



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

March 10, 2014

Ms. Peg McBrien, P.E.
The Louis Berger Group, P.E.
412 mount Kemble Avenue
Post Office Box 1946
Morristown, New Jersey 07962

RE: F-2013-0911
U.S. Army Corps of Engineers/New York District Permit
Application - NYC EDC (Saw Mill Creek Pilot Mitigation Bank)
Remove urban fill, improve tidal hydrology exchange, re-establish
native plant species, control invasive species, increase fish and
wildlife habitat and to minimize contamination risks.
Sawmill Creek, Richmond County
General Concurrence

Dear Ms. McBrien:

The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on November 18, 2013.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

This General Concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, other forms of authorization or approval that may be required pursuant to existing State statutes. Specifically, it appears that you may require authorization from the New York State Department of Environmental Conservation (DEC). Please contact the DEC Region 2 office to determine if their authorization is required.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2013-0911.

Sincerely,

Jeffrey Zappieri
Supervisor, Consistency Review Unit
Division of Coastal Resources

JZ/TS/dc
cc: COE/New York District – Stephan Ryba
DEC/Region 2 – John Cryan