

Agriculture & Forestry Advisory Panel Meeting

Meeting Teleconference – WebEx

March 16, 2021

Start time 1:00pm

At a Glance

- Recommendations on bioeconomy, avoided land conversions and forest management were reviewed for clarification and finalization ahead of the March 19th submission deadline.
- The net carbon emissions and sequestration analysis to be submitted alongside the panel's recommendations was reviewed, highlighting the role of agriculture and forestry in helping meet the state's net zero goals through carbon sequestration.
- The panel chairs will meet shortly to begin considering the recommendations from each panel and preparing them for review by the CAC. Recommendations from the Agriculture & Forestry panel will be presented to the CAC during the meeting on April 12th.
- This was the final scheduled Agriculture & Forestry Panel Meeting

Information regarding meetings and materials can be found on – www.Climate.ny.gov

Feedback can be submitted at any time by emailing agriculture.forestry@agriculture.ny.gov.

Present:

WebEx: (98 total attendees including panelists, agency staff and the public)

Advisory Panel:

Commissioner Richard Ball, Chair AGM; Amanda Barber, Cortland SWCD; John Bartow, Empire State Forest Products Assoc.; Michelle Brown, TNC; Tom Gerow, Wagner Lumber Co.; Suzanne Hunt, HuntGreen LLC/Hunt Country Vineyards; Peter Lehner, Earth Justice; Samantha Levy, AFT; Robert Malmsheimer, SUNY ESF; John Noble, Noblehurst Farms; Julie Suarez, Cornell University; Ned Sullivan, Scenic Hudson; Donna Wadsworth, International Paper; Elizabeth Wolters, NYFB; Peter Woodbury, Cornell University.

Absent: Rafael Aponte, Rocky Acres Community Farm; Stephanie Morningstar, Northeast Farmers of Color Land Trust; Nelson Villarrubia, Trees NY.

Agency Staff:

Greg Albrecht, Lindsey McMahon, Brian Steinmuller, David Valesky, Jennifer Clifford, **AGM**; Jason Drobnack, Suzanne Hagell, Peter Innes, Maureen Leddy, Jeffrey Mapes, **DEC**

Welcome

Commissioner Ball, NYS Department of Agriculture and Markets

Panel Member Rollcall

Absences noted above

Public Participation

To submit feedback to Panel Members and agency staff during the meeting, members of the public can use the WebEx Chat function. Questions and comments issued by the general public during the meeting will be collected but not directly responded to during the meeting. Feedback can also be submitted at any time by emailing agriculture.forestry@agriculture.ny.gov.

[Agriculture and Forestry Panel: Subgroups and Strategies](#)

Peter Innes, NYS Department of Environmental Conservation

Peter Innes provided an overview of the presentations to be given from the Bioeconomy, Land Conversion and Forestry subgroups.

[Bioeconomy](#)

Maureen Leddy, NYS Department of Environmental Conservation

Maureen reviewed the recommendations provided by the Bioeconomy subgroup. The discussion centered on six key strategies. For details see the meeting materials.

Overview:

- The bioeconomy strategies are seen as enabling strategies to compliment the other agriculture and forestry initiatives.
- Each of the enabling initiatives seek to generate market value for bio-based products to drive down the costs of the sequestration policies.
- Want to help improve access to markets for NY low-carbon products and goods and facilitate the growth of these markets for in-state products.
- Also looking to leverage bioeconomy initiatives to reach net-negative efforts to sequester carbon

Expand Markets for Sustainably Harvested Long-Lived Wood Products

- Updating building codes, promoting market development and helping contractors and developers adopt wood base building will be key to increasing the uptake of these materials.
- Additional outreach and education, leading by example, and facilitating broader applications of wood products are key strategies for expanding the markets.
- Wood products may provide lifelong health benefits for those living in wood buildings, provide rural economic development opportunities, and facilitate increased value for forest land.

