

Connecticut Institute for Resilience and Climate Adaptation

UNIVERSITY OF CONNECTICUT

Climate Resilience Strategies for Rural, Urban, and Coastal Communities

Louanne Cooley, UConn CIRCA, UConn School of Law

Connecticut Institute for Resilience and Climate Adaptation (CIRCA)

University of Connecticut

CIRCA: using multidisciplinary teams to solve challenging problems







Innovative planning that incorporates technical knowledge & leads to policy development & project implementation.

TECHNICAL TOOLS



Developing map viewers, storymaps, datasets, & guidance documents to inform planning & decision-making.

FIELD RESEARCH



Deploying instruments, analyzing data, & developing models to better understand site conditions & demonstration projects.

ENGAGEMENT



Working with stakeholders to build capacity & partnerships through events, outreach, & tool development.



Imagine you are a town official in Connecticut What are you worried about, in terms of Climate Change? State law/ regulation Flooding Green house gas mitigation Transportation Federal law/regulation Legal authority **Excessive Heat** Housing Air quality **Politics Environmental degradation** Finance **Energy infrastructure** Justice and equity **Emergency management**

Mitigation

- Reduce the flow of heat trapping gasses into the atmosphere
- Enhance "sinks" that accumulate and store gases

Adaptation

• Adapt to life in a changing climate, adjust to actual or future conditions.

What is Climate Resilience?

"capacity of social, economic and ecosystems to cope with a hazardous event or trend or disturbance".

This is done by "responding or re-organizing in ways that maintain their essential function, identity and structure (as well as biodiversity in case of ecosystems) while also maintaining the capacity for adaptation, learning and transformation".

So, what is CIRCA doing?

- Help define the problems- measure sea level rise, measure urban heat, model climate vulnerabilities
- Develop tools for municipalities to use in decision making
 - Climate change vulnerability index
 - EJ mapping tool
 - Zoning for Resilience
- Develop factsheets, policy guides, presentations
 - Stormwater Authorities, Flood Boards, Conservation Commissions, Climate Resilience Reserve Funds

Publications: Factsheets explaining how new legislation expands municipal authority to include climate resilience and resolving conflicts in state and federal standards.





In 2021, the Connecticut legislature passed P.A. 21-115 allowing municipalities to create a stormwater authority by enabling an existing commission or board or by establishing a new stormwater authority. Stormwater authorities are recognized throughout the United States and abroad as a tool for communities to finance and manage stormwater infrastructure and increase resilience to climate chance instant. Once a community be authorities are recognized throughout the United States and abroad as a tool for communities to finance and manage stormwater infrastructure and increase realience to climate change impacts. Once a needed funding to address adducted a feasibility study and determined a stormwater authority would provide needed funding to address observaters management, the part critical store are to pass an ordinance to enable a stormwater authority to conducted a feasibility study and determined a stormwater authority would provide needed funding to address stormwater management, the next critical steps are to pass an ordinance to enable a stormwater authority, to determine how fees will be assessed, and to establish a separate stormwater enterprise fund. By carefully crafting the ordinances needed for these three steps, the municipality can step within its statutory and constitutional authority and avoid lenal challenges.

How to Determine the Best Fee Model for Your Community? In establishing a stormwater authority, an essential decision for a municipality is determining what kind of fee model will best serve the needs of the community. The choice of fee model depends broadly on two ideas: how much will stormwater management cost, and how to fairly distribute the costs to users. What are the costs of stormwater management? Important considerations for determining the cost of stormwater management are assessing how stormwater organic costs are currently distributed, what currently unfunded projects must be addressed, and what new profession a externment for curter penal. Stormwater covariances and management capital improvements, and program costs are currently distributed, what currently unfunded projects must be addressed, and what new costs will a stormwater fee system entail. Stormwater operations and management, capital improvements, and regulatory compliance may be spread among different departments within a government and may need to be consolidated. Backlons from deferred maintenance and increased infrastructure needs should be evaluated and

regulatory compliance may be spread among different departments within a government and may need to be consolidated. Backlogs from deferred maintenance and increased infrastructure needs should be evaluated and prioritized. Municipalities should consider funding needed to solve capacity issues related to data collection on merk should be included in the stormwater nororram costs as well as credits for disconnections. These costs all impervious cover, establishing billing systems, and addressing appeals. Future maintenance and inspection needs should be included in the stormwater program costs as well as credits for disconnections. These costs all logether form the stormwater program cost to be funded by the stormwater fee.

