.



Objectives of the White Clay Creek Forest Legacy Area

- Protect the old growth forest, steep slopes, and old fields.
- Protect the freshwater wetlands and stream valleys.
- Protect rare and endangered plant and animal communities and singular species.
- Protect historic and archaeological features.
- Reduce forest fragmentation and create public access to greenways

Means for Protection

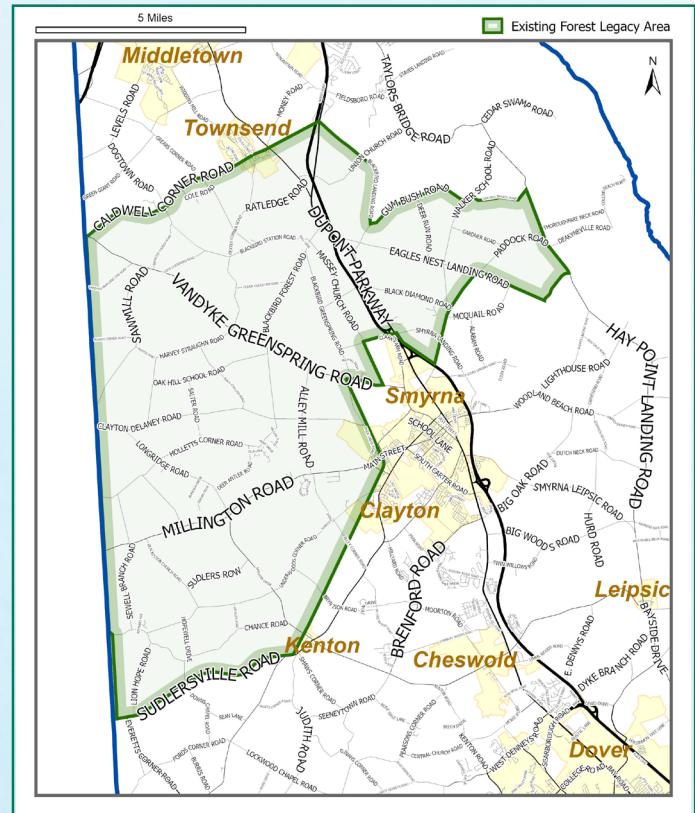
- A. Acquisition by fee simple purchase is appropriate for tracts within the White Clay Creek Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs, laws and regulations, and with the following provisions:
 1. All timber harvesting for a tract or tracts shall be in consultation with a professional forester. Departures from sustained yield are permitted only in limited response to forest diseases and insect infestations and salvage in the event of fire or natural catastrophe.
 2. Timber harvesting or cutting is prohibited within 150 feet of the high-water mark of any stream, creek, river, pond, lake or other permanent surface waters.
 3. Timber harvesting (other than salvage cutting) is prohibited in old growth forests. Old growth forest means a stand of live trees over one acre in size that has an average age of 150 or more years. This restriction should be re-evaluated and possibly modified in fifty to one hundred years, depending on program effectiveness in the White Clay Creek Forest Legacy Area.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee prior to the beginning of negotiations.
- E. Restrict the development on mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole use of the landowner. Upon the landowner completion of operations, the land shall be reclaimed as much as practical to its original contour and re-vegetated. No commercial development will be allowed.
- F. No disposal of waste or hazardous material will be allowed on properties.
- G. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- H. Acquire the rights to allow all forms of non-motorized access for the public.
- I. Existing dams or water impoundments or similar structures may be allowed to remain and be maintained. Exceptions will be agreed to prior to negotiations with the landowner. Any revision to the easement regarding existing structures may be revised only upon approval by the unit of government holding title to the easement.
- J. Industrial, commercial and residential activities, except forestry and limited mining uses are prohibited (see E above).



Blackbird/Blackiston

The Blackbird/Blackiston Forest Legacy Area is located in southern New Castle County and northern Kent County (Figure A3-2). Its western boundary is the Maryland/Delaware line. Its northern boundary starts at the Maryland/Delaware line and follows Coldwell Corners Road east to the town of Townsend, where the eastern boundary begins by following Dexters Corner Road south. It then follows Ratledge Road east to State Route 71, where it heads south and intersects U.S. Route 13. It follows U.S. Route 13 south until intersecting with Blackbird Forest Road, where it turns west for several hundred yards. At that point, it heads south along Blackbird Station Road to the junction of VanDyke Greenspring Road. After a short distance, it heads south on Clayton Greenspring Road into the town of Clayton, where it follows the Maryland and Delaware Railroad Line southwest through the town of Kenton. The southern boundary of the legacy area begins here, following State Route 300 west to Downs Chapel Road. The boundary then follows Downs Chapel Road north to Pearson Grove, where it bears northwest until it again joins the Maryland/Delaware line.

Figure A3-2. Blackbird/Blackiston Forest Legacy Area.



The Delaware Forest Stewardship Committee selected key program objectives for the Blackbird/Blackiston Forest Legacy Area. The top priority for the area is identifying and protecting environmentally important privately-owned forestlands threatened with conversion to non-forest use. Reducing forest fragmentation caused by development is the second priority. The Committee's third priority for the area is to provide environmental benefits through the restoration and protection of riparian zones, native forest plants and animals, and remnant forest types.

This resource area consists of Coastal Plain hardwoods protecting headwaters of three undeveloped watersheds and associated prehistoric resources. The Blackbird/Blackiston Forest Legacy Area is a forested wetland complex containing significant geological and biological features.

This resource area is significant for water recharge and maintenance of water quality. There are over 9.7 miles of stream corridors. Additionally, there are scattered Coastal Plain ponds known as Delmarva Bays that are geologically and biologically unique. Very significant historical and archaeological features include large hunting and living sites before 3000 B.C. with smaller prehistoric sites. The area is also characterized by scattered 18th century farmsteads. Very diverse plant communities exist, including the known locations of four rare plant SGCN, three of which are also of federal concern (small whorled pogonia, Barratt's sedge [*Carex barrattii*], and Harper's fimbry [*Fimbristylis perpusilla*]). Three rare animal species of state concern also inhabit the area. The Greenspace Committee, under the auspices of the Governor's Environmental and Infrastructure Cabinet Council, recommended in 1988 the addition of 13,000 acres for protection in this resource area. This includes 7.2 miles of riparian headwater corridors and the unique freshwater forested wetland complex.

Goals of the Blackbird/Blackiston Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the watershed.
- Protection of unique forested areas.
- Create additional recreation and public use.
- Reduce forest fragmentation through greenway corridors and other state public lands.

Objectives of the Blackbird/Blackiston Forest Legacy Area

- Protect the forested wetlands, Delmarva Bays, and associated biotic communities, both plant and animal rare and endangered species.
- Protect the headwaters of Blackbird Creek, Sewell/Jordan Branch, and Cypress Branch.
- Recreation and public access are especially critical in the Cypress Branch watershed.
- Reduce forest fragmentation by linking multi-agency state lands.

Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Blackbird/Blackiston Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departures from sustained yield are permitted only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- E. Acquire timber rights to create a 200-foot buffer strip on both sides of the Cypress Branch, Sewell Branch, and Blackbird Creek.
- F. Restrict the development of mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole uses of the landowner. No commercial development will be allowed.
- G. No disposal of waste or hazardous material will be allowed on properties.
- H. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information. On tracts acquired adjacent to the Cypress Branch, Blackbird Creek, and the Sewell Branch, where it is feasible to locate a trail, acquire rights to allow all forms of non-motorized access for the public.
- J. Existing dams or water impoundments or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams, impoundments, or other water resource development shall be allowed.
- K. Industrial, commercial, and residential activities, except for forestry and limited mining (see F above) uses are prohibited.



Redden/Ellendale

The Redden/Ellendale Forest Legacy Area is located in central Sussex County (Figure A3-3). Beginning at the junction of U.S. Route 113 and State Route 18, the southern boundary of the legacy area follows State Route 18/404 west to the junction of County Road 42. The western boundary of the legacy area then follows County Road 42 north to County Road 591. It then follows County Road 591 north to County Road 565. After a short distance (west) on County Road 565, the western boundary follows County Route 611 north to the junction of State Route 16. The northern boundary then follows State Route 16 east to County Road 594. It then follows County Road 594 north to County Road 224. Next, it follows County Road 224 east to County Road 624 east. Next, it follows County Road 42 north to the junction of County Road 625, which it follows east to County Road 213. It then follows County Road 213 south to County Road 224, and County Road 224 east to the junction of County Road 226. The eastern boundary of the legacy area then follows County Road 226 south to the Delaware Railroad, and continues to follow the railroad tracks southeast to the junction of State Route 30. It then follows State Route 30 south to County Road 252, which it follows west to County Road 319. It follows County Road 319 south a short distance, then follows county Road 244 west to the junction of U.S. Route 113. Finally, it follows U.S. Route 113 south to the junction of State Route 18.

