



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

PUBLIC NOTICE

In replying refer to:

Public Notice Number: 2005-01176-Y3
Issue Date: **MAY 09 2006**
Expiration Date: **JUN 09 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Hudson Waterfront Associates L.P.
175 Riverside Boulevard
New York, NY 10069

ACTIVITY: Rip-rap, Retaining Wall, Concrete Block Terrace, Overlooks, Moorings & Boat Ramp

WATERWAY: Hudson River

LOCATION: Riverside Park, Borough of Manhattan, New York 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.

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.

**CENAN-OP-RE
PUBLIC NOTICE NO. 2005-01176-Y3**

Our preliminary determination is that the activity for which authorization is sought herein is not likely to adversely affect shortnose sturgeon (*Acipenser brevirostrum*) or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the New York District 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. A complete description of the project is given in the attached Work Description. The New York District has made the preliminary determination that the site-specific adverse effects are not likely to not 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 archaeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

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

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) 790-8518 and ask for Rosita Rama.

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

**CENAN-OP-RE
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WORK DESCRIPTION

The applicant, Hudson Waterfront Associates L.P. (Riverside Park South Phase IV), has requested Department of the Army authorization for shoreline rip-rap, vertical retaining wall, concrete block terrace, overlooks, moorings and boat ramp in the Hudson River, Borough of Manhattan, New York County, New York.

The purpose of the work is to clean-up and stabilize for public access the final 750 linear feet of shoreline work in Corps of Engineers regulatory jurisdiction for Riverside Park South. The project is known as Phase IV of Riverside Park South. The first 2,800 linear feet of shoreline restoration and stabilization for the Park was completed under previously issued Department of the Army permits as the design and funding became available for each phase of the Park. Each phase is depicted on drawing number 1 of 9. The small boat mooring anchorage depicted on drawing no. 1 of 9 will be reviewed and decided upon separately by the U.S. Coast Guard.

Phase IV of the Riverside Park South waterfront redevelopment project would include the following construction activities within the Corps of Engineers regulatory jurisdiction:

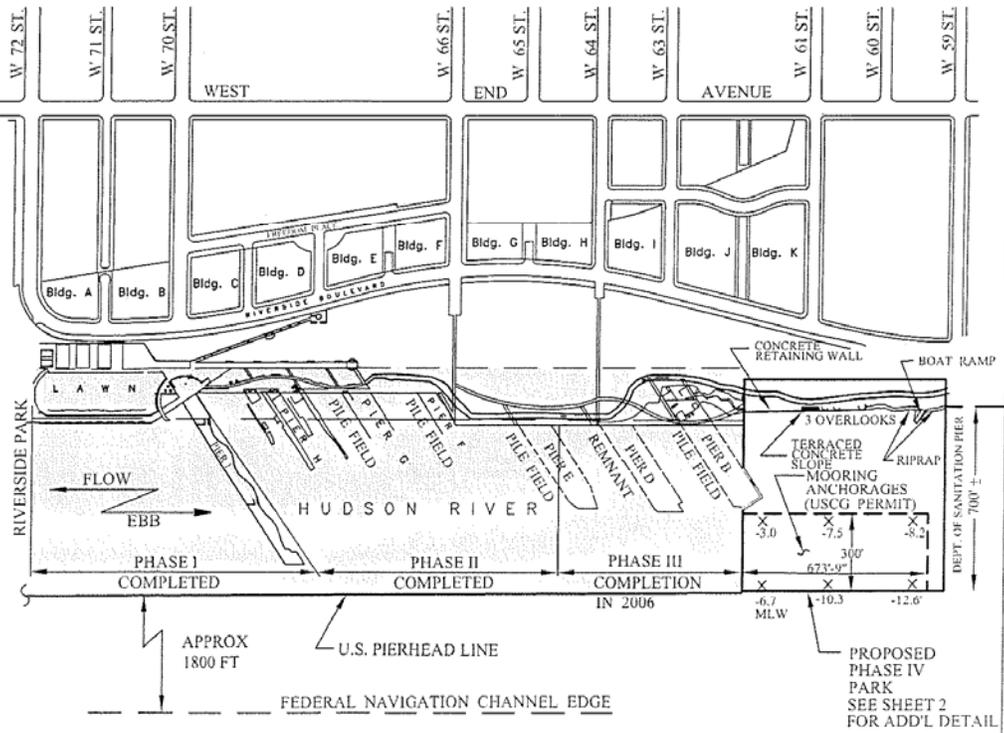
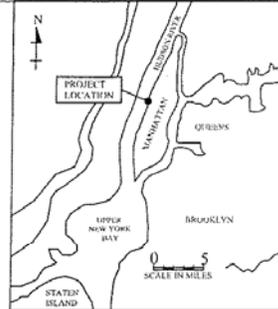
- a) Stabilization of shoreline with new 220-foot long by 2.5-foot wide pre-cast concrete retaining walls (Drawing No. 3 of 9), 162 square-feet of concrete block terrace (Drawing No. 4 of 9), 135 square-feet of three (3) concrete overlook walls and 265 square feet of rip-rap slopes (Drawing No. 5 of 9);
- b) Construction of a 30-foot long by 15-foot wide pre-cast concrete boat launching ramp, in the vicinity of West 59th Street (Drawing Nos. 7, 8 and 9 of 9) with rip-rap slopes placed north and south of the boat ramp for a total of 606 square-feet of rip-rap. The proposed boat launching ramp would be used on an occasional basis only, by permit from the New York City Department of Parks and Recreation (NYCDPR), for special events and placing small boats into the water for the summer and removing them for the winter; and,
- c) Installation of twenty (20) seasonal, offshore anchored moorings in the river for non-motorized vessels. The mooring field would be located 400-feet waterward of the spring high tide line, with dimensions of 674-feet long by 300-feet wide (Drawing No. 1 of 9).

