



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-009

REGULATORY BRANCH

DEC 23 2019

SUBJECT: Department of the Army Permit Application Number NAN-2018-01616-ESW
by the Roosevelt Island Operating Corporation

RECEIVED
Executive Office

Roosevelt Island Operating Corporation
Attn: Susan Rosenthal
591 Main Street
Roosevelt Island, New York 10044

DEC 26 2019

RIOC
Roosevelt Island, NY 10044

Dear Ms. Rosenthal:

Enclosed are two unsigned copies of the Department of the Army authorization for your work. If you agree to all statements and conditions included in the draft permit, have both copies signed by the president or other officer authorized to sign for the corporation and return both copies to this office. The copies must be accompanied by a copy of the record of the election of the officer signing the authorization or a copy of the by-law or record of proceedings of the governing body of the corporation showing the authority of the officer signing them. The supporting documents must be certified by the custodian of such records, under the corporate seal, to be true copies. If the officer's authority was given by resolution, enough of the records of the corporation should be copied, along with the resolution, to show it was adopted. All matter copied (not simply the resolution) should be certified to be true copies.

A permit fee is to be paid by a certified check or money order made payable to the "Treasurer of the United States" in the amount of \$100.00, as prescribed by the Corps of Engineers Permit Regulations (33 CFR 325). To insure proper crediting, please write your application number as shown above and the word "Regulatory" on your certified check or money order.

Upon receipt of the two signed copies with the supporting documentation and payment of the permit fee, one copy of the authorization will be signed at this office and returned to you. No work may begin until you receive your signed permit.

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

REGULATORY BRANCH

SUBJECT: Department of the Army Permit Application Number NAN-2018-01616-ESW
by the Roosevelt Island Operating Corporation

- 2 -

Stephan A. Ryba
Chief, Regulatory Branch
New York District Corps of Engineers
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, NY 10278

In order for a RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by

FEB 24 2020. It is not necessary to submit a RFA form to the District Office if you do not object to the permit decision in this letter.

If any questions should arise concerning this matter, please contact Amanda M. Regan, of my staff, at (917) 790-8618.

Sincerely,


for
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Roosevelt Island Operating Corporation | File Number: NAN-2018-01616 | Date: **DEC 23 2019**

Attached is: See Section below

<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
Mr. Stephan A. Ryba
Chief, Regulatory Branch (CENAN-OP-R)
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, New York 10278

If you only have questions regarding the appeal process you may also contact:
James W. Haggerty, Regulatory Program Manager
North Atlantic Division, U.S. Army Engineer Division
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, NY 11252-6700
Telephone number: (347) 370-4650

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

ROOSEVELT ISLAND OPERATING CORPORATION

SECRETARY'S CERTIFICATE

Gretchen K. Robinson, Secretary of Roosevelt Island Operating Corporation, a New York public benefit corporation, certifies that annexed as Exhibit A hereto is a correct and complete copy of the Resolution of the Board of Directors of the Corporation adopted at a meeting of the Board of Directors on October 20, 2016.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as of this 31 day of December, 2019.

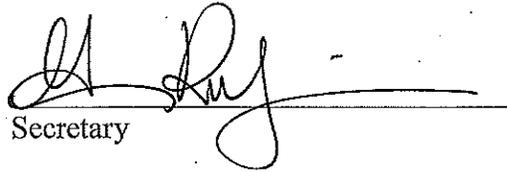

Secretary

EXHIBIT A
RESOLUTION



RESOLUTION

**APPOINTMENT OF SUSAN G. ROSENTHAL TO THE POSITION OF
PRESIDENT/CHIEF EXECUTIVE OFFICER OF THE CORPORATION**

WHEREAS, the Roosevelt Island Operating Corporation (the "Corporation") is a public benefit corporation empowered by Chapter 196 of the New York Unconsolidated Laws to carry out the operation, maintenance, and development of Roosevelt Island; and

WHEREAS, Article IV, Section 2, of the Corporation's By-Laws provides that the Board of Directors shall elect the officers, including the President/Chief Executive Officer;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE ROOSEVELT ISLAND OPERATING CORPORATION OF THE STATE OF NEW YORK AS FOLLOWS:

Section 1. that Susan G. Rosenthal is elected President/Chief Executive Officer of the Corporation at an annual salary of not more than \$170,989 for the Fiscal Year ending March 31, 2017 and thereafter not more than that which is approved by the Board of Directors;

Section 2. that the Chairperson is hereby authorized to take such actions and/or execute such instruments as deemed necessary to effectuate the foregoing;

Section 3. that this resolution shall take effect immediately.

