



INTRODUCTION AND PROCEDURES

This document establishes definite positions on key issues that have been approved by the Georgia Forestry Association Board of Directors. It gives direction to GFA committees, allows for prompt action on matters that arise throughout the year, and clarifies GFA's position to prevent any misunderstandings.

How to Propose Policy

All GFA policies or positions should promote the mission of the Association. Any member may initiate consideration of a formal position on an issue that affects the Association membership. Initial proposals will be referred to the appropriate GFA committee for study.

Interpretation

Once approved by the Board of Directors, the final policy statement will be added to this document.

Maintenance

A permanent record of all policies will be included in a manual and distributed at the beginning of each year to each member of the Board of Directors. Prior to each annual meeting, the Policy Manual will be distributed for review and any changes and/or recommendations for additions taken under consideration at the Board meeting. Suggestions for changes, additions, and/or deletions should be submitted in writing and will be mailed to each Director prior to the Board Meeting.

Authority

All policies must be voted on and approved by a quorum of the Board of Directors. Implementation is carried out by those assigned by the Board, staff, and/or committee members.

The Georgia Forestry Association is the leading advocate for a healthy business and political climate for Georgia's forest environment, forest landowners and forest-based businesses.

ISSUE POSITION STATEMENTS

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PRIVATE PROPERTY RIGHTS

Ownership of private property is specifically protected in the Constitution of the United States. The Georgia Forestry Association is a strong supporter of private property rights and believes that local, state, federal and non-governmental organizations are increasingly imposing restrictions and regulations that threaten the sustainability of private working forests. The Association will oppose any efforts to restrict or encumber private forestlands without fair compensation. Landowners should be fairly compensated for land use restrictions, partial takings as well as full takings as provided for in the 5th Amendment of the Constitution. Respect for private property rights is fundamental to the best management of private forestlands.

Adopted: October 23, 2014

WATER

In the continuing debate over the future of Georgia's water, there are a number of issues that are critical. For the forestry community, the overriding concern is to preserve Georgia's current regulated riparian system and regulated reasonable use system (as described in the paragraph below) to guide decisions related to the use of water in the state.

The Georgia Forestry Association believes that the regulated riparian system and the regulated reasonable use system recognize an individual property interest in water. Under these systems, water belongs to the owner of the land on which it runs or under which it lies, and the right to water is a protected property right. Even though water rights are property rights, riparian common law, reasonable use law and Georgia law clearly hold that private use may not unreasonably interfere with downstream uses. The state may exercise its police powers, as it does with regard to many private activities, in order to protect the public interest. The right to use water for reasonable purposes should continue to be determined by the Georgia Environmental Protection Division, which is a public agency.

GFA will oppose proposed legislation and regulation that would adversely impact the state's current regulated riparian and regulated reasonable use system. The Association does, however, support a comprehensive water planning process for the state.

At the federal level, the Georgia Forestry Association opposes efforts by the U. S. Environmental Protection Agency to expand the definition of 'Waters of the U. S.' beyond the current understanding of what constitutes 'navigable waters' and the historic application of federal regulation to those 'navigable waters'.

Adopted: October 23, 2014

BEST MANAGEMENT PRACTICES

Forestry operations in Georgia should emphasize the protection of the state's water resources by adhering to Best Management Practices for Forestry (BMPs). Complying with forestry BMPs helps control or minimize soil erosion and stream sedimentation and represents the most appropriate and applicable practices to attain a silvicultural goal while protecting the physical, chemical and biological integrity of the state's waters.

BMPs generally address timber harvesting, road construction, site preparation, tree planting and other normal forestry practices. BMPs also serve to maintain the productivity and sustainability of forested sites and should continue to serve as the foundation for practicing good forest stewardship.

GFA supports the role of the Georgia Forestry Commission as the lead agency guiding the implementation of non-regulatory forestry best management practices (BMPs) to minimize nonpoint source pollution associated with silvicultural activities. BMPs are based on scientific research and provide uniform guidance to forest landowners and operators on how to comply with the overall nonpoint source management program administered by the Georgia Environmental Protection Division with the assistance of the Georgia Forestry Commission. It is in the best interest of everyone involved in silvicultural operations to properly plan and supervise forest operations by consistently following Georgia's Best Management Practices for Forestry to prevent any potential water quality problems.