Sustainable biomass feedstock action plan for 2050 hard-to-decarbonize products

- Looking to 2050 to identify the hard to decarbonize fuel needs and evaluate the use of biomass feedstocks to supply energy to systems that might not be able to economically transition to electrification.
- Key enabling initiatives include careful consideration of effective biomass end-uses, supporting businesses operating in New York, and best leveraging marginal or waste biomass.
- A biomass action plan provides the opportunity to scale the benefits to health, water and air quality while also creating further value from low-grade products which can further create value in rural communities.

Increasing market access for New York Low-Carbon products

- Working to facilitate connections between businesses and other market actors that are working on low/no-carbon products with the resources they need and the markets for their products and outputs.
- Leveraging the ESD research team, supporting innovation through lead by example procurement policies by state government, undertaking a technology readiness level assessment, and supporting market growth for high value products will help develop the market for effective technologies.
- Educating and supporting lenders to support these initiatives, providing public education and supporting a web-based portal for “match-making” will help facilitate this market access and growth.
- Providing case studies of successful market access projects will be key for informing the development of these market initiatives.
- Helping to increase market access to these products will provide job opportunities while also driving down the cost of sequestration policies and improving environmental outcomes statewide.

Financial and Technical Assistance for Low-Carbon Product Development

- Working to attract and support businesses developing low-carbon products to New York state.
- Working to identify and prioritize high-value, bio-based outputs, creating clear definitions and parameters for these products, and facilitating technical and financial support will be key.
- This kind of financial and technical assistance will provide a tool for reinvigorating rural economies while also providing job opportunities and environmental benefits.

Bio-based Products Research Development & Demonstration Overview

- While bio-based products are in development today, the intention is to develop an innovation roadmap to continue supporting improved research, growth, and development.
- Developing research agendas, identifying pilots and critical demonstration projects are key.
- Structuring research and development to identify the benefits to disadvantaged communities will be incorporated into research efforts.

Net Negative Carbon Dioxide Removal (CDR)

- There are some tested and proven technologies, there are opportunities to innovate on carbon removal products and technologies. Want to pursue nature-based technologies such as biochar to maximize carbon sequestration beyond net zero.
- Need to identify the target for carbon removal and sequestration to guide technology development and promotion and support certification and monitoring to verify that outcomes are matching the plans.
- Funding demonstration projects and innovative pilots may be helpful.
- CDR technology provides health, ecosystem, and job-growth co-benefits while also providing opportunities to utilize waste-based products.

Discussion & Comments:

- Panelists noted that there may be opportunities for current wood facilities and infrastructure to reduce emissions through biofuels and electrification including the electrification of large equipment and logging trucks.
- The electrification of these facilities may provide some co-benefits with reduced noise and air pollution etc.
- Panelists noted their appreciation of the inclusion of low-grade materials, emphasis on hard-to-electrify products and inclusion of full lifecycle analyses.
- Concern was raised around incentivizing new companies to enter into New York, creating competition for legacy companies. Consideration for existing companies should be given. Care needs to be given to how firms are incentivized to support existing, local business.
 - There needs to be a focus on net job growth, not just a shift from one firm to the next. This growth could also come as part of new markets and opportunities for existing firms.
 - Panelists suggested providing and incentivizing add-ons to existing facilities to help them diversify into new bioeconomy work.
- Panelists raised concerns about the treatment of wood byproducts that are currently used or sold for other purposes. It was suggested that competition for these materials could result in the increased use of fossil fuels, displaced revenue, and even job loss.
 - These byproducts were considered in the development of the recommendation, particularly in creating potential markets for those byproducts.
 - Further consideration of these byproducts would be included in the biomass action plan, focusing on the highest and best use of those bio-based inputs. The plan would aim to ensure that each of the pieces are working together, not putting a squeeze on the supply chain.
- Panelists noted their support for the proposed recommendations, highlighting the consensus the panel has arrived at with such diverse stakeholders.

Avoided Conversions

Jeffrey Mapes, NYS Department of Environmental Conservation

Jeffrey Mapes provided an overview of the avoided conversion strategies focusing on keeping forest land as forests to maintain the sequestration potential and carbon storage. See the meeting materials for more details.

