

Section VI Federal and State Actions and Programs Likely to Affect Implementation of LWRP

1. State and Federal actions and programs which should be undertaken in a manner consistent with the LWRP

A. State Agencies

OFFICE FOR THE AGING

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

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.
- 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

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/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

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Letter Approval for Certificate of Need
 - 2.02 Operating Certificate (Alcoholism Facility)
 - 2.03 Operating Certificate (Community Residence)
 - 2.04 Operating Certificate (Outpatient Facility)
 - 2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

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

DEPARTMENT OF BANKING

- 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)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY (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.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

DEPARTMENT OF COMMERCE

- 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.

DEPARTMENT OF CORRECTIONAL SERVICES

- 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-Repacked of Drugs and/or Devices
- 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.0 Preparation and revision of the State Energy Master Plan

NEV YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 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
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 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.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
 - Air Resources
 - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 9.02 Certificate of Compliance for Tax Relief -Air Pollution

Control Facility

- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material •
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System Construction Management
- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.111-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License

Lands and Forest

- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of

Aquatic Insects

- 9.28 Permit to Use Chemicals for the Control or Elimination of

Aquatic Vegetation

- 9.29 Permit to Use Chemicals for the Control or Extermination of

Undesirable Fish

- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Marine Resources

- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel

- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

Regulatory Affairs

- 9.43 Approval -Drainage Improvement District
- 9.44 Approval -Water (Diversion for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit -Article 15, (Protection of Water) -Dam
- 9.47 Permit -Article 15, (Protection of Water) -Dock, Pier or Wharf
- 9.48 Permit -Article 15, (Protection of Water) -Dredge or Deposit Material in a Waterway
- 9.49 Permit-Article 15, (Protection of Water) -Stream Bed or Bank Disturbances
- 9.50 Permit -Article 15, Title 15 (Water Supply)
- 9.51 Permit -Article 24, (Freshwater Wetlands)
- 9.52 Permit -Article 25, (Tidal Wetlands)
- 9.53 River Improvement District Approvals
- 9.54 River Regulatory District Approvals
- 9.55 Well Drilling Certificate of Registration

Solid Wastes

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

Water Resources

- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval of Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit -Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.64 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.66 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.

- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

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

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, 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.

DEPARTMENT OF HEALTH

- 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

DIVISION OF HOUSING AND COMMUNITY RENEWAL 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.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 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)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 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

DIVISION OF MILITARY AND NAVAL AFFAIRS

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

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

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

- 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. VI-14
- 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.

POWER AUTHORITY OF THE STATE 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 Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY (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 or the funding of such activities.
- 3.00 Increases in special fares for transportation services water-related recreation resources to public

NEV YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

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

DEPARTMENT OF SOCIAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential 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

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 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.

DIVISION OF SUBSTANCE ABUSE SERVICES

- 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)

NEW YORK STATE THRUWAY AUTHORITY (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.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit

DEPARTMENT OF TRANSPORTATION

- 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) Barge Canal
 - (e) 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
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications (construction projects) for airport improvements

- 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 Permits for Use and Occupancy of N.Y State Canal Lands (except Regional Permits [Snow Dumping])
- 4.10 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.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects. 4.00 Administration of State-funded capital grant programs.

DIVISION FOR YOUTH

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

B. Federal Agencies

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

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, breakwaters, 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 buildings, whether leased or owned by the Federal property or Government.

2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

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.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- 4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

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

Federal Highway Administration

- 6.00 Highway construction.

St. Lawrence Seaway Development Corporation

- 7.00 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.

FEDERAL LICENSES AND PERMITS

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 USACE 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 lands 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.

Mineral Management Service

- 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 DCS Lands Act (43U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185

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

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

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

FEDERAL ASSISTANCE*

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
- 10.422 Business and Industrial 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 Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

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

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

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

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)

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

ENVIROMENTAL 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 Agency 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)

Numbers refer to the Catalog of Federal Domestic Assistance Program 1980 and its two subsequent updates

C. Federal and State actions and programs necessary to further the City of Rochester's LVRP

(1) Introduction

The majority of the uses and projects proposed in the city's LWRP can be implemented through local actions as described in SECTION V: IMPLEMENTING TECHNIQUES. The primary local action required for implementation of the LWRP is adoption of various amendments to the City Zoning Ordinance and Zoning Map, in order to encourage appropriate waterfront development and to protect sensitive environmental areas in the shorezone. This action requires City Council review and approval following a public hearing.

There are, however, several projects proposed in the plan which will require federal and State assistance and coordination. The various federal and State agencies which will be involved in this assistance and coordination are listed below, along with a description of the type of assistance required.

