

The Village has been investigating potential ownership and development scenarios, as well as the appropriate regulatory framework, while the clean-up plans are being negotiated and implemented. The three parallel tracks are not mutually exclusive; rather, they are interdependent as decisions regarding one are likely to influence the other two. One product of this investigation, and an element of this LWRP, is the Waterfront Implementation Strategy prepared for the Village by Saratoga and Associates in 2004 (posted on www.hastingsgov.org). The major recommendation was that the optimum solution for redevelopment of the waterfront is to establish a Local Development Corporation (LDC) while the site remediation is underway. Thus, once the waterfront is ready for redevelopment in 2011 (estimate) an entity would be in place and prepared to facilitate the redevelopment in a mutually beneficial public / private partnership. The Village and NYS Department of State entered into a \$60,000 grant agreement in 2005 which includes professional services to establish the LDC as one of the tasks.

Some constraints to development that are intrinsic to the contaminated nature of the site have been identified by ARCO and NYSDEC, and have been considered throughout the remediation planning process, are as follows:

- *Institutional controls:* Deed restrictions and institutional controls on such activities as excavation and possibly plantings will be part of a remedial plan. If a private party or redevelopment agency takes title to the property, ARCO might provide a trust fund for the future maintenance of the bulkhead and oversight of land use controls.
- *Stable ownership:* The proposed remedy should be treated like a dam or other public structure that must be maintained in good condition over time. If this structure is transferred to successive private owners, it may be difficult to ensure proper maintenance and to enforce institutional controls. A stable, long-term owner would be preferable.
- *Liability:* Potential liability for remaining contamination is an obstacle to development. Environmental Liability Insurance may make ownership more palatable to a private developer or the Village.

2. Establish the Land Use Regulations

The Waterfront Redevelopment Plan recommends that the Village continue the local planning process and create a regulatory plan to guide the redevelopment of the waterfront. The main actions that are included in that recommendation, in addition to the completion of the LWRP, are as follows:

- *Develop Design Standards:* The Village should engage a consultant or consultant team to develop performance standards and design guidelines which will ensure that design, height, massing, and site coverage of new structures are compatible with the site, surrounding areas, and with the village character of Hastings-on-Hudson. The consultant also should develop open space and landscape guidelines including standards for streets, walkways, planting, lighting, and amenities.

Environmental considerations, such as measures to reduce stormwater runoff and reduce energy consumption, should also be included. These guidelines should be developed with the active participation of the community. See Section 5.2.B and Policy 1.4. This effort is included as a task in the NYSDOS \$60,000 grant agreement along with establishing the LDC. When completed, the Design Standards will assist the Village in drafting the Zoning Code amendments required to implement the LWRP.

- *Revise and Map Waterfront Zoning:* The existing MW-B zoning text should be revised to conform to the goals, objectives and standards outlined in this LWRP for the redevelopment of the ARCO, Uhlich and Mobil properties; and this amended zoning district should then be applied to replace the existing industrial zoning classification of the subject property. See Sections 5.2.2 and Map 19 Proposed Zoning. This task is also included in the NYSDOS \$60,000 grant agreement.
- *Additional Regulatory Considerations:* In investigating the implementation strategy, the Village may see the opportunity to employ, besides zoning, additional land use tools or techniques that could facilitate the desired result. For example, the Village could consider a Planned Unit Development (PUD) District for the three properties that could have special taxing authority, such as tax increment financing, or that could levy a surcharge over a number of years to pay for the infrastructure. New York State's tax increment financing (TIF) law was enacted in 1984. It provides TIF as a tool to eliminate a "blighted area," which is defined as an "area within a municipality in which one or more of the following conditions exist: (i) a predominance of buildings and structures which are deteriorated or unfit or unsafe for use or occupancy; or (ii) a predominance of economically unproductive lands, buildings or structures, the redevelopment of which is needed to prevent further deterioration which would jeopardize the economic well-being of the people." (General Municipal Law § 970-c.) Under the State's TIF law, a municipality has the power to issue tax-exempt TIF bonds. (General Municipal Law § 970-o.) In contrast to general obligation bonds, TIF bonds are not secured by the "faith and credit" of the municipality but, rather, are secured by the incremental real property tax revenue stream expected to result from the area subject to the TIF-financed redevelopment. Under New York law, the municipality receives an amount equal to the pre-TIF property tax rate applied to the last assessed property value for the TIF district before it was formed. Once the municipality has been paid these "ordinary" real estate taxes, the remaining real property tax revenue from the incremental tax imposed on property owners in the TIF district is used to pay the interest and principal on the TIF debt. (General Municipal Law § 970-p.) Any left-over revenue reverts to the municipality.