Avoided Forest Conversion

- The effort focuses around legislative and state agency efforts to provide environmental protection support, tax incentives, and technical assistance for maintaining forest land.
- Land acquisition by the state, municipalities and land trusts would be central to the initiative but presents a high cost and some difficulty given the number and diversity of landowners.
- Providing a track that de-emphasizes timber production from 480a (Forest Tax Law), implementing laws to require forest landowners to have no net loss of carbon from development and facilitating forest carbon market participation would all support this initiative.
- Supporting local governments, land trusts, and organizations working on land conservation, providing outreach and technical assistance to landowners, enhancing existing laws, and supporting ongoing research are critical components within this initiative.
- To support disadvantaged communities, there is a need to consult with communities, improve outreach and look at opportunities for land access.

- Need to consider if development is being shifted away from forest land, where the development is going to instead.
- There is notable economic diversity among forest landowners, highlighting the need for forest product markets and financial support for effective forest land management.

Avoided Agricultural Land Conversion

- Avoided agricultural land conversion is noted as an enabling strategy because much of its sequestration potential can be counted through other initiatives (Soil Health, Agroforestry, Transportation, LULG etc)
- Expansion of existing programs and implementation of legislative efforts provide significant support to avoided agricultural land conversions.
- Providing funding and support through state and local initiatives, promoting farmland access, strengthening local capacity, and supporting farmland succession are key supporting initiatives.
- Designating development and conservation rights help to plan for development while conserving agricultural and forest lands.
- Work should focus to help create connections between existing programs, supporting new data collection and analysis and expand education and technical assistance for farmers.
- Working with state and local legislation on minimum maintenance roads would reduce development pressure in some rural areas.
- Work to improve access and technical assistance to disadvantaged communities with a focus on disadvantaged communities and new farmers.
- Food security and local food supply provide direct benefits to local communities alongside ecosystem benefits and environmental co-benefits.

Enhancing Local Government Planning for Land Conservation

- Consider requiring that local agriculture and forest land conservation be a part of the comprehensive planning process for local governments along with the technical support to implement these planning efforts.
- This would primarily come from legislation to require agriculture and forest land conservation planning in comprehensive planning and technical assistance for facilitating effective planning.
- Creating resources such as mapping, analyses, and decision-making tools for local governments to use in their planning efforts along with surveys on current land resources and barriers to access will be critical.
- Including recreational access, farm access and forest access for disadvantaged communities and ensuring consultation with indigenous communities are key to ensuring equitable benefits.
- Comprehensive planning may enable greater food security, housing development in concert with land conservation.

Bolstering Local Agricultural Economies

- Focuses on encouraging farm viability and local community resilience via the production and consumption of local food.
- This may be largely facilitated through the enhancement of existing initiatives, providing a relatively easy pathway to implementation.
- Expanding these programs and providing additional outreach, community engagement and technical assistance will be key to supporting this initiative.
- For disadvantaged communities, this may provide enhanced connection to high-quality local food supplies and bolster the connection of BIPOC or new farmers with local markets.

- Enhanced food security and economic viability would be key co-benefits of the initiative.

Discussion & Comments:

- Panelists discussed the incorporation of solar development on farmland in the recommendations, highlighting the potential for competing interests between these efforts.
 - Discussions with the Power Generation panel have highlighted mapping strategies that may offer a way to balance meeting the state's renewable energy goals while maintaining forest and agricultural land benefits.
- The panel discussed the need for statewide enabling legislation for Community Preservation Acts. The current two-step process of garnering legislative support and subsequently securing a referendum is highly inefficient and prevents progress.
- Where land is conserved for state purposes, the state's payment of local property taxes varies depending on a number of factors including the purpose for which the land was conserved. Whether or not the state pays local property taxes can impact local support for new state acquisitions.
- The Hudson River Estuary Program was highlighted as a good example of a non-regulatory, funding-driven program to provide local support. Enhanced funding for this and similar programs may provide significant benefits.
- A new environmental bond act is currently under consideration, which may be a useful mechanism for funding many of the panel's recommendations.
- The panel discussed the treatment of environmental justice and disadvantaged communities in these recommendations. Several members expressed concern that support for these communities is more of an afterthought
 - Panelists noted their support for further discussion at the panel level on how to support disadvantaged communities.
 - Panelists noted that the definition of women-owned businesses should be clarified to include businesses owned by all people identifying as women.
- The panel discussed the application of community preservation acts: laws implemented locally where there's a real-estate transfer tax on houses above the median sale price. The proceeds from that tax go into an open-space fund to be used in preserving existing farms or forests and/or used in conjunction with state, county or federal preservation programs to preserve natural or working lands.

