



ESFPA "The People Behind New York's Healthy Forests and Quality Wood Products"

the Empire ENVOY

The Official Publication of the Empire State Forest Products Association

FALL THOUGHTS

By John K. Bartow, Jr.

As we enter into fall of 2024 we begin to contemplate our Association accomplishments over the past year, start to plan for the 2025 legislative session, and enjoy some time hunting a celebrating as the holidays approach. Fall is my favorite time of year as the days cool, bugs diminish and the best of the craft beers show their fall flavors.

To start our fall at ESFPA we just completed our Regional Meetings for 2024. While we saw many members we wish more had come to one of our 5 events. We will be evaluating how we conducted our meetings this fall and looking for ways to improve member engagement in 2025. We will also be surveying members over the next month or so to gather more input from you on what we can be doing to better serve you and your interests. We welcome your input and value your thoughts on where we should be focusing our efforts.

We are also closing out the 2023-24 Legislative Session. While the Legislature is not likely to reconvene this fall, there are still a lot of bills that have passed both houses yet to be sent to the Governor for her signature or veto. We have a few bills that we are working on (see page 3). We are also working with the Board on setting some of our priorities for 2025. We know we will be working on ways to improve private forestland stewardship and the bioeconomy. We also want to explore ways we can stimulate more State timber harvests on reforestation lands. We are also looking into how we can improve workforce development in the forest sector. From Logger Training to forester continuing education to workforce attraction and retention in wood product manufacturing we are facing a worker shortage and in some cases almost to a critical need. If you have specific thoughts in these ideas or have additional ideas on what we should be

focusing on in 2025, please do not hesitate to call or email me.

Fall is also the time for elections. This year we have the Presidential election, all our House of Representatives and 1/3 of the US Senate nationally, all our State Senators and Members of Assembly, and a host of local elections. ESFPA does not endorse candidates but we strongly encourage everyone to get out and vote. This is certainly going to be a wild election and New York is one of the deciding states in the national leadership elections.

On behalf of the ESFPPA staff and Board of Directors we hope everyone enjoys this fall season and we thank you for your support. Be safe out there, enjoy some hunting if you partake and prepare for the holiday season of feasting.

John Bartow



Photo taken at our Paul Smith's Panel for Students on October 2nd, 2024

The Empire Envoy

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Founded in 1906, ESFPA is dedicated to improving the economic climate for the forest products industry and to promote management of New York's Forests to meet the resource needs of today and for future generations. ESFPA counts among its 400 members furniture companies, lumber manufacturers, forest landowners, timber harvesters, pulp and paper companies, and other wood products manufacturers from across New York State. Members own and manage 1.5 million acres of New York's forests and employ over one-third of the 60,000 individuals who work in the forests and wood-using mills around the state. **The Empire Envoy** is the newsletter of the Empire State Forest Products Association. Copyright© by ESFPA. Articles may be reproduced with permission of the publisher. **The Empire Envoy** is produced monthly for ESFPA members and interested parties. For information on subscriptions or membership, please contact ESFPA.

A MESSAGE FROM THE CHAIRPERSON

Jennifer DeFrancesco, ESFPA Chairperson of the Board



I can't believe that we are at the end of October already. Every year seems to go faster and faster and I am sure it is because our lives get busier with the passing time.

Here at ESFPA we have been busy getting ready for what is sure to be a wild legislative season. With election day right around the corner, we anxiously await what that will mean for our businesses. Make sure that you follow us on all of our communication platforms for the most up to date news on what is happening.

We have also just wrapped up our Regional Meeting tour of NY. Our staff worked hard to put on 5 diverse meetings. We began in Albany at our Forestry Resource Center with an open house, welcoming our members to see where we operate from every day. In Ellicottville we had discussions focusing on potential new markets for wood use in buildings. Next it was on to Ithaca where we talked about Cornell's efforts in workforce development. Then we were in Acra where we had a tour of the Siuslaw model forest and a round table discussion focusing on logging and forestry regulation. Last we went to Saranac Lake where we partnered with Paul Smith's college. We began with a very well attended panel discussion with 4 of our ESFPA board members answering questions from about 60 students. Later we had a meeting catered by Paul Smith's culinary students.

Despite the well-organized meetings and what we thought were interesting topics, attendance at all meetings was down considerably from past years. Which leads to the question, what does our membership really want? So, I ask you today, please talk to us. You can reach out to our office or any of our Board members at any time- please let us know what you would most like to see us doing.