(2) Federal Actions:

(a) Department of Defense, Army Corps of Engineers (USACE):

- (1) The USACE should coordinate with and assist the city in the design, funding and completion of a surge protection and control project at the outlet of the Genesee River with Lake Ontario that eliminates or significantly reduces the surge problem in the river.
- (2) The USACE should investigate and discuss with the U.S. Coast Guard navigational problems in the Genesee River in order to determine how they may affect federally owned land at and adjacent to the Coast Guard Station.
- (3) The USACE should coordinate and cooperate with the city in the review and approval of the design / engineering of new boat docks, slips and riverbank stabilization along the west bank of the river, near the Stutson Street Bridge.

(b) Federal Highway Administration (FHWA):

- (1) The FHWA should coordinate and cooperate with the city in the funding, design and construction of a replacement bridge for the Stutson Street Bridge, over the Genesee River. The FHWA should provide appropriate funding for this project

- (2) The FHWA should coordinate and cooperate with the city in the funding, design and reconstruction of Lake Avenue from Ridge Road West to Beach Avenue. The FHWA should provide appropriate funding for this project.
- (3) State Actions:
 - (a) New York State Department of Transportation (NYSDOT):
 - (1) The NYSDOT should coordinate and cooperate with the city in the funding, design and construction of a replacement bridge for the Stutson Street Bridge, over the Genesee River. The NYSDOT should provide appropriate funding for this project.
 - (2) The NYSDOT should coordinate and cooperate with the city in the funding, design and reconstruction of Lake Avenue from Ridge Road West to Beach Avenue.
 - (b) New York State Department of Environmental Conservation (NYSDEC):
 - (1) The NYSDEC should implement and administer Article 24 of the New York State Environmental Conservation Law regarding wetland areas in Rochester
 - (2) The NYSDEC should coordinate with and assist the city in the mapping, adoption and implementation of New York State's Section 505 Coastal Erosion Control legislation, and the city's local coastal erosion ordinance.
 - (3) The NYSDEC should coordinate with and assist the city in the funding of the purchase of 40 acres of environmentally sensitive land along the east bank of the Genesee River, and 31 acres of land along the west bank of the river north of Turning Point Park, to be preserved as park land.
 - (c) New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP):
 - (1) The NYSOPRHP should coordinate with and assist the city in the design, planning, development, construction and funding of a 75-slip transient marina at the Port of Rochester site. The NYSOPRHP should provide appropriate funding for this project.
 - (2) The NYSOPRHP should coordinate and cooperate with the city regarding the potential designation of the redeveloped port site and new marina as a state park.
 - (3) The NYSOPRHP should coordinate with and assist the city in the funding of the purchase of 40 acres of environmentally sensitive land along the east bank of the Genesee River, and 31 acres of land along the west bank of the river north of Turning Point Park, to be preserved as park land.
 - (4) The NYSOPRHP should coordinate and cooperate with the city regarding the renegotiation of the operation and maintenance agreement for state-owned property along River Street, south of the Stutson Street Bridge.

- (d) New York State Department of State (NYS DOS):
- (1) The NYSDOS should coordinate with and assist the city in the provision of funding to implement portions of its LWRP including, but not limited to, the potential development and adoption of water surface use regulations and the planning, engineering and construction of future waterfront development projects and infrastructure improvements.
 - (2) The NYSDOS should coordinate with and assist the city in the provision of funding, along with local labor unions, for the preservation of the historic Genesee Lighthouse.
- (e) New York State Office of General Services:
- (1) Prior to any development occurring in the water or on the immediate waterfront, the Office of General Services should be consulted for a determination of the state's interest in underwater or formerly underwater lands and for authorization to use and occupy these lands.

2. Federal and State Actions and Programs Which Should Be Undertaken in a Manner Consistent With the LWRP

(A) Federal Actions and Programs

(Source: "Catalogue of Federal Programs 1984"):

- (1) Department of Commerce:
 - (a) Economic Development Administration:
 - Economic Development Grants for Public Works and Development Facilities
 - Economic Development -Business Development Assistance.
 - Economic Development Support for Planning Organizations.
 - Economic Development -Technical Assistance.
 - Economic Development -Public Works Impact Projects.
 - Economic Development State and Local Economic Development Planning.
 - Economic Development -District Operational Services.
 - Special Economic Development and Adjustment Assistance Program - Sudden and Severe or Long-Term Economic Deterioration.
 - (b) National Oceanic and Atmospheric Administration:
 - Geodetic Surveys and Services
 - Nautical Charts and Related Data.
 - Anadromous and Great Lakes Fisheries Conservation.
 - Commercial Fisheries Research and Development.
 - Sea Grant Support.
 - Coastal Zone Management Program Administration.
 - Coastal Zone Management Estuarine Sanctuaries.