DEPARTMENT OF THE ARMY PERMIT

Permittee: Roosevelt Island Operating Corporation
Attn: Susan Rosenthal
591 Main Street
Roosevelt Island, New York 10044
(212) 832-4540

Permit Number: NAN-2018-01616

Date Issued: _____

Issuing Office: U.S. Army Corps of Engineers, New York District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Replace approximately 1,600 linear feet of existing deteriorated concrete and granite seawall with approximately 1,400 linear feet of riprap revetment, 100 linear feet of granite and concrete seawall to be rebuilt, and a 100 linear foot section of concrete seawall to remain. Remove approximately 900 cubic yards of existing seawall material within the plane of Spring High Water from a footprint of 8,000 square feet (0.18 acres). Discharge approximately 2,200 cubic yards of riprap within a footprint of 20,000 square feet (0.46 acres).

All work shall be performed in accordance with the attached drawings and special conditions (A) through (E) which are hereby made part of this permit, and the New York State Department of Environmental Conservation Permit No. 2-6204-01651/00014, incorporating the Section 401 Water Quality Certificate, which are hereby made a part of this permit.

Project Location: IN: East River

AT: South Point Open Space Park, Roosevelt Island, Borough of
Manhattan, City of New York, New York County, New York

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on _____.

PERMITTEE: Roosevelt Island Operating Corporation
PERMIT NO.: NAN-2018-01616

If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

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 permittee shall not conduct in-water work between March 1 and June 30 of any calendar year to minimize adverse effects to migrating and spawning anadromous fish.

(C) The permittee shall submit the following information via e-mail to LNM@uscg.mil or faxed to (617) 223-8291, at a minimum of fourteen days before starting operations to the First Coast Guard District for publication in the Local Notice to Mariners:

Date of submission

PERMITTEE: Roosevelt Island Operating Corporation
PERMIT NO.: NAN-2018-01616

Name, phone number, and email address of project point of contact

Company Name

Type of Work

Waterway and location where work will be done

Latitude & Longitude of work area (Degrees, Minutes, Thousandths of seconds) Work Start & Stop dates and Hours of Operation

Equipment on scene

Passing Arrangements / Time to move vessels to not impede navigation VHF Radio Channel monitored

Disposal Site (if used)

NOAA Chart Number for the area

(D) The permittee shall notify the National Oceanic and Atmospheric Administration of the project completion and specifications so they may initiate the appropriate chart and Coast Pilot corrections. This must be submitted online at <https://nauticalcharts.noaa.gov/charts/docs/charts-updates/Permit-Public-Notice.pdf> and include a copy of the USACE permit.

(E) Upon notification by the U.S. Coast Guard, the permittee shall demobilize from the United Nations security zone (East 35th Street to Queensboro Bridge) during the United Nations General Assembly and/or during times of heightened security.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms

PERMITTEE: Roosevelt Island Operating Corporation
PERMIT NO.: NAN-2018-01616

and conditions of this permit.

Susan G. Rosenthal Pres, CEO 12/30/19
(PERMITTEE) RiOC' (DATE)