There are a number of advantages, and disadvantages, of TIF financing, but it is a potentially promising strategy for financing waterfront-related facilities (such as park land) that, due to their location, will directly benefit the property owners within the TIF district. It should be noted that, although some investors might consider the waterfront district in the Village too small to ensure repayment of TIF bonds, it might be possible to spur greater investor demand for the bonds (and thus a lower interest rate) by having them guaranteed by a property owner who is partnering with the Village to seek to implement the public and private improvements to the waterfront area.

Two actions by the Village Board of Trustees in 2005 could lay the foundation for these recommendations. First, the Village adopted the MUPDD (Mixed Use Planned Development District) and rezoned a 7.45 acre parcel on Saw Mill River Road from Limited Industrial (LI) to MUPDD. This zoning district may be appropriate for some portion of the waterfront. Secondly, the Village established a fee in lieu of parkland in which the residential developer pays a one-time fee per dwelling unit of \$7,500 for units with two bedrooms or less and \$10,000 for units with three bedrooms or more and for subdivision lots. The fee is deposited in a trust fund to be used for parkland and recreational facilities to meet the needs of the additional population. The MUPDD text and the background study entitled *Assessment of Recreational Needs and Fees in Lieu of Parkland* are both posted on www.hastingsgov.org.

3. Investigate Development Options

While the land use laws and remedial solutions are being discussed, the Village has been investigating development and ownership options for the waterfront. Some alternatives which have been included in these studies were suggested at the Implementation Meeting of December 18, 2000, and include the following options:

- *Private Developer:* A conventional approach for this type of project would be to seek one or more developers through a Request for Proposals. Because of the large public investment required to implement this plan and the multiple owners involved, waterfront development at this location does not lend itself to such a passive approach. However, a master developer could be sought if the public sector did extensive groundwork and undertook financing of the public amenities. One or more private developers could then take on those components requiring a builder's expertise, such as housing and commercial construction.

Private developer(s) would have to meet stringent qualifications, including extensive experience, particularly with government, and financial strength. While the amount of money offered by a developer is certainly an important consideration, this factor should not be given undue weight. All variables should be fully and properly evaluated to ensure that the project is awarded to the developer who can provide the best product to the Village, in conformance with the standards set forth in this LWRP.

- *Empire State Development Corporation (ESDC)*: Major involvement and financing by the State will be required no matter which development option is selected. The ESDC could provide stability to the process, with sufficient experience and a built-in funding source, and could negotiate terms of purchase. It also has the power to condemn properties, if that approach is necessary. The ESDC could provide the primary structure to complete the project; while another entity, possibly a not-for-profit organization, could be formed to program and manage the public spaces. On the other hand, relying solely on ESDC as a development authority could reduce community control of the development process and might present pitfalls if the State administration changes. Additionally, the ESDC has indicated that it is not eager to take on new financial obligations at this time.

Examples of waterfront development directed by ESDC include: the Hudson River Park, which was planned and is being redeveloped by an ESDC subsidiary; and the Buffalo Inner Harbor Project, which currently is being run by ESDC. A current example of an ESDC waterfront development is Brooklyn Bridge Park.

- *General Municipal Authority to Renew and Revitalize Distressed Areas*: Under State law, a municipality has the right to acquire, via negotiation or condemnation, properties that are determined to be blighted according to the findings of a blight study. This mechanism could provide a means of assembling properties into a single site and controlling development. An Urban Renewal Agency set up by the Village under this law would be exempt from the RFP process and, therefore, could designate a qualified developer or series of developers. The agency could then determine the ultimate disposition of the property to public or private entities, or a mixture of both. A regulatory plan created by the Village and administered by the agency would guide development. The Village would also have the right to fix the values of properties to be acquired at non-speculative levels.

Condemnation of properties is often a contentious process which takes a long time. However, if the property owners agreed to cooperate with the Village, condemnation proceedings might not be necessary.

- *Local Development Authority (LDA)*: The board of an LDA could be made up of the Village, the State and, possibly, a not-for-profit organization. This authority would operate parallel to and in partnership with Village government, or it could operate as a subsidiary of ESDC. The LDA would function under a set of constraints and objectives established by the Village, and receive its operating funds through State and foundation grants. After completion of the project, the LDA could evolve into a public / private partnership for the operation and programming of the public spaces.

A local development authority could operate with a small staff, with a large portion of the redevelopment work contracted out. The authority would parcel out properties to different developers, ensure quality control and enforcement of design guidelines and standards, raise money for construction of public amenities, and manage the development process for both the public and private components of the project. This structure would ensure local control, with a significant role played by the Village Mayor and the Board of Trustees. The Village would have the option not to be a co-applicant, with the LDA, for funding.

