



Memorandum of Support

To: New York State Assembly Members

From: Carter Strickland, The Trust for Public Land
Elizabeth Goldstein, The Municipal Art Society of New York
Lynn Kelly, New Yorkers for Parks

Re: A.3264/S.180: Reporting of Alienation of Municipal Parkland

Date: April 24, 2019

As organizations that support parks and public space, we urge you to pass Assembly Bill A3264. This bill will provide important protection for parks and other open space by codifying case law regarding the alienation of municipal parkland and is identical to Senate Bill S180, which was just passed by the Senate. New York is overdue for codification of alienation law. This bill will set an appropriately high bar for the taking of parkland by requiring replacement of parkland of equal or greater value.

Parks make communities happier, healthier, safer, cleaner, greener, and more resilient. Cities' investments in parks have been a key strategy for community revitalization and economic development, as recognized by the State in numerous grants under the Environmental Protection Fund, the Downtown Revitalization Initiative, and other programs. Yet in space-constrained cities, municipal leaders have been tempted to take or sell parkland. Even if the intended use is public, it is a false choice: city residents need and deserve parks and schools, affordable housing, libraries, and other public goods. That is why the courts have required a showing of no alternative to the taking, and the provision of replacement parkland.

Residents of and visitors to our growing cities will benefit from parkland protection, and we ask that the Assembly pass A.3264.