The upland park area would be developed with walkways, plazas, playgrounds and landscaping. The public park will be operated by the NYCDPR.

The stated purpose of this project is to provide public access to the waterfront by extending the existing Riverside Park South in a southern direction for Phase IV, from West 62nd to West 59th Street, along the Hudson River.

NOTE: ELEVATION + 4.2 MLW
 EQUALS EL+0.0 MD
 (MANHATTAN DATUM)
 -WATER DEPTHS (AVAILABLE CHARTS) MLW

MHWS = EL + 5.1 MLW



PURPOSE: RIVERSIDE
 PARK SOUTH - PHASE IV

DATUM: MEAN LOW WATER
 ADJACENT PROPERTY OWNERS
 SEE PLAN - THIS SHEET

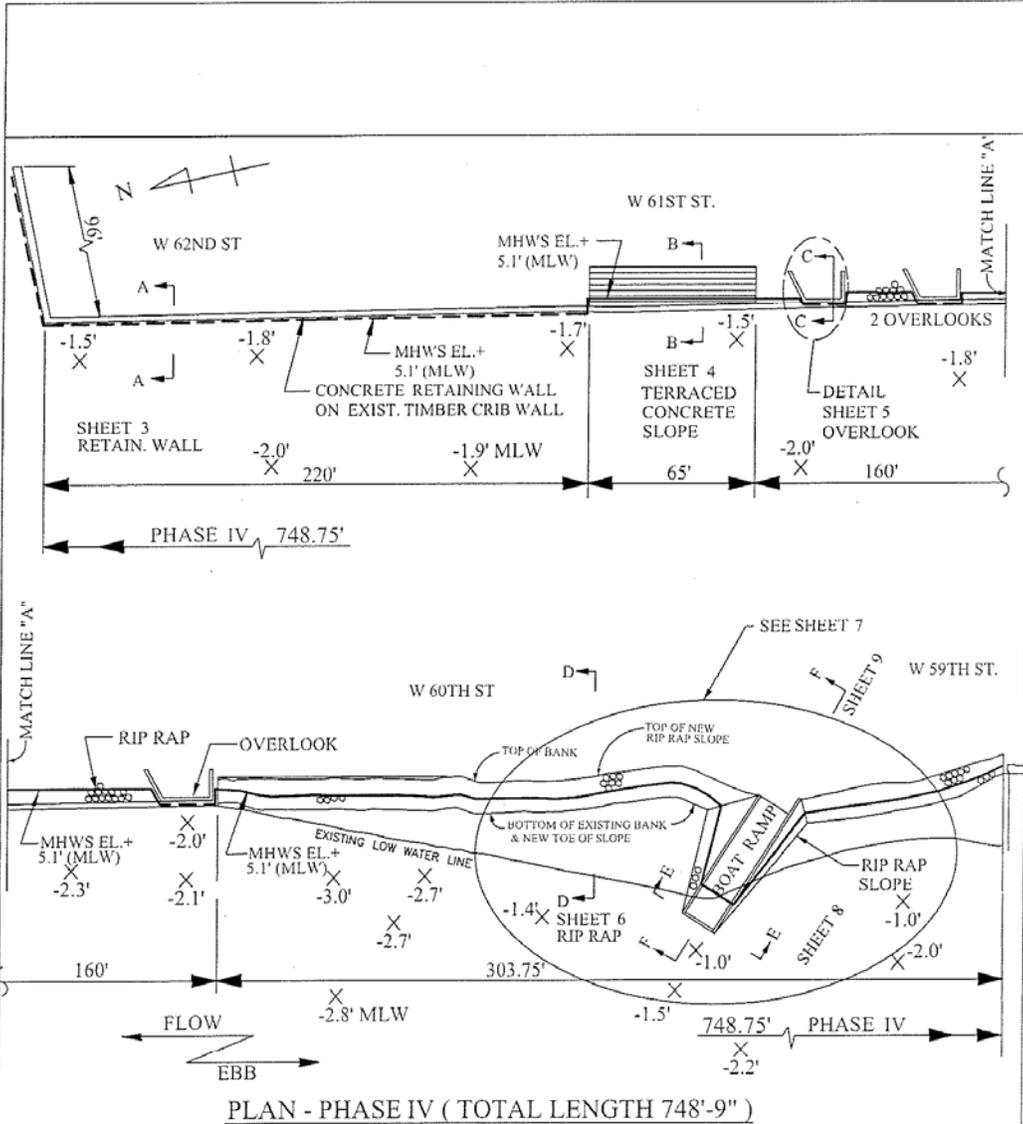
0 100 300 500 700
 SCALE IN FEET

HUDSON WATERFRONT ASSOC. LP
 175 RIVERSIDE BOULEVARD
 NEW YORK, NY 10069

WATERFRONT REHABILITATION
 IN: HUDSON RIVER
 AT: VIC. OF 59 TO 62 STREET
 COUNTY OF: NEW YORK, STATE OF N.Y.
 APPLICATION BY: HUDSON
 WATERFRONT ASSOCIATES, L.P.
 SHEET 1 OF 11 FEB 22, 2006

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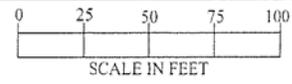


PLAN - PHASE IV (TOTAL LENGTH 748'-9")

DISTANCE FROM MLW TO MOORING FIELD: 350' - 388'
 DISTANCE FROM MHWS TO MOORING FIELD: 362' - 400'