Examples of projects involving local development authorities include: the Battery Park City Authority, which owns and operates Battery Park City on land leased from New York City; Brooklyn Bridge Park Development Corporation, which planned the Brooklyn Bridge Park; and the Community Development Authority in Glen Cove, Long Island, which is developing portions of the former industrial waterfront in that city.

As explained in the *Waterfront Implementation Strategy* (Saratoga Associates), the Village should determine whether the Hastings IDA can be reactivated and whether it can undertake this project under current Industrial Development Authority (IDA) legislation. If this is not permissible, the Westchester County IDA could enter into a contract with a Local Development Corporation (LDC) to manage the project.

In considering the benefits and drawbacks of the implementation options outlined above, the authors of the Waterfront Redevelopment Plan recommend the LDA alternative. Preliminary research indicates that the establishment of an LDA is the best way for the Village to maintain control of the redevelopment process in order to ensure conformity to the implementation criteria outlined in the Plan and set forth in the LWRP. The development authority model has generally been used for large-scale projects such as Battery Park City and Brooklyn Bridge Park. However, there have been successful examples at a scale comparable to the Hastings-on-Hudson situation, including waterfront revitalization efforts in Glen Cove.

An LDA would be in an advantageous position to leverage partnerships with governmental entities and not-for profit organizations that will be essential to a successful implementation program. Because of the significant costs of the public open space and the infrastructure required under the proposed redevelopment plan, a governmental partner, and possibly not-for-profit partners, will be needed. Possible partners include: the NYS Waterfront Rediscovery Initiative, a joint venture among several State agencies that is administered by the Department of State; Westchester County; New York State; and / or Scenic Hudson.

The Waterfront Implementation Strategy was undertaken as a next step to study the options for implementing the Waterfront Redevelopment Plan. Its authors, Saratoga Associates, also considered an LDA to be a viable entity for this project; however, beginning with an LDC may be more expeditious since an authority requires approval from the State Legislature.

Their recommendation to determine the appropriate legal framework, the make-up of a Board of Directors, management structure and business plan, and extent of other government agency involvement will be pursued in 2006 as a task under the \$60,000 DOS grant described previously. The Scope of Work under this grant also includes as a task, once the appropriate development entity is selected and the zoning is in place, to begin implementation by approving the legislation or charter required to form the development authority and by appointing a Board of Directors. Consideration should be given to hiring a Waterfront Coordinator, who would be responsible for overseeing the development process, meeting with other government agencies and project partners, and raising funds. However, these responsibilities could be delegated to the Village Director of Planning.

The public sector or a development authority may acquire all the properties or just those to remain public in the future. The programming, operation and maintenance of public properties should be undertaken by a public / private partnership or a not-for-profit entity. The development authority could become the operational agency once its development function is completed.

Regardless of the mechanism that is selected for implementing the proposed Waterfront Redevelopment Plan, certain criteria should be established to facilitate completion of the project. These criteria, which should be refined through the recommended investigation of implementation options, include:

1. The chosen implementation strategy should provide sufficient predictability for developers, in terms of timing and requirements for approvals.
 2. The proposed redevelopment plan emphasizes public open space and recreational uses. The implementation strategy must establish the means for constructing, maintaining, operating and programming these public amenities without relying exclusively on a private developer.
 3. The community has expressed enthusiasm for one or more cultural and institutional uses on the waterfront. A funding mechanism must be found for these project components.
 4. Three distinct properties must be taken into account.
 5. The implementation process should include on-going, active involvement of the community and oversight by the Mayor and Board of Trustees.
- The proposed plan for the redevelopment of the Village's 43-acre former industrial waterfront area was arrived at by means of an intensive public participation process which considered a wide range of environmental, social and economic issues. The environmental analyses that were undertaken in connection with this process were essential in helping to guide the decision-making process. However, prior to actually developing the site, a more detailed level of investigation and analysis may be required in order to comply with State Environmental Quality Review Act (SEQRA) requirements.

