

SUPPORT BROWNFIELD CLEANUP PROGRAM AND BROWNFIELD OPPORTUNITY AREA

Who we are: The Building & Realty Institute of Westchester & the Mid-Hudson Region, Brownfield Coalition of the Northeast, The Business Council of Westchester, Buffalo Niagara Partnership, Local Development Corporation of East New York, Long Island Builders Institute, The New York Building Congress, New York City Brownfield Partnership, New York League of Conservation Voters, Real Estate Board of New York, SoBro, Center for Creative Land Recycling, USGBC Long Island, New York State Association for Affordable Housing, Sullivan County Partnership, Upstate United.

Dear Governor Hochul, Speaker Heastie, and Majority Leader Stewart-Cousins,

We want to thank you for your commitment to the Brownfield Cleanup Program (BCP) and the Brownfield Opportunity Area Program (BOA) and urge the reauthorization of the BCP and additional improvements to these programs in the FY '23 budget that you are in the process of finalizing.

The BCP is working in New York. Since its inception, over 502 projects have been completed statewide, with 50% of the projects in economically distressed En-Zones and many in Environmental Justice and Brownfield Opportunity Areas. The program has created over 6,000 affordable housing units and \$17.61 billion in private investments, cleaned up contaminated sites which may not otherwise have been remediated, and is increasing public health benefits by reducing greenhouse gas emissions and improving climate and air quality, which furthers environmental justice goals to promote healthier communities.

For these reasons, we were pleased to see the Governor's Executive Budget include a 10-year reauthorization of the BCP as well as other positive reforms including allowing renewable energy sites to be eligible for the program and extending the eligibility period for the site preparation credit. In addition, we were also pleased that language initially proposed by Senator Kennedy and Assemblymember Crystal Peoples-Stokes in the form of S.7210/A.8228 was included in the Senate's one house budget bill. This language would make several changes to the Brownfield Cleanup Program that the Coalition feels are vitally important including extending the length of time to complete projects for the purposes of claiming the tangible property credit, clarifying eligibility for affordable housing, and expanding En-Zones.

The Coalition requests that the enacted FY '23 budget include the Executive Budget proposal of a 10-year reauthorization and expanded eligibility for renewable energy projects and the provisions of S.7210/A.8228.

Additionally, the Coalition is supportive of the Senate one house proposal which eliminates the executive's proposed \$50,000 fee for the BCP and we request the fee not be included in the enacted budget. The proposed \$50,000 non-refundable fee will deter many smaller organizations, especially not-for-profit, MWBE, and upstate developers, from participation in the program. This pre-development cost cannot be absorbed and will be cost-prohibitive, slowing remediation of contaminated sites.

Furthermore, the Coalition supports the proposed increase of \$5 million in funding for the Brownfield Opportunity Areas program, greater support for pre-development activities in BOAs, and changes to include activities that support job growth, reduce greenhouse gas emissions, increase climate resilience, and achieve environmental justice to the list of eligible activities. We hope these provisions will also be included in the enacted budget.

The Coalition looks forward to working with you during the remaining days as we work secure these important improvements to the BCP and the BOA programs.