PURPOSE: RIVERSIDE
 PARK SOUTH - PHASE IV

 DATUM: MEAN LOW WATER
 ADJACENT PROPERTY OWNERS
 SEE PLAN - SHEET 1

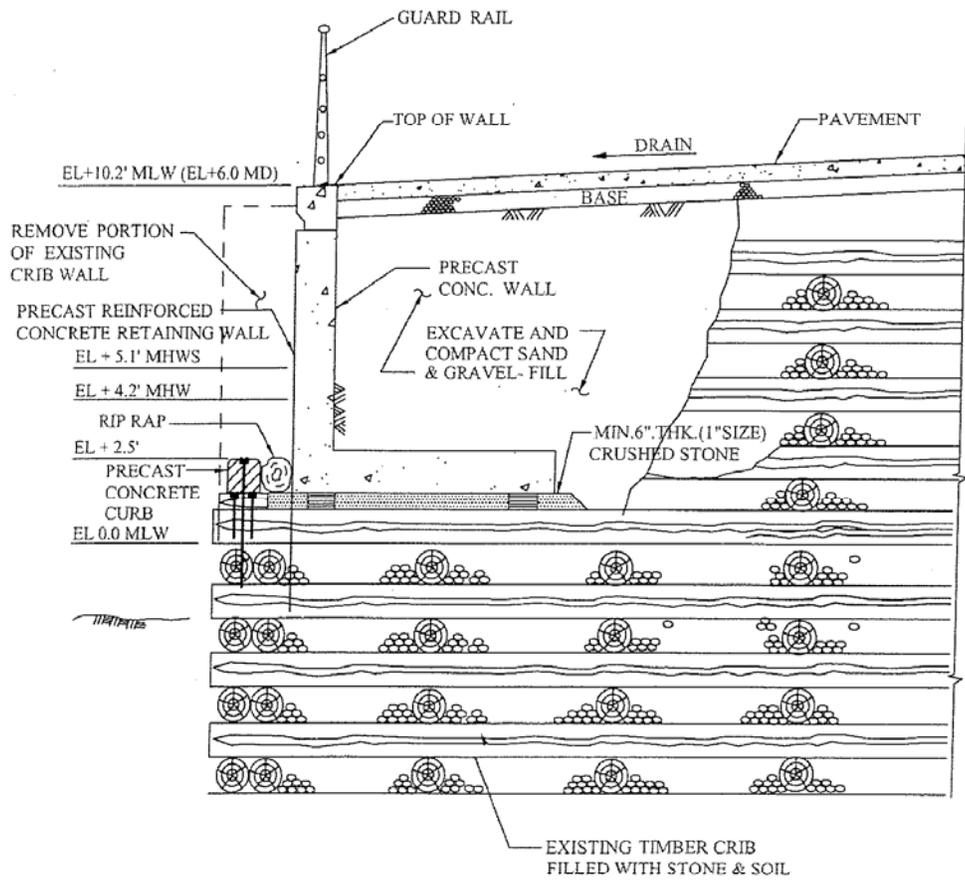


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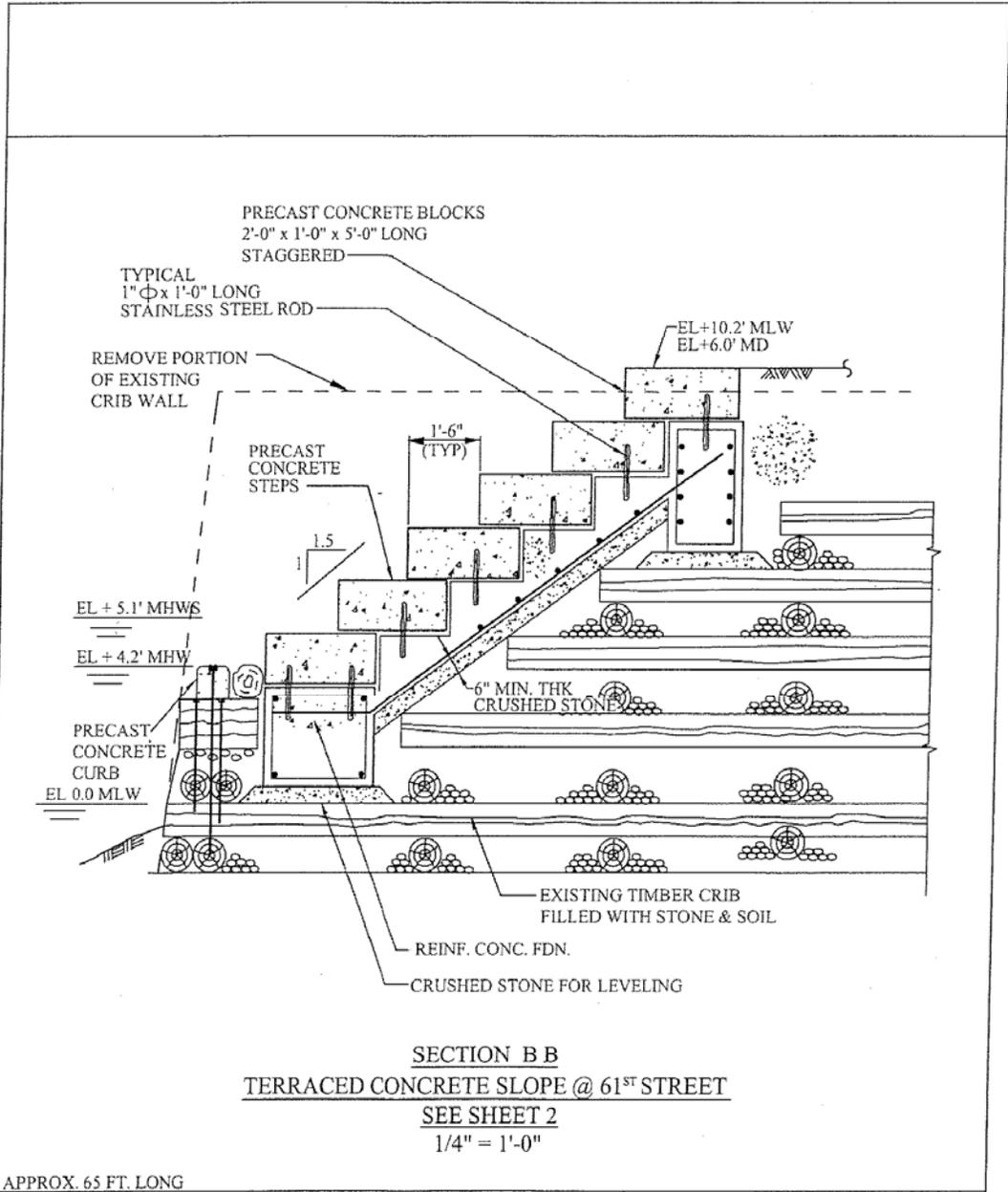
SECTION A A
 RETAINING WALL 61 ST TO 62ND STREET
 SEE SHEET 2
 1/4" = 1'-0"

