



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

Recd. 10/23/07
RCD/RR

OCT 17 2007

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: Permit Application Number NAN-2005-1220-EHA
by New York City Department of Parks and Recreation

Joshua Laird
New York City Department of Parks and Recreation
The Arsenal, 830 Fifth Avenue, Room 403
New York, New York 10021

Dear Mr. Laird:

On October 26, 2005, the New York District Corps of Engineers received a request for Department of the Army authorization to conduct the following work in navigable waters of the United States as shown on the attached plans, Sheets 1-33: remove existing timber cribs, remove debris, repair an existing bulkhead, discharge rip-rap fill to create two storm water outfall aprons, discharge rip-rap fill for erosion control and bank stabilization, and restore a tidal wetland area, for the purpose of developing a waterfront park. The site is located in the Harlem River, a tributary to Long Island Sound, Village Concourse, Bronx County, New York.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number(s) 3, 7, 13, and 27. The nationwide permits are prescribed as an Issuance of Nationwide Permits in the Federal Register dated March 12, 2007 (FR Vol. 72, No. 47). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No(s). 3, 7, 13, and 27, Section C, any applicable New York District regional conditions, and any applicable regional conditions added by the State of New York, copies enclosed.

Special Conditions

A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on

account of any such removal or alteration.

B) The authorization for the installation of the storm water outfall rip-rap aprons is conditional upon the applicant's receipt of the required authorization, conditional authorization, or exemption for regulations issued under the National Pollutant Discharge Elimination System Program.

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

This verification is valid for a period of two years from the date of this letter, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid for two years from the date of this letter if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity. All of the existing NWPs are scheduled to be modified, reissued, or revoked March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued.

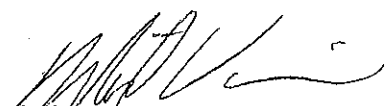
This authorization is conditional on the applicant's receipt of the required water quality certificate or waiver from the New York State Department of Environmental Conservation (NYSDEC). No work may be accomplished until the required approval from NYSDEC has been obtained.

This authorization is conditional on the applicant's receipt of the required coastal zone management concurrence or waiver from the New York State Department of State (NYSDOS). No work may be accomplished until the required approval from NYSDOS has been obtained.

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.

If any questions should arise concerning this matter, please contact Naomi Handell, of my staff, at (917) 790-8523.


Sincerely,



Michael G. Vissichelli
Chief, Eastern Permits Section

Enclosures

cf: NYSDEC - Region 2

 NYCEDC, 110 William St, 4th Fl, NY, NY 10038