

To: The New Lebanon Town Board
From: The New Lebanon CAC
Date: April 14, 2026
Re: Proposing New CEAs in New Lebanon

The New Lebanon Conservation Advisory Council (CAC) would like to pursue creating Critical Environmental Areas (CEAs) for several New Lebanon/Canaan areas that we have long discussed as important and unique – the Bog, Knob, and Shaker Swamp. Note that the Bog and Knob may be one CEA. This will require further investigation, including consultation with the town of Canaan. These potential CEAs have been emphasized as important once again in the Room Enough For Both report recommendations for the Town.

In the past we have been asked by the Town Board to go door to door and receive permission from abutters. This becomes challenging and labor intensive with larger areas like the Swamp. However notification, and not permission, is the stated requirement by the Department of Environmental Conservation (DEC).

DEC says the requirement is a public notice, a hearing, and filing the designation and maps with the DEC Commissioner. Therefore we would like the Town Board to allow us to notify abutters by mail and NOT go door to door.

What is a Critical Environmental Area?

A Critical Environmental Area (CEA) is a geographic area with unique or exceptional environmental characteristics. Local governments are authorized to designate CEAs under State Environmental Quality Review (SEQR) regulations. A list of information and currently designated CEAs is available at: <https://www.dec.ny.gov/permits/6184.html>

Why Designate Critical Environmental Areas?

The CEA designation alerts landowners, developers, and regulatory agencies to important or unique local environmental features. During SEQR, the Town's lead agency (whether the Town Board or the Planning Board) must consider how proposed projects might affect the qualities of the CEA, among other potential environmental impacts that must be evaluated. The designation thus ensures that special features are not overlooked, and that potentially harmful impacts to them are evaluated.

How do Critical Environmental Areas affect Landowners?

CEA designation does not protect land or restrict development in these areas. The CEA designation only influences review of “Type I” or “Unlisted Actions” subject to SEQR. Most activities of private landowners are listed as “Type II Actions” and do not require SEQR, including building a single-family (or 2- or 3-family) house, home addition, garage, shed, deck, swimming pool, or other minor accessory structure on an approved lot, landscaping maintenance, farming, or building farm structures. Within the proposed areas, subdivision of land is the most common type of activity requiring SEQR.