



The Bronx Council for Environmental Quality

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President: Ira Charles Levenberg-Engel

February 19, 2010

Jonathan B. Jarvis, Director
National Park Service
1849 C Street NW
Washington, DC 20240

Dear Director Jarvis,

This is to request your intervention to ensure that the right of the citizens and residents in the South Bronx to equivalent parkland taken from them is upheld.

Your attention is drawn to the *linked* Memorandum and Order (06 Civ. 6859 - NRB)¹ of the U.S. District Court for the Southern District of New York dated Nov. 15, 2006 which provides all of the necessary background information for this request. In this Order, Judge Buchwald stated:

"...Were this [exchanged parkland] construction not to occur some time in the future, the NPS would have ample authority under its regulations and its Manual to take remedial and disciplinary steps to ensure that state compliance occurs...."

It is now 3 1/3 years later, the future is here but all of the promised parkland is not. It is contended that:

- promised construction has not been completed and/or not started
- post construction changes may result in the exchanged parkland parcels not being of the scope and magnitude originally anticipated and promised

For these and other reasons, we hereby request that the National Park Service immediately investigate this matter, contact the New York State Office of Parks, Recreation and Historic Preservation to determine its compliance with the letter and spirit of the 11/15/2006 Order, and that the NPS take appropriate corrective measures to remedy this environmental injustice.

Sincerely,

Ira Charles Levenberg
President, BCEQ

¹ Buckwald Decision: http://www.bceq.org/wp-content/uploads/2010/02/061115_Buchwald_Decision.pdf