



Adirondack Park Agency

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

Sarah Osgood
Executive Director
New York State Climate Action Council
17 Columbia Circle
Albany, NY 12203

July 1, 2022

Dear Ms. Osgood,

The Adirondack Park Agency (APA) appreciates the opportunity to offer comments on the Climate Action Council's draft scoping plan. As an executive agency charged with land use planning and implementation for the six million acres of public and private lands within the Adirondack Park, we are well positioned to play an important role in the State's efforts to mitigate and adapt to the impacts of climate change. We offer our feedback and ideas for how the scoping plan may be implemented to more fully recognize the challenges and opportunities related to climate change within the Blue Line.

Adaptation and Resilience

This chapter of the report proposes a requirement to assess climate vulnerabilities during land and water planning (AR2, page 312). The APA should be included in this recommendation, as the Agency regularly works with communities to prepare local land use programs for private lands and works in partnership with the Department of Environmental Conservation (DEC) to prepare unit management and complex plans for state-owned lands. Integral to the process of land use planning is the Agency's responsibility to manage the classification of both public and private lands – such classification is based on the landscape's ability to withstand use and considers environmental constraints such as steep slopes, soil types, and proximity to wetlands, water bodies, and other natural resources. Sound and scientifically informed land use planning within the Adirondack Park enables the Agency to protect areas prone to inundation from development, keeping both people and critical infrastructure out of harm's way.

The adoption of resilient design guidelines for state-funded projects (AR2, page 312) should include those projects on public lands within the Park, in addition to municipal projects in hamlets. State funded projects on public lands may include but are not

limited to bridges, trails, culverts, and dam rehabilitations and removals. The Agency works with the Department to ensure that these types of projects are undertaken in conformance with the Adirondack Park State Land Master Plan (APSLMP) and could utilize resilient design guidelines in this analysis. These guidelines would not only serve to safeguard the longevity of these investments in the face of increasing storm intensity, but would also maximize connectivity for aquatic and terrestrial species and bolster ecological integrity.

The plan discusses both state and local adaptation and resilience planning, including voluntary buyout programs (AR5, page 315). In communities where voluntary buyout programs are implemented within the Park, municipalities may be expected to request amendments to the Adirondack Park Land Use and Development Plan (APLUDP). If such requests are made, the Agency will review such applications pursuant to the Adirondack Park Agency Act, associated regulations, and the State Environmental Quality Review Act. Among the considerations reviewed by the Agency, in addition to the environmental constraints noted above, are open space preservation, climate impacts, and proximity to services as well as a host of other land use determinants consistent with smart growth principles.

Land Use & Local Government

This chapter discusses how land use patterns impact greenhouse gas emissions and can facilitate or impede carbon sequestration. The Agency recognizes the deleterious ecological effects of sprawl and landscape fragmentation and continues to seek ways to protect the environmentally sensitive lands of the Park from development. We are presently working to advance a Departmental bill to enable landowners to transfer development rights from lands classified as resource management and rural use (more restrictive density guidelines) to lands classified as moderate and low intensity use (less restrictive density guidelines, land has a greater capacity to withstand use). Our proposed law would promote sustainable development closer to existing development and public infrastructure, reduce vehicle miles traveled, and enhance livability for a wider age range of residents. The transfer of development rights is a significant policy tool that warrants recognition in the scoping plan.

Smart growth strategies including LU 9 and 10 (page 292-297) acknowledge that municipalities are empowered to lead their own planning and zoning efforts, but recognize that the State has a role to play in providing funding and technical expertise to support local and county planning initiatives. The APA has a unique relationship with communities in the Park. Staff work directly with local governments to develop and provide oversight of eighteen approved local land use programs (ALLUPs), pursuant to sections 807 and 808 of the Adirondack Park Agency Act. Staff also engage regularly with local governments who do not have ALLUPs to ensure that their local land use laws comply with Agency regulations, assist with comprehensive and local waterfront revitalization planning, and align local and regional priorities.

Agency staff also review municipality- and landowner-requested amendments to the APLUDP which sets overall intensity guidelines and describes compatible uses for each land use classification for all private lands within the Park. The APLUDP's density-based zoning model drives development to areas of the Park that have the infrastructure (water, sewer) to sustain a higher level of use and protects more ecologically sensitive areas (including wetland areas) from impacts associated with development.

The Adirondack Park Agency is willing and eager to partner with other state agencies and authorities to continue to deliver land use planning, environmental protection, and economic development services for communities across the Park. Thank you for considering our feedback on the Climate Action Council's draft scoping plan.

Sincerely,

Barbara Rice

Executive Director
Adirondack Park Agency