



Empire State Forest Products Association
Our Views
2018 ACCOMPLISHMENTS

Advocacy regarding public policy which may affect New York's Forests, forest products industry and forest landowners is the primary goal of the Empire State Forest Products Association (ESFPA). As a member driven trade association we are responsible and accountable to our over 400 member businesses and individuals. Documenting our accomplishments on those matters important to our members is something your Board and staff take seriously and we take great pride in sharing with membership.

The following documents the accomplishments of ESFPA during the New York State 2018 Legislative Session through December 2018. We report this in the same way we present "Our Views" in our biennial publication which guides us in our work with the New York State Legislature, government agencies and our Congressional delegation.

This is ESFPA serving as the voice of the forest products industry in Albany and beyond, representing *"the people behind New York's healthy forests and quality wood products."*

Agriculture/Silviculture

1. Supported funding of the Wood Products Development Council at \$100,000 which was included in the enacted SFY 2018-19 Budget.
2. Supported DEC's efforts to enforce the Right-to-Practice-Forestry law in the Towns of Danby, Ticonderoga, Blooming Grove and Yorktown where successful intervention by DEC staved off undue regulation of forestry.
3. Provided comments and background on proposed legislation A. 9659 (Glick)/ S. 7617 (Breslin) relating to reduction of acreage for clear cuts within the Adirondack Park and cumulative impact assessments of Working Forest Conservation Easement (not advanced in 2018).
4. Provided comments and input on proposed regulatory changes of the Lake George Park Commission regarding timber harvests of 5,000 sq. ft. or larger.
5. Participated in stakeholder discussions and comments on Conservation Subdivision Design legislation within the Adirondack Park A. 5451 (Englebright). ESFPA is opposed to the bill as drafted but willing to work with stakeholders on revisions so long as silviculture is allowed as of right (not advanced in 2018).
6. Formulated ESFPA's position in opposition to DEC's proposal to enact a Commercial Timber Harvest Notification Law (not advanced in 2018).
7. Supported the 5-year re-authorization of the federal Farm Bill with strong provisions for forestry and forest land stewardship (pending Congressional action).
8. Supported the federal Timber Innovation Act.
9. Supported full re-authorization of the federal Land & Water Conservation Fund.

Economic Development

1. Supported Governor Cuomo's position to enact a State agency procurement preference for New York grown and manufactured forest products (not advanced in 2018).

2. Supported efforts at both the State and federal level to increase investment tax credits for capital investments in the forest products industry and making such credits equitable across industry sectors.
3. Continued working with the Northern Forest Center on the 2015-2019 Northern Border Commission Grant which promotes and seeks transformational change in Northern New York's forest product manufacturing industries.

Education/Workforce Investment

1. Helped secure SFY 2018-19 funding and participated in the Logger Training School at Paul Smiths College in August 2018.
2. Secured funding in the enacted SFY 2018-19 Budget for logger training and continuing education through the Work Force Development Institute.

Energy

Carbon

1. Supported Federal budget language enacted into law in the FFY 2018 budget recognizing biomass as "carbon neutral".
2. Supported EPA proposed regulations to amend the Clean Power Plan and establish a more biomass favorable position on biomass as a renewable power resource.

Biomass

1. Supported legislation (A. 1705 - Woerner/S. 1225 - Griffo; Passed Senate) which establishes the NYS Clean Energy Tech Production Program, a self-directed program for rate payers to support clean energy projects through energy service charges. Included biomass as a directed clean energy.
2. Supported State and Federal legislation which recognizes biomass as a renewable energy resource and providing carbon benefits.
3. Supported legislation (S. 5439 – Gallivan/A. 8047 - Jones) establishing a personal income tax credit for residential use of densified pellet fuels (no action in 2018).
4. Partnered with the New York Bioenergy Association on advocating for the Public Service Commission to address the Tier 2 "Maintenance Tier" under the Clean Energy Standard recognizing the contribution of legacy generators (including biomass, hydro and wind electric generation).
5. Supported efforts in New York and the Northern Forest Region in education, outreach and marketing of the benefits of biomass energy alternatives and the economic benefits of locally derived fuel.
6. Opposed legislation (A. 34 - Paulin/S. 4266 - Griffo) and regulatory policies that unduly discriminate against biomass renewable energy as compared to other renewable energy resources (no action in 2018).

Energy Costs

1. Supported the Senate SFY 2018-19 proposals to repeal and retire the Section 18-a energy gross receipts tax in 2017.
2. Supported legislation (A. 8288 - Paulin/S. 6335 – Griffo; Passed Both Houses) requiring gas and electric corporations to provide an annual transparency statement to customers detailing certain charges on a gross basis which are included in each customer's delivery service portion of their utility bill.
3. Supported legislation (A. 1705 - Woerner/S. 1225 - Griffo; Passed Senate) allowing a self-directed choice of ratepayer assessments imposed by the Public Service Commission.
4. Supported legislation (A. 7275 - Jenne/S. 5549 - Griffo; Passed Senate) streamlining of the regulatory process for approval of energy infrastructure under the new Clean Energy Standard.

5. Supported the development of wind farm projects on Tug Hill, where such infrastructure would help add energy markets to sustainably managed forest lands.

