

**APPENDIX B:
LOCAL STATE AND FEDERAL REGULATIONS
RELATED TO THE IMPLEMENTATION OF
THE LWRP**

B. 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)