

# APPENDIX

## A. STATE AND FEDERAL ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE LWRP

### I. STATE ACTIVITIES

#### AGING, OFFICE FOR THE

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

#### AGRICULTURE AND MARKETS, DEPARTMENT OF

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Conservation Reserve Enhancement Program
- 4.00 Permit and approval programs:
  - 4.01 Custom Slaughters/Processor Permit
  - 4.02 Processing Plant License
  - 4.03 Refrigerated Warehouse and/or Locker Plant License
- 5.00 Farmland Protection Grants from the Environmental Protection Fund
- 6.00 Agricultural nonpoint Source Abatement and Control Grant Program
- 7.00 Farmers Market Grant Program
- 8.00 Community Gardens Capacity Building Grant Program
- 9.00 Management of Invasive Species funding

#### ALCOHOLIC BEVERAGE CONTROL, DIVISION OF (STATE LIQUOR AUTHORITY)

- 1.00 Permit and Approval Programs:
  - 1.01 Ball Park - Stadium License
  - 1.02 Bottle Club License
  - 1.03 Bottling Permits
  - 1.04 Brewer's Licenses and Permits
  - 1.05 Brewer's Retail Beer License
  - 1.06 Catering Establishment Liquor License
  - 1.07 Cider Producer's and Wholesaler's Licenses
  - 1.08 Club Beer, Liquor, and Wine Licenses
  - 1.09 Distiller's Licenses
  - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
  - 1.11 Farm Winery and Winery Licenses
  - 1.12 Hotel Beer, Wine, and Liquor Licenses
  - 1.13 Industrial Alcohol Manufacturer's Permits
  - 1.14 Liquor Store License
  - 1.15 On-Premises Liquor Licenses
  - 1.16 Plenary Permit (Miscellaneous-Annual)
  - 1.17 Summer Beer and Liquor Licenses
  - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
  - 1.19 Vessel Beer and Liquor Licenses
  - 1.20 Warehouse Permit
  - 1.21 Wine Store License
  - 1.22 Winter Beer and Liquor Licenses
  - 1.23 Wholesale Beer, Wine, and Liquor Licenses

## **ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 Operating Certificate (Sobering-Up Station)

## **ARTS, COUNCIL ON THE**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

## **CHILDREN AND FAMILY SERVICES, OFFICE OF**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Bureau of Housing and Shelter Services/Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
  - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
  - 3.02 Operating Certificate (Children's Services)
  - 3.03 Operating Certificate (Enriched Housing Program)
  - 3.04 Operating Certificate (Home for Adults)
  - 3.05 Operating Certificate (Proprietary Home)
  - 3.06 Operating Certificate (Public Home)
  - 3.07 Operating Certificate (Special Care Home)
  - 3.08 Permit to Operate a Day Care Center

## **CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

## **DORMITORY AUTHORITY OF THE STATE OF NEW YORK**

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

## **EDUCATION DEPARTMENT**

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certification of Incorporation (Regents Charter)
  - 2.02 Private Business School Registration
  - 2.03 Private School License
  - 2.04 Registered Manufacturer of Drugs and/or Devices
  - 2.05 Registered Pharmacy Certificate
  - 2.06 Registered Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Re-packer of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Education Law regarding the removal of archaeological and paleontological objects under the waters of the State.

## **EMERGENCY MANAGEMENT, OFFICE OF**

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,

- technical support, and disaster recovery assistance.

## **EMPIRE STATE DEVELOPMENT**

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

## **ENERGY RESEARCH AND DEVELOPMENT AUTHORITY**

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.
- 2.00 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.
- 3.00 Existing Facilities Program – offers incentives for a variety of energy projects

## **ENVIRONMENTAL CONSERVATION, DEPARTMENT OF**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
  - 4.01 Capital projects for limiting air pollution
  - 4.02 Cleanup of toxic waste dumps
  - 4.03 Flood control, beach erosion and other water resource projects
  - 4.04 Operating aid to municipal wastewater treatment facilities
  - 4.05 Resource recovery and solid waste management capital projects
  - 4.06 Wastewater treatment facilities
  - 4.07 State Wildlife Grants
- 5.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 6.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 7.00 Implementation of the Environmental Quality Bond Act of 1972, including:
  - (a) Water Quality Improvement Projects
  - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 8.00 Marine Finfish and Shellfish Programs.
- 9.00 New York Harbor Drift Removal Project.
- 10.00 Permit and approval programs:
  - Air Resources
    - 10.01 Certificate of Approval for Air Pollution Episode Action Plan
    - 10.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
    - 10.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
    - 10.04 Permit for Burial of Radioactive Material
    - 10.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
    - 10.06 Permit for Restricted Burning
    - 10.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
  - Construction Management
    - 10.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

### Fish and Wildlife

- 10.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 10.10 Commercial Inland Fisheries Licenses
- 10.11 Fishing Preserve License
- 10.12 Fur Breeder's License
- 10.13 Game Dealer's License
- 10.14 Licenses to Breed Domestic Game Animals
- 10.15 License to Possess and Sell Live Game
- 10.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 10.17 Permit to Raise and Sell Trout
- 10.18 Private Bass Hatchery Permit
- 10.19 Shooting Preserve Licenses
- 10.20 Taxidermy License
- 10.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 10.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 10.23 Permit - Article 24, (Freshwater Wetlands)

### Hazardous Substances

- 10.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 10.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 10.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

### Lands and Forest

- 10.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 10.28 Floating Object Permit
- 10.29 Marine Regatta Permit
- 10.30 Navigation Aid Permit