The Delaware Forest Stewardship Committee identified program objectives for the Redden/Ellendale Forest Legacy Area. The top priority is to identify and protect environmentally important privately-owned forestlands threatened with conversion to non-forest use. The second priority is to provide watershed and water supply protection. The Committee's third priority in this legacy area is to promote forest stewardship.

This resource area consists of one of the largest forested wetland complexes in the state noted for its groundwater recharge and yield potential. Freshwater wetlands and 5,000 acres of forestlands help maintain high water quality and provide very significant water recharge/yield area. The area supports diverse plant and animal communities, with known locations of 25 plant SGCN including one of federal concern (awned meadowbeauty [*Rhexia aristosa*]).

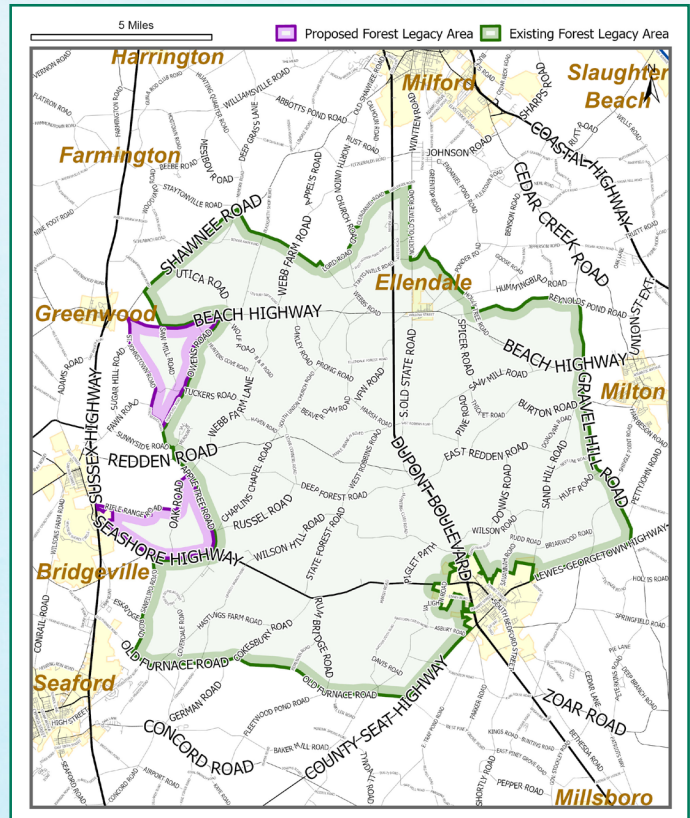
The most common timber types of the area are Coastal Plain hardwoods and southern yellow pine. Old growth stands of loblolly pine are present. Significant historical and archaeological features are widely scattered. Prehistoric hunting and gathering sites from 8000 B.C. to A.D. 1650 have been identified. Environmental education and interpretative opportunities are very extensive. A wide array of land-based recreational activities exists with significant hunting opportunities.

Redden State Forest, totaling 13,927 acres, is managed by the Delaware Forest Service. Additionally, the Delaware Department of Resources and Environmental Control (DNREC), Division of Fish & Wildlife manages several large tracts in the area as well. Areas targeted for conservation include extensive freshwater wetlands of the Ellendale Swamp and about 25 miles of riparian habitat, including a portion of the headwaters of the Nanticoke River.

Goals of the Redden/Ellendale Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the unique freshwater wetlands and riparian corridors to maintain water quality and groundwater recharge.
- Reduce forest fragmentation through greenways corridors and other public lands.
- Protection of Gravelly Branch, West Gum Branch, Maple Marsh, and Beaver Branch, along with Deep Creek, which is the headwaters of the Nanticoke River.

Figure A3-3. Redden/Ellendale Forest Legacy Area.



Objectives of the Redden/Ellendale Forest Legacy Area

- Protect forested wetlands and Ellendale Swamp and associated biotic communities, both plant and animal rare and endangered species.
- Protect the headwaters of the Nanticoke River.
- Reduce the loss of forestland and forest fragmentation to other non-conservation uses.
- Protect historical and archaeological features.
- Create additional recreation and public use.

Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Redden/Ellendale Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, build buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall require a forest management plan and a timber harvesting plan prepared in consultation with a professional forester.
 1. Clearcutting, which is an even-aged cutting method in which the entire standing crop of trees from an area is removed at one time, is permitted except that clearcuts shall not exceed 100 acres.

Within any 10-year period no more than 25% of the total easement area may be clearcut. The start on the 10-year period would begin on the date the first clearcut commences after the conveyance of this easement.

Notwithstanding this provision, the grantor shall have the right to cut and remove, by clearcut methods, dead, dying, and diseased trees which result from natural occurrences, including wildfire, disease, insect infestations, and blowdown, to prevent or mitigate greater harm to the scenic and recreational values of the easement area.

Any area that has been clearcut shall be adequately restocked by natural or artificial means within three years of the harvesting pursuant to the then current stocking guide for the particular species or forest type.
 2. Timber harvesting or cutting is prohibited within 150 feet of the high water mark of any stream, creek, river, branch, pond, or any other surface waters.
- D. Acquire access rights to all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- E. Restrict the development of mining, drilling of material, sand, and gravel pits to one acre or less and for the sole use of the landowner. No commercial development will be allowed.
- F. No disposal of waste or hazardous material will be allowed on properties.
- G. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- H. Acquire the rights to allow all forms of non-motorized access for the public.
 - I. Existing dams or water impoundments or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be up to the discretion of the Delaware Forest Stewardship Committee. No new construction of dams, impoundments, or other water resource development shall be allowed.
- J. Industrial, commercial, and residential activities, except forestry and limited mining (see E above) uses are prohibited.

Cypress Swamp

The Cypress Swamp Forest Legacy Area is located in south central Sussex County and is Delaware's southernmost legacy area (Figure A3-4). Beginning at the Maryland line, the western boundary of this area follows County Route 455 north to County Route 64. It then follows County Route 64 west to County Route 68, which turns into County Route 461 at Hearn's Crossroads, and continues north to the junction of State Route 24. The northern boundary of the legacy area then begins and heads east on State Route 24 to the junction of State Route 30. It then follows State Route 30 eastward to U.S. Route 113. The eastern boundary follows U.S. Route 113 southward to the Maryland line, which forms the legacy area's southern boundary.

This resource area is the largest contiguous forest wetland complex in Delaware. The complex of ponds and bottomland forested corridors contains significant archaeological sites, many rare plants, and the northern-most natural stand of baldcypress in North America. This unique hydrologic and geologic setting promotes a diverse biological community.

The resource area contains over 20 miles of wooded stream corridors, many ponds and adjacent freshwater wetlands, all of which are essential to maintain high water quality and provide significant water recharge. Being the northernmost natural baldcypress site makes this a very diverse plant community. There are 16 known locations of rare SGCN plants. Diverse animal communities also exist, with known location for several rare animal species of state and federal concern. This includes known bald eagle nesting sites. Historical and archaeological features include small prehistoric living sites and scattered hunting and gathering sites beginning around 6500 B.C.

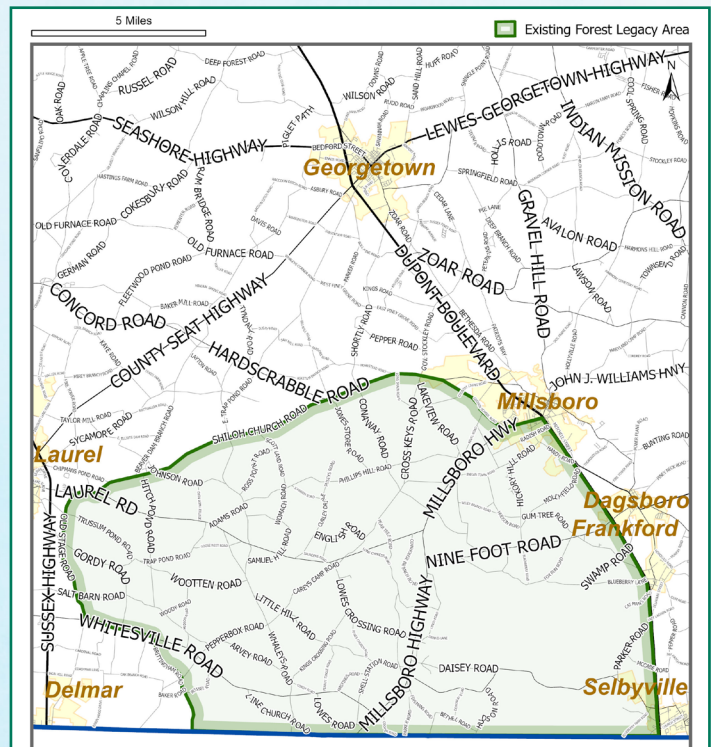
The Delaware Forest Stewardship Committee selected several program objectives for the Cypress Swamp Forest Legacy Area. The highest priority is to provide environmental benefits through the restoration and protection of riparian zones, native forest plants and animals, and remnant forest types. The Committee's second priority is to provide protection of rare, threatened, and/or endangered species of plants and animals. The third priority is to reduce forest fragmentation caused by development.

