

**NEW YORK
STATE SENATE**



Timothy Kennedy
New York State Senator
63rd District

Ted O'Brien
New York State Senator
55th District

June 9, 2014

The Honorable Dean Skelos
Senate Republican Conference Leader
NYS Senate
Legislative Office Building 909
Albany, NY 12247

The Honorable Jeff Klein
Independent Democratic Conference Leader
NYS Senate
Legislative Office Building 913
Albany, NY 12247

Dear Senators Skelos and Klein:

We write in pursuit of a long-term extension of the Brownfield Cleanup Program, which we hope to see approved before the end of this year's legislative session. As senators representing the Buffalo- and Rochester-areas, we know first-hand that this program has been an important tool supporting the redevelopment of abandoned, contaminated lands and driving the revival of our regional economies.

It is critical that we reach an agreement to renew and extend the program, and the Senate should make negotiations surrounding this economic development program a top priority. We urge you to help us ensure the Legislature votes to approve an extension of the Brownfield Cleanup Program this year.

While the program does not expire until next year, it is absolutely necessary for a vote to extend and preserve it to be held before the end of this year's session. Fostering growth and encouraging redevelopment requires stability and predictability. Delaying the extension of the program will leave it with an uncertain future and put several local projects at risk. In cities like Buffalo and Rochester, incentives and support for industrial remediation and redevelopment are key to getting projects off the ground and completed.

Without the program, vacant industrial lands will remain eyesores and health hazards holding back the revitalization of our communities. Heavy industry and manufacturing have historically been key economic sectors providing opportunities for regional growth and good-paying jobs to strengthen our middle class. However, when some of those factories closed up shop years ago, they left behind large industrial properties abandoned and contaminated. To get those lands

cleaned up, restored and returned to productive use, New York State needs to extend the Brownfield Cleanup Program.

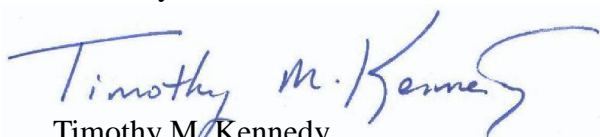
Buffalo and Rochester recently received important recognition for the redevelopment underway as a result of the program. The South Buffalo Brownfield Opportunity Area (BOA) and the Vacuum Oil, Rochester BOA were honored as outstanding BOAs from New Partners for Community Revitalization (NPCR) for the planning that went into the BOAs and the impact they're making. The Brownfield Cleanup Program launched efforts to create BOAs across the state, which have been especially successful in Buffalo and Rochester.

As you know, the Brownfield Cleanup Program has received some deserved criticism. Incentives should not be used to finance projects that would likely have been started and completed without them. The state needs to invest its limited resources wisely, and we should ensure the program is not exploited or misused to the detriment of other important projects across Upstate New York. We should make improvements to the program, but we cannot allow it to expire – the negative consequences to Buffalo, Rochester and other upstate cities would be extremely harmful and must be avoided.

Already, developers are concerned that expiration of the program or continued uncertainty about its extension will disrupt their plans for major redevelopment projects. For example, the developer who is setting plans to bring new life to the historic Trico in downtown Buffalo believes an end to the Brownfield Cleanup Program could mean the end for his historic rehabilitation project. Extending the program will help fuel the economic momentum that is revitalizing the economies of Buffalo and Rochester, while delay will only slow down and impede progress.

Again, we respectfully request that the Senate make the Brownfield Cleanup Program a priority and vote to extend it this year. Thank you for your ongoing work to spur economic growth across our state. We appreciate your consideration, and we encourage you to contact us if you would like to discuss this matter further.

Sincerely,



Timothy M. Kennedy
N.Y. State Senator, 63rd District



Ted O'Brien
N.Y. State Senator, 55th District

CC: Democratic Conference Leader Andrea Stewart-Cousins