APPROX. 220 FT. LONG

PURPOSE: RIVERSIDE PARK SOUTH - PHASE IV DATUM: MEAN LOW WATER ADJACENT PROPERTY OWNERS SEE PLAN - SHEET 1	 <p>SCALE IN FEET</p> <p>HUDSON WATERFRONT ASSOC. LP 175 RIVERSIDE BOULEVARD NEW YORK, NY 10069</p>	WATERFRONT REHABILITATION IN: HUDSON RIVER AT: VIC. OF 59 TO 62 STREET COUNTY OF: NEW YORK, STATE OF N.Y. APPLICATION BY: HUDSON WATERFRONT ASSOCIATES, L.P. SHEET 3 OF 11 OCT 28, 2005
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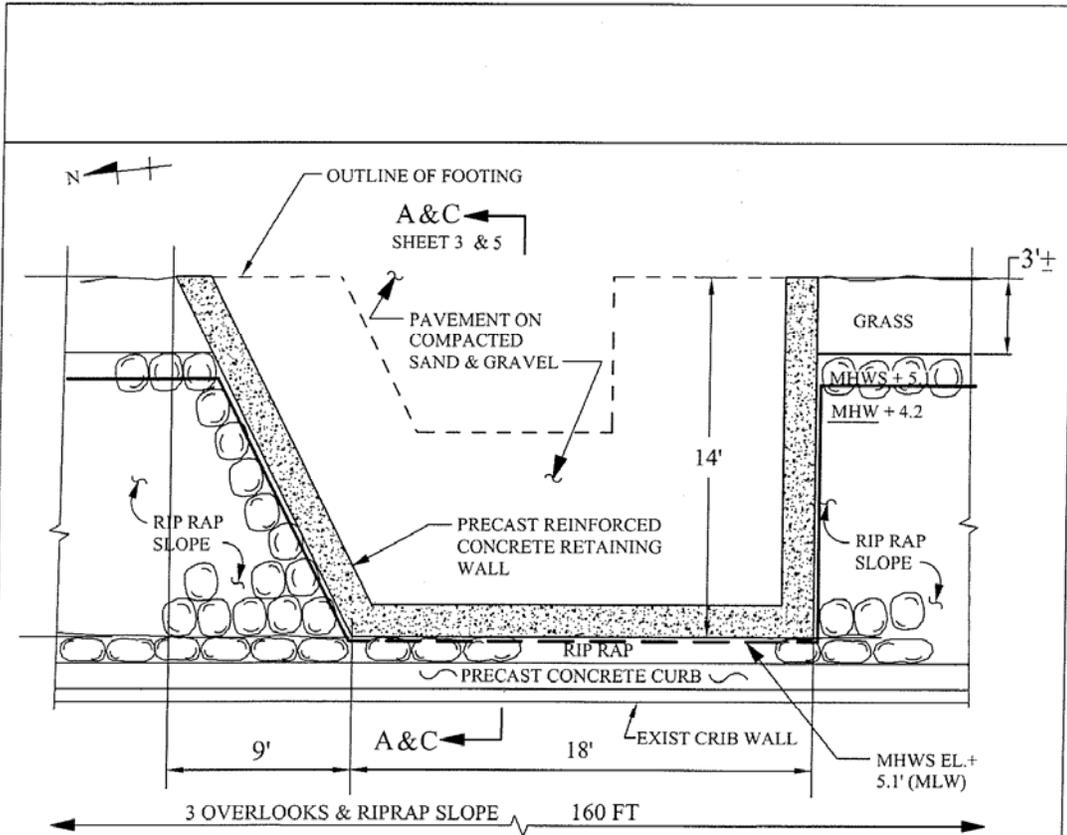
SECTION B B
TERRACED CONCRETE SLOPE @ 61ST STREET
SEE SHEET 2
 1/4" = 1'-0"

APPROX. 65 FT. LONG

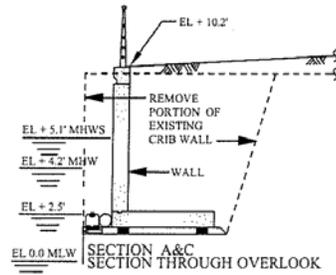
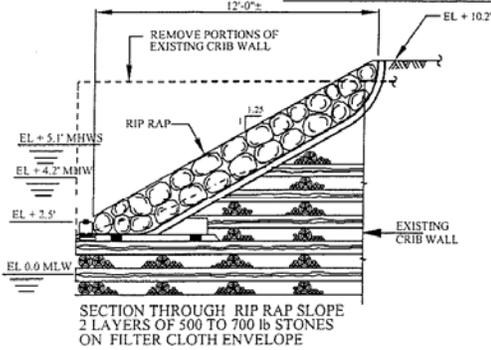
PURPOSE: RIVERSIDE PARK SOUTH - PHASE IV DATUM: MEAN LOW WATER ADJACENT PROPERTY OWNERS SEE PLAN - SHEET 1	<p align="center"> 0 4 8  SCALE IN FEET HUDSON WATERFRONT ASSOC. LP 175 RIVERSIDE BOULEVARD NEW YORK, NY 10069 </p>	WATERFRONT REHABILITATION IN: HUDSON RIVER AT: VIC. OF 59 TO 62 STREET COUNTY OF: NEW YORK, STATE OF N.Y. APPLICATION BY: HUDSON WATERFRONT ASSOCIATES, L.P. SHEET 4 OF 11 OCT 28, 2005
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PLAN - DETAIL OF OVERLOOK AREA