The Greenspace Committee, under the auspices of the Governor's Environmental and Infrastructure Cabinet Council, designated this area as land for increased protection. This resource area already includes several different management units. Trap Pond State Park (including Trussum Pond) totaling 3,653 acres, along with 122 acres at Raccoon Pond and Records Pond, are protected by DNREC. Furthermore, 525 acres of the James Branch are dedicated as a Nature Preserve and Delaware Wild Lands, Inc., a private conservation organization, is an NGO with over 10,000 acres protected within this legacy area.

Goals of the Cypress Swamp Forest Legacy Area

- Maintain and enhance the protection of the watershed.
- Protection of the unique forested Cypress Swamp.
- Create additional recreation and public use.
- Maintain traditional forest and wildlife uses.
- Reduce the loss of the swamp land to other land uses.

Figure A3-4. Cypress Swamp Forest Legacy Area.



Objectives of the Cypress Swamp Forest Legacy Area

- Protect the forested wetlands and in particular the Cypress Swamp and associated biotic communities.
- Protect the riparian habitat of Trussum and Trap Ponds, the stream corridor of James Branch, and associated creeks and branches.
- Protect freshwater wetlands and millponds.
- Protect rare and endangered plant and animal communities and singular species.
- Protect historic and archaeological features.
- Provide public access to the Cypress Swamp.

Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Cypress Swamp Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting is permitted but shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departure from sustained yield is allowed only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee prior to the beginning of negotiations.
- E. Acquire timber rights to create a 200-foot buffer strip on both sides of the James Branch, Bald Cypress Branch, Pocomoke River, North Fork Green Run, Raccoon Prong, Sandy Branch, Polly Branch, and Vines Creek.
- F. Acquire timber rights to create a 100-foot buffer strip on both sides of all secondary branches, creeks, and prongs not mentioned previously (see G above). Additionally, create a 100-foot buffer strip next to the shoreline of all millponds.
- G. Restrict the development on mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole use of the landowner. No commercial development will be allowed.
- H. No disposal of waste or hazardous material will be allowed on properties.
- I. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- J. Acquire the rights to allow all forms of non-motorized access for the public.
- K. Existing dams or water impoundments or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams, impoundments or other water resource development shall be allowed.
- L. Industrial, commercial, and residential activities, except forestry and limited mining (see G above) uses are prohibited.



Proposed Forest Legacy Areas

Delaware has considered five new potential FLAs and one expansion area since 2014 and the Delaware Forest Stewardship Committee, along with our other partners, have agreed that these new areas need to be included with the 2020 AON update. The newly proposed five areas are Milford Neck, Marshyhope, Central Sussex, Nanticoke, and Southwest Sussex (Figure A3-5). The Committee also identified the need for two smaller expansions of the Redden/Ellendale Legacy Area. These proposed legacy areas contain some of the largest most valuable forested blocks that remain in Delaware (Figure A3-6). Combined, the nine FLAs cover 66% of the high priority forests identified in the *Delaware Forest Resource Assessment*. FLAs are the focus for acquisition and conservation easements for many of Delaware's NGOs, along with state and federal agencies and much of what has been purchased in these areas is thanks to NGOs and state/federal partners.

Figure A3-6. Forested blocks in Delaware.

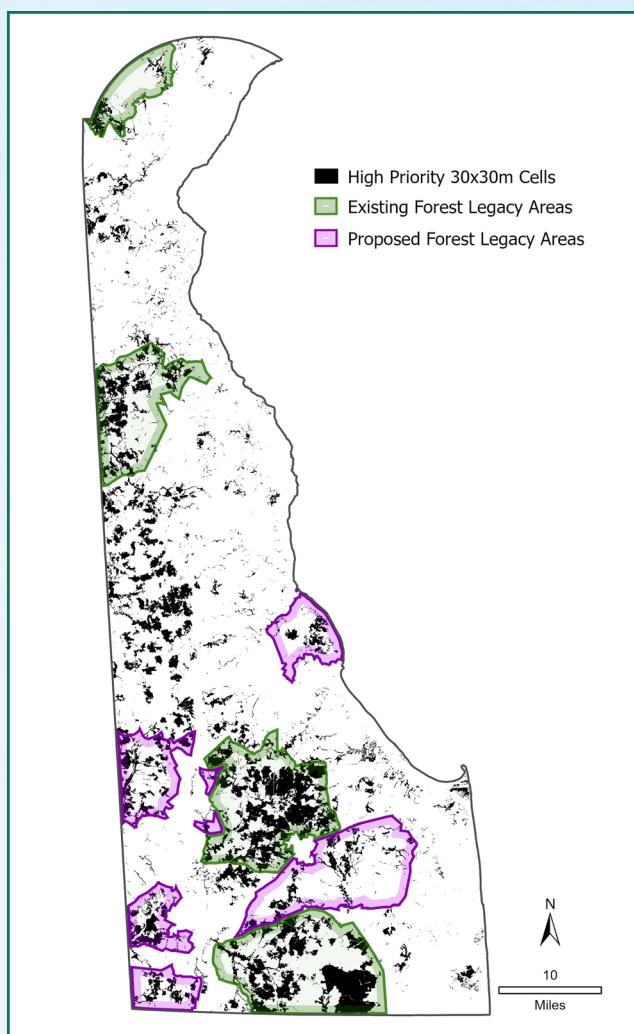
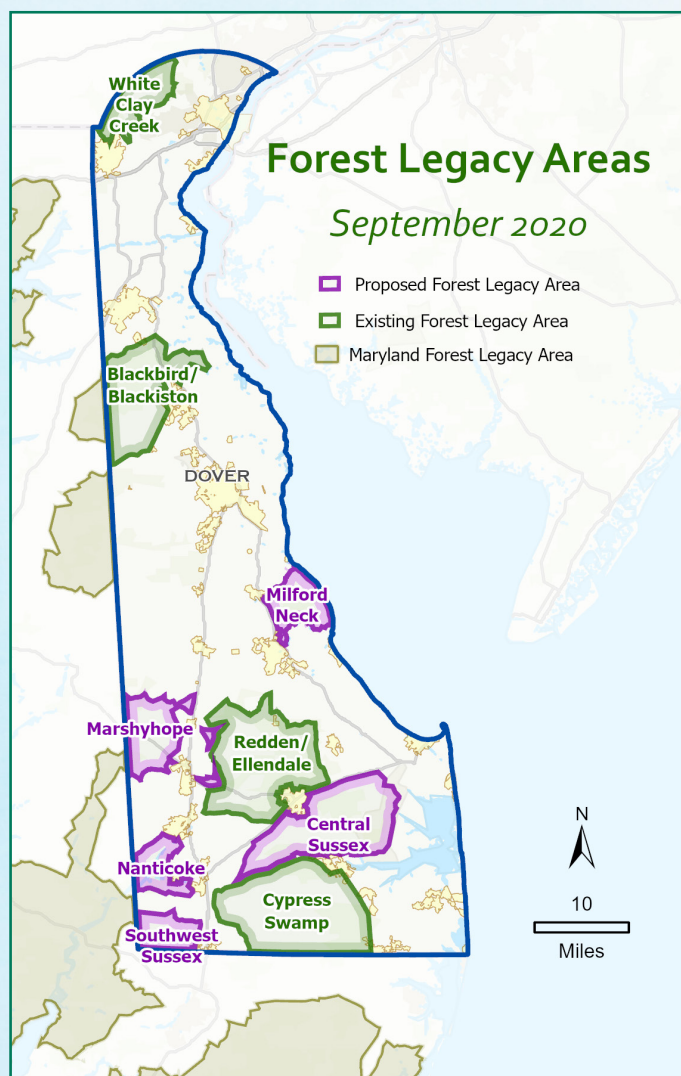


Figure A3-5. Proposed Forest Legacy Area Overview



Future funding, both state and federal, is targeted for these areas and given the size of the forested parcels located within them, having the ability to utilize FLP funding in them would greatly help the chances of protecting their valuable resources for future Delawareans.

