



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

REPLY TO ATTENTION OF

Colonel Paul E. Owen, P.E.
Commander
U.S. Army Corps of Engineers, New York District
26 Federal Plaza
New York, New York 10278

Subject: Letter of Concurrence to Apply the Surplus NO_x Emission Offset Program Protocol Between the Following Agencies:

U.S. Army Corps of Engineers, Paul E. Owen, P.E., Commander
New Jersey Department of Environmental Protection, Commissioner Martin
New York State Department of Environmental Conservation, Commissioner Martens
Environmental Protection Agency, Region II, Regional Administrator Judith Enck
Port Authority of New York and New Jersey, Director, Port Commerce Richard Larrabee
New York City Department of Transportation, Commissioner Polly Trottenberg

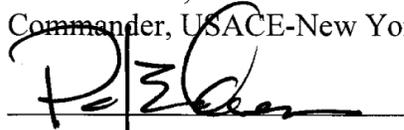
Dear Sirs and Madames:

The purpose of this letter is to establish concurrence of the participating agencies that the Surplus NO_x Emission Offset (SNEO) Program is an acceptable mechanism for the United States Army Corps of Engineers (USACE) to meet the requirements of the United States Environmental Protection Agency's (USEPA) Federal General Conformity regulation (40 CFR Part 93) for projects within the New York – Northern New Jersey – Southern New Jersey region. Surplus NO_x emission offsets are real emission reductions that have been and continue to be generated from actions taken by the USACE, Port Authority of New York and New Jersey (PANYNJ) and New York City Department of Transportation (NYCDOT). The actions taken by these agencies to generate the emission reductions from the USACE Harbor Deepening project include: installation of selective catalytic reduction technology and Nitrous Oxide (NO_x) reduction kits on the Staten Island Ferries and the development of two Marine Vessel Engine Replacement programs.

The SNEO Protocol, enclosed, documents the methods used to assure the emission reductions achieved are real and quantifiable. The SNEO Protocol was developed cooperatively by our agencies. This protocol can be used to generate additional “new” emission offsets and their utilization for up to ten years. This protocol provides a mechanism to meet the requirements set forth in §93.165 of the Federal General Conformity regulation as an Early Emission Reduction Credit program. It is our understanding the USACE will continue to use the Regional Air Team (RAT) for coordinating these efforts.

Agreed and accepted.

Paul E. Owen, P.E.
Commander, USACE-New York District

 Date 04 JUNE 2014

Judith Enck
EPA Region 2
Regional Administrator

_____ Date _____

Bob Martin
Commissioner, NJDEP

_____ Date _____

Joseph J. Martens
Commissioner, NYSDEC

_____ Date _____

Richard Larrabee
Director of Port Commerce, PANYNJ

_____ Date _____

Polly Trottenberg
Commissioner, NYCDOT

_____ Date _____