Additional factors in choosing a suitable fee model for a municipality are primary land use, population development density and community recourses. Core a municipality makes a recomplete according to

Additional factors in choosing a suitable fee model for a municipality are primary land use, population, development density, and community resources. Once a municipality makes a reasonable assessment of meet requirements and equitably distribute costs then they can make an appropriate choice of fee model to against the cost of failure to a meet stormwater regulatory compliance, increasing precipitation loads on the system, anucipalities' resources to meet the challenges of increased stormwater burdens and increase climate resilience in the community.

Comparison of fee models Stormwater fees are seen as more equitable than using tax revenue to pay for stormwater management because all economics inclusting concurrent non-taxable non-taxable economics are subject to the fee. In Connecticut, there are a few Stormwater fees are seen as more equitable than using tax revenue to pay for stormwater management because all properties, including non-profit, non-taxable properties are subject to the fee. In Connecticut, there are a few exceptions, including limits on the fees collected from certain hospital properties. Farm, forest, and state overment lands can be charged fees colle on land with impendicus over draining into municipal senarate exceptions, including limits on the tees collected from certain hospital properties. Farm, forest, and state government lands can be charged fees only on land with impervious cover draining into municipal separate dynamics events.

vater systems.

Funding for this project is provided by the U.S. Department of Housing and U.S. Development through the Community Development Block Gran National Devi Recovery Programs as administered by the Connecticut Department of Housing

Legal authority that can be used for increasing local climate resilience

- **Zoning** through use of regulatory authority
- **Stormwater Utilities** usage fees can be used for stormwater reduction
- Flood Prevention, Climate Resilience, Erosion Control Boards – ability to issue bonds to fund projects
- Climate Resilience Enterprise Funds investable finance tool for use on resilient projects
- Conservation Commissions can manage conservation easements
- Inlands Wetland Agency narrow regulatory authority

CIRCA Legal Team: "Whole Town" approach to Climate Resilience Example: What municipal boards or commissions can address flooding issues?

	Regulates	Advises leg. or reg. body	Operates/ maintains systems	Can assess fee or tax	Planning function	Can address flooding	Policy/ action on climate resilience
FPCREC Board		Yes	Yes	Yes		Yes	Limited to Flood related action
Planning/Zoning Commission	Yes	Yes			Yes	Yes	Limited to zoning authority
Resiliency Commission		Yes			Yes	Yes	Yes- focused broadly on municipal climate resilience
Stormwater Authority			Yes	Yes		Yes	Limited to stormwater related action
Inland Wetlands Agency	Yes	Yes				Yes	Limited to authority in Inland Wetlands Act
Conservation Commission		Yes				Yes	Conservation/ preservation of natural systems

Zoning for Climate Resilience

As climate change threatens people and the environment, municipalities can implement strategic land use planning and zoning regulations to improve local climate adaptation and resilience by directing development away from vulnerable areas.

Regulations can be targeted to:

- Protect natural buffering features and green infrastructure (Low Impact Development)
- Incentivize development density in specific areas, away from climate change vulnerable areas
- Specify resilient design to reduce impacts of storms, sea level rise, and increasing heat.

Low Impact Development

Land management strategy emphasizing minimization of development on natural landscapes and hydrology.

Focus on design with nature, avoiding increased stormwater runoff.

Climate Resilient Zoning

Expands concept of Low Impact Development to account for increasing vulnerabilities due to climate change by increased heat, precipitation, flooding, erosion, and storms.

Works within current zoning authority to maximize resilience to future climate change impacts.

Zoning for Resilience Toolkit

Fact sheets on zoning concepts that can be used to increase climate resilience:

- Transferable Development Rights
- Overlay Zones
- Reducing Parking Minimums
- Maximum Lot Coverage
- Minimum Lot Size Reduction
- Design Standards
- Policies to address increased urban heat
- Tree protections/landscape standards



Transferable Development Rights

- · Land-owner retains all rights to property, except development rights.
- Home-owners in climate change vulnerable areas can remain in their homes.
- Property value lost through climate vulnerability (for example, increasingly flood prone areas) is recovered through sale of development rights.

