



Empire State Forest Products Association

The people behind New York's healthy forests and quality wood products

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"Our Views"

"Our Views" reflect the values and strategic focus of the Empire State Forest Products Association (ESFPA) toward government policy (federal, state and local) which benefits or hurts New York's forests, forest product industries or forest land owners.

The forest products industry employs about 100,000 men and women in New York and is built on the principles of sustainability; producing products and energy from a renewable resource; creating family supporting jobs in all regions of the State; managing our forests in a manner that sustains and enhances the ecosystem benefits of clean air and water, carbon sequestration, wildlife habitat, and open space. ESFPA members manufacture essential paper and wood-based products that are used daily by people in our state, country and around the world. ESFPA members also own and steward thousands of acres of forests that support our manufacturing sector and execute sustainable forest management practices that ensure a continued supply of timber and forest related products for generations to come.

We support market based policies and regulations that foster economic growth, job creation, and international competitiveness in this economic sector. We believe public policies are most effective when they meet the economic needs, environmental concerns, and social expectations of our diverse communities. *"Our Views"* are more general than the Association's more targeted and specific priorities for annual budgets or our position on a specific policy, regulation or law and are intended to present our platform for existing and prospective Members and public policy makers.

Agriculture/Silvicultural:

As New York continues to advance policy and programs which emphasize and promote the use of New York based agricultural products and secondary processing of such products as a tool for economic development, the Empire State Forest Products Association endorses measures which include forests, silvicultural and forest products as a component of agriculture. Specifically, ESFPA:

- Supports legislation that includes silvicultural in the definition of agriculture and agricultural products.
- Supports efforts to strengthen the role of the Wood Products Development Council in the development of forest related policy, markets and trade.
- Supports the State's Right to Practice Forestry law and efforts to strengthen the private property rights of silvicultural and forest management on private forest lands.

- Opposes State and local efforts which diminish the private property rights of forest landowners and their forest management operations or would treat forest management and silvicultural as a land use as opposed to a recurring and renewable land based activity.
- Opposes State or local efforts to regulate timber harvesting or forest management unless there is well documented public need and broad stakeholder support.

Economic Development:

As New York works to improve its overall business climate, Empire State Forest Products Association backs measures that support new investment in forest products businesses and industries. Specifically, ESFPA:

- Supports policy which would place a preference on the State’s procurement of New York grown and produced forest products.
- Supports the extension and increase of the investment tax credits for capital investments or research investments in industry and businesses that are equitable across all sectors.
- Opposes legislation to impose significant new procedural requirements or wages or compensation.
- Opposes legislation which would hinder the export of forest products to other countries.

Education/Workforce Development:

The Empire State Forest Products Association supports innovative educational models to better prepare students for entrance into college and/or careers in forest related sectors. Specifically ESFPA:

- Supports the continued expansion of technical training programs and increased funding for young worker employment in manufacturing, forestry and “trades” occupations.
- Supports increasing the aid for Boards of Cooperative Educational Services (BOCES) Career and Technical Education (CTE) programs and instructors and increasing the amount of special services aid that provide employable skills to CTE programs.
- Supports continued development of alternative pathways to graduation (i.e., CTE, STEM).
- Supports funding for incumbent manufacturing employment training and specialty related training in forest sector jobs (e.g. logging, truck driving, heavy equipment operation, forestry).
- Supports metrics that measure the effectiveness of existing workforce training investments in meeting regional workforce needs.

Energy:

Reducing energy costs, promoting adequate and diverse energy supplies, and allowing competitive markets to generate alternative energy investments will help support economic growth. In addition, development of “low grade” biomass markets is an important market that helps forest land owners and all other wood markets. With these goals in mind, the Empire State Forest Products Association:

Carbon

- Supports public policies and regulations that recognize the carbon benefits of biomass whether for energy, construction materials or forest carbon sequestration.
- Supports policy and legislation that recognizes that forest products manufacturing residuals, harvest residuals and thinning's do not increase and can even reduce overall carbon in the atmosphere.
- Supports the creation of market-based opportunities for forest land owners to sell carbon sequestration and storage.
- Supports new market opportunities, policies and incentives that increase the use of wood as a substitute for more carbon-intensive fuels and materials such as coal, natural gas, steel and concrete.
- Opposes efforts to impose new taxes on fuel carbon content or other carbon dioxide emission taxes.

Biomass

- Supports policy and regulations that recognize biomass as a renewable energy resource and highly efficient combined heat and power (CHP) or co-generation technology.
- Supports the use of biomass from sustainably managed forests for renewable energy, recognizing the important carbon benefits of this energy source through appropriate accounting that is based on lifecycle greenhouse gas emissions.
- Supports the State's Clean Energy Standard for renewable biomass energy production and inclusion of a Tier 2 "Maintenance Standard" for biomass that work to supplement, rather than replace existing biomass facilities.
- Supports education and outreach programs that encourage the understanding of renewable biomass energy alternatives and the economic benefits of a locally derived fuel source.
- Supports sustaining and expanding commercially competitive energy infrastructure to produce and process woody biomass materials from New York forests.
- Opposes policies and programs that unduly discriminate against biomass renewable energy as compared to other renewable energy resources.