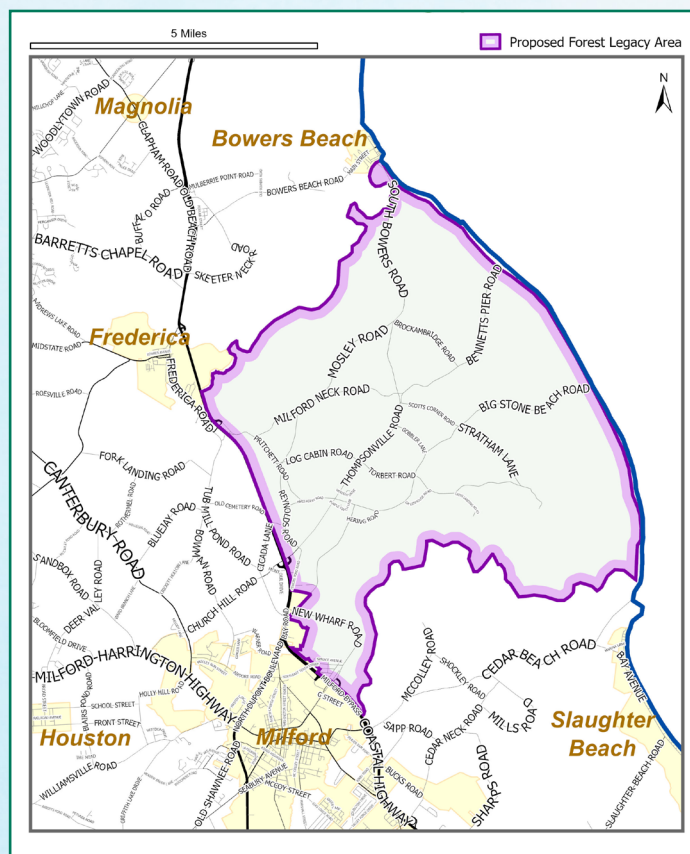
The proposed FLAs were evaluated through the use of GIS analysis that incorporated 21 different datasets. These datasets were chosen based on development pressure, natural resources, watershed protection, wildlife action plan, endangered species, forest cover layers along with many more. They were recommended by the State Forest Stewardship Committee and endorsed by the DFS. The DFS held several meetings to discuss the importance of these datasets with all of our NGOs, state, and federal partners.

Milford Neck

The Milford Neck Legacy Area is located in southeastern Kent County begins at the mouth of the Murderkill River (Figure A3-7). From there, proceed southerly along the shoreline of the Delaware Bay until the mouth of the Mispillion River. Then, proceed westerly along the centerline of the Mispillion River until the intersection with the eastern boundary of the Town of Milford. Turn right travelling northeasterly along the Town of Milford boundary. Continue following the Town of Milford boundary as it coincides with Carpenters Pit Road. As the boundary leaves Carpenters Pit Road follow the Town of Milford boundary for approximately 250 feet and turn right traveling northwesterly along the northbound lanes of Delaware Route 1. Continue following the northbound lane of Delaware Route 1 for approximately one-quarter mile until it intersects again with the boundary of the Town of Milford. Here, turn right in a northeasterly direction following the boundary of the Town of Milford until it once again intersects with the northbound lane of Delaware Route 1. Turn right, travelling on Delaware Route 1 for approximately 4.36 miles until it intersects with the boundary of the Town of Frederica. Here turn, turn right following the eastern most boundary of Frederica until it reaches the Murderkill River. Turn right following the Murderkill river to its terminus at the Delaware Bay.

The Milford Neck Forest Legacy Area is characterized by some of the best natural beaches, upland forests, tidal marshes, and coastal marshes found in Delaware. In 1985, Delaware Wild Lands, Inc., began purchasing property to conserve and since then over 10,000 total acres have been conserved by various NGOs and state agencies. Milford Neck serves as one of the best bird nesting and water recharge areas in southeastern Kent County.

Figure A3-7. Milford Neck Forest Legacy Area.



Goals of the Milford Neck Forest Legacy Area

- Maintain and enhance the protection of the watershed.
- Protection of the unique forested area around Milford Neck.
- Create additional recreation and public use.
- Maintain traditional forest and wildlife uses.
- Reduce the loss of the forests and tidal/coastal marsh land to other land uses.

Objectives of the Milford Neck Forest Legacy Area

- Protect the forested wetlands and in particular the diverse habitat associated with the tidal/coastal marshes in the area.
- Protect the coastline and its habitats.
- Protect freshwater wetlands and millponds.
- Protect rare and endangered plant and animal communities and singular species.
- Protect historic and archaeological features.
- Provide public access to the Milford Neck Area.

Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Milford Neck Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting is permitted but shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departure from sustained yield is allowed only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee prior to the beginning of negotiations.
- E. Acquire timber rights to create forested buffer strips along the tidal and coastal marshes.
- F. Acquire timber rights to create additional buffer strips on all secondary branches, creeks, and prongs not mentioned in (see E above).
- G. Restrict the development on mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole use of the landowner. No commercial development will be allowed.
- H. No disposal of waste or hazardous material will be allowed on properties.
 - I. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- J. Acquire the rights to allow all forms of non-motorized access for the public.
- K. Existing dams or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams or other water resource development shall be allowed.
- L. Industrial, commercial, and residential activities, except forestry and limited mining (see G above) uses are prohibited.

Marshyhope

The Marshyhope Forest Legacy Area in northwestern Sussex County ([Figure A3-8](#)) begins by starting at Parker Road (CR 301) on the Maryland-Delaware state line, proceed northeasterly to the intersection with Burrsville Road (CR 112), turn right. Follow Burrsville Road to Cattail Branch Road (CR 113), turn left. Proceed along Cattail Branch Road to Fishers Bridge Road (CR 308), turn right. At Todds Chapel Road (CR 114) turn left. Follow Todds Chapel Road to Tomahawk Branch Road (CR 115), then turn right. At the intersection with Greenwood Road (CR 309), turn right. Follow Greenwood Road to Nine Foot Road (CR 62), then turn left. Travel on Nine Foot Road until it terminates at US Route 13. Turn right traveling southbound on US Route 13 until Greenwood Road, turn right. Follow Greenwood Road to University Road (CR 588), turn left. Travel along University Road until Hickman Road (SR 16), turn left. Take Hickman Road until it terminates at Scotts Store Road (RD 32), turn right. Follow Scotts Store Road to Mile Stretch Road (CR 590), turn left. Next, turn right onto Adams Road (CR 583). Follow Adams Road to Newton Road (CR 582), turn right. Follow Newton Road until it terminates at Seashore Highway (Route 404), turn left. Proceed along Seashore Highway to Ray Road (CR 563), turn right. Follow Ray Road to Barnes Road (CR 564), turn left. Take Barnes Road to Federalsburg Road (CR 17), turn right. Follow Federalsburg Road to Big Pine Road (CR 566A), turn right. Follow Big Pine Road to Progress School Road (CR 562), turn right. While on Progress School Road take the next immediate left onto Rabbit Run Road (CR 566). Follow Rabbit Run Road to Atlanta Road (CR 30), turn left. Take Atlanta Road to Brights Branch Road (CR 567), turn right. Follow Brights Branch Road to Handy Road (CR 567A), turn left. Continue on Handy Road until the Maryland-Delaware state line, turn right following the Delaware state line to Parker Road (CR 301).

The Marshyhope Forest Legacy Area is considered to be the northern most point where quality pulpwood and sawtimber can be grown. There are over 2,300 acres already under State Forest and Fish & Wildlife ownership in this area and with the shift in ownership, additional properties will be added to these areas. This region is valuable to wildlife and for recreational opportunities along Delaware's western border where ownership is primarily private.

Goals of the Marshyhope Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the watershed.
- Protection of unique forested areas.
- Create additional recreation and public use.
- Reduce forest fragmentation through greenway corridors and other state public lands.

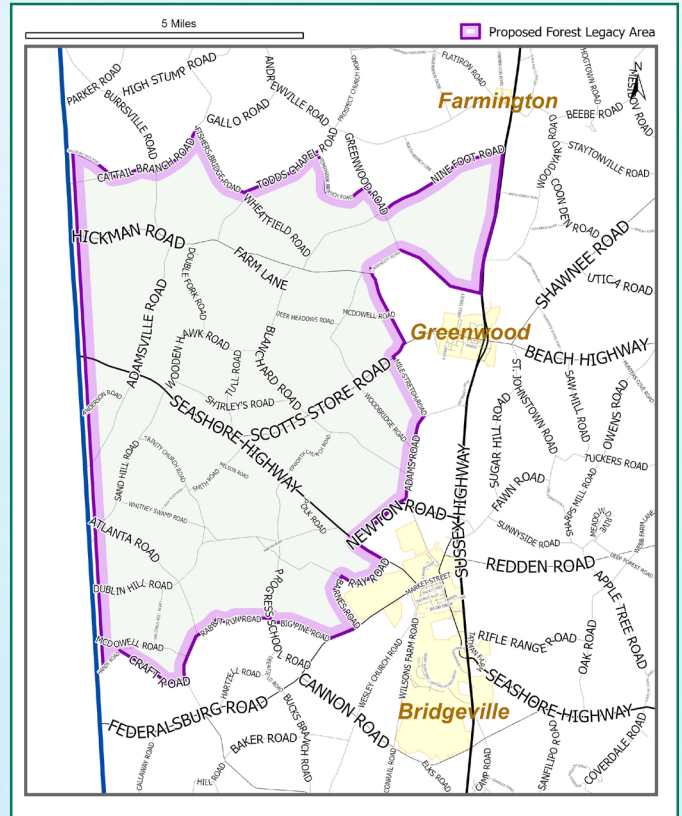
Objectives of the Marshyhope Forest Legacy Area

- Protect the forested wetlands, Delmarva Bays, and associated biotic communities, both plant and animal rare and endangered species.
- Protect the 37 miles of the Marshyhope Creek and surrounding coastal plains.
- Recreation and public access are especially critical in the Marshyhope area.
- Reduce forest fragmentation by linking multi-agency state lands.