Transferable Development Rights (TDR) are a regulatory technique allowing development rights to a property to be severed, transferred, and relocated to another parcel of land. The landowner retains the title and other rights to the property and may sell or exchange the land title or development rights separately. The development rights are expressed as a conservation easement recorded in the land records. TDR programs can advance land use management goals of a municipality without causing a financial burden to landowners or restricting needed development. These programs have traditionally been designed to preserve and protect natural or historic resources for the benefit of the public but could be used to promote climate resilience by limiting development in areas of higher climate risk and encouraging development in less sensitive areas.

TDR programs preserve a landowners' assets by shifting the right to build in area where increased development would be detrimental to an area where development is encouraged. Creating transferable development rights avoids legal issues with constitutional "takings" that could arise from restrictive re-zoning prohibiting development outright. The protected zone, or *Sending Zone*, directs the rights to development out of the area. *Receiving Zones* then allow for use of development rights from the sending zone permitting more density than authorized by local zoning ordinance.

TDR programs are advantageous because they can create a win-win situation for landowners and regulators. Permanent protection from further development is granted to the property within a sending zone, and the property owner is financially compensated without major public expenditure.

TDRs as a Tool for Municipal Climate Resilience

TDRs have the potential to shift development away from vulnerable areas like shorelines and towards preferred inland areas. Currently, TDRs are mainly used nationally by municipalities for agricultural or open space preservation. However, several municipalities across the nation are evaluating TDRs as a climate resilience strategy. Governments can create disincentives for new development in vulnerable coastal areas, while using TDRs to increase inland density. For example, coastal communities can use TDR programs to retreat from the shoreline by designating parcels along the coast as sending zones, limiting development, and incentivizing development elsewhere.



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How do strategies differ for rural, urban and coastal communities?

- Context matters
 - Unique aspects of geography, geology, hydrology
 - Urgency; likelihood of repetition
 - Jurisdiction
- Hierarchy of potential solutions to problems
 - Needs of community
 - Resources; cost/ benefit
 - Political will

Example of flooding problem

	Rural	Urban	Coastal
Excessive rainfall	Street flooding; erosion of culverts; road blockages; damage to streams, agriculture	Co-mingling of storm and sanitary sewers; street flooding; excessive property and infrastructure damage;	Low lying land flooding, transportation corridors disrupted, evacuation routes blocked
Stream/ river flooding	Isolation due to cut off transportation access	Dangerous conditions for travel; disruption of emergency response	Pollution and siltation entering coast
Storm surge	Roads impacted, evacuation paths	Costal development at risk	Transportation networks disrupted; critical infrastructure impacted
Tidal flooding/ sea level rise			Cyclic or storm related flooding impacting/ degrading critical infrastructure

Response to problems

	Rural	Urban	Coastal
Excessive rainfall	Culvert assessment and standards to increase flow in areas subject to high volume water in storms; increased dam inspections and dam emergency management planning; protection of riparian corridors;	Zoning regulations like green roofs, inclusion of vegetation management, bioswales; creation of stormwater authority to fund improvements to stormwater system, spread costs fairly; assessment and improvement of stormwater system; limits to development in flood zones; increased regulation in flood overlay zones; enhanced greenspace that can accommodate flooding when needed.	Coastal management plan; stormwater authorities; limits to development in flood prone areas;
Stream/ river flooding	Regional watershed management plan; enhanced riparian corridor protections;	Enhanced stormwater management; Riparian corridor protections;	
Storm surge			Restoration of living shorelines; protection of coastal wetlands
Tidal flooding/ sea level rise			Regulation on development in coastal floodplain; infrastructure improvements;

