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-2014-00101-EYA
Issue Date: August 12, 2014
Expiration Date: September 12, 2014

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

APPLICANT: Kim Volman
1300 Seawane Drive
Hewlett Harbor, NY 11557

ACTIVITY: New Bulkhead, new pier structures, fill placement in wetland and wetland restoration

WATERWAY: Macy Channel

LOCATION: Hewlett Harbor, Town of Hempstead, Nassau 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.

PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE

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. Comments provided will become a part of the public record for this action.

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.

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 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 occurs. 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

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

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 - 8092 and ask for Jun Yan.

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

for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

