

BROWNFIELD REDEVELOPMENT

Numerous benefits accrue when investments are made in a brownfield redevelopment project: environmental (where the site is cleaned), employment (hiring of people to remediate the cleanup site as well as the employment of people in the business which will be situated on that site), community (converting the contaminated site into attractive and clean commercial or industrial property), revenue generating (the business that locates on the site will contribute to the tax base of the municipality), tax breaks and incentives.

Federal and State Brownfield Cleanup Programs (BCPs) present unique opportunities for revival of contaminated properties in economically blighted communities and turning barriers to development into productive commercial or industrial sites. These programs also serve as one of the tools that may be used alongside a wide array of other economic development programs to leverage dollars and investment for various types of redevelopments, while providing essential protections against long-term risk. Brownfield projects require a step-by-step understanding of the process in order to ensure clients receive the maximum benefits available. Our attorneys are well versed in the various stages, providing expert legal guidance at every step along the way. Hodgson Russ attorneys have worked with a wide range of clients on these types of projects, including municipalities, developers, investors, and commercial and industrial clients. Our firm utilizes a broad-based, multidisciplinary approach among the attorneys in our environmental, real estate, tax and corporate practice areas to ensure maximum benefit for the client.

In particular, Hodgson Russ attorneys are widely viewed as a leader in understanding and managing the complicated tax structure and management required by the New York State Brownfield program, as well as other federal, state and local tax credit and redevelopment incentive programs. So, from the first steps (investigating the environmental status of a site and calculating the applicable economics of any redevelopment) to the final stages (successfully defending an audit of the claimed tax credits), our attorneys have the experience, relationships and practical business sense to ensure a successful venture.

To bring your brownfield project to successful completion, please contact any of the attorneys in our practice area with questions you may have.

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In the News

Hodgson Russ Taps Head of New Real Estate, Enviro Practice
Law360, October 20, 2023

Stravino Co-Presents UB Law's Highest Award to Judge in Washington, D.C.
University at Buffalo School of Law, September 15, 2022

Coronavirus Resource Center

Thought Leaders: Development
Buffalo Business First, November 29, 2019

Press Releases

Two Hodgson Russ Attorneys Selected to Author Monthly Columns in Tax Notes State
Hodgson Russ Press Release, April 27, 2020

Publications

Guidance Issued on New York State Brownfield Cleanup Program
Hodgson Russ Brownfield Redevelopment Alert, March 29, 2023

10 Year Extension of the NYS Brownfield Cleanup Program!
Hodgson Russ Brownfield Redevelopment Alert, April 11, 2022

Proposed Changes to NYS's Brownfield Cleanup Program Contained in the Governor's Executive Budget
Hodgson Russ Brownfield Redevelopment Alert, January 27, 2022

Manufacturing Activities Generate More Brownfield Tax Credits
Hodgson Russ Brownfield Redevelopment Alert, September 29, 2020

Turning Brownfields into Community Benefits: New Pathways for Local Government and Renewable Energy Partnerships
Hodgson Russ Brownfield Redevelopment Alert, June 29, 2020

Renewable Energy Projects and Brownfield Redevelopment in New York State – The Risk can be Worth the Increasing Reward
Hodgson Russ Renewable Energy Alert, June 3, 2020

EPA Issues Supplemental Guidance on Response and Enforcement Actions
Hodgson Russ Environmental Alert, April 14, 2020

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NYSDEC Issues Guidance on “Essential Activities” for Remedial and Brownfields Projects During the COVID-19 Pandemic

Hodgson Russ Environmental and Brownfield Redevelopment Alert, April 1, 2020

Brownfields Are Indeed Opportunity Zones

Hodgson Russ Environmental, Brownfield and Tax Alert, January 22, 2020

New York Legislature Considering Bill Requiring Prevailing Wage for “Public Work” that has Far-Reaching Implications on Brownfield Development and Other Incentivized Projects

Hodgson Russ Brownfield Redevelopment and Renewable Energy Alert, June 18, 2019

Presentations & Events

Mohawk Valley Brownfields Developer Summit

Herkimer College, Herkimer, NY, April 25, 2023 - April 26, 2023

Superfund/Brownfield Program Update 2022

December 7, 2022

CLE: Environmental Law Update

Bar Association of Erie County Headquarters, April 7, 2022

Air & Waste Management Association - Niagara Frontier Section 2020 Annual Enrichment Seminar

Buffalo, January 23, 2020

New York State Brownfield Cleanup Program - Environmental and Tax Credit Overview

The Desmond Hotel Albany, May 29, 2019

New York State Brownfield Cleanup Program - Environmental and Tax Credit Overview

Harvard Club of NYC, February 12, 2019