Roosevelt Island Operating Corporation
Susan Rosenthal

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

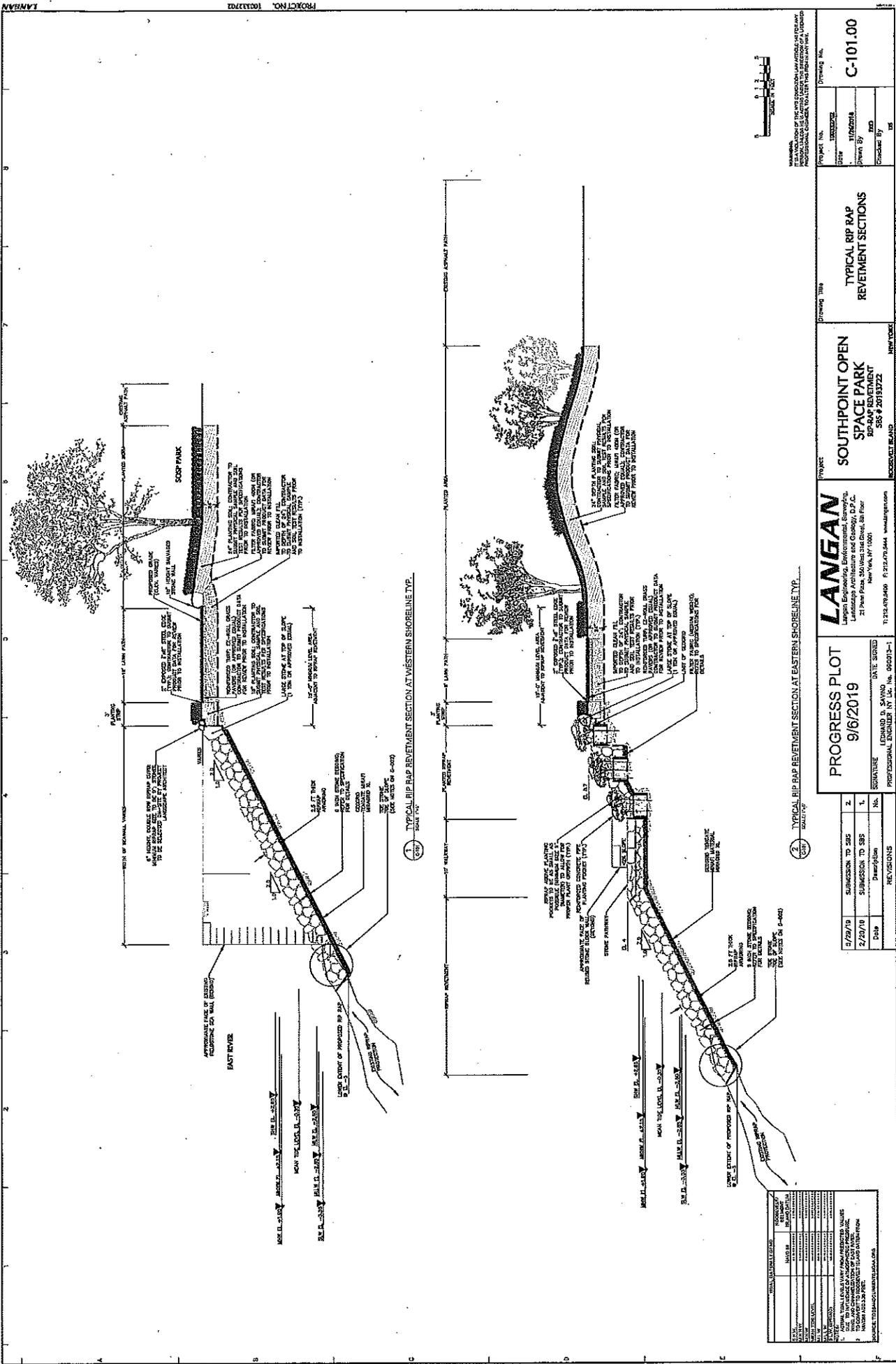
(DATE)

Thomas D. Asbery
Colonel, U.S. Army
District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below. A copy of the permit signed by the transferee should be sent to this office.

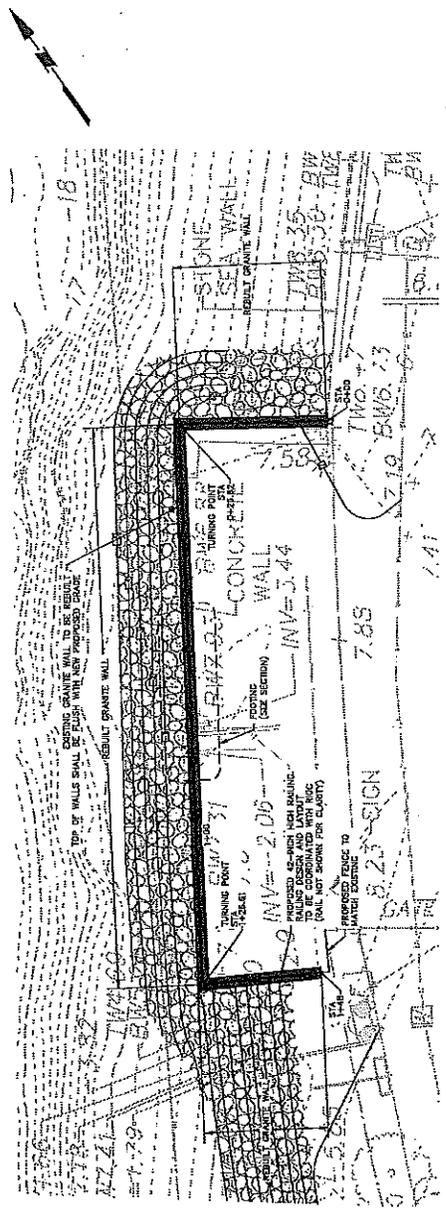
(TRANSFEREE)