### Marine Resources

- 10.31 Digger's Permit (Shellfish)
- 10.32 License of Menhaden Fishing Vessel
- 10.33 License for Non-Resident Food Fishing Vessel
- 10.34 Non-Resident Lobster Permit
- 10.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 10.36 Permits to Take Blue-Claw Crabs
- 10.37 Permit to Use Pond or Trap Net
- 10.38 Resident Commercial Lobster Permit
- 10.39 Shellfish Bed Permit
- 10.40 Shellfish Shipper's Permits
- 10.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 10.42 Permit - Article 25, (Tidal Wetlands)

### Mineral Resources

- 10.43 Mining Permit
- 10.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 10.45 Underground Storage Permit (Gas)
- 10.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

### Solid Wastes

- 10.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 10.48 Septic Tank Cleaner and Industrial Waste Collector Permit

### Water Resources

- 10.49 Approval of Plans for Wastewater Disposal Systems
- 10.50 Certificate of Approval of Realty Subdivision Plans
- 10.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)

- 10.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 10.53 Permit - Article 36, (Construction in Flood Hazard Areas)
- 10.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 10.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 10.56 Approval - Drainage Improvement District
- 10.57 Approval - Water (Diversion for) Power
- 10.58 Approval of Well System and Permit to Operate
- 10.59 Permit - Article 15, (Protection of Water) - Dam
- 10.60 Permit - Article 15, Title 15 (Water Supply)
- 10.61 River Improvement District Approvals
- 10.62 River Regulatory District Approvals
- 10.63 Well Drilling Certificate of Registration
- 10.64 401 Water Quality Certification
- 11.00 Preparation and revision of Air Pollution State Implementation Plan.
- 12.00 Preparation and revision of Continuous Executive Program Plan.
- 13.00 Preparation and revision of Statewide Environmental Plan.
- 14.00 Protection of Natural and Man-made Beauty Program.
- 15.00 Urban Fisheries Program.
- 16.00 Urban Forestry Program.
- 17.00 Urban Wildlife Program.

#### **ENVIRONMENTAL FACILITIES CORPORATION**

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.
- 2.00 Clean Vessel Assistance Program

#### **FINANCIAL SERVICES, DEPARTMENT OF**

- 1.00 Permit and approval programs:
  - 1.01 Authorization Certificate (Bank Branch)
  - 1.02 Authorization Certificate (Bank Change of Location)
  - 1.03 Authorization Certificate (Bank Charter)
  - 1.04 Authorization Certificate (Credit Union Change of Location)
  - 1.05 Authorization Certificate (Credit Union Charter)
  - 1.06 Authorization Certificate (Credit Union Station)
  - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
  - 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
  - 1.09 Authorization Certificate (Investment Company Branch)
  - 1.10 Authorization Certificate (Investment Company Change of Location)
  - 1.11 Authorization Certificate (Investment Company Charter)
  - 1.12 Authorization Certificate (Licensed Lender Change of Location)
  - 1.13 Authorization Certificate (Mutual Trust Company Charter)
  - 1.14 Authorization Certificate (Private Banker Charter)
  - 1.15 Authorization Certificate (Public Accommodation Office - Banks)
  - 1.16 Authorization Certificate (Safe Deposit Company Branch)
  - 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
  - 1.18 Authorization Certificate (Safe Deposit Company Charter)
  - 1.19 Authorization Certificate (Savings Bank Charter)
  - 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
  - 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
  - 1.22 Authorization Certificate (Savings and Loan Association Branch)
  - 1.23 Authorization Certificate (Savings and Loan Association Change of Location)

- I.24 Authorization Certificate (Savings and Loan Association Charter)
- I.25 Authorization Certificate (Subsidiary Trust Company Charter)
- I.26 Authorization Certificate (Trust Company Branch)
- I.27 Authorization Certificate (Trust Company-Change of Location)
- I.28 Authorization Certificate (Trust Company Charter)
- I.29 Authorization Certificate (Trust Company Public Accommodations Office)
- I.30 Authorization to Establish a Life Insurance Agency
- I.31 License as a Licensed Lender
- I.32 License for a Foreign Banking Corporation Branch

**GENERAL SERVICES, OFFICE OF**

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land, grants of easement and issuance of licenses for land underwater, including for residential docks over 5,000 square feet and all commercial docks, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, sub. 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

**HEALTH, DEPARTMENT OF**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Approval of Completed Works for Public Water Supply Improvements
  - 2.02 Approval of Plans for Public Water Supply Improvements.
  - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
  - 2.04 Certificate of Need (Hospitals)
  - 2.05 Operating Certificate (Diagnostic and Treatment Center)
  - 2.06 Operating Certificate (Health Related Facility)
  - 2.07 Operating Certificate (Hospice)
  - 2.08 Operating Certificate (Hospital)
  - 2.09 Operating Certificate (Nursing Home)
  - 2.10 Permit to Operate a Children's Overnight or Day Camp
  - 2.11 Permit to Operate a Migrant Labor Camp
  - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
  - 2.13 Permit to Operate a Service Food Establishment
  - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
  - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
  - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
  - 2.17 Shared Health Facility Registration Certificate

**HOMES AND COMMUNITY RENEWAL, DIVISION OF (and its subsidiaries and affiliates)**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:

- 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.
- 4.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 5.00 Affordable Housing Corporation

**HUDSON RIVER VALLEY GREENWAY** (regional agency)

- 1.00 Greenway Planning and Review
- 2.00 Greenway Compact Activities
- 3.00 Financial Assistance/Grants Program
- 4.00 Greenway Trail Activities

**GREENWAY HERITAGE CONSERVANCY FOR THE HUDSON RIVER VALLEY**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Conservancy.
- 2.00 Financial assistance/grant programs
- 3.00 Model Greenway Program
- 4.00 Greenway Trail Activities

**HUDSON RIVER PARK TRUST** (promotes and expands public access to the Hudson River, to promote water-based recreation, and enhance the natural, cultural, and historic aspects of the river from Battery Place to West 59th Street in New York City)

**INTERSTATE ENVIRONMENTAL COMMISSION** (regional agency)

- 1.00 Coordinating interstate and region-wide water quality programs and enforcing the IEC's water quality regulations.
- 2.00 Coordinating interstate and region-wide air quality programs and taking the lead on region-wide air quality issues.
- 3.00 Providing technical assistance and support to its member States on both water quality and air quality issues.
- 4.00 Enhancing public and legislative awareness, and disseminating information on issues related to both water quality and air quality.

