



June 16th, 2025

Annabell Gregg  
NYS DEC Div. of Lands and Forests  
625 Broadway 5<sup>th</sup> Floor  
Albany NY 12233-3505

[dlfgrants@dec.ny.gov](mailto:dlfgrants@dec.ny.gov)

RE: Environmental Notice Bulletin 05/21/2025

Dear Ms. Gregg,

The New York Forest Owners Association offers the following comments on ENB 05/21/2025 concerning **Eligibility Guidelines for Restoring and Expanding Forests Through Reforestation and Afforestation Practices**. Forests and woodlands cover 18.5 million acres of New York's land and 75% of those lands are privately owned in 700,000 separate ownerships with 200,000 owners holding more than 10 acres of forest or woodland. The ability of these private family, individual, and corporate owners to sustainably manage those lands greatly affects the economy, environment, and overall well-being of our State.

As stated in the proposed guidelines, the objective of several current projects and programs of New York State are to expand existing tree cover, maintain and enhance the economic and ecosystem services trees provide including timber harvests, purifying air, water quality, biodiversity, and habitat for various flora and fauna. The programs identified in the ENB include the Climate Leadership and Community Protection Act, 25 Million Trees, Forest Action Plan, and others. In all these recently developed programs the role and importance of private family forests and their owners are stressed. The integration of many uses and the resultant variety of goods and service that flow from these private forests are stressed in several places.

The guidelines do include provision for tree seed planting, seedling planting, and other means of revegetation including assisted and/or natural regeneration practices. Inclusion of natural regeneration is extremely important because across New York State the main way forests increase in coverage or maintain coverage, is through natural regeneration. As many studies have shown and is also mentioned in the Reforestation Plan currently being developed by DEC, large areas across the State are naturally regenerating after abandonment from agriculture, recovering from other land clearing, or planned sustainable timber harvests.

Tree planting is one activity that landowners can undertake. However, for maximum contribution to the above-mentioned benefits of forests, either through planting or natural regeneration, the land must be sustainably managed. Timber harvesting is the major way that a forest and woodland area can be modified to enhance tree growth, protect water resources, provide wildlife habitat, and mitigate temperature increase through sequestration of carbon.

Page 1/3



Studies have demonstrated that sustainably managed New York forests and woodlands, with periodic timber harvests conducted under the direction of professional foresters, increase these societal benefits while also producing a valuable wood product that is locally grown.

As stated in the ENB, “Eligible projects will not include those that plant trees for the express purpose of future timber harvest, such as in the establishment of tree plantations.” This will virtually eliminate almost all private landowners from doing any planting. Many private forest tree plantings over the last almost 100 years, from the 1930’s Depression-Era farmland abandonment through the 1950’s Soil Bank program, and other subsidized planting efforts used by private landowners have been for multiple reasons, with future timber harvest but one objective. With climate change now at our doorstep, assisted migration of tree species scientifically projected to flourish in our ecosystem is an accepted practice. These species are planted for all the reasons stated above, including management for forest products – with the added benefit of creating species diversity and resilience in our future forests. **Language should be included in the proposed ENB Guidelines to recognize that timber harvesting is allowed, with demonstrated attention to the objectives stated in the ENB, and other forest and land use plans under development in New York.**

Given the restrictions in the current draft ENB Guidelines, owners who enroll their lands in the Forest Tax Program, Section 480a of the Real Property Law, would be ineligible to receive any cost-sharing since one requirement of a 480a approved management plan is a planned timber harvest sometime in the future. Their exclusion is unfortunate because these owners are precisely the ones with the interest and motivation to enhance the productivity of their woodlots. Many have already undertaken interplanting to increase stocking of desirable tree species.

Many forest management cost-sharing practices, especially tree planting, are extremely long-term. The Guidelines do not mention any provision for monitoring to see that the trees do survive and are managed. We are pleased to note that the proposed Guidelines include protection of planted trees from various problems. Tree seedling destruction by white-tailed deer is a major impediment to survival of forest trees. The erection of fencing, slash walls, and other techniques mentioned in the ENB are expensive for owners to invest in but necessary if trees are to survive. Cost-sharing will greatly help and should be strongly considered for participating forest owners.

It is not clear which agency would handle the administration of funds. In addition, a management plan should be required that indicates site conditions including soil types, drainage, existing vegetation, adjacent land cover etc. Mention is made in the proposed guidelines that NYS DEC and Soil and Water Conservation Districts would be able to use these funds. Is this how a private landowner would enter the program?

Finally, the ENB proposed Guidelines reference the Bond Act provision that between 35 and 40 percent of monies under that Act would be distributed to Disadvantaged Communities. Unfortunately, the criteria to define such Communities (which we know falls outside the scope of the current Guidelines proposal) does not recognize the poverty and limited resources faced by many rural landowners and their communities. While we recognize the prevalence of urban disadvantaged communities, special



recognition should be given to rural New York. New York's private family forest owners are represented in all of NY's socio-economic categories. Many of these owners depend on their forest holdings to provide income for paying taxes, college tuition for children, other planned expenses, or meeting emergencies.

The New York Forest Owners Association believes the most effective way to get forest landowners to recognize the importance and opportunities to keep their lands in forests and manage them is through an active information and education program. We maintain a set of activities across the State and are working to increase our outreach and education. Many other organizations and public agencies also carry on outreach and education aimed at private family forest owners. We look forward to working closely with NYSDEC as this ambitious program moves forward.

Edward Neuhauser  
President NYFOA

Hugh Canham  
Legislative Affairs NYFOA