

SECTION VI

FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

VI. FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

Federal and State actions which are likely to affect implementation of the LWRP are listed below. All of those listed in Section A should be undertaken in a manner consistent with the LWRP; those preceded by an asterisk (*) are also necessary to further the LWRP and are briefly discussed in Section B.

A. Federal and State Actions and Programs Which Should be Undertaken in a Manner Consistent with the LWRP

1. Federal Actions and Programs

a. Direct Federal Activities and Development Projects

Department of Commerce, National Marine Fisheries Service:

- Fisheries Management Plans

Department of Defense, Army Corps of Engineers:

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

General Services Administration:

- Acquisition, location and design of proposed Federal government property or buildings, whether leased or owned by the Federal government.
- Disposition of Federal surplus lands and structures.

Department of Transportation, Coast Guard:

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

Department of Transportation, Amtrak, Conrail:

- Expansions, curtailments, new construction, upgradings or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Department of Transportation, Federal Highway Administration:

- Highway construction

b. Federal Licenses and Permits

Department of Defense, Army Corps of Engineers:

- 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 USC 401, 403).
- Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 USC 404, 405).
- 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 USC 408).
- Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 USC 565).
- Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404 (33 USC 1344).
- All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413).

Department of Energy, Federal Energy Regulatory Commission:

- Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3 (11), 4(e) and 15 of the Federal Power Act (16 USC 796 (11), 797 (1) and 808).
- Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 USC 824a(b)).

Environmental Protection Agency:

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

Department of Interior, Fish and Wildlife Services:

- Endangered species permits pursuant to the Endangered Species Act (16 USC 153(a)).

Interstate Commerce Commission:

- 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:

- 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:

- Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 USC 1455.

C. 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 Rental 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 C Activities
- 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
- 14.219 *Community Development Block Grants/Small Cities Program

14.221 *Urban Development Action Grants

Department of the 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
15.592 Water Research and Technology-Matching Funds to State
Institutes

Department of Transportation

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

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)

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

2. State Actions and Programs

a. Council on the Arts

- Provision of funding under the architecture and environmental arts program.

b. Department of Correction Services

- Planning, development, construction, major renovation or expansion of facilities.

c. Dormitory Authority of the State of New York

- Provision of tax-exempt financing for capital construction in the areas of higher education and health care.
- Provision of construction management, planning and design services for capital projects.

d. State Energy Planning Board and Energy Office

- Preparation and approval of the State Energy Master Plan.

e. New York State Energy Research and Development Authority

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

f. Department of Environmental Conservation

- Planning, development, construction, major renovation or expansion of facilities.
- Administration of the following permits and approvals.

Division of Construction Management

- 1. Review and approval of federal grant application plans and specifications for wastewater treatment facilities.

Division of Lands and Forests

1. Environmental Safety Permit for Liquid Natural Gas and Liquid Petroleum Gas Facilities
2. Mining Permit.
3. Navigation Aid Permit.
4. Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well).
5. Permit to Use Chemicals for the Control or Elimination of Aquatic Insects.
6. Permit to Use Chemicals for the Control or Elimination of Undesirable fish.
7. Underground Storage Permit (gas).
8. Well Drilling Permit (oil, gas and solution salt mining).

Division of Regulatory Affairs

1. Approval of Well System and Permit to Operate.
2. Protection of Waters Permit for:
 - dams
 - docks, piers or wharves
 - dredge or deposit material in a waterway
 - stream bed or bank disturbances
3. Water Supply Permits
4. Freshwater Wetlands Permit
5. Draining Improvement District Approval
6. Water (diversions for) Power Approval
7. River Improvement District Approvals
8. River Regulatory District Approvals

Division of Air Resources

1. Certificate of Approval for Air Pollution Episode Action Plan.
2. Certificate of Compliance for Tax Relief-Air Pollution Control Facility.

3. Certificate to Operate: Stationary Combustion; Installation; Incinerator; Process, Exhaust or Ventilation System.
4. Permit for Burial of Radioactive Material.
5. Permit for Discharge of Radioactive Material to Sanitary Sewer.
6. Permit for Restricted Burning.
7. Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System.
8. Administration of other air resources rules and regulations.

Division of Solid Waste

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

Division of Water

1. Approval of Plans for Wastewater Disposal Systems.
2. Certificate of Compliance (Industrial Wastewater Treatment Facility).
3. Letter of Certification of Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan.
4. Permit Granted (for use of State Maintained Flood Control Land).
5. State Pollution Discharge Elimination System Permit.
6. 401 Water Quality Certification.
7. Permit for State Agency Activities or Development in Coastal Erosion Hazards Areas.

