



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2005-00883-Y3
Issue Date: JAN 26 2006
Expiration Date: FEB 24 2006

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

APPLICANT: New York City Economic Development Corporation
ATTN: Melvin A. Glickman, P.E.
Wall Street Station
New York, NY 10038

ACTIVITY: Widen existing piers, partially reconstruct piers, mitigate

WATERWAY: Hudson River & Gowanus Bay, a tributary to New York Harbor

LOCATION: Borough of Manhattan, New York County, New York
Borough of Brooklyn, Kings County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE. otherwise, it will be presumed that there are no objections to the activity.

**CENAN-OP-RE
PUBLIC NOTICE NO. 2005-00883-Y3**

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species. However, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

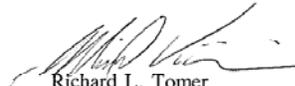
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8522 and ask for Craig Spitz.

CENAN-OP-RE
PUBLIC NOTICE NO. 2005-00883-Y3

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, New York City Economic Development Corporation, has requested Department of the Army authorization to widen existing piers 88 and 90 in the Hudson River at the Borough of Manhattan, New York County, N.Y. and to partially reconstruct previously existing piers (33rd and 35th Street Piers) at the South Brooklyn Marine Terminal in Gowanus Bay, New York Harbor at the Borough of Brooklyn, Kings County, New York.

Proposed Construction

- **Manhattan:** Two (2) existing passenger ship piers, one designated as Pier 88 and the other as Pier 90 would be widened. The aprons on each of the north and south berths of Pier 88 and the north berth of Pier 90 would be widened from the existing width of four feet to 50 feet in width, an increase of 46 feet in width of newly proposed over water coverage at each of the three berths. At Pier 88, the proposed expanded apron on the north berth would be 1,040-feet long by 50-feet wide and would consist of 47,840 square feet (1.1 acres) of new over water cover. The proposed expanded apron on the south berth would be 1,055-feet long by 50 feet wide and would consist of 48,300 square feet (1.1 acres) of new over water cover. The proposed expanded apron on the north berth of Pier 90 would be 104-feet long by 50 feet wide and would consist of 47,840 square feet (1.1 acres) of new over water cover. In total, the area of apron for both piers would add approximately 143,980 square feet (3.31 acres) of new over water coverage. The expanded aprons would be supported by 34 rows of steel piles on the north berth of Pier 88, 35 rows of steel piles on the south berth of Pier 88 and 34 rows of steel piles on the north berth of Pier 90. All pile rows would be spaced 30-feet apart. A total of 412 piles would be added as part of the apron expansion; specifically, 136 and 140 piles on the north and south sides of Pier 88, respectively, and 136 piles on the north side of Pier 90. The piles would be driven into the waterway using a standard impact pile driver hammer; Approximately five (5) piles are expected to be driven per day.
- **South Brooklyn Marine Terminal:** The applicant proposes to reconstruct and expand portions of the existing 33rd and 35th Street Piers. To be constructed at the 33rd Street Pier would be a 67-foot wide pile-supported pier structure with the main section measuring 625-feet long. To be constructed at the 35th Street Pier would be a 175-foot wide by 250-foot long pile-supported concrete deck. The proposed work would result in an increase of 85,650 square feet (1.97 acres) of new over water coverage. Between the 33rd and 35th Street Piers, approximately 616 linear feet of existing seawall would be removed and replaced with steel sheetpile bulkhead.

Mitigation

- **Manhattan:** The applicant is proposing to remove an existing 32-foot wide by 76-foot long ramp off the north side of Pier 92 (see sheet 19) and expand upon an existing pile field. The removal of the existing ramp would restore approximately 0.05 acres of open water and the expansion of the pile field would enhance an area of approximately 0.95 acres.

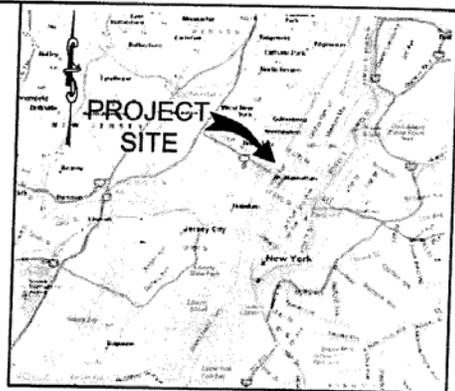
**CENAN-OP-RE
PUBLIC NOTICE NO. 2005-00883-Y3**

- **South Brooklyn Marine Terminal:** Existing piers at 33rd and 35th Streets were removed by the applicant as mitigation for a previous proposal to expand aprons at the Passenger Ship Terminal. Although the piers were removed, the proposed project was never issued a permit or constructed and has been revised as described in this public notice. The pier removal that has been completed which the applicant proposes as mitigation for the revised proposal described herein consists of pier removal at 33rd street, an approximate 67-foot wide by 1,125-foot timber and concrete low deck pier and 67-foot wide by 410-foot long collapsed section of that pier was removed. At 35th Street, a 175-foot wide by 1,116-foot long warehouse pier was also removed.

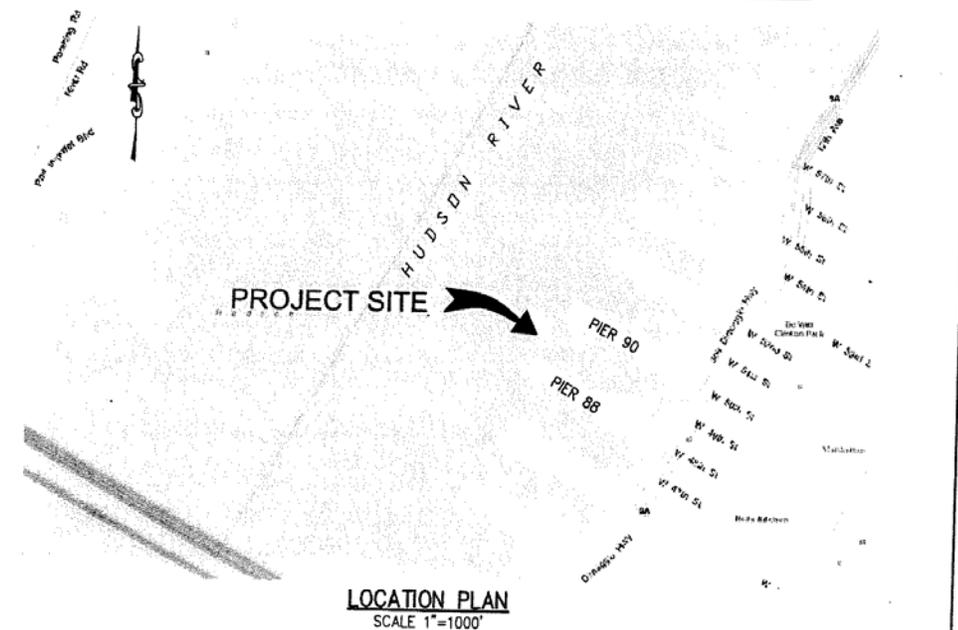
In total, approximately 1.3 acres of open water would be restored at the site of the previously existing 33rd Street pier once construction of the new pier is complete and approximately 4.1 acres of open water would be restored at the site of the previously existing 35th Street pier once construction of the deck is complete.

The stated purpose of this project is to accommodate cruise ships that currently dock at the passenger ship terminal (PST) in Manhattan and meet the needs of larger vessels that would berth at the PST in the future. The upgraded berths in Manhattan would accommodate larger cruise ships while the upgraded berths in Brooklyn would accommodate smaller cruise ships that would not be able to berth in Manhattan when the large cruise ships are berthed there.