BETWEEN W60 & W61 ST.
APPROX. 160 FT. LONG WITH 3 OVERLOOKS

PURPOSE: RIVERSIDE
PARK SOUTH - PHASE IV

DATUM: MEAN LOW WATER
ADJACENT PROPERTY OWNERS
SEE PLAN - SHEET. 1

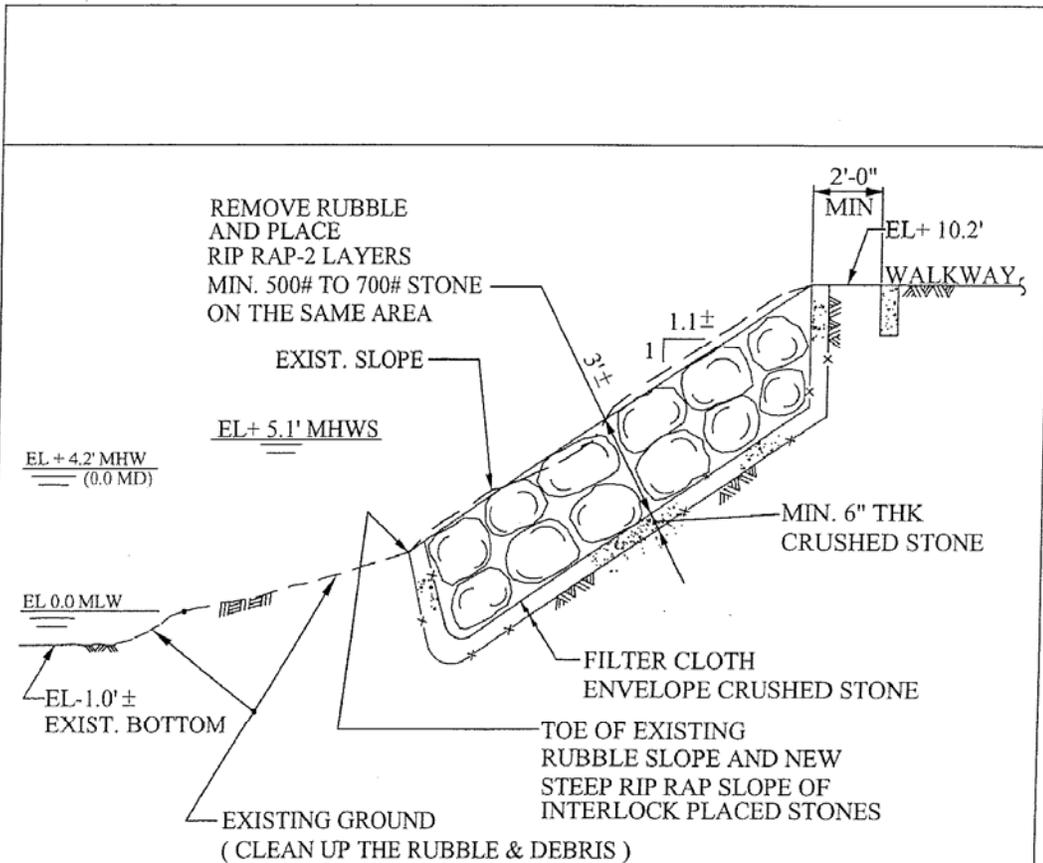