(DATE)

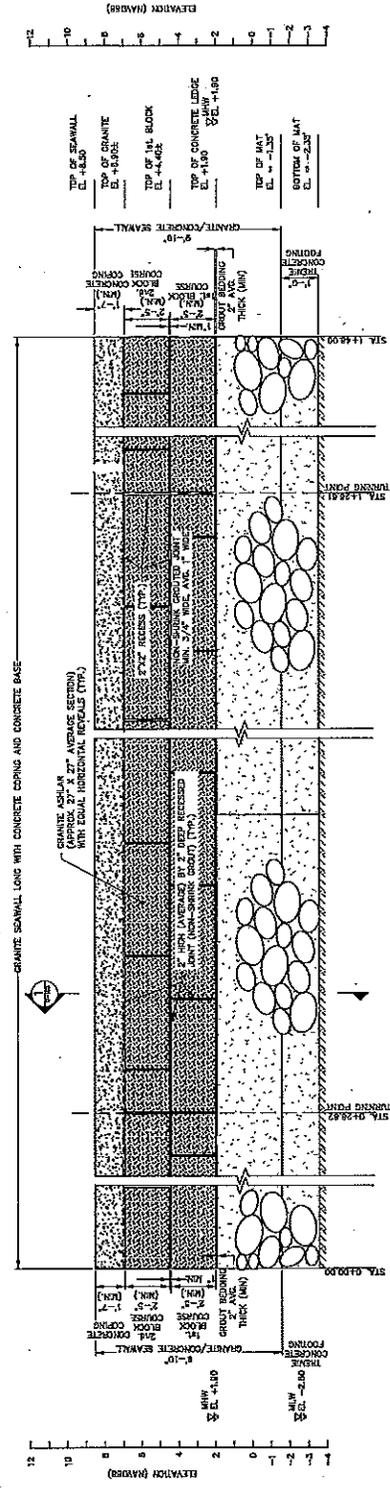


LANEAM

PROJECT NO. 16031202



1 PART PLAN OF RETROFIT TO EXISTING WEST SHORE CONCRETE AND GRANITE SEAWALL



DATE	DESCRIPTION	REVISIONS
5/17/18	SUBMISSION TO SIS	1
5/29/18	SUBMISSION TO SIS	2
2/25/19	SUBMISSION TO SIS	1

2 ELEVATION OF RETROFIT TO EXISTING WEST SHORE CONCRETE AND GRANITE SEAWALL 9 SEGMENTS TOTAL



PROJECT NO.	16031202
DRAWING NO.	C-102.00
DATE	11/06/2019
DESIGNED BY	ED
CHECKED BY	ED

PART PLAN AND ELEVATION OF EXISTING CONCRETE AND GRANITE SEAWALL

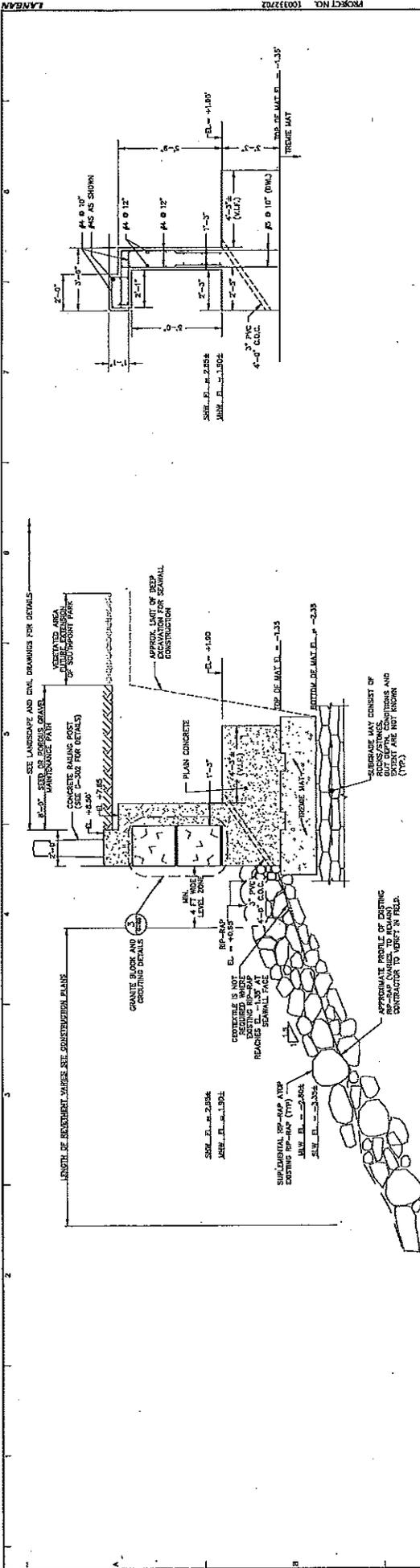
SOUTHPOINT OPEN SPACE PARK
 NARRAGANSETT
 555 # 2019172

