

Moynihan Station Development Corporation

July 15, 2011

Re: Moynihan Station Development Project Section 106 Historic Review Process
Invitation to Review Pre-Final Phase I Design

Dear Moynihan Station Consulting Party:

On behalf of the Federal Railroad Administration ("FRA"), the New York State Urban Development Corporation d/b/a Empire State Development Corporation ("ESDC"), and the Moynihan Station Development Corporation ("MSDC"), I am writing to invite your organization to review and provide comments on the pre-final design plans for Phase I of the Moynihan Station Development Project (the "Project"). The purpose of this historic preservation review, which is being conducted pursuant to the First Amended and Restated Programmatic Agreement executed in July 2010 with respect to the Project under Section 106 of the National Historic Preservation Act ("Section 106") and Section 14.09 of the New York Parks, Recreation and Historic Preservation Law (the "Programmatic Agreement"), is to ensure that the federal and state agencies sponsoring the Project take into account the effect of their undertakings on historic properties.

As noted in Section II.1 of the Programmatic Agreement, the State Historic Preservation Office ("SHPO") expects that no adverse effects on historic resources will result from the development of Moynihan Station so long as the final design for the facility "is substantially consistent with the conceptual design" previously reviewed by SHPO. In order to assure such substantial consistency, the agreement establishes a consultation process whereby preliminary and pre-final design plans are to be submitted to SHPO for review. The Programmatic Agreement also stipulates in Section II.3 that "the preliminary and pre-final design plans will be made available to the Consulting Parties at the time such preliminary and pre-final design plans are submitted to SHPO, along with instructions regarding how the Consulting Parties may submit comments on such plans." The agreement specifies that the Consulting Parties will have 21 calendar days to comment on the plans.

As you know, the preliminary design plans were recently submitted for review by the Consulting Parties. Based on the comments we received on that submission, there have been some changes made to the Phase I design plans. These changes, and additional detail resulting from design development, are reflected in the pre-final submission we are inviting the Consulting Parties to review at this time. The pre-final design plans and accompanying narrative are available at the following link:

<http://www.empire.state.ny.us/Subsidiaries/Projects/MSDC/MSDCSection106.html>

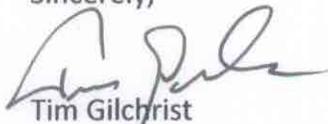
Comments on the Moynihan Station pre-final Phase I design plans will be accepted until **Friday, August 5, 2011**. Comments will only be accepted via email sent to the following address: section106@empire.state.ny.us.

633 Third Avenue New York, New York 10017 Tel: 212.803.3667

www.esd.ny.gov/moynihan

The participation of the Consulting Parties is an important component of the historic review process for the Project. We look forward to receiving your valuable input.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Gilchrist', written over a horizontal line.

Tim Gilchrist
President, MSDC

cc: Federal Railroad Administration
New York State Historic Preservation Office
Empire State Development Corporation