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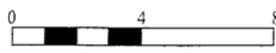
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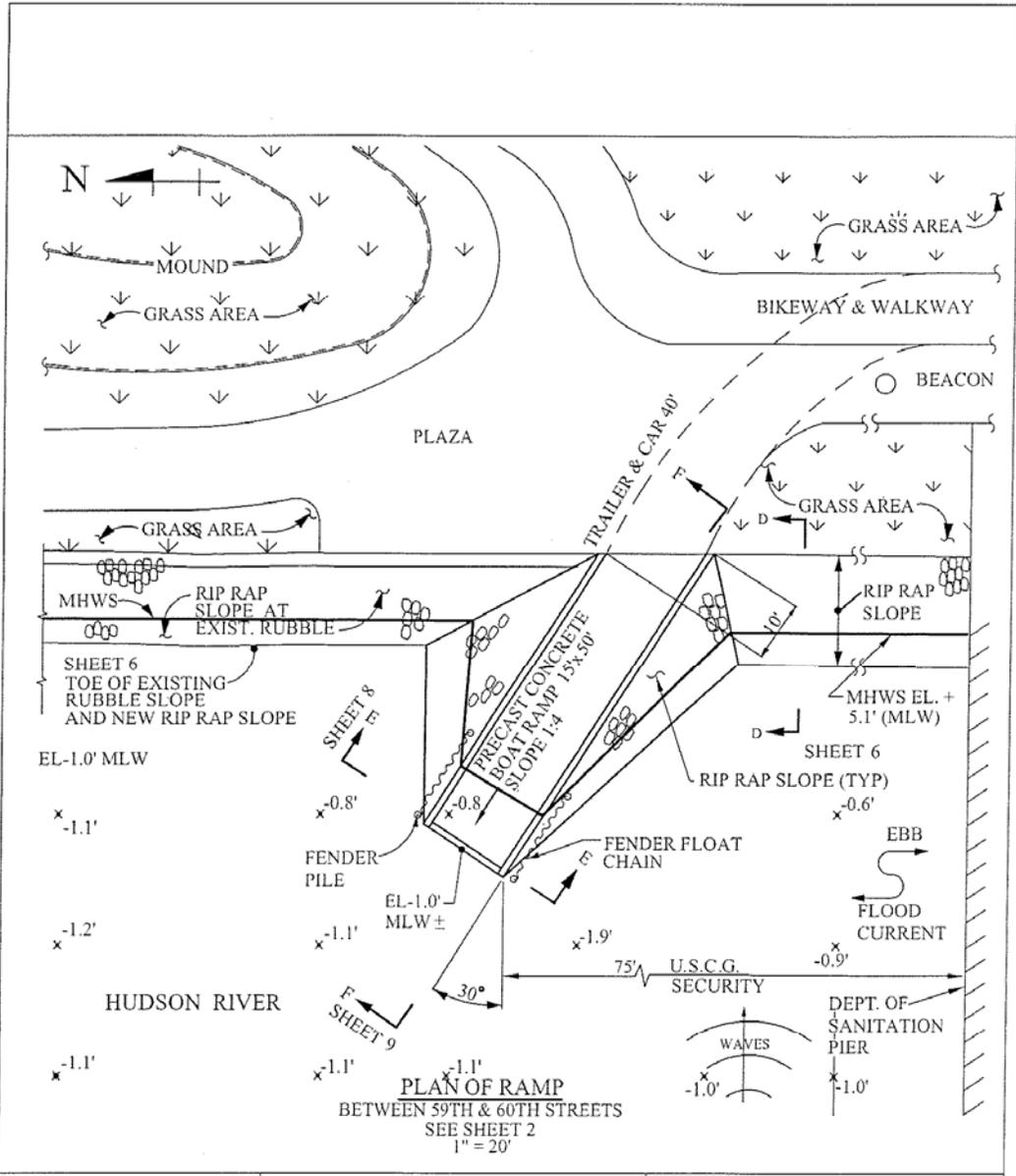
SECTION D D
 RIP RAP SLOPE BETWEEN 59TH & 60TH STREET
 SEE SHEET 2
 1/4"=1'-0"