Forest Management

Peter Innes, NYS Department of Environmental Conservation

Peter Innes provided an overview of the mitigation strategies focusing on stewardship for forest lands, primarily looking at sequestration impacts. Time and technical issues prevented a discussion of enabling strategies. The discussion highlighted that many of these initiatives can be supported through existing programs. See the meeting materials for more details.

Improved Sustainable Forest Management

- Current focus of sustainable forest management is not necessarily carbon sequestration, this recommendation focuses on including to that focus.
- Recommendation focuses on legislative efforts and investment through support programs.
- Have a goal of 5 million acres of forest land under professional management by 2030.

- Focus on creating two new tax incentives under 480 to allow landowners to conserve their forests in natural conditions and provide incentives for directly increasing carbon stocks.
- Also amend the 480 statute to induce greater landowner participation and to allow additional practices for carbon sequestration focus.
- Efforts will focus on enhancing capacity to provide technical assistance, expanding funding for cost-sharing, land management loans and grants, and establishing communal equipment caches for will be critical.
- Developing a forest carbon bank would help finance forest carbon sequestration is an option that will require additional research.
- The definition of Environmental Justice communities is under development but will likely include many areas upstate.
- Improving the forest economies of rural areas will enhance landowner benefits statewide.

Afforestation / Reforestation

- Focuses on increasing the acreage of forest lands, focusing on the 1.7 million acres of marginal lands.
- The initiative focuses on enhancing nursery, planting, and protection capacity through legislation and programmatic support.
- Looking to establish a New York Tree Corps or Climate Corps to provide direct tree planting and maintenance to work with public and private landowners.
- Need to expand cost share funding for existing tree establishment programs and increase capacity of tree nurseries.
- Looking to develop assessment opportunities and expand free seedling programs for landowners.
- To do this, may pursue planting efforts in right of way areas, support a tree planting equipment loan program, and provide additional technical assistance to connect landowners and tree planters.
- Also looking to assess afforestation and reforestation opportunities and invest in seeding technology to accelerate planting.
- Will provide benefits to rural economies and create job opportunities, including for those defined as disadvantaged communities.
- Will expand opportunities available for forestry-based business and workforce development opportunities.

Urban Forestry

- Carbon sequestration from tree mass, reduced emissions from cooling due to tree shading and other co-benefits, including cleaner air, human health, and storm water are available.
- Targeting areas for urban forestry that would enable co-benefits and multipliers will be key and can leverage existing and new programs.
- Most urban trees are privately owned, and planting occurs at the sapling stage, rather than seed, requiring a different approach to planting.
- Existing urban forestry grant program can be expanded to support further developments.
- Developing guidance or establishing an urban tree corps program (there are some successful examples) will provide a valuable resource.
- Providing further assessments of urban forestry benefits and providing support and funding for urban forestry planning will be key.

- The Tree Corps provides the opportunity to provide employment and engagement with disadvantaged urban communities, and urban programming could specifically focus on EJ areas.
- Co-benefits including lower cooling costs, better air quality and higher general quality of life as well as workforce benefits are all considered.