LANEAM
 LANEAM ENGINEERING, ENVIRONMENTAL, SURVEYING, LANDSCAPE ARCHITECTURE AND GEOTECHNICAL, P.C.
 27 Fern Park, Westport, NY 10681
 (914) 361-1400
 T: 212-475-4500 F: 212-475-4544 www.laneam.com

PROGRESS PLOT
 9/6/2019

SIGNATURE: EDWARD S. SWANEY
 PROFESSIONAL ENGINEER NY Lic. No. 080103-1

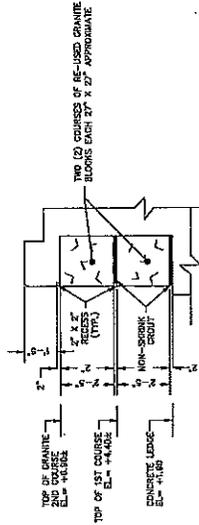
Date	Description	No.	Date Signed
5/17/18	SUBMISSION TO SIS	1	
5/29/18	SUBMISSION TO SIS	2	
2/25/19	SUBMISSION TO SIS	1	



NOTE: REFER TO PERMIT PLAN, CHASE OF RP-RAP WITH PRODUCT FINISHING PLANS.

1 TYPICAL SECTION OF RETROFIT TO EXISTING WEST-SIDE CONCRETE BLOCK WALL.

NOTE: REINFORCEMENTS AND CONCRETE BLOCKS NOT SHOWN FOR CLARITY, SEE DETAILS.



3 TYPICAL SECTION OF GRANITE STONE GROUTING

NOTE: REINFORCEMENTS AND ELEVATIONS NOT SHOWN FOR CLARITY.

2 REINFORCEMENT DETAILS OF RETROFIT TO EXISTING WEST-SIDE CONCRETE BLOCK WALL.

NOTE: SEE DETAIL FOR DIMENSIONS OF CONCRETE BLOCKS.

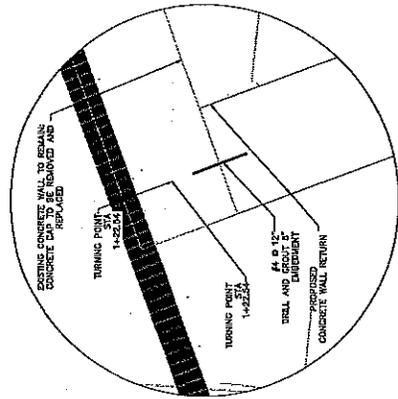
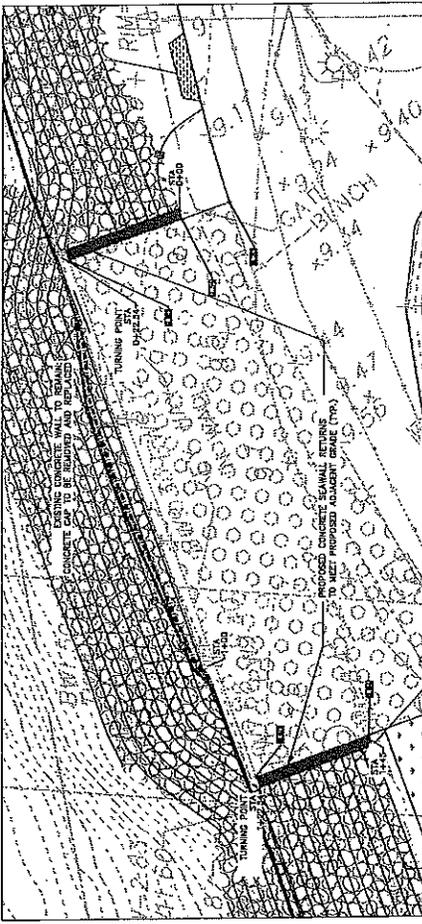
NO.	DATE	DESCRIPTION
1	3/28/19	SUBMISSION TO SES
2	2/27/19	SUBMISSION TO SES

