Best Practices for Adopting Conservation Inventories and Plans
Conservation and Land Use Webinar Series
May 18, 2023 webinar transcript

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1 "Laura Heady (she, her)" (3231065856)
00:00:00.000 --> 00:00:07.860
Good afternoon everyone, my name is Laura Heady. I'm with the
Conservation and Land Use Program Coordinator with the.

2 "Laura Heady (she, her)" (3231065856)
00:00:07.860 --> 00:00:18.149
Hudson River Estuary program through a partnership with Cornell
University Thank you so much for joining today's conservation and land
use webinar.

3 "Laura Heady (she, her)" (3231065856)
00:00:18.504 --> 00:00:30.804
Before we begin the formal presentations, I'm going to briefly review
some Webex webinar guidance. first, you all have the option to connect to
audio through either your computer or your phone.

4 "Laura Heady (she, her)" (3231065856)
00:00:31.104 --> 00:00:37.914
And so if your computer speaker isn't working well, you can switch the
audio by clicking on the black circle with 3 white.

5 "Laura Heady (she, her)" (3231065856)
00:00:38.149 --> 00:00:42.330
At the bottom of the screen and selecting switch audio.

6 "Laura Heady (she, her)" (3231065856)
00:00:42.330 --> 00:00:53.070
And you can then choose to either receive a call by entering your phone
number or call in yourself to use your phone as your audio. And if you
call in, you'll need your unique ID number.

7 "Laura Heady (she, her)" (3231065856)
00:00:53.070 --> 00:00:59.460
From the webinar registration, if you have a poor Internet connection, we
do recommend you use your phone.

8 "Laura Heady (she, her)" (3231065856)
00:01:00.835 --> 00:01:15.235
This is important during the webinar please use the Q and a box for any
questions that we'll be able to try to answer after the presentation. If
you're having technical difficulties with the Webex please, just go ahead
and ask us that in the chat.

9 "Laura Heady (she, her)" (3231065856)
00:01:15.235 --> 00:01:17.365
But we're really going to be monitoring the Q and a box.

10 "Laura Heady (she, her)" (3231065856)
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00:01:18.025 --> 00:01:28.315
If you don't see the Q and a box on your screen, go ahead and look down
at the lower right corner. There's 3, white dots next to the chat icon.

11 "Laura Heady (she, her)" (3231065856)
00:01:28.345 --> 00:01:35.305
And if you click on that, it'll open up the Q and a connection there.

12 "Laura Heady (she, her)" (3231065856)
00:01:37.525 --> 00:01:48.235
And finally a few standard notes about Webex all attendees are muted the
webinar today is being recorded will make it available to you to view on
the DEC website.

13 "Laura Heady (she, her)" (3231065856)
00:01:48.625 --> 00:01:52.735
And then we'll share the link in a follow up email to everyone on today's
webinar.

14 "Laura Heady (she, her)" (3231065856)
00:01:53.100 --> 00:02:05.640
There'll be a brief survey at the end of the webinar. Please click
through to that page so that you can give us some feedback we really
value and take your feedback into account.

15 "Laura Heady (she, her)" (3231065856)
00:02:05.640 --> 00:02:12.570
Oops, finally, I forgot to mention there will be email confirmation of
your attendance today that can be used for training credit.

16 "Laura Heady (she, her)" (3231065856)
00:02:12.570 --> 00:02:17.130
For municipal training, if you're on a planning or zoning board.

17 "Laura Heady (she, her)" (3231065856)
00:02:17.130 --> 00:02:29.190
Okay, now that I've covered all the housekeeping, I'd like to formally
welcome you to this month's conservation and land use Webinar. I'm Laura
Heady. I'm the conservation and land use program coordinator.

18 "Laura Heady (she, her)" (3231065856)
00:02:29.190 --> 00:02:36.805
With the Hudson River estuary program, through a partnership with Cornell
university's Department of natural resources and the environment.

19 "Laura Heady (she, her)" (3231065856)
00:02:37.195 --> 00:02:45.145
I'd also like to thank my colleague at the program Ingrid Haeckel who's
co-moderating the chat and the Q and a for today's webinar.

20 "Laura Heady (she, her)" (3231065856)
00:02:46.650 --> 00:02:58.080

So, this webinar series is offered through the Hudson River program, which is a unique program at the New York State Department of Environmental Conservation, and it was established to help people enjoy.

21 "Laura Heady (she, her)" (3231065856)
00:02:58.080 --> 00:03:12.745
Protect and revitalize the Hudson River estuary and its watershed and the program is guided by a 5 year action agenda, which is like, our strategic plan. we're now in year 3 of the action agenda and I'll talk more about that in a few minutes.

22 "Laura Heady (she, her)" (3231065856)
00:03:13.015 --> 00:03:17.815
Um, but the program works basically throughout the watershed counties.

23 "Laura Heady (she, her)" (3231065856)
00:03:18.080 --> 00:03:31.005
Along the tidal Hudson river from upper New York harbor down in the southern end of the watershed to the federal dam in Troy at the northern end of the watershed and we're working as a program to achieve the benefits listed here.

24 "Laura Heady (she, her)" (3231065856)
00:03:31.395 --> 00:03:34.935
And you can learn more about that on the website and.

25 "Laura Heady (she, her)" (3231065856)
00:03:35.340 --> 00:03:40.530
Any of these links I'm mentioning Ingrid will be putting in the chat box.

26 "Laura Heady (she, her)" (3231065856)
00:03:40.915 --> 00:03:54.535
If you are involved in conservation land, use planning as a professional, or as a volunteer, or you're interested in learning about Hudson Valley, biodiversity and natural areas. I strongly encourage you to visit our website that's hosted by Cornell.

27 "Laura Heady (she, her)" (3231065856)
00:03:54.865 --> 00:04:00.475
It serves as the clearing house of information about natural areas and biodiversity in the watershed.

28 "Laura Heady (she, her)" (3231065856)
00:04:00.530 --> 00:04:11.850
Said, conservation, land, use planning strategies and resources to assist in these efforts. We also keep a current list of news about Hudson Valley communities,

29 "Laura Heady (she, her)" (3231065856)
00:04:11.850 --> 00:04:17.310
Funding opportunities, and upcoming events on the homepage.

30 "Laura Heady (she, her)" (3231065856)
00:04:17.310 --> 00:04:30.295

Speaking of upcoming events, our next webinar is scheduled for June 14th at 1 pm. Kristen Hychka from the New York water resources Institute at Cornell University and Shameika Hansen from the nature Conservancy

31 "Laura Heady (she, her)" (3231065856)
00:04:30.295 --> 00:04:36.925
We'll be talking about a very important aspects of local planning, inclusive community engagement.

32 "Laura Heady (she, her)" (3231065856)
00:04:37.310 --> 00:04:48.839
We'll discuss some best practices for equitable engagement with community members, and also talk through examples of putting these practices into action.

33 "Laura Heady (she, her)" (3231065856)
00:04:48.839 --> 00:05:03.624
And for those of you, who may be new to our webinar series I want to remind you that All of our webinar recordings are available on the website and you can view them at any time. And there are also registration links for upcoming webinars at the top of that page.

34 "Laura Heady (she, her)" (3231065856)
00:05:05.489 --> 00:05:19.164
So now, on to today's webinar, which is focused on our new publication, which just came out: "best practices for adopting conservation inventories and plans a guide for communities in the Hudson river watershed,"

35 "Laura Heady (she, her)" (3231065856)
00:05:19.464 --> 00:05:25.404
which we developed in close collaboration with our long-time program partner, the pace land use law center.

36 "Laura Heady (she, her)" (3231065856)
00:05:25.489 --> 00:05:29.999
And our speaker today is the primary author, Jessica Bacher.

37 "Laura Heady (she, her)" (3231065856)
00:05:29.999 --> 00:05:43.014
As the executive director of the Pace Land use law center, Jessica develops and implements projects relating to local land use practice, transit oriented, development, sustainable communities, land use response to sea level

38 "Laura Heady (she, her)" (3231065856)
00:05:43.014 --> 00:05:48.504
Rise, code enforcement as well as providing strategic assistance to municipalities.

39 "Laura Heady (she, her)" (3231065856)
00:05:49.079 --> 00:06:02.369
She also serves as a trainer for the center's award, winning land use leadership Alliance training program and as an adjunct professor at Pace

law school, and a lecturer and project supervisor at Yale School of forestry

40 "Laura Heady (she, her)" (3231065856)
00:06:02.369 --> 00:06:11.219
And environmental studies, she's authored and edit in many publications, including breaking ground and planning and building in parity growth districts.

41 "Laura Heady (she, her)" (3231065856)
00:06:11.664 --> 00:06:25.374
It's been an absolute pleasure and an education working with Jessica on this document. Um, and we'll hear from her soon, but first, I'm going to give a short introduction to the guidance and then I'll happily turn the webinar webinar over to Jessica.

42 "Laura Heady (she, her)" (3231065856)
00:06:27.179 --> 00:06:38.544
So to give you a little context for the publication, I wanted to go back to the Hudson River estuary action agenda and point out that our contribution and land use team, which is comprised of myself and Ingrid,

43 "Laura Heady (she, her)" (3231065856)
00:06:38.574 --> 00:06:45.324
and Christine Vanderlan. we are responsible for implementing the conserved natural areas benefit.

44 "Laura Heady (she, her)" (3231065856)
00:06:45.719 --> 00:06:51.029
And our goal for this benefit includes the statement that lands and waters.

45 "Laura Heady (she, her)" (3231065856)
00:06:51.029 --> 00:06:55.319
That are recognized as regional priorities for wildlife and fish habitat,

46 "Laura Heady (she, her)" (3231065856)
00:06:55.319 --> 00:07:02.879
Clean water, climate resilience, and scenery are incorporated into conservation and land use plans and policies in the watershed.

47 "Laura Heady (she, her)" (3231065856)
00:07:02.879 --> 00:07:16.529
So, today's webinar is sharing one of the ways we're addressing the 2nd, part of that goal statement by supporting municipalities in their efforts in land use planning and policies that help to conserve regional priorities.

48 "Laura Heady (she, her)" (3231065856)
00:07:17.544 --> 00:07:27.144
So our team is tracking our action agenda progress through 5 measures of success or targets and there are 2 that are especially relevant to today's webinar.

49 "Laura Heady (she, her)" (3231065856)
00:07:27.384 --> 00:07:36.204
The first focuses on municipal practices plans and policies and our
target is that by 2025, five new or updated

50 "Laura Heady (she, her)" (3231065856)
00:07:36.529 --> 00:07:40.919
Practices plans and policies have been completed in 25

51 "Laura Heady (she, her)" (3231065856)
00:07:40.919 --> 00:07:46.289
Municipalities and in 50 municipalities by 2030.

52 "Laura Heady (she, her)" (3231065856)
00:07:46.794 --> 00:08:00.894
But we don't just consider completion of these projects to be the
success. We also want to see implementation. We want to see the evolution
of these initiatives and we've strived to help municipalities, move on to
taking those next steps.

53 "Laura Heady (she, her)" (3231065856)
00:08:00.894 --> 00:08:06.264
And so we have another related metric that has to do with the
implementation of natural resources

54 "Laura Heady (she, her)" (3231065856)
00:08:06.289 --> 00:08:18.734
Inventories, and that is that by 2025, 40% of the municipalities that
have NRIs completed since 2015 have used those for a conservation plan or
policies so something like an open space plan or a comprehensive plan.

55 "Laura Heady (she, her)" (3231065856)
00:08:18.734 --> 00:08:25.874
And we hope 50% of those municipalities will have used their NRIs

56 "Laura Heady (she, her)" (3231065856)
00:08:26.099 --> 00:08:34.344
By 2030, and we use 2015 as a benchmark there, because that's when we, as
a team really ramped up our efforts to provide assistance and funding for
NRIs

57 "Laura Heady (she, her)" (3231065856)
00:08:34.344 --> 00:08:43.524
And this followed the publication of our NRI guidebook that was published
at the end of 2014. published at the end of two thousand and fourteen

58 "Laura Heady (she, her)" (3231065856)
00:08:45.989 --> 00:08:58.074
So, I'm extremely happy to share that as of today our team is assisted 37
municipalities with NRIs since 2015 and already 40.5% have used their
NRIs for a conservation plan, policy,

59 "Laura Heady (she, her)" (3231065856)
00:08:58.074 --> 00:09:05.574

or comprehensive plan and even better news is that more are underway.

