

## **PUBLIC NOTICE**

### **SECTION 106 REVIEW FINDING OF ADVERSE EFFECT**

#### **Battery Playscape Project November 30, 2018**

The Lower Manhattan Development Corporation (LMDC) is issuing this public notice as a part of its responsibilities under 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106), as amended.

LMDC, as the recipient of Department of Housing and Urban Development (HUD) Community Development Block Grant program funds, proposes to assist the Battery Conservancy through the New York City Department of Parks and Recreation (DPR) with replacement of a playground in Lower Manhattan. The proposed playground, known as the “Battery Playscape” (the Project) will be situated within a 1.4-acre portion of Block 3, Lot 1 located near the southeastern portion of Battery Park, in a roughly triangular area bounded by State Street to the north, Peter Minuit Plaza to the east, South Street to the south, and the remainder of Battery Park to the west. The proposed Project site is currently developed with a deteriorated playground that was constructed in the 1950s and paved walkways and plantings.

LMDC’s proposed funding of the Project with HUD funds renders the Project a federal undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations, 36 C.F.R. Part 800.

In consultation with the New York State Historic Preservation Office (SHPO), New York City Landmarks Preservation Committee (LPC), and DPR, LMDC has determined that the Project may have an adverse effect on the remains of the National Register eligible c. 18th century Battery Wall. A Memorandum of Agreement (MOA) outlining terms for resolution of potential adverse effects is under development. LMDC is issuing this notice to provide the public with an opportunity to express their views on resolving any adverse effects of the Project.

Information related to the proposed Project and the determination of adverse effect may be viewed online at [www.renewnyc.com](http://www.renewnyc.com) under the heading “Battery PlayScape Section 106 Review.” Members of the public are encouraged to provide views on how the undertaking may affect historic properties and ways that these effects may be avoided, minimized, or mitigated. Comments may be submitted by email to [bdestouche@renewnyc.com](mailto:bdestouche@renewnyc.com) through December 17, 2018.

Daniel A. Ciniello, Acting President  
LOWER MANHATTAN DEVELOPMENT CORPORATION