

Environmental Conservation

ARTICLE 17 WATER POLLUTION CONTROL

TITLE 11 SCOPE AND CONSTRUCTION; OTHER REMEDIES

- Section 17-1101. Existing rights and remedies preserved.
17-1103. Persons other than the state acquire no actionable rights.
17-1105. Conflicting laws.
17-1107. Other Environmental Conservation Laws to remain in effect.

§ 17-1101. Existing rights and remedies preserved.
It is the purpose of titles 1 to 11, inclusive, and title 19 of this article to provide additional and cumulative remedies to abate the pollution of the waters of the state and nothing herein contained shall abridge or alter rights of action or remedies now or hereafter existing, nor shall any such provisions or any act done by virtue of such provisions, be construed as estopping the state, persons or municipalities, as riparian owners or otherwise, in the exercise of their rights to suppress nuisances or to abate any pollution now or hereafter existing.

§ 17-1103. Persons other than the state acquire no actionable rights.
The bases for proceedings or actions resulting from the violations of the prohibitions contained in titles 1 to 11, inclusive, and title 19 of this article inure solely to and are for the benefit of the people generally of the state of New York, and it is not intended to in any way create new, or enlarge existing rights of riparian owners or others. A determination by the department or the commissioner that pollution exists or that violations of any such prohibitions have occurred or are occurring, whether or not a proceeding or action may be brought by the state, shall create by reason thereof no presumptions of law or findings of fact inuring to or for the benefit of persons other than the state.

§ 17-1105. Conflicting laws.
Titles 1 to 11, inclusive, and title 19 of this article shall not be construed as repealing any of the laws relating to the pollution of the waters of the state not herein expressly repealed, but shall be held and construed as ancillary to and supplementing the same and in addition to the laws now in force, except as the same may be in direct conflict herewith.

§ 17-1107. Other Environmental Conservation Laws to remain in effect.
Nothing contained in titles 1 to 11, inclusive, and title 19 of this article shall be construed as amending or repealing sections 11-0503 or

13-0345 and any parts of said sections inconsistent with the provisions of titles 1 to 11, inclusive, and title 19 of this article or with any rule, regulation, order or determination authorized by titles 1 to 11, inclusive, and title 19 of this article shall be held to be effective.