60 "Laura Heady (she, her)" (3231065856)
00:09:05.989 --> 00:09:16.829
And we hope this best practices document that we'll be talking about
today will encourage even more municipalities to think about the possible
implementation steps.

61 "Laura Heady (she, her)" (3231065856)
00:09:16.829 --> 00:09:27.809
And the conservation planning approach that we've been encouraging
communities to follow and I'm sure this looks familiar to many of you is
very straightforward and.

62 "Laura Heady (she, her)" (3231065856)
00:09:28.764 --> 00:09:42.864
It consists of these 3 key steps to first, learn what your community has
through inventory. Next, through the analysis of that inventory combined
with input from the community, learn what residents care about and set
priorities.

63 "Laura Heady (she, her)" (3231065856)
00:09:43.109 --> 00:09:52.919
And then finally identify the appropriate conservation and planning steps
that will enable your community to protect its priorities. And this
planning approach

64 "Laura Heady (she, her)" (3231065856)
00:09:53.154 --> 00:09:59.814
Can be applied to different scales, whether it's a watershed, sub-
watershed, a county, or conservation region.

65 "Laura Heady (she, her)" (3231065856)
00:10:00.114 --> 00:10:10.134
Um, but in terms of municipal planning, this is what it might look like,
where the NRI first, is the collection of information about what your
community has and I'm following along.

66 "Laura Heady (she, her)" (3231065856)
00:10:10.439 --> 00:10:18.899
On the flow chart in the bottom and then that can be combined again with.

67 "Laura Heady (she, her)" (3231065856)
00:10:18.899 --> 00:10:32.874
Public input to create an inventory of open areas and a map of priority
parcels once that's approved by the local, municipal body the town board,
say, then it becomes the municipalities open

68 "Laura Heady (she, her)" (3231065856)
00:10:32.904 --> 00:10:38.724
open space index, and these terms are referring to the language that's
set.

69 "Laura Heady (she, her)" (3231065856)

00:10:38.899 --> 00:10:41.549
in New York state general municipal law.

70 "Laura Heady (she, her)" (3231065856)
00:10:41.549 --> 00:10:48.864
Section 239-y. And if these are unfamiliar terms, we have them all
spelled out as definitions on our website, or you can always check the
municipal law.

71 "Laura Heady (she, her)" (3231065856)
00:10:48.864 --> 00:11:01.404
But so, once that is used to set priorities, and if it's adopted by the
legislative body and becomes the open space index, that can then be the
basis for developing an open space plan, which can provide strategies and

72 "Laura Heady (she, her)" (3231065856)
00:11:01.549 --> 00:11:10.679
Options for conserving those identified priorities. Those could be things
like zoning, land acquisition, a critical environmental area designation,
and so forth.

73 "Laura Heady (she, her)" (3231065856)
00:11:10.679 --> 00:11:18.389
So, just to help illustrate this, here's what an example looks Like in a
community we worked with in the Hudson Valley

74 "Laura Heady (she, her)" (3231065856)
00:11:18.389 --> 00:11:31.554
Several years ago. the town of Blooming Grove is in Orange County, and
first, the town created a natural resources inventory in partnership with
neighboring town of Cornwall. So it was really great.

75 "Laura Heady (she, her)" (3231065856)
00:11:31.554 --> 00:11:37.434
The two towns worked together, recognizing they have a shared border and
shared natural resources.

76 "Laura Heady (she, her)" (3231065856)
00:11:38.604 --> 00:11:52.704
Then they held community input sessions to get resident opinions and
input on what they thought were important areas and they then incorporate
all of that information into a map analysis of the digital data and the
community input.

77 "Laura Heady (she, her)" (3231065856)
00:11:53.009 --> 00:12:00.629
To create the open space inventory and map and the map is on the right
showing these priority areas in the town.

78 "Laura Heady (she, her)" (3231065856)
00:12:00.629 --> 00:12:06.929
And then blooming grove, took it even a step further and they then used
that open space inventory.

79 "Laura Heady (she, her)" (3231065856)
00:12:06.929 --> 00:12:16.349
To inform the town's community preservation plan, which is a key step in pursuing community preservation fund to finance open space protection.

80 "Laura Heady (she, her)" (3231065856)
00:12:16.614 --> 00:12:23.364
So there's many examples we could share there isn't time today, but I want to again, just point you to our Cornell website.

81 "Laura Heady (she, her)" (3231065856)
00:12:23.724 --> 00:12:36.114
There's many examples, particularly in the best in practice sections of many of the pages and then also past webinars have featured case studies and speakers from different communities talking about.

82 "Laura Heady (she, her)" (3231065856)
00:12:36.349 --> 00:12:47.669
Various conservation planning outcomes and finally there are examples in the best practices document that we're here to discuss today.

83 "Laura Heady (she, her)" (3231065856)
00:12:47.669 --> 00:13:02.304
So, why did we create or want to create this new guidance as our municipal partners and grantees move through this conservation planning process the question of best practices often came up with questions like,

84 "Laura Heady (she, her)" (3231065856)
00:13:02.694 --> 00:13:07.644
our natural resource inventory is done. How do we make it official? Or should we add the new.

85 "Laura Heady (she, her)" (3231065856)
00:13:07.669 --> 00:13:15.959
Open Space plan to our comprehensive plan. What should we put in the resolution?

86 "Laura Heady (she, her)" (3231065856)
00:13:16.284 --> 00:13:29.634
And many more, and I want to give a shout out and thanks to all of our municipal partners who ask us these challenging questions that help us identify the gaps in what we're able to do to support municipalities. So not being lawyers.

87 "Laura Heady (she, her)" (3231065856)
00:13:29.634 --> 00:13:35.754
We sought the legal expertise of pace land use law center to develop the guidance to answer

88 "Laura Heady (she, her)" (3231065856)
00:13:35.959 --> 00:13:38.129
These kinds of questions.

89 "Laura Heady (she, her)" (3231065856)

00:13:39.444 --> 00:13:46.734
And so the purpose of the guidance was primarily to provide a next steps
reference document. So it is a reference document.

90 "Laura Heady (she, her)" (3231065856)
00:13:46.734 --> 00:13:57.804
So there's, it's intentionally repetitive focusing on 4 common
initiatives: natural resource inventories, open space inventories, open
space plans,

91 "Laura Heady (she, her)" (3231065856)
00:13:58.129 --> 00:14:07.274
and critical, environmental areas, and so each of these 4 chapters can
almost stand alone. So you just really need to refer to the section
that's relevant to the initiative you're working on.

92 "Laura Heady (she, her)" (3231065856)
00:14:07.724 --> 00:14:18.104
And the document discusses 3 key approaches to kind of formalizing and
implementing these initiatives policy statements that are included in
resolution.

93 "Laura Heady (she, her)" (3231065856)
00:14:18.129 --> 00:14:22.769
Comprehensive plans and local laws.

94 "Laura Heady (she, her)" (3231065856)
00:14:22.769 --> 00:14:31.164
We also wanted to establish best practices for achieving the intended
outcomes of these initiatives and actually have them be meaningful.

95 "Laura Heady (she, her)" (3231065856)
00:14:31.404 --> 00:14:39.804
So, for example, if you finish an NRI, and you intend the to be utilized
in a particular way, how to ensure that outcome is supported.

96 "Laura Heady (she, her)" (3231065856)
00:14:41.664 --> 00:14:56.334
We also sought to help volunteers and officials who work on these
documents to be able to anticipate the adoption process, including how
much time is needed for the various steps, the procedures, who should be
involved or engaged.

97 "Laura Heady (she, her)" (3231065856)
00:14:56.609 --> 00:15:05.484
And then, finally, we did want to offer examples and case studies so that
every municipality going through this isn't reinventing the wheel
themselves.

98 "Laura Heady (she, her)" (3231065856)
00:15:05.934 --> 00:15:16.584
This document can provide a starting point for thinking about what to
include in a resolution or code amendment, for example to make sure your
inventories and your plans are used how you intended.

99 "Laura Heady (she, her)" (3231065856)
00:15:16.609 --> 00:15:30.509
And how your community hoped they would be used, and it's really a nice chance to learn from other communities because there's links as you'll see to various examples from Hudson Valley municipalities and even beyond.

100 "Laura Heady (she, her)" (3231065856)
00:15:31.074 --> 00:15:45.414
And so, with that intro, I'm going to say it's time to dive into the publication and the best practices. So, Jessica, maybe you could start sharing your presentation and take it away. And Jessica just thanks again.

101 "Laura Heady (she, her)" (3231065856)
00:15:45.414 --> 00:15:50.274
So much for your work on the publication, and for being here today to present in our webinar.

102 "Laura Heady (she, her)" (3231065856)
00:15:50.509 --> 00:15:52.349
Huh.

103 "Jessica" (3808082176)
00:15:52.554 --> 00:16:05.214
Thank you, Laura, thank you for the introduction, and I will say that I equally enjoyed working with you and developing this resource and learn so much from you and your staff. So we hope to share with you what we learned through this guide.

104 "Jessica" (3808082176)
00:16:05.214 --> 00:16:12.264
And so what I'm really going to do is walk you through how to use the guide. So when you pick it up, it's not daunting, you know exactly what to do.

105 "Jessica" (3808082176)
00:16:12.349 --> 00:16:19.619
You can find in the guide and put it right to use. So we're going to start right at the beginning with the

106 "Jessica" (3808082176)
00:16:19.619 --> 00:16:29.334
Table of contents so, as Laura indicated, we have chapters for each of these types of conservation inventories and plans.

107 "Jessica" (3808082176)
00:16:29.394 --> 00:16:39.534
So starting with natural resource inventories, moving to open space inventories, a chapter on open space plans and then critical environmental areas and within

108 "Jessica" (3808082176)

00:16:39.644 --> 00:16:54.104
Each of these chapters, we want to make sure that you have information
about what exactly we're talking about. So, what is the natural resource
inventory? What is the open Space inventory, et cetera but then move into
How do we approve, adopt, and implement? So what are the tools?

109 "Jessica" (3808082176)
00:16:54.104 --> 00:16:59.564
What are the mechanisms that local governments can undertake and use to
implement

110 "Jessica" (3808082176)
00:16:59.619 --> 00:17:12.149
And adopt, and so we really identified by looking a lot of different
communities thinking about the legal options. There are three primary
mechanisms. The first one being resolutions with policy statements.

111 "Jessica" (3808082176)
00:17:12.149 --> 00:17:19.259
Incorporation into the comprehensive plan is the 2nd one and then
implementing through local laws.

112 "Jessica" (3808082176)
00:17:19.259 --> 00:17:33.684
So, what we do for each of these sections, as we walk you through those
various options, we give you information about the pluses and minuses.
Why do a policy statement through a resolution versus adopted through
local law?

113 "Jessica" (3808082176)
00:17:33.714 --> 00:17:38.994
What's the difference in the legal process? But also, as far as kind of
the impact as well.

114 "Jessica" (3808082176)
00:17:39.554 --> 00:17:44.804
And as mentioned, we do have that last section that is structured a
little bit differently, which is the critical environmental area.

115 "Jessica" (3808082176)
00:17:44.864 --> 00:17:58.904
So, one mechanism for implementation that local governments look to,
after completing these plans and inventories is often the designation of
a critical environmental area. So we wanted to be sure to include a
section that talks about.

116 "Jessica" (3808082176)
00:17:59.219 --> 00:18:09.869
How to designate and then how to use those critical environmental areas
once they're designated so kind of moving really into that implementation
phase as well.

117 "Jessica" (3808082176)
00:18:09.984 --> 00:18:17.544

All right, so I'm going to walk you through in more detail, the natural resource inventory section as indicated,

118 "Jessica" (3808082176)
00:18:17.544 --> 00:18:29.724
and you've seen the table of content this is intentionally repetitive because we want you to be able to just pick up the section that you're working on and dig right in, and not have to kind of go from section to section. So I will go through details.

119 "Jessica" (3808082176)
00:18:30.434 --> 00:18:43.124
Using the NRI chapter as an example, but then I'll highlight some of the differences in the other chapters, and just share with you some examples as well from chapters 2, 3, and 4. so you get a sense of the entire document.

120 "Jessica" (3808082176)
00:18:43.124 --> 00:18:48.284
So, let's go ahead and dive into natural resource inventories.

121 "Jessica" (3808082176)
00:18:48.569 --> 00:19:02.034
So, as I indicated to start, we were really thinking about what are the options for local governments. you have your natural resource inventory now what? How do we approve it? How do we adopt it? How do we implement it?

