



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: **NAN-2020-01165-EMI**
Issue Date: **May 11, 2021**
Expiration Date: **June 10, 2021**

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 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Row New York
525 West 37th Street, 4th Floor
New York, New York 10018

ACTIVITY: Construction of Floating Dock Structures

WATERWAY: Harlem River

LOCATION: Sherman Creek Park, Borough of Manhattan, New York County, City of New York, 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

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AND EMAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 email 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 (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) 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 as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS 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.

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

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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, One Commerce Plaza, 99 Washington Avenue, 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. Please send all comments and questions concerning this application to Christopher.W.Minck@usace.army.mil.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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

FOR AND IN BEHALF OF

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The permit applicant, Row New York, has requested Department of the Army (DA) authorization to construct floating dock structures in the Harlem River at Sherman Creek Park in the Borough of Manhattan, New York County, City of New York, New York.

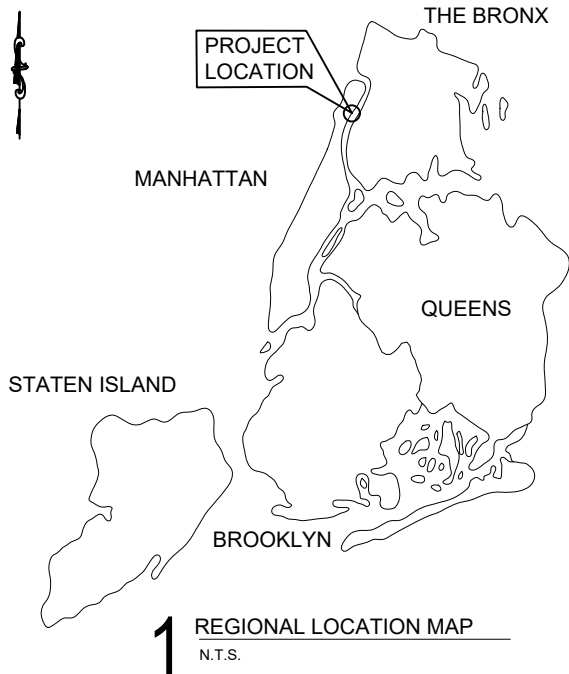
The proposed work would involve the following:

Construct an approximately 16-foot-wide by 72-foot-long gangway leading to a 28-foot-wide by 40-foot-long floating platform attached to a 12-foot-wide by 295-foot-long floating dock structure in a "T" configuration. The floating dock structure will be supported by fourteen (14) 14-inch diameter steel pipe piles that will be filled with a total of approximately 10 cubic yards of flowable concrete below the plane of Spring High Water.

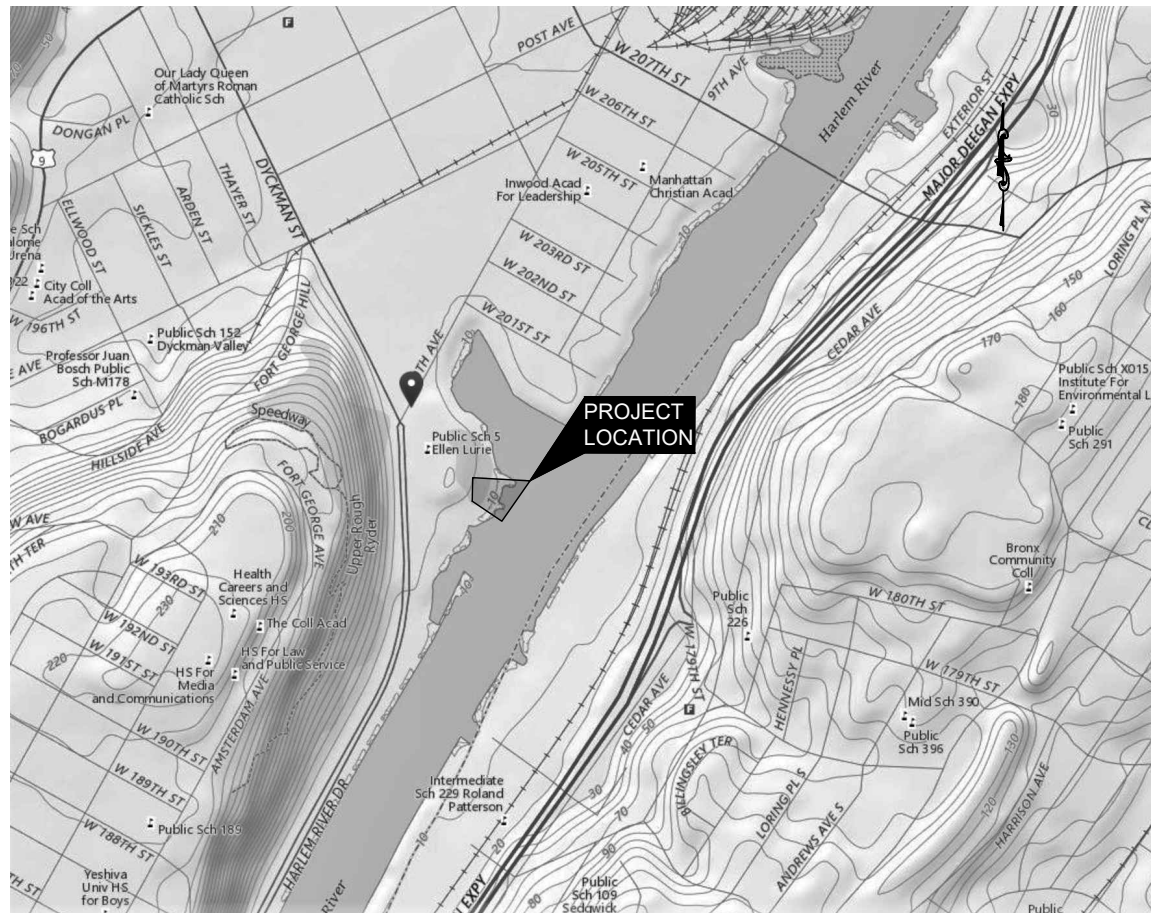
Following completion of the new dock structures and a new upland boat house, the existing floating dock structure and the Peter Jay Sharp Boathouse will be removed (approximately 9,548 square feet).