ESFPA Sustaining Members



A MESSAGE FROM THE CHAIRPERSON *(continued from page 2)*

In the blink of an eye, our due drive will be going out again. When you renew your own membership, I ask you to please reflect on who else would benefit from our services. When you mail back in your paperwork, feel free to jot down any

suggestions you have on the bottom of the sheet. If there is someone you think that we should reach out to, add their contact information too. You are the backbone of what we do at ESFPA and we need your help to keep fighting every day.

STATE CORNER

LEGISLATIVE UPDATE

While the State Legislature adjourned in early June we continue to wait for several bills that passed the Senate and Assembly to be delivered to the Governor for her consideration. ESFPA has or will be preparing memos to the Governor on the following.

TREES Act (Deforestation Free Procurement Act) – This bill would prevent state agencies from procuring commodities (forest and agriculture) that contribute to deforestation and forest degradation of Tropical Rain Forest. In addition, this legislation would require Empire State Development (ESD) to establish a Supply Chain Transparency Program for small and medium businesses. ESFPA does not object to the general purposes of this legislation but has concerns with the terminology defined in this legislation, and the expansive sweep of the Supply Chain Transparency Program. These terms as defined in the Act have meaning and if used incorrectly can lead to problems already found in the European Union Deforestation Rule. ESFPA among other forest trade associations will be seeking a veto.

Pesticides in Wetlands – This bill would authorize local governments who have adopted wetland protection laws to prohibit the use of pesticides in wetlands. ESFPA opposes this legislation as DEC already has preemptive jurisdiction over the labeling, application, and use of pesticides and this could also threaten DEC's delegated authority over pesticides from the federal EPA.

Climate Superfund Bill – This bill mandates “compensatory payments” from any business that extracted or refined fossil fuels whose products were determined by the State to be responsible for 1 billion tons or more of greenhouse gases from 2000 to 2018. This would impose assessments on major fossil fuel producers to recover \$75 billion over 24 years or \$3 billion/year. This legislation is bad public policy that raises significant implementation questions and constitutional concerns. Moreover, it may result in unintended consequences and increased costs for households and businesses. ESFPA has joined with over 50 other business and trade associations in urging Governor Hochul to veto this legislation.

Wrongful Death Awards – This legislation would radically expand the types of damages awarded in wrongful death lawsuits. The legislation would increase already high insurance burdens on families and small businesses and further strain

already-distressed healthcare workers and institutions. It is estimated that personal automobile liability and small business general liability insurance premiums would increase – by 6% and 10.9%, respectively. It also does nothing to address the concerns of those who oppose the bill, including the State Budget Office. ESFPA has joined dozens of other industry organizations in opposing this legislation.

STATE REGULATORY UPDATE

Over this summer, ESFPA commented on over a dozen state and federal regulatory or guidance proposals that impact our sector. The following highlights a few.

6 NYCRR Part 664 – Freshwater Wetlands – The Department has proposed new regulations to implement enacted changes in the 2022 State Budget. New York's 2022-2023 budget included amendments to the state's Freshwater Wetlands Act, Article 24 of the Environmental Conservation Law (“ECL”). This will add over 1 million more acres of wetlands to DEC's regulatory program. ESFPA commented on these regulations stressing the explicit exemption we obtained in the amended legislation that states that “silviculture is an exempted activity that does not require a permit.” We also pointed out some inherent timing inconsistencies in the regulation as well as the need to define who will make regulatory jurisdictional determinations when local governments regulate wetlands.

6 NYCRR Part 182 Endangered and Threatened Fish & Wildlife – DEC has started the process of amending the Threatened and Endangered Species regulation. In September, DEC released the first amendments to the listed species which covered certain fish species and federally listed species. The fish species changes did not really affect forest management beyond what we already deal with in trout stream designations. The federally listed species are automatically incorporated by reference under DEC regulations so just adding them to the lists in regulation did not really change anything for us. As they go to change other listed species (which they say will be coming out over the next several months), and as they make other changes to Part 182 (which they tell us they will be doing), we will be commenting.