Means for Protection

- Acquisition by fee simple purchase is appropriate for tracts within the Marshyhope Forest Legacy Area, but protection by conservation easement is preferred.
- Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departures from sustained yield are permitted only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- Acquire timber rights to create a 100-foot buffer strip on both sides of the Marshyhope Creek.
- Restrict the development of mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole uses of the landowner. No commercial development will be allowed.
- No disposal of waste or hazardous material will be allowed on properties.
- Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- Existing dams or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams or other water resource development shall be allowed.
- Industrial, commercial, and residential activities, except for forestry and limited mining (see F above) uses are prohibited.

Figure A3-8. Marshyhope Forest Legacy Area.



Central Sussex

The Central Sussex Forest Legacy Area links the existing Redden/Ellendale and Cypress Swamp Legacy Areas (Figure A3-9). Starting at Beaver Dam Branch Road (CR 446) from the intersection of Shiloh Church Road (CR 74), travel in a northeasterly direction for approximately 5.1 miles to its terminus at County Seat Highway (Route 9). Next, turn right onto County Seat Highway and travel in a generally northeasterly direction for approximately 5.4 miles to the intersection of Little Parker Road (CR 469). Turn right onto Little Parker Road and travel for approximately 205 feet. Here, turn right following the southern and eastern boundary of the Town of Georgetown. As the Town of Georgetown boundary intersects with Seashore Highway (Route 404), turn right. Follow Seashore Highway for approximately 8.1 miles to Dairy Farm Road (CR 261; ADC map indicates Sweetbriar Road). Turn right onto Dairy Farm Road and follow it to Beaver Dam Road (CR 285) and turn right. Follow Beaver Dam Road to Kendale Road (CR 287) and turn left. Follow Kendale Road to Robbinsville Road (CR 277). Turn left on Robbinsville Road, following it to its terminus at John Williams Highway (SR 24). Turn left on John Williams Highway following it approximately 9.1 miles to Jersey Road (CR 305). Turn left and follow Jersey Road to the Town of Millsboro boundary. Follow the Town of Millsboro boundary around to the intersection with Thompsonville Road (CR 20). Turn left onto Thompsonville Road. At the intersection with Route 113, go straight onto Hardscrabble Road (SR 20) following it for approximately 5.25 miles to Shiloh Church Road (CR 74). Turn left onto Shiloh Church Road following it approximately 6 miles to the intersection of Beaver Dam Branch Road (CR 446).

The Central Sussex Forest Legacy Area is located between the Redden/Ellendale Forest Legacy Area and the Cypress Swamp Forest Legacy Area. This area contains much of Sussex County's loblolly pine forests that have been continuously managed for many generations. Land purchases and conservation easements will help protect working forests while providing recreational opportunities for public users. Historically, much of the land within this area has been owned by timber companies resulting in high-quality managed pine forests. Many of these areas have past documentation of timber harvesting that follow along with a forest management plan. These factors allow future owners to harvest quality timber and provide food and habitat for wildlife while generating income. Unfortunately, many of the larger forested tracts will be broken up and sold for development if they are not protected. The FLP would be an appropriate avenue to help protect these areas and ensure the perpetuation of a timber industry in Delaware.

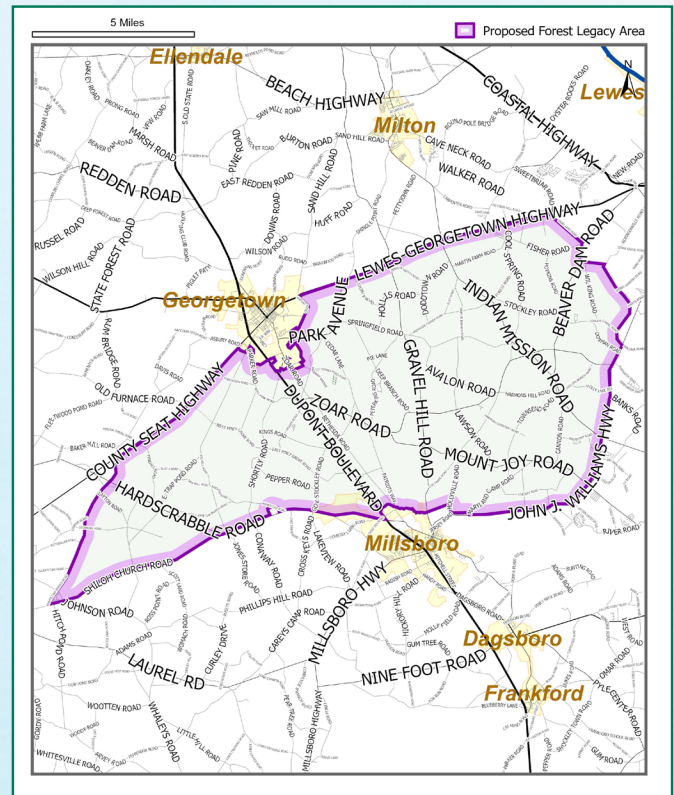
Goals of the Central Sussex Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the unique freshwater wetlands and riparian corridors to maintain water quality and groundwater recharge.
- Reduce forest fragmentation through greenways, corridors, and other public lands.
- Protection of industrial forestlands.

Objectives of the Central Sussex Forest Legacy Area

- Protect forested wetlands and associated biotic communities, both plant and animal rare and endangered species.
- Protect valuable groundwater recharge areas.
- Reduce the loss of forestland and forest fragmentation to other non-conservation uses.
- Protect historical and archaeological features.
- Create additional recreation and public use.

Figure A3-9. Central Sussex Forest Legacy Area.



Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Central Sussex Forest Legacy Area, but acquisition of conservation easements is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, build buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall require a forest management plan and a timber harvesting plan prepared in consultation with a professional forester.

- 1. Clearcutting, which is an even-aged cutting method in which the entire standing crop of trees from an area is removed at one time, is permitted except that clearcuts shall not exceed 100 acres.

Within any 10-year period no more than 25% of the total easement area may be clearcut. The start on the 10-year period would begin on the date the first clearcut commences after the conveyance of this easement.

Notwithstanding this provision, the grantor shall have the right to cut and remove, by clearcut methods, dead, dying, and diseased trees which result from natural occurrences, including wildfire, disease, insect infestations, and blowdown, to prevent or mitigate greater harm to the scenic and recreational values of the easement area.

Any area that has been clearcut shall be adequately restocked by natural or artificial means within three years of the harvesting pursuant to the then current stocking guide for the particular species or forest type.

- 2. Timber harvesting or cutting is prohibited within 150 feet of the high water mark of any stream, creek, river, branch, pond, or any other surface waters.
- D. Acquire access rights to all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- E. Restrict the development of mining, drilling of material, sand, and gravel pits to one acre or less and for the sole use of the landowner. No commercial development will be allowed.
- F. No disposal of waste or hazardous material will be allowed on properties.
- G. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- H. Acquire the rights to allow all forms of non-motorized access for the public.
- I. Existing dams or water impoundments or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be up to the discretion of the Delaware Forest Stewardship Committee. No new construction of dams, impoundments, or other water resource development shall be allowed.
- J. Industrial, commercial, and residential activities, except forestry and limited mining (see E above) uses are prohibited.