122 "Jessica" (3808082176)
00:19:02.274 --> 00:19:08.484
What do we do to make sure that the this plan, this inventory, doesn't just get put on the shelf somewhere, but all that work and effort.

123 "Jessica" (3808082176)
00:19:08.569 --> 00:19:12.119
Actually becomes part of the local process.

124 "Jessica" (3808082176)
00:19:12.119 --> 00:19:24.954
So, again we looked at 3 primary areas, the resolution, comprehensive plan and local law as opportunities for adoption and implementation. So, adoption approval kind of being that first step as we have it.

125 "Jessica" (3808082176)
00:19:25.104 --> 00:19:32.004
We're recognizing it in some formal way. Implementation is how it lives on, how it is used going

126 "Jessica" (3808082176)
00:19:32.119 --> 00:19:42.914
Forward so you will see within each of these options kind of that recognition moments that adoption moment as well as pieces that lead into that implementation phase.

127 "Jessica" (3808082176)
00:19:43.514 --> 00:19:51.944
So, for resolutions, we're thinking about kind of policy statements that
are adopted through an actual resolution that outlined the.

128 "Jessica" (3808082176)
00:19:52.119 --> 00:20:03.569
How the locality intends to consider the resources mapped and described
in the NRI. so, for the comprehensive plan. This is where we're thinking
about how does the NRI inform

129 "Jessica" (3808082176)
00:20:03.569 --> 00:20:17.754
and align with the comprehensive plan. as you'll see when we get into
this there are a number of different ways That communities have tackled
this. They could adopt it completely as a chapter, an appendix, or they
can use it in establishing goals

130 "Jessica" (3808082176)
00:20:17.754 --> 00:20:19.884
And actions within that comprehensive plan.

131 "Jessica" (3808082176)
00:20:20.934 --> 00:20:28.404
Local law, the local law is a mechanism for adoption, but it's also a
very strong mechanism for implementation.

132 "Jessica" (3808082176)
00:20:28.674 --> 00:20:39.564
This is where we put actual requirements for the local boards and
applicant to incorporate the features and identified in the NRI directly
into that project review and approval process.

133 "Jessica" (3808082176)
00:20:39.869 --> 00:20:53.399
All right, so just kind of some general things about each of these
options, as well, as we work our way through and a note about a
resolution. So a resolution is great because

134 "Jessica" (3808082176)
00:20:53.399 --> 00:21:03.864
It's easy, right, and it's simple to do. And as we kind of get into the
process you'll see those legally required steps are much simpler, but
it's informal in nature, right?

135 "Jessica" (3808082176)
00:21:03.864 --> 00:21:13.014
There's no mechanism in place that will make those policies included in
that resolution kind of mandatory. So, it's setting out kind of general
policies. Can we do this?

136 "Jessica" (3808082176)
00:21:13.399 --> 00:21:26.459

And in other areas, towns use resolutions for adopting things but again, it's simple. It's a really great, easy step, but it also kind of lacks some of that kind of teeth that we see as we move into local law.

137 "Jessica" (3808082176)
00:21:27.054 --> 00:21:39.354
So, one of the things that I think it's helpful, probably for any work that you're doing, that is included in this guide is really kind of that understanding of how to draft that resolution. What do we include? What does that language look like?

138 "Jessica" (3808082176)
00:21:39.684 --> 00:21:46.434
And also those examples so language is important when we're thinking about what it means, what kind of weight we're giving.

139 "Jessica" (3808082176)
00:21:46.459 --> 00:21:57.719
Something we talk a lot about is the language used in the guide and we give you really good hopefully helpful examples. So it makes it easier when you undertake one of these approaches. So.

140 "Jessica" (3808082176)
00:21:57.719 --> 00:22:06.779
When we look at a resolution for this those that haven't read one or familiar. Generally you'll see two sections. One section is the whereas statements.

141 "Jessica" (3808082176)
00:22:06.779 --> 00:22:16.949
This section provides basic facts about the NRIs who worked on it where the funding came from any related volunteer effort. The purpose.

142 "Jessica" (3808082176)
00:22:16.949 --> 00:22:27.629
It's going to explain why the NRI is important in express ways. They might care about the natural resources and describe generally how the municipality intends to use the NRI.

143 "Jessica" (3808082176)
00:22:27.924 --> 00:22:35.424
Once you kind of do that, whereas statement really kind of the main kind of bulk of the language comes into the be it resolved section.

144 "Jessica" (3808082176)
00:22:35.454 --> 00:22:47.394
This is where you have some type of potential, officially adopt language or acknowledgement, accept language included and then the municipality, will put together that official policy statement.

145 "Jessica" (3808082176)
00:22:47.629 --> 00:22:59.414

It has resolved statements that present the actual actions and next steps that the municipality plans to take to implement the NRI. So, again we're talking about adoption and implementation.

146 "Jessica" (3808082176)
00:22:59.414 --> 00:23:07.604
You can see right in one resolution move from whereas statements into be it resolved statements. The municipality is in some way acknowledging or

147 "Jessica" (3808082176)
00:23:07.629 --> 00:23:14.129
Adopting the NRI, but also starting to outline how they're going to implement that NRI. Right?

148 "Jessica" (3808082176)
00:23:14.129 --> 00:23:26.729
I do want to make a note about that language. We had a lot of discussion. You'll see very specific language in here and we often hear, what is the difference if we say adopt versus acknowledge and accept.

149 "Jessica" (3808082176)
00:23:27.084 --> 00:23:39.564
So, if you look at different examples, adopt is much more kind of straightforward and clear language showing an intention to adopt something as it's stated. So why do we see people potentially using language "acknowledge and accept?"

150 "Jessica" (3808082176)
00:23:39.564 --> 00:23:46.434
And we think that's really coming from state legislation related to open space inventory. So, even though we see it related to.

151 "Jessica" (3808082176)
00:23:46.729 --> 00:23:58.889
NRIs and adoption of other types of conservation inventories and plans, We think that kind of it really comes from there because there's specific language in that state legislation that talks about.

152 "Jessica" (3808082176)
00:23:58.889 --> 00:24:06.479
When you acknowledge and accept the open space inventory, it has kind of a certain effect.

153 "Jessica" (3808082176)
00:24:06.479 --> 00:24:12.599
Excuse me, and we will get into that when we get to the open space inventory

154 "Jessica" (3808082176)
00:24:12.599 --> 00:24:26.399
Section and what that means, so we do see both. adoption is kind of a much more straightforward thing to do, especially in this section, but we do see some put acknowledge and accept.

155 "Jessica" (3808082176)
00:24:26.399 --> 00:24:29.549
Yes.

156 "Jessica" (3808082176)
00:24:29.549 --> 00:24:33.779
Excuse me? Sorry. Okay. So the next piece.

157 "Jessica" (3808082176)
00:24:33.779 --> 00:24:36.779
I think is really helpful. Hopefully it's helpful to you. So.

158 "Jessica" (3808082176)
00:24:36.779 --> 00:24:45.659
Whether or not staff or the municipal attorney, in most cases is kind of
making sure the legally required steps

159 "Jessica" (3808082176)
00:24:45.659 --> 00:24:54.329
For adoption are taken, it's very helpful If you're a volunteer or staff
person, who may not actually be doing this to understand those steps. So
when there's.

160 "Jessica" (3808082176)
00:24:54.954 --> 00:25:09.534
A discussion about, you know, what mechanism is going to be used, what
that timeline could look like, what level involvement there might be from
the public. We want to make sure that the legal required steps are kind
of outlined. So, for every single one of these options.

161 "Jessica" (3808082176)
00:25:09.869 --> 00:25:20.009
We do have a box that list for you, the legally required stuff. So, here
you'll see for a policy statement. You draft that formal writing with the
whereas it'd be it resolved clauses included.

162 "Jessica" (3808082176)
00:25:20.009 --> 00:25:28.799
You introduced that draft resolution to local legislative for a motion
and then a board vote on that resolution to adopt it by majority.

163 "Jessica" (3808082176)
00:25:29.304 --> 00:25:39.624
after which the resolution becomes official municipal policy. So, as we
move to comprehensive plan and local law adoption, you will see that.
This is the most simple option.

164 "Jessica" (3808082176)
00:25:39.654 --> 00:25:44.604
So going back to that, how do we evaluate, which is the best mechanism
for next steps?

165 "Jessica" (3808082176)
00:25:45.149 --> 00:25:56.034

Um, a resolution of policy statement is much easier from a procedural standpoint mechanism to adopt. However, as we also mentioned, it's a policy statement.

166 "Jessica" (3808082176)
00:25:56.124 --> 00:26:02.694
So it lacks some of that enforceability that we will add as we move into things like local law adoption.

167 "Jessica" (3808082176)
00:26:04.704 --> 00:26:19.554
All right, so one of the things that Laura mentioned that I think also is extremely helpful is to be able to see what exactly other peer communities may have done, or communities across the state. So, we have lots of examples in here that you can take a look at.

168 "Jessica" (3808082176)
00:26:19.554 --> 00:26:24.054
We've pulled specific language from these examples. You're also provided

169 "Jessica" (3808082176)
00:26:24.079 --> 00:26:26.729
The Links, so you can go take a look directly at it.

170 "Jessica" (3808082176)
00:26:27.264 --> 00:26:35.484
Yourself. so, Here's an example from New Paltz where they had adopted a resolution that officially adopted the town and village's 2021 natural resource inventory,

171 "Jessica" (3808082176)
00:26:35.484 --> 00:26:45.144
and in clear specific detail It states the towns' and village's intention to incorporate that NRI into the planning board project review and approval process, review and approval process

172 "Jessica" (3808082176)
00:26:45.719 --> 00:26:53.819
And that all development applications should include information on a proposed project's impact on natural features identified in that NRI.

173 "Jessica" (3808082176)
00:26:53.819 --> 00:27:05.189
Okay, you can see that language that says the whereas clause expresses what the town's intent is for considering future development's impact on natural resources and those be it resolved clauses.

174 "Jessica" (3808082176)
00:27:05.189 --> 00:27:11.429
As mentioned, where we kind of give you that general overview, is where it will officially adopt that NRI.

175 "Jessica" (3808082176)
00:27:11.429 --> 00:27:15.389

But then move into how it intends to implement it. So, in this case.

176 "Jessica" (3808082176)
00:27:16.164 --> 00:27:30.414
The town expresses that, you know, in all land use decisions the NRI should be considered by the planning board to ensure proposed plan uses, are compatible with existing natural resources by minimizing impacts and providing acceptable mitigation measures.

177 "Jessica" (3808082176)
00:27:30.774 --> 00:27:35.364
When certain impacts cannot be avoided It also includes language about how

178 "Jessica" (3808082176)
00:27:35.389 --> 00:27:45.449
Within for all subdivision, special permit uses, requirements for site plan approval, or other town or village development reviews that are subject is SEQR.

179 "Jessica" (3808082176)
00:27:45.449 --> 00:27:53.069
That the applicant should provide analysis of and disclose any potential impacts on any of the natural resources identified in the NRI.

180 "Jessica" (3808082176)
00:27:53.069 --> 00:28:05.879
So this is a great way that you can start to lay out how you're going to implement it. So it takes care of adoption and starts to lay out the implementation mechanism that the municipality is interested in pursuing.

181 "Jessica" (3808082176)
00:28:05.879 --> 00:28:20.609
as I mentioned, we're looking at 3 different mechanisms for adoption implementation. The first one being policy statements within a resolution. the next one being the incorporation into the comprehensive plan. So.

182 "Jessica" (3808082176)
00:28:20.609 --> 00:28:32.189
Our comprehensive plan is really kind of our vision for our community. So the NRI is a really great resource for any of these conservation plans or inventories to inform that.

183 "Jessica" (3808082176)
00:28:32.189 --> 00:28:47.159
Planning document, and we want to make sure that it aligns, right we want to put those pieces together and make sure the work kind of lives within that broader planning document. So it also greatly increases the community's awareness of the NRI.

184 "Jessica" (3808082176)
00:28:47.159 --> 00:28:51.509

And making sure that it doesn't get put on a shelf. Um, that's really our goal here right?

185 "Jessica" (3808082176)
00:28:52.134 --> 00:28:56.844
So, there are different ways to amend the comprehensive plan to include the NRI.

186 "Jessica" (3808082176)
00:28:57.504 --> 00:29:11.454
I would say that one of the reasons I think that we see a lot of variations here has to do with the stage that the community is in with regard to their comprehensive plan. Do they have a comprehensive plan that.