**MENTAL HEALTH, OFFICE OF**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Operating Certificate (Community Residence)
  - 2.02 Operating Certificate (Family Care Homes)
  - 2.03 Operating Certificate (Inpatient Facility)
  - 2.04 Operating Certificate (Outpatient Facility)

**METROPOLITAN TRANSPORTATION AUTHORITY** (regional agency)

- 1.0 Facilities construction, rehabilitation, expansion, or demolition, or the funding of such activities.

- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

**MILITARY AND NAVAL AFFAIRS, DIVISION OF**

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

**NATURAL HERITAGE TRUST**

- 1.00 Funding program for natural heritage institutions.

**NEW YORK CITY TRANSIT AUTHORITY** (regional agency)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

**NEW YORK STATE BRIDGE AUTHORITY** (Hudson River regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

**NEW YORK STATE POWER AUTHORITY**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

**PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF** (including Regional State Park Commissions)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
  - 7.01 Floating Objects Permit
  - 7.02 Marine Regatta Permit
  - 7.03 Navigation Aide Permit
  - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.
- 11.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

**PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition, or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Establishment and Construction Prior Approval
  - 2.02 Operating Certificate Community Residence

2.03 Outpatient Facility Operating Certificate

**PORT AUTHORITY OF NEW YORK AND NEW JERSEY** (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Waterfront development project activities.

**SCIENCE AND TECHNOLOGY FOUNDATION**

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

**STATE, DEPARTMENT OF**

- 1.00
- 2.00 Coastal Management Program.
  - 2.10 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
  - 4.01 Billiard Room License
  - 4.02 Cemetery Operator
  - 4.03 Uniform Fire Prevention and Building Code

**STATE UNIVERSITY CONSTRUCTION FUND**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

**STATE UNIVERSITY OF NEW YORK**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

**TRANSPORTATION, DEPARTMENT OF**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including, but not limited to:
  - (a) Highways and parkways
  - (b) Bridges on the State highways system
  - (c) Highway and parkway maintenance facilities
  - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
  - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
  - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg, and New York
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
  - 3.05 Subsidies program for passenger rail service
  - 3.06 Financial assistance to local governments for transportation enhancement activities.
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)

- 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
- 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
- 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

#### **YOUTH, DIVISION OF**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

## **2. FEDERAL ACTIVITIES AFFECTING LAND AND WATER USES AND NATURAL RESOURCES IN THE COASTAL ZONE OF NEW YORK STATE**

### **I. ACTIVITIES UNDERTAKEN DIRECTLY BY OR ON BEHALF OF FEDERAL AGENCIES**

The following activities, undertaken directly by or on behalf of the identified federal agencies, are subject to the consistency provision of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart C, and the New York Coastal Management Program.

#### **DEPARTMENT OF COMMERCE**

##### National Marine Fisheries Services

- 1.00 Fisheries Management Plans

#### **DEPARTMENT OF DEFENSE**

##### Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes.
- 3.00 Selection of open water disposal sites.

##### Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.
- 6.00 Establishment of impact, compatibility or restricted use zones.

## **DEPARTMENT OF ENERGY**

1.00 Prohibition orders.

## **GENERAL SERVICES ADMINISTRATION**

1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.

## **DEPARTMENT OF INTERIOR**

### Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

### Bureau of Ocean Energy Management Regulation and Enforcement

2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

### National Park Service

3.00 National Park and Seashore management and proposed acquisitions.

## **DEPARTMENT OF TRANSPORTATION**

### Amtrak, Conrail

1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad facilities or services, in or affecting the State's coastal area.

### Federal Aviation Administration

2.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

### Federal Highway Administration

3.00 Highway construction.

### St. Lawrence Seaway Development Corporation

4.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

## **DEPARTMENT OF HOMELAND SECURITY**

### Coast Guard

1.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

2.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

3.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

## **II. FEDERAL LICENSES, PERMITS AND OTHER FORMS OF APPROVAL OR AUTHORIZATION**

The following activities, requiring permits, or other forms of authorization or approval from federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart D, and the New York Coastal Management Program.

## **DEPARTMENT OF DEFENSE**

### Army Corps of Engineers

1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).

- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under Corps supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

## **DEPARTMENT OF ENERGY**

### Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

### Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

## **ENVIRONMENTAL PROTECTION AGENCY**

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

## **DEPARTMENT OF INTERIOR**

### Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

### Bureau of Ocean Energy Management Regulation and Enforcement

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

## **SURFACE TRANSPORTATION BOARD** (former Interstate Commerce Commission)

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

#### **NUCLEAR REGULATORY COMMISSION**

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

#### **DEPARTMENT OF TRANSPORTATION**

- 1.0 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 USC 1455
- 2.0 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33USC 1501)

#### Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

### **III. FEDERAL FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS**

The following activities, involving financial assistance from federal agencies to state and local governments, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart F, and the New York State Coastal Management Program. When these activities involve financial assistance for entities other than State and local government, the activities are subject to the consistency provisions of 15 CFR Part 930, Subpart C.

