

HUDSON RIVER PARK HISTORIC VESSEL POLICY

New York City has a long and rich maritime history with its vast surrounding waterfront areas utilized for the transportation of people and goods for many years, including those areas along the Hudson on the west side of Manhattan that now comprise Hudson River Park. Hudson River Park Trust (the “Trust”) has been charged with the planning, development, operation and maintenance of Hudson River Park. Part of the Trust’s legislative mandate (Hudson River Park Act, Ch 592 of the Laws of 1998) as it proceeds with development of the Park is to draw upon that maritime history and seek ways to preserve it, enhance public awareness and afford public education opportunities to learn about that maritime history. To meet that mandate, designs for the Park’s piers include both short and long term docking opportunities for historic vessels at several locations within the Park (Piers 25, 54 and 97). However, Park design alone will not ensure that quality historic educational opportunities and maritime preservation goals are realized. Thus it makes sense to attract and develop strong relationships with historic vessels and maritime historic organizations that can assist in providing and enhancing public access and worthwhile educational programming respecting historic vessels within the Park. Further, docking opportunities within the Park may generate more interest among historic vessel owners and organizations than can be accommodated within the Park. Accordingly, the Trust has developed this Historic Vessel Policy to set forth its goals and selection criteria respecting historic vessels in Hudson River Park. In creating this document, HRPT sought information from other maritime parks and museums throughout the nation, and in some cases internationally, gave consideration to the requirements of various funding sources, and addressed several legal concerns.

The Trust recognizes that if we are to encourage and maintain the vast array of historic vessels that may be interested in locating in Hudson River Park, a certain degree of flexibility is needed in the application and enforcement of a historic vessel policy depending on the type of vessel, its operational needs, and the length of its planned stay within the Park. The Trust also recognizes that applicants seeking to bring their historic vessels into the Park may seek very different types of stays within the Park. For instance, some may be part of local harbor festivals or other short term special events. Others may seek to remain within the Park on a more permanent basis. As a general matter, there shall be a higher standard for the long-term or permanent vessels within Hudson River Park (the “Park”). Conversely, historic vessels that apply for and commit to short-term or temporary stays within the Park will be asked to provide similar information, but may not be subjected to the higher standard of review.

The Trust will establish a committee comprised of Board members, State and City Parks, State DEC and Trust staff to review applications for long term or more permanent docking (docking in excess of six months), render determinations and establish any conditions for such

docking. Applications for shorter stays and/or docking in connection with harbor festivals or other historic vessel programming will be reviewed and determined by Trust staff in accordance with this policy.

A. Criteria for Permanent Docking within the Park

1. Vessels must be either on the State or National Register of Historic Places or eligible for such listing: Vessels are eligible if they are more than 50 years old, floating vessels (i.e., more than 40 feet long and greater than 20 tons) or small craft (less than 40 feet long), and:

- are associated with events that have made a significant contribution to the broad patterns of our history;
- are associated with the lives of persons significant in our past;
- embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components lack individual distinction; or
- yield, or are likely to yield, information important in prehistory or history (for additional information on these requirements, see the National Register Bulletin 20, 1992).

HRPT will also consider the following criteria in its assessment of historic vessels for permanent or semi-permanent docking within the Park:

- historic significance of the vessel, and degree of historic integrity it possesses (bearing in mind, however, quality replicas of worthy vessels could be considered historic);
- the size and condition of the vessel, as determined by a competent surveyor, as well as the possible visual and/or aesthetic impacts created by the vessel;
- the operational and maintenance needs of the vessel.
- the environment in which the vessel is to be located, and the projected effect of that vessel on the environment;
- intended use of the vessel and the projected effect of that use on the historic integrity of the vessel; and

- availability of suitable materials, equipment, technology, and competent personnel to successfully carry out the project.

2. Relation to New York City/Area Maritime History: Preference will be given to vessels that demonstrate a strong tie to New York City or New York Harbor/Hudson River maritime history.

3. Public Access/Programming in Furtherance of the Park's Public Access and Educational Goals: Preference will be given to those vessels that offer substantial public access and strong educational programming.

