Empire State Forestry Awareness Days
Virtual Legislative Meetings – March 1st, 2nd and 3rd

The Empire State Forest Products Association (ESFPA) will be conducting VIRTUAL Forestry Awareness Lobby Days (FAD) on March 1st, 2nd and 3rd, 2022. We are meeting with legislators to discuss issues concerning New York State forest and forest-based economy, a select number of bills introduced in the 2022 Legislative Session and to brief legislators on the role that our forests and harvested wood products have in the natural solutions to climate change and achieving the milestones and goals of the Climate Leadership & Community Protection Act (CLCPA).

ESFPA represents over 300 member businesses, industries and landowners engaged in forest resource production and stewardship of New York’s 19 million acres of forest (75% which are privately owned). In total, $22.9 billion dollars in annual industry production and nearly 100,000 jobs are attributable to operations of various industries within the forest related sectors.

Governor Hochul’s Article VII Bills

Clean Water, Clean Air and Green Jobs Bond Act SUPPORT
Increased Funding for the Environmental Protection Fund (EPF) SUPPORT

We support the provisions in the $4 billion Bond Act and EPF for acquisition of working forest conservation easements, projects that provide mitigation and adaptation for addressing climate change impacts, and infrastructure investments that improve resiliency and provide economic opportunities in our communities.

The EPF also provides funds for many critical projects in forest management and forest products development. We support the increase in the EPF to $400 million and funding for stewardship of private forest lands from the biodiversity, invasive species and Regenerate NY funding lines and the funding for forest product markets from the Wood Products Development Council.

Freshwater Wetland Act Amendments OPPOSE unless amended

This bill would make strategic changes to update the State’s freshwater wetlands program. The proposal retains base wetland regulation of wetlands 12.4 acres or larger but would allow the Commissioner of DEC to designate smaller, “local significant wetlands.” It also would remove the requirements for mapped wetlands and allow DEC to maintain digitized maps of wetlands on tier web site (e.g., the E-mapper). Applicants would have to have DEC, or a third party delineate wetlands as part of the regulatory process.

ESFPA is opposed to this bill because of language changes that eliminate a 50+ - year exemption for certain silvicultural practices. If amended to retain the forestry exemption ESFPA would not oppose this legislation. ESFPA had worked with Assembly Member Englebright and Senator Harckham on A. 7850/S. 5116-C which has been amended to keep this forest exemption.

Extended Producer Responsibility OPPOSE

Extended Producer Responsibility (EPR) programs are a fundamental transfer of the responsibility and cost of collection, recovery, recycling, and end-of-life management of covered products from municipalities and taxpayers to producers of covered products. Paper and paper-based packaging should not be included in a broad product EPR approach system where paper, which is highly recovered and recycled, will subsidize the recycling of materials that largely do not share these characteristics.

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ESFPA had been working on EPR Act amendments under Senator Kaminsky’s Bill S. 1185-C and while we did not get everything we wanted we did agree to some changes.

**Advanced Building Codes** **OPPOSE**
These Advanced Codes would prohibit the use of wood burning devices in residential and commercials buildings and prohibit our industrial wood manufacturers from using their residuals in making energy used in their production processes. The Climate Scoping Plan recognizes that air sourced heat pumps will not work in extreme cold and secondary heat systems (including wood) will be necessary.

**Priority Legislation in 2022**

**Clean Fuel Standard (CFS), (A. 862-A/S. 2962-A)** **SUPPORT**
CFS is a technology neutral consumer financed mechanism for clean fuels and electrification of the transportation sector. ESFPA, among other trade associations, environmental organizations and academics was part of the Clean Fuels Coalition that worked across party lines to advance this legislation. The bills allow for biofuels, and we continue to support the proposals.

**30 X 30 Land Acquisition Policy, (A. 5390-B and S. 4629)** **SUPPORT IF AMENDED**
30 x 30 proposes to establish a goal of protecting 30% of the State’s land area by 2030 through the State’s Open Space Plan and a combination of acquisition (fee and easement). ESFPA came out in support of this legislation when it included recognition of easements on working farms and private forests. Late amendments to A. 5390-B removed the recognition that private working farms and forests bring to conservation in New York. We will continue to work on supporting the role that working forests and farms bring to landscape conservation, addressing climate change and creating natural resource-based economies.

**Birds & Bees Act, (A. 7429/S. 699-B)** **OPPOSE unless amended**
This legislation would prohibit and limit the use of neonicotinoids in most cases. There is language that would allow the Commissioner of DEC to allow the use of neonicotinoids for treating invasive species, but it is not clear. We presently are working on bill language to ensure this exemption is addressed to allow the limited and targeted use of neonics in managing forest invasive pests.

**Deforestation-free Procurement Act, (A. 6872/S. 5921)** **OPPOSE**
These bills would prevent state agencies from procuring products made from wood and fiber from Tropical and Boreal forests. ESFPA, AF&PA, SFI Inc. and the Canadian Forest Products Association have worked hard to convince sponsors on the poor merits of this legislation. North American Boreal forests are among the most sustainably managed and environmentally protected forests on the globe. A similar bill in California was amended to remove Boreal Forests and ultimately vetoed by Governor Newsome.

**Viability of Biomass Power Generation Facility at Fort Drum (A. 9127/S. 8360)** **SUPPORT**
The overlying intent of this act is to allow for the continued operation of New York’s last remaining utility-scale biomass facility, which is located at U.S. Army’s installation, Fort Drum, through the extension of the existing REC contract until November 30, 2034 or until other compensation for the attributes associated with electricity generation via biomass is available. ReEnergy Holdings converted a former coal fired power plant to biomass in 2004 when New York recognized biomass as a renewable energy resources. Changes to the Public Service Law in 2019 removed biomass as a renewable energy resource thereby threatening the Renewable Energy Credits to this generator. ReEnergy supports all the power needs of Fort Drum under a contract that runs until 2034.

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