#### **DEPARTMENT OF AGRICULTURE**

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Renting Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

#### **DEPARTMENT OF COMMERCE**

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities

- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Inter-modal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

### **COMMUNITY SERVICES ADMINISTRATION**

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

### **ENVIRONMENTAL PROTECTION AGENCY**

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

### **GENERAL SERVICES ADMINISTRATION**

- 39.002 Disposal of Federal Surplus Real Property

### **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

### **DEPARTMENT OF INTERIOR**

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments

- 15.411 Historic Preservation Grants-in-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.952 Water Research and Technology - Matching Funds to State Institutes

**SMALL BUSINESS ADMINISTRATION**

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

**DEPARTMENT OF TRANSPORTATION**

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

Note: Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

## **B. LOCAL, STATE AND FEDERAL ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP**

### **I. Local Actions and Programs Necessary to Further the LWRP**

#### **BOARD OF STANDARDS AND APPEALS**

1. The Board of Standards and Appeals can provide “relief” from the zoning code by reviewing applications for variances and special permits and appeals.

#### **CITY ENVIRONMENTAL QUALITY REVIEW**

1. As mandated by the State Environmental Quality Review Act, CEQR is the process by which New York City agencies determine what effect, if any, a discretionary action they approve may have upon the environment. In addition to the review of an action’s potential impacts on many elements which pertain to the WRP policies, including open space, natural resources, historic and cultural resources, urban design and visual resources, hazardous materials, water and sewer infrastructure, and neighborhood character, when undergoing CEQR review a project must undertake a WRP consistency assessment to analyze the extent to which it advances or hinders the policies contained therein.

#### **DEPARTMENT OF BUILDINGS**

1. The Department of Buildings ensures the safe and lawful use of buildings and properties by enforcing the City’s Building Code, Electrical Code, Zoning Resolution, New York State Labor Law and New York State Multiple Dwelling Law.
2. As both sound policy to protect life and property and as a condition of the City’s participation in the National Flood Insurance Program (NFIP), the New York City Building Code (Appendix G) includes requirements for flood resistant construction for new and substantially improved development in FEMA-designated flood zones.

#### **DEPARTMENT OF CITY PLANNING**

1. The Department of City Planning (DCP) promotes strategic growth, transit-oriented development and sustainable communities to enhance quality of life in the City, in part by initiating comprehensive, consensus-based planning and zoning changes for individual neighborhoods and business districts, as well as establishing policies and zoning regulations applicable citywide. DCP supports the City Planning Commission and reviews land use applications for actions such as zoning changes and disposition of City property.
2. DCP is charged with writing and updating the City’s Comprehensive Waterfront Plan, which was last updated in 2011 and provides a 10-year vision for the future of city’s waterfront, including specific reach recommendations.
3. DCP administers the City’s Waterfront Revitalization Program, the City’s Coastal Zone Management tool, and supports the City Planning Commission in their capacity as the City Coastal Commission.
4. The NYC Zoning Resolution determines the size and use of buildings, where they are located and, in large measure, the density of the city’s diverse neighborhoods. Sections of the Zoning Resolution that are specifically relevant to the WRP include Special Regulations Applying in the Waterfront Area (Z.R. 62-00), Zoning Performance Standards (Z.R. 42-20), as well as many of the Special Purpose Districts (Z.R. Article 8 – Article 13).

5. The Uniform Land Use Review Procedure is a standardized procedure whereby applications affecting the land use of the city are publicly reviewed. All ULURP actions are reviewed for consistency with WRP goals and policies and the City Coastal Commission must make a determination of the projects consistency with the WRP before it may advance the project.

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

1. The New York City Department of Environmental Protection (DEP) protects public health and the environment by supplying clean drinking water, collecting and treating wastewater, and reducing air, noise, and hazardous materials pollution. To achieve these mandates, DEP oversees one of the largest capital construction programs in the region. As the City agency responsible for New York City's environment, DEP also regulates air quality, hazardous waste, and critical quality of life issues, including noise.
2. Through the Jamaica Bay Watershed Protection Plan, DEP advances the restoration and water quality improvement of Jamaica by evaluating threats to the Bay and coordinating environmental remediation and protection efforts in a focused and cost-effective manner.
3. DEP's Green Infrastructure Plan is the basis of a broad citywide effort to better manage stormwater using a variety of innovative, sustainable green infrastructure.
4. DEP's Long Term Control Plan will identify appropriate Combined Sewer Overflow (CSO) controls necessary to achieve waterbody-specific water quality standards, consistent with the Federal CSO Policy and the water quality goals of the Clean Water Act.
5. Best Practices for Human Powered Boating in New York is a planning tool for property owners and site managers when selecting new public access sites for human-powered boating.

#### **DEPARTMENT OF HOUSING, PRESERVATION AND DEVELOPMENT**

1. Department of Housing, Preservation and Development's promotes housing equality and creates and sustains viable neighborhoods for New Yorkers through housing education, outreach, loan and development programs and enforcement of housing standards.

#### **DEPARTMENT OF PARKS AND RECREATION**

1. NYC Department of Parks and Recreation is the steward of approximately 29,000 acres of land, much of which is on the waterfront.

#### **ECONOMIC DEVELOPMENT CORPORATION**

1. EDC supports developing the City's passenger and freight transportation terminals to sustain the region's economic growth.
2. Industrial Business Zones are areas located across the City where expanded business services are available for industrial and manufacturing businesses.

