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February 9, 2018

Hon. Andrew Cuomo
Governor of the State of New York
The Capitol
Albany, NY 12224

Re: Opportunity Zone designations in Western New York

Dear Governor Cuomo:

Among the changes to the federal Internal Revenue Code enacted at the end of last year was the establishment of the new Opportunity Zone program, which provides valuable incentives for investments in economically distressed neighborhoods. While the overall legislation was, on balance, regressive, fiscally unsound, and unfairly injurious to net-payor states like New York, this specific provision, modeled after bipartisan and bicameral legislation, may be a substantial benefit to communities like Buffalo and Niagara Falls, NY.

This program holds the promise of driving substantial new investment into initiatives like:

- The continued growth of the Buffalo Niagara Medical Campus.
- Future phases of the Northland Corridor Redevelopment Project on Buffalo's East Side.
- The Broadway-Fillmore Historic District, including the redevelopment of the New York Central Terminal.
- Projects like the proposed Cooperage redevelopment along Ohio Street and Shea's Seneca on Seneca Street in South Buffalo.
- The Bethlehem Steel redevelopment in Lackawanna, NY.
- The Huntley plant site redevelopment in Tonawanda.
- Downtown and Main Street redevelopment in Niagara Falls.
- The ongoing redevelopment of the West Side of Buffalo, and Black Rock and Riverside.
- Portions of Payne Ave. and Oliver Street in North Tonawanda.
- Investments around the Cedargrove Heights neighborhood in Cheektowaga.

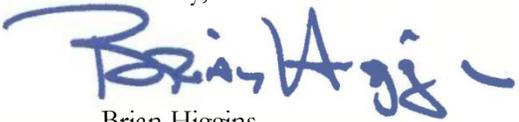
The legislation indicates that states are to submit to the Treasury within 90 days of enactment (on or about March 21, 2018) a list of census tracts which the state nominates as Opportunity Zones. The challenge lies in the fact that the state may not designate all of its economically distressed census tracts as Opportunity Zones, but must rather select only 25% of these distressed tracts for this designation. For this reason, I and other community stakeholders will be keenly interested in the state's submission to the Treasury.

Specifically, to that end, I write today to advocate that in the state's submission, in the interest of fairness and equity within the state, Erie and Niagara counties receive at least their minimum fair share of

designations. Specifically, 128 census tracts in Erie and Niagara counties are eligible for designation. Therefore, if the designations were distributed equitably, no fewer than 32 Census tracts in Erie and Niagara counties (25%) would receive the designation.

Thank you very much for your leadership and your consideration. Working together, we can take advantage of this opportunity to realize substantial benefits for Buffalo, Niagara Falls, the surrounding communities, and all of New York.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins". The signature is stylized with a large initial "B" and a long horizontal stroke at the end.

Brian Higgins

Cc: Hon. Howard Zensky, CEO, Empire State Development and Commissioner, New York State
Department of Economic Development