

# BOLD INCENTIVES FOR STORMWATER COLLECTION



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The catastrophic flooding that New York City experienced on September 1st underscored a longstanding deficiency in the City's approach to resilience – it has never adequately incentivized property owners to capture stormwater.

The overwhelming majority of New York City is covered with impervious surfaces – concrete sidewalks, asphalt streets, slate roofs. When rain water falls on these surfaces, it rushes towards the City's antiquated sewer-system, which gets quickly overwhelmed. Even relatively routine rainfall events of a fraction of an inch can cause the sewers to overflow, discharging raw sewage into our rivers.

Green infrastructure can do much to mitigate these problems. By replacing some of the impervious surfaces with vegetation, green infrastructure stores rainwater where it falls, slowing its flow into our streets and sewers. It is a tested, relatively low-cost solution to improving resiliency and New York City has long touted its benefits. In fact, in 2012, the City pledged to cover 10% of its area with green infrastructure by 2030 and set interim targets to meet along the way.

Unfortunately, the City has routinely fallen behind its targets. It has made some notable progress deploying green infrastructure

on public property, but its efforts to incentivize green infrastructure on private property – which accounts for a majority of the land area that the City has targeted for green infrastructure development<sup>1</sup> – have been lackluster at best.

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The saga behind the City's green roof tax abatement offers a case in point. In 2009, the City authorized a tax abatement for property owners who install green roofs. But the program offered only minimal tax relief and required property owners to comply with cumbersome procedural requirements. It was a toxic combination; eight years into the program, only seven property owners had received the abatement. Seemingly aware of the failure, legislation authorizing a new and improved tax

abatement was passed in the summer of 2019. But the City set a \$1 million annual funding cap for the program and took nearly two years to adopt the implementing regulations needed to make the program actionable.

There's so much more the City could be doing to encourage property owners to help capture the water that flows across their properties. For starters, the funding cap for the tax abatement should be raised to far more than \$1 million in total expenditure. Given the urgency of the problem, lawmakers should consider expanding the abatement to cover more types of blue and green infrastructure as well, such as porous pavement and subsurface storage. And lawmakers should look at whether it is feasible to adopt a stormwater fee, as many other jurisdictions have done. As with the green roof tax abatement, local officials may need to coordinate with the State to adopt a stormwater fee. But given the urgency of the problem, no solution should be taken off the table.

Earlier this summer, New York City announced that it would establish a new \$53 million program to fund green infrastructure projects on large properties that the City and its contractor identifies. This is a critical step in the right direction. However, there is still much more that can, and should, be done. With so much ground to cover, the City needs a multi-pronged incentive strategy that animates the private sector to adopt a wide-range of solutions for a wide variety of property types. Let's hope the incoming administration picks up where this government left off.

<sup>1</sup>NYU Stern & Natural Resources Defense Council, Catalyzing Green Infrastructure on Private Property (2017)