#### **HOUSING RECOVERY OFFICE**

1. Assists homeowners, landlords, and tenants in the five boroughs whose homes and properties were damaged by Hurricane Sandy.

#### **LANDMARK PRESERVATION COMMISSION**

- I. Landmark Preservation Commission is responsible for identifying and designating the City's landmarks and the buildings in the City's historic districts.

#### **MAYOR'S OFFICE OF ENVIRONMENTAL REMEDIATION**

- I. MOER administers the NYC Brownfield Cleanup Program, as well as facilitates other brownfield remediation programs for the City.

#### **MAYOR'S OFFICE OF LONG TERM PLANNING AND SUSTAINABILITY**

- I. PlaNYC is the City's sustainability plan, which is written and coordinated by the Mayor's Office of Long Term Planning and Sustainability. Resiliency planning is also the responsibility of OLTPS.
2. The New York City Comprehensive Wetlands Study and Protection Strategy outlines goals and strategies for protection, mitigation, restoration, and assessment of wetlands.

#### **OFFICE OF EMERGENCY MANAGEMENT**

- I. NYC Office of Emergency Management is responsible for the NYC Coastal Storm Plan, including the mapping of emergency evacuation zones.
2. The Office of Emergency Management is also responsible for the NYC Hazard Mitigation Plan, a guideline for protecting New York City from the effects of natural and man-made hazards. The HMP also makes City agencies and select nonprofit organizations eligible to receive certain federal mitigation funding.

#### **PUBLIC DESIGN COMMISSION**

- I. The Design Commission reviews permanent works of art, architecture and landscape architecture proposed on or over City-owned property.

### **II. State Actions and Programs Necessary to Further the LWRP**

#### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

- I. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. The Hudson River Estuary Program protects and improves the natural and scenic Hudson River watershed for all its residents through grants and restoration projects; education, research and training; natural resource conservation and protection; and Community planning assistance

#### **OFFICE OF GENERAL SERVICES**

- I. Prior to any development occurring in the water or on the immediate waterfront, OGS should be contacted for a determination of the State's interest in underwater, or formally underwater, lands and for authorization to use and occupy these lands.
2. In accordance with Section 334 of the NYS Real Property Law, any subdivision of waterfront properties on navigable waters must depict the location of riparian (including littoral) lines out into the navigable waters on the property survey that must be filed with the respective county clerk.

#### **DIVISION OF HOUSING AND COMMUNITY RENEWAL**

- I. The Division of Housing and Community Renewal (DHCR) is responsible for the supervision, maintenance, and development of affordable low-and moderate-income housing in New York State.

## **OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties within districts listed on the National Register of Historic Places.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions affecting a property listed on the National Register of Historic Places.
7. Activities under the Urban Cultural Park program.

## **DEPARTMENT OF STATE**

1. Provision of funding and technical assistance for the implementation of an approved LWRP.
2. Provision of funding under the Community Services Block Grant program.
3. Offshore resource planning.
4. Administration of the NYS Brownfield Opportunity Areas Program.
5. Conducts Consistency Review for the State Coastal Zone Management Program.

## **COUNCIL ON THE ARTS**

1. Assistance from the Architecture and Environmental Arts program for a harborfront plan.

## **DEPARTMENT OF TRANSPORTATION**

1. Assistance for street repairs through the Consolidated Highway Improvements Program.

## **2. Federal Actions and Programs Necessary to Further the LWRP**

### **DEPARTMENT OF DEFENSE**

Corps of Engineers, New York District

1. Plan, design, construct, operate and maintain civil works projects
2. Plan, design and construct infrastructure for the military and others
3. Protect waterways and wetlands through the regulatory programs
4. Conduct environmental remediation and restoration
5. Respond to emergencies and contingency operations
6. Provide management, real estate services, administrative, legal, contracting and logistical support for District programs and projects

### **ECONOMIC DEVELOPMENT ADMINISTRATION**

1. Assistance under the Public Works and Economic Development Act for street improvements.

### **DEPARTMENT OF HOMELAND SECURITY**

Coast Guard

2. Maintenance/rehabilitation of facilities.
3. Bridge Permits
4. Marine Safety

### **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Office of the Assistant Secretary for Community Planning and Development

1. Funding under the Community Development Block Grant Program for improvements in the waterfront.

### **DEPARTMENT OF THE INTERIOR**

National Park Service

1. Provision of funding under the Land and Water Conservation Fund Program.
2. Review of federal actions within the National Register Districts pursuant to NEPA.
3. Cooperative management of Jamaica Bay parks with the NYC Dept. of Parks and Recreation

**DEPARTMENT OF THE TREASURY**

1. Continuation of Incentives for Qualified Building Rehabilitation.
2. Provision of appropriate tax-exempt status for non-profit agencies active in the coastal area.

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

1. Provides quality flood hazard information to help communities plan for and reduce the risk from flooding through its Risk Map program
2. Provides disaster assistance following federally declared disasters.
3. Provides assistance for eligible mitigation activities that reduce disaster losses and protect life and property from future disaster damages.

## **C. LOCAL AND STATE REGULATIONS RELATED TO THE IMPLEMENTATION OF THE WRP (BY POLICY)**

### **POLICY 1: RESIDENTIAL AND COMMERCIAL REDEVELOPMENT**

#### **I. LOCAL REGULATIONS**

Uniform Land Use Review Procedure, NYCC Chapter 8, 197-C  
NYC Zoning Resolution, NYCC Chapter 8, 200  
NYC Building Code, NYC Administrative Code, Title 27  
Board of Standards and Appeals, NYCC Chapter 27  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
Landmark Preservation Commission, NYCC Chapter 74

#### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 8)  
Public Building Law (Article 4-B)  
New York State Urban Development Corporation Act, Unconsolidated Law (§6251)  
Construction of Projects Over State-owned Land Under Water (Chapter 791 of the Laws of 1992)  
Environmental Protection Act (ECL Article 54)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
New York State Land Use Element  
Transportation Law, Article 2, Sections 14 and 15.