Adopted: October 23, 2014

PRESCRIBED FIRE

Prescribed fire is one of the most environmentally and economically feasible methods for managing the state's working forests. The Georgia Forestry Association is a strong advocate of the permitted use of prescribed burning as an essential tool for producing healthy forests and animal and plant habitats as well as for protecting Georgia's forests from damaging wildfires. Prescribed fire should always be conducted in compliance with all related laws and the recommendations of the Georgia Forestry Commission.

Adopted: October 23, 2014

STATE FORESTLAND OWNERSHIP

The contribution of private forestland to the economic success, environmental quality and heritage of the State of Georgia is evidenced by our healthy and abundant forest and wildlife resources. Private and industrial landowners have been instrumental in the recovery of the state's forests from the over harvest, grazing and burning practices that existed at the beginning of the 20th century. The future quality of life, economic and environmental health of Georgia requires protection of the existing rights and opportunities of individuals to own and manage private forestlands in a responsible manner.

One of the objectives of the State is to promote the management and wise-use of its natural resources. GFA believes the best method for conserving green space and providing recreational opportunities on Georgia's forestlands may be accomplished through responsible tax policies and other government programs promoting private ownership of Georgia's working forests in concert with State-Private partnerships such as Conservation Easements, Land Trusts, Memoranda of Understanding, leasing of certain rights, transferable development rights and other less than fee purchase opportunities. These State-Private agreements provide the most cost-effective opportunity for managing urban sprawl, providing additional recreational opportunities (such as bird watching, hunting and hiking), and protecting and conserving soil, water and air quality, and fish and wildlife habitat.

We further believe State acquisition of forestland should be limited to:

- » Clearly demonstrated environmentally sensitive lands containing endangered species or other truly unique attributes.
- » Significant cultural or historical sites.
- » State parks and similar recreational sites such as boat ramps and ball fields (hardened sites).

When the State acquires fee ownership of forestlands, the following criteria shall apply:

- » Acquisition shall only be through willing buyer/willing seller agreements.
- » Full compensation to county and local governments should be made for all property removed from the tax digest.
- » Active forest management, including timber harvests, shall be incorporated into long range management plans.
- » Timber harvest taxes should be paid to county governments.
- » Revenue from user fees and timber harvests shall be used to finance the management of these lands.
- » Revenues from these lands should be accounted for separately from the general fund with carry forward provisions.
- » The Georgia Forestry Commission shall play an active role in the management of state owned forestlands.
- » Significant private forest sector representation (including a representative from GFA) shall be included in acquisition, management/oversight boards and task groups.
- » The management and use of forestlands shall remain consistent with the intent of purchase.

Georgia Forestry Association support for state forestland acquisition is contingent upon meeting the criteria outlined above.

Adopted: October 23, 2014

TIMBERLAND AD VALOREM PROPERTY TAXES

The Georgia Forestry Association supports the concept of taxing forest and agricultural lands on their ability to produce, i.e. - current use values as opposed to highest and best use. The timber use and agricultural use value concepts have proven to be effective in maintaining those lands in agricultural and timber related uses, which better protects environmental stability and which makes possible associated manufacturing facilities which together provide jobs, markets, tax income, and environmental benefits for the state and local governments.

We believe that taxation of qualified timberlands by methods other than their productivity capability will result in escalating property tax values eventually forcing a decline in available natural resources, and the benefits they provide to society at little, if any, cost to the public.

Despite the implementation of conservation use tax programs – Conservation Use Valuation Assessment in 1991 (CUVA) and the Forest Land Protection Act in 2008 (FLPA), property tax burdens on Georgia's timberland owners continue to exceed those in most other states. GFA will pursue and support new laws that place Georgia in a more equitable position relative to other states and which create more consistency among counties in the administration of these tax programs.

At the earliest possible time, the forestry community should pursue a Constitutional Amendment which replaces the current dual forest land property tax programs with a single program that does not distinguish among types of ownership and amount of property.

Adopted: October 23, 2014

REFORESTATION PROGRAMS

The Georgia Forestry Association supports reforestation efforts on private land ownerships. The benefits of a growing forest to the environment, the economy, and to society are numerous. Replanting efforts insure the availability of paper, wood and wood by-products for the future. They help maintain water and air quality, prevent soil degradation and provide wildlife habitat as well as recreational opportunities.