APPROX. 303.75 FT WITH RAMP

PURPOSE: RIVERSIDE PARK SOUTH - PHASE IV DATUM: MEAN LOW WATER ADJACENT PROPERTY OWNERS SEE PLAN - SHEET 1	<p align="center">  SCALE IN FEET HUDSON WATERFRONT ASSOC. LP 175 RIVERSIDE BOULEVARD NEW YORK, NY 10069 </p>	WATERFRONT REHABILITATION IN: HUDSON RIVER AT: VIC. OF 59 TO 62 STREET COUNTY OF: NEW YORK, STATE OF N.Y. APPLICATION BY: HUDSON WATERFRONT ASSOCIATES, L.P. SHEET 6 OF 14 OCT 28, 2005
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PURPOSE: RIVERSIDE PARK SOUTH - PHASE IV

DATUM: MEAN LOW WATER ADJACENT PROPERTY OWNERS SEE PLAN - SHEET 1

0 5 10 15 20 25 30 35 40

SCALE IN FEET

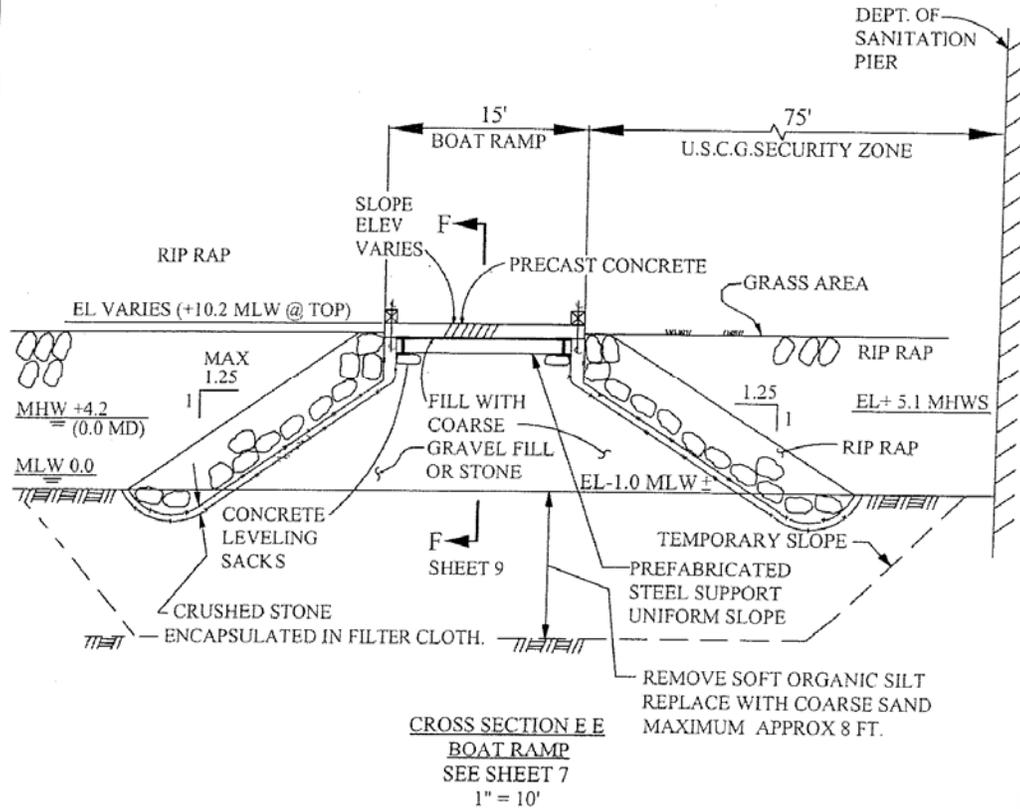
HUDSON WATERFRONT ASSOC. LP
175 RIVERSIDE BOULEVARD
NEW YORK, NY 10069

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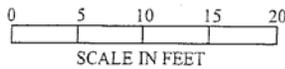
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NOTE: RIP RAP-
 2 LAYERS OF 500 TO 700# STONE
 ON FILTER CLOTH ENVELOPE