### **POLICY 2: MARITIME AND INDUSTRIAL DEVELOPMENT**

#### **I. LOCAL REGULATIONS**

Uniform Land Use Review Procedure, NYCC Chapter 8, 197-C  
NYC Zoning Resolution, NYCC Chapter 8, 200  
NYC Building Code, NYC Administrative Code, Title 27  
Board of Standards and Appeals, NYCC Chapter 27  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
Landmark Preservation Commission, NYCC Chapter 74  
NYC Industrial Business Zones, NYC Administrative Code 22-621 - 22-622  
Local law on bridge heights, NYCC Chapter 26, Section 643  
New York City Air Pollution Control, NYC Administrative Code, Title 24, Chapter 1  
Noise Control Law, NYC Administrative Code, Title 24, Chapter 2  
Commercial Licensing (Chapter 2 of Title 6, RCNY: Department of Consumer Affairs Licenses)  
Zoning Performance Standards, Z.R. 42-00  
Open Use Enclosures (Chapter 30, Section 1 of Title 1 of the Rules of the City of New York)

#### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 8)  
New York State Urban Development Corporation Act, Unconsolidated Law (§6251).  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Environmental Protection Act (ECL Article 54)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
Transportation Law, Article 2, Sections 14 and 15.  
New York State Land Use Element  
Energy Law (ECL Article 6)  
Siting of Major Electric Generating Facilities, Public Service Law (Article X)  
Liquefied Natural and Petroleum Gas (ECL Article 23, Title 17)  
Water Resources Law (ECL Article 15)  
Tidal Wetlands Act (ECL Article 25)  
Freshwater Wetlands Act (ECL Article 24)

Oil Spill Prevention, Control and Compensation, Navigation Law (Article 12, Section 170 et. seq.)  
State Pollutant Discharge Elimination System (ECL Article 27)

### **POLICY 3: USE OF THE WATERWAYS**

#### **I. LOCAL REGULATIONS**

Waterfront Terminals, NYC Administrative Code, Title 22  
Navigable waters; fouling; obstructing, NYC Administrative Code, 22-112

#### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42).  
State Environmental Quality Review Act (ECL Article 8).  
Acquisition-Parks and Recreation Law (3.09)  
Environmental Conservation Law (3-0305)  
Highway Law §22  
Access Road, Highway Law §10 (37)  
Abandoned Railway Acquisition, Transportation Law (§18)  
Siting of Energy Facilities, Public Service Law (Article VII and X) and Commission Opinion 72-3, case #26108  
Fish and Wildlife Management Act (ECL Article II, Title 5)  
State Comprehensive Recreation Plan, Parks and Recreation Law (§3.15)  
Parks and Recreation Law, §3.09 (7-a)  
Environmental Protection Act (ECL Article 54)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Plan for an Urban Cultural Park System; Parks and Recreation Law (Section 3.21)  
Harbors of Refuge, Navigation Law (Article 11, Section 141)  
Local Marina Facilities, Navigation Law (Article 11, Section 142)  
State Marina Facilities, Navigation Law (Article 11, Section 143)  
Hudson River Park Trust Act (Chapter 592, S. 7845)  
New York-New Jersey Port Authority Compact of 1921

### **POLICY 4: ECOLOGICAL RESOURCES**

#### **I. LOCAL REGULATIONS**

CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
NYC Sustainability Plan, NYCC Chapter 1, Section 20  
NYC Comprehensive Wetlands Study and Protection Strategy, NYC Administrative Code 24-528  
Watershed protection plan for Jamaica bay, NYC Administrative Code 24-527  
NYC DPR - NYC Administrative Code, Title 18  
Department of Environmental Protection, NYCC, Chapter 57  
Forever Wild Program, NYC DPR

#### **II. STATE REGULATIONS**

State Environmental Quality Review Act, Environment Conservation Law (Article 8)  
Tidal Wetlands Act (ECL Article 24)  
Freshwater Wetland Act (ECL Article 24)  
Stream Protection Act (ECL Article 15, Title 5)  
Wild, Scenic and Recreational Rivers System (ECL Article 15, Title 27)  
Fish and Wildlife Management Practices Cooperative Program (ECL Article 11-0501)  
New York State Park Preserve System, Parks and Recreation Law (Article 20)  
State Nature and Historical Preserve Trust (ECL Article 45)  
Implementation of Environmental Quality Bond Act of 1972 (ECL Article 51)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Environmental Protection Act (ECL Article 54)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)

Waterfront Revitalization of Coastal Areas and Inland Waterways, Section 923 of Article 42 of the Executive Law  
General Powers and Duties of the Department of Environmental Conservation (ECL Article 11, Title 3)  
Other State Acquisition Powers, Parks Recreation Law (Section 3.09)  
Urban Fisheries Program (ECL Article 11)  
Urban Wildlife Program (ECL Article 11)  
Fish and Wildlife Management Practices Cooperative Program (ECL Article 11-0501)  
Acquisition of Reforestation Areas (ECL 9-0501)  
NYS Open Space Plan (ECL § 49-0207)