Energy Costs

- Supports the repeal and retirement of Section 18-a energy gross receipts assessment.
- Supports a significant reduction in ratepayer assessments imposed by the Public Service Commission (PSC). Ratepayer funds should support the adoption of more cost effective and market driven solutions to achieving renewable energy and energy conservation objectives.
- Supports streamlining the regulatory process for the approval of new energy infrastructure. The Clean Energy Standard (CES) obligates the State to significant increases in renewable energy, which will require additional energy infrastructure. ESFPA supports efforts to build needed energy infrastructure in a timely and economically efficient manner.

- Supports legislation that would protect the State’s economic development power programs administered by the Power Authority.

Environment:

New York has vast, robust and diverse natural resources that support an outstanding quality of life as well as a host of economic activities from forest products to tourism to recreation. New York State also has a complex and stringent environmental regulatory framework that imposes costs and operational restrictions on businesses and private land owners and impedes capital investment and job growth. To improve the State’s environmental regulatory climate, the Empire State Forest Products Association:

Environmental Regulation

- Supports public policy and programs that recognize sustainable forest management, including timber harvest, and the benefits that forest management provides for forest diversity, health and productivity.
- Supports public policy that recognizes that 75%, over 14 million acres, of New York’s forests are owned and managed by private landowners.
- Supports the adoption of incentives for assisting private forest landowners in keeping their forests as forest and stewarding those forests for both economic and ecosystem benefits to all New Yorkers.
- Supports the simplification and ease of regulatory compliance by ensuring the state conforms with federal regulations wherever possible.
- Supports the adoption of legislative reforms to the State Environmental Quality Review Act (SEQRA) to provide more certainty in project reviews, including: clarifying the standard for complete applications; heightening the standard for issues to be subject to administrative adjudication; making adherence to state review timetables mandatory; and assuring the correct application of statutory and regulatory standards.
- Opposes adoption of the so-called “precautionary principle” in setting environmental standards. The precautionary principle (or precautionary approach) to risk management states that if an action or policy has a suspected risk of causing harm to the public, or to the environment, in the absence of scientific consensus (that the action or policy is not harmful), the burden of proof that it is *not* harmful falls on those taking that action.
- Opposes expanded and unwarranted State-level chemical and product use restrictions, including legislation which would mandate the State implement a complex chemical review process for which it does not have the staff, resources or expertise.

Forest Land Conservation & Stewardship

- Supports maintaining levels of funding for the Environmental Protection Fund (EPF) at \$300 million to promote economic development and promote State capital investments that protect the state’s air, land, water and natural resources, and expands recreation opportunities.

- Supports State and local land acquisition, with an emphasis on easements as opposed to fee acquisitions, which recognize working forests and the benefits working forest lands have to landowners, the economy and protection of natural resources.
- Supports State tax policies and cost share funding which encourage private forest landowners to undertake stewardship practices that benefit forest health and productivity.
- Supports State funding for the planning for, acquisition and stewardship of Community Forests owned by municipalities or non-governmental organizations.
- Supports the State's investment in State owned forest lands and wildlife management areas including the "Young Forest Initiative".
- Opposes expansion of the Constitutionally protected Forest Preserve outside of key parcels which focus on acquiring in-holdings, adjacent areas that complete the function of existing holdings and a select few priorities for new parcels that are recognized in the Open Space Plan.

Endangered Species

- Supports State guidelines which streamline standards for the protection of rare, threatened and endangered species with federal standards.
- Supports the development of Best Management Practices (BMPs) that recognize the role that sustainable forest management, including timber harvests, can provide for habitat of rare, threatened and endangered species.
- Oppose standards and regulations obstructing forest management operations that have contributed to the survival and improved habitat of rare, threatened and endangered species or unduly limit seasons of timber harvesting.

Invasive Species

- Supports State investment into the Regional PRISMs for public and land owner outreach, education and monitoring of invasive species and the role PRISMs have in establishing regional priorities.
- Supports strengthened efforts to address invasive forest pests and diseases which in NY are more prevalent in both types and extent of spread than any other state.
- Supports mission critical program resources in agencies while also recognizing that inter-agency, inter-governmental and stakeholder communication, collaboration and planning can also be increased.
- Supports better integrated research and planning efforts both in understanding the biology of the threat species and providing key science-based solutions.
- Recognizes that the best way to make on-the-ground impact and promote healthy, resilient forests is to empower private forest land owners with the necessary tools and resources to mitigate threats on their land.
- Supports programs and policies that engage private forest landowners and the public at-large in citizen science outreach and education campaigns.

- Opposes guidance and regulations which unduly focus on forest product management operations where such operations are not the principle cause of invasive species presence or movement.