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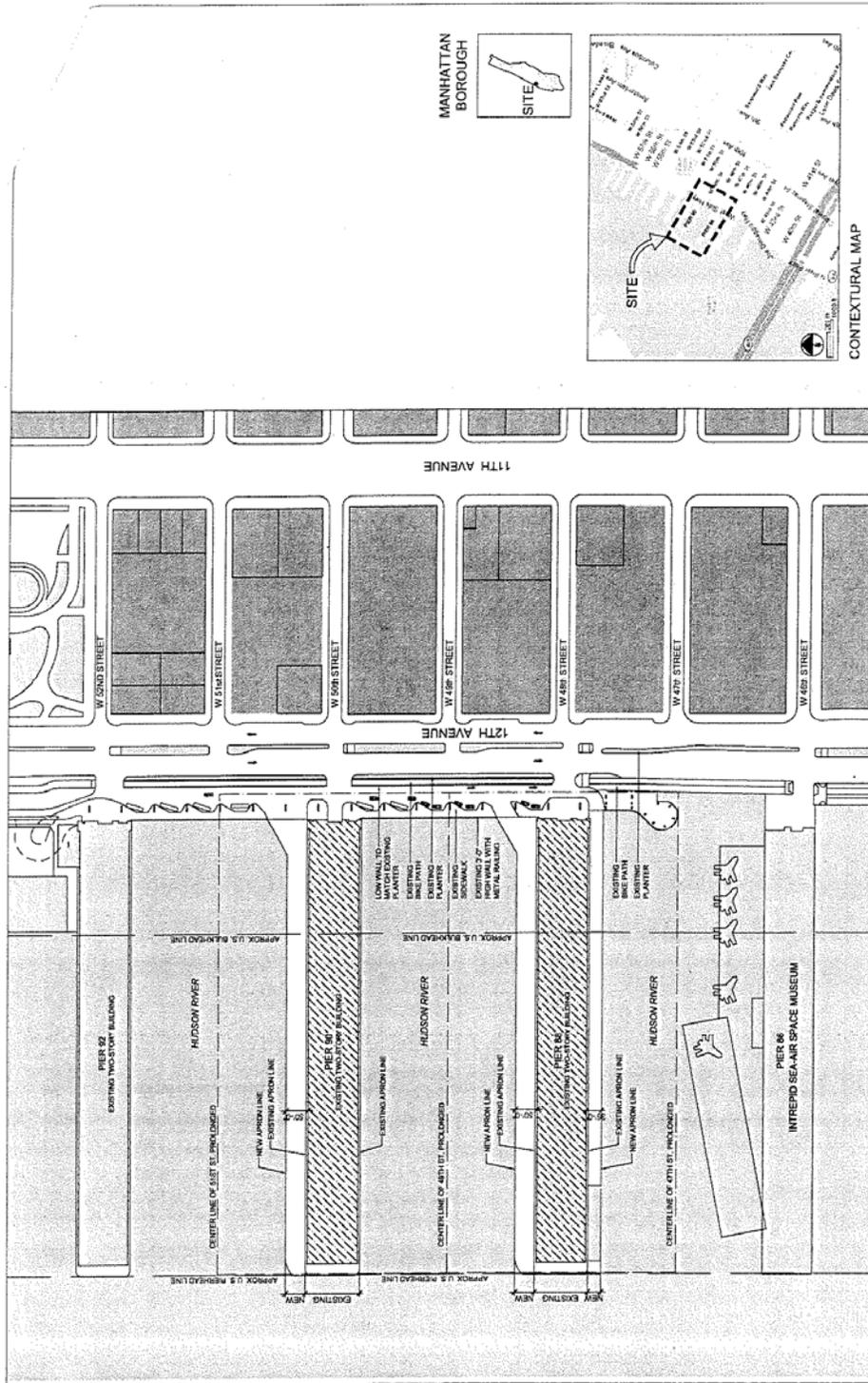
VICINITY MAP



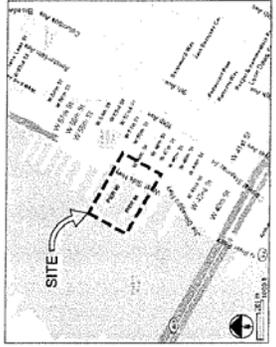
LOCATION PLAN
SCALE 1"=1000'

<p>PURPOSE: PROVIDE DOCKAGE FOR PASSENGER SHIPS</p> <p>PREPARED BY HPA, LLC NEW YORK, NY</p>	<p>NEW YORK CRUISE TERMINAL REDEVELOPMENT</p> <p>PIER 88 AND 90</p>	<p>PROPOSED: PIER UPGRADES FOR NEW BERTHING REQUIREMENTS</p> <p>CITY: NEW YORK COUNTY: NEW YORK APPLICANT: NYC EDC</p> <p>SHEET 1 OF 5 DATE: 3/10/2005</p>
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MANHATTAN
BOROUGH



CONTEXTUAL MAP



NY CRUISE TERMINAL-MANHATTAN

SITE PLAN

SCALE: 1" = 300'-0"