## **POLICY 5**

### **I. LOCAL REGULATIONS: WATER QUALITY**

CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
Sewage disposal to protect water supply, NYC Administrative Code 24-501  
NYC Building Code, NYC Administrative Code, Title 27  
DEP Green Infrastructure Plan, NYC Administrative Code 24-526  
Industrial Pretreatment Program (IPP) Chapter 19 of Title 15, RCNY: Use of Public Sewers, (ADC Title 24-523 and 524, RCNY Title 15)  
Emergency Spill Response Unit - Chapter 19 of Title 15, Rules of the City of New York: Use of Public Sewers, (ADC Title 24-523 and 524, RCNY Title 15)  
Cross Connection Control - Chapter 20 of Title 15, Rules of the City of New York  
Best Management Practices for Non-Residential Direct and Indirect Discharges of Grease to the Public Sewer System. Chapter 19, Section 11 of Title 15 of the Rules of the City of New York  
Navigable waters; fouling; obstructing (NYC Administrative Code 22-112)

### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42) Section 919  
State Environmental Quality Review Act (ECL Article 18)  
Coastal Erosion Hazard Areas Act (ECL Article 34)  
Public Lands Law (Article 2)  
Protection of Waters Act (ECL Article 15)  
Tidal Wetlands Act (ECL Article 25)  
Freshwater Wetlands Act (ECL Article 24)  
Environmental Protection Act (ECL Article 54)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Section 923 of Article 42 of the Executive Law (Waterfront Revitalization of Coastal Areas and Inland Waterways)  
State Pollutant Discharge Elimination System (ECL Article 17, Title 8)  
Industrial Hazardous Waste Management (ECL Article 27, Title 9)  
Substances Hazardous to the Environment, Environmental Conservation  
State Certification of Public Sewage Treatment Plant Operators (ECL Article 3-0301), Public Health Law (Section 225)  
Classification of Waters and Adoption of Standards, ECL (Article 17, Title 3)  
Construction and Operation Grants (ECL Article 17, Title 9)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
Agreement of a Five Year Water Quality Management Program  
State "208" Water Quality Management Program  
Waterfront and Coastal Resources Act, Executive Law (Article 42)  
Sections 33-c and 33-e of the Navigation Law  
Phosphate Limits (ECL Article 35)  
Realty Subdivision Approval (ECL Article 17, Title 15)  
Soil and Water Conservation District Law (Section 9)  
Thermal Discharge Regulation (ECL Article 17, Title 3; 6 NYCRR, Part 704)  
Control of Pollution Injurious to Fish/Shell-fish (ECL Article 13-0345 and 17-0503)

## **POLICY 6: FLOODING AND EROSION**

### **I. LOCAL REGULATIONS**

General Limitations on Occupancy and Construction within Special Flood Hazard Areas (§27-316 and §27:317 New York City Administrative Code, Title 28, Article 10)  
NYC Office of Emergency Management Coastal Storm Plan, NYC Administrative Code 30-102  
NYC Sustainability Plan, NYCC Chapter 1, Section 20  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
New York Panel on Climate Change, NPCC legislation (Intro No. 834-A)

### **II. STATE REGULATIONS**

Coastal Erosion Hazard Areas Act (ECL Article 34)  
Flood Plain Management Act (ECL Article 36)  
Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42) Section 919  
State Environmental Quality Review Act (ECL Article 18)  
State and Local Natural and Man-made Disaster Preparedness Act, Executive Law (Article 2-B)  
Environmental Protection Act (ECL Article 54)  
Construction of Projects Over State-owned Land Under Water (Chapter 791 of the Laws of 1992)  
Waterfront Revitalization of Coastal Areas and Inland Waterways, Section 923 of Article 42 of the Executive Law  
Water Resources Act (ECL Article 15)

## **POLICY 7: HAZARDOUS MATERIALS**

### **I. LOCAL REGULATIONS**

Community Right to Know Law, (Risk Management Plan to the NYC Department of Environmental Protection), ADC Title 24-206 and 609  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
Non-Putrescible Solid Waste Transfer (Subchapter A of Chapter 4 of Title 16 of the Rules of the City of New York)  
Industrial Pretreatment Program (IPP) (Chapter 19 of Title 15, Rules of the City of New York: Use of Public Sewers (ADC Title 24-523 and 524, RCNY Title 15))  
Emergency Spill Response Unit (Chapter 19 of Title 15, Rules of the City of New York: Use of Public Sewers (ADC Title 24-523 and 524, RCNY Title 15))  
Cross Connection Control (Chapter 20 of Title 15, Rules of the City of New York)  
Best Management Practices for Non-Residential Direct and Indirect Discharges of Grease to the Public Sewer System (Chapter 19, Section 11 of Title 15 of the Rules of the City of New York)

### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 8)  
Industrial Hazardous Waste Management Act (ECL 27-9)  
Hazardous Waste (ECL 27 -0901 / 6 NYCRR Part 371)  
Oil Storage (ECL 17-10/ 6 NYCRR 612-614)  
State Pollutant Discharge Elimination System (ECL 17-8)  
State Certification, Federal Water Pollution Control Act (Section 401)  
Toxic Substance Monitoring Program (ECL 17-0105)  
Substances Hazardous to the Environment (ECL 37-0901 and 0103 / 6 NYCRR Part 380)  
Chemical Bulk Storage Regulations (ECL 37 and ECL 40/ 6NYCRR Parts 595-599)  
Pesticides (ECL 33-0101 / 6 NYCRR Part 325.1)  
Solid Waste Management Act (ECL 27-7 and 6 NYCRR Part 360-1.2)  
Ocean and Great Lake Conservation Act (ECL 27-14)  
Stream Pollution Prohibited (ECL 11-0503)  
Hazardous Substances Bulk Storage (ECL Article 40)

