



NEW YORK STATE SENATOR

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Reforming The State's Brownfields Program

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Legislation will help revitalize urban areas, make program more accountable to taxpayers

The New York State Senate passed legislation (S8717) to reform the state's Brownfield Cleanup Program to better target financial incentives for the cleanup and redevelopment of contaminated sites across the State. The Brownfields reform bill, which reflects an agreement between the Governor and the Legislature, will help revitalize New York's urban areas while ensuring that the program is more accountable to taxpayers.

The Brownfields legislation will:

- * In some cases, provide more than double the current tax incentives for site cleanup, up to 50 percent of cleanup costs.
- * Limit redevelopment credits for non-manufacturing projects to \$35 million or 3 times the cost of site cleanup, whichever is less.
- * Limit redevelopment credits for manufacturing projects to \$45 million or six times the cost of site remediation, whichever is less.
- * Streamline administration of the Brownfield Opportunity Area Program.

Project applications that have been received prior to July 1, 2007 and applications that have been approved by the Department of Environmental Conservation (DEC) as of the date of the enactment of the legislation will continue to be eligible for current law tax credits.

The current program has not achieved desired redevelopment in struggling areas, and has provided large windfalls for some projects that were not meeting the state's goals of assuring environmental cleanup while spurring economic development. As a result, Governor Paterson and the Legislature put in place a moratorium on the Brownfield Cleanup Program, preventing the state from accepting or rejecting any more proposed projects until reforms were made. The moratorium was scheduled to end July 23.