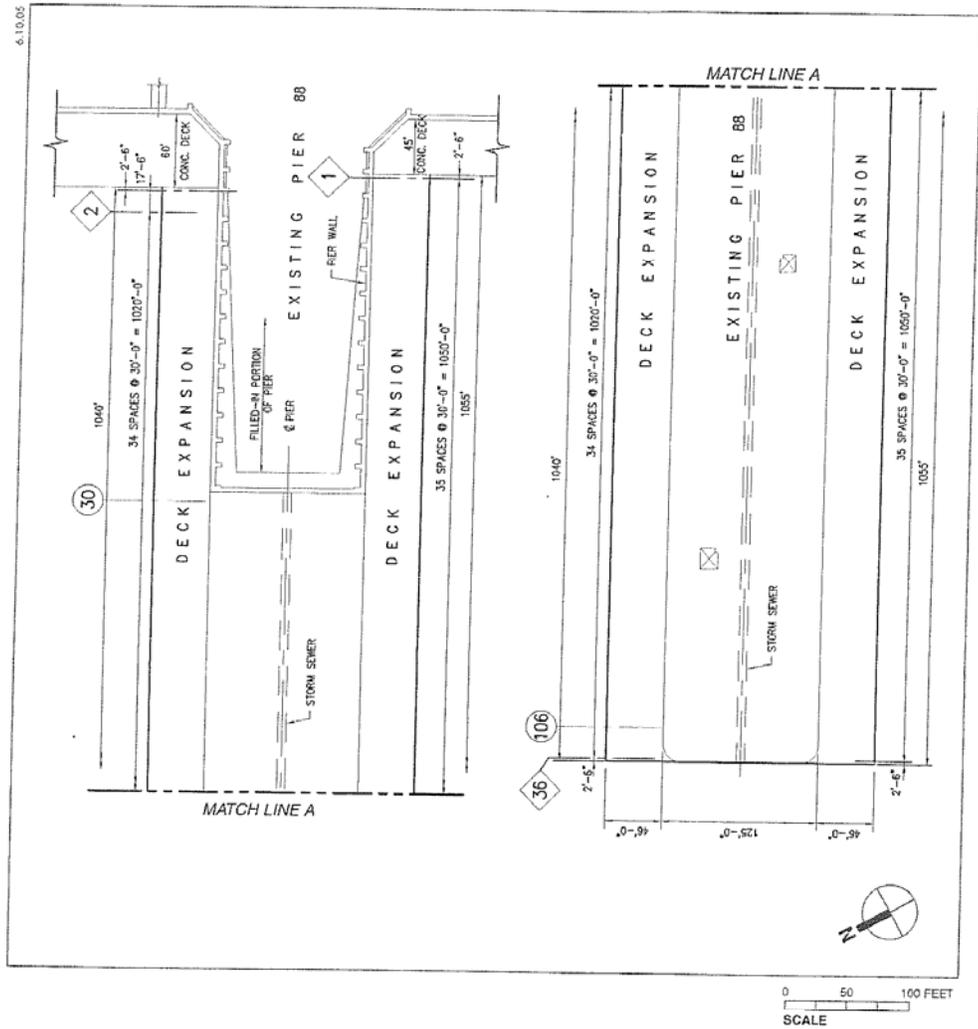
OCTOBER 13, 2005

CLIENT



New York City
Economic Development
Corporation

2

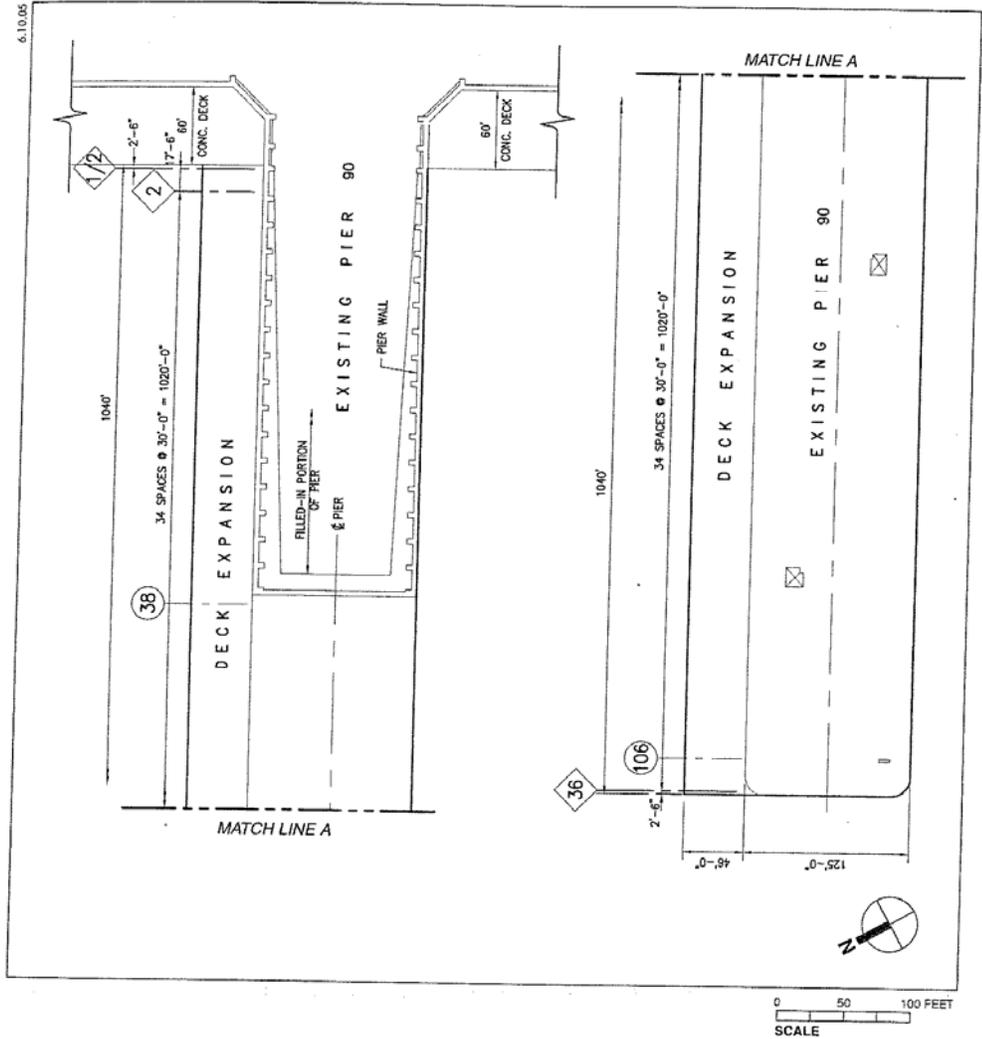


New York Passenger Ship Terminal

Pier 88 Plan
Figure 2



6.10.05

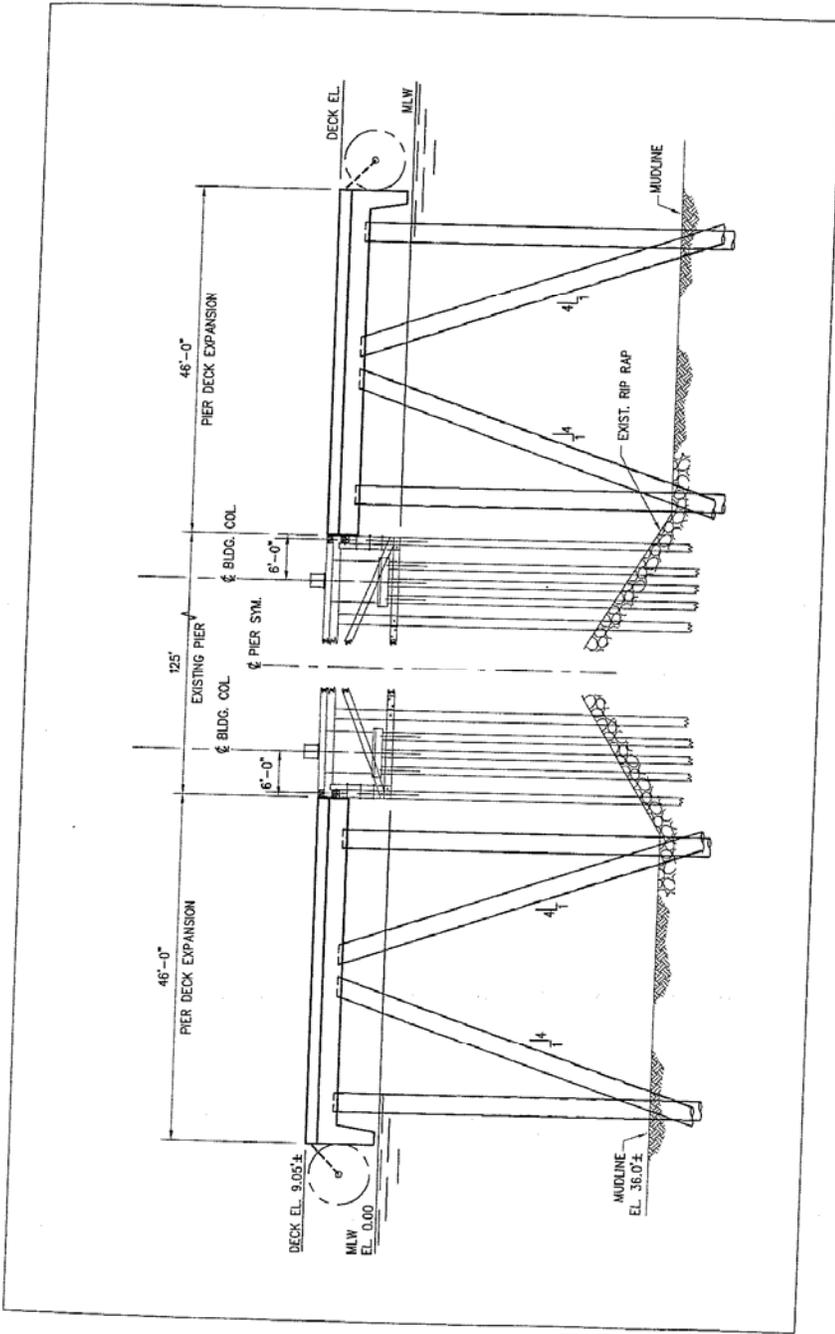


New York Passenger Ship Terminal

Pier 90 Plan
Figure 3

4

6.10.05



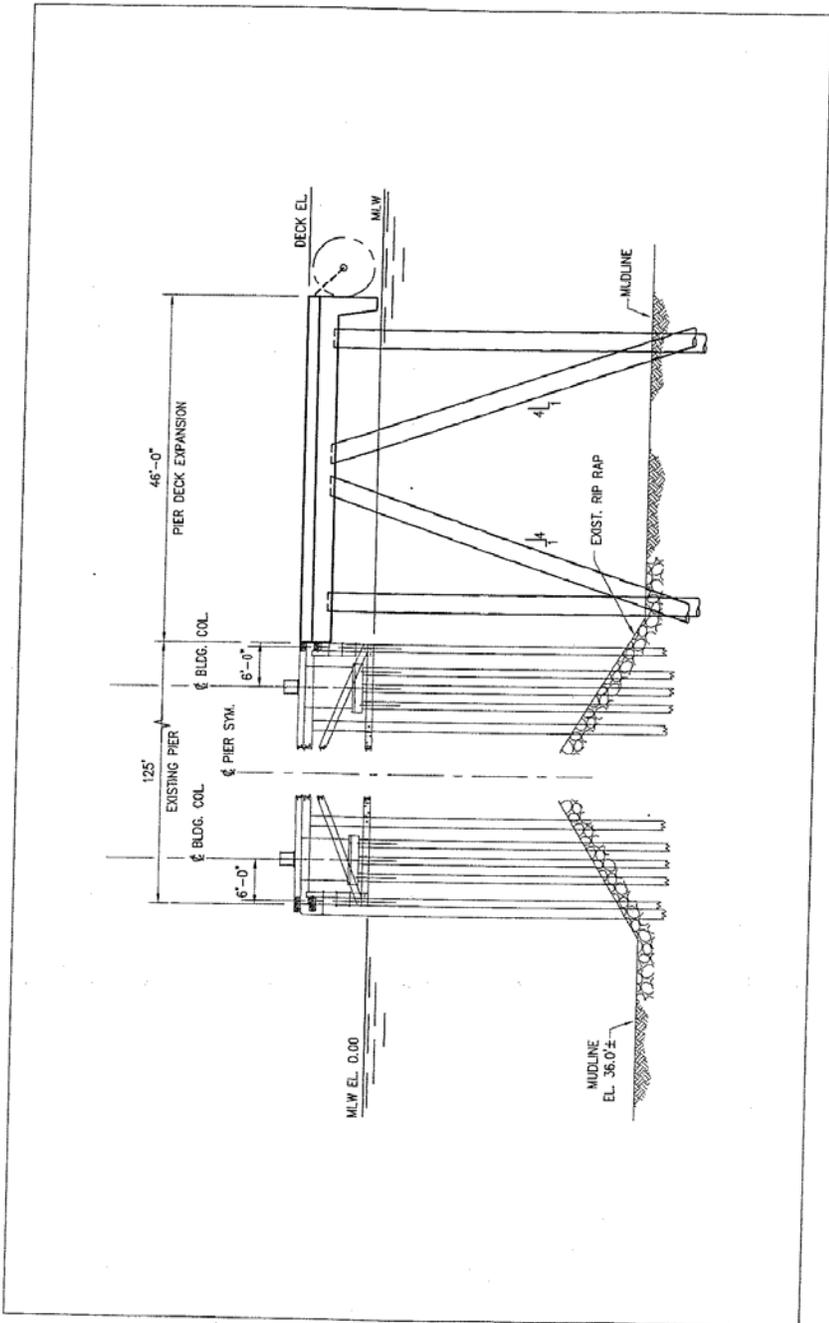
New York Passenger Ship Terminal



Pier 88 Typical Section
Figure 4

9

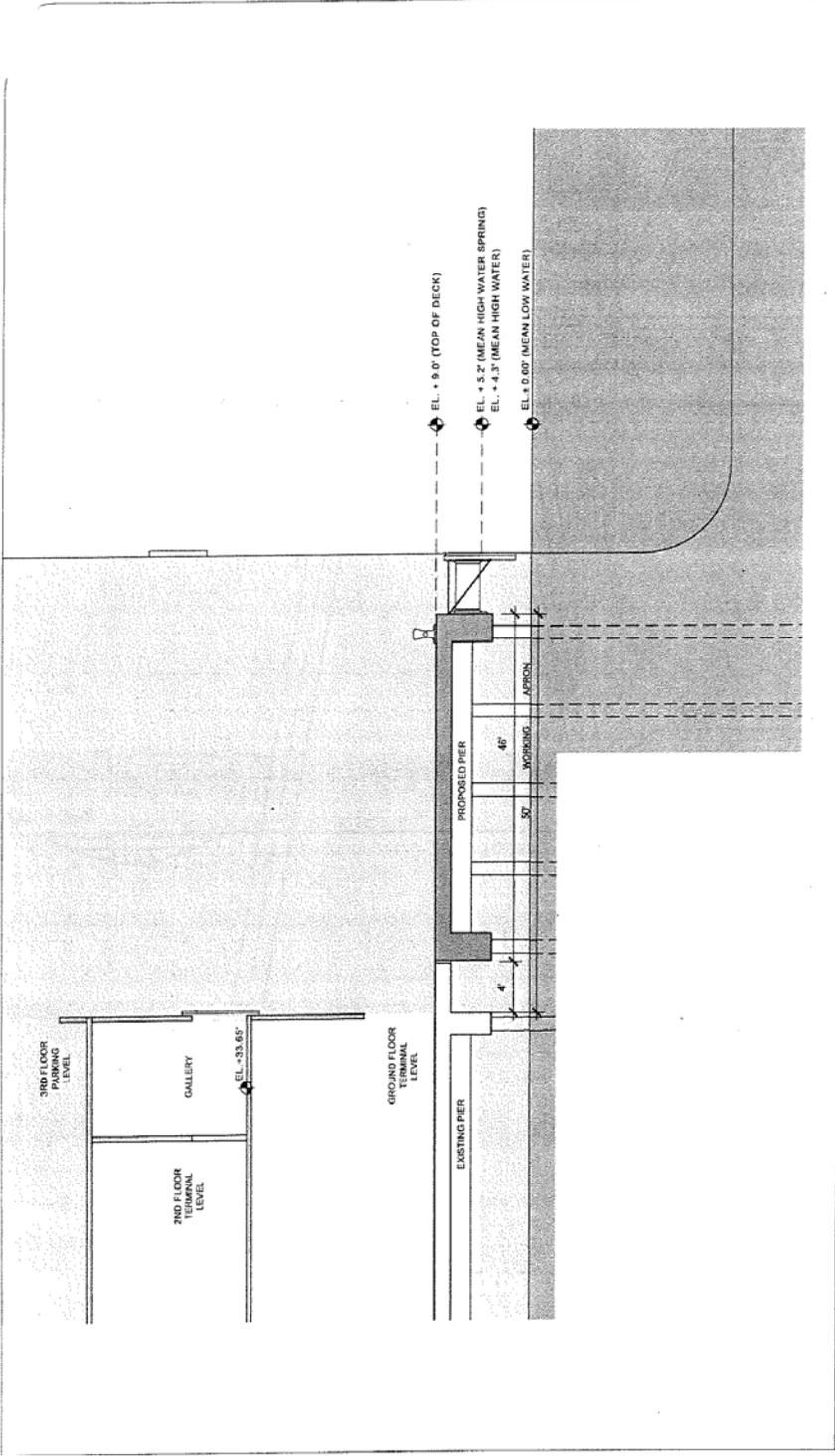
6.10.05



New York Passenger Ship Terminal

Pier 90 Typical Section
Figure 5

6



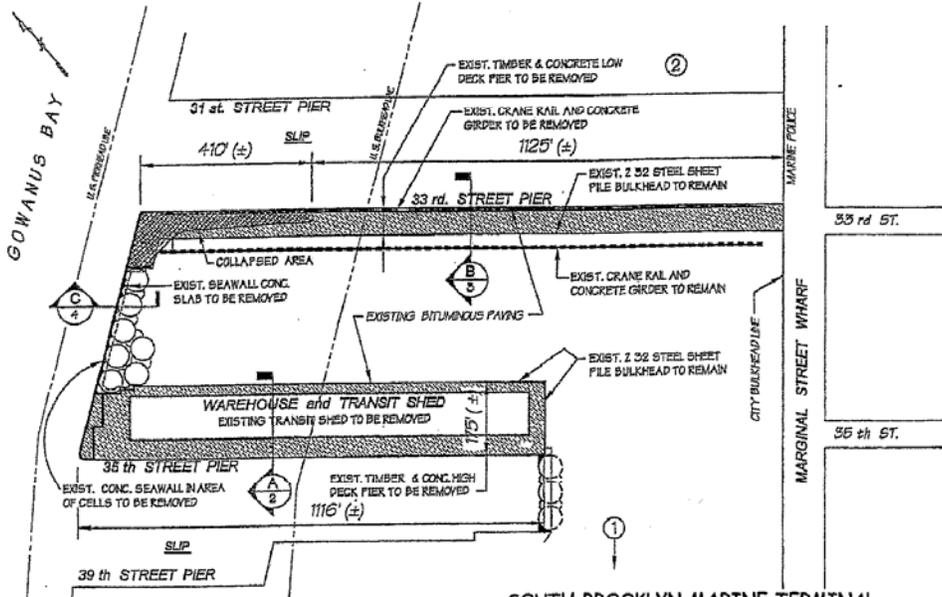
NY CRUISE TERMINAL-MANHATTAN
PIER 88 & 90 SECTION

OCTOBER 13, 2005



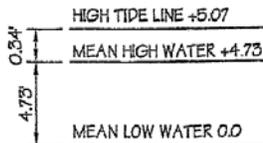
7

PHASE 1 REMOVAL PLAN



**SOUTH BROOKLYN MARINE TERMINAL
EXISTING CONDITION⁽¹⁾ OF
33RD STREET AND 35TH STREET PIERS IN 2001