- The implementation of certain components of the proposed redevelopment plan for the Village's former industrial waterfront area will require private investment. This includes the construction and maintenance of the bulkhead, residential housing, commercial facilities, and certain other amenities. The Village and other involved public agencies should seek to maximize the contribution of private funds toward the development of public amenities, such as the waterfront walkway and other pedestrian facilities, internal roadways, parking facilities, and park improvements.
- The restoration and long-term maintenance of the bulkhead along the shoreline of the Village's waterfront redevelopment area should be undertaken by the current owners, as the bulkhead maintenance is a component of the remedial action for which they are liable under the Environmental Conservation Law. The design of the restored bulkhead should accommodate appropriate forms of direct access to the Hudson River at suitable locations.
- Presently, the southbound passenger platform (on the west side of the tracks) is located to the north of the station building, while the northbound platform is located to the south of the station. Metro North has agreed to relocate the southbound platform to the south side of the station, to align with the northbound platform. This will create a more integrated, compact station, opposite the proposed waterfront plaza and at the center of the waterfront and the downtown.
- It is recommended that studies continue to be undertaken to characterize contaminant levels in fisheries resources in the Hudson River in the vicinity of the Village of Hastings-on-Hudson, particularly with respect to oysters and blue claw crabs. Once it has been established that the contaminant burden in local populations is within safe limits, the feasibility of establishing a local, sustainable recreational fishery for these species should be examined.
- A preliminary investigation has been undertaken by the involved private property owner to assess the feasibility of restoring the marina at the Hudson Valley Health and Tennis Club.
- Pioneer Boat Club and Tower Ridge Yacht Club should be encouraged to undertake dredging of their mooring basins and other facilities, as needed, to improve recreational vessel access to the Hastings-on-Hudson waterfront. In addition, the hydrodynamic and sedimentary processes at these two locations should be studied to determine whether there are feasible measures (possibly including modifying the design of the respective basins and associated protective structures) to decrease the rate of shoaling in these areas, thereby reducing the frequency at which dredging would be needed in the future. If a public marina is to be established, it would best be sited in the area that the Pioneer Boat Club uses for the mooring of vessels.

5.4 MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

VILLAGE AGENCY INVOLVEMENT

For any given action, the responsibility for conducting consistency review, pursuant to this LWRP, shall lie with the Village agency that presently is responsible for completing the overall environmental review under SEQRA. The consistency review shall be conducted concurrently with the SEQRA review.

Within the Village of Hastings-on-Hudson, there are three agencies that may be involved in issuing discretionary approvals for any given action and which may, therefore, assume responsibility for completing the requirements of SEQRA. These agencies are described as follows:

- ***Board of Trustees*** issues final determination / findings for all actions involving Village Board of Trustees approval (e.g., applications for zoning changes, allocation of Village funds, adoption of planning documents and policy statements, amendments to Village law, Village resolutions, etc.).
- ***Planning Board*** issues final determination / findings for all applications for subdivision; holds the authority to protect and provide for the reasonable development of all tracts of land within the geographical confines of the Village of Hastings-on-Hudson; is responsible for the review and approval of site plan and subdivision applications, and applications for construction on steep slopes; provides recommendations to the Zoning Board of Appeals regarding applications within the View Preservation District; frequently is given the authority by the Board of Trustees to draft planning documents and recommend zoning changes.
- ***Zoning Board of Appeals*** issues final determination/findings for all zoning variance applications.

LWRP CONSISTENCY REVIEW PROCEDURES

LWRP consistency review will be performed in conjunction with the environmental review process that is conducted within the Village under the requirements of SEQRA. Subsequent to the adoption of this LWRP, a determination of consistency shall be included in each Negative Declaration and SEQRA Statement of Findings issued by the Village for Type I and unlisted actions within the Village's LWRA.

Note that an action, as defined herein, is essentially the same as the term is applied under SEQRA, and includes: any project directly undertaken or funded by the Village; any project requiring the issuance of a discretionary permit or approval by the Village; any planning activity by a Village agency that commits the Village to a future course of action (such as a comprehensive land use plan); and any municipal rules, regulations and policy making decisions.

1. LOCAL ACTIONS

In order to provide a framework for the Village of Hastings-on-Hudson to consider the policies and purposes contained in the LWRP when reviewing direct agency actions and applications for actions in the Village, and to assure, to the maximum extent practicable, that such actions are consistent with the LWRP policies and purposes, a local consistency law will be adopted.

The Village Lead Agency under SEQRA shall assume responsibility for conducting LWRP coastal consistency reviews on the Village's behalf. Any such action undertaken directly by the Village or other local government agency or by a private entity shall be reviewed in accordance with the procedures outlined below:

- 1) The Village's SEQRA review agency (i.e., the Board of Trustees, Planning Board, or Zoning Board of Appeals) shall classify the action according to SEQRA. Type II and exempt actions are not subject to LWRP consistency review.
- 2) Since the LWRA encompasses the entire Village, all actions within the Village that are classified as Type I or unlisted under SEQRA shall be subject to LWRP consistency review.
- 3) For each action subject to LWRP consistency review, the Village Lead Agency shall require the completion of a Coastal Consistency Assessment Form (CCAF), which will be an addendum to the SEQRA Environmental Assessment Form (EAF). For any action within the Village involving a private development application, the applicant shall be required to prepare the CCAF. The Village Lead Agency shall prepare the CCAF for any direct action by the Village.
- 4) Upon receipt of the CCAF submission, the Village Lead Agency shall determine if the documentation constitutes a complete statement for the purpose of determining consistency with the LWRP, and may request any additional material as may be deemed necessary to complete the review.

