§ 54-1101. Local waterfront revitalization programs.

1. The secretary is authorized to provide on a competitive basis, within amounts appropriated, state assistance payments and/or technical assistance as defined in section nine hundred seventeen of the executive law, to municipalities toward the development of any local waterfront revitalization program, pursuant to article forty-two of the executive law including planning projects to mitigate future physical climate risks and updates to existing local waterfront revitalization program plans to mitigate future physical climate risks. Eligible costs include planning, studies, preparation of local laws, and construction projects.

2. State assistance payments and/or technical assistance, as defined in section nine hundred seventeen of the executive law, shall not exceed seventy-five percent of the cost of the program provided, however, in environmental justice communities, such assistance payments and/or technical assistance shall not exceed eighty-five percent of the cost of the program. For the purpose of determining the amount of state assistance payments, costs shall not be more than the amount set forth in the application for state assistance payments approved by the secretary. The state assistance payments shall be paid on audit and warrant of the state comptroller on a certificate of availability of the director of the budget.

3. The secretary shall have the power to approve vouchers for payments pursuant to an approved contract.

4. No moneys shall be expended as authorized by this section except pursuant to an appropriation therefor.

5. The secretary shall impose such contractual requirements and conditions upon any municipality which receives state assistance payments pursuant to this article as may be necessary and appropriate to ensure that a public benefit shall accrue from the use of such funds by the municipality including but not limited to, a demonstration that future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of

future extreme weather events, including hazard risk analysis data if applicable, has been considered.