Comments & Discussion:

- The 1.7 million acres described as “potentially available land” for tree planting may currently be in use for other purposes, or face competition from other land use priorities. Panelists suggested that this caveat should be included in the recommendation.
 - Other assessments have identified a potential of up to 4 million acres for planting which essentially covers planting every available plot of land. The 1.7 million acres was selected as more modest, if still unattainable.
- Panelists discussed improving the quantification of the business model for afforestation. This may need to include a carbon payment to be viable. Clarifying which portion of that cost may have a return on investment and which portion of that cost would need to be covered by a carbon payment would be useful.
 - The business model was looked at in the forest carbon market recommendation. It is presumed to come into play as part of the integration analysis as well.
 - Quantification of this business model could be a part of the forest carbon bank. Panelists suggested this could be expanded upon in that recommendation.
- The greater emphasis is placed on natural regeneration, the more cost effective it will become. To this end, combatting deer pressure is a key element of the effort. This pressure is not equally distributed across the state but should be considered.
- Panelists discussed the distinctions between 480b and 480c highlighting that 480b is intended to enable best practices to occur, while 480c is intended to ensure those practices are followed.
 - The key language in 480b is “to allow” while in 480c it is “to provide.” So 480b is designed to enable forest stewardship to happen and working to get more landowners to join, while 480c is more restrictive.

Aggregate GHG Emissions Impact

Suzanne Hagell, NY Department of Environmental Conservation

Suzanne Hagell discussed the aggregate emission impacts report to be provided alongside the recommendations. The discussion highlighted net agricultural emissions, and sequestration opportunities.

Overview:

- The numbers included are values to be included in the draft report for the CLCPA.
- There will be a series of public meetings coming up to review the emissions accounting process from the DEC. To learn more visit <https://www.dec.ny.gov/energy/99223.html>.
- Values above the 0-line are emissions from agriculture practices (such as livestock and fertilizer) while values below the 0-line are sequestration opportunities (forest cover, soils, agroforestry, and wood products etc).
- Additional sequestration opportunities from wood products still need to be included in the values on the slide.
- The panel’s original scope was that by 2030 the goal is to reduce agricultural emissions 15% while enhancing sequestration back to 1990 levels, and by 2050, the goal is to reduce

agricultural emissions to 1990 levels or 30% while providing sufficient sequestration from forests and farms to meet CLCPA goals.

- These opportunities do not include wetlands or suburban lands yet.
- Panelists are invited to send their thoughts and input to Suzanne and the team by email over the coming week.
- This is not a complete analysis, but panelists should be aware that similar slides will be included in the outputs from each panel.

Comments & Discussion:

- The 60 million metric tons of carbon sequestration are not specifically allocated but are simply tailored to the goal of achieving net zero emissions by 2050. If this proves infeasible during the integration analysis, it may be a matter of reallocating the strategies to reach that net-zero value.
- To achieve net zero, the current plan is to reduce emissions to 85% of 1990 levels and then sequester carbon equivalent to the remaining emissions, a total 60 million metric tons of CO₂.
- There is a need to provide additional context on how these wrap up to the full statewide picture
- Panelists suggested splitting the slide into a series of slides, focusing on emissions, then sequestration and then percent of total emissions.

Next Steps

- The enabling strategy slides for Jason Drobnack's slides on the Forest Lands recommendation were not included but will be circulated for panel commentary.
- Adjusted recommendations will be circulated to the panel as they are finalized for submission.
- Final draft templates will be submitted by March 19th to be reviewed among each of the panel chairs to ensure cohesion. This packet of recommendations will be submitted to the CAC ahead of the next meeting.
- While this is the last scheduled panel meeting, further coordination discussion may be needed to follow through on CAC comments, feedback and questions.

April 12th: Next Climate Action Council meeting

Chair Ball provided a brief overview of the effort undertaken by members of the panel and thanked them for their work as a part of the process and consideration.

The meeting concluded at 4:00pm.

Please contact Peter Innes (NYSDEC), Deputy Commissioner David Valesky (AGM) or Brian Steinmuller, Assistant Director of the Division of Land and Water Resources (AGM), if you have questions.

Peter Innes: peter.innes@dec.ny.gov

David Valesky: david.valesky@agriculture.ny.gov

Brian Steinmuller: brian.steinmuller@agriculture.ny.gov