

May 6, 2010

Mr. Steven I. Schneider
21 Robin Road
Warren, NJ 07059

Re: F-2003-0006
U.S. Army Corps of Engineers/New York District Permit
Application - Martha Gajeski- Construct pier assembly
Eastchester Bay, New York City, Bronx County

**Objection To Consistency Certification - Insufficient
Information**

Dear Mr. Schneider:

In our letter to you dated February 13, 2003 (copy attached), we described the type of and need for necessary information regarding the consistency certification for the above-referenced matter. That information was not received. Therefore, pursuant to 15 CFR Part 930.63(c), the Department of State objects to your consistency certification on the grounds of insufficient information.

Pursuant to 15 CFR Part 930, Subpart H, and within 30 days from receipt of this letter, you may request that the U.S. Secretary of Commerce override this objection. In order to grant an override request, the Secretary must find that the activity is consistent with the objectives or purposes of the Coastal Zone Management Act, or is necessary in the interest of national security. A copy of the request and supporting information must be sent to the New York Coastal Management Program and to the federal permitting or licensing agency. The Secretary may collect fees from you for administering and processing your request.

The appeal process can be a lengthy one, therefore, if you would like to continue discussions with this office while pursuing an appeal, please call Vance A. Barr at (518) 402-3399. If you or your client are represented by counsel, kindly have your attorney contact Mr. Barr for referral to our Legal Division.

The U.S. Department of Commerce and U.S. Army Corps of Engineers are being notified of this decision by copy of this letter.

Sincerely,

George R. Stafford
Director

att:

GRS:

cc: OCRM - John King
COE/NY District - Marc Helman
DEC/Region 2- John Cryan
OGS - Alan Bauder

NYC WRP -Eddie Greenfield