INDICATING ELEMENTS TO BE REMOVED
AS PART OF FISH HABITAT MITIGATION MEASURES**

DATUM CHART



SCALE 1"=300'

(1) Existing refers to conditions in 2001, prior to removal of piers

ADJACENT PROPERTY OWNERS

- ① NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
- ② NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

FILE No. T-2225
CONTRACT No. H-5778
DATE 10/15/01
SHEET No.

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

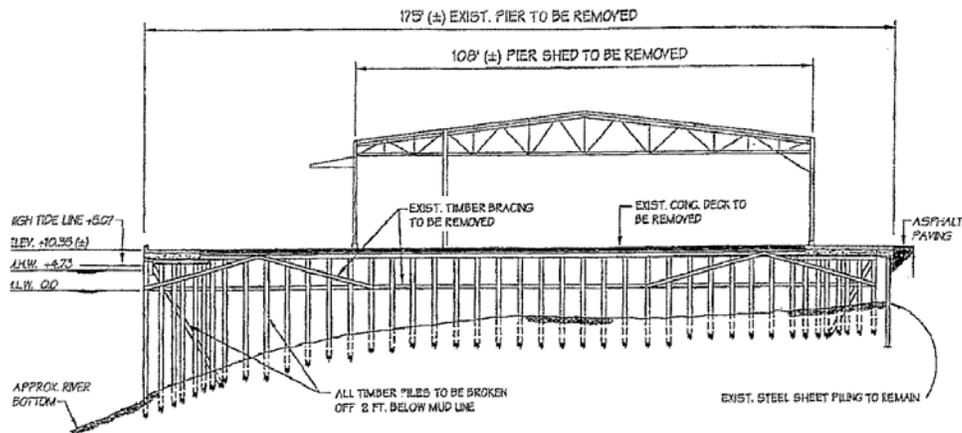
S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS
800 Hudson Square
P.O. Box 9106
Camden, N.J. 08101
Tel. No. 856-342-8323



PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

8

SOUTH BROOKLYN MARINE TERMINAL, BROOKLYN, N.Y. ENGINEER: S.T. HUDSON ENGINEERS, INC. 5778A (1)-P. 5778.P1



PHASE 1
35th STREET PIER
SECTION
SCALE 1" = 30'

