



July 1, 2010

Dale A. Desnoyers
Remediation Director
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, Albany NY 12233

Daniel Walsh
Director Mayor's Office of Environmental Remediation
City of New York
253 Broadway, 14th Floor
New York, NY

Dear Director Desnoyers and Director Walsh;

The Citizens Housing & Planning Council has reviewed the draft Memorandum of Agreement (MOA) between the New York State Department of Environmental Conservation (NYSDEC) and the New York City Mayor's Office of Environmental Remediation (OER) regarding the Local Brownfield Cleanup Program (LBCP) and are pleased to offer our support of the MOA. We look forward to its execution without delay as it is a critical additional to the development of brownfield sites throughout New York City. The redevelopment of brownfields is a key strategy in the development of new affordable housing as laid out in Mayor Bloomberg's New Housing Marketplace Plan and supports the goals of PlaNYC.

The MOA's execution would address an important shortcoming in the current regulations which now disqualify sites from state assistance because they are not polluted *enough*. Such sites which are common in NYC are then in turn unable to pursue funding through the LBCP. And yet such properties discourage developers to independently pursue cleanup in the absence of clear guidelines. The Mayor's Office of Environmental Remediation has wisely addressed this issue through the creation of the LBCP, but without the execution of the MOA the LBCP cannot proceed.

The MOA also represents an important model for City and State cooperation, so critical in brownfield remediation. It clarifies each agency's role leaving responsibility for inactive hazardous waste disposal sites in the hands of NYSDEC, while allowing lightly polluted sites that would not qualify for state funding to pursue funding through the LBCP.

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In addition, there are many opportunities during a site's progress through the LBCP to alter the class designation and adjust its jurisdiction based on site conditions because the MOA has clearly laid out that OER is to coordinate with NYSDEC if potential exists for NYSDEC involvement. It is clear that careful consideration has gone into clarifying the appropriate amount of inter-agency communication based on the source and type of pollution. Furthermore, requiring OER to review NYSDEC databases to identify properties in NYSDEC remedial programs, and requiring OER to issue site-specific, periodic, and annual reports to NYSDEC will assure that OER will maintain useful communication with NYSDEC as it develops its proficiency in administering brownfield remediation funds.

And finally the MOA ensures that the brownfield cleanup process is streamlined, with OER maintaining direct involvement in sites under their jurisdiction.

In summary we welcome this innovative collaboration and commend the agencies involved in the crafting of this agreement. We would be happy to discuss this matter further and look forward to the successful execution of the MOA.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerilyn Perine". The signature is fluid and cursive, with the first name "Jerilyn" written in a larger, more prominent script than the last name "Perine".

Jerilyn Perine

Submitted electronically to:

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Citizens Housing and Planning Council (CHPC) is a non-profit organization founded in 1937 to provide research, policy analysis, and commentary with the intention of promoting an improved and expanded housing stock for New York City residents as well as the utilization of sound land use planning to promote sensible growth and increase economic opportunities within New York City.