PROGRESS PLOT
9/16/2019

LANGAN
Langan Engineering, Environmental, Consulting,
and Construction Services, Inc.
475 River Street, Suite 200
New York, NY 10014
Tel: 212-611-5400 Fax: 212-611-5444

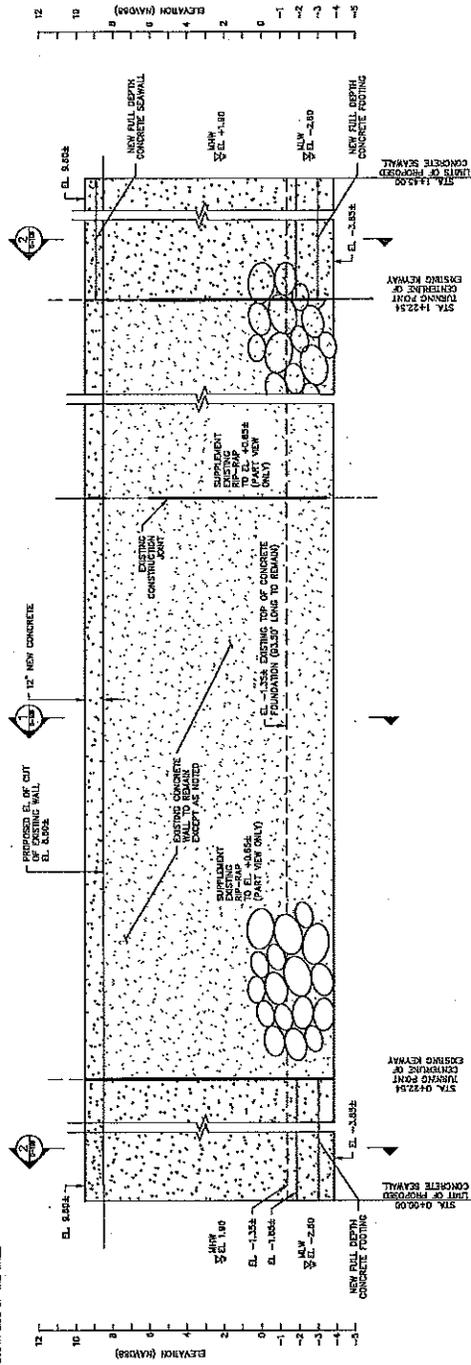
Project: SOUTHPOINT OPEN SPACE PARK
KIP-RAP RETROFIT
SSES # 20197722

SECTION AND DETAIL OF CONCRETE AND GRANITE SEAWALL



A PART DETAIL EMBEDMENT DETAIL
NOTE: EMBEDMENT SHOWN IS TYPICAL FOR THE NORTH AND SOUTH SIDE OF THE WALL.

B PART PLAN OF SEAWALL
SCALE: 1"=20'