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by using a vibratory hammer or cushioned impact hammer with a soft start for pile installation.

The purpose of this project to provide safe recreational access to the waterway to support the non-profit efforts of Row New York.

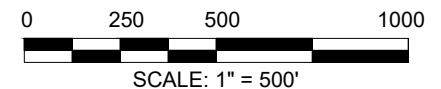



- G-100: COVER SHEET, LIST OF DRAWING AND REGIONAL
LOCATION MAP
G-101: NAVIGATION CHANNEL AND DATUM TABLE
S-101: PROPOSED PLAN
S-102: CONSTRUCTION PLAN
S-103: PILE PLAN
S-104: PILE SCHEDULE
S-105: AVAILABLE DRAUGHT AND MINIMUM DEPTH
S-106: FLOATING DOCK SECTION
S-107: RAMP SECTION
S-108: PILE CAP SECTION
S-109: PILE CAP SECTION

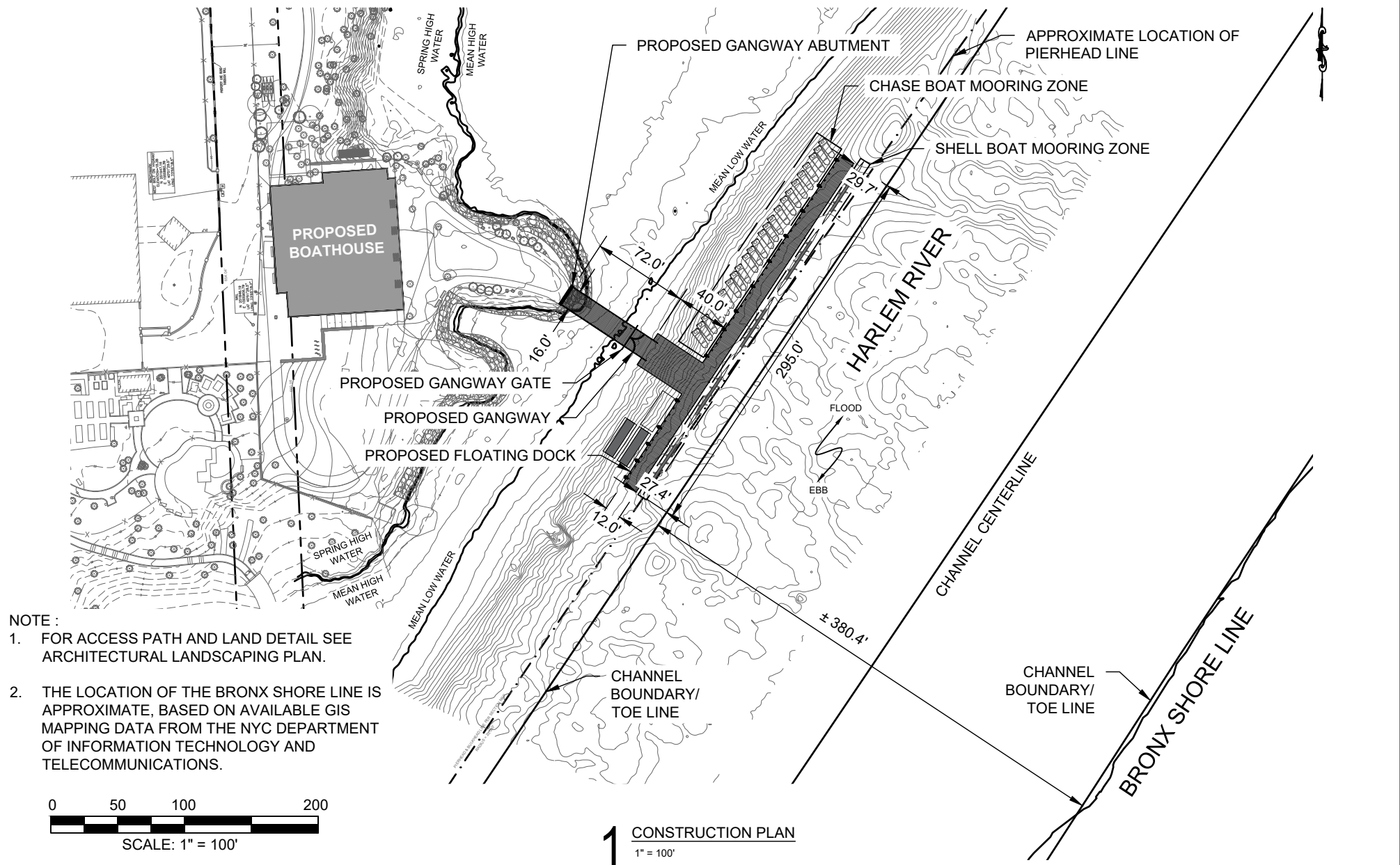


1" = 500'

■ COORDINATE: 40.8579, -73.9205
SOURCE: NYCITY MAP DOITT



<u>SITE/CIVIL ENGINEER:</u>  AKRF INC. 440 PARK AVENUE SOUTH NEW YORK, NY 10016 (212) 696-0670 (PHONE) (212) 726-0942 (FAX)	<u>APPLICANT:</u> ROW NEW YORK 525 WEST 37TH STREET, 4TH FLOOR NEW YORK, NY 10018 (715) 433-3075 (PHONE)	<u>PROJECT:</u> SHERMAN CREEK COMMUNITY BOATHOUSE	<u>WATER BODY NAME:</u> HARLEM RIVER		<u>COUNTY, STATE:</u> NEW YORK, NEW YORK
		<u>DRAWING TITLE:</u> COVER SHEET, LIST OF DRAWINGS, AND REGIONAL LOCATION MAP	<u>DRAWN BY:</u> SK/GM	<u>CHECKED BY:</u> GM	<u>SHEET NO.:</u> <div style="text-align: right;">G-100</div> <div style="text-align: right; font-size: 2em; font-weight: bold;">1 OF 8</div>
			<u>SCALE:</u> AS SHOWN	<u>DATE:</u> 01/29/2021	

**SITE/CIVIL ENGINEER:**

AKRF INC.
440 PARK AVENUE SOUTH
NEW YORK, NY 10016
(212) 696-0670 (PHONE)
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APPLICANT:

ROW NEW YORK
525 WEST 37TH STREET, 4TH FLOOR
NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

DRAWING TITLE:

PROPOSED PLAN

WATER BODY NAME:

HARLEM RIVER

DRAWN BY:

SK/JH

SCALE:

AS SHOWN

CHECKED BY:

GM

DATE:

01/29/2021

REVISED 02/19/2021

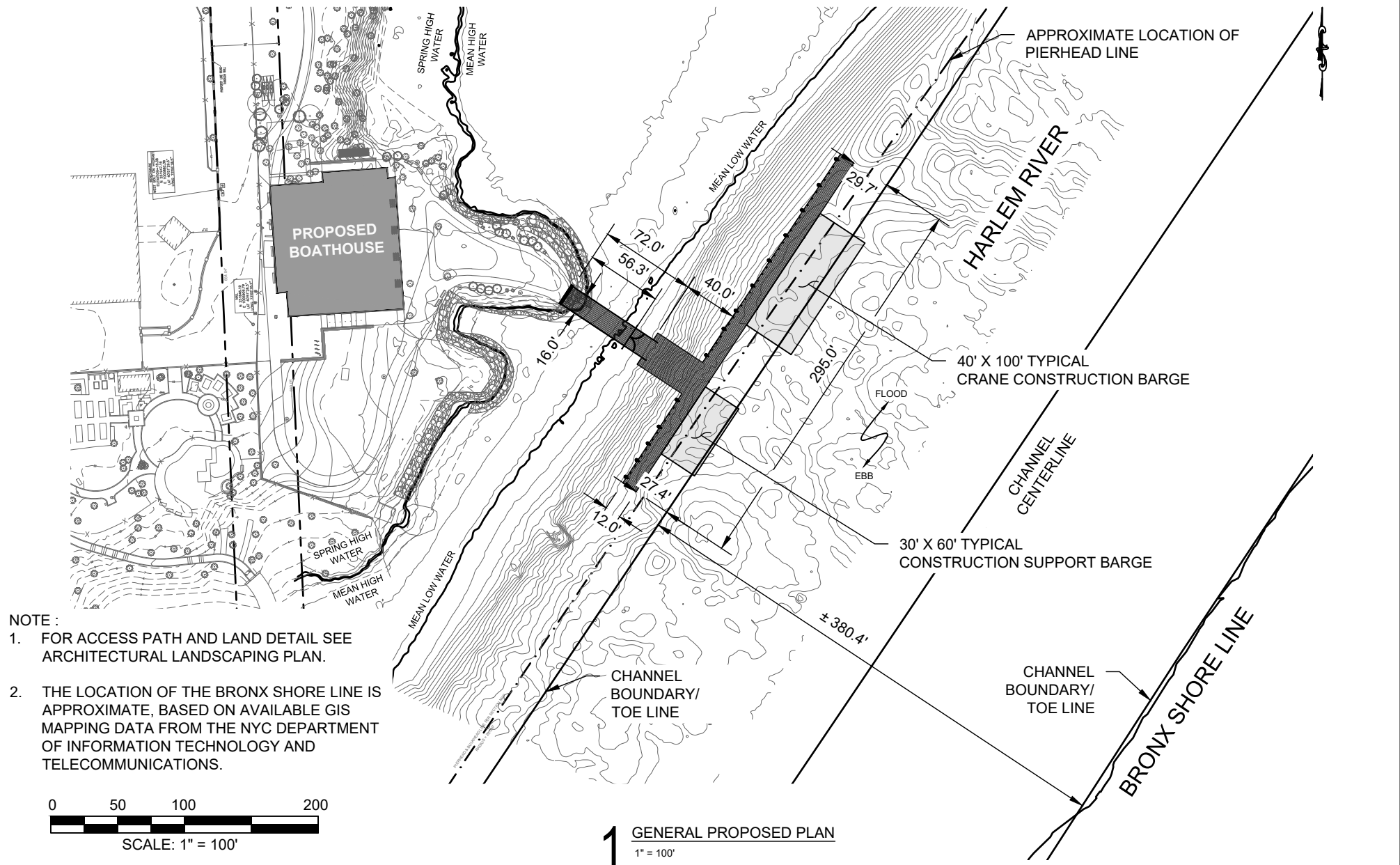
COUNTY, STATE:

NEW YORK, NEW YORK

SHEET NO.:

S-101

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SITE/CIVIL ENGINEER:


AKRF INC.
440 PARK AVENUE SOUTH
NEW YORK, NY 10016
(212) 696-0670 (PHONE)
(212) 726-0942 (FAX)

APPLICANT:

ROW NEW YORK
525 WEST 37TH STREET, 4TH FLOOR
NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

DRAWING TITLE:

CONSTRUCTION PLAN

WATER BODY NAME:

HARLEM RIVER

DRAWN BY:

JH/GM

SCALE:

AS SHOWN

CHECKED BY:

GM

DATE:

01/29/2021

REVISED 02/19/2021

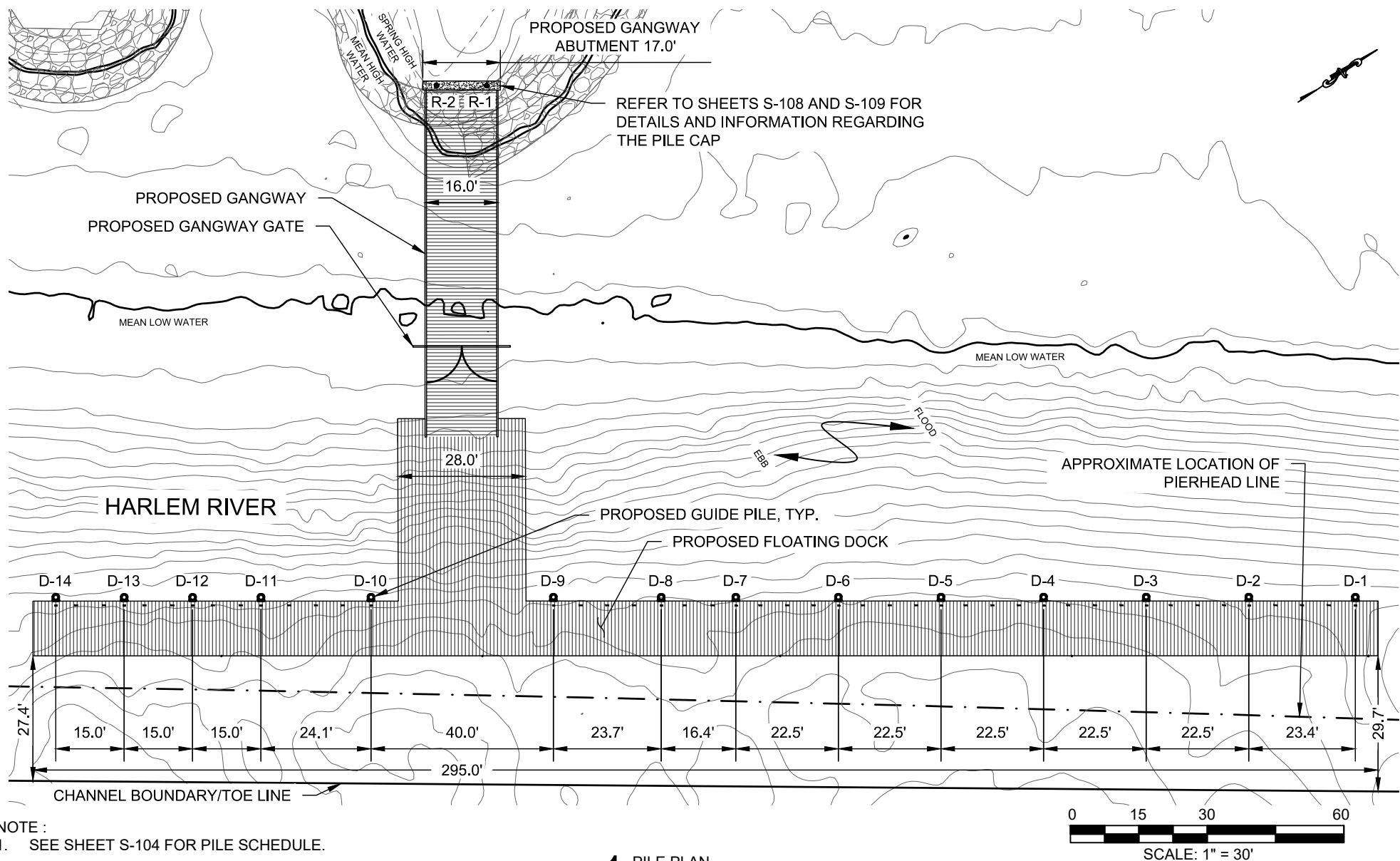
COUNTY, STATE:

NEW YORK, NEW YORK

SHEET NO.:

S-102

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NOTE :
1. SEE SHEET S-104 FOR PILE SCHEDULE.

1 **PILE PLAN**
1" = 30'

SITE/CIVIL ENGINEER:



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440 PARK AVENUE SOUTH
NEW YORK, NY 10016
(212) 696-0670 (PHONE)
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APPLICANT:

ROW NEW YORK
525 WEST 37TH STREET, 4TH FLOOR
NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

DRAWING TITLE:

PILE PLAN

WATER BODY NAME:

HARLEM RIVER

DRAWN BY:

SK/GM

SCALE:

AS SHOWN

CHECKED BY:

GM

DATE: 01/29/2021

REVISED 02/19/2021

COUNTY, STATE:

NEW YORK, NEW YORK

SHEET NO.:

S-103

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TABLE 1: PILE SCHEDULE

PILE NUMBER	EASTING	NORTHING	DIAMETER (INCHES)	WALL THICKNESS (INCHES)	MIN TIP ELEVATION (FT, NAVD88)	CUT OFF ELEVATION (FT, NAVD88)	VOLUME OF CONCRETE BETWEEN MUD LINE AND MHW (CY)	VOLUME OF CONCRETE BETWEEN MUD LINE AND SHW (CY)
