

Good Idea!

NYC Brownfield Innovations

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City of New York, November 2005

NYC Brownfield Innovations

- (E) Designations
- City Environmental Quality Review (CEQR)
- New York Metro Brownfields Redevelopment Fund Program

(E) Designations

- An (E) is a notation on the zoning map indicating presence of an environmental issue which needs to be addressed before development of that lot
- Comes from NYC Zoning Resolution § § 11-15
- Can be for noise, air quality, or hazardous materials
- Involves 3 NYC Departments - City Planning (DCP), Environmental Protection (DEP), and Buildings (DOB)
- Clear process for when a site gets an E and how lot owner can remove it

(E) Designations

- Allows environmental review to proceed with determination of no significant adverse effect
- Hazardous Materials – addresses sites for immediate development and sites likely to be developed as a result of rezoning
- Examples of triggering actions: rezoning M zone to commercial or residential; development on vacant/underutilized site if suspicion of contamination, development on site containing fill

(E) Designations

- DCP examines use history; amends zoning map with (E)
- Enforcement – DOB records the (E) and may not issue a building permit or any certificate of occupancy for an (E)-designated lot without approval from DEP
- Process generally involves DEP review & approval of testing, health/safety, and remediation plans/activities
- DEP provides Notice of No Objection, Notice to Proceed, or Notice of Satisfaction as appropriate

City Environmental Quality Review (CEQR)

- 1969 – NEPA; 1973 – Exec. Order adapts NEPA for NYC
- 1975 – NYS SEQRA, permits local environmental review regulations
- CEQR– Exec. Order 91 of 1977
- NYC is unique– highly urbanized; areas of great density/low density; own land use review process
- Allows for use of City methodologies, procedures, and expertise (e.g. Departments of Health and Environmental Protection, adaptation of federal air quality models to NYC)
- Triggered by the City’s undertaking, funding, or approving an action

City Environmental Quality Review (CEQR)

- Addresses 20 impact categories, including Hazardous Materials
- CEQR Technical Manual provides guidance on review thresholds and methodologies
- Benefits
 - Central coordination of City environmental reviews
 - Technical assistance available to lead agencies
 - Results in better-conceived projects
- Info at www.nyc.gov/ceqr

New York Metro Brownfields Redevelopment Fund Program

- Unique program – has not been done before
- Uses 2003 EPA RLF grant \$ as credit enhancement for the bank
- \$750K EPA money + \$150K City money will leverage \$4.5 million in private capital for remediation
- Partnership with New Partners for Community Revitalization, Low Income Investment Fund, EPA, and Nassau County
- Regional approach; City and Nassau County money is separate
- Public Purpose mission – for affordable housing, community services, economic development, or neighborhood stabilization
- Environmental and Financial Underwriting guidelines – not cheap money nor for high-risk projects
- Info at www.npcr.net

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Conclusions

- Tools like (E) Designations, CEQR, and the New York Metro Fund are useful in advancing brownfield investigation, remediation, and redevelopment
- Unique conditions in NYC call for unique approaches
- We often tailor programs to fit our needs