Control of Pollution Injurious to Fish/Shellfish (ECL 13-0345 and 17-0503)  
Oil Spill Prevention, Control and Compensation, Navigation Law, Article 12/6NYCRR Parts 610 and 611  
Siting of Major Steam-Electric Generating Facilities (Public Service Law, Article VIII)  
Sanitary Code, Public Health Law (Article 3)  
Environmental Protection Act (ECL Article 54)  
Liquefied Natural and Petroleum Gas (ECL 23-17)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Article X Siting of Major Electric Generating Facilities (Article X of the Public Service Law)  
General Powers and Duties of the Department of Environmental Conservation, ECL 11-3  
Penalties and Liabilities for Spills of Bulk Liquids (ECL 71-1941)  
Transportation Law (Article 2, Section 14-F)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
Waterfront Revitalization of Coastal Areas and Inland Waterways, Section 923 of Article 42 of the Executive Law  
Registration of Septic Tank Cleaners (ECL 27-3)  
Freshwater and Tidal Wetlands Acts (ECL Articles 24 and 25)  
Protection of Waters Law (ECL 15-5)  
Coastal Erosion Hazard Areas (ECL Article 34)  
Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
Air Pollution Control Act (ECL Article 19)  
Public Health Law (Article 11)  
Brownfield Clean Up (6NYCRR Part 375-6)

## **POLICY 8: PUBLIC ACCESS**

### **I. LOCAL REGULATIONS**

Waterfront Zoning, NYC Zoning Resolution, Article 6, Chapter 2  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91  
NYC DPR - NYC Administrative Code, Title 18  
Uniform Land Use Review Procedure, NYCC Chapter 8, 197-C

### **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 18)  
Protection of Natural and Man-Made Beauty (ECL Article 49-0103.1 and 0.0314)  
Wild, Scenic and Recreational Rivers System (ECL Article 15, Title 27)  
New York State Historic Preservation Act of 1980, Parks & Recreation Law (Section 11.03, 11.09, 14);  
Public Building Law (Article 4-B); General Municipal Law (Article 5-K)  
Parks and Recreation Law (Section 3.09)  
State Nature and Historical Preserve Trust (ECL Article 45)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Waterfront Revitalization of Coastal Areas and Inland Waterways, Section 923 of Article 42 of the Executive Law  
New York State Scenic Byways Program, Article XII-C of the Highway Law  
State land acquisition (ECL 49-2)  
Open Space Land Conservation Projects (ECL Article 54, Title 3)  
Park, Recreation & Historic Preservation (ECL Article 54, Title 9)  
Parkland alienation (Public Trust Doctrine)  
Hudson River Park Trust Act (Chapter 592, S. 7845)

## **POLICY 9: SCENIC RESOURCES**

### **I. LOCAL REGULATIONS**

Waterfront Zoning, NYC Zoning Resolution, Article 6, Chapter 2  
NYC Department of Parks and Recreation, NYC Administrative Code, Title 18  
Clean Waterfront Plan, NYC Administrative Code 3-121

## **II. STATE REGULATIONS**

Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 18)  
Protection of Natural and Man-Made Beauty (ECL Article 49-0103.1 and 0.0314)  
Water Resources Act (ECL Article 15)  
Wild, Scenic and Recreational Rivers System (ECL Article 15, Title 27)  
Protection of Waters (ECL Article 15, Title 5)  
Tidal Wetlands Act (ECL Article 25)  
Freshwater Wetlands Act (ECL Article 24)  
General Powers and Duties of the Department of Environmental Conservation (ECL Article 11, Title 3)  
Implementation of Environmental Quality Bond Act of 1972 (ECL Article 51)  
New York State Historic Preservation Act of 1980, Parks & Recreation Law (Section 11.03, 11.09, 14);  
Public Building Law (Article 4-B); General Municipal Law (Article 5-K)  
Parks and Recreation Law (Section 3.09)  
State Nature and Historical Preserve Trust (ECL Article 45)  
Utility Transmission Facility Siting Act, Public Service Law (Article VII and Article X)  
Environmental Protection Act (ECL Article 54)  
Implementation of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56)  
Construction of Projects Over State-owned Land Under Water (Chapter 791, Laws of 1992)  
Waterfront Revitalization of Coastal Areas and Inland Waterways, Section 923 of Article 42 of the Executive Law  
New York State Scenic Byways Program--Article XII-C of the Highway Law  
State land acquisition (ECL 49-2)  
Open Space Land Conservation Projects (ECL Article 54, Title 3)  
Park, Recreation & Historic Preservation (ECL Article 54, Title 9)

## **POLICY 10: HISTORIC AND CULTURAL RESOURCES**

### **I. LOCAL REGULATIONS**

Landmarks Preservation and Historic Districts, New York City Administrative Code §25-303  
CEQR, Title 62 of the Rules of the City of New York, Chapter 5 and Executive Order 91

### **II. STATE REGULATIONS**

New York State Historic Preservation Act of 1980, Parks & Recreation Law (Section 11.03, 11.09, 14);  
Public Building Law (Article 4-B); General Municipal Law (Article 5-K)  
Parks and Recreation Law (Section 3.09)  
State Nature and Historical Preserve Trust (ECL Article 45)  
Waterfront Revitalization and Coastal Resources Act; Executive Law (Article 42)  
State Environmental Quality Review Act (ECL Article 13)  
Environmental Protection Act (ECL Article 54)  
Section 923 of Article 42 of the Executive Law (Waterfront Revitalization of Coastal Areas and Inland Waterways)  
New York State Scenic Byways Program--Article XII-C of the Highway Law  
Park, Recreation & Historic Preservation (ECL Article 54, Title 9)