Water Quality/Source Water Protection:

- Supports water quality policies that support and implement voluntary best management practices to maintain water quality on forest lands.
- Supports State policy and programs aimed at protecting source waters, particularly for public and private drinking water supplies, and the recognition that forests and active forest management, including timber harvests, are beneficial to water quality.
- Supports water quality and source water protection incentives that are applied in a focused, concentrated approach in core geographic areas to ensure a greater impact on water quality protection.
- Supports acquisition of lands in both fee simple title and easements by the State, municipalities and non-governmental organizations so long as these efforts are planned for and recognize sustainable forest practices as beneficial for water protection.
- Supports the simplification and ease of water quality/source water protection regulatory compliance by ensuring the State conforms with federal regulations wherever possible.
- Opposes water quality incentives and regulations that result in negative economic impacts and can undermine the ability of private forest lands to maintain forested watersheds.

Forest Markets:

- Supports green procurement and green building (including green schools) efforts that encourages the use of wood products from forests.
- Supports private-sector consumer efforts that encourage use of wood products from forests.
- Supports the provision of State resources to promote and educate public and private building entities to encourage the use of wood products.
- Opposes policy and program barriers and disincentives for using wood products, including but not limited to State and local building code standards and green building standards.

Labor/Human Resources/Workers Compensation:

Employers need a stable Labor Law environment and the ability to design pay and benefit programs that fit their business, size, location, profitability and competitive environment. To achieve these objectives, the Empire State Forest Products Association:

- Support reforms to NYS Workers Compensation laws and regulations which reflect current prevention loss standards and compensation standards based on current medical practices.
- Supports reforms to NYS Department of Labor wage orders.
- Supports legislation adopting workable definitions of employee and independent contractors to reflect practical issues relative to “sharing economy” employers.

- Supports policy and regulation that assures that Unemployment Insurance benefits are based on significant labor force participation and that employers pay Unemployment Insurance taxes based on their experience.
- Opposes legislation imposing restrictions or employee pay mandates.
- Opposes restrictions on employer’s ability to conduct reasonable and relevant background checks in the employment process; these include proposals to limit the use of credit checks, criminal backgrounds, prior wages and others.
- Opposes proposals for mandated leave including sick time, vacation time and other time-off.

Manufacturing:

The Manufacturing sector remains a critical component of the state’s economy and the forest products manufacturing sector remains in the top 10 manufacturers in New York. It is incumbent on lawmakers to enact policies and regulations that promote growth within this sector. With that in mind, the Empire State Forest Products Association:

- Supports lowering the thresholds for the Excelsior Jobs program “regionally significant manufacturing projects”.
- Supports expanded access to natural gas for manufacturing facilities, including: dedicating state energy assessment resources to pipeline extensions; expediting the state review of applications for expansion of natural gas infrastructure.
- Supports the adoption of measures to provide price protection to large energy consumers from energy assessments; adopt a self-directed energy program with a cap on percentage energy assessments as a percentage of energy assessments; and exclude large energy consumers from the cost associated with residential customer system upgrades associated with Clean Energy Standard.

Taxation

The Empire State Forest Products Association supports broad-based tax reform, as well as enhanced credits focused on the forest products/business sectors and forest land owners. Our major tax reform proposals include the following:

Real Property Taxes:

- Supports revision and updating of New York’s Real Property Tax Law section 480a which addresses property tax shifts in taxing jurisdictions; lowers the acreage threshold for property enrollment; expands eligible lands beyond just “marketable timber” lands; removes the cumbersome State role in forest planning and monitoring of enrolled properties; and, recognizes ecosystem benefits of forests and forest related lands.
- Supports forest land tax provisions that help working forest owners create jobs and timber markets, provide environmental and recreational benefits and help New Yorkers reach financial goals

- Supports legislation to extend the 2% real property tax cap and adjustment of the “tax base growth factor” under the real property tax cap to include value of property subject to PILOT agreements.
- Support a favorable tax environment for long-term protection of forests with permanent tax incentives for working forest conservation easements.
- Support tax incentives for endangered species, forest stewardship and habitat conservation on forest lands.
- Oppose taxes that discourage forest land owners from investing in or harvesting their timber.

Income/Franchise/Estate Taxes:

- Adopt small business income tax reform by increasing the Personal Income Tax business and farm income tax exclusion and allowing all small businesses to claim the exclusion.
- Decrease the net income tax rate for small businesses.
- At a minimum maintain the estate tax at \$5 million exemption and improve estate tax policies to protect the conveyance of forests in estate settlements to family members.

Tax Credits:

- Support the adoption of a new and refundable research and development tax credit.
- Expand small business eligibility for Excelsior job credits by lowering the job creation and capital investment thresholds
- Support tax credits for conservation easement and habitat improvements on private lands.

Transportation

To support the state’s transportation industry and the statewide transportation infrastructure, the Empire State Forest Products Association:

- Supports legislation to reduce or eliminate the Highway Use Taxes/Ton Mileage Taxes.
- Supports upstate/downstate parity in state investments in transportation infrastructure.
- Supports increasing the number of Divisible Load permits authorized in New York.
- Opposes regulations to implement truck route restrictions across the state, which will significantly increase the cost and time to operate a truck in New York.
- Oppose local regulations that require the bonding or permitting of town and county roads.

(Approved for use in the 2017-2018 Legislative Session 12/12/17)