Example of heat related problems

	Rural	Urban	Coastal
Drought	Well failure; crop damage/ failure. River/ stream/ wetland lack of water	Low levels or failure in public water supply, waste-water processing	Coastal wetlands damaged; salinity increases in coastal waters
Public health	Inability to cope with heat leading to ill health;	Vulnerable populations w/o access to cooling;	Increased strain on power infrastructure to access cooling.
Infrastructure failure	Buckling roadways, sagging powerlines	Car breakdowns, rail delays, power disruptions; powerline sagging; weakening of building materials	Rail and other transportation systems failing; wastewater systems w/o adequate water supply; public water supply low; stress on building materials

Response to problems

	Rural	Urban	Coastal
Drought	Regional watershed management plan; enhanced riparian corridor protections; Tree protections	Water conservation ordnances, regulation; stormwater management and water recycling when feasible; tree protections,	Water conservation ordinances; tree protections
Public health	Development of social and public health service response; worker protections; cooling centers as needed.	Cooling centers, worker protections; <mark>increased tree</mark> canopy (heat tolerant species); increased vegetation.	Cooling centers, worker protections; increased tree canopy (heat tolerant species); increased vegetation.
Infrastructure failure	Resource conservation	Requirement to replace/ rebuild with less vulnerable materials	Vulnerability assessment, hardening of structures or use of better materials



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Conservation Commissions & Climate Resilience

Kayla Vargas, UConn CIRCA, UConn School of Law

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Conservation Commission Factsheet

LICONN



Conservation Commissions and Natural Resource Resilience

"Climate-resilient lands not only protect wildlife but also provide natural defenses against flood, drought and other risks to people." Open Space Institute1

The state of Connecticut is rich in natural resources and diversity of wildlife, plants, and landscapes making it an attractive place to live, work, and play. Climate change poses threat to Connecticut, and through protection of our natural areas. municipalities have the opportunity to implement climate resilience. Conservation Commissions share the responsibility of guiding their municipalities in meeting open space goals as a resilient strategy. Conservation Commissions should consider the effect of climate change on natural resources and the solutions these resources provide when undertaking their duties of protecting and preserving biological diversity and natural resources.

Natural Resource Conservation and Climate Resilience

Natural resource conservation can be used as an adaptation strategy to slow the rate of climate change and its damaging effects by working to protect vulnerable areas that serve as natural buffers to climate impacts.² Conservation is the protection of natural resources for future generations. Conservation can include wildlife habitat restoration, deterring species extinction, enhancing resilient ecosystem services, and protecting biological diversity. Conservation Commissions can influence naturebased solutions and conservation methods to reinforce climate resilience. Blending natural features with built infrastructure through environmental management, planning, and design can foster climate change adaptation and resilience.³

What is a Conservation Commission (CC)?

Conservation Commissions are volunteer municipal government bodies that are authorized by Connecticut Statute to "conserve, develop, supervise and regulate natural resources (C.G.S. Ch. 97. Sec. 7-131a)." However, the charge of a Commission may vary by municipal ordinance. Commissions may manage open space, land and water resources within their jurisdictional limits. Commissions have the authority to advise other boards and agencies about conservation concerns within municipal projects and development. Conservation Commissions have a role in increasing resiliency by suggesting how climate change may further impact natural resources due to specific land management in vulnerable locations. CC's can portray the significance of how natural features could be part of nature-based solutions to climate impacts such as flooding, excessive heat, erosion, shoreline stabilization, or poor water quality.

Coordination between municipal boards and commissions, non-governmental organizations, and even adjacent towns is imperative when addressing climate resiliency. Municipalities should utilize a Conservation Commission in finding solutions to site-specific concerns. For example, when considering flood solutions, combining best practice stormwater management with a conservation easement that protects open space and allows for natural stormwater infiltration, would be an effective use of a Conservation Commission authority and allow another level of monitoring and enforcement.

LICONN

Authority and Duties of a Conservation Commission

Establishment & Legal Authority

The statutory authority of a Conservation Commission derives from Chapter 97, Section 7-131a of the Connecticut General Statutes. Commissions are established by vote of the municipal legislature.

Membership

It is important to consider members with diverse interests and knowledge in resource conservation. Commission members serve in part to educate local citizens and officials on conservation issues and present practical and effective recommendations to land use boards and other commissions.

