



# OPPOSITION

## BROWNFIELDS LEGISLATION

While most of the opposition to the Marcellino brownfields legislation seems to be coming from Western New York, the fact is that business groups throughout upstate, including Rochester and Syracuse, oppose the legislation.

We are leading the charge because Western New York interests took the time to go line-by-line through the legislation, something that many other upstate communities have not done. Hence, leaders in these communities may have no idea how bad this legislation is for their urban development plans. **Thus, before you vote YES today, please consider the following questions:**

- 1) Did you know that upstate interests, working through Senator Maziarz' office, repeatedly invited Senator Marcellino to upstate to explain the legislation, but were rebuffed? Thus, the reason for this very public opposition.
- 2) Are you aware of the problem of upside down development (which is uniquely an Upstate problem) that means the cost of the clean up in this brownfields bill will be more than the actual value of the property. Hence developers will not touch urban brownfields.
- 3) Are you aware that upstate developers are unambiguous in their statements that this legislation will encourage them to ignore urban development and instead continue to develop greenfields in outer ring suburban communities? Hence, this legislation is actually anti-environment because it encourages more sprawl.
- 4) Did you know that some brownfields experts who work in local government have clearly stated that this measure is actually worse than the current system and will discourage them from cleaning up former industrial sites?
- 5) Are you at all concerned that the new fee structure adopted in this legislation will be the final straw that drives many of the remaining manufacturers in Upstate either out of business or out of state?
- 6) If the reason for this compromise is that this is the best bill the Assembly would do, then why would anyone think they would have any interest in doing chapter amendments with the Senate once the measure is passed and all leverage is gone?