Nanticoke

The starting location for the Nanticoke Forest Legacy Area (Figure A3-10) begins at the Maryland-Delaware state line, head northeasterly towards the Town of Seaford on Woodpecker Road (CR 80). At the intersection with Stein Highway (CR 21), turn right travelling for approximately one-quarter mile, then turn right following the Town of Seaford boundary until it reached the Nanticoke River. Picking back up on the other side of the Nanticoke river with the western most corner of the Town of Blades, follow the Town of Blades boundary until it intersects with Seaford Road (CR 13). Here, turn right following Seaford Road south to Johnson Road (CR 488). Turn right onto Johnson Road, following it to Gum Branch Road (CR 487). Turn right onto Gum Branch Road, following it to the intersection of Woodland Ferry Road (CR 78). Turn left following Woodland Ferry Road to the intersection with Bethel Road (CR 493). Turn right following Bethel Road until it intersects with the Town of Bethel boundary. Turn right following the Town of Bethel Boundary around to Snake Road (CR 491). Turn right onto Snake Road following it to Woodland Ferry Road. Turn right, onto Woodland Ferry Road and follow it to Old Sailor Road (CR 78A). At Old Sailor Road, turn right. Follow Old Sailor Road until just after the hard-left curve. Here turn right following the Town of Laurel boundary until it intersects with Sharptown Road (SR 24). Turn right onto Sharptown Road, following it to Airport Road (CR 454). Turn right onto Airport Road, following it to the intersection of Mt. Pleasant Road (CR 493) and Old Sharptown Road (CR 494). Here, go straight following Old Sharptown Road to the Maryland-Delaware state line. At the state line, turn right traveling northerly until the intersection with Woodpecker Road.

The Nanticoke Forest Legacy Area has over 4,400 acres of currently protected lands within this area on the Delaware-Maryland state line. The Nanticoke River environs provide wonderful recreational opportunities such as hiking, boating, hunting, and bird watching just to name a few. Boaters can follow waterways all the way to the Chesapeake Bay from Delaware's Nanticoke Wildlife Area. The area also provides upland forests that allow for timber production in the southwest portion of Delaware that is located in close proximity to mill operations on the eastern shore of Maryland.

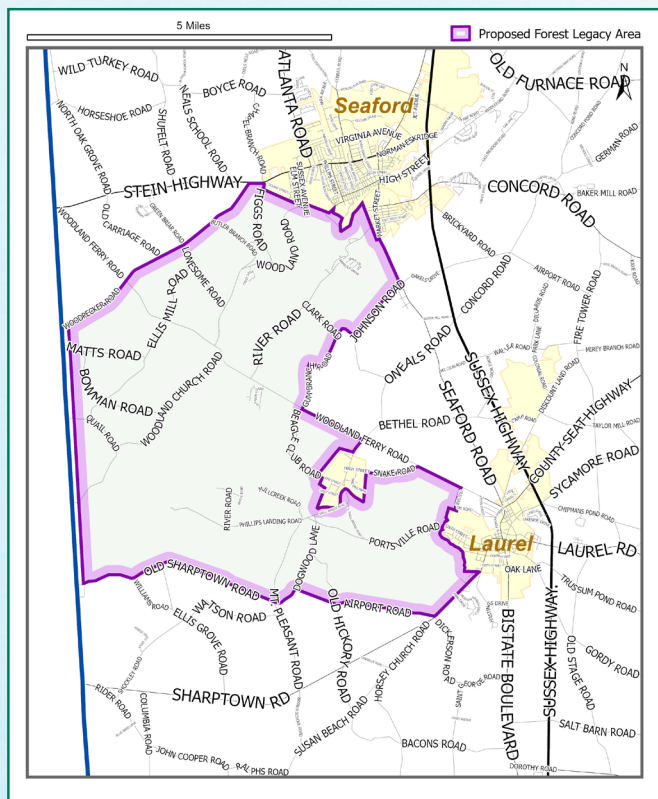
Goals of the Nanticoke Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the watershed.
- Protection of unique forested areas.
- Protection of unique wetlands and historical features.
- Create additional recreation and public use.
- Reduce forest fragmentation through greenway corridors and other state public lands.

Objectives of the Nanticoke Forest Legacy Area

- Protect the forested wetlands, Delmarva Bays, and associated biotic communities, both plant and animal rare and endangered species.
- Protect the Nanticoke River and associated tributaries along with surrounding wetlands and marshes.
- Recreation and public access are especially critical in the Nanticoke River area.
- Reduce forest fragmentation by linking multi-agency state lands.

Figure A3-10. Nanticoke Forest Legacy Area.



Means for Protection

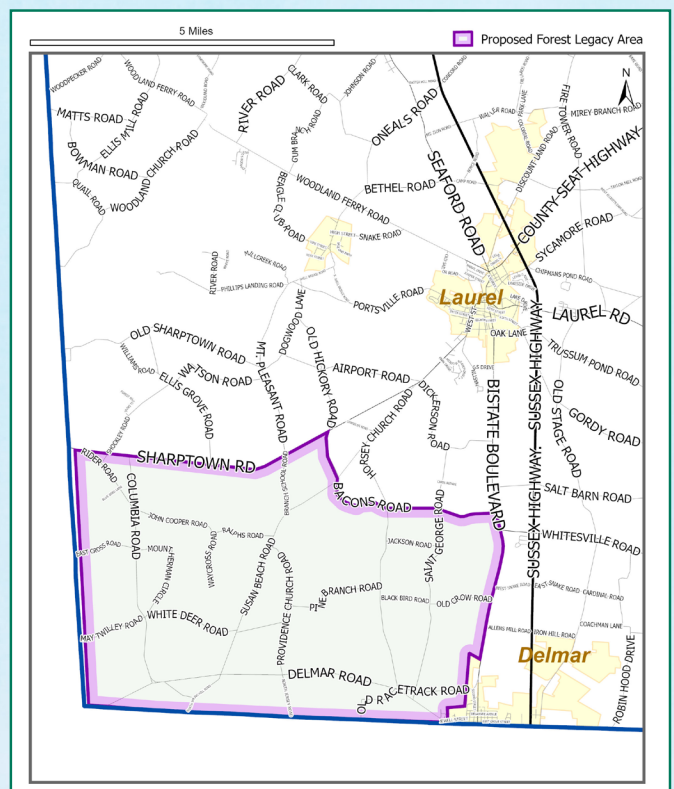
- A. Acquisition by fee simple purchase is appropriate for tracts within the Nanticoke Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departures from sustained yield are permitted only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- E. Acquire timber rights to create a 100-foot buffer strip along sides of the Nanticoke River and its tributaries.
- F. Restrict the development of mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole uses of the landowner. No commercial development will be allowed.
- G. No disposal of waste or hazardous material will be allowed on properties.
- H. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- J. Existing dams or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams or other water resource development shall be allowed.
- K. Industrial, commercial, and residential activities, except for forestry and limited mining (see F above) uses are prohibited.

Southwest Sussex

The Southwest Sussex Forest Legacy Area is located in the southwest corner of the state on the west side of Rout 13 (Figure A3-11). At the Mason-Dixon monument that marks the extreme southwestern corner of Delaware, travel north along the Maryland-Delaware state line, then turn right, travelling east onto Sharptown Road (SR 24). At Buck Swamp Road (CR 497), turn right heading south. At the intersection with Susan Beach Road (CR 509) continue straight, now traveling onto Bacons Road (CR 515) until the intersection with Bi-State Boulevard (CR 13). Turn right, heading south, onto Bi-State Boulevard, and travel for approximately 2.5 miles. Here, turn right, following the Town of Delmar boundary until it intersects with Delmar Road (SR 54) at the Maryland-Delaware state line. From here, follow the Maryland-Delaware line back to the Mason-Dixon monument that marks the southwestern corner of Delaware.

The Southwest Sussex Forest Legacy Area is home to some of Delaware's most scenic roadways that Sussex County provides. This areas includes large areas of working pine and hardwood forests that also provide abundant hunting and recreational opportunities. This area continues to grow in population given its proximity to Maryland. Taxes for a forested parcel of 100 acres in Delaware are roughly \$350 compared to Maryland's which are around \$5,250. Given this benefit, many people who work or live in Maryland generally purchase land in Delaware to save on fees and taxes. This creates more fragmented parcels which do not benefit the timber industry or provide for long term environmental goals.

Figure A3-11. Southwest Sussex Forest Legacy Area.



Goals of the Southwest Sussex Forest Legacy Area

- Maintain traditional forest uses.
- Protection of the watershed.
- Protection of unique forested areas.
- Protection of unique wetlands and historical features.
- Create additional recreation and public use.
- Reduce forest fragmentation through greenway corridors and other state public lands.

Objectives of the Southwest Sussex Forest Legacy Area

- Protect the forested wetlands, Delmarva Bays, and associated biotic communities, both plant and animal rare and endangered species.
- Protect the creeks along with surrounding wetlands and marshes.
- Recreation and public access are especially critical in the Southwest Sussex area.
- Reduce forest fragmentation by linking multi-agency state lands.

