§ 553-e. Laws applicable to certain activities. 1. (a) In its performance of any project authorized by paragraph (m), (n), (o), (p) or (r) of subdivision nine of section five hundred fifty-three of this title, the authority shall not be deemed the agent or instrumentality of any other public benefit or municipal corporation notwithstanding the fact that title to any real or personal property (or any interest therein) which is the subject of or is a part of such project is held by, or upon completion of such project is to be transferred to, any such entity, and the provisions of section five hundred fifty-nine of this title shall not be applicable with respect to any such project. In its performance of any such project for the New York city transit authority, however, the provisions of section twelve hundred nine of this chapter shall apply to the authority as if it were the "authority" referred to therein.

(b) Neither the provisions of section one hundred ninety-seven-c of the New York city charter, relating to a uniform land use review procedure, nor the provisions of any other local law of the city of New York of like or similar tenor or import shall apply (i) to the acquisition of any real property (or any interest therein) for the purposes of any such project by the city or by the New York city transit authority or any of its subsidiaries; (ii) to the subsequent transfer of any real property (or interest therein) so acquired to the authority or its designee for the purposes of such project or to the transfer to the authority or its designee for such purposes of any real property (or interest therein) then owned by the city or by the New York city transit authority or any such subsidiary; nor (iii) to the transfer to the authority or its designee for such purposes of the right of use, occupancy, control or possession of any real property (or interest therein), whether presently owned or hereafter acquired by the city or by the New York city transit authority or any such subsidiary; provided in each such case, however, that if at the time of such proposed acquisition or transfer the real property which is the subject of such acquisition or transfer is not then being utilized for a transit or transportation purpose or is not an insubstantial addition to such property contiguous thereto; (a) the authority proposing to acquire or receive such property shall, unless a submission with respect to such property has previously been made and approved as herein provided,

submit to the community board for the community district in which such property is located, data with respect to the proposed use of such property and to the design of any facility proposed to be constructed thereon; (b) such community board shall inform the board of estimate of the city of New York, with copies to the city planning commission of the city of New York and the proposing authority, of its views and recommendations with respect thereto within forty-five days of such submission, and if the community board shall fail to so inform the board of estimate within such period it shall be deemed to have recommended the proposal; and (c) the board of estimate shall, within forty-five days of the recommendation of the community board, approve or disapprove such acquisition or transfer, and if the board of estimate shall fail to act within such period it shall be deemed to have approved the same.

2. After the transfer, transfer back, lease or sublease by the authority of any such project or part thereof, actions for damages to real or personal property or for the destruction thereof, or for personal injuries or death, based upon the use, condition or state of such project or part thereof may not be instituted against the authority, which shall have no liability or responsibility to the transferee, lessee or sublessee or to third parties therefor.

3. If any property, real or personal (or any interest therein), needed or useful for or in connection with any such project is owned by any municipal corporation, such corporation may transfer the same, with or without consideration, to the authority for such purpose, and if such property is owned by the city of New York, such transfer may be by action of its mayor alone.

4. The authority, upon suitable notice to and an offer to consult with an officer designated by the city of New York, may occupy the streets of the city of New York for the purpose of doing any work over or under the same in connection with any such project without the consent of or payment to the city of New York.

5. The providing of any such project for the use or benefit of the New York city transit authority or any of its subsidiaries shall not relieve

the city of its obligations under law or by lease to pay the capital costs of the said authority or of its subsidiaries.

6. Except as the authority shall otherwise agree, title to any such project or any part thereof or interest therein which shall have been transferred, leased or subleased to the New York city transit authority or its designated subsidiary, shall remain in such transferee, lessee or sublessee, any provisions of title nine of article five of this chapter or of any lease or other agreement entered into under the provisions of that title to the contrary notwithstanding.