Adopted: October 23, 2014

FOREST CERTIFICATION

Georgia timberland owners and forest product manufacturers have a long history of practicing sustainable forestry on the state's 22 million acres of private forestland, predating the more current practice of 3rd party certification. The Association understands that our rich legacy of private working forests will continue in Georgia so long as managing private forests remains an economically viable pursuit for forest landowners. The Association believes that current industry standard silvicultural practices, particularly as they pertain to managed pine plantations, are demonstrably sustainable.

While the Association recognizes that certification can be an important tool for promoting sustainable forestry practices and may prove desirable or beneficial for certain landowners and manufacturers, the Association does not believe that certification is necessary for the continued sustainability of Georgia's private forests or appropriate for all forest landowners and manufacturers. While in certain circumstances forest certification may create a market advantage for certain landowners and manufacturers, the lack of certification should not limit meaningful market access for landowners who choose not to certify their forests.

The value of certification is derived from credible processes and not from brand names. Competition among certification programs produces innovation and continuous improvement in certification processes and economically viable on-the-ground forestry practices.

Credible forest certification programs include the following fundamental elements: independent governance, multi-stakeholder standard, third party verification, complaints/appeals process, open participation and transparency. The American Tree Farm System (ATFS®), the Forest Stewardship Council (FSC®), Programme for the Endorsement of Forest Certification (PEFC®) and the Sustainable Forestry Initiative (SFI®) are examples of credible third party forest certification programs that can make positive contributions to our nation's public and private forests.

Georgia Forestry Association advocates for a voluntary and inclusive approach to certification as it relates to landowner objectives and manufacturing policies. Public and private sector requirements for certification should recognize all credible third party certification standards including ATFS®, FSC®, PEFC® and SFI®. In addition, the Association will continue to work to educate stakeholders and market participants concerning the sustainable nature of Georgia's private forests with the ultimate goal of obtaining market acceptance of Georgia grown wood as an inherently sustainable product.

As ATFS®, FSC®, SFI®, PEFC® and other credible third party certification programs evolve, the Association will continue to monitor them and offer constructive input and guidance to ensure that these programs continue to serve their stated goal of promoting sustainable and economically viable forestry on Georgia's privately held timberlands.

The Association also supports the efforts of the Georgia Forestry Commission to issue a report on the sustainability of Georgia's private, working forests to the Georgia General Assembly every 5 years.

Adopted: October 23, 2014

HERBICIDE/PESTICIDE/FERTILIZER USE

Herbicides, pesticides, insecticides and fertilizers are essential for effective and economical reforestation in Georgia. The Georgia Forestry Association supports the use of herbicides, other pesticides and fertilizers when applied according to the label and in compliance with non-regulatory Best Management Practices for forestry purposes.

Before any restriction on pesticide/herbicide or fertilizer use, there must be a true economic cost benefit analysis undertaken to determine the practical economic effects of the proposed action to make certain that the costs associated with any action are fully recognized and honestly considered.

The Association is committed to working with government agencies to ensure that reasonable guidelines are developed for the use of pesticides so they do not pose a significant risk to endangered species or to the environment and that guidelines for use of pesticides do not unnecessarily hamper forestry operations.

Adopted: October 23, 2014

ENDANGERED AND THREATENED SPECIES

The Georgia Forestry Association believes that before any species is listed as threatened or endangered, there must be a true economic cost benefit analysis undertaken to determine the practical economic effects of the proposed action to make certain that the costs associated with any action are fully recognized and honestly considered.

Further, if listing a species materially interferes with the use and enjoyment of a landowner's property or presents a significant economic loss, this should be recognized by the federal government and result in just compensation as a form of taking. If the public interest is so overwhelming that it can override private property rights, then the public should be required to pay the affected landowner for that interest.

Decisions made and actions taken by the U. S. Fish and Wildlife Service related to the potential listing of endangered and threatened species should rely on the most extensive scientific and commercial data available and should be available for public comment. The Georgia Forestry Association will assist in providing/developing the data necessary to make balanced decisions that protect potentially threatened or endangered species without compromising the ability to actively manage working forest lands.