4. Vessel's Condition and Preservation Needs: The vessel's condition must be sufficient to withstand regular and storm related tide, wake, and wave conditions typically experienced within the Park before acceptance for permanent docking. The nature and extent of restoration will be carefully evaluated, as more extensive restoration may not be possible while the vessel is docked within the park given the Park's sanctuary status and other applicable environmental restrictions on the Hudson River.

5. Financial Plan and Ownership Status: All applicants for permanent docking within the Park must provide HRPT with a Financial Plan and proof of ownership that demonstrate the financial stability, commitment, and capability to successfully operate and maintain the vessel for the length of the lease within the Park in accordance with applicable Park requirements and restrictions.

B. Operating and Maintenance Requirements/Restrictions

1. Public Access and Programming and Associated Fees: Applicants must present detailed information on the nature and extent of the educational or other programming offered on the vessel. Consideration and coordination with other Park programming and facilities is encouraged. Vessels with public access and quality programming at no charge or with low associated fees will be given a strong preference.

2. Private Events and Fundraising: The nature and extent of private functions, fundraising, and other non-public events will be evaluated for consistency with the Park's mission and mandates. Therefore, the number and type of events desired by the applicant should be detailed and made enforceable in any Park occupancy or operational agreement for the vessel. The fees and income from such events will be considered when determining appropriate rental fee to be charged for permanent docking within the Park. Lastly, scheduling of such events will also be coordinated with other Park sponsored or approved events to avoid scheduling conflicts.

3. Insurance: Liability, property, and maritime insurance, including coverage in the event of sinking or partial submersion is mandatory for vessels permanently docked within the Park.

4. Vessel Maintenance : Applicants must provide and follow a detailed maintenance plan covering all aspects of the vessel and identifying the daily, short-term, and long-term restoration and/or maintenance planned for the vessel. Such plan should be updated annually at a minimum, and included as an enforceable condition to the relevant Park occupancy agreement for the vessel.

Responsible maintenance and restoration work aboard historic vessels in the park may be permitted, on a case-by-case basis, provided that it is consistent with an approved plan, all applicable environmental requirements, and the Hudson River Park Sanctuary Plan and other Park requirements.

5. Crew: The Hudson River Park Act prohibits residential occupancy within the Park. No individual may make their permanent residence within the park or aboard historic vessels permanently berthed in the Park. Vessels may, however, be staffed overnight for programming purposes with advance approval from the Trust, and during adverse weather/river conditions or emergencies in order to protect life and property. Vessel representatives will be required to inform the Trust in advance of these needs and will provide the names of all crew members or staff present in the Park after hours. Failure to comply can result in the immediate termination of the lease.

C. Criteria for Short-Term or Temporary Docking within the Park

Historic vessels requesting short-term or temporary dockage of six months or less in Hudson River Park for public exhibition and educational programming must provide the Trust with information related to each of the above criteria. However, to encourage harbor festivals and short term visits by historic vessels, the Trust will consider, where appropriate, more flexible selection criteria and operational requirements.

As a general rule, any applications for such stays should provide information in each of the areas as outlined above. Some degree of public access and insurance are mandated and non-negotiable. All other standards can be discussed between the Trust and the Applicant.

Conclusion

The primary intent of this policy is to assist the Trust in meeting its mission of providing quality and safe maritime history opportunities while protecting the natural and cultural resources found in Hudson River Park. Although it is ultimately the Trust that is responsible for fulfilling its legislative mandate, we view the historic vessel policy as a helpful resource in meeting our mission. In setting forth the above guidelines we realize that it is difficult to anticipate the future needs of the Park and that there may be many creative ways to protect park resources and serve the public. Nonetheless, we believe these guidelines will assist the Trust as it proceeds with management and decision-making concerning historic vessel selection,

maintenance and operation within the park. The guidelines are intentionally general in nature and the particulars of each historic vessel proposal must be evaluated on a case-by-case basis. As we move forward, the Trust will develop specific historic vessel docking application and instruction materials to ensure that all needed information is elicited from proposers in connection with the consideration of historic vessel docking and program proposals. The Trust hopes and expects that this policy will promote an experience enriched by the presence and programs of historic vessels celebrating New York's maritime history.

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