(See “State Corner” continued on page 4)

STATE CORNER *(continued from page 3)*

Bond Act Guidance – DEC has been accepting comments on guidance documents they will be using in determining eligibility for projects and how they will award funding under the 2023 Clean Air, Clean Water, and Clean Jobs Bond Act. ESFPA has submitted comments under both the land Acquisition Guidance and the Green Buildings Guidance. For land acquisition we stressed the importance of funding for conservation easements as opposed to fee acquisition. Under the eligible category “To natural lands, features, and systems that prevent or buffer impacts to life and property from extreme weather events;” we are hoping this will include repair and replacement of infrastructure, bridges, and roads on State easement properties. Under eligible open space projects we would like to suggest that the purchase of carbon credits/easements derived from improved management practices of working forests that enhance carbon sequestration capacity while supporting continued production of forest products be an eligible project for the State. We also suggested that recreation investments be eligible projects on Working Forest Conservation Easements.

The draft eligibility guidelines for green building projects at state facilities focused mainly on efforts to reduce the operational carbon emissions from buildings. We asked DEC to consider efforts that seek to reduce embodied carbon emissions as eligible projects. Such projects may include renovating/constructing buildings with mass timber structural systems, greater use of wood in floors and millwork, and the use of wood fiber in insulation.

New York Cap-and-Invest (NYCI) Climate Investment Account Use of Proceeds – DEC solicited comments on guidance for the use of proceeds from the NYCI program to become operational in 2025. ESFPA provided ideas for investing in:

- Projects that include the regeneration of forests and in increasing the carbon storage and sequestration of forests.

- Leverage private investment in wood product manufacturing that will sustain existing forest markets and leverage new and emerging markets.
- Investing in increasing the storage of carbon in buildings and infrastructure where we can reduce embodied carbon.
- Supporting research on the difference of biogenic emissions from fossil fuel emissions. We must correct the wrong assumptions that biogenic emissions are the same as fossil fuel emissions.
- Funding to leverage the feedstocks and into the infrastructure necessary to process these renewable fuels will leverage private sector investment to advance their deployment.
- Investing in the EPF related lines for Regenerate New York, the Wood Products Development Council, Community Forests, and Invasive Species would expand the reach of these programs and help bring their investment to scale where they can make a landscape level impact.
- Investment in New York Logger Training, Inc. to aid in the training and recruitment of loggers in the wood product sectors. We would also suggest that financing the ForestryWorks® program in New York would provide a substantial boost to both the recruitment and retention of workers through the entire forestry sector.

RAPID Act GEIS – As we go to publication, ESFPA is preparing comments on the Public Service Commission notice of the Generic Environmental Impact Statement (GEIS) for the implementation of the RAPID Act (legislation to accelerate the siting of renewable energy generation and transmission). Our comments focused on the need to devote significant consideration to the impacts and mitigation that the permitting and siting of renewable energy generation and transmission will have on our forests. These impacts should be clearly accounted, and mitigation measures should be identified to lessen these impacts.

FEDERAL CORNER

EUROPEAN UNION DEFORESTATION RULE

The European Commission proposed a 12-month delay in enforcing the EU Deforestation-free Regulation (EUDR). This is a result of pressure from non-government stakeholders (including NAFO and other global industry organizations), the U.S. government, and EU member states. The delay still needs approval from the European Parliament and national governments, but it's expected to pass by the end of this year. Key provisions:

- The EUDR delay will likely be approved by year-end, allowing compliance deadlines to be pushed to December 2025 for large companies, and June 2026 for smaller ones.

- The Commission has published initial guidance documents, but these will likely be updated in the coming months.
- We are continuing to work closely with the U.S. Forest Service and others to ensure the U.S. is designated as a low-risk country.
- We are continuing to work with the American Hardwood Export Council and others on geolocation alternatives for U.S. exporters.

EAST COAST AND GULF COAST PORT STRIKE

As expected at midnight on September 30, International Longshoreman Association (ILA) workers from Maine to Texas headed to the picket lines to strike at all U.S. East and Gulf Coast ports. The strike comes after workers' contracts with shipping companies and port operators expired. However, a tentative agreement was reached on the evening of October 3, suspending the strike, and reopening the ports. The tentative agreement extends the current contract until January 15, 2025,

and sets the stage for what looks like 62% salary increases as well as some assurances of not too much automation over the next contract period. For weeks after the end of the strike, imports and exports of commodities continue to be impacted. ESFPA will continue to work with our national affiliates on documenting impacts of the brief strike and on averting another strike following January 15, 2025.