PURPOSE: RIVERSIDE
 PARK SOUTH - PHASE IV

DATUM: MEAN LOW WATER
 ADJACENT PROPERTY OWNERS
 SEE PLAN - SHEET. 1

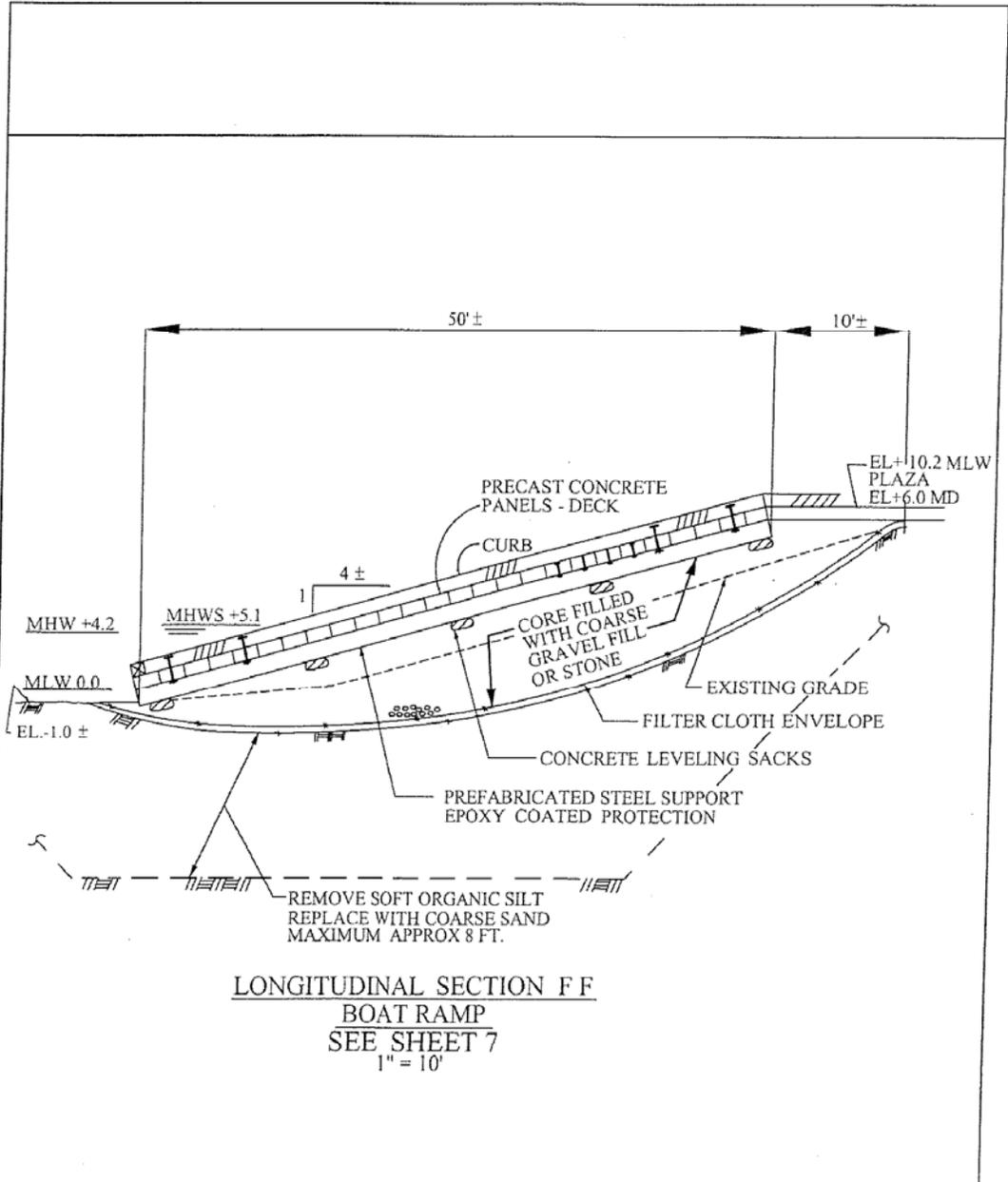


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LONGITUDINAL SECTION F F
 BOAT RAMP
 SEE SHEET 7
 1" = 10'

PURPOSE: RIVERSIDE
 PARK SOUTH - PHASE IV

DATUM: MEAN LOW WATER
 ADJACENT PROPERTY OWNERS
 SEE PLAN - SHEET. 1

0 5 10 15 20
 SCALE IN FEET

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