- 5) If it is determined that there are other involved agencies which must review the coastal consistency assessment materials, a copy of the CCAF, SEQRA Environmental Assessment Form, application, and any other pertinent supporting materials shall be forwarded to each such involved agency. Additional copies shall be made available to interested parties.
- 6) The Village Lead Agency shall make a consistency determination based upon its review of the CCAF and related materials and any input received from other involved agencies and interested parties. The consistency determination shall be made in writing within 30 days following the Village Lead Agency's receipt of a complete submission of the CCAF and other required information. This will allow sufficient time for the review of the CCAF and comment by other involved agencies and interested parties. This 30-day comment period may be extended by mutual agreement between the Village and the applicant in the case of private development proposals.
- 7) If the Village Lead Agency determines that a given action would not be consistent with one or more of the LWRP policy standards and conditions, such action shall not be undertaken, funded or approved by the Village of Hastings-on-Hudson unless it is determined by the Village lead agency that all four of the following conditions apply to that action:
 - 1) the proposed action would not significantly hinder the overall implementation of the LWRP; and
 - 2) no reasonable alternative exists that would permit the action to be undertaken in a manner that is consistent with the specific LWRP policy standards and conditions in question; and
 - 3) the proposed action and any required mitigation measures would be undertaken in a manner that would minimize all adverse effects on natural and man-made resources within the Village, and would minimize the extent to which the implementation of LWRP policy standards and conditions are hindered; and
 - 4) the proposed action would result in an overriding local, regional or state-wide public benefit.

An action that satisfies all four of the conditions described above shall be deemed to be consistent to the maximum extent possible with respect to the policies and purposes of the LWRP.

- 8) The sponsor of a given action, whether the Village of Hastings-on-Hudson or other government agency or private applicant, can propose modifications for any action that is determined to be inconsistent with this LWRP. If the Village Lead Agency deems that the modifications are sufficient to result in LWRP consistency, those modifications shall become conditions to project approval. All such conditions shall be incorporated into the Conditioned Negative Declaration or the SEQRA Statement of Findings, whichever applies, or shall be otherwise imposed through the terms and conditions of any approval or authorization.

- 9) The Village Lead Agency shall maintain a file for each action subject to a consistency determination. This file shall be made available for public inspection upon request, subject to the requirements of the Freedom of Information Law.

2. STATE ACTIONS

1) *Purposes of Guidelines*

- 1) The Waterfront Revitalization and Coastal Resources Act (Article 42 of the Executive Law) and the associated Department of State regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved LWRPs. These guidelines are intended to assist state agencies in meeting that statutory obligation with respect to actions proposed in the Village of Hastings-on-Hudson.
- 2) The Act also requires that state agencies provide timely notice to the local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the Village in carrying out its new responsibilities in a timely manner.
- 3) The Secretary of State is required by the Act to confer with state agencies and local government when notified that a proposed state agency action may conflict with the policies and purposes of an approved LWRP. These guidelines establish a procedure for resolving such conflicts.

2) *Notification Procedure*

- 1) When a State agency is considering an action in the Village of Hastings-on-Hudson, said State agency shall notify the Village Mayor (the Mayor) in writing at the following address:

Village of Hastings-on-Hudson Municipal Building
Office of the Mayor
Seven Maple Avenue
Hastings-on-Hudson, NY 10706
Telephone: (914) 478-3400

- 2) Notification of a proposed action by a State agency:
 - shall fully describe the nature and location of the action; and
 - shall be provided to the Mayor as early in the planning stages of an action as possible, but in any event, at least 30 days prior to the State agency's decision on the action. The timely filing of a completed CCAF with the Mayor shall be considered adequate notification of a proposed action.

- 3) If the proposed action will require the preparation of a draft environmental impact statement (DEIS), the filing of this draft document with the Mayor will serve as the State agency's notification to the local government.