NO.	DATE	DESCRIPTION
1	5/29/19	SUBMISSION TO SPS
2	7/20/19	SUBMISSION TO SPS

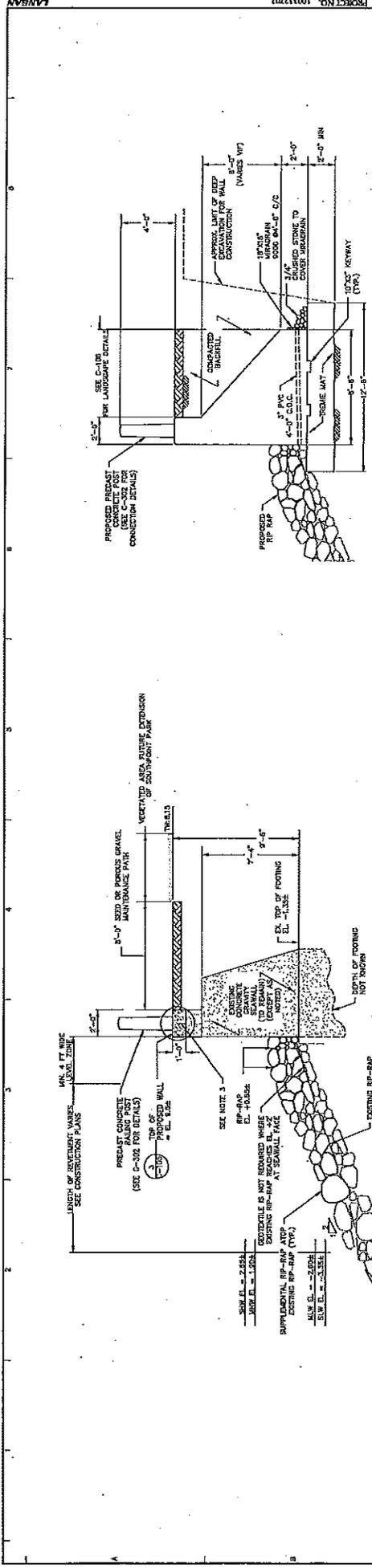
PROGRESS PLOT
9/6/2019

LANGAN
Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, P.C.
21 First Street, Suite 200
New York, NY 10003
T: 212.411.5400 F: 212.411.6444 www.langan.com

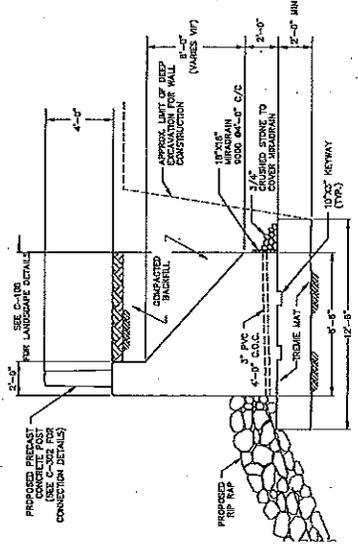
SOUTHPOINT OPEN SPACE PARK
PARK IMPROVEMENT
SSS # 20193722
ROCKY HILL, CONNECTICUT

PART PLAN AND ELEVATION OF CONCRETE SEAWALL

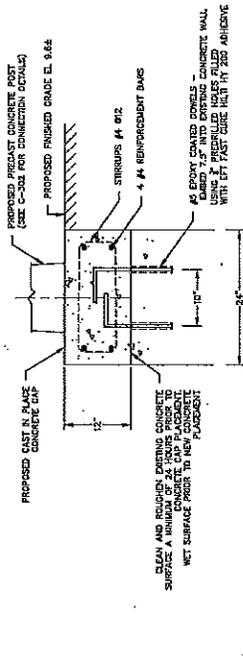
Project No. 10022702
Drawing No. C-104.00
Date: 9/6/2019
Drawn By: [Name]
Checked By: [Name]



1 TYPICAL SECTION OF RETROFIT TO EXISTING WEST-SIDE CONCRETE SEAWALL

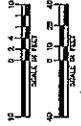


2 TYPICAL SECTION OF PROPOSED CONCRETE SEAWALL RETURNS



3 TYPICAL DETAIL OF DOWEL CONNECTION BETWEEN PROPOSED CONCRETE CAP AND EXISTING CONCRETE SEAWALL

- NOTES:
1. CONTRACTOR TO CAREFULLY COORDINATE EXCAVATION AND PLACEMENT NOTES.
 2. FINAL GRADE OF RIP-RAP WITH PROJECT GRADING PLAN.
 3. CONCRETE SHALL BE 3000 PSI WITH 5% AIR ENTRAINMENT. CONCRETE SHALL BE VERIFIED IN FIELD BY APPROXIMATE EXISTING GRADE BY INSTRUMENTATION TO BE INSTALLED AS SHOWN IN DETAIL 3/16-105.



NO.	DATE	DESCRIPTION
1	5/25/18	SUBMISSION TO SES
2	2/25/19	SUBMISSION TO SES

PROGRESS PLOT
9/16/2019

LEONARD D. SKVING
PROFESSIONAL ENGINEER NY Lic. No. 090013-1

LANGAN
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, P.C.
21 Penn Plaza, Suite 900, New York, NY 10001
Tel: 212-676-6400 Fax: 212-676-6444 www.langan.com

Project: SOUTHPOINT OPEN SPACE PARK RIP-RAP RETENMENT SES # 20191722

Section and Detail of Existing and Proposed Concrete Seawall

Project No. C-105.00



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
ROOSEVELT ISLAND OPERATING CORP