- Minimum of 3 members: 11 members maximum. .
- Maximum 3 alternate members: when seated, have all the powers and duties of a member of the commission.
- Members appointed, removed for cause, and vacancies filled by the Chief Executive of a given municipality.
- . Terms served by members are designated by the legislative body establishing commission.

Powers and Duties Must do "Shall's":

- ~ Conduct research into the possible utilization of land areas within its municipality.
- 1 Keep index of all open areas, publicly and privately owned, including open marshlands, swamps and other wetlands to obtain information on proper use of such land.
 - o It may, from time to time, recommend to the planning commission or, if none, to the chief executive officer or the legislative body, plans and programs for the development and use of such areas.
 - Keep records of its meetings and activities and shall make an annual report to the municipality. Administer gifts the same for such purposes subject to the terms of the gift.

Permissible "May's":

1

~

- ~ Coordinate activities of unofficial bodies organized for similar purposes.
- 1 Advertise, prepare and distribute books, maps, charts, plans, and pamphlets necessary for its purposes.
- Propose a Greenway plan for inclusion in conservation plan and development per Section 8-23.
- Inventory natural resources and formulate watershed/drought management plans.
- Plans shall be consistent with water supply management plans per Section 25-32d. ~ Make recommendations to planning, zoning, inland wetlands or other municipal commissions and agencies on proposed
- land use changes ~ With approval of municipal leaislative body acquire land and easements in name of municipality and promulaate rules and regulations including but not limited to the establishment of reasonable charges for the use of land and easements
- for any of its purposes.
- ~ Supervise/manage municipal owned open space or parks if authority delegated by entity responsible for such
- Receive aifts in the name of the municipality for its purposes. ~
 - Exchange information with the Department of Energy and Environmental Protection (DEEP).
 - o Commissioner of DEEP may assign technical personnel to a commission, per request, for assistance in planning its overall program and for coordinating state and local conservation activities.

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Natural Resources and Climate Change Impacts

Natural resources refer to living and non-living elements of the Earth system that humans rely on to survive and evolve.⁴ Climate change threatens our natural resources, affects global food security and water supplies, and jeopardizes the livelihood of our public, local and national economies.⁵ Local action by Conservation Commissions and their communities can enhance municipal resilience by preserving present and future natural resources and the ecosystem services they provide.

Climate Change Impacts on Natural Resources⁶

Increased Precipitation & Flooding

- Destroyed crops by silt and sediment threatening food supply
- Uprooted trees/Vegetation due to high-velocity water flow; negatively impacting the benefits of trees
- Contaminated runoff (pesticides, chemicals, sewer and debris) lead to poor water quality and endangered ecosystems
- Increased erosion and flood risks
- Altered landscape and collapsed riverbanks
- Damaged wildlife habitat

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- Migration of invasive pests and diseases harmful to the health of humans and the built environment
- Declined cold-water fish diversity I.e., bass and trout Transition of tree species from Maple/Birch to
- Oak/Hickory: affecting maple sap economies Increased toxic blue-green algae blooms in water bodies
- that affect public health, the environment and economies
- Shifted correlation between pollinator activity and honey production

creased Drought Periods

- Failed food & crop yields; threatening food supplies and economies
- Declined drinking water resources
- Dropped wetlands; resulting in loss of habitat and carbon sequestration capabilities
- Increased freshwater salinity resulting in toxic marine algae environments for fish and ecosystems
- Adverse forest and agriculture conditions



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Conservation Commissions & Resiliency

Natural resource conservation can be used as an adaptation strategy to slow the rate of climate change and its damaging effects by working to protect vulnerable areas that serve as natural buffers to climate impacts.

- Climate change poses threat to Connecticut, and protection of our natural areas, provides opportunity to implement climate resilience.
- Conservation Commissions share the responsibility of guiding their municipalities in meeting open space goals as a resilient strategy.
- May manage open space, land and water resources within their jurisdictional limits.
- Have the authority to advise other boards and agencies about conservation concerns within municipal projects and development.
- Charge of a Commission may vary by municipal ordinance.

Conservation Commissions have a role in increasing resiliency by suggesting how climate change may further impact natural resources due to specific land management in vulnerable locations.



