



## NEW YORK STATE BUILDERS ASSOCIATION, INC.

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The New York State Builders Association (NYSBA) strongly supports efforts to modernize the State Environmental Quality Review Act (SEQRA) to reduce unnecessary delays while preserving strong environmental protections.

Lengthy and duplicative environmental review requirements have significantly increased the time and cost of building housing across the State. Reforming SEQRA is essential to shortening approval timelines, encouraging investment, and increasing housing production across all regions of New York.

While NYSBA supports meaningful modernization, we remain concerned that certain provisions in the **Assembly comments** introduce new requirements that risk undermining the very purpose of SEQRA reform.

### **WE SUPPORT:**

#### **PRESERVING INCENTIVES TO BUILD ON PREVIOUSLY DISTURBED LAND USING THE GOVERNOR'S DEFINITION**

NYSBA **supports** maintaining a practical and workable definition of previously disturbed land consistent with other proposals. The definitions used in the Assembly and Senate proposals must remain broad enough to encourage redevelopment and infill development that supports housing production goals across the State.

Overly narrow definitions will defeat the intent of SEQRA reform by excluding projects that should reasonably qualify for streamlined review.

#### **INCLUDING ALL TYPES OF HOUSING**

NYSBA strongly **supports** inclusion of all types of housing, including:

- Multifamily housing
- Single-family housing
- Workforce housing
- Market-rate housing
- Affordable housing
- Senior housing
- Mixed-use and mixed-income developments

New York State is in dire need of all types of housing to address the housing shortage. The idea that only affordable housing should receive relief from SEQRA is misguided.

To fix the housing crisis, the State must increase total housing supply across all price points. Market-rate, workforce, and entry-level housing all play a critical role in restoring housing affordability.

#### **CLARIFYING THAT EXEMPTIONS INCLUDE KEY LOCAL APPROVALS**

NYSBA **supports** clarifying that exemptions apply to subdivision approvals, site plan approvals, variances, and zoning text amendments.

These approvals are fundamental components of the development process and excluding them would significantly weaken the effectiveness of SEQRA reform.

## **LOCAL MUNICIPALITIES RETAIN “HOME RULE AUTHORITY”**

NYSBA strongly **supports** the Assembly's language confirming that municipalities retain their Home Rule Authority over zoning, subdivision, site plan, and land use approvals.

## **ADDING A DEFINITION OF COMPLETENESS FOR EIS APPLICATIONS**

A clear definition of completeness is essential to prevent unnecessary delays caused by repeated requests for additional information. Predictable timelines benefit municipalities, developers, and communities alike.

## **REDUCING THE TIME TO DETERMINE WHETHER AN EIS IS REQUIRED**

Reducing the determination timeline from one year to six months represents a reasonable and necessary improvement that will significantly reduce project uncertainty.

## **USING COUNTY POPULATION TO CALCULATE THRESHOLDS**

NYSBA **supports** using a county's entire population to determine eligibility thresholds, ensuring fairness and consistency across regions.

## **FINAL DEIS TIMELINE**

NYSBA **supports** clarifying language in the Assembly proposal that the two-year environmental review timeline applies to the issuance of the FINAL DEIS.

## **WE OPPOSE:**

### **LIMITING REFORM TO URBANIZED AREAS ONLY**

Housing demand exists across the entire State, not only in urban areas. Limiting reform to urbanized areas ignores the vast majority of New York State, where housing shortages are equally severe.

### **LIMITING REFORM TO MULTIFAMILY HOUSING ONLY**

Reform must support the construction of all types of housing across the State. Single-family homes remain the primary path to homeownership for working families across New York. Limiting SEQRA reforms to multifamily housing only will significantly reduce their effectiveness and make it more difficult—if not impossible—for many working families to attain the dream of homeownership.

Excluding single-family housing ultimately denies families the opportunity to begin building generational wealth and limits access to the stability and economic mobility that homeownership provides.

### **50% AFFORDABILITY REQUIREMENT**

Mandating that a project consists of a fixed percentage of affordable housing to qualify for a SEQRA exemption will significantly limit participation and reduce overall housing production.

New York's housing crisis cannot be solved by affordable housing alone. Increasing overall housing supply across all price points is the most effective path toward long-term affordability.

## **PREVAILING WAGE, DAVIS-BACON, AND OTHER LABOR REQUIREMENTS**

Imposing prevailing wage and similar labor mandates within SEQRA reform creates additional cost burdens unrelated to environmental review; these requirements will increase construction and overall development costs by more than 30%, causing projects not to be built. Making projects financially infeasible.

## **LONG LIST OF SIGN-OFFS AND CERTIFICATIONS**

The Assembly proposal introduces numerous additional certifications, including sign-offs from multiple agencies. Adding multiple layers of sign-offs and certifications creates a de facto SEQRA process; the very problem this reform is intended to resolve.

SEQRA modernization must reduce procedural burdens; not recreate them in a different form.

## **REQUIRING ADDITIONAL ENVIRONMENTAL, FLOOD, WETLAND, ENERGY, AND “CORE ENVIRONMENTAL CONCERN” CERTIFICATIONS**

The Assembly proposal introduces multiple new environmental, floodplain, wetlands, energy, and “core environmental concern” certification requirements that collectively recreate the very delays SEQRA reform is intended to eliminate. Adding these stipulations creates a new layer of red tape that functions as a de facto SEQRA application.

New York State already has some of the most restrictive and stringent building codes, environmental laws, and energy codes in the country. There is no need to duplicate regulations that are already in effect.

The proposal to require separate analysis of undefined “core environmental concerns” introduces additional regulatory uncertainty and invites expanded interpretation that will delay projects and increase costs. Rather than streamlining review, these provisions risk recreating a “SEQRA” process under a different name.

SEQRA modernization must reduce duplication, eliminate unnecessary procedural steps, and rely on existing environmental protections that are already comprehensive and enforceable across New York State.

## **INCLUDING MANUFACTURED-BUILT HOME LIMITATIONS**

Excluding or restricting manufactured-built homes undermines housing diversity and affordability. These homes provide critical opportunities for entry-level homeownership and should be fully eligible for streamlined review.

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## **NYSBA appreciates the leadership of Governor Hochul and the Legislature in advancing meaningful SEQRA modernization.**

However, SEQRA reform must remain focused on its central purpose: streamlining environmental review, reducing duplication, and accelerating housing production, without compromising existing environmental protections.

NYSBA stands ready to work with the Assembly, Senate, and the Executive to ensure that SEQRA reform delivers meaningful, practical results that support housing growth, environmental stewardship, and economic opportunity across New York.

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