Means for Protection

- A. Acquisition by fee simple purchase is appropriate for tracts within the Southwest Sussex Forest Legacy Area, but protection by conservation easement is preferred.
- B. Acquire development rights on all tracts, especially the rights to subdivide, construct buildings, and control utility right-of-way locations.
- C. Timber rights retained by the landowner should be conditioned by the use of BMPs to prevent soil erosion. All timber harvesting that is allowed shall be on a sustained yield basis according to a forest management plan prepared by a professional forester. Departures from sustained yield are permitted only in limited response to forest diseases and insect infestations, and salvage in the event of fire or natural catastrophe.
- D. Acquire access rights on all tracts. Exceptions would be upon the decision made by the Delaware Forest Stewardship Committee before the beginning of negotiations.
- E. Acquire timber rights to create a forested buffer strips along sides of the ditches, creeks, and other identified waterways.
- F. Restrict the development of mining, drilling of mineral, sand, and gravel pits to one acre or less and for the sole uses of the landowner. No commercial development will be allowed.
- G. No disposal of waste or hazardous material will be allowed on properties.
- H. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and/or provide Forest Legacy information and Forest Legacy boundary information.
- J. Existing dams or similar structures shall be allowed to remain and be maintained. Improvements to existing structures shall be the decision of the Delaware Forest Stewardship Committee. No new construction of dams or other water resource development shall be allowed.
- K. Industrial, commercial, and residential activities, except for forestry and limited mining (see F above) uses are prohibited.



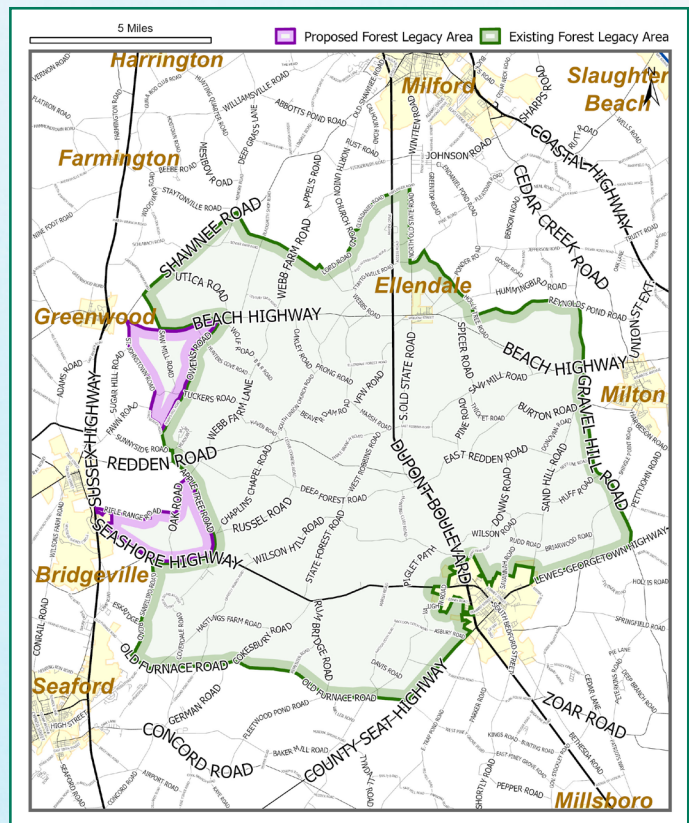
Redden/Ellendale Expansion

For the proposed northern expansion (see Figure A3-3), begin on Beach Highway (SR 16) at intersection with Mennonite School Road (CR 631), travel westerly until the intersection with St. Johnstown Road (CR 600), turn left (south). Continue on St. Johnstown Road until the intersection with Fawn Road (now CR 600), bear right (south). Stay straight on Long Branch Road (CR 598). Continue straight on Long Branch Road until the intersection with Sharps Mill Road (CR 611) to tie back into the existing Redden/Ellendale Forest Legacy Area.

For the proposed southern expansion, begin at the intersection of Oak Road (CR 594) and Apple Tree Road (CR 591) and travel southwesterly on Oak Road until the intersection with Rifle Range Road (CR 545), then turn right. Continue to follow Rifle Range Road until the intersection of the northbound lane of Route 13. Turn left (south) along the northbound lane of Route 13 until it intersects with the Town of Bridgeville boundary. Follow the Town of Bridgeville boundary around until it intersects with Seashore Highway (Route 404), turn left. Continue on Seashore Highway until the intersection of Sanfilippo Road (CR 533) to tie back into the existing Redden/Ellendale Forest Legacy Area.

The priorities for these two small expansion areas are the same as those developed for the original Redden/Ellendale Forest Legacy Area.

Figure A3-3. Redden/Ellendale Forest Legacy Area.



Goals of the Redden/Ellendale Forest Legacy Area

- (see previous goals for this original 1998 FLA).

Objectives of the Redden/Ellendale Forest Legacy Area

- (see previous objectives for this original 1998 FLA).

Means for Protection

- (see previous means for protection for this original 1998 FLA).

AON Appendix A: Application and Evaluation Forms

APPLICATION NUMBER: _____

DATE: _____

STATE OF DELAWARE FOREST SERVICE



FOREST LEGACY PROGRAM LANDOWNER INSPECTION CONSENT AGREEMENT

I, _____ as the landowner agree to allow inspection, appraisal, and survey of my property being offered for consideration under the Forest Legacy Program. I agree to allow members of the U.S. Forest Service, the Delaware Department of Agriculture, the Delaware Forest Stewardship Committee, or their designated staff to inspect the property as may be required at any time. I shall be notified in advance of all inspection visits.

Signature of Landowner

Date

Delaware Department of Agriculture

Date

APPLICATION NUMBER: _____

DATE: _____

APPLICANT INFORMATION:

Landowner's Name: _____

Mailing Address: _____

Daytime Telephone Number: _____

Contact Person/Agent: _____

Mailing Address: _____

Daytime Telephone Number: _____

Delaware House District: _____

Delaware Senatorial District: _____

PROPERTY INFORMATION:

Legal Description: County _____

Hundred _____

Assessor's Plat and Lot Numbers: _____

Deed Reference (Book and Page Number): _____

Current Local Zoning where property is located _____

(Include minimum lot size and road frontage requirements):

Current tax valuation or recent appraisal (attach if available):

Property's Total Forested Acres: _____

Forested Acres of Tract Offered For Forest Legacy: _____

Acres of Cleared/Open Land: _____

LANDOWNER GOALS AND OBJECTIVES

Describe your long-term goals and objectives for this parcel:

TRADITIONAL FOREST VALUES

What is/are the "traditional" use(s) of this forestland?

LANDOWNER COMMENTS

What, in your opinion, is the “Threat of Conversion to Non-Forest Use” of the parcel proposed for enrollment in the Forest Legacy Program? Please be specific:

Do you currently have a forest management plan? _____

If so please provide a copy.

It is important that the following section be carefully and fully completed. The information you supply will directly affect the desirability of the parcel as well as its appraised value and therefore its ranking. Note that checking "yes" does not limit your ability to negotiate price and options in the future, it merely assists the Forest Legacy Program when evaluating your parcel.

Please indicate which of the following interests you desire to retain:

(These should be the rights you want to retain. All other rights will become the property of the State of Delaware upon successful completion of negotiations between the U.S. Forest Service and yourself.)

YES	MAYBE	
___	___	Development rights
___	___	Timber and wood product rights
___	___	Water rights
___	___	Mineral rights
___	___	No public access
___	___	Hunting
___	___	Fishing
___	___	Camping
___	___	Hiking or other passive recreation
___	___	Bicycling
___	___	Horseback riding
___	___	Grazing
___	___	Farming
___	___	Construction of roads
___	___	Motorized access
___	___	Expansion of existing improvements
___	___	Other: _____

CONFIDENTIAL

The following information shall remain strictly confidential until such time as: 1) the application is approved and all financial transactions are concluded, or 2) all title holders give written permission to release the information.

FINANCIAL INFORMATION

State the value of the interests to be enrolled in the Forest Legacy Program, and the method used to determine that value (appraisal, landowner estimate, etc.).

What is/are the estimated sale price(s) of the interests being offered?

State the value of the landowner(s) contribution, if any, either in donated value of in-kind services or financial.

LIENS AND ENCUMBRANCES

List any and all liens and encumbrances on the property proposed for enrollment in the Forest Legacy Program. Examples: utility easements, public rights-of-way, water flow or use restrictions, septic systems or water easements, deed restrictions, tax liens, etc.

The information provided above is true to the best of my/our knowledge and belief. ALL TITLE HOLDERS MUST SIGN.