- Coastal Energy Impact Program -Planning Grants.
 - Financial Assistance for Marine Pollution Research.
 - Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program.
- (2) Department of Defense:
- (a) Department of the Army, Office of the Chief of Engineers:
- Aquatic Plant Control.
 - Beach Erosion Control Projects.
 - Flood Control Works and Federally Authorized Coastal Protection Works, Rehabilitation.
 - Flood Plain Management Services.
 - Flood Control Projects.
 - Navigation Projects.
 - Snagging and Clearing for Flood Control.
 - Protection, Clearing and Straightening Channels.
 - Planning Assistance to States.
 - Section 404 Permit Requirements and Permit Program.
- (3) Department of Housing and Urban Development:
- (a) Community Planning and Development:
- Community Development Block Grants/Entitlement Grants
 - Section 312 Rehabilitation Loans.
- (b) Office of Policy development and Research:
- General Research and Technology Activity.
- (4) Department of Interior:
- (a) Bureau of Reclamation:
- National Water Research and Development Program
- (b) U.S. Fish and Wildlife Service:
- Anadromous Fish Conservation
 - Fishery Research – Information
 - Fish Restoration
 - Sport Fish Technical Assistance
 - Wildlife Restoration
- (c) Geological Survey:
- Water Resources Investigation
- (d) National Park Service
- Historic Preservation Grants-in Aid
 - Historic American Buildings Survey/ Historic American Engineering Record
 - National Historic Landmark Program
 - National Register of Historic Places

- National Natural Landmarks Program
- Technical Preservation Services
- Outdoor Recreation – Acquisition, Development and Planning (Land and Water Conservation Fund Grants)
- Surplus Property Program
- Urban Park and Recreation Recovery Program
- (e) Office of Water Policy
 - Water Research Institute Program
- (4) Department of Transportation
 - (a) United States Coast Guard:
 - Boating Safety
 - Coast guard Cooperative Marine Sciences Program
 - (b) Federal Highway Administration
 - Highway planning and Construction
 - Highway Beautification
 - (c) Maritime Administration:
 - Development and Promotion of Domestic Waterborne Transport Systems
 - Maritime Research and Development
- (5) General Services Administration:
 - Disposal of Federal Surplus Real Property
 - Donation of Federal Surplus Real Property
- (6) Small Business Administration:
 - Small Business Loans
 - Small Business Investment Companies
 - State and Local Development Company Loans
 - Small Business Energy loans
 - Small business Pollution Control Financing Guarantee
- (7) Environmental Protection Agency:
 - (a) Office of Air, Noise and Radiation:
 - Air Pollution Control Program Grants
 - (b) Office of Water:
 - Construction Grants for Wastewater treatment Works
 - Water Pollution Control – State and Interstate Program Grants
 - Construction management Assistance Grants
 - Water Quality Management Planning
 - (c) Office of Research and Development
 - Environmental Protection – Consolidated Research Grants
 - Air Pollution Control Research Grants
 - Solid Waste Disposal Research Grants
 - Water Pollution Control – Research, Development and demonstration Grants

- Safe Drinking Water Research and Demonstration Grants
 - Toxic Substances Research Grants
 - (d) Office of Solid Waste and Emergency Response:
 - Hazardous Waste Management Financial Assistance to States
 - Hazardous Substance Response Trust Fund
 - (8) Federal Emergency Management Agency
 - (a) Federal Insurance Administration:
 - Flood Insurance
 - (b) State and Local Programs and Support:
 - State Assistance Program (Flood Hazard)
 - Acquisition of Flood-Damaged Structures
 - Disaster Preparedness Improvement Grants
- (B) State Actions and Programs (Source: NYSDEC, NYSDOS)**
- (1) Council on the Arts:
 - (a) Provisions of funding under the architecture and environmental arts program
 - (2) Dormitory Authority of the State of New York
 - (a) Provision of construction management, planning and design services for capital projects
 - (3) Department of Environmental Conservation:
 - (a) Planning, development, construction, major renovation or expansion of facilities.
 - (b) Division of Construction Management
 - Review and approval of federal grant application plans and specifications for wastewater treatment facilities
 - Mining Permit
 - Permit to Plug and Abandon Non-commercial wells
 - Permit to Use Chemicals to Control Aquatic Insects
 - Permit to Use Chemicals to Control Undesirable Fish
 - Underground Gas Storage Permit
 - Well drilling Permit.
 - (c) Division of Regulatory Affairs
 - Actions relating to provisions of the State Environmental Quality Review Act.
 - Approval of well system and permit to operate
 - Issuance of protection of waters permits for dams, fill, docks, piers, wharves, excavations in navigable waters, disturbance of the bed or bank of “protected streams”.
 - Water Supply Permits.

- Freshwater Wetlands Permits.

(d) Division of Air Resources

- Certificate of approval for Air Pollution Episode Action Plan.
- Certificate to Operate: Stationary Combustion; Installation; Incinerator; Process, Exhaust or Ventilation System.
- Permit for Burial of Radioactive Material.
- Permit for Restricted Burning.
- Permit to Construct: Stationary Combustion; Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System.
- Administration of other air resource rules and regulations.

(e) Division of Solid Waste

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

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