D-1	1,006,342.70	251,969.91	14	0.50	-80.0	12.0	0.69	0.70
D-2	1,006,329.79	251,950.43	14	0.50	-80.0	12.0	0.69	0.70
D-3	1,006,317.37	251,931.67	14	0.50	-80.0	12.0	0.71	0.72
D-4	1,006,304.95	251,912.91	14	0.50	-80.0	12.0	0.74	0.75
D-5	1,006,292.52	251,894.15	14	0.50	-80.0	12.0	0.74	0.75
D-6	1,006,280.10	251,875.39	14	0.50	-80.0	12.0	0.74	0.75
D-7	1,006,267.68	251,856.63	14	0.50	-80.0	12.0	0.71	0.72
D-8	1,006,258.66	251,842.97	14	0.50	-80.0	12.0	0.71	0.72
D-9	1,006,245.60	251,823.25	14	0.50	-80.0	12.0	0.69	0.70
D-10	1,006,223.52	251,789.90	14	0.50	-80.0	12.0	0.69	0.70
D-11	1,006,210.21	251,769.79	14	0.50	-80.0	12.0	0.66	0.67
D-12	1,006,201.93	251,757.29	14	0.50	-80.0	12.0	0.67	0.68
D-13	1,006,193.65	251,744.78	14	0.50	-80.0	12.0	0.66	0.67
D-14	1,006,185.37	251,732.27	14	0.50	-80.0	12.0	0.65	0.66
R-1	1,006,144.01	251,872.99	12	0.375	-71.0	1.50	-	-
R-2	1,006,137.93	251,863.82	12	0.375	-71.0	1.50	-	-