3) *Local Government Review Procedure*

- 1) Upon receipt of notification from a State agency, the Village Lead Agency will be responsible for reviewing the proposed action for consistency with the policies and purposes of the Village's approved LWRP. If no Village Lead Agency exists with respect to the proposed State action, the Village Board of Trustees shall be deemed the Village Lead Agency. Upon the request of the Village Lead Agency, the State agency should promptly provide the Village Lead Agency with whatever additional information is available to assist the Village Lead Agency in evaluating the proposed action.
- 2) To the extent practicable, the coastal consistency review process, including public notification requirements, shall be coordinated with and conducted concurrently with the SEQRA review process.
- 3) If the Village does not identify any conflicts between the proposed action and the applicable policies and purposes of the approved LWRP, the Village should inform the State agency in writing of its finding. Upon receipt of the findings, the State agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
- 4) If the State agency does not receive written notification of the Village's findings within the established review period, the State agency may presume that the proposed action does not conflict with the policies and purposes of the Village's approved LWRP.
- 5) If the Village notifies the State in writing that the proposed action does conflict with the policies and / or purposes of the Village's approved LWRP, the State agency shall not proceed with its consideration of, or decision on, the proposed action until the Resolution of Conflicts procedures established in the following paragraph 4 have been satisfactorily completed. The Village shall forward written notice of the identified conflicts to the Secretary of State at the time that the State agency is notified. When notifying the State agency, the Village shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

4) *Resolution of Conflicts*

The following procedure shall apply whenever the Village has notified the Secretary of State and involved State agency that a proposed action conflicts with the policies and/or purposes of its approved LWRP.

- 1) Upon receipt of notification from the Village that a proposed action conflicts with its approved LWRP, the involved State agency should contact the Village Agency issuing the notification to discuss the content of the identified conflicts and the means for resolving them. A meeting of State agency and Village representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the Village.
- 2) If the discussion between the Village and the involved State agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the Village shall notify the State agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. Said notification should specify the terms and conditions that have been mutually agreed upon between the Village and the involved State agency to resolve the conflicts. Upon the receipt of this correspondence, the State agency may then proceed with its consideration of the proposed action in accordance with those terms and conditions, pursuant to the requirements of 19 NYCRR Part 600.
- 3) If the consultation between the Village and the involved State agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the unresolved conflicts. This request must be received by the Secretary of State within 15 days following the discussion between the Village and the State agency. The party requesting the assistance of the Secretary of State shall forward a copy of its request to the other party.
- 4) Within 30 days following the receipt of a request for assistance, the Secretary of State or a Department of State (DOS) official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the involved State agency and the Village.
- 5) If agreement among all parties cannot be reached during this discussion, the Secretary shall notify both parties within 15 days of his/her findings and recommendations.

3. PROCEDURES FOR THE REVIEW OF FEDERAL ACTIONS FOR CONSISTENCY WITH THE LWRP

1) *Direct Actions*

- 1) After acknowledging the receipt of a consistency determination and supporting documentation from a Federal agency, the DOS shall forward copies of the determination and other descriptive information regarding the proposed direct action to the Mayor and to other interested parties.
- 2) Said notification shall indicate the date by which all comments and recommendations must be submitted to the DOS and will identify the DOS's principal reviewer for the proposed action.
- 3) The Village shall follow the same procedures set forth under Subsection 2 above with respect to State actions.

2) *Permits and Licenses*

- 1) The DOS shall acknowledge the receipt of an applicant's consistency certification and application materials, and at that time forward a copy of the submitted documentation to the Mayor.
- 2) Within 30 days of receiving such information, the Village should contact the assigned DOS reviewer to discuss the need to request additional information for review purposes and any possible problems pertaining to the consistency of a proposed action with local coastal policies.
- 3) When the DOS and the Village agree that additional information is necessary, the DOS shall request the Federal applicant to provide said information. A copy of this information shall be provided to the Village upon receipt by the State.
- 4) Within 30 days of receiving the requested additional information or discussing the potential problems of the proposed action with the DOS reviewer (whichever is later), the Village should notify DOS of the reason(s) why the action may be inconsistent or consistent with Village coastal policies.
- 5) After such notification, the Village should submit written comments and recommendations on the proposed action to the DOS before the conclusion of the official comment period. If such comments and recommendations are not forwarded to the DOS by the end of the public comment period, the DOS will presume that the Village has no opinion on the consistency of the proposed action with the coastal policies of the LWRP.

- 6) If the DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village, the DOS shall contact the Village Agency submitting said recommendations to discuss any differences of opinion prior to issuing a letter of concurrence or objections to the applicant.
 - 7) A copy of the DOS concurrence or objections letter shall be forwarded to the Mayor.
- 3) *Financial Assistance Actions*
- 1) The DOS shall request information on a proposed financial assistance action from the applicant (State or Village agency) for consistency review purposes. A copy of this letter shall be forwarded to the Mayor and will serve as notification that the proposed action may be subject to review.
 - 2) If the applicant is a Village agency, the DOS shall contact the agency and request copies of any application documentation for consistency review purposes. If the proposed action has already been reviewed by the Village for consistency with the LWRP, the Village will notify the DOS of the outcome of the review.
 - 3) The Village shall acknowledge receipt of the requested information and send a copy to the DOS.
 - 4) If the applicant is a State agency, the DOS shall request the involved agency to provide a copy of the application documentation to the Mayor.
 - 5) The DOS shall acknowledge the receipt of the requested information and provide a copy of this acknowledgment to the Mayor.
 - 6) The review period will conclude 30 days after the date of the Village's or DOS's letter of acknowledgment.
 - 7) The Village must submit comments and recommendations on the proposed action to the DOS within 20 days from the start of the review period. If comments and recommendations are not received within that 20 day period, the DOS will presume that the Village has no opinion on the consistency of the proposed financial assistance action with Village coastal policies.
 - 8) If the DOS does not fully concur with or has any questions on the comments and recommendations submitted by the Village, the DOS shall contact the Village Agency submitting said recommendations to discuss any differences of opinion prior to agreeing or objecting to the Federal agency's consistency determination on the proposed financial assistance or action.
 - 9) A copy of the DOS no objection or objection letter to the applicant shall be forwarded to the Mayor.

5.5 FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

The financial resources necessary to implement this LWRP will be derived from a variety of sources. It is recognized that some Village revenues may be needed for certain projects, including the public elements of the proposed redevelopment plan of the Village's former industrial waterfront area. The implementation of such projects would be accelerated or, in some cases, actually made possible, by the procurement of matching State and/or Federal funding. Funding sources that will be investigated as appropriate to provide financial assistance for capital improvements necessary to implement the LWRP include those established under the: New York State Clean Air/Clean Water Bond Act of 1996, New York State Environmental Protection Fund, and the proposed Federal SAFETEA-LU (Safe Accountable Flexible Efficient Transportation Equity Act: Legacy for Users) program. SAFETEA-LU, provided it is enacted in 2006, will supersede the TEA-21 (Transportation Equity Act for the 21st Century), and its predecessor, ISTEA (Inter-modal Surface Transportation Efficiency Act). Additional potential funding sources are Hudson River Valley Greenway Conservancy, Hudson River Improvement Fund of the Hudson River Foundation, and others that are identified in Section VI.

Except as noted below, it is anticipated that the management and administrative functions necessary to implement the LWRP can be performed by existing Village staff and using existing Village equipment, and that all costs associated with these functions will be included in the Village's regular municipal budget.

It is anticipated that additional costs would be associated with the long-term maintenance of Village-owned facilities (such as parkland or a recreation center) that are sited in the 43-acre waterfront redevelopment area.

5.6 SUMMARY CHART OF ACTIONS THAT IMPLEMENT LWRP POLICIES

POLICY #	IMPLEMENTED OR ENFORCED BY
1: Development	Chapter 295 of the Village Code (Zoning) Possible public acquisition of all or part of waterfront redevelopment area Proposed rezoning and redevelopment of waterfront area Determination of optimal mechanism for implementing proposed waterfront redevelopment plan Proposed feasibility study, followed by implementation, to improve roadway/ pedestrian access to waterfront Preparation of amendments to the Zoning Code SEQRA review process (Chapter 231 of Village Code)
2: Water- Dependent Uses	Possible public acquisition of all or part of waterfront redevelopment area Proposed rezoning and redevelopment of waterfront area Development of Kinnally Cove for small boat access Recommended feasibility study for public marina Feasibility study for marina at Hudson Valley Health & Tennis Club SEQRA review process (Chapter 231 of Village Code)
3: Agricultural	Applicable to the extent that Farmers' Market benefits NY & NJ farmers.
4: Sustainable Resources	Recommended law governing discharges to Village's stormwater system Recommended study of contaminants in local fisheries resources SEQRA review process (Chapter 231 of Village Code)
5: Ecological Resources	Chapter 249 of the Village Code (Steep Slopes) Chapter 273 of the Village Code (Tree Preservation) Recommended erosion and sediment control law Recommended law governing discharges to Village's stormwater system Possible local wetland preservation law (following feasibility study) Proposed restoration of Sugar Pond Recommended study to identify locally significant habitats Recommended study to identify locations for tidal wetlands restoration Enhanced public education programs SEQRA review process (Chapter 231 of Village Code)
6: Water Resources	Chapter 249 of the Village Code (Steep Slopes) Chapter 252 of the Village Code (Streets and Sidewalks) Recommended law governing discharges to Village's stormwater system Proposed restoration of Sugar Pond Proposed stormwater management plan Proposed enhancement of public education programs SEQRA review process (Chapter 231 of Village Code)

POLICY #	IMPLEMENTED OR ENFORCED BY
7: Flooding and Erosion	Chapter 146 of the Village Code (Flood Damage Prevention) Chapter 252 of the Village Code (Streets and Sidewalks) Proposed rezoning and redevelopment of waterfront area SEQRA review process (Chapter 231 of Village Code)
8: Air Quality	Chapter 201 of the Village Code (Offensive, Toxic or Noxious Matter) Chapter 217 of the Village Code (Performance Standards) SEQRA review process (Chapter 231 of Village Code)
9: Energy and Minerals	SEQRA review process (Chapter 231 of Village Code)
10: Solid and Hazardous Wastes	Chapter 217 of the Village Code (Performance Standards) Chapter 224 of the Village Code (Property Maintenance) Chapter 244 of the Village Code (Solid Waste) Chapter 252 of the Village Code (Streets and Sidewalks) Remediation of waterfront area prior to redevelopment Enhanced public education programs SEQRA review process (Chapter 231 of Village Code)
11: Public Access	Chapter 209 of the Village Code (Parks and Recreation) Possible public acquisition of all or part of waterfront redevelopment area Proposed rezoning and redevelopment of waterfront area Development of Kinnally Cove for small boat access Proposed feasibility study, followed by implementation, to improve roadway/ pedestrian access to waterfront Proposed enhancement of trail system in Village Recommended improvements to Ravensdale Road bridge over Saw Mill River Parkway. Membership in Hudson River Valley Greenway Communities Council Recommended feasibility study for reconstruction of Mount Hope Boulevard overpass to South County Trailway Recommended feasibility study for public marina Restoration of deteriorated walkway at Hudson Valley Health & Tennis Club Private dredging of existing yacht club basins and facilities, as needed SEQRA review process (Chapter 231 of Village Code)
12: Visual Resources	Chapter 234 of the Village Code (Signs) Chapter 224 of the Village Code (Property Maintenance) Proposed rezoning and redevelopment of waterfront area SEQRA review process (Chapter 231 of Village Code)
13: Historic Resources	Possible local historic preservation law (following feasibility study) Recommended Feasibility study for preservation of existing structures in waterfront redevelopment area Enhanced public education programs SEQRA review process (Chapter 231 of Village Code)

SECTION VI

STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT AND BE AFFECTED BY PROGRAM IMPLEMENTATION



SECTION VI

STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT AND BE AFFECTED BY LWRP IMPLEMENTATION

State and federal actions will affect and be affected by the implementation of this LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State and federal actions within or affecting the Local Waterfront Revitalization Area (LWRA) must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the Village of Hastings-on-Hudson LWRP. This makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions. While consistency requirements primarily help prevent detrimental actions from occurring and help ensure that future options are not foreclosed needlessly, active participation on the part of State and federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and federal agencies that should be undertaken in a manner consistent with the Village of Hastings-on-Hudson LWRP. This is a generic list of actions and programs, as identified by the New York State Department of State (NYSDOS) and, therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of State and federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official list of actions subject to State and federal consistency requirements may be obtained from the NYSDOS.

The second part of this section is a more focused and descriptive list of State and federal agency actions that are necessary for further implementation of this LWRP. It is recognized that a State or federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above may not apply; and that the consistency requirements cannot be used to require a State or federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Sections IV and V of this document, which also discuss State and federal assistance required to implement this LWRP.

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

1. 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 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

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 License
- 1.16 Plenary Permit (Miscellaneous - Annual)
- 1.17 Summer Beer and Liquor License
- 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 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)

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 Change of Location)
- 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 Accommodations Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Bank)
- 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 & 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

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and Approval Programs:
 - 2.01 Certificate 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 Wholesaler of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION

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

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW 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 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15 (Protection of Water), Dredge or Deposit Material in a Waterway
- 9.22 Permit - Article 15 (Protection of Water), Stream Bed or Bank Disturbances
- 9.23 Permit - Article 24 (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Petroleum Gas)
- 9.28 Floating Objects Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Nets
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit- Article 25 (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (non-commercial , oil, gas or solution mining well)
- 9.45 Underground Storage Permit (gas)
- 9.46 Well Drilling Permit (oil, gas, and solution salt mining)

Solid Wastes

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

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit - Article 36 (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval - Drainage Improvement District
- 9.57 Approval - Water (Diversion for) Power
- 9.58 Approval - Well System and Permit to Operate
- 9.59 Permit - Article 15 (Protection of Water) - Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement - District Approvals
- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificates of Registration
- 9.64 401 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 Subdivision
 - 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

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 Home)
 - 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 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 programs for recreational boating, safety and enforcement.
- 4.00 Funding programs 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 Heritage Areas Systems