Division of Fish and Wildlife

1. Commercial inland Fisheries Licenses.
 - Preparation and Implementation of the Continuous Executive Program Plan.

- 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.
- Actions Under the Urban Forestry Program.
- Operational Services Program
 - 1. Provision of Operating Aid to Municipal Waste-water Treatment Facilities.
- Water Resources Program
 - 1. Actions Under the Classification of Waters Programs.
 - 2. Administration of funding for flood control, beach erosion and other water resource projects.
 - 3. Administration of Flood Plain Management Criteria for State Projects Law.
- Air Resources Program
 - 1. Administration of capital projects funding for limiting air pollution.
- Solid Waste Management Program
 - 1. Administration of funding for resource recovery and management capital projects.
 - 2. Administration of funding for cleanup of toxic waste dumps.
- Fish and Wildlife Program
 - 1. Actions under the urban Fisheries Program.
 - 2. Actions under the urban Wildlife Program.
- Lands and Forest Program
 - 1. Actions under the Protection of Natural and Manmade Beauty Program.

- Marine Resources Program

1. Actions under the Marine Finfish and Shellfish Programs.

- *Construction Management Program

1. Administration of funding for wastewater treatment facilities.

g. Environmental Facilities Corporation

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

h. Facilities Development Corporation

- Planning, development, financing, construction, major renovation or expansion of facilities.

i. Office of General Services

- Planning, development, construction, major renovation or expansion of facilities.
- Administration of the Public Lands Law including acquisition and disposition of lands, grants of land and grants or easement of land underwater and issuance of licenses for removal of materials from lands under water.
- Administration of Article 4-B, Public Buildings Laws, in regard to the protection and management of State historic and cultural properties and State user of buildings of historic, architectural or cultural significance.

Department of Health

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.
- Issuance of permits to operate sanitary facilities for realty subdivisions.

Division of Housing and Community Renewal

- Preparation or revision of statewide or specific plans to address State housing and community renewal needs.
- Planning, development, construction, major renovation or expansion of facilities or the provision of funding

for such activities, including but not limited to actions under the following programs:

- a. Housing Development Fund Programs
 - b. Rural Rental Assistance Program
 - c. Federal Housing Assistance Payments Programs (Section 8 Programs)
 - d. Special Needs Demonstration Projects
- *Provision of funding under the Neighborhood and Rural Preservation Companies programs.
 - Provision of funding under the Urban and Rural Initiatives Grant Programs.
 - Provision of funding for urban renewal projects.

New York State Housing Finance Agency

- Provision of funding for the construction, major renovation or expansion of facilities.
- Provision of low-interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

Job Incentive Board

- Provision of tax abatements or credits to business firms.

Office of Mental Health

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.

Office of Mental Retardation and Development Disabilities

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.

Division of Military and Naval Affairs

Office of Disaster Preparedness

- Administration of the State Disaster Preparedness Plan.

Natural Heritage Trust

- Provision of Grants to natural heritage institutions.

Office of Parks, Recreation and Historic Preservation

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.
- Preparation, revision and implementation of the State-wide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and execution of other planning activities for public access, recreation, historic preservation or related purposes.
- *Provision of funding for State and local activities from the Land and Water Conservation Fund.
- Planning, development, implementation or the provision of funding for recreation services programs.
- *Nomination of properties to the Federal and/or State Register of Historic Places.
- *Provision of funding for State and local historic preservation activities.
- Acquisition, disposition or lease of land.

Power Authority of the State of New York

- Planning, development, construction, major renovation or expansion of electric generating, electric transmission and other facilities.
- Acquisition, disposition or lease of land.

Board on Electric Generating Siting and the Environment
Public Service Commission

- Certification of Environmental Compatibility and Public Need Regarding the Siting of:
 - a. Major Steam Electric Generating Facilities
 - b. Major Utility Transmission Facilities.

New York State Science and Technology Foundation

- Actions under the Corporation for Innovation Development Program.
- Actions under the Center for Advanced Technology Program.

Department of Social Services

- Provision of funding under the Homeless Housing and Assistance Program.
- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.

Department of State

- *Provision of funding for the implementation of an approved Local Government Waterfront Revitalization Program.
- Provision of funding under the Community Services Block Grant Program.