A
2

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS
800 Hudson Square
P.O. Box 9106
Camden, N.J. 08101
856-342-8323
856-342-8800

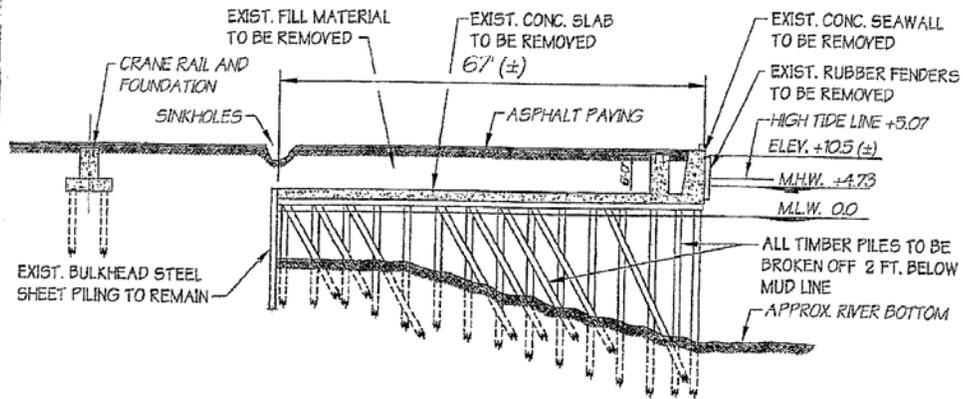


FILE No. T-2225
CONTRACT No. H-5778
DATE 10/15/01
SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

9

S.T. HUDSON ENGINEERS, INC. PROJECT NUMBER: H-5778-01



PHASE 1
33rd STREET PIER
SECTION B
3
 SCALE 1" = 20'

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

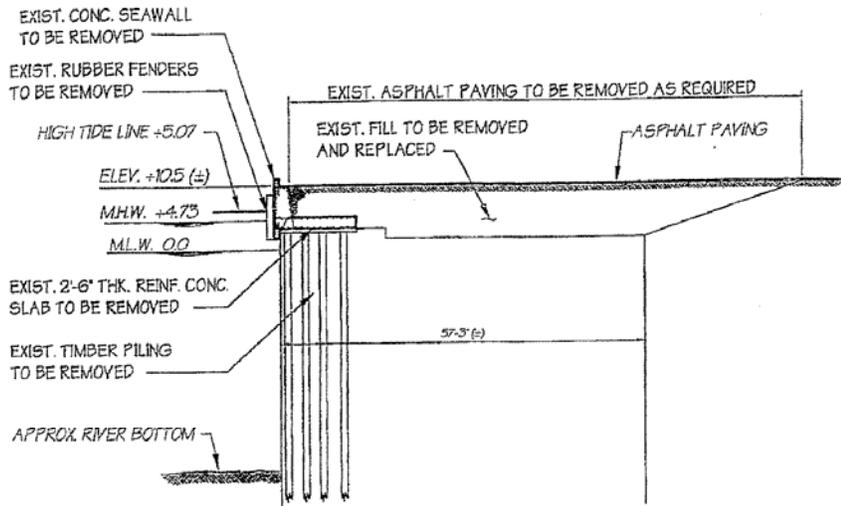
S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS

 800 Hudson Square
 P.O. Box 5105
 Camden, N.J. 08101
 Tel. No. 609-342-3323 609-342-5400

FILE No. T-2225
 CONTRACT No. H-5778
 DATE 10/15/01
 SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

(9)A



PHASE 1

SECTION

SCALE 1" = 20'

C
4

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 800 Hudson Square
 P.O. Box 9105
 Camden, N.J. 08101
 TEL: 856-342-8333
 FAX: 856-342-6600

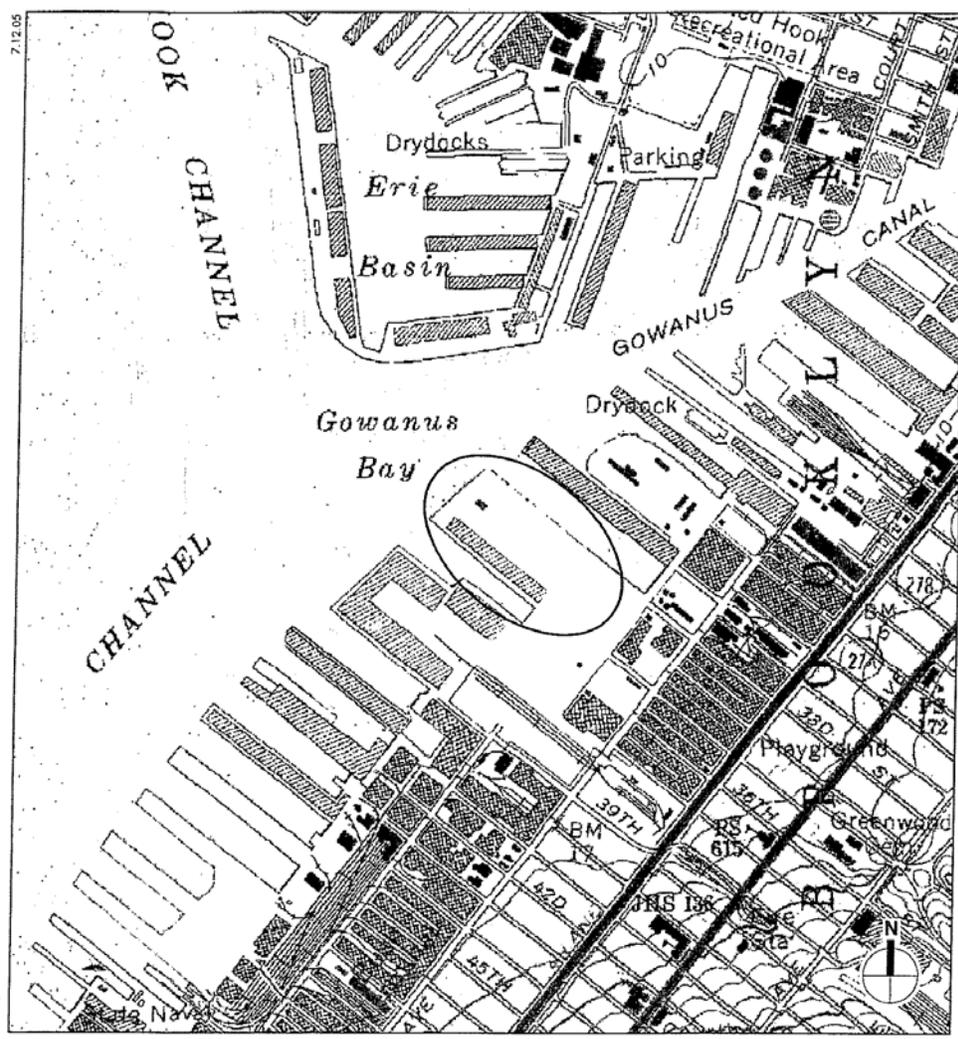


FILE No. T-2225
 CONTRACT No. H-5775
 DATE 10/15/01
 SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

9B

S.T. HUDSON ENGINEERS, INC. H-5775 (01) - 4



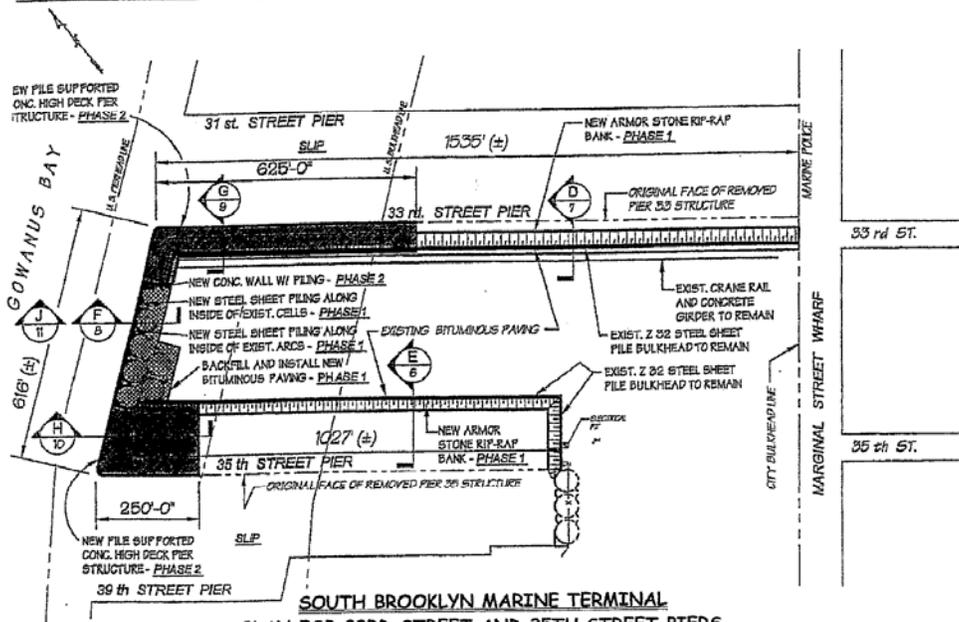
○ South Brooklyn Marine Terminal Habitat Enhancement Site