591 MAIN ST
NEW YORK, NY 10044-0002

Facility:
SOUTHPOINT OPEN SPACE - ROOSEVELT
ISLAND
N OF FDR-FOUR FREEDOMS PARK
NEW YORK, NY 10044

Facility Location: in NEW YORK COUNTY **Village:** Manhattan

Facility Principal Reference Point: NYTM-E: 587.88 NYTM-N: 4511.777
Latitude: 40°45'08.1" Longitude: 73°57'32.3"

Project Location: South Pt Open Space - Roosevelt Island N of FDR Four Freedoms Park

Authorized Activity: The project involves the reconstruction of approximately 1,600 linear feet of seawalls along the eastern and western East River waterfront areas of Southpoint Park on the southern end of Roosevelt Island.

The project involves mitigation as follows:

December 7, 2011

A NYSDEC permit (2-6204-00048/00006) issued for the construction of FDR Four Freedoms Park resulted in a net fill removal of 8, 825 cubic yards below MHW.

December, 2013

The above referenced permit, NYSDEC ID# 2-6204-01651/00013, will result in a net fill of 1,818 cubic yards below MHW.

A 1:1 mitigation ratio has been established for the latter project due to the proximity and conditions associated with the former project.

Given the 1:1 ratio, the latter project will leave a 7,007 cubic yard credit to the Roosevelt Island Operation corporation for possible future use.

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 2-6204-01651/00013

New Permit

Effective Date: 4/7/2015

Expiration Date: 12/31/2017

Modification # 1

Effective Date: 12/11/2017

Expiration Date: 12/31/2022

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 2-6204-01651/00014

New Permit

Effective Date: 4/7/2015

Expiration Date: 12/31/2017

Modification # 1

Effective Date: 12/11/2017

Expiration Date: 12/31/2022



3. Notice of Intent to Commence Work At least five (5) days prior to the start of work. Permittee must complete and submit the attached Notice of Intent to Commence Work form to the NYSDEC Bureau of Marine Resources, 47-40 21st Street, Long Island City, New York 11101.

4. Posting of NYSDEC Permit Sign The attached NYSDEC permit sign shall be posted, protected from the weather, in a conspicuous outdoor location at the project site. This sign is to be posted for the duration of work authorized by this permit.

5. Prior Approval of Changes If the Permittee desires to make any changes in construction techniques, species to be planted, the site plan, any mitigation plan, scheduling or staging of construction, or any other aspect of this project, the Permittee shall submit a written request to the Regional Permit Administrator to make such proposed changes and shall not make such changes unless authorized in writing by the Department.

6. Permit and All Reference Documents Available at Project Site at All Times A copy of this permit, including all maps and drawings mentioned in the special conditions, is to be available on the project site at all times. Failure to produce a copy of the permit upon request by a DEC representative is a violation of this permit and is sufficient ground for an order to immediately cease all work.

7. Failure to Meet Permit Conditions Failure of the permittee to meet all the conditions of this permit is a violation of this permit and grounds for an order to immediately cease the permitted activity at the project site.

8. Best Management Practices Best management practices will be employed to prevent the loss of construction materials, debris, and sediment from entering the waterways. Such practices may include, but are not limited to construction fencing, staked hay bales, silt fencing, floating platforms, netting, containment booms.

9. Excavate Backfill Prior to Removal of Seawalls Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill will be excavated landward of the bulkhead and retained so as not to enter the waterway, tidal wetland or protected buffer area.

10. No Discharge into Tidal Wetlands There will be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or tidal wetlands adjacent area (unless specifically authorized herein).

11. Dewatering and Breakwater Berm Within 60 days of completion of the permitted seawalls, the permittee must remove all temporary berms and the intertidal and subtidal shorelines to the final project grade.

12. Concrete or Leachate Must Not Be Discharged During construction, concrete or leachate will not escape or be discharged, nor will washings from transit mix trucks, mixers, or other devices enter tidal wetlands and or protected buffer areas.

13. Removal of Debris and Excess Material Any debris or excess material from construction of this project will be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in tidal wetlands or tidal wetlands adjacent area or protected buffer areas.

14. Clean Fill Material Only All fill will consist of clean sand, gravel, or soil. The use of material



702, 703, and 704.

2. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 2 Headquarters
47-40 21st St
Long Island City, NY11101 -5401

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Tidal Wetlands, Water Quality Certification.



This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.