



Legislation Text

File #: Res 1001-2007, **Version:** *

Res. No. 1001

Resolution calling upon the New York State Legislature to pass and the Governor to sign Senate bill S.6177, which is designed to reform the Brownfield Cleanup Program and to provide incentives for brownfield redevelopment projects which result in the creation of quality jobs or affordable housing.

By Council Members Gennaro, Brewer, Fidler, Gentile, Gerson, James, Liu, Mark-Viverito, Nelson and Recchia Jr.

Whereas, Brownfields are often part of significant, potentially valuable real estate located in community cores; and

Whereas, In addition to posing environmental and health hazards, when left vacant these contaminated sites reduce the property value of surrounding sites, diminish the value of adjacent properties, and threaten the economic viability of the community; and

Whereas, The State Brownfield Cleanup Program (BCP), created in 2003, was intended to encourage private sector remediation and redevelopment of contaminated property through the use of tax credits and other incentives; and

Whereas, In order to provide municipalities and community-based organizations with assistance to complete revitalization plans and implementation strategies for areas affected by brownfield sites, the State created the Brownfield Opportunity Areas Program (BOA); and

Whereas, While the BCP has shown tremendous promise, a lack of clarity regarding which government agencies are responsible for the program's administration and regulation has led to delays in project planning and approval and has stymied the program's effectiveness; and

Whereas, According to New York State Senator Antoine Thompson, the tax credits created by the BCP have not been working as intended, with the least marketable brownfield sites continuing to be ignored by private developers, effectively undermining the program's intended use as a tool for urban revitalization; and

Whereas, The existing brownfield policy also lacks accountability of companies benefiting from the BCP's tax credits, which are awarded as-of-right for any site that enters the Brownfield Cleanup Program, regardless of that site's public benefit, relative cost of cleanup compared to development, consistency with local economic development objectives, or compatibility with a regional or municipal plan; and

Whereas, S.6177 is designed to remove the statutory obstacles preventing the Brownfield Cleanup Program from functioning in the way it was originally intended; and

Whereas, S.6177 would amend the Environmental Restoration Program, under which the State provides

grants to municipalities to reimburse costs for site investigation and remediation activities, to allow community-based organizations to play a leadership role in brownfield reclamation planning, resulting in projects tailored to the wants and needs of local communities; and

Whereas, By doubling the amount of tax credits generated for sites consistent with a BOA plan and eliminating the tax credits for sites which are inconsistent with a BOA plan, S.6177 would improve the efficacy of the BCP's brownfield tax credits and re-focus them toward site cleanup and critical economic development; and

Whereas, S.6177 would introduce a "Brownfields Shovel Ready Program," under which the Empire State Development Corporation would be authorized to purchase and clean up contaminated properties in distressed urban areas and then resell these properties to businesses for one dollar on the condition that the businesses generate either quality jobs or affordable housing on the sites; and

Whereas, Enactment of S.6177 would revitalize the State Brownfield Cleanup Program and allow the State to better address the problem of a dwindling land supply, to accomplish environmental justice in low income communities, and to create quality jobs and affordable housing; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign Senate bill S.6177, which is designed to reform the Brownfield Cleanup Program and to provide incentives for brownfield redevelopment projects which result in the creation of quality jobs or affordable housing.

LS # 3515
August 9, 2007