Environmental Conservation Commission

Town of Gardiner, NY

June 30, 2022

Draft Scoping Plan Comments

NYSERDA

17 Columbia Circle

Albany, NY 12203-6399

Sent via email to: scopingplan@nyserda.ny.gov

To Whom It May Concern:

Let me begin with a quick point regarding terminology. Some municipalities have Conservation Advisory Councils, others have Environmental Management Councils, and others have Conservation Advisory Commissions. The Scoping Plan currently uses only the first two terms. In the town of Gardiner, the body charged with promoting environmental conservation is called yet a fourth term, the Environmental Conservation Commission (ECC).

The mission of the ECC, as per the Town Code, is to “advise the Town Board on matters affecting the preservation, development, and use of the natural and man-made features and conditions of the Town,” “…and with regard to any major threats posed to environmental quality.”

Additionally, it is:

* “…to conduct studies, surveys, and inventories,” “…to coordinate, assist, and unify the efforts of [other groups] and individuals within the Town;”
* “…to maintain liaison and communications with public and private agencies and organizations;”
* to recommend “…features, plans, and programs relating to environmental improvement;”
* to “prepare, print, and distribute books, maps, charts, and pamphlets;”
* to “obtain and maintain” “…maps, reports, books and other publications;”
* to attend seminars, workshops, or continuing education courses relating to environmental conservation issues throughout the year;
* and to monitor grant opportunities, pursue grant funding, and coordinate the Town’s efforts upon receipt of grant funding for matters related to environmental conservation.

The annual budget provided for our seven-member volunteer body is approximately $2000. By contrast, to fulfill *its* mission, the municipal body promoting the interests of developers, the Planning Board, has copious resources, including unlimited access to legal counsel, a salaried clerk, and stipended membership. The Gardiner ECC wholeheartedly supports the notion of providing funding to balance this “unlevel playing field.”

In my experience, few municipalities have had the ability or foresight to ensure a balance between the number of developers and environmentalists in making appointments to the Planning Board. But even where that is a conscious goal, it is difficult to accomplish since local developers have a strong natural incentive to apply for seats on the Planning Board, because their public presence, their interactions with other developers, and the knowledge they gain of development initiatives within their community significantly promotes their business interests. Thus, the unlevel playing field between Planning Boards and ECCs is endemic.

Section LU5 of the Scoping Plan, “Mapping, Research, Planning, and Assistance,” (page 288) calls on the, DOS, DEC, and the Legislature to “assist county and local governments to… [provide] funding for Conservation Advisory Committees and Environmental Management Councils. The Gardiner ECC wholeheartedly supports this; however, we question the placement of this recommendation under the heading of “Mapping, Research, Planning and Assistance.”

Perhaps there should be a separate section in the Scoping Plan entitled CACs, “EMCs, *ECCs, and other similarly titled municipal bodies*,” which could include a list of recommendations to better empower those groups. For example:

* the creation of an office where an ECC could obtain legal advice, including a review of the local laws relating to an issue at hand;
* the establishment of a training office at DEC where ECC members could learn how to conduct conservation analyses for proposed development projects;
* the imposition of minimum training standards in environmental conservation for Planning Board members;
* and the creation of a resource center employing biologists and other academicians in fields related to environmental sciences to provide access to research relating to specific local questions and to assist in formulating arguments in support of environmental conservation.

Thank you for your consideration.

Sincerely,



Michael Hartner

Chair

Environmental Conservation Commission

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