

## Land Use and Local Government Advisory Panel Meeting

Meeting Teleconference - WebEx

24 September 2020

1:00 pm

### At a Glance

- The Advisory Panel's objective is to identify a range of emission reduction and sequestration recommendations that are consistent with available research and analysis, for land use and local governments that contribute to achieving the statewide emission limits. The Panel is also expected to develop comprehensive recommendations for short- and long-term community climate change adaptation and resilience, and for statewide adaptation and resilience planning.
- There is a short timeline to develop a workplan. Each sector's plan will be brought to the Climate Action Council for review and approval at their October meeting.
- Next meeting will be October 7, 2020, 11am-12pm.
- Information regarding meetings and materials can be found on – [www.climate.ny.gov](http://www.climate.ny.gov)

### Present

**WebEx: (Over 100 total attendees including panelists and agency staff)**

**Advisory Panel:** Sarah Crowell, LULGA Chair, Mark Lowery, Jessica Bacher, Jayme Breschard-Thomann, Juan Camilo Osorio, Kevin Law, Katie Malinowski, Kathy Moser, Priya Mulgaonkar, Gita Nandan, Ed Marx, Eric Walker.

**Agency Staff:** Paul Beyer (Presenter)-DOS, Brad Tito (Presenter)-NYSERDA, Chris Eastman-DOS, Ann Thane-DOS, Josh Hunn-DOS, Jaime Reppert-DOS, Paula Gilbert-DOS, Anurupa Roy-DOS, Lynn Weiskopf-DOT, Elisabeth Lennon-DOT, Colleen Smith-Lemmon-DOT; Alison Kabir-ESD, Dazzle Ekblad-DEC, Jesse Scott-NYPA, Riobart Breen-DEC, Maureen Leddy-DEC.

### Welcome, Agenda Review, Introductions:

Sarah Crowell, LULGA Chair and Director, Office of Planning, Development and Community Infrastructure, New York Department of State

### Panel Member Introductions: Panel Members

Each panelist provided a brief introduction including name, affiliation, background and connection to land use and local government.

### NYS Climate Leadership and Community Protection Act (CLCPA) Primer:

Mark Lowery, Assistant Director, Office of Climate Change, NYS Department of Environmental Conservation

**GOAL:** Gain common understanding of the requirements of the law and the timeline in which steps must be completed.

- CLCPA sets goals for various percent reductions of greenhouse gases and carbon emissions based on 1990 levels across the entire economy.
  - 40% reduction in GHG emissions by 2030, from 1990 levels
  - 85% reduction in GHG emissions by 2050, from 1990 levels
  - 100% emission reduction – net zero emission by 2050
- Land Use and Local Government Advisory Panel will develop a work plan that will inform the Climate Action Council (CAC) in developing a Scoping Plan of recommendations for achieving GHG limits.
- The Scoping Plan will have performance-based standards for GHG sources, and will examine reducing electricity emissions, limiting the use of synthetic GHGs, promoting best practices in land use and transportation planning, aiding the state workforce’s transition to the clean energy economy, limiting emission leakage (i.e., an employer leaves the state and takes their emissions elsewhere) and achieving long-term carbon sequestration.
- The advisory panel must present the CAC with draft recommendations for its sector by March 2021.
- Law includes an emphasis on benefitting the workforce and disadvantaged/under-resourced communities through consultation with the Climate Justice and Just Transition working groups.

**Advisory Panel Work Plan:**

Sarah Crowell, LULGA Chair and Director, Office of Planning, Development and Community Infrastructure, New York Department of State

**GOAL:** Identify the objectives and responsibilities of the Land Use and Local Government (LULG) Advisory Panel.

- Panel must develop a work plan with recommendations to meet reduction goals through land use and local government actions by March 2021. A template will be provided to create this plan that ensures consistency of the level and detail of information provided across panels.
- The LULG Advisory Panel will collaborate with other advisory panels and will be called upon by other panels to offer technical assistance and guidance.
- A working group comprising staff from contributing state agencies or authorities will be assisting.
- Possible focus areas include local education and capacity building, reduction of vehicle miles traveled (VMT), adoption of stretch energy codes, community power, blue carbon management, and community adaptation and resilience.
- In consultation with all other advisory panels, the LULG Advisory Panel will take the lead in developing comprehensive recommendations for both short-term and long-term community climate change adaptation and resilience, and to support statewide comprehensive adaptation and resilience.

**State of Sector:**

Paul Beyer, Director of Smart Growth, New York Department of State and Brad Tito, Program Manager,

## New York Energy Research and Development Authority

**GOAL:** A brief look at the scope of the sector, existing programs and ongoing work related to environmental beneficial practices in the land use and local government sector.

### Smart Growth:

- Using smart growth practices in land use planning and zoning reduces vehicle miles traveled (VMT) by creating location efficiency. Smart growth communities are walkable, mixed-use, and compact, so the need for personal vehicles is lower, resulting in lower VMT and GHG emissions.
- Transit-oriented development is one tool driving smart growth around NYS. It encourages growth and density around transit stations (bus or train) and offers a variety of services and uses (residential, retail, office, etc) within a quarter or half mile of the transit hub and reduces VMT while promoting economic development.
- Other tools to encourage smart growth include comprehensive plans, master plans, open space plans, and form-based, overlay and incentive zoning, which can promote inclusivity, affordability and density.
- New Rochelle successfully used a downtown overlay zone in its new form-based code to incentivize developers to concentrate new mixed-use development in the downtown.
- There are many state land use programs working with local governments to support a broad range of climate goals, including the Downtown Revitalization Initiative (DRI), healthy and age-friendly policies, affordable housing, parks and open space protection and climate resilience.

### Local Governments and State Energy Programs:

- Local governments are important partners in addressing climate change. Municipalities that adopt climate plans and policies can benefit from increased economic development opportunities.
- The NYSERDA Clean Energy Communities program focuses on reducing energy use. Communities that complete a list of high-impact actions earn points towards Climate Smart Communities Certification. New York State encourages communities to do both.
  - 313 Clean Energy Communities
  - 583 Participating Communities
  - 1,743 High-Impact Actions Completed
  - Impacts more than 90 percent of the state's population
- The DEC Climate Smart Communities program is a comprehensive climate action program that allows municipalities to pledge their action on climate. Communities that document their work can become certified.
  - 313 communities have registered
  - Impacts over 8.7 million New Yorkers
  - 62 municipalities have been certified

- The NYPA Five Cities Energy Program brings the five largest cities outside NYC together to create energy master plans with the goal of reducing power and has resulted in \$2 million in annual savings across all five cities.

#### Shining Stars:

- Geneva: Lake Tunnel Solar Village. A walkable/bikeable solar net-zero village developed on a long underutilized vacant parcel in downtown Geneva, with lake front access and direct connection to downtown Geneva.
- Wyandanch/Babylon: equitable TOD. A successful mixed-use, TOD around their LIRR station. All amenities are within a 5-minute walk from the station, including housing, retail, entertainment, and health services. Geiger Park has added natural flood resilience to the surrounding community and provides vehicle-free connection to nearby Belmont State Park.
- Ulster County: A Climate Smart Communities Leader. An inter-agency and inter-disciplinary collaboration on climate change, including capacity building, ongoing learning, and regional, intergovernmental leadership and support.

Question from Attendee: How do we replicate this in rural communities?

Answer from Mr. Beyer: Even though the scale is different than in urban places, rural places can still promote smart growth, like incentivizing development in hamlets, while allowing for agricultural or rural land preservation. For example, hamlet revitalization is a major goal in the North Country coupled with forest and land preservation.

#### **Scope Development Discussion:**

Sarah Crowell, LULGAP Chair and Director, Office of Planning, Development and Community Infrastructure, New York Department of State

**GOAL:** Allow Panel Members to provide thoughts about what was presented and share important topics to shape panel's future work in the next steps.

**Jessica Bacher:** The LULGAP should avoid recreating the wheel because the state has a lot of good programs and resources that can be leveraged to achieve the goals of the law. At the same time, it is important to be sure that local governments have the necessary education and capacity to take advantage of these opportunities. Local governments should be key actors in this process.

**Jayme Breschard-Thomann:** There are great resources available on the state level, but many local governments lack the staff capacity to know which program is applicable to them, so they may not know how to access the resources, incentives and funding. The state can be very siloed, so developing a system that can help facilitate access to these programs from the local level would help break down some of those barriers. We need to work together.

**Ed Marx:** There should be a focus on streamlining state programs and funding to lessen the overlap across programs. It can be difficult to work with state programs when local capacity is an issue. In rural areas, we should work with rural communities to help protect forests and wetlands, which helps

mitigate flood risk and promotes forest and enhanced biodiversity protection.

**Kathy Moser:** Would like an update from DEC on the wetlands mapping program. It is important to include input from local officials in the work of this panel. The lack of local officials directly involved in this initiative should be addressed, perhaps by engaging associations. Sarah Crowell suggested that convening a group of local officials and representatives to consult with the panel is possible to ensure that this initiative works on the ground and will be implemented on the local level.

**Priya Mulgaonkar:** The panel should look at how land use decisions can boost resiliency and encourage municipalities to replicate good examples across the state. Would like to explore opportunities to implement community ownership of green technology (i.e. cooperative models, community land trusts, etc.). The law needs to benefit disadvantaged communities, so we should engage local community organizations and explore how state programs and local governments will achieve the equity mandate of the law.

**Gita Nandan:** Education and technical training are critical in the area of climate policy, but on the local level, there is a lack of the necessary training and knowledge. Mandatory training for local officials on climate change and green technology may be a solution. Community members and the public should also be involved.

The master planning process is a good way to engage the public on these issues, while pushing local governments to be proactive, instead of reactive.

**Juan Camilo Osorio:** The mechanisms to access climate science at the community level should be strengthened so that the science can be incorporated into local planning efforts. For example, more direct support and technical assistance could be provided to communities through the Brownfields Opportunity Areas program and other similar programs. The panel should be aware of the need to protect local jobs and strengthen the workforce development pipeline and to ensure that climate gentrification is not accelerated.

**Kevin Law:** The panel should be sensitive to other concerns, like those from the real estate industry, where development is already arduous in many places. Many developers are on board with climate smart development, but it takes a long time to build anything. In addition to offering density bonuses for climate smart provisions, there may be an opportunity to incentivize such development by offering accelerated land use approvals.

**Eric Walker:** Streamline state programs and encourage NYSERDA and other agencies to bring local governments, developers and vulnerable communities together to create better community development. Promote engagement around local economic development goals with state level economic development programs. Reimagine the clean energy fund. If Ulster County is a model, how do we collaborate and bring climate governance and human service delivery together elsewhere? RGGI used to have urban forestry offsets. Examine the job potential and health benefits of reducing urban heat island effect and increased availability of green and open space.

**Katie Malinowski:** Streamlining some of the Climate Smart and Clean Energy Communities programs

would be helpful because a lot of local officials get confused about the two programs and terminology can be difficult. Some of the transit focus discussed earlier doesn't translate as easily to rural areas, but Lewis County and St. Lawrence County are two rural places that have been able to implement transit services. There may be more opportunities to help support that. Comprehensive planning benefits communities in the long run and it would be nice to provide that to more communities. Would like to see some accounting on the carbon offset of solar, especially when it's placed on working agricultural land. We should be mindful of developing solar in places where the agricultural use of land may be more productive than solar. Let's be cautious to not overestimate the jobs related to renewable energy. There may be temporary jobs created when installing renewable energy technologies (solar or wind) but long-term maintenance may not be done by the local workforce.

**Next Steps:**

The next meeting will occur in the first week of October. Future meetings will occur once a month until March 2021. The work plan and scope draft will be developed and circulated before the next meeting. Further details to come.

**Adjournment:** Meeting concluded at 3:02PM.