GFA believes that species conservation can be achieved through state level protections and voluntary conservation actions, reducing the need to list species under the federal Endangered Species Act. When a species previously listed as threatened or endangered is determined to no longer qualify for threatened or endangered status, it should be removed from that status at the earliest possible opportunity.

Adopted: October 23, 2014

EMINENT DOMAIN

The Georgia Forestry Association supports restrictions on an agency of government from using the power of eminent domain without first establishing proof that there is a public need for the land and documenting that there is no alternative available. The Association also opposes the taking of land by eminent domain for recreational, environmental or private business purposes. GFA supports the position that landowners should be compensated for the value of their land and the timber resources on the land using both current and future values.

GFA supports legislation that requires those exercising eminent domain to make a good faith offer, and legislation that provides more adequate compensation to owners of property that is condemned which include royalty payments to the landowner. In addition, GFA supports legislation which returns to private ownership property acquired through condemnation for a stated purpose and not used for that purpose. GFA supports the position that the original landowner should be given the first option to re-purchase their property at the original sale price.

Adopted: October 23, 2014

GREEN BUILDING

The Georgia Forestry Association recognizes the positive contributions of the green building movement but opposes legislation that exclusively endorses only one rating system. GFA has opposes any rating system, including the Leadership in Energy and Environmental Design (LEED) rating system, which discourages builders from using wood building materials by the way the program's rating system is structured and does not recognize builders using wood from sustainably managed forest in the U.S. In the case of LEED, only the Forest Stewardship Council is recognized as an approved wood certification program. The Sustainable Forestry Initiative® and the American Tree Farm System are not recognized in the LEED rating system. GFA supports legislation that recognizes both the LEED and the Green Globes rating systems.

Adopted: October 23, 2014

ESTATE TAX

The Georgia Forestry Association supports full and permanent elimination of the Federal Estate Tax. The death tax provides a disincentive for heirs to retain their family forests businesses or to continue sustainable management their forests.

Adopted: October 23, 2014

MARKETS FOR WOOD AND FIBER IN GEORGIA

The Georgia Forestry Association advocates for all forest-related businesses and believes that a broad range of robust markets for Georgia wood and fiber are in the best interests of forest health and sustainability, the economic prosperity of the state, and all citizens of the state of Georgia.

GFA acknowledges that the state has a role to play in supporting research related to emerging and existing industries, including wood and fiber businesses. However, the Association supports letting the free market determine the ultimate establishment and success of all new businesses.

The Association believes that the state should not directly subsidize businesses and industries, but recognizes that extending certain incentives is a common practice by state and local governments in economic development; however, such incentives should not be used if the result would be a significant and demonstrable adverse impact on existing businesses.

Adopted: October 23, 2014

CONSERVATION EASEMENTS

The point of this statement is not to present a position for or against conservation easements, but rather to point that a landowner should consider many factors before entering into a conservation easement agreement.

Conservation easement agreements render varying results depending on each landowner's management objectives; therefore, a decision to enter into a conservation easement agreement should be made on a case-by-case basis. These easements may provide some landowners interested in ensuring their "legacy" with a viable option to preserve environmentally sensitive or historically significant properties for perpetuity.

Conservation easements also may help enhance the reputation of the forest industry's overall corporate environmental responsibility while serving to support compliance with sustainable forestry certification standards. However, easement agreements may not be a prudent option when considered solely for estate tax planning or any other financially motivated purpose.

Conservation easements can be tailored to meet each individual landowner's objectives. It is possible to structure the terms and conditions of these agreements to include "working forest" provisions, to exclude public access on the property, and to incorporate a reverter clause which would provide the landowner with the ability to regain all easement rights if the property is no longer being utilized for its intended purposes under the easement agreement or if the easement agreement holder (a non-profit organization or governmental body) is seeking to convey their rights to another party.

It should be noted that conservation easements do not have to be perpetual agreements; therefore, it is possible to limit the duration of these agreements to a specific time period less than perpetuity. Perpetual conservation easements should be considered in light of the fact that circumstances change over time in ways that cannot be anticipated today. A benefit to society that is gained by placing property in a conservation easement today may preclude a greater benefit from a different use of the property later.

Any landowner considering placing a conservation easement or any other restrictive agreement on this property should seek qualified professional advice to ensure an informed decision is made before entering into a contract that removes any portion of a property's "bundle of rights".

Adopted: October 23, 2014