NOTES:

- ALL PILES SHALL BE INSTALLED USING A VIBRATORY HAMMER TO THE MOST PRACTICAL EXTENT POSSIBLE. AN IMPACT HAMMER MAY BE USED TO DRIVE THE PILES TO THEIR FINAL ELEVATIONS. ANY IMPACT HAMMER SHALL BE CONDUCTED WITH A SOFT START AND CUSHION BLOCK.
- GUIDE PILES FOR FLOATING DOCK ARE 14 INCH DIAMETER AND FILLED WITH CONCRETE.

SITE/CIVIL ENGINEER:

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APPLICANT:

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NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

DRAWING TITLE:

PILE SCHEDULE

WATER BODY NAME:

HARLEM RIVER

DRAWN BY:
SK/GM

SCALE:
AS SHOWN

CHECKED BY:
GM

DATE:
01/29/2021

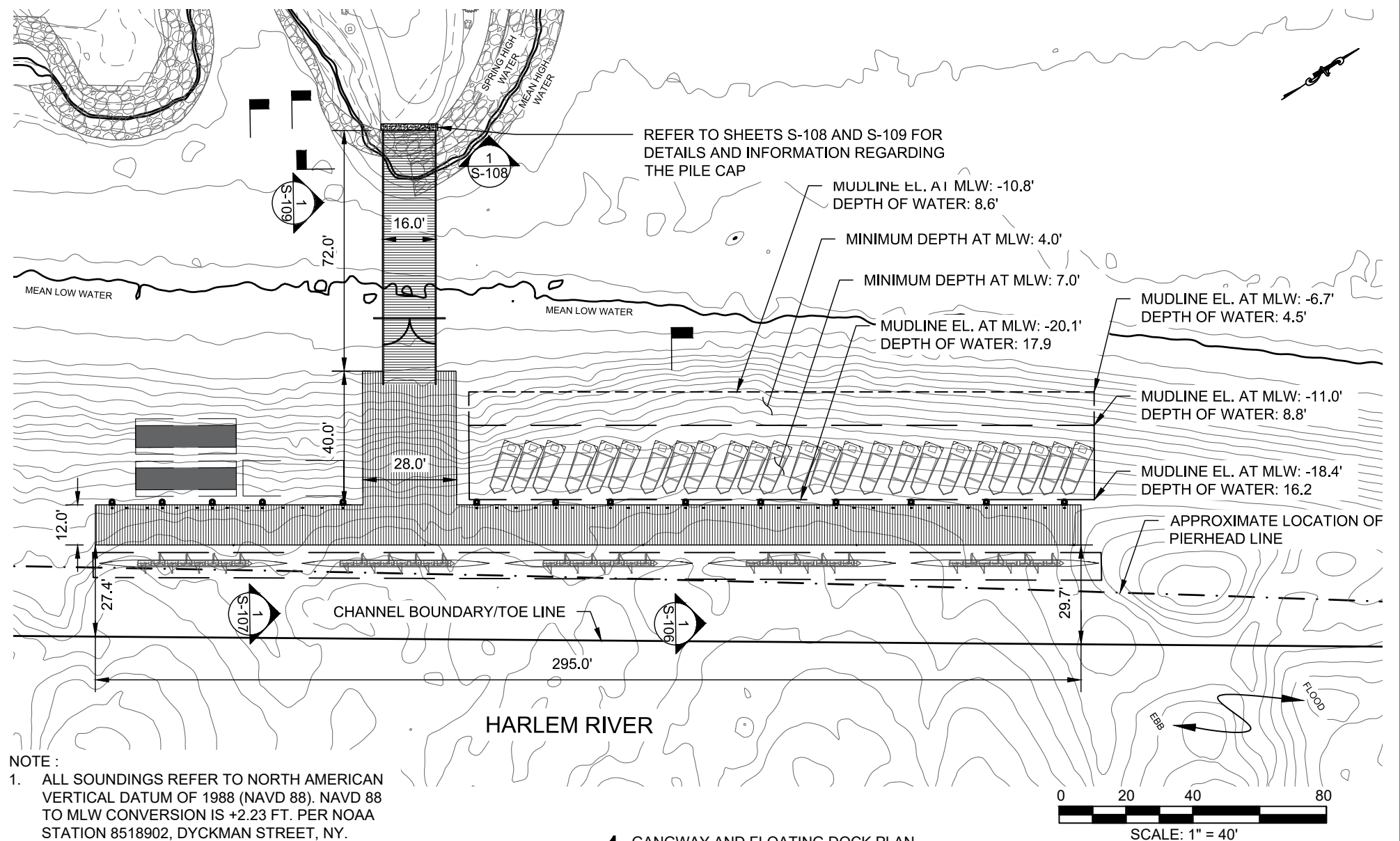
COUNTY, STATE:

NEW YORK, NEW YORK

SHEET NO.:

S-104

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1 GANGWAY AND FLOATING DOCK PLAN 1" = 40'

SITE/CIVIL ENGINEER:

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APPLICANT:

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NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

WATER BODY NAME:

HARLEM RIVER

COUNTY, STATE:

NEW YORK, NEW YORK

DRAWING TITLE:

AVAILABLE DRAUGHT
AND MINIMUM DEPTH

DRAWN BY:

SK/GM

SCALE:

AS SHOWN

CHECKED BY:

GM

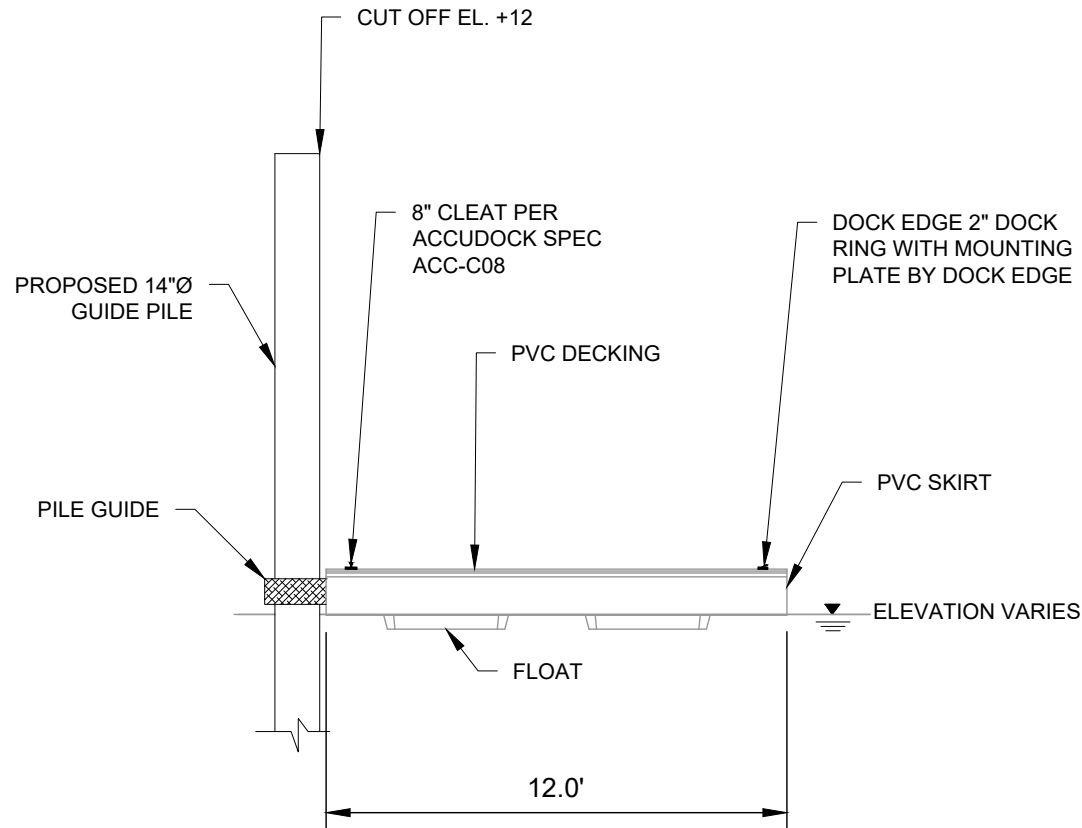
DATE:

01/29/2021
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SHEET NO.:

S-105

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1 FLOATING DECK SECTION
1" = 5'

**SITE/CIVIL ENGINEER:**

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APPLICANT:

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NEW YORK, NY 10018
(715) 433-3075 (PHONE)

PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

DRAWING TITLE:

FLOATING DECK
SECTION

WATER BODY NAME:

HARLEM RIVER

DRAWN BY:
SK/GM

SCALE:
AS SHOWN

CHECKED BY:
GM

DATE:
01/29/2021

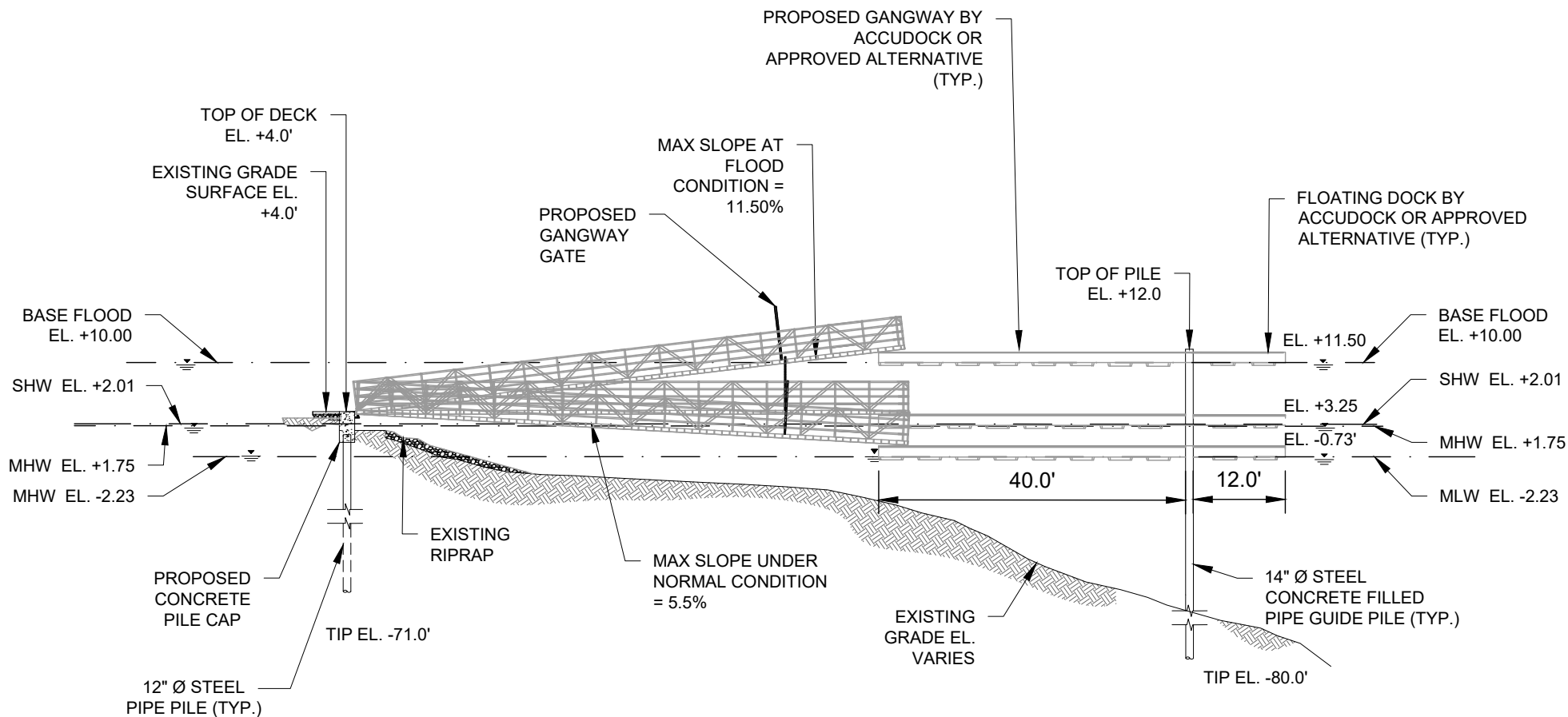
COUNTY, STATE:

NEW YORK, NEW YORK

SHEET NO.:

S-106

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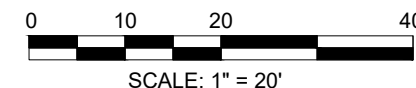
1 RAMP SECTION (LOOKING NORTH)
1" = 20'

TABLE 1: DATUM TABLE

NOTES:

- ELEVATION ARE REFERENCED TO NAVD 88 DATUM.
- CONVERSION IS IN ACCORDANCE WITH NOAA TIDE STATION 8518902 DYCKMAN STREET, NY.

ALL SOUNDINGS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).		
SHW	SPRING HIGH WATER	+2.01
MHW	MEAN HIGH WATER	+1.75
MLW	MEAN LOW WATER	-2.23



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PROJECT:

SHERMAN CREEK
COMMUNITY BOATHOUSE

WATER BODY NAME:

HARLEM RIVER

COUNTY, STATE:

NEW YORK, NEW YORK

DRAWING TITLE:

RAMP SECTION

DRAWN BY:

SK/GM

SCALE:

AS SHOWN

CHECKED BY:

GM

DATE:

01/29/2021

SHEET NO.:

S-107

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