7. The metropolitan transportation authority, the New York city transit authority and the designated subsidiaries of each of them are each hereby authorized (i) to request the authority to undertake any such project; (ii) to acquire in its own name by gift, purchase or condemnation, and, additionally, in the case of the metropolitan transportation authority, by appropriation pursuant to section twelve hundred sixty-seven-a of this chapter, any real or personal property (or any interest therein), which is needed or useful for or in connection with such project, the provisions of any lease or other agreement with the city to the contrary notwithstanding, and to surrender the use, occupancy, control or possession of or to transfer the same, or of any other such real or personal property (or any interest therein) which it owns, leases, operates or controls, to the authority; (iii) to accept a transfer, transfer back, lease or sublease of any such project or part thereof upon its completion; (iv) to undertake any such project itself, or to finance, through loans, leases or otherwise, any other person or entity, public or private, to do so, in each case using funds granted by the authority to pay all or any part of the costs thereof (such undertaking, in the case of the New York city transit authority and its subsidiary, the Manhattan and Bronx surface transit operating authority, being free of any restriction set forth in subparagraph (ii) of paragraph b of subdivision one of section twelve hundred three or in paragraph (c) of subdivision five of section twelve hundred three-a of this chapter); and (v) to make its agents, employees and facilities available to the authority in connection therewith.

8. No such project to be constructed upon real property theretofore used for a transit or transportation purpose, or on an insubstantial addition to such property contiguous thereto, which will not change in a material respect the general character of such prior transit or transportation use, nor any acts or activities in connection with such project, shall be subject to the provisions of article eight, nineteen, twenty-four or twenty-five of the environmental conservation law, or to any local law or ordinance adopted pursuant to any such article. Nor shall any project or acts or activities in connection therewith taken by any person or entity, public or private, pursuant to paragraph (m), (n), (o), (p), or (r) of subdivision nine of section five hundred fifty-three of this title be subject to the provisions of article eight of the environmental conservation law if such project, acts or activities to be taken in connection therewith require the preparation of a statement under or pursuant to any federal law or regulation as to the environmental impact thereof.

9. In connection with the negotiation, award and implementation of contracts of the authority relating to any project hereafter initiated pursuant to paragraphs (m), (n), (o), (p) and (r) of subdivision nine of section five hundred fifty-three of this title, the provisions of paragraphs (a), (b), (c) and (d) of subdivision thirteen of section twelve hundred sixty-six-c of this chapter shall apply to the authority as if it were the "authority" referred to therein, and the officer designated by the metropolitan transportation authority pursuant to paragraph (e) of that subdivision shall perform the duties therein described with respect to such contracts of the authority.

10. The financing of any such project through the issuance of bonds or notes of the authority shall be subject to the provisions of section twelve hundred sixty-nine-b of this chapter.

11. The aggregate principal amount of bonds and notes issued and outstanding at any time to finance projects authorized by paragraphs (m), (n), (o), (p) and (r) of subdivision nine of section five hundred fifty-three of this title shall not exceed one billion one hundred million dollars through December thirty-first, nineteen hundred

eighty-six and three billion two hundred million dollars thereafter, provided however that such latter amount shall not exceed two billion two hundred million dollars for all bonds and notes other than those issued pursuant to section five hundred fifty-three-d of this title. This limitation shall not include (i) bonds and notes issued to refund or otherwise repay bonds or notes theretofore issued for such purposes, (ii) bonds issued to fund any reasonably required debt service reserve fund for bonds and notes, and (iii) an amount equal to any original issue discount from the prinicipal amount of any bonds or notes issued and then outstanding. From the proceeds of the bonds and notes provided for in the first sentence of this subdivision, other than bonds or notes authorized by section five hundred fifty-three-d of this title, the authority shall not expend more than one billion three hundred twenty million dollars for transit projects as defined in section twelve hundred sixty-six-c of this chapter nor more than eight hundred eighty million dollars for transportation facilities as such term is defined in subdivision fourteen of section twelve hundred sixty-one of this chapter other than marine or aviation facilities. For the purposes of this subdivision, facilities under the jurisdiction of the Staten Island rapid transit operating authority shall be considered transit projects.