South Brooklyn Marine Terminal +
Habitat Enhancement Site
Figure A-4

New York Passenger Ship Terminal

10

NEW PLAN



**SOUTH BROOKLYN MARINE TERMINAL
PLAN FOR 33RD STREET AND 35TH STREET PIERS
AFTER REMOVAL OF PIER STRUCTURES FOR FISH HABITAT MITIGATION**

SCALE 1"=300'

MEASURES IMPLEMENTED AS OF 2005 INCLUDE:

- COMPLETE REMOVAL OF 35TH AND 33RD ST. PIER STRUCTURES⁽¹⁾
- PLACEMENT OF NEW ARMOR STONE RIP-RAP
- CONSTRUCTION OF NEW CONCRETE WALL WITH PILING, NEW SHEET PILING AND BACKFILL AND INSTALLTION OF NEW BITUMINOUS PAVING AT OUTBOARD END OF PIER

- (1) AREA OF 33RD STREET PIER=99,775 SQUARE FEET
AREA OF 35TH STREET PIER=192,500 SQUARE FEET

NOTE: NEW PILE SUPPORTED CONCRETE HIGH DECK PIER STRUCTURES AT OUTBOARD END OF 35TH AND 33RD STREET PIER FOOTPRINTS HAVE NOT BEEN CONSTRUCTED

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

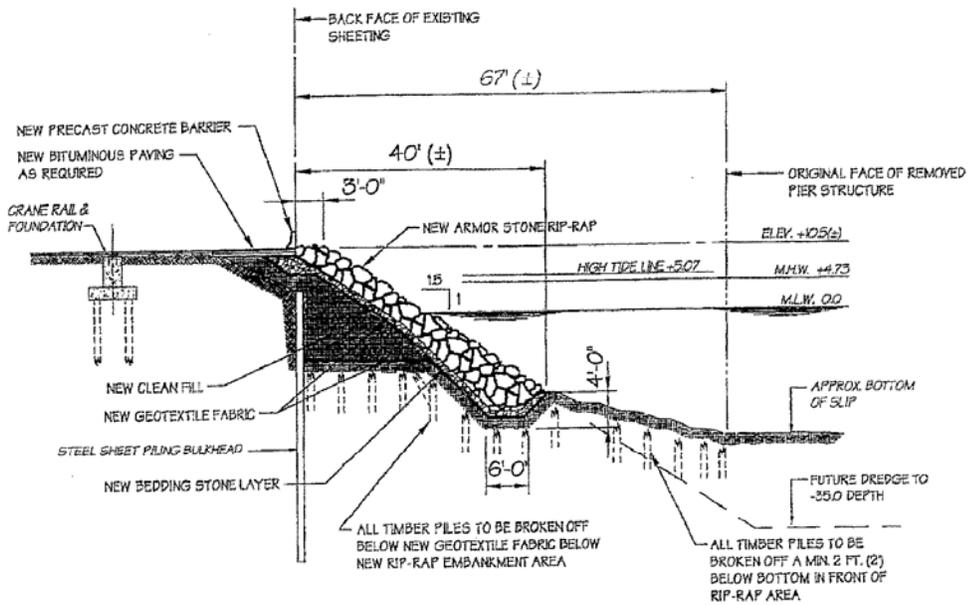
S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS
800 Hudson Square
P.O. Box 8106
Camden, N.J. 08101
856.744.8800



FILE No. T-2225
CONTRACT No. H-5778
DATE 10/15/01
SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

11



PHASE II
33rd STREET PIER
SECTION D
 SCALE 1" = 20' 6

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

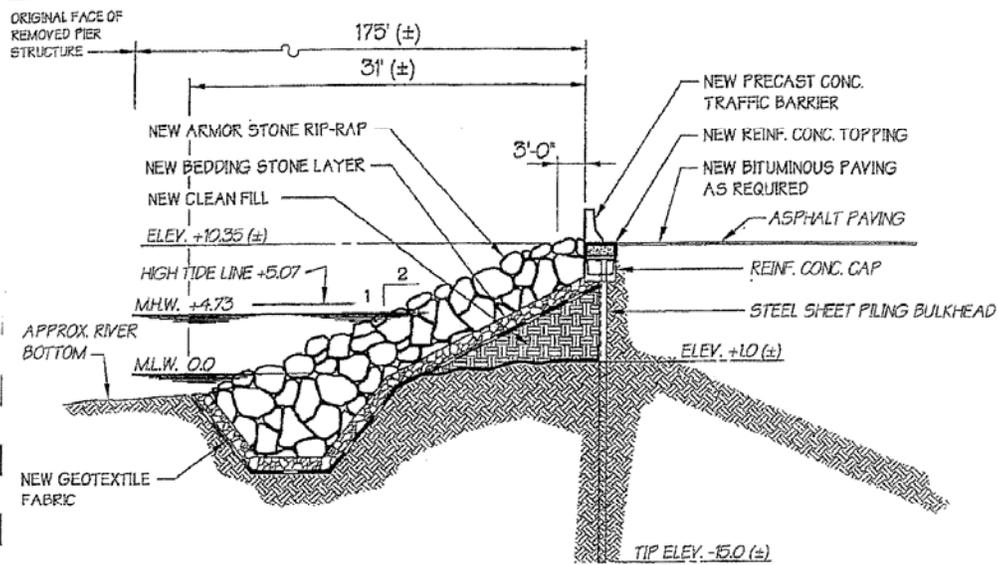
S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 300 Hudson Square
 P.O. Box 9105
 Camden, N.J. 08101



FILE No. T-2225
 CONTRACT No. H-5778
 DATE 10/15/01
 SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

(12)



PHASE II
35th STREET PIER

SECTION

SCALE 1" = 10'

E
7

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 800 Hudson Square
 P.O. Box 9108
 Camden, N.J. 08101

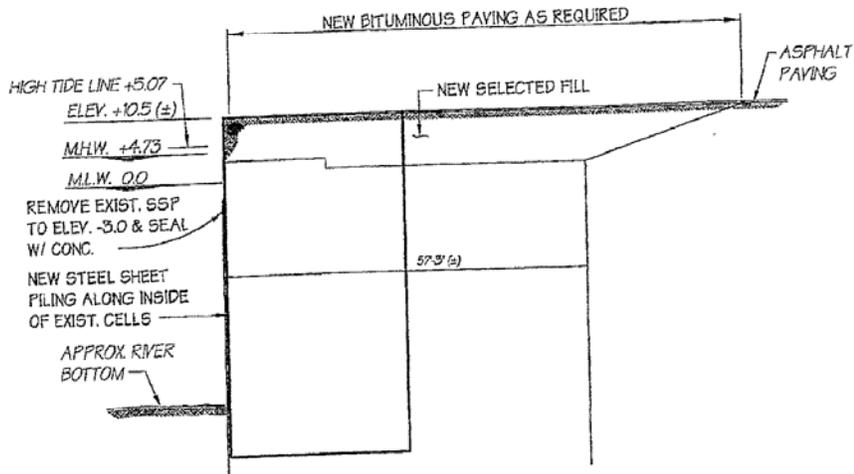


FILE No. T-2225
 CONTRACT No. H-5778
 DATE 10/15/01
 SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

SUBSETTING DRAWING FILED AT URBAN PLANING BOARD - P 5778 PE

13



PHASE 1
SECTION
SCALE 1" = 10'

F
8

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
PROFESSIONAL ENGINEERS & CONSULTANTS
800 Hudson Square
P.O. Box 9106
Camden, N.J. 08101

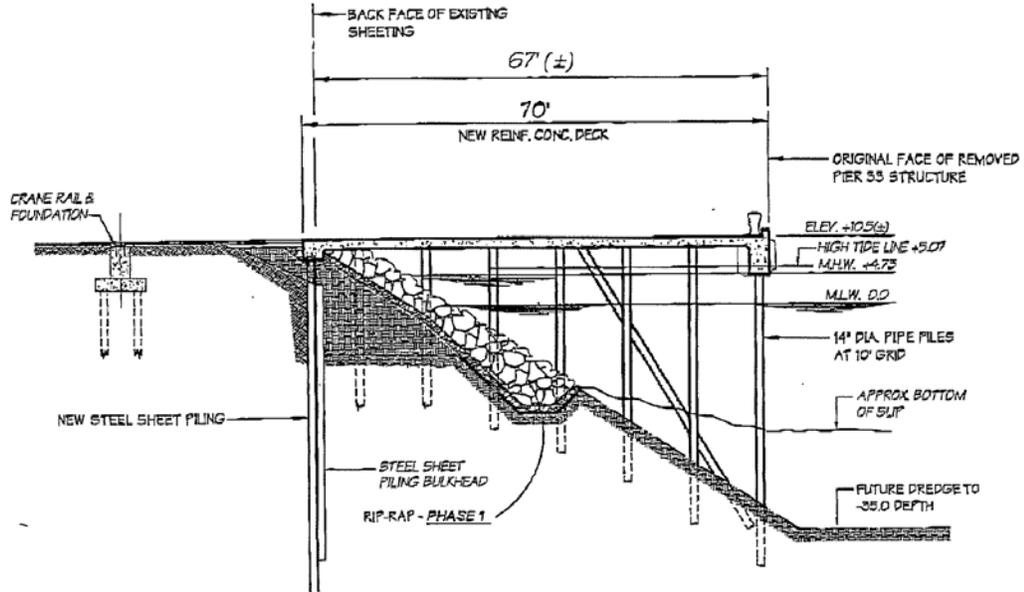


FILE No. T-2225
CONTRACT No. H-577B
DATE 10/15/01
SHEET No.

