



NEW YORK STATE SENATOR

Pete Harckham

Harckham Bill to Help Municipalities Create Renewable Energy Projects Passes in Senate

PETE HARCKHAM March 15, 2023

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



Albany, NY – New York State Senator Pete Harckham and his colleagues in the State Senate have approved a bill that will empower local governments to install carport solar arrays on parking lots in public parks. Most importantly, the legislation ([S.1179](#)) will help New York meet the ambitious goals included in its landmark Climate Leadership and Community Protection Act (CLCPA).

“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 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 am confident that my colleagues in the state government understand how important it is that we take action in this regard.”

To view Harckham’s comments from the State Senate floor in support of his legislation, click [here](#).

Harckham introduced the legislation in the 2020 and 2022 legislative sessions; in both instances the bill passed in the State Senate but was not approved in the State Assembly.

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.

There is broad support for Harckham’s legislation:

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.”

Catherine Borgia, chair of the Westchester County Board of Legislators, said, “This bill will allow solar canopies in the parking lots of public parks, making it easier for municipalities and the county to install

them, generate renewable energy and keep residents' vehicles cool while they are enjoying recreational time. I appreciate Senator Harckham's vision and advocacy for the environment and his crafting of smart solutions for a better future to benefit all of us."

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?