187 "Jessica" (3808082176)
00:29:11.509 --> 00:29:19.019
Was recently adopted, are they currently undertaking a comprehensive plan update on a parallel track or.

188 "Jessica" (3808082176)
00:29:19.019 --> 00:29:26.489
Pretty close in line after completion of the NRI, or do we have a comprehensive plan from 1965?

189 "Jessica" (3808082176)
00:29:26.489 --> 00:29:35.309
Um, so these different options might make more or less sense, depending on kind of that comprehensive plan itself and how best to integrate.

190 "Jessica" (3808082176)
00:29:35.309 --> 00:29:42.569
Um, the 2 documents, or at least align them. So we see where communities make it a standalone chapter.

191 "Jessica" (3808082176)
00:29:42.569 --> 00:29:51.809
This represents what we need to know about our natural resources. Let's make it a chapter. Let's make an appendix and put it in its entirety within that comprehensive plan.

192 "Jessica" (3808082176)
00:29:51.809 --> 00:29:57.479
Other communities, other options include referencing the NRI specifically.

193 "Jessica" (3808082176)
00:29:57.479 --> 00:30:11.124
In vision statements and key issues. We also see kind of using the NRI in summarizing those findings into the related planning chapters where they address natural resources. So, you know, taking that information and making sure that it's used.

194 "Jessica" (3808082176)

00:30:11.154 --> 00:30:17.274
It can also be used to craft goals and policies that are designed to protect important or priority features and.

195 "Jessica" (3808082176)
00:30:17.479 --> 00:30:27.674
Then, a lot of times, you also have language in there that explains how to use the NRI, with the comprehensive plan to coordinate development that protects and enhances important natural resources.

196 "Jessica" (3808082176)
00:30:27.704 --> 00:30:37.454
So, there could be things in there that talk about the land use decision-making process, potential updates to land use regulations and how the NRI and comprehensive plan can be

197 "Jessica" (3808082176)
00:30:37.479 --> 00:30:40.139
Used together.

198 "Jessica" (3808082176)
00:30:40.734 --> 00:30:55.434
And just like we outlined in the resolution section, for each of these mechanisms, you'll also see the legally required steps for adoption. So, for comprehensive plan, adoption, the steps there, there's more steps, right?

199 "Jessica" (3808082176)
00:30:55.434 --> 00:30:59.604
Than what we're looking at before, starting with SEQR review.

200 "Jessica" (3808082176)
00:30:59.939 --> 00:31:05.189
A referral to the county planning board, public hearing requirements.

201 "Jessica" (3808082176)
00:31:06.144 --> 00:31:15.804
You are still adopting it through a resolution. So it's the case we're adopting an amendment to the comprehensive plan through resolution versus just the policy statement we looked at before.

202 "Jessica" (3808082176)
00:31:16.074 --> 00:31:24.864
And then, finally, at the end, the introduction of that resolution to the legislative board via motion after which a majority vote on that would amend the

203 "Jessica" (3808082176)
00:31:25.189 --> 00:31:29.369
Comprehensive plan.

204 "Jessica" (3808082176)
00:31:29.369 --> 00:31:40.584

So an example of the ways communities are doing this, and we do several examples each, this section. So Here's one that you'll see again, it provides the direct link.

205 "Jessica" (3808082176)
00:31:40.644 --> 00:31:49.344
If you wanted to take a look at exactly what East Greenbush is doing, you can take a look by clicking on those links in the guide and we also.

206 "Jessica" (3808082176)
00:31:49.369 --> 00:31:52.139
Pulled out specific language for you, so.

207 "Jessica" (3808082176)
00:31:52.254 --> 00:32:02.094
Hopefully, this is kind of one-stop shop where you can come and find all the information you need, not only kind of the mechanisms, the legal procedures, but actual language used by other communities.

208 "Jessica" (3808082176)
00:32:02.154 --> 00:32:11.214
So, in this example, East Greenbush consulted it's NRI included a summary of the NRI in the plan, and also adopted the entire NRI in the plan appendices.

209 "Jessica" (3808082176)
00:32:12.264 --> 00:32:25.284
The plan can be accessed the public can access the plan with appendices on the town website. Wed did note that Because oftentimes communities adopt plans and incorporate them to the comp plan. But then, do you make it readily available? Making it readily available

210 "Jessica" (3808082176)
00:32:25.284 --> 00:32:29.424
Is a key step and kind of completing that circle of

211 "Jessica" (3808082176)
00:32:29.729 --> 00:32:34.559
You know, implementing your NRI and other conservation plans.

212 "Jessica" (3808082176)
00:32:34.559 --> 00:32:38.159
So the plan's natural resource recommendations include

213 "Jessica" (3808082176)
00:32:38.964 --> 00:32:49.734
Specific references to natural resource inventory. that language you see there protect and conserve viewshed and rural character along scenic roadways as identified by the natural resources inventory.

214 "Jessica" (3808082176)
00:32:50.364 --> 00:32:54.413
The information is there we can just reference it in the comprehensive plan.

215 "Jessica" (3808082176)
00:32:54.989 --> 00:33:04.739
Um, they also include language about encouraging smart growth and
development to protect resources while boosting the economy and
increasing the efficiency of project review.

216 "Jessica" (3808082176)
00:33:04.739 --> 00:33:15.389
Work with the planning board and CAC to develop development review
procedures that consider natural resources such as checklists, site
visits, and CAC member reports.

217 "Jessica" (3808082176)
00:33:15.389 --> 00:33:30.174
Use the Pre application conference forum, the project review team to
incorporate natural resource considerations early in the process and
facilitate they're becoming part of the culture development review. So
this is an example where they're really doing a lot of the things they
saw on that list.

218 "Jessica" (3808082176)
00:33:30.264 --> 00:33:35.274
You know, it's directly in there. It's referenced, it's is also included
in the goals as well as.

219 "Jessica" (3808082176)
00:33:35.389 --> 00:33:38.819
The actions that are being outlined.

220 "Jessica" (3808082176)
00:33:38.819 --> 00:33:48.179
In the comprehensive plan. Okay so our 3rd mechanism is our

221 "Jessica" (3808082176)
00:33:48.179 --> 00:33:54.809
Local law. natural resource inventories can be implemented through local
laws.

222 "Jessica" (3808082176)
00:33:54.809 --> 00:34:07.854
Implementing, but also can be adopted through local law, but local
government should avoid simply adopting the NRI by local law without any
substantive requirements as this will not implement the NRI in any
meaningful way.

223 "Jessica" (3808082176)
00:34:08.334 --> 00:34:14.154
So there are cases where you say, oh, by local law, we adopt, we accepted
we approved the NRI.

224 "Jessica" (3808082176)
00:34:14.809 --> 00:34:23.399

In some kind of very meaningful way, and that it's been local law, but
without the kind of regulatory amendments that are.

225 "Jessica" (3808082176)
00:34:23.399 --> 00:34:35.339
Embedded in the rest of the code, we're not really kind of achieving the
implementation. It's just kind of that recognition of adoption, which is
a really good important step, but we want to make sure we have that
implementation piece.

226 "Jessica" (3808082176)
00:34:35.339 --> 00:34:47.369
As well, so what to include in local law that is implementing the NRI. I
think this list could really be kind of limitless. I mean, it's really
thinking about.

227 "Jessica" (3808082176)
00:34:47.369 --> 00:34:55.679
Your land use regulations, site plan, special use permits, zoning,
approval

228 "Jessica" (3808082176)
00:34:55.679 --> 00:35:03.629
Processes, definitions, purpose sections, right. think all that. And how
can any of those sections be improved or informed

229 "Jessica" (3808082176)
00:35:03.629 --> 00:35:14.459
By use, or incorporation of what we know from the natural resource
inventory. again, I'm kind of running you through the natural resource
inventory section in more detail. So.

230 "Jessica" (3808082176)
00:35:14.459 --> 00:35:20.459
Think about this in the context of also the open space inventory and the
open space plan.

231 "Jessica" (3808082176)
00:35:20.459 --> 00:35:30.444
We can draw a lot of information, right, that can really help to figure
out how to amend our local laws to better protect our natural resources.

232 "Jessica" (3808082176)
00:35:31.014 --> 00:35:35.664
So, as you see, in this list, what we've seen municipalities do is they,
they draft the law's purpose section.

233 "Jessica" (3808082176)
00:35:35.969 --> 00:35:41.849
To aim for consistency with the NRI. so, we're looking for again that
consistency that incorporation.

234 "Jessica" (3808082176)
00:35:41.849 --> 00:35:46.259

Using the NRIs to define natural resources in the law's definition section.

235 "Jessica" (3808082176)
00:35:46.259 --> 00:36:00.204
And also using the NRI to delineate borders of natural resources, for example, the local law can use to NRI to set a watercourse boundary, requiring applicants to provide a map showing certain identified resources, in or

236 "Jessica" (3808082176)
00:36:00.204 --> 00:36:03.234
near the proposed project boundaries, as well as any.

237 "Jessica" (3808082176)
00:36:03.569 --> 00:36:10.679
Priority resources, the project will impact. Um, so again, what you see here is, you see kind of this movement between.

238 "Jessica" (3808082176)
00:36:10.679 --> 00:36:21.899
General language, right. Purpose, definition, delineation of boundaries, but also the use of actually putting requirements on applicants as well as requirements on local boards.

239 "Jessica" (3808082176)
00:36:21.899 --> 00:36:30.869
So requiring local boards to take the enter into consideration during the approval process, for land use decisions and during that environmental review process. So not just.

240 "Jessica" (3808082176)
00:36:30.869 --> 00:36:42.539
Hoping it happens, right? You have an NRI, you hope you're boards use it. You hope that applicants access it you make it available, but you can actually put in the local law and make sure that they're required to do it.

241 "Jessica" (3808082176)
00:36:42.539 --> 00:36:53.454
Allowing local boards to approve only those projects that are protective of certain resources identified in the NRI. So they can only act within a delegated authority that they get from the local legislative body.

242 "Jessica" (3808082176)
00:36:53.844 --> 00:36:59.334
So, giving them the authority to kind of use that as a decision making tool Is important.

243 "Jessica" (3808082176)
00:36:59.639 --> 00:37:07.769
Requiring conservation subdivision applicants to conduct a conservation analysis of certain natural resources, identifying in the NRI.

244 "Jessica" (3808082176)
00:37:07.769 --> 00:37:15.594
Incorporating the NRI into supplemental development regulations, like, overlay zones delineated according to certain NRI-identified resources.

245 "Jessica" (3808082176)
00:37:15.654 --> 00:37:27.444
So what better way to figure out where we might put a steep slopes overlay or some other protective overlay, then to look at the NRI and take that information and designate.

246 "Jessica" (3808082176)
00:37:27.769 --> 00:37:42.554
That overlay's open space, conservation regulations that require protection and priority resources and density incentive provisions that offer density bonus in exchange for protection of those priority resources. So, if we know where the resources are.

247 "Jessica" (3808082176)
00:37:42.839 --> 00:37:51.809
We can incorporate additional regulations that either identify directly in zoning or incentivize them as well.

248 "Jessica" (3808082176)
00:37:51.809 --> 00:37:56.459
And finally requiring the NRI to review an update at a minimum time interval. So, you know.

249 "Jessica" (3808082176)
00:37:56.459 --> 00:38:06.354
Posting on the website, making it readily available to the public, letting the public know that it's there, training our local boards right? That these documents exist and making sure that we're keeping them up to date.

250 "Jessica" (3808082176)
00:38:06.654 --> 00:38:14.904
There's just best practices we need to be thinking about when we're developing inventories and plans and making sure that they are implemented and

251 "Jessica" (3808082176)
00:38:15.330 --> 00:38:21.690
Shared and updated, and that's something that could be legislated in that local law.

252 "Jessica" (3808082176)
00:38:22.795 --> 00:38:35.995
As far as the update. so again, we have these handy little charts that tell you the legally required stuff. So, again, mostly municipal attorneys, I would assume in those cases are taking on kind of the legally required steps.

253 "Jessica" (3808082176)

00:38:37.170 --> 00:38:51.030
But there are often volunteers, board members, staff that are taking on
pieces of this system. Or again, if you're proposing changes that you
understand the timeline stuff, involvement of the public, when kind of.

254 "Jessica" (3808082176)
00:38:51.030 --> 00:39:01.470
Thinking about the different mechanisms you might want to use. So just
like, with our comp plan, there is a referral to the county planning
board for review and recommendation.