PRINTED NAME(S)

SIGNATURE

DATE

_____	_____	_____
_____	_____	_____
_____	_____	_____

Application Number: _____

Date: _____

FOREST LEGACY PROGRAM - Checklist

With your Forest Legacy Program application package, please submit four (one original and three copies) of the following for each contiguous parcel:

- _____ Completed Application
- _____ Name(s) and address(es) of other owner(s) of record for this tract
- _____ Signed consent agreement
- _____ Copy of road map indicating location of the property
- _____ Copy of plat or survey map of the parcel
- _____ Aerial photo (can be obtained through your local FSA office)
- _____ Legal description (if available)
- _____ List of existing permanent improvements on the tract, including houses, barns, lakes, ponds, dams, wells, roads and other structures, and the total number of acres occupied by improvements.
- _____ Map identifying all dams, dumps, or waste disposal sites on the property
- _____ Forest management plan (if available)

NOTE: All materials become the property of the state of Delaware and are non-returnable.

DISCLOSURE OF THIS INFORMATION IS VOLUNTARY; HOWEVER, FAILURE TO COMPLY MAY RESULT IN THIS FORM NOT BEING PROCESSED.

DELAWARE FOREST LEGACY PARCEL EVALUATION PACKAGE

Directions for Completing the Forest Legacy Program Evaluation Package

COVER SHEET: The first part of the cover sheet is to be completed with information supplied on the enrollment application form. The landscape description is meant to include the physical characteristics of the surrounding area including topography, soils, and surface and groundwater hydrology, brief inventories of major vegetative groups, fish and wildlife resources, scenic resources, and any other forest resources as well as surrounding land uses. The parcel description is to include an in-depth description of the above-mentioned items as they pertain to the parcel.

PARCEL EVALUATION – PARTS A/B: These pages are to be completed by the field personnel directed to do so by the lead agency, in consultation with other pertinent state and local agencies/groups.

Note – both Parts A and B Parcel Evaluation forms will be used to set goals for acquisition of the parcel.

SCORING: The final score will not be used as the sole factor in determining which parcel/interest should be acquired, but merely as a guide to the relative values of the resource under evaluation. Subject to funding, priority will be given to those tracts with the greatest need for protection of the forest and related resources.

DELAWARE FOREST LEGACY PARCEL EVALUATION – COVER SHEET

FOREST LEGACY PROGRAM PARCEL EVALUATION PACKAGE

_____ Forest Legacy Area

File Number:

Date of Evaluation:

Landowner's Name:

Parcel Location:

Legal Description:

Investigator(s):

Landscape Description:

Parcel Description:

DELAWARE FOREST LEGACY PARCEL EVALUATION - PART A

I. Reasons for inclusion in the Forest Legacy Program. Prioritize the following reasons for enrollment of the parcel in the Forest Legacy Program:

- ☐ Prevent conversion/development/fragmentation of an important forest resource.
- ☐ Protection of scenic resources.
- ☐ Provide/enhance public recreation opportunities.
- ☐ Protect/enhance a watershed or important drinking water supply.
- ☐ Protect/enhance an important riparian/hydrologic area.
- ☐ Provide linkage between public properties, protected areas, and greenways.
- ☐ Protect/enhance/restore fish and/or wildlife habitat.
- ☐ Protect/enhance/restore habitat of rare, threatened, and/or endangered species of plants and/or animals.
- ☐ Provide for the continuation of traditional forest uses.
- ☐ Provide opportunity to implement Forest Stewardship practices.
- ☐ Provide opportunities for environmental education.
- ☐ Other: _____

II. Degree of threat of development/fragmentation/conversion to non-forest uses.

Yes No

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | A. Parcel is in danger of conversion within five years. |
| <input type="checkbox"/> | <input type="checkbox"/> | B. Parcel may remain wooded but will become further fragmented. |
| <input type="checkbox"/> | <input type="checkbox"/> | C. Parcel is currently on the open market or listed by Realtors. |
| <input type="checkbox"/> | <input type="checkbox"/> | D. Securing one or more sites now will curtail further development. |
| <input type="checkbox"/> | <input type="checkbox"/> | E. Parcel is remote, but vulnerable. |
| <input type="checkbox"/> | <input type="checkbox"/> | F. Parcel is under a state or federal forest management program. |
| <input type="checkbox"/> | <input type="checkbox"/> | G. Parcel is of a remnant forest type. |
| <input type="checkbox"/> | <input type="checkbox"/> | H. Parcel may remain wooded but is in danger of being over-harvested. |
| <input type="checkbox"/> | <input type="checkbox"/> | I. Other: _____ |

III. Factors affecting acquirability. These factors are to be taken into consideration when prioritizing parcels for acquisition.

Yes No N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A. The property is specifically identified in terms of priority, timing, and cost in the local land use plan, state recreation plan, or open space plans. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | B. Parcel may be available at below fair market value. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | C. Intensity and expense of management activities to protect the property's values is economically feasible. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | D. Preservation of the property would increase the protection of existing natural areas or enhance the linking of greenways. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | E. Property can accommodate proposed priority uses and/or management activities without endangering or degrading its natural value. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | F. Property is/can be protected against future degradation from activities occurring on neighboring properties. |

Comments:

DELAWARE FOREST LEGACY PARCEL EVALUATION - PART B

- I. If parcel contains one or more of the following important public values, place a check mark as indicated, circle appropriate score and tally score for each sub-section.

Yes No

A. Scenic Resources (maximum score 35 points)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Parcel is adjacent to a scenic route listed by the State of Delaware. (30 points) |
| ___ | ___ | 2. Parcel includes locally important panoramic views and/or exceptional short views. (5 points) |

Scenic resources total score _____

B. Public Recreational Opportunities (15 points each, maximum score 60 points)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Water-based recreation is present – boating, swimming, fishing, rafting, canoeing. |
| ___ | ___ | 2. Trail-based and/or day use recreational opportunities exist – hiking, picnicking, horseback riding, ice skating, cross-country skiing. |
| ___ | ___ | 3. Natural resource based recreational activities are available – camping, hunting, nature touring. |
| ___ | ___ | 4. Adjacent land is protected (state park, natural area etc.). |

Public recreation opportunities total score _____

C. Riparian/hydrologic areas (15 points each, maximum score 105 points)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Parcel is situated on a major river or stream. |
| ___ | ___ | 2. Parcel has extensive (over 300') river or wetland shoreline. |
| ___ | ___ | 3. Parcel includes flood plain. |
| ___ | ___ | 4. Parcel contains a minimum 80' strip of native trees and shrubs as a natural buffer and sediment filter. |
| ___ | ___ | 5. Parcel includes a natural wetland. |
| ___ | ___ | 6. Parcel is situated within the surface watershed, or groundwater aquifer, of an important public drinking water supply. |
| ___ | ___ | 7. Parcel provides immediate watershed/water supply protection. |

Riparian/hydrologic areas total score _____

Yes No

D. Fish and Wildlife Habitat (maximum score 80 points)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Parcel contains outstanding habitat and other ecologically recognized criteria for one or more species that include (10 points for each): |
| | | <ul style="list-style-type: none">• Forest interior nesting birds• Significant populations of resident species• Neo-tropical migrant species• Areas for resting and feeding of migratory species• Forest inhabiting mammals, reptiles, amphibians and invertebrates |
| ___ | ___ | 2. Parcel exhibits connective habitats, corridors, habitat linkages, and areas that reduce biological isolation. (30 points) |

Fish and Wildlife habitat total score _____

E. Known threatened and endangered species (score 60 points)

(Species to be considered under this criterion are those currently listed by the Delaware Department of Natural Resources and Environmental Control and those listed in the Federal Register.)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. The parcel provides habitat supporting the occurrence of rare or endangered species. |
|-----|-----|---|

Endangered species total score _____

F. Known cultural/historical areas (score 20 points)

- | | | |
|-----|-----|--|
| ___ | ___ | 1. Parcel contains forest related cultural resources (i.e. historic forest, historic mill, or other forest industry site, etc.). |
|-----|-----|--|

Cultural/historic areas total score _____

G. Other ecological values (10 points each, maximum score 40 points)

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Parcel is part of a large block of contiguous forestland. |
| ___ | ___ | 2. Parcel provides a mix of native ecological communities (biodiversity). |
| ___ | ___ | 3. Parcel includes ecological communities that are dwindling in Delaware. |
| ___ | ___ | 4. Parcel contains late successional growth forests (natural area). |

Other ecological values total score _____

Yes No

**H. Provides opportunities for continuation of existing traditional forest uses
(15 points each, maximum score 60 points)**

- | | | |
|-----|-----|---|
| ___ | ___ | 1. Parcel will remain available for timber and other forest products management as prescribed in a Forest Stewardship Plan or multi-resource management plan. |
| ___ | ___ | 2. Parcel will continue to serve watershed and water filtration role. |
| ___ | ___ | 3. Parcel will continue to provide fish and wildlife habitat. |
| ___ | ___ | 4. Parcel will continue to provide outdoor recreation opportunities. |
| ___ | ___ | 5. Parcel will continue to provide environmental educational opportunities. |

Traditional forest uses total score _____

TOTAL SCORE _____

Comments:

Recommendations:

AON Appendix B: Public Review Documentation





