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**Subject:** Navajo Docks LOP SPL 2019-00602  
**Date:** May 3, 2023 at 4:39 PM  
**To:** john vrymoed vrymoed@gmail.com  
**Cc:** Diebolt, Sarah (Sallie) CIV USARMY CESPL (USA) Sallie.Diebolt@usace.army.mil



Mr. Vrymoed,

The Corps' letter of permission (LOP) was originally issued in OCT 2019. It was our determination at the time that the proposed work met the requirements of our regulations which allow issuance of LOPs without publishing an individual public notice.

The National Park Service (NPS) did contact the Corps with concerns about property ownership. As you know, Corps Clean Water Act Sec. 404 permits, including the LOP in question, do not convey any property rights or privileges and the permittee must comply with all other applicable laws. Additionally, our implementing regulations at 33 CFR 325.1(c)(8) states: *The signature of the applicant or the agent will be an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.* My staff has informed and reminded Navajo Nation Parks and Recreation on three separate occasions that they should coordinate the property rights issue with NPS. Our latest reminder is attached.

The expiration date of the LOP was extended to OCT 2024. The Corps determined that extending the expiration date of the LOP was appropriate given the situation (delays due to fighting pandemic on Navajo lands, supply chain issues, etc.) and that there have been no significant changes in the attendant circumstances since the original permit was issued.

V/R,

David J Castanon  
Chief, Regulatory Division  
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