255 "Jessica" (3808082176)
00:39:01.915 --> 00:39:16.765
The drafting of the formal law. codifying it in a municipal code. So if
you adopt a local law, and you don't say, oh, amend the site plan section
here to include that, right, we want to identify within our code where
that language is going to go.

256 "Jessica" (3808082176)
00:39:16.765 --> 00:39:17.875
So that's very important.

257 "Jessica" (3808082176)
00:39:18.450 --> 00:39:22.410
We're going to introduce that draft local law to the legislative board.

258 "Jessica" (3808082176)
00:39:22.410 --> 00:39:25.950
Provide a public hearing with appropriate notice.

259 "Jessica" (3808082176)
00:39:26.305 --> 00:39:30.505
Hold the public hearing following the defined periods of time.

260 "Jessica" (3808082176)
00:39:31.555 --> 00:39:44.785
If no substantive changes are made, pass that local law by majority of
the legislative board after the public hearing, and then file that law
with the secretary of state upon and it'll become effective upon that
effective date.

261 "Jessica" (3808082176)
00:39:45.060 --> 00:39:53.400
So, as we kind of talked about early on, as we move through these
different mechanisms, kind of the, the process.

262 "Jessica" (3808082176)
00:39:53.400 --> 00:40:04.650
The procedures become more involved, so it could take a little bit
longer, but they also have kind of more mechanisms for enforcement, and
are much more specific and concrete about kind of what those goals are.

263 "Jessica" (3808082176)
00:40:04.650 --> 00:40:09.720

And what they're looking to achieve, and how they fit into the land use system.

264 "Jessica" (3808082176)
00:40:09.720 --> 00:40:19.110
So the Town of Canandaigua has a good example of kind of implementing their NRI through local law.

265 "Jessica" (3808082176)
00:40:19.110 --> 00:40:24.090
And I mentioned multiple examples in the guide so this is just one.

266 "Jessica" (3808082176)
00:40:24.090 --> 00:40:27.480
So, in 2020.

267 "Jessica" (3808082176)
00:40:27.480 --> 00:40:35.310
Canandaigua updated it's 2011 NRI. and so I mentioned before the whole updating process. That's important. Right? We want to keep updating the NRI.

268 "Jessica" (3808082176)
00:40:35.310 --> 00:40:41.940
And it's referenced throughout its Town code. So I think this is one of those examples. We have these great examples. We have communities that

269 "Jessica" (3808082176)
00:40:41.940 --> 00:40:56.035
Do a lot of the things on the list that we've provided, so the town site plan and subdivision laws require project applicants to submit sketch plans that identify environmentally sensitive features identified on the NRI.

270 "Jessica" (3808082176)
00:40:56.545 --> 00:41:01.555
They require the planning board to determine whether the proposed development is designed and arranged to avoid

271 "Jessica" (3808082176)
00:41:01.940 --> 00:41:10.620
Impacts on the natural features identified in the NRI. Subdivision proposals must be designed to preserve and protect natural features.

272 "Jessica" (3808082176)
00:41:10.620 --> 00:41:17.130
And the planning board findings regarding, if I find must address the specific questions contained in that.

273 "Jessica" (3808082176)
00:41:17.130 --> 00:41:23.970
Additionally, preliminary subdivision plans and site plans must include a delineation of natural features describes.

274 "Jessica" (3808082176)
00:41:23.970 --> 00:41:31.260
Conservation subdivision sketch plans, preliminary plans must include a
conservation analysis of any priority conservation assets.

275 "Jessica" (3808082176)
00:41:31.260 --> 00:41:44.605
Again identified in the NRI, such as rare, vulnerable, ecological
communities, riparian buffers, steep slopes, agricultural land and scenic
landscapes, among others. part of the NRIs serves as the town's open
space index.

276 "Jessica" (3808082176)
00:41:44.635 --> 00:41:50.635
So kind of that idea that Laura presented of how we moved from NRIs into
open space index.

277 "Jessica" (3808082176)
00:41:51.260 --> 00:41:57.180
And the conservation board participates in the application review, using
a project review guide

278 "Jessica" (3808082176)
00:41:57.180 --> 00:42:06.720
That implements these requirements. so we have it in the law. We have it
built into the approval process. We have boards that are charged with

279 "Jessica" (3808082176)
00:42:06.720 --> 00:42:19.200
Understanding the natural resource inventory, they have a review guide to
ensure that this is happening. We have put in some application. We have
requirements on the boards. so you can really see a lot happening

280 "Jessica" (3808082176)
00:42:19.200 --> 00:42:26.730
In this one particular example in the way that they've really
incorporated the NRI, and implemented it through local law.

281 "Jessica" (3808082176)
00:42:30.235 --> 00:42:39.265
Okay, so what did we just learn? We just learned that we have hopefully a
lot of helpful information for you in each of these sections.

282 "Jessica" (3808082176)
00:42:39.295 --> 00:42:49.945
So, everything that I just went through, we do for each of the chapters
for open space inventories open space plans as well, kind of walking
through kind of how to approve it.

283 "Jessica" (3808082176)
00:42:50.150 --> 00:42:58.560
How to implement through a resolution, the policy statement, how to
incorporate into the comprehensive plan and how to implement through
local law. They have examples.

284 "Jessica" (3808082176)
00:42:59.245 --> 00:43:09.895
For just about every one of those, and multiple examples in those cases and we also reference any relevant resources as appropriate as you work through each of those sections.

285 "Jessica" (3808082176)
00:43:10.015 --> 00:43:18.475
We talk about the legally required process to make sure you understand that for each one of them as well as kind of any helpful hints about kind of

286 "Jessica" (3808082176)
00:43:18.560 --> 00:43:31.335
Pros and cons of different approaches, and why a community might decide to use a particular approach over another. So, now you have a kind of basic understanding of what you can find in each of these sections.

287 "Jessica" (3808082176)
00:43:31.365 --> 00:43:38.535
I do want to kind of go through chapter 2, 3 and 4 and highlight some of kind of the differences within these chapters as well.

288 "Jessica" (3808082176)
00:43:43.140 --> 00:43:48.960
So there is, as I mentioned at

289 "Jessica" (3808082176)
00:43:48.960 --> 00:43:53.700
The start of every one of these is a reminder about what it is.

290 "Jessica" (3808082176)
00:43:53.725 --> 00:44:00.475
Right, and how they work together, how do they build on each other before we move into the actual adoption and implementation?

291 "Jessica" (3808082176)
00:44:00.505 --> 00:44:11.605
So, Laura gave a nice overview of this, but as a reminder, an open space inventory lists the communities important lands, and displays them on an open space map that.

292 "Jessica" (3808082176)
00:44:11.910 --> 00:44:20.970
Um, we have state law that directs the community CAC to complete this open space inventory by prioritizing open areas.

293 "Jessica" (3808082176)
00:44:20.970 --> 00:44:25.440
In, I mean, it's only for preservation based on natural and scenic values.

294 "Jessica" (3808082176)

00:44:25.440 --> 00:44:32.490
The NRI, which maps and describes these resources can provide the
foundation for the community open space

295 "Jessica" (3808082176)
00:44:32.490 --> 00:44:44.250
Inventory, so we start with that natural resource inventory. We move into
open areas inventory and map, which is that prioritization based on the
NRI, analysis and public input.

296 "Jessica" (3808082176)
00:44:44.250 --> 00:44:47.250
And then the open space index.

297 "Jessica" (3808082176)
00:44:47.250 --> 00:44:50.340
Um, it's the open areas inventory.

298 "Jessica" (3808082176)
00:44:50.340 --> 00:45:04.195
after being accepted and approved by the local legislative body, and then
next, we'll talk about the open space plan, I will, when we get into the
implementation talk a little bit more about that relationship between our
open space inventory.

299 "Jessica" (3808082176)
00:45:05.185 --> 00:45:07.885
And kind of that specifically adopted open space.

300 "Jessica" (3808082176)
00:45:08.190 --> 00:45:12.990
Index so not to confuse everybody. Um, so how are.

301 "Jessica" (3808082176)
00:45:12.990 --> 00:45:17.250
Open space inventories approved, adopted, and implemented.

302 "Jessica" (3808082176)
00:45:17.250 --> 00:45:24.540
Uh, as indicated we kind of work through those 3 mechanisms of policy
statements through resolution.

303 "Jessica" (3808082176)
00:45:24.540 --> 00:45:32.280
Incorporation into the comprehensive plan or implementation through local
law so kind of focus on.

304 "Jessica" (3808082176)
00:45:32.280 --> 00:45:35.280
Um, some of those kind of.

305 "Jessica" (3808082176)
00:45:35.280 --> 00:45:41.370

Variations of the difference of the OSI, and then we can look at some specific examples as well.

306 "Jessica" (3808082176)
00:45:41.370 --> 00:45:46.620
So once adopted the OSI becomes the official open space index.

307 "Jessica" (3808082176)
00:45:46.620 --> 00:45:59.160
And the CAC may advance to become a conservation board status with a formal role in the municipality's environmental review process for any proposed actions affecting lands prioritized in the OSI.

308 "Jessica" (3808082176)
00:45:59.160 --> 00:46:04.950
So, the local legislature may by resolution re-designate that CAC as a conservation board.

309 "Jessica" (3808082176)
00:46:04.950 --> 00:46:11.640
After it accepts and approves the OSI as the municipality's open space index.

310 "Jessica" (3808082176)
00:46:11.640 --> 00:46:18.090
So, the local legislature can convert the CAC to conservation board via local law as well.

311 "Jessica" (3808082176)
00:46:18.090 --> 00:46:31.710
So, that's where that accepted and approved language came from that I mentioned earlier that we actually see pop up in other areas for adoption instead of the word adoption. And we think it's because it comes from this particular state.

312 "Jessica" (3808082176)
00:46:31.710 --> 00:46:44.070
Language that is referenced when you kind of are adopting that open space index with language that once it's accepted and approved as the open space index. But I just wanna.

313 "Jessica" (3808082176)
00:46:44.070 --> 00:46:50.400
Kind of go back also to kind of that important stuff and how it then authorizes the conversion.

314 "Jessica" (3808082176)
00:46:50.400 --> 00:46:56.730
Of our conservation advisory council, to Conservation board because.

315 "Jessica" (3808082176)
00:46:56.730 --> 00:47:07.500

This gives them a direct role in the environment review process and land use decision making. And I think that's important when we think about kind of the.

316 "Jessica" (3808082176)
00:47:07.500 --> 00:47:14.940
Information that we kind of housed in these documents to expect kind of our.

317 "Jessica" (3808082176)
00:47:15.505 --> 00:47:18.745
Planning boards to kind of have all that information.

318 "Jessica" (3808082176)
00:47:18.745 --> 00:47:21.595
It's really great if you can have a conservation board,

319 "Jessica" (3808082176)
00:47:22.045 --> 00:47:33.925
who is charged with being familiar with that information and providing advisory opinions and information to support the decision making when aproving projects and looking for opportunities to protect.

320 "Jessica" (3808082176)
00:47:34.470 --> 00:47:44.185
Um, open space and implement those priorities. So this change in the kind of approval process is a key step. We have lots of communities do it.

321 "Jessica" (3808082176)
00:47:44.185 --> 00:47:54.295
They have conservation boards, but this is like, where you get on the map, you get to be part of that decision making process when that board kind of moves from a CAC to a conservation board.

322 "Jessica" (3808082176)
00:47:54.470 --> 00:48:03.510
All right, so let's look at a few examples within our open space inventory section.

323 "Jessica" (3808082176)
00:48:03.510 --> 00:48:10.350
So, the town of Cornwall adopted it's OSI in a resolution dated June 14 2021.

324 "Jessica" (3808082176)
00:48:10.350 --> 00:48:19.830
The resolution's policy statement Expresses the town's intent to use the OSI as an important tool and resource for assisting and making land use decisions within the town.

325 "Jessica" (3808082176)
00:48:19.830 --> 00:48:28.680
It did not explain in detail how it intends to incorporate it into plans and regulations. So they recognize and adopted it. Um.

326 "Jessica" (3808082176)
00:48:28.680 --> 00:48:42.265
But it did not get into the specifics as far as kind of the intent and
how to use. So we did talk about this is a good example. We have less
examples in this area feel note that, as you kind of move into different
sections.

327 "Jessica" (3808082176)
00:48:42.715 --> 00:48:46.015
But what's important to see is, like, this is an example of a resolution.