Resilient Water Conservation

Rainwater Harvesting

- Not regulated by CT & encouraged!
- Irrigate plants/landscapes, wash cars/home windows, **NEVER** be used for human consumption
- Drought periods, Resource Conservation, Save Energy!

Healthy Soil Practices/Soil Conservation

- Tillage negatives
- Healthy soil practices = carbon sequestration and decreasing drought risks to crops

Resilient! Resilient! Resilient!



Resilient Land Conservation



 Acquire land and easements in the name of the municipality



Japanese Knotweed





Mile-a-Minute Vine



Japanese Knotweed (Polygonum cuspidatum) is a shrub-like, upright herbaceous perennial that grows to 10 feet. It spreads vigorously from long, stout rhizomes and forms dense stands. It also produces winged seeds that are carried to new areas. A significant threat to riparian areas. Control: Cut plants three times per year at ground level during growing season to starve roots and rhizomes.

Mile-a-Minute (Persicaria perfoliata) is an annual vine that can grow six inches per day, smothering other vegetation. Seed persists in soil for six years. Seeds are dispersed by birds, mammals and water.

Control: Hand pull plants and roots before fruiting in August. Repeated mowing or weed-whacking will reduce the plants reserves and prevent or decrease flowering. Weevils are effective for bio-control.

Japanese Barberry (Berberis thunbergii) is a thorny shrub with a dense twiggy form, growing to five feet. Tolerant of a broad range of soil, moisture and light conditions. Seeds dispersed by birds. Barberry leaf litter changes the chemistry of the soil, displacing many native herbaceous and woody plants. Provides optimum tick habitat. DO NOT BUY or PLANT Control: Pull or dig young plants, making sure to get the roots. Repeated cutting of large plants. Weed wrench ® is effective for uprooting.

Invasive **Plant Species** Removal

 Nonnative species that may cause harm to the environment, human health and economies by displacing native species



Japanese Barberry

Text and photos used by permission from Pollinator-Pathway.org and CT Invasive Plant Working Group (CIPWG). Connecticut Invasive Plants Council's List of 12 Invasive Plants that threaten our Environment, Economy, and Human Health. 2023. https://www.pollinator-pathway.org/invasives



Resilient Forest & Tree Conservation

Forest Protection

- Natural landscapes that reduce and store carbon that lessen the effects of climate change
- Advising on municipal policy for open space and park acquisition and management
 - Plans of Conservation and Development
- Supervise/manage municipally owned parks or open space and promulgate rules and regulations
 - Time frames/fees for public use

Tree Warden

- Each CT municipality required to have one
- Work in collaboration

Did you plant a tree today?

Resilient Wildlife Conservation

Pollinator Gardens

- Generate/enlarge habitatsbenefiting bees, butterflies, birds and bats
- Allocating ample nectar and pollen sources = enhanced pollinator populations, providing resilience to human food supplies
- Native trees and shrubs such as Flowering Dogwood

Nest Boxes & Bat Houses

- $\,\circ\,$ Pest consumption & seed spreading
- Educate the use of nest boxes and bat houses to help protect species/preserve their ecological role



"Pollinators are responsible for 1 out of 3 bites of food we take each day (USDA)."





Influence Nature-Based Solutions

FEMA defines nature-based solutions as, "sustainable planning, design, environmental management and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience."

- Wetland Conservation & Restoration
- Green Infrastructure
- Reforestation
- Greenways



Thank you! Louanne Cooley CIRCA Legal Fellow Louanne.Cooley@uconn.edu

Kayla Vargas CIRCA Research Assistant

<u>kayla.vargas@uconn.edu</u>

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CIRCA Links

CIRCA's **homepage** for additional information o <u>https://circa.uconn.edu/</u>

Learn more about the **Resilient CT Project** o <u>https://resilientconnecticut.uconn.edu/</u>



Access the Climate Resilient Zoning 3-module Training sessions and Zoning fact sheets

- o https://resilientconnecticut.uconn.edu/zoning/
- For **Spanish** Translation, click <u>here</u>!

Conservation Commissions and Natural Resource Resilience Fact Sheet

o <u>https://resilientconnecticut.media.uconn.edu/wp-</u> <u>content/uploads/sites/3830/2023/05/Conservation-Commission-Fact-Sheet.pdf</u>