



# 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-2021-01317-EMI**  
Issue Date:  
Expiration Date:

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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:** New York City Economic Development Corporation  
One Liberty Plaza  
New York, New York 10006

**ACTIVITY:** Rehabilitation of the Manhattan Greenway

**WATERWAY:** Harlem River

**LOCATION:** Harlem River Greenway between 125<sup>th</sup> and 132<sup>nd</sup> Street, 132<sup>nd</sup> Street and 145<sup>th</sup> Street, and 155<sup>th</sup> Street and Swindlers Cove, 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.

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ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING 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 and habitat conversion. 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 and the New York State Cultural Resources Information System (CRIS) Mapper, there are multiple known sites, including the RFK Bridge, Willis Avenue Bridge, Harlem River Lift Bridge, Madison Avenue Bridge, Macomb's Dam Bridge and 155<sup>th</sup> Street Viaduct, and the Alexander Hamilton Bridge, that are listed as eligible for, or included in, the National Register within the permit area. New York District has made the preliminary determination that the proposed activities would have no adverse effect on these resources. 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.

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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, 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](mailto: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, New York City Economic Development Corporation, has requested Department of the Army (DA) authorization for maintenance activities along the Manhattan Greenway in the Harlem River in the Borough of Manhattan, New York County, City of New York, New York.

The proposed work would involve the following:

The work consists of maintenance activities along the Manhattan Greenway - Harlem River (MGHR) including, but not limited to the following: replacement of existing timber pile supported platforms, replacement of concrete encased steel H-pile platforms, replenishment of existing revetments, replacement of low and high-level platforms and reconstruction/repair of existing seawalls over cribbing. There are ten (10) general types of repairs along the MGHR that generally include but are not limited to the following: clearing and grubbing, removing existing concrete blocks, removing existing deck and seawall, and removing existing timber piles and replacing/repairing the existing structures with 24-inch diameter steel pipe piles, steel sheet bulkhead, cast-in-place concrete cap, precast concrete pile caps, prestressed concrete planks, concrete slabs, and discharging clean fill. In total, approximately 18,100 linear feet (3.4 miles) of shoreline structures will be repaired/replace/reconstructed along the MGHR resulting in an overall reduction of fill in the waterway (approximately 23,243 cubic yards of existing fill removed and 23,207 cubic yards of new fill added) and a net creation of approximately 1,072 square feet of open water in the waterway.

**Subproject 1 - 125th Street to 132nd Street:**

The work consists of repairing and/or replacing existing structures along the approximately 3,600 linear foot (0.68 miles) segment of the MGHR project between 125th and 132nd Streets. There are seven (7) structure types in Sub-project 1, including a masonry block gravity retaining wall with a concrete cap, low-level timber pile relieving platform and steel sheet pile bulkhead supporting a concrete deck and seawall with masonry panels, concrete encased steel H-piles, steel sheet pile bulkhead, steel pipe pile high-level platform supporting a concrete deck, an abandoned masonry bridge pier/seawall, and a timber crib low-level relieving platform with timber fendering. The following types of repairs would occur along Subproject 1: Low Level Timber Platform Replacement (Type A), Encased Steel Pile Platform (H-pile and Pipe Pile) Replacement (Type B), Concrete Seawall Over Timber Cribbing (Type C), and Seawall Built Over Cofferdam and Timber Piles (Type D).

Approximately 14,100 cubic yards of fill will be removed from the waterway over the length of the existing structures' footprint to allow for the proposed maintenance activities which will result in the discharge of approximately 3,064 cubic yards of clean fill below the plane of Spring High Water over approximately 10,223 square feet including 1,140 cubic yards of concrete for pile plug caps, 1,596 cubic yards of riprap and bedding stone for an approximately 5,060 square foot riprap revetment cove, 120 cubic yards of grout fill within existing crib walls, and 207 cubic yards of earthen fill.

Additional activities within this subproject include the replacement of six outfalls including one (1) 12-inch diameter outfall to be replaced with a 15-inch diameter outfall, two (2) 12-inch diameter outfalls to be replaced with 18-inch diameter outfalls, one (1) 12-inch diameter outfall to be replaced with a 24-inch diameter outfall, one (1) 24-inch diameter outfall to be replaced with a 30-inch diameter outfall, and one (1) 48-inch diameter outfall to be replaced with a new 48-inch diameter outfall. An approximately 6.8 acre waterfront park is proposed in the upland portion of

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this subproject.

**Subproject 2 – 132nd Street to 145th Street:**

The work consists of repairing and/or replacing existing structures along the approximately 3,500 linear foot segment (0.66 miles) of the MGHR project between 132nd and 145th Streets, along Harlem River Park. There are fifteen (15) structure types identified in Subproject 2, including timber pile supported low-level relieving platform, high level platform, concrete abutments, concrete-encased steel pipe and H-pile supporting high-level and low-lever relieving platforms, timber crib and timber pile supported low-level relieving platforms, and timber crib supported gravity retaining walls. The following types of repairs would occur along Subproject 2: Low Level Timber Platform Replacement (Type A), Encased Steel Pile Platform (H-pile and Pipe Pile) Replacement (Type B), Seawall Built Over Cofferdam and Timber Piles (Type D), Seawall Over Exposed Cribbing and Timber Piles (Type E), and Seawall Over Exposed Cribbing (Type F).

Approximately 9,000 cubic yards of existing fill will be removed from the waterway over the length of the existing structures footprint proposed maintenance activities will result in the discharge of approximately 9,949 cubic yards of clean fill below the plane of Spring High Water over approximately 8,444 square feet including 299 cubic yards of concrete for piles and pile plug caps, 2,612 cubic yards of grout within existing crib walls, 6,485 cubic yards of earthen fill, 114 cubic yards of concrete for closure wall cap, and 439 cubic yards of concrete for over-sheet cap.

**Subproject 3 – 155th Street to Swindler’s Cove:**

The work consists of repairing and/or replacing structures along the approximately 11,000 linear foot (2.08 mile) segment of the MGHR project between 155th Street to Swindler’s Cove, along Harlem River Park. There are eight (8) structure types identified in Subproject 3, including rip rap revetment, timber crib supported gravity retaining wall, gravity retaining wall on ledge rock, timber crib and timber pile supported gravity retaining wall, concrete-filled steel pipe pile-supported high-level platforms, gravity retaining wall with timber sheeting, concrete-filled pipe pile-supported high-level platform viaduct structure, and a rip rap revetment over timber cribbing. The following types of repairs would occur along Subproject 3: Seawall and Grout over exposed cribbing and timber piles (Type G), Masonry Wall Joints Repair (Type H), Grout Reinforced Masonry Wall Supported by Timber Piles and Cribbing (Type I), and Timber Cribbing Grout Reinforcement (Type J).

Approximately 143 cubic yards of fill will be removed from the waterway over the length of the existing structures’ footprint to allow for the proposed maintenance activities which will result in the discharge of approximately 10,194 cubic yards of grout within existing cribbing below the plane of Spring High Water over approximately 15,248 square feet within and/or atop existing cribbing.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by minimizing seaward encroachment of structures to the maximum extent possible and removing existing fill and debris in the waterway to result in a net creation of open waters as a result of the proposed activities. Additionally, a turbidity curtain will be utilized around active work areas and a soft-start will be utilized during piledriving.

The purpose for the project is to repair and replace damaged bulkhead and shoreline structures along the Harlem River Greenway and connect a missing link of the greenway along Manhattan’s East Side.