328 "Jessica" (3808082176)
00:48:46.350 --> 00:49:00.450
With policy statements. Okay so example of incorporating it into the
comprehensive plan. You have an example from New York Philipstown adopted
and updated its OSI in 2016.

329 "Jessica" (3808082176)
00:49:00.450 --> 00:49:02.815
And they used it to inform the comprehensive plan 2030.

330 "Jessica" (3808082176)
00:49:02.815 --> 00:49:17.545
this plan includes the goal to protect natural resources and a strategy
to identify critical parcels of land preservation, related action items,
include the update to the open space index every 5 to 10 years and to
supplement the with an index.

331 "Jessica" (3808082176)
00:49:17.965 --> 00:49:19.945
The properties critical to key drinking

332 "Jessica" (3808082176)
00:49:20.450 --> 00:49:26.250
Water resources, so here again, we see that kind of update.

333 "Jessica" (3808082176)
00:49:26.250 --> 00:49:30.240
So, I just want to kind of remind you that it's important to think about.

334 "Jessica" (3808082176)
00:49:30.240 --> 00:49:39.715
The implementation and a very specific implementation task, like
identifying critical parcels for land preservation and next step tasks.

335 "Jessica" (3808082176)
00:49:39.745 --> 00:49:49.465
But also just the general implementation of any plan includes again,
posting it on the website, make sure your boards and staff are aware of
it.

336 "Jessica" (3808082176)
00:49:50.240 --> 00:50:02.175

Training if possible on the content. make sure they have copies specifically. So it's not just available to the public. But you're making sure that they have it as well. And then also recognizing the need to keep these documents up to date.

337 "Jessica" (3808082176)
00:50:02.235 --> 00:50:10.035
So, what is the frequency at which it will be updated and where you can specifically indicate that in your plans, your policy statements.

338 "Jessica" (3808082176)
00:50:10.240 --> 00:50:16.230
Local law, so here's an example of a local law.

339 "Jessica" (3808082176)
00:50:17.125 --> 00:50:29.395
From the town of Wawarsing. there is subdivision regulations, authorizing the town's planning board to refer a subdivision application applicants sketch plat to the conservation board.

340 "Jessica" (3808082176)
00:50:29.425 --> 00:50:35.725
So I remember we talked about the fact that you can turn a CAC into conservation board at this stage.

341 "Jessica" (3808082176)
00:50:36.150 --> 00:50:50.515
And so it, it can go to them for its review and comments if the proposed activity would occur on parcel designated on the OSI map. So, this is an example of that being able to happen. Implementation is yet to come.

342 "Jessica" (3808082176)
00:50:50.845 --> 00:50:56.125
But the important piece here is that they have regulations in place to do that.

343 "Jessica" (3808082176)
00:50:56.150 --> 00:51:09.930
And that they're converting that CAC to conservation board that can review and comment on those activities in OSI map and have an actual kind of role in the decision making process.

344 "Jessica" (3808082176)
00:51:09.930 --> 00:51:13.080
All right so open space plans.

345 "Jessica" (3808082176)
00:51:13.080 --> 00:51:17.760
Just like our NRI, just like the open space inventory section, Um.

346 "Jessica" (3808082176)
00:51:17.760 --> 00:51:26.400
We have the section - what is it? How do we approve, adopt it, implement it and then we dig into the resolution, comp plan, and local law.

347 "Jessica" (3808082176)
00:51:29.395 --> 00:51:43.255
Let's take a look. open space plan. What is it? Open? Space plan
identifies the open space Priorities, outlines the best options for use
and protection a priority lands and waters, and provides strategies for
conservation and stewardship.

348 "Jessica" (3808082176)
00:51:43.530 --> 00:51:49.050
The open space plan complements and informs the local comprehensive plan.

349 "Jessica" (3808082176)
00:51:49.050 --> 00:51:54.690
So, it describes strategies for conserving priorities identified in the
open space inventory and index.

350 "Jessica" (3808082176)
00:51:54.690 --> 00:52:06.060
So, how are they approved, adopted, and implemented? Again, Our same 3
mechanisms: So we can look at a few examples here. And again, just like
we have for the other ones.

351 "Jessica" (3808082176)
00:52:06.060 --> 00:52:12.540
All of you could just go right to the section. It will have all the
specifics on the process and go through required steps.

352 "Jessica" (3808082176)
00:52:12.540 --> 00:52:17.910
But it will be supplemented by specific examples related to open space
plans.

353 "Jessica" (3808082176)
00:52:17.910 --> 00:52:32.460
Saugerties is an example that we have in here for a comprehensive plans.
One of them. in 2020, Saugerties updated its comprehensive plan to
include statements and recommendations related to its 2010 open space
plan.

354 "Jessica" (3808082176)
00:52:32.460 --> 00:52:41.310
For example, the plan's land use and development policies recognize the
open spaces and rural aspects of the area as not replaceable.

355 "Jessica" (3808082176)
00:52:41.310 --> 00:52:45.450
And any development should be well thought out and planned with the
future in mind.

356 "Jessica" (3808082176)
00:52:45.450 --> 00:52:53.970

The comprehensive plan also seeks to strike a balance between open space conservation and economic development that is stated in the open space plan.

357 "Jessica" (3808082176)
00:52:53.970 --> 00:53:02.730
So this is an example of where we're kind of using the open space plan as a resource to set goals and priorities in a comprehensive plan.

358 "Jessica" (3808082176)
00:53:02.730 --> 00:53:13.620
And it's in the plan's natural resource inventory protection goal, it includes a recommendation to establish conservation financing or other options to preserve critical open space resources. So

359 "Jessica" (3808082176)
00:53:13.620 --> 00:53:28.290
We talked about all these different mechanisms of how you might kind of use these inventories and plans in the comprehensive plan. So, here we have it not only kind of in relation to goals, but also strategies and how it can help to inform those.

360 "Jessica" (3808082176)
00:53:28.290 --> 00:53:34.260
Here's an example of local law, so, after adopting it's open space plan.

361 "Jessica" (3808082176)
00:53:34.260 --> 00:53:47.605
Wawarsing amended its zoning code to clarify its purpose is in part to provide a system of open spaces and parks and recreation facilities and to review proposed applications for consistency with that open space plan,

362 "Jessica" (3808082176)
00:53:48.055 --> 00:53:51.865
as maybe amended from time to time. So, they're directly saying.

363 "Jessica" (3808082176)
00:53:52.290 --> 00:53:56.040
That the open space plan needs to be part of the review process.

364 "Jessica" (3808082176)
00:53:56.040 --> 00:54:01.110
The town also amended its cluster development regulations to require open space plans.

365 "Jessica" (3808082176)
00:54:01.110 --> 00:54:15.205
Those cluster developments to comply with the open space plan, and to require proposed primary conservation areas to be delineated comprising those primary conservation areas identified in the space plan,

366 "Jessica" (3808082176)
00:54:15.565 --> 00:54:17.935

including floodplains, wetlands, buffers.

367 "Jessica" (3808082176)
00:54:18.210 --> 00:54:26.100
Significant habitat, and biodiversity conservation areas, forests over 50% and other features defined and mapped in the open space plan.

368 "Jessica" (3808082176)
00:54:26.100 --> 00:54:31.410
So, again, a really good example of taking the information that comes out of

369 "Jessica" (3808082176)
00:54:31.410 --> 00:54:42.990
The planning effort and ensuring that you're implementing it by directly, incorporating it into the requirements in your land use regulations.

370 "Jessica" (3808082176)
00:54:43.585 --> 00:54:57.715
All right, last, but not least critical environmental areas. and because this is the final section, it does not as I mentioned, follow the exact same kind of format that we have in the prior chapters because it is different. It's not a plan or inventory.

371 "Jessica" (3808082176)
00:54:57.955 --> 00:55:01.195
It is an implementing tool. So, based on the information.

372 "Jessica" (3808082176)
00:55:02.460 --> 00:55:09.480
And priorities that come out of NRI, open space inventories, or open space plan, one

373 "Jessica" (3808082176)
00:55:09.480 --> 00:55:12.690
Thing that might be identified is to implement it through.

374 "Jessica" (3808082176)
00:55:12.690 --> 00:55:19.950
A critical environmental area. so this chapter talks about what is a critical environmental area.

375 "Jessica" (3808082176)
00:55:19.950 --> 00:55:24.270
How are they designated, how are they use and provide some examples.

376 "Jessica" (3808082176)
00:55:24.270 --> 00:55:36.390
So, a critical environmental area is a geographic area designated by the state, a county or municipal agency, In this case as we're focused, to recognize exceptional unique character with respect to one or more of the following.

377 "Jessica" (3808082176)

00:55:36.390 --> 00:55:49.680
Has a benefit or threat to the human health, a natural setting, such as
fish, wildlife, habitat, forest, vegetation, open space and areas of
important aesthetic or scenic quality, an agricultural, social, cultural,
historical

378 "Jessica" (3808082176)
00:55:50.125 --> 00:55:59.605
Archaeological, recreational or educational values and inherent
ecological, Geological, or hydrological sensitivity that may be adversely
affected by any change.

379 "Jessica" (3808082176)
00:55:59.995 --> 00:56:05.485
And so this is all built into the processes of the environmental quality
review act.

380 "Jessica" (3808082176)
00:56:05.970 --> 00:56:09.360
And so as we move into kind of designation.

381 "Jessica" (3808082176)
00:56:09.360 --> 00:56:19.230
We will show you a bunch of resources that are already existing for
critical environmental areas. So before we get there, I just want to
highlight this example.

382 "Jessica" (3808082176)
00:56:20.005 --> 00:56:32.275
On critical environmental areas. so Wawarsing approved two critical
environmental areas after adopting the town's open space plan, which
included, open space components, selected for protection,

383 "Jessica" (3808082176)
00:56:32.275 --> 00:56:36.685
and recommended action to effectively and comprehensively protect or
conserve them.

384 "Jessica" (3808082176)
00:56:37.525 --> 00:56:50.155
Component 10 in the OSP aims to maintain and enhance biodiversity,
habitat integrity of rare threatened species through the establishment of
so, again, these plans will often identify critical,

385 "Jessica" (3808082176)
00:56:50.155 --> 00:56:56.845
environmental areas as a tool for implementation. And that's why we
included in the guide as a key tool

386 "Jessica" (3808082176)
00:56:56.990 --> 00:57:03.360
That kind of relies on the state environmental quality review act, or
SEQR, to

387 "Jessica" (3808082176)
00:57:03.360 --> 00:57:06.930
Designate these areas as they are identified and prioritized.

388 "Jessica" (3808082176)
00:57:06.930 --> 00:57:13.080
Okay, so critical environmental area designations recommended for 3 of
the town's

389 "Jessica" (3808082176)
00:57:13.080 --> 00:57:20.160
Priority open spaces and 2 were designated by resolution in 2019: the
Catskills-Shawangunk

390 "Jessica" (3808082176)
00:57:20.160 --> 00:57:23.160
Greenway Corridor and Cedar swamp.

391 "Jessica" (3808082176)
00:57:23.160 --> 00:57:33.030
The resolution reference the OSP and recommendations by the environmental
commission to designate the two CEAs due to their exceptional and unique
environmental characteristics.

392 "Jessica" (3808082176)
00:57:33.030 --> 00:57:43.260
And declared the town board's intent to serve as lead agency. the written
justification for these CEAs emphasized that the OSP prioritized these
areas for protection or conservation.

393 "Jessica" (3808082176)
00:57:43.260 --> 00:57:49.080
So the reason why we're highlighting here, this justification
identification language is that.

394 "Jessica" (3808082176)
00:57:49.405 --> 00:57:59.695
That is part of the process to designate a critical environmental area
and so you can just draw directly on the work and that's why it is a
natural kind of implementation step.

395 "Jessica" (3808082176)
00:57:59.725 --> 00:58:04.525
That often flows from conservation efforts like an open space plan.

396 "Jessica" (3808082176)
00:58:07.890 --> 00:58:16.410
So, the reason we're not going to go too into detail for critical
environmental areas, is that one, it is part of the SEQR process. And so
DEC

397 "Jessica" (3808082176)
00:58:16.410 --> 00:58:26.610

has already developed lots and lots of resources. There is the DEC webpage on critical environmental areas. The info locator.

398 "Jessica" (3808082176)
00:58:27.295 --> 00:58:41.965
Helps to identify CEAs, the DEC SEQR handbook and DEC EAF workbooks also will provide helpful guidance on critical environmental areas and SEQR in general and then there's an entire webinar on critical environmental areas.

399 "Jessica" (3808082176)
00:58:42.420 --> 00:58:52.560
Uh, earlier Laura highlighted that you can access any of the webinar recordings in the link provided previously, but also we've included it here. Um, and this.

400 "Jessica" (3808082176)
00:58:52.560 --> 00:58:57.420
What would be made available for that particular Critical environmental area webinar.

401 "Jessica" (3808082176)
00:58:57.420 --> 00:59:00.630
So that is the.

402 "Jessica" (3808082176)
00:59:00.630 --> 00:59:13.170
Content of the entire workbook. Thank you for bearing with me as we worked through it. Hopefully if you go to use it, you can pick it up and know exactly what you're looking at and where to find pieces. So.

403 "Jessica" (3808082176)
00:59:13.170 --> 00:59:18.630
Laura, if you have anything you want to add, or if we have any questions.

404 "Laura Heady (she, her)" (3231065856)
00:59:18.715 --> 00:59:23.995
No, first just, thank you. That was great Overview and we do have a few questions.

405 "Laura Heady (she, her)" (3231065856)
00:59:23.995 --> 00:59:35.125
I first want to remind everybody on the webinar who might be getting excited about the prospect of pursuing any of these kinds of projects in their own communities that. that

406 "Laura Heady (she, her)" (3231065856)
00:59:35.430 --> 00:59:47.725
I think it was just last week, or maybe the week before the DEC released a new RFA for estuary grants, which cover projects, like NRIs, open space plans, community preservation plans and so forth.

407 "Laura Heady (she, her)" (3231065856)
00:59:47.995 --> 00:59:54.835

Those are due on July 12th. If I am remembering this correctly. Um, yeah,

408 "Laura Heady (she, her)" (3231065856)
00:59:55.430 --> 01:00:10.425
And this year, the maximum amount of the grants has gone up. So anyway, we've sent out information on that to our listserv. But if you need information on the grants, let us know, it's also available on the DEC website.

409 "Laura Heady (she, her)" (3231065856)
01:00:10.425 --> 01:00:11.355
Maybe Ingrid, you could.

410 "Laura Heady (she, her)" (3231065856)
01:00:11.580 --> 01:00:25.825
Put that link in the chat. Thank you. Um, so before I shift a question over to you, Jessica, just to give you a break for a minute, I will answer a question. We got a couple of times about how to get a copy of the workbook.

411 "Laura Heady (she, her)" (3231065856)
01:00:25.825 --> 01:00:31.525
So, we did decide to keep this right now just as a digital publication.

412 "Laura Heady (she, her)" (3231065856)
01:00:31.580 --> 01:00:35.970
That's available on the DEC website, and that link for the document is in the chat.

413 "Laura Heady (she, her)" (3231065856)
01:00:35.970 --> 01:00:46.860
With the idea that we could kind of keep a dynamics so maybe in a few years we'll revisit and maybe we can update with some new examples but also, because we really would love to get feedback.

414 "Laura Heady (she, her)" (3231065856)
01:00:46.860 --> 01:00:59.755
From you, you know, if you're using it and you're finding you know, you're getting so you have certain questions or things that we're missing, perhaps we can create a revision in a few years. So it is available for download.

415 "Laura Heady (she, her)" (3231065856)
01:00:59.755 --> 01:01:06.775
If you have problems accessing documents online, or you need us to print a copy out for you, or something like that let us know.

416 "Laura Heady (she, her)" (3231065856)
01:01:06.860 --> 01:01:12.690
But I do know libraries and banks are usually helpful with printing things out too. If you don't have a home printer.

417 "Laura Heady (she, her)" (3231065856)
01:01:12.690 --> 01:01:24.330

I'll ask 1 question and then maybe we can switch off if there's others.
But here's a question that you might be able to help out with too.
Jessica, given your experience too, with renewable energy.

418 "Laura Heady (she, her)" (3231065856)
01:01:24.330 --> 01:01:27.960
So, the question is, does CEA designation.

419 "Laura Heady (she, her)" (3231065856)
01:01:27.960 --> 01:01:40.350
Hold on, I've got to pop up that's blocking my view. there we go. Does
CEA designation help communities, steer renewable energy projects, such
as for windmills and solar away from these resources.

420 "Laura Heady (she, her)" (3231065856)
01:01:40.350 --> 01:01:50.070
And I think that could be broadly applied to steer any kind of project
away from sensitive resources.

421 "Jessica" (3808082176)
01:01:50.070 --> 01:01:58.710
Yeah, I mean, I know I know Laura and Ingrid have lots of experience with
CEAs. I would say the way I think about it is it.

422 "Jessica" (3808082176)
01:01:59.305 --> 01:02:03.055
Rather than generally kind of entering the environmental review process,

423 "Jessica" (3808082176)
01:02:03.205 --> 01:02:15.445
you are proactively identifying critical environmental areas so that
you're putting people on notice and kind of heightening the review and
the information related to that land.

424 "Jessica" (3808082176)
01:02:15.475 --> 01:02:18.685
And kind of that as an area prioritized for protection.

425 "Jessica" (3808082176)
01:02:18.710 --> 01:02:29.085
And so I would say that in theory, and generally, yes, you know, it does,
it does help if you really want to steer projects away from certain
areas.

426 "Jessica" (3808082176)
01:02:29.085 --> 01:02:38.685
You also want to look at your zoning law and ensure that, you know, where
are you promoting these projects? Are they appropriate locations and
districts and are appropriate to kind of mitigate.

427 "Jessica" (3808082176)
01:02:38.710 --> 01:02:46.890
Provisions included in those requirements as well. So I know Ingrid or
Laura you want to add to that your thoughts.

428 "Laura Heady (she, her)" (3231065856)
01:02:50.370 --> 01:02:56.430
I thought that was great. Thank you. I mean, I think that's the important point is that it's a step toward bringing.

429 "Laura Heady (she, her)" (3231065856)
01:02:56.430 --> 01:03:06.780
Attention to a place that the community feels is sensitive and vulnerable, but it's not the regulatory teeth of like an overlay zone or something. That's a little bit more aggressive.

430 "Ingrid Haeckel" (1295266816)
01:03:08.125 --> 01:03:21.055
Yeah, yeah, yeah, I agree. Um, and thank you so much Jessica. I'm so glad to have this guide. It has helped answer many of the questions. We've gotten over the last several years and it will make my job easier.

431 "Ingrid Haeckel" (1295266816)
01:03:23.995 --> 01:03:26.515
So we have a question from Sheila Buff, which was actually the.

432 "Ingrid Haeckel" (1295266816)
01:03:26.780 --> 01:03:40.350
Question I was going to ask uh if there wasn't another one, which is, are the processes for NRI acceptance, the 3 processes you outlined, Um, mutually exclusive.

433 "Ingrid Haeckel" (1295266816)
01:03:40.350 --> 01:03:45.420
In other words, if you do a resolution, can you also do a law and.

434 "Ingrid Haeckel" (1295266816)
01:03:45.420 --> 01:03:48.660
Um, yeah, I was going to ask,

435 "Ingrid Haeckel" (1295266816)
01:03:48.660 --> 01:03:51.900
If you are planning or hoping to.

436 "Ingrid Haeckel" (1295266816)
01:03:51.900 --> 01:04:00.330
Pass a law is there is any reason why you wouldn't start with a resolution to begin with because a law might take some time to.

437 "Ingrid Haeckel" (1295266816)
01:04:00.330 --> 01:04:04.320
Um, to develop, right and reach approval stage.

438 "Jessica" (3808082176)
01:04:04.320 --> 01:04:08.340
Yeah, you went exactly where I was going to go, which is.

439 "Jessica" (3808082176)

01:04:08.340 --> 01:04:22.195
Quickly, right you can get a resolution adopted with policy statements
and we talked about that the part of the policy statement says how we
intend to use this and that's where we say we intend to use this to
inform and update Our comprehensive plan.

440 "Jessica" (3808082176)
01:04:22.195 --> 01:04:28.255
We intend to use this right to amend our zoning. And this is also where
you could potentially direct.

441 "Jessica" (3808082176)
01:04:28.340 --> 01:04:35.010
Staff or board to provide recommendations for taking those actions. So I
would say.

442 "Jessica" (3808082176)
01:04:35.010 --> 01:04:38.160
Definitely, you want to look at doing potentially all 3.

443 "Jessica" (3808082176)
01:04:38.185 --> 01:04:51.925
Right and build on, try to create that policy framework we set out, which
you're going to do. direct the appropriate people and stakeholders that
need to be involved. If we're updating zoning. We always want to be
thinking about updating our comprehensive plan. Zoning must be in
accordance with a comprehensive plan.

444 "Jessica" (3808082176)
01:04:51.985 --> 01:04:57.565
So, although we're kind of listing them separately walking through those
steps. I think you should be thinking about.

445 "Jessica" (3808082176)
01:04:58.160 --> 01:05:02.610
Doing these in a coordinated way, whether communities are

446 "Jessica" (3808082176)
01:05:02.845 --> 01:05:13.315
Able to get to a full kind of regulatory approach or not. That's where
you can start and kind of build. You know, community engagement and
Education are great components of a policy statement.

447 "Jessica" (3808082176)
01:05:13.375 --> 01:05:18.355
So, maybe a lot of it is about education that can help you move into
planning and land use.

448 "Laura Heady (she, her)" (3231065856)
01:05:18.870 --> 01:05:23.280
thanks.

449 "Laura Heady (she, her)" (3231065856)
01:05:23.905 --> 01:05:38.515

And that is included in some of the examples that are, I think, in the
NRI chapter, where it was explicit in the resolution that the CAC would
train the planning board about the NRI, or, you know, they really spelled
that out specifically,

450 "Laura Heady (she, her)" (3231065856)
01:05:38.515 --> 01:05:41.245
which I think is a good way to kind of hold some accountability.

451 "Jessica" (3808082176)
01:05:41.635 --> 01:05:56.365
As much as you can through a resolution, and you kind of see this in play
too, because you'll see the same community appearing in different
sections. Right? Because they're not just taking one approach. They're
not stopping at one stage. They're taking multiple approaches. We're not
playing favorites.

452 "Jessica" (3808082176)
01:05:56.395 --> 01:06:01.375
We, we're recognizing communities that are doing a lot and they're
building on those efforts.

453 "Jessica" (3808082176)
01:06:01.520 --> 01:06:03.180
By taking action in

454 "Jessica" (3808082176)
01:06:03.180 --> 01:06:05.635
different ways through policy, planning, and law.

455 "Laura Heady (she, her)" (3231065856)
01:06:07.645 --> 01:06:19.285
Right and as I talked about in the introduction, we've been working with
so many communities on NRIs and there was a lot of examples of how NRIs
have been incorporated through these different mechanisms.

456 "Laura Heady (she, her)" (3231065856)
01:06:19.285 --> 01:06:22.945
But we're hoping over the next few years, we'll see more of those
subsequent actions.

457 "Laura Heady (she, her)" (3231065856)
01:06:23.180 --> 01:06:31.590
So, we'll have more examples of resolutions or local laws and so forth to
incorporate into maybe a second edition of the document.

458 "Ingrid Haeckel" (1295266816)
01:06:31.590 --> 01:06:35.790
Jessica, I was wondering if you could.

459 "Ingrid Haeckel" (1295266816)
01:06:35.790 --> 01:06:39.810
Talk a little further about who typically.

460 "Ingrid Haeckel" (1295266816)
01:06:39.810 --> 01:06:43.890
Works on these adoption processes and.

461 "Ingrid Haeckel" (1295266816)
01:06:43.890 --> 01:06:49.770
You know, since it's grant season, and people are perhaps thinking about
their projects.

462 "Ingrid Haeckel" (1295266816)
01:06:49.770 --> 01:06:54.120
Should they be also thinking about rolling in, you know.

463 "Ingrid Haeckel" (1295266816)
01:06:54.120 --> 01:07:02.040
Drafting, for example, adoption documents as part of a project. I know I
personally have observed, um.

464 "Ingrid Haeckel" (1295266816)
01:07:03.655 --> 01:07:13.615
Projects you know, they reach conclusion and then the consultant is done,
they walk away, and the volunteers are sort of left with this task of
well,

465 "Ingrid Haeckel" (1295266816)
01:07:13.735 --> 01:07:19.585
how do we adopt this now or how do we draft the resolution or write the
local law, and they don't really have that.

466 "Ingrid Haeckel" (1295266816)
01:07:19.800 --> 01:07:24.450
Technical support that they had from the consultant during

467 "Ingrid Haeckel" (1295266816)
01:07:24.450 --> 01:07:27.840
The inventory or plan drafting process.

468 "Jessica" (3808082176)
01:07:28.735 --> 01:07:39.295
Yeah, well, I think you're right on, which is build that into the whole
process. Right, thinking about implementation and some of the best plans
I see are talking about how we're going to implement the plan,

469 "Jessica" (3808082176)
01:07:39.295 --> 01:07:44.215
which is implement the plan as far as the next step to get it posted,
trained.

470 "Jessica" (3808082176)
01:07:44.725 --> 01:07:58.585
And those implementations adopted, right? So we'll just write the plan.
And what are we going to do in those next step, how are we going to get
adopted and disseminated and trained and then make those decisions about
how we implement it?

471 "Jessica" (3808082176)
01:07:58.615 --> 01:08:04.675
So they actually say implementation of the plan, not implementation of
the kind of goals and strategies.

472 "Jessica" (3808082176)
01:08:04.995 --> 01:08:15.705
In the plan as sections of plans, and it's really we see that in comp
planning and it's a really great approach. as far as who does it, I think
you named a bunch of them. It's different from community to community.

473 "Jessica" (3808082176)
01:08:15.705 --> 01:08:24.435
You know, is it a community that has staff, is a community that has an
active conservation council or conservation board, depending on where
they are in the process.

474 "Jessica" (3808082176)
01:08:25.205 --> 01:08:39.665
Or that particular volunteer who's willing to take stuff on right? And so
we see different kind of groups, assortment of folks involved and it's
different community and it really can be any and all it.

475 "Jessica" (3808082176)
01:08:39.990 --> 01:08:53.845
You know, often, as you said, it includes the actual kind of engagement
of a consultant and thinking through kind of that scope of work and the
breadth of what you need to fully support, not just the creation of the
document itself.

476 "Jessica" (3808082176)
01:08:53.905 --> 01:08:58.015
But the implementation phase is, I think, great to think about early on.

477 "Laura Heady (she, her)" (3231065856)
01:08:58.380 --> 01:09:05.490
And I think that's a reminder too of why it's important to have
conversations.

478 "Laura Heady (she, her)" (3231065856)
01:09:05.490 --> 01:09:11.545
Before the grant apps, so I know we have a lot of ambitious CACs that
might want to put together a grant application,

479 "Laura Heady (she, her)" (3231065856)
01:09:11.545 --> 01:09:25.465
but it's so important for them to be talking to their elected leaders and
really start laying the foundation for having buy in and support for
those subsequent implementation steps so now is a good time to have those
conversations because if you.

480 "Laura Heady (she, her)" (3231065856)
01:09:25.490 --> 01:09:37.950

You're going to apply for grant the season. It's only a few months away before they're due. Um, or even if it's next year, you know, start building those relationships and those, having those conversations, I think is really a good part of that strategy.

481 "Laura Heady (she, her)" (3231065856)
01:09:37.950 --> 01:09:50.755
Uh Ingrid, there's a question from our friend Rich about county NRIs, and I know you've been involved in a number of projects where a County NRI was developed, but then there were municipalities,

482 "Laura Heady (she, her)" (3231065856)
01:09:50.755 --> 01:09:57.265
maybe within the county that were kind of taking parts of those county level NRIs you want to talk about that and the value at

483 "Ingrid Haeckel" (1295266816)
01:09:57.690 --> 01:10:11.910
The county level anyway. Yeah, I think the county level NRIs can be very valuable. And I know rich has noted that counties have little to say in local planning and zoning. Um, but counties have.

484 "Ingrid Haeckel" (1295266816)
01:10:11.910 --> 01:10:22.680
Tend to have much more planning capacity than municipalities in most cases. And so I think there's a great role for counties to play in putting together these resources.

485 "Ingrid Haeckel" (1295266816)
01:10:22.680 --> 01:10:27.540
And having a reference available for all municipalities in their area.

486 "Ingrid Haeckel" (1295266816)
01:10:27.540 --> 01:10:35.280
Um, you know, hopefully it would be wonderful if every municipality developed a local level NRI, but it's probably not.

487 "Ingrid Haeckel" (1295266816)
01:10:35.305 --> 01:10:50.065
Going to happen very soon and having a county level reference can still be very useful for towns and villages and cities, and in the case of the Colombia County NRI, know there was a.

488 "Ingrid Haeckel" (1295266816)
01:10:51.025 --> 01:11:05.785
a resolution that was passed by the board of supervisors in Columbia county to adopt the NRI and then a version of that was circulated with municipalities and some municipalities I think Germantown, New Lebanon. I recall off hand.

489 "Ingrid Haeckel" (1295266816)
01:11:06.120 --> 01:11:20.845

Adopted that resolution to adopt the county and as a reference for their own planning and decision making and that's included as an example I believe we have it in the guide. Yeah.

490 "Ingrid Haeckel" (1295266816)
01:11:21.150 --> 01:11:27.810
But also, one, last thing I'll say about county level NRIss in terms of the mapping capacity.

491 "Ingrid Haeckel" (1295266816)
01:11:27.810 --> 01:11:38.430
Uh, several of the counties we've worked with on these projects have gone on to develop interactive online mapping programs that have been.

492 "Ingrid Haeckel" (1295266816)
01:11:38.455 --> 01:11:53.425
Really useful companion tools for I mean, they're useful in general for, for folks working in those areas. Um, but even for communities that have done their own NRIs, having that county level mapping resource is a great companion tool. Um.

493 "Ingrid Haeckel" (1295266816)
01:11:53.730 --> 01:12:01.380
That can allow you to zoom in to the parcel level and turn features on and off. Um, and counties generally have just a greater.

494 "Ingrid Haeckel" (1295266816)
01:12:01.380 --> 01:12:11.310
Capacity to develop and maintain that type of tool than a a town city. Your village.

495 "Laura Heady (she, her)" (3231065856)
01:12:11.395 --> 01:12:24.235
Thanks and Ingrid. I would also add, you know, we don't really have a lot of coordinated planning and that's a real problem when we're trying to think about a large ecosystem or biodiversity and how natural systems function.

496 "Laura Heady (she, her)" (3231065856)
01:12:24.235 --> 01:12:31.225
So, I think having that county, at least, you know, we're still talking about artificial political boundaries, but at least having that county

497 "Laura Heady (she, her)" (3231065856)
01:12:31.310 --> 01:12:39.990
Scale helps maybe draw some connections through the, you know, county planning or county EMC about what are some of the natural features that are really.

498 "Laura Heady (she, her)" (3231065856)
01:12:39.990 --> 01:12:45.330
Important on a county scale and how can decisions and support.

499 "Laura Heady (she, her)" (3231065856)

01:12:45.330 --> 01:12:59.100
Trickling down to the municipal level, take those into consideration. So
I think that's another way to at least coordinate a little bit more on
those larger scale, or on the county scale anyway um considerations and
priorities.

500 "Ingrid Haeckel" (1295266816)
01:12:59.845 --> 01:13:10.585
It can be useful foundation for open space planning at the county level
as well and many counties have been involved in some level in open space
protection.

501 "Ingrid Haeckel" (1295266816)
01:13:11.335 --> 01:13:16.255
So, this is a foundational step for counties. Similarly.

502 "Laura Heady (she, her)" (3231065856)
01:13:16.530 --> 01:13:20.790
And I'll stay last night, we were at the Hudson River watershed alliance.

503 "Laura Heady (she, her)" (3231065856)
01:13:20.790 --> 01:13:31.165
Awards event, and one of the first people I met at the event was somebody
raving about the Columbia county NRI as a land owner how they were able
to open the map understand, and look at it.

504 "Laura Heady (she, her)" (3231065856)
01:13:31.165 --> 01:13:40.645
So, that was really great to hear and I think so, right now if I remember
correctly, so, duchess, and also we're working on them right now. Um,
Columbia and Greene recently completed them.

505 "Ingrid Haeckel" (1295266816)
01:13:41.055 --> 01:13:52.665
And Westchester has an older version of a county NRIs at everybody I
think at this point, I think that's everyone right now the Orange County
is updating their open space plan.

506 "Ingrid Haeckel" (1295266816)
01:13:52.665 --> 01:14:00.705
And that includes a kind of an inventory component that they're
developing an online ArcGIS hub site For. and I think they.

507 "Laura Heady (she, her)" (3231065856)
01:14:00.790 --> 01:14:04.200
Also included an NRI in their climate resiliency plan.

508 "Laura Heady (she, her)" (3231065856)
01:14:04.200 --> 01:14:08.340
too, which is another place where NRIs fit well.

509 "Laura Heady (she, her)" (3231065856)
01:14:08.340 --> 01:14:15.120

Let's see, I'm just checking to see if there's any more questions we're
supposed to end in about a minute.

510 "Laura Heady (she, her)" (3231065856)
01:14:15.120 --> 01:14:19.740
I did answer a couple of questions that were in the Q and a, um.

511 "Laura Heady (she, her)" (3231065856)
01:14:20.215 --> 01:14:35.005
Regarding the difference between open space plans and community
preservation plans and also yes, certainly cultural resources are often
included in open space plans and the New York state, local open space
planning guide has a whole chapter or section, at least on historic
resource inclusion and.

512 "Laura Heady (she, her)" (3231065856)
01:14:35.790 --> 01:14:42.330
It's really up to the municipality how you decide you want to define open
spaces. Um, but there is lots of guidance out there.

513 "Laura Heady (she, her)" (3231065856)
01:14:42.330 --> 01:14:46.620
Any closing thoughts, Jessica, or Ingrid before we.

514 "Laura Heady (she, her)" (3231065856)
01:14:46.620 --> 01:14:50.550
Wrap up for today.

515 "Ingrid Haeckel" (1295266816)
01:14:50.550 --> 01:14:55.920
No, I would just encourage, you know, we've helped so many communities to
develop and NRIs

516 "Ingrid Haeckel" (1295266816)
01:14:55.920 --> 01:15:01.350
And open space plans in the last decade and I think this is a great

517 "Ingrid Haeckel" (1295266816)
01:15:01.350 --> 01:15:15.600
Tool for communities to go back and maybe revisit. It's not too late to
maybe take some of these further implementation steps with your NRI or
open space plan. Even if it was completed a few years ago.

518 "Laura Heady (she, her)" (3231065856)
01:15:15.600 --> 01:15:22.770
Certainly, and I think we see that in some of the examples it took a
little time sometimes for them to take these actions.

519 "Jessica" (3808082176)
01:15:22.855 --> 01:15:37.105
Anything else from you, Jessica I'll just add that. I think we have
learned a lot doing. This is that 1 of the things is I don't think
there's a guide out there. That walks you through the steps of these
various mechanisms at this level of detail.

520 "Jessica" (3808082176)
01:15:37.105 --> 01:15:42.685
So, whether you're doing it in the conservation planning contact or not,
I encourage you to share the resource.

521 "Jessica" (3808082176)
01:15:43.155 --> 01:15:55.035
Because I think it can be used in a lot of contexts, implementing plans
and inventories, adopting laws. How resolutions work is information that
I think a lot of volunteers needs to understand what they're doing.

522 "Jessica" (3808082176)
01:15:55.035 --> 01:16:02.715
So, I applaud program for kind of initiating this project. Because I
think hopefully it will help a lot of communities. So.

523 "Laura Heady (she, her)" (3231065856)
01:16:02.770 --> 01:16:05.220
That should be involved and thank you everybody.

524 "Laura Heady (she, her)" (3231065856)
01:16:05.575 --> 01:16:19.945
Thank you and I would add to that while we focus on the Hudson river
estuary watershed, certainly any New York state municipality could
benefit from this document. Um, because it's applicable for all the home
roll communities in New York state.

525 "Laura Heady (she, her)" (3231065856)
01:16:20.575 --> 01:16:25.135
Um, great. Well, thank you again, Jessica, for all your work on the
document and for.

526 "Laura Heady (she, her)" (3231065856)
01:16:25.220 --> 01:16:32.130
Joining us today, we'll be sharing the recording of the webinar and a
link to the document and thanks for Co-hosting.

527 "Laura Heady (she, her)" (3231065856)
01:16:32.130 --> 01:16:36.810
And thank you all for attending. Yeah, bye. Bye take care. Bye.

528 "Ingrid Haeckel" (1295266816)
01:16:36.810 --> 01:16:50.052
Bye.