ESFPA NEWS

ESFPA MEMBER SPOTLIGHT – HUGH CANHAM



Dr. Hugh Canham is Professor Emeritus at the SUNY College of Environmental Science and Forestry, where he taught and conducted research in forest and resource economics for over 30 years. At SUNY ESF he earned B.S., M.S., and PhD degrees in Forestry, Photogrammetry, and Forest Economics. He has done research in forest land ownership, regional economic impacts, forest taxation, and forestry practices.

His dissertation was a landmark study which was then adopted as the model by the U.S. Forest Service for its now ongoing nationwide forest owner studies. His teachings embraced land use economics, the economics of non-market goods and integrated forest management. He is the author of five articles in the Encyclopedia of New York and has several entries in the Encyclopedia of American Forest and Conservation History. In addition, he has a long list of published articles in the field of forestry economics.

He has served as consultant to the NYS Department of Environmental Conservation, Northern Forest Lands Council, Tug Hill Commission, US Department of Agriculture, and NYC Catskill Watershed Agriculture Council.

Dr. Canham is an active member of the NY Forest Owners Association (NYFOA), Society of American Foresters (SAF), and the Empire State Forest Products Association (ESFPA). He is the author of ESFPA's "The First 100 Years", published in 2006 highlighting the history, key issues, and events of ESFPA in the 100 years since its formation in 1906. He also wrote "Just the Facts: The Past, Present, & Future of New York's Forest & Forest Products", which has been a crucial educational resource for the industry. ESFPA Executive Director, John Bartow, notes that "Hugh has been a tremendous contributor to ESFPA's work throughout the years."

As a long-time member of both NYFOA and ESFPA, Dr. Canham has helped challenge the notion that the two organizations cannot work together due to a difference in objectives. Through collaboration on events such as Forestry Awareness Day, Dr. Canham remains committed to working with both organizations. He states that "ESFPA is a great organization, and I have been happy to work closely with them over the years; I hope to continue working with ESFPA for years to come."

Dr. Canham is a dedicated educator and an inspiring advocate for the forest products industry with an unparalleled passion for his work. At ESFPA, we would like to honor his exceptional achievements and express our gratitude for his many years of contributions!

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ESFPA 2024 FALL REGIONAL MEETINGS

This year, ESFPA conducted five Regional Meetings across New York over four weeks. These meetings offered valuable networking opportunities and featured a range of speakers and topics. Notably, member company VestigeView presented at three of the meetings (Ellicottville, Ithaca, and Saranac Lake), showcasing their Camera & GPS solution for the logging and forestry industry. Each event included a social hour and dinner, as well as an update on the Association's activities and key policy priorities from ESFPA Executive Director, John Bartow.

Our first meeting kicked off in Albany on September 10th at the Forestry Resource Center. At this meeting we were joined by Kevin King, Deputy Secretary to the Governor for Food and Agriculture. Kevin King is also the Former Deputy to the Commissioner at Agriculture & Markets as well as the Former President & CEO of the Empire State Forest Products Association. He highlighted some of Governor Hochul's forest related accomplishments and what may be coming out going forward. He also updates us on some of the State's initiatives on private forest stewardship and efforts to strengthen forest markets.

Next, we headed out to central NY for back-to-back meetings in Ellicottville and Ithaca. Our Ellicottville meeting was held on September 18th at Holiday Valley, where we were joined by David Nye, a Technology-to-Market Advisor at the US



Photo taken at our Albany Regional Meeting on September 10th, 2024

Department of Energy, who spoke on the use of wood-based products in buildings and potential new markets. On September 19th, we held a meeting at the Hotel Ithaca, where Julie Suarez and Rich Stup from Cornell College of Agriculture and Life Sciences (CALs) shared with us efforts at CALs to work with the forest and wood products sector.

Our 4th meeting took us down to Acra at the Agroforestry Center. We were able to take a tour of the Siuslaw Model Forest with Agroforestry and Natural Resources Program Manager, Tracey Testo-Smith. Siuslaw is a 142-acre NYC watershed demonstration forest owned and managed by CCE Columbia Greene. On this tour, we explored active and passive demonstrations including a patch clear cut, deer exclosures, understory cropping demonstrations and an active shiitake laying yard with mushrooms grown on wood sourced from our timber stand improvement cuts. We saw their continuous forest inventory plots and heard how they use their data to develop forest management plans and implement those plans through service-learning opportunities with a variety of audiences.

