

New York State Department of Environmental Conservation

Office of General Counsel, Region 2

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Joe Martens
Commissioner

Via E-mail Only

February 13, 2014

Alison Tocci
President
City Parks Foundation
830 Fifth Avenue
New York, NY 10065-7001

Re: Newtown Creek Environmental Benefit Projects

Dear Ms. Tocci:

This is in response to your January 29, 2014 letter (copy attached) requesting an extension to the time limit “to expend or enter into a binding agreement to expend the [Environmental Benefit] money in the CPF account[.]”

According to the Memorandum of Understanding (MOU) between City Parks Foundation and the Department, the time limit was set at five (5) years from the effective date of the Third Modified Consent Judgment unless the Department decides to extend the time. February 18, 2014 is five (5) years from the effective date of the Third Modified Consent Judgment.

The Department has reviewed your request and agrees to extend the time limit an additional three (3) years. Therefore, the date by which City Parks Foundation must “expend or enter into a binding agreement to expend the [Environmental Benefit] money in the CPF account,” is now **February 18, 2017**. City Parks Foundation still retains the right to request additional extensions in the future.

Please contact me if you have any additional questions.

Very truly yours,

Louis P. Oliva
Regional Attorney

Att.

ec: M. Moore (DEC)