Environment

Environmental Regulation

1. Supported regulatory efforts of DEC to streamline the State Environmental Quality Review Act and environmental reviews.
2. Supported continued record funding in enacted SFY 2018-19 Budget for the Environmental Protection Fund. \$300 Million included in SFY 2018-19 enacted Budget.
3. Supported State and local land acquisition efforts in the Town of Chester and on the Rensselaer Plateau, with an emphasis on easements as opposed to fee acquisition.
4. Supported legislation (A. 1874 - Woerner/S. 138 – Little; Passed Senate) for tax benefits to encourage private forest landowners to undertake stewardship practices that benefit healthy forests and forest habitats.
5. Supported implementing legislation (A. 8301-Englebright)/ S. 2414 – Little; enacted) regarding Proposition #3 which passed in the 2017 statewide ballot for a Constitutional amendment creating a land bank in the Catskill and Adirondack Forest Preserves (enacted).
6. Opposed legislation (A. 6282 - Englebright/S. 1749 - Mayer) which would extend DEC regulation of wetlands down to 1 acre in size and amend the process for filing maps of regulated wetlands (no action in 2018).
7. Opposed legislation (A. 5451 – Englebright); stalled in Committee) which would amend the Adirondack Park Law requiring the imposition of “Conservation Subdivision” standards on certain subdivisions subject to APA jurisdiction.
8. Opposed legislation (A. 1502 - Abinanti; stalled in Committee) which would have enabled local governments to enact local laws or ordinances requiring property owners to replace trees removed at a rate of up to a 3:1 ratio for every tree removed. This legislation did not allow for forest harvest and natural regeneration.

Endangered Species

1. Supported efforts by the DEC to streamline standards for the protection of rare, threatened and endangered species and aligning state standards with federal standards.
2. Developed a curriculum for loggers in implementing management practices for rare, threatened and endangered species.
3. Developed a Guidebook for Threatened & Endangered Species for logger, foresters and landowners for management practices which protect and benefit “species of greatest conservation concern”.
4. Supported legislation (A. 1874 - Woerner/S. 138 - Little; Passed Senate) to benefit private forest stewardship practices on forest lands aimed at improving habitat and recovery rates of species of “greatest conservation concern”.
5. Supported federal regulatory changes to the Endangered Species Act.

Invasive Species and Forest Pests

1. Worked with DEC and DAM on the repeal the quarantine zones of Emerald Ash Borer.
2. Worked with DEC and DAM on information regarding Spotted Lantern Fly which is bordering NY in northern Pennsylvania.
3. Supported legislation (A. 526 - Gunther/S. 524 - Young; Passed Senate) which would clarify the definition of “Integrated Pest Management” (IPM) including biological, physical and chemical tools.

4. Opposed guidance and regulations designed under “Tree SMART Trade” which would unduly regulate solid wood pallets and packaging while supporting those recommendations which could have a positive impact on the importation of new forest pests.

Water Quality/Source Water Protection

1. Worked with DEC, Watershed Agricultural Council and SUNY ESF on the update and republication of the NYS Best Management Practices Manual for Water Quality.
2. Opposed local laws aimed at regulating forestry and forest practices in the Towns of Postenkill and Lake George where such regulations would undermine the ability of private forest landowners to manage their forests.

Forest Markets

1. Supported the Wood Products Development Council efforts aimed at increasing the use of wood products from forests for green building (including green schools).
2. Supported legislation (A. 1705 - Woerner/S. 1225 - Griffo; Passed Senate) and program incentives encouraging the use of wood products from forests including biomass for thermal heat.
3. Supported legislation (A. 650 - Gunther/S. 1429 - Ritchie; stalled in Committee) which would further protect forest landowners who open their lands to recreational uses by the public.

Labor/Human Resources

1. Supported legislation (A. 7380 - Magee/S. 3032 - Ritchie; stalled in Committee) which would establish a “young logger apprenticeship”.
2. Opposed legislation originally included in the 2018-19 State Budget and passed both the Assembly (A. 10639) and Senate (S. 8380) calling for paid leave related to bereavement.

Manufacturing

1. Supported legislation aimed at lowering the threshold for “regionally significant manufacturing projects” aimed at addressing rural manufacturing opportunities which was included in the SFY 2017-18 enacted Budget.
2. Supported legislation (A. 8288 - Paulin/S. 6335 - Griffo; Passed Both Houses) to provide price protection and address burdensome assessments on commercial and manufacturing electric rate payers.

Taxation

Real Property Taxes

1. Supported the Governor’s recommendation to reform Real Property Law on forest lands (RPTL 480-a) and to establish a new forest property tax incentive (RPTL 480-b) to broaden the eligible lands that can enroll in the assessment benefit program.
2. Supported the Governor’s proposal to off-set any property tax shift as a result of enrollments in forest tax law.
3. Supported legislation (S. 4535 – Helming; stalled in Committee) which would increase from 50 acres of woodland to 100 acres of woodland on farms eligible for agricultural assessments.
4. Supported legislation (A. 3799 - Jaffee/S. 1707 - Marchione; stalled in Committee) aimed at extending the 2% real property tax cap and adjustments to improve the adaptability of the tax cap.
5. Opposed legislation (A. 5483 - Garborino; stalled in Committee) requiring the State to pay school taxes on state owned lands. ESFPA supports state payment of taxes on state owned lands but in a way that benefits all local taxing jurisdictions, not just schools.
6. Supported favorable tax incentives at both the State and Federal level which recognize the long-term benefits of working forest conservation easements.

Income/Franchise/Estate Taxes

1. Supported adjustments to both Federal and State estate tax limits.

Tax Credits

1. Support equitable tax credits for all business research and development and investment tax credits that are equitable across business sectors.
2. Supported State legislation (A. 1874 - Woerner/S. 138 - Little; Passed Senate) for tax credits to private landowners for forest and habitat improvements.

Transportation

1. Opposed local law proposed by the Town of Ticonderoga regulating forest truck traffic on town highways and imposing bond requirements.