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET PIER
COUNTY OF: KING
APPLICATION BY: NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

(14)

SHEET 14 OF 14



PHASE III
33rd STREET PIER

SECTION

SCALE 1" = 20'

G
9

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

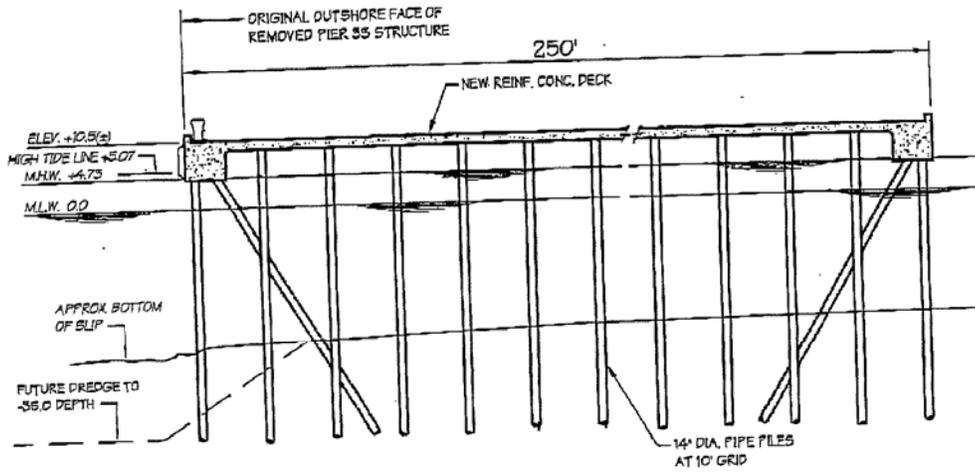
S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 800 Hudson Square
 P.O. Box 8108
 Camden, N.J. 08101



FILE No. T-2825
 CONTRACT No. H-5776
 DATE 10/15/01
 SHEET No.

15

PROPOSED:	REMOVAL OF PIERS & STABILIZATION
AT:	33rd STREET PIER & 35th STREET P
COUNTY OF:	KING
APPLICATION BY:	NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION



PHASE III
35th STREET PIER
SECTION H
10
 SCALE 1" = 20'

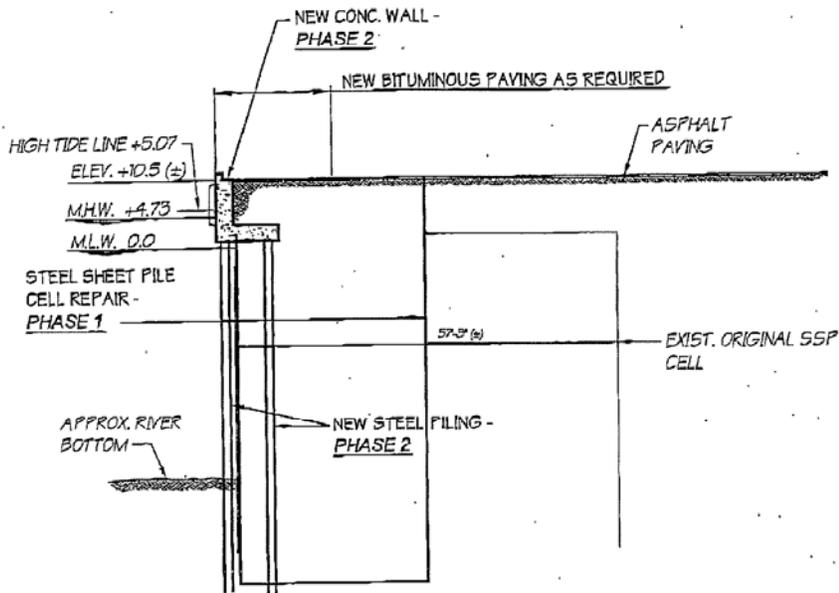
NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 800 Hudson Square
 NEW YORK, N.Y. 10014

FILE No. T-2225
 CONTRACT No. H-5778
 DATE 10/15/01
 SHEET No.

16

PROPOSED: REMOVAL OF PIERS & STABILIZATION
AT: 33rd STREET PIER & 35th STREET P
COUNTY OF: KING
NEW YORK CITY ECONOMIC



PHASE I
SECTION
 SCALE 1" = 20'

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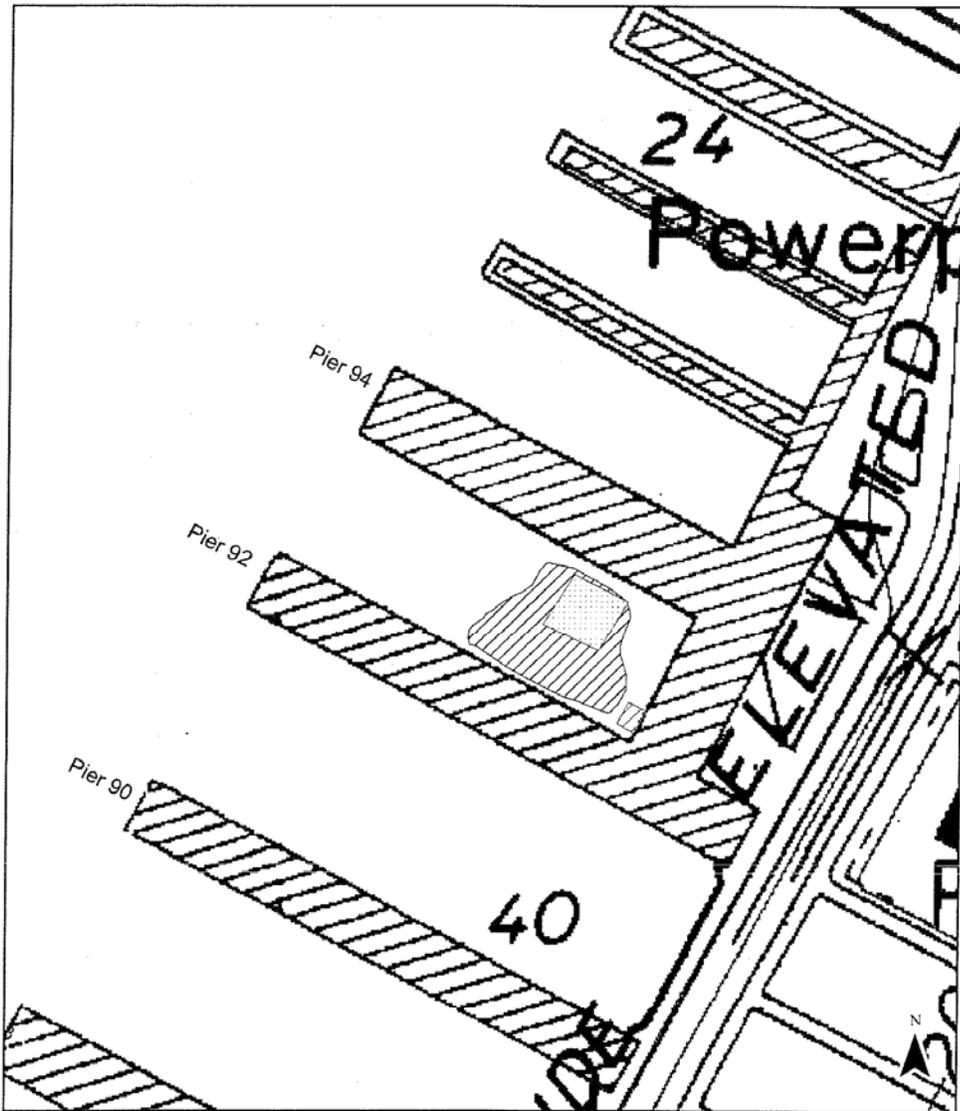
FILE No. T-2225
 CONTRACT No. H-5778
 DATE 10/15/01
 SHEET No.

17

NOTE: FINAL DESIGN REQUIRED FOR CONSTRUCTION

S.T. HUDSON ENGINEERS, INC.
 PROFESSIONAL ENGINEERS & CONSULTANTS
 800 Hudson Square

PROPOSED: REMOVAL OF PIERS & STABILIZATION	
AT:	PIER 33 and PIER 35
COUNTY OF:	KING



-  Pile Field Habitat Enhancement Area
-  New Pile Field Habitat Enhancement Area
-  Roll-on/Roll-off Platform

0 150 300 Feet

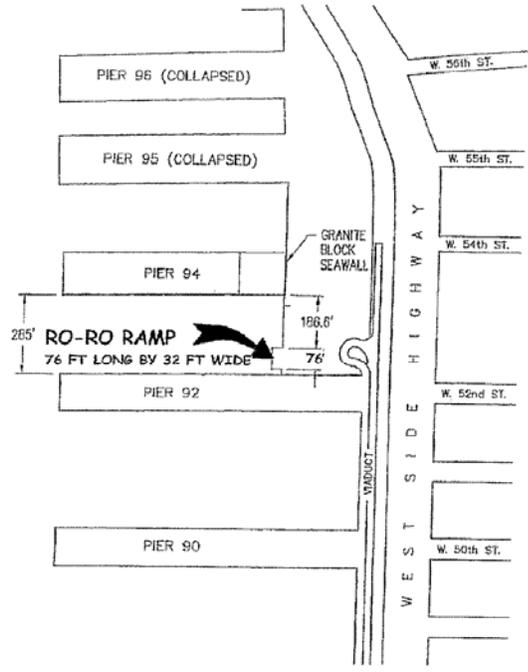
New York Cruise Terminal

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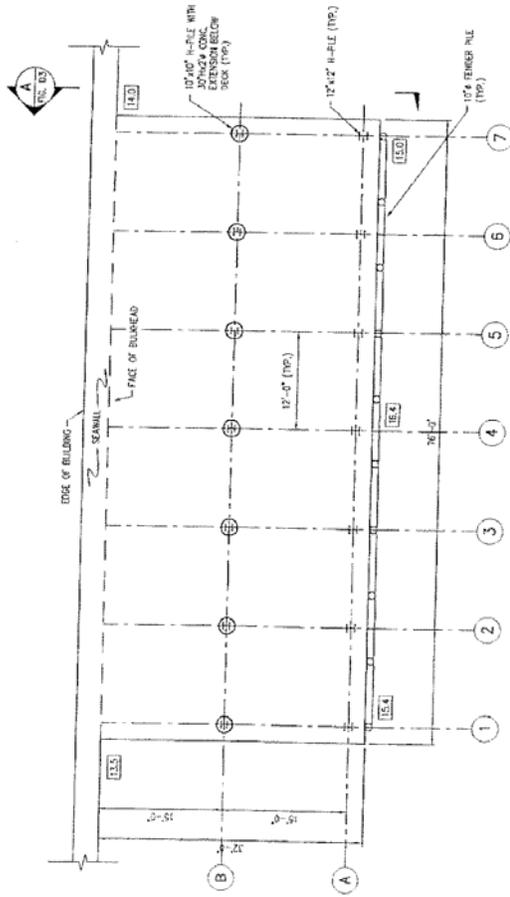


SCALE 1"=400'

NEW YORK CITY
ECONOMIC DEVELOPMENT CORPORATION
PIER 92/94, RO-RO RAMP

LOCATION PLAN

19



SCALE 1"=40'

LEGEND

HEIGHT FROM TOP OF DECK
TO BASELINE (FEET)

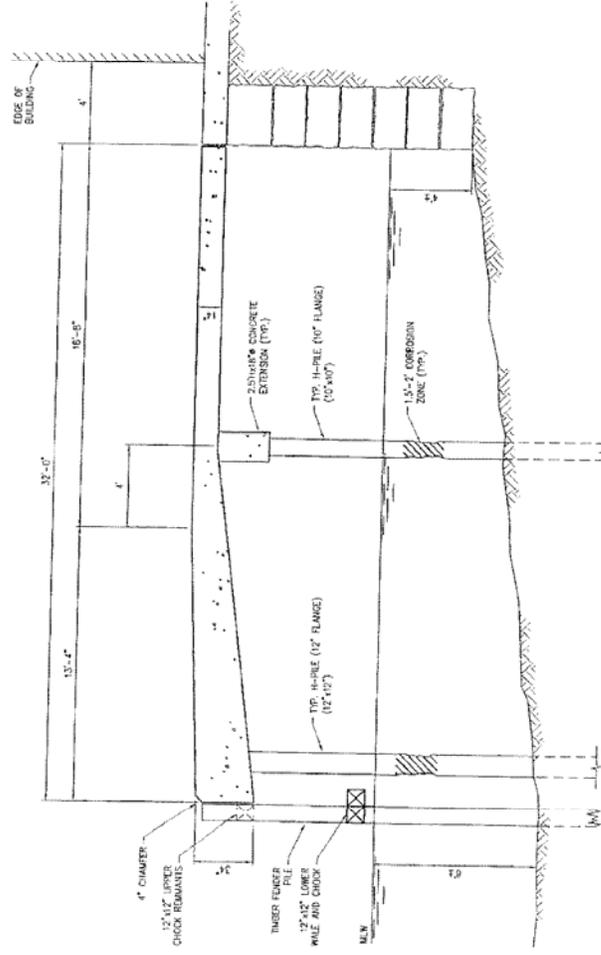
NEW YORK CITY
ECONOMIC DEVELOPMENT CORPORATION
PIER 92/94, RO-RO RAMP

RO-RO RAMP
DECK AND PILE PLAN



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A SECTION
12'-0" x 1'-0" SCALE 1/4" = 1'-0"

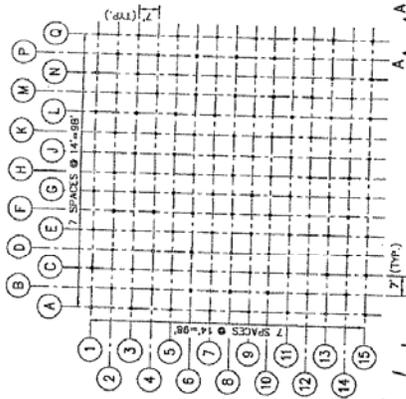
NEW YORK CITY
ECONOMIC DEVELOPMENT CORPORATION
PIER 92/94, RO-RO RAMP

SECTION



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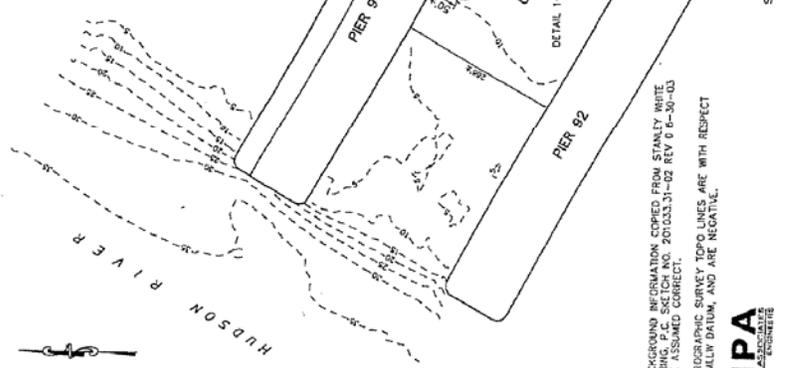


DETAIL
SCALE 1"=10'
113 PILES TOTAL

MANHATTAN BOROUGH PRESIDENT (MFT) PROJECT DATUM

ITEM	MLW • DATUM
EL. 4.100'	
EL. 4.893'	
12" DIAMETER TIMBER PILE **	
MAW	-4.431'
MSD	-4.218'
MLW	-4.37'
MLW	-4.83'
MLW	0.00'
MAW	-14.83'
EL.	-13.00'
EL.	-14.83'
PILE TIP	EL. -30.00'

SECTION A-A
NOTES:
**MEASURE 3' FROM THE BUTT END.



PLAN
SCALE 1"=150'

THIS BACKGROUND INFORMATION COPIED FROM STANLEY WHITE AND WEERINGS, P.C. SKETCH NO. 2010.03.31-02 REV 0 6-30-03 AND ARE ASSUMED CORRECT.
*ALL HYDROGRAPHIC SURVEY TOPO LINES ARE WITH RESPECT TO THE MLW DATUM, AND ARE NEGATIVE.



MIDTOWN FERRY TERMINAL
PIER 94 NEW YORK, N.Y.
TIMBER PILE REMEDIATION
AT PASSENGER SHIP TERMINAL
PLAN & SECTION
AKW 10-27-03

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