



NEW YORK STATE SENATOR

Pete Harckham

Harckham Bill to Help Municipalities Create Renewable Energy Projects Passes in Senate for Fifth Year in a Row

PETE HARCKHAM March 21, 2024

| ISSUE: **SENATOR HARCKHAM. SD40, SOLAR FACILITIES, RENEWABLE ENERGY, SUPPORTING LOCAL MUNICIPALITIES, SOLAR ENERGY**



State Sen. Pete Harckham on the Senate floor speaking in support of the solar canopy bill

Albany, NY – New York State Senator Pete Harckham and his colleagues in the State Senate approved a bill this week that will empower local governments to install carport solar arrays on parking lots in public parks. Harckham introduced the legislation previously in the 2020, 2021, 2022 and 2023 legislative sessions, and the bill was passed in the State Senate each time.

The legislation ([S.1179](#)) will help New York meet the ambitious goals included in its landmark Climate Leadership and Community Protection Act (CLCPA), produce cleaner air and save money for municipalities and taxpayers.

“The climate crisis requires us to do everything possible to protect our planet,” said Harckham. “The legislation I introduced to advance renewable energy projects in municipal parks statewide will help in this effort. By streamlining the approval process, we will be able to advance more solar projects, create more clean, renewable energy, reduce carbon emissions and produce revenue for our municipalities. I appreciate that my Senate colleagues understand how important it is that we take action in this regard.”

In its passage this week, the solar carport bill received overwhelming bipartisan support: the vote was 59 in favor to three against with one excused absence.

Under current law, municipalities must request an act from the legislature to alienate parklands that include airspace directly above real property being used for vehicle parking. This creates both an administrative and financial burden for communities that want to generate renewable energy locally.

As New York State looks for ways to implement the CLCPA, interest in solar projects in the airspace above vehicle parking has increased. Solar panels are known as a source of cleaner, renewable energy that also provides cost savings and generates revenue.

Harckham’s bill will allow municipalities to bypass the procedure of requesting the State Legislature to alienate parkland in order to advance solar energy projects under two megawatts that are located directly above land currently being used for vehicle parking. This will result in solar projects being installed more efficiently, saving time and reducing carbon footprints.

Wide support for Harckham's legislation has come from varying corners of government and advocacy:

Roger Downs, conservation director of the Sierra Club Atlantic Chapter, said, "As New York State looks for ways to implement the Climate Leadership and Community Protection Act, interest in solar projects in the airspace above vehicle parking has increased. Solar canopies are a source of renewable energy, providing cost savings and generating revenue. Getting parkland alienation approval for a single project from the state legislature could take a year or more and potentially discourage municipalities and their developers from proceeding. The exemption provided by this bill will make the permitting process for these installations less costly and more efficient."

Stephen J. Acquario, executive director of the New York State Association of Counties (NYSAC), said, "NYSAC supports this legislation as a way to advance renewable energy projects in county and municipal parks and make progress towards achieving the goals established by the Climate Leadership and Community Protection Act."

Peter A. Baynes, executive director of the New York Conference of Mayors (NYCOM), said, "NYCOM supports this legislation, which would authorize cities and villages to develop solar arrays above parking lots in municipal parks without having to seek approval from the State Legislature. Given the authority provided by Senator Harckham's bill, cities and villages outside the Adirondack and Catskill Parks would have broader authority to develop small solar projects in furtherance of the CLCPA and the locality's own clean energy goals."

Peter McCartt, director of Energy Conservation and Sustainability for Westchester County, said, "Adding solar canopies to our park parking lots just make sense on so many levels—obviously renewable energy and funding for the parks but also protection for

vehicles and their occupants from heat, rain, and snow as well as vastly increasing the number of EV charging stations. There is no downside to including these structures because they will be covering already paved and impermeable surfaces. Envision the vast parking lots at Jones Beach or many of our County Parks, the time is now.”

Tim Guinee, legislative action coordinator for the New York Climate Reality Project Chapters Reality Coalition, said, “This is smart, targeted legislation. Moving to a fossil-fuel-free society, as mandated by the CLCPA, means we must make a massive transfer from fossil fuel-based energy to renewable electricity. Right now, to build out solar above parking lots in parks requires an onerous lift from local municipalities requiring them to request an act from the legislature to alienate parklands. This red-tape is an impediment to reaching the goals of the CLCPA.”

Vivian McKenzie, mayor of Peekskill, said, “This bill will assist municipalities statewide in implementing solar energy projects to help achieve New York’s goal of zero emissions by 2050. Generating energy will also generate revenue, a win-win all around.”

RELATED LEGISLATION

2023-S1179

- Introduced
- - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Provides an exemption from requirements for the alienation of parkland for certain renewable energy generating projects

January 10, 2023

In Assembly Committee

Sponsored by **Pete Harckham**

Do you support this bill?