Prior to our final meeting, ESFPA hosted a panel for Paul Smith's students to help them learn more about job opportunities in the industry (pictured below). This panel was comprised of ESFPA Board Members Damon Hartman from Prentiss and Carlisle, Mike McLarty from Finch Paper, Sean Ross from Lyme Timber, and Larry Richards from Richards Logging. The students were very engaged, and the panel was well-received. With the increasing workforce challenges in the industry, it was refreshing to see a large group of promising young individuals take such an interest in learning more about the available jobs in the wood products sector. ESFPA concluded our fifth and final Regional Meeting on October 2nd at Paul Smith's Visitor Interpretive Center (VIC) in Saranac Lake. This meeting featured a slideshow from DEC's Jason Drobnack on private forests and forest utilization, and brief remarks from Paul Smith's President Dan Kelting.

Overall, the 2024 Regional Meetings gave us the chance to connect with members from all over the state. We would like to thank our speakers as well as all our members for joining us and providing their participation and insights. Although the meetings have ended for the year, we still would like to hear your feedback about how we can improve these meetings for future years. If you have any feedback, please don't hesitate to reach out to us via email at gabriella@esfpa.org or over the phone at (518) 462-1297.

NY LOG-A-LOAD FOR KIDS UPDATE



New York State Log-A-Load for Kids is part of a nationwide program to support Children's Miracle

Network Hospitals. Serving nine hospitals across New York State, we have witnessed first-hand how the money we raise has changed the lives of children and their families.

We would like to extend our heartfelt thanks to everyone who supported Log-A-Load for Kids during this year's Woodsmen's Field Days in August. We were able to raffle off 6 chainsaws, Mark Mowrey served as the Grand Marshal of the parade, and we had an incredible turnout of volunteers who helped sell 1,000 frisbees, which was

matched by the Wagner Group. Thanks to everyone's efforts, it was another highly successful year, with the booth closing on Sunday with nearly \$15,000.

Although we've had a great year so far, 2024 isn't over yet and we still need your help in making miracles for children and their families throughout New York State. To make a donation, call Dorian Johnson at (518) 463-1297 or Venmo @ ESFF-LogALoad.



Whether you're a donor, volunteer, or advocate, we appreciate all your support and generosity. Over the years, we have come to know many of you, either professionally or as familiar faces donating and buying raffle tickets year after year. You drive Log-A-Load's success—none of this would be possible without your support!

DEC ANNOUNCES ANNUAL ARBOR DAY POSTER CONTEST

Original Picture and Artwork Submissions Accepted Until Dec. 31, 2024

The New York State Department of Environmental Conservation (DEC) has announced the start of DEC's annual Arbor Day Poster contest. Each year, DEC's Urban and Community Forestry Program coordinates the contest to promote the value of trees in the environment and New Yorkers' lives. The winner of the contest will have their photo or artwork reproduced as the 2025 Arbor Day Poster to commemorate the holiday.

"Each year, Arbor Day reminds us to appreciate the vast benefits trees provide to ecosystems and public health, and as key tool in the fight against climate change," said DEC Interim Commissioner Sean Mahar. "All New Yorkers are encouraged to get outdoors this fall to enjoy and highlight the beauty and importance of New York's trees with their photography and artwork."

The annual Arbor Day Poster contest is sponsored by the New York State Arbor Day Committee, which includes DEC, the Empire State Forestry Foundation, the New York State Arborist

Association, State Department of Agriculture and Markets, and Sylvamo North America.

New York State Agriculture Commissioner Richard A. Ball said, "DEC's Arbor Day Poster contest is an annual opportunity to honor New York's forested land, which is so important to our health, our environment, and our economy. From giving us sap to make sweet maple syrup, to cleaning our air and enhancing the scenic beauty of our state, New York's trees are a fantastic natural resource that contribute so much to the daily lives of New Yorkers and visitors alike."

DEC is accepting original photograph and artwork submissions on behalf of the committee until 5 p.m. on Dec. 31, 2024. Entries must feature trees in New York State and be submitted through the online poster contest submission form. Model consent forms are required for any discernable persons in photos. For more information about the contest, visit DEC's website or email arborday@dec.ny.gov. To obtain past New York State Arbor Day posters, contact any local DEC forestry office or call 518-402-9428.

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