Department of Transportation

- Administration of the following permits and approvals:
 - a. Highway Work Permits.
 - b. Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway).
 - c. Real Property Division Permit for Use of State-Owned Property.
 - d. License to Operate Major Petroleum Facilities.
- Actions under the Public Transportation Program, including but not limited to the following:

Transit Subprogram

- a. Studies and evaluations relating to the State Operating Assistance Program.
- b. Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects).
- c. Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities.

Rail Subprogram

- a. State subsidies for passenger rail service.
- b. Planning and implementation of the Rail Capital

Programs.

Planning Subprogram

- a. Preparation of the Statewide Master Plan for Transportation.

Real Estate Program

- a. Acquisition and disposition of real property used for transportation purposes.

Design and Construction Program

- a.* Design, construction and rehabilitation of State highways and State parkways (excluding routine maintenance and minor rehabilitation).
- b. Design and construction activities related to the rehabilitation and replacement of bridges on the State highway system.
- c.* Provision of financial assistance for the construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation).
- d. Provision of financial assistance for the rehabilitation and replacement of municipal bridges.

- Highway Maintenance Facilities

Design and construction of State highway and State parkway maintenance facilities, including acquisition of real property for such purposes.

- Water Operations and Maintenance Program

- a. Actions related to the containment of petroleum spills and development of an emergency oil-spill control network.

State University Construction Fund

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.

NYS Urban Development Corporation

- Planning, development, financing, construction,

major renovation or expansion of residential, commercial, industrial and civic facilities and the provision of funding for such activities, including but not limited to actions under the following programs:

- a. Tax-exempt Financing Program
 - b. Lease Collateral Program
 - c. Lease Financing Program
 - d. Targeted Investment Program
 - e. Industrial Buildings Recycling Program
- Administration of special projects
 - Administration of State-funded capital grant programs

Division of Youth

- Planning, development, construction, major renovation or expansion of facilities and the provision of funding for such activities.

B. Federal and State Actions and Programs Necessary to Further the LWRP

1. Federal Actions and Programs

a. Department of the Army, Corps of Engineers

- (1) Dredging Authorization: can be used to remove the sand bar which has built up adjacent to the proposed waterfront park and Erosion Control Structures might be used to repair deteriorated bulkheads.

b. Department of Housing and Urban Development

- (1) Community Development Block Grants/Small Cities Program: Funds from this program can be used to assist in rehabilitation of structures in the Southside neighborhood and to provide certain necessary facilities and infrastructure such as reconstruction of Bridge Street.
- (2) Urban Development Action Grants: Can be used to enhance the feasibility of major development projects such as rehabilitation of the "Bindery."

c. Department of the Interior

- (1) Outdoor Recreation-Acquisition, Development and Planning: Such assistance could be used to acquire and develop the proposed waterfront park.

- (2) Historic Preservation Grants-in-Aid: Could be used to restore historic properties in the Southside and the Saugerties Lighthouse.

d. Environmental Protection Agency

- (1) Construction Grants for Wastewater Treatment Works: may be used to extend sewers to Lighthouse Drive and Ferry Street.

2. State Actions and Programs

- a. Department of Environmental Conservation, Construction Management Program: funds for wastewater treatment facilities may be used to extend sewers to Lighthouse Drive and Ferry Street.

- b. Division of Housing and Community Renewal, Neighborhood and Rural Preservation Companies: funding can be used to supplement the housing rehabilitation program in the Southside.

c. Office of Parks, Recreation and Historic Preservation

- (1) Land and Water Conservation Funds: can be used to acquire and develop the proposed waterfront park.
- (2) Nominations to State and Federal Register of Historic Places: can designate appropriate structures and districts making them eligible for funding and tax incentives.
- (3) Historic Preservation Funds: can be used for restoration of the Lighthouse and other significant structures.

d. Department of State

- (1) Funds for LWRP Implementation: can be used for preconstruction activities for such projects as zoning preparation, park acquisition and development, study of the feasibility of providing sewers to Lighthouse Drive and Ferry Street, Lighthouse restoration and reuse and other public facilities.

e. Department of Transportation

- (1) Design, Construction and Rehabilitation of State Highways: can include improvements to Route 9W south of the Esopus Creek and the provision of sewer separation on Route 9W north of the Creek.

- (2) Financial Assistance for Municipal Street Improvements:
can be used to improve access streets to the waterfront
(Southside) and to improve the storm drainage system in
such streets.