Section VI - State Actions and Programs Likely to Affect Implementation

State actions will affect and be affected by implementation of the City of Binghamton LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State actions within or affecting the local waterfront area must be “consistent” or “consistent to the maximum extent practicable” with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP document a unique, intergovernmental mechanism for determining future policies and decisions and preventing detrimental actions from occurring within the waterfront revitalization area. At the same time, the active participation of select State and federal agencies is likely to be necessary in order to implement specific provisions identified within the LWRP.

This section identifies the actions and programs of State agencies that should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs that is supplied by the New York State Department of State. Some of the programs and actions listed may not be relevant to this specific 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 that are to be undertaken in a manner consistent with approved LWRP’s. The list of State 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 consistency requirements may be obtained from the New York State Department of State.

In addition, this section also includes a more focused and descriptive list of State and federal agency actions that are necessary for further implementation of the 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. 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 the law. Reference should be made to Section 6.0 – Local Implementation Techniques, which discusses State and federal assistance needed to implement the LWRP.
6.1. State Actions and Programs

Office of 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

Section VI - 2
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.

**Permit and approval programs:**

2.01 Certificate of approval (Substance Abuse Services Program)

**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

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

**Office of Children and Family 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 Care Facilities)

   3.02 Operating Certificate (Children’s Services)

   3.03 Operating Certificate (Enriched Housing Program)

   3.04 Operating Certificate (Home for Adults)

   3.05 Operating Certificate (Proprietary Home)

   3.06 Operating Certificate (Public Home)

   3.07 Operating Certificate (Special Care Home)

   3.08 Permit to Operate a Day Care Center

**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.

**Empire State Development / Empire State Development Corporation**

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.

**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-Repacker of Drugs and/or Devices
   2.08 Storekeeper’s Certificate

**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

Section VI - 7
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**

Section VI - 8
9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
9.25 Permit to Use Chemicals for the 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 Liquid Petroleum Gas)
9.28 Floating Object Permit

**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 Net
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 (a 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

**Approval - Drainage Improvement District**

9.57 Approval - Water (Diversions for) Power

9.58 Approval of 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 Certificate 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 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**

1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.

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

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

7.00 Permit and approval programs:
   7.01 Floating Objects Permit
   7.02 Marine Regatta Permit
   7.03 Navigation Aide Permit
   7.04 Posting of Signs Outside State Parks

8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.

9.00 Recreation services program.

10.00 Urban Cultural Parks Program.

**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.

**New York State Science and Technology Foundation**

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

**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.

**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) 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 branch lines abandoned by Conrail

3.05 Subsidies program for passenger rail service

4.00 Permits and approval programs:

4.01 Approval of applications for airport improvements (construction projects)

4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)

4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities

4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities

4.05 Certificate of Convenience and Necessity to Operate a Railroad

4.06 Highway Work Permits

4.07 License to Operate Major Petroleum Facilities

4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)

4.09 Real Property Division Permit for Use of State-Owned Property

5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

**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 of Youth**

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

**6.2. State/Federal Programs Necessary to Further LWRP**

**State Actions and Programs Necessary to Further LWRP**

**Department of Economic Development**

Any action or provision of funds for the development or promotion of tourism related activities or development.

Any action involving the Seaway Trail.

**Department of Environmental Conservation**

Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.

Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.

Review of actions within National Register Districts pursuant to SEQRA.
Division of Housing and Community Renewal

Provision of funding under the Rural Preservation Company Program.

Approval of funding for Rural Area revitalization Program projects.

Job Development Authority

Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

Office of General Services

Prior to any development occurring in the water or 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.

Office of Parks, Recreation and Historic Preservation

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

Provision for 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.

Certification of properties within National Register Districts.

Provision of funding for State and local historic preservation activities.

Review of Type I Actions within National Historic Districts.

Activities under Urban Cultural Park program.

Department of State

Provision of funding for the implementation of an approved LWRP.

Provision of funding under the Community Services Block Grant program.

Department of Transportation

Assistance for street repairs through the Consolidated Highway Improvements Program.
Direct actions and/or assistance to develop downtown gateways, pedestrian access and streetscape improvements, as further described in section IV – Proposed Uses and Projects.

**Federal Actions and Programs Necessary to Further LWRP**

**Department of Housing and Urban Development**

**Office of the Assistant Secretary for Community Planning and Development**

Funding under Urban Development Action Grant Program for core area and Madison Barracks projects.

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

**Department of Defense**

**Corps of Engineers**

Review of any proposed action within a National Register District pursuant to NEPA.

**Department of the Interior**

**National Park Service**

Provision of funding under Land and Water Conservation Fund Program.

Review of federal actions within the National Register Districts pursuant to NEPA.

**Department of the Treasury**

Continuation of Incentives for Qualified Building Rehabilitation.

Provision of appropriate tax-exempt status for non-profit agencies active in the waterfront area.

**Economic Development Administration**

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

**Department of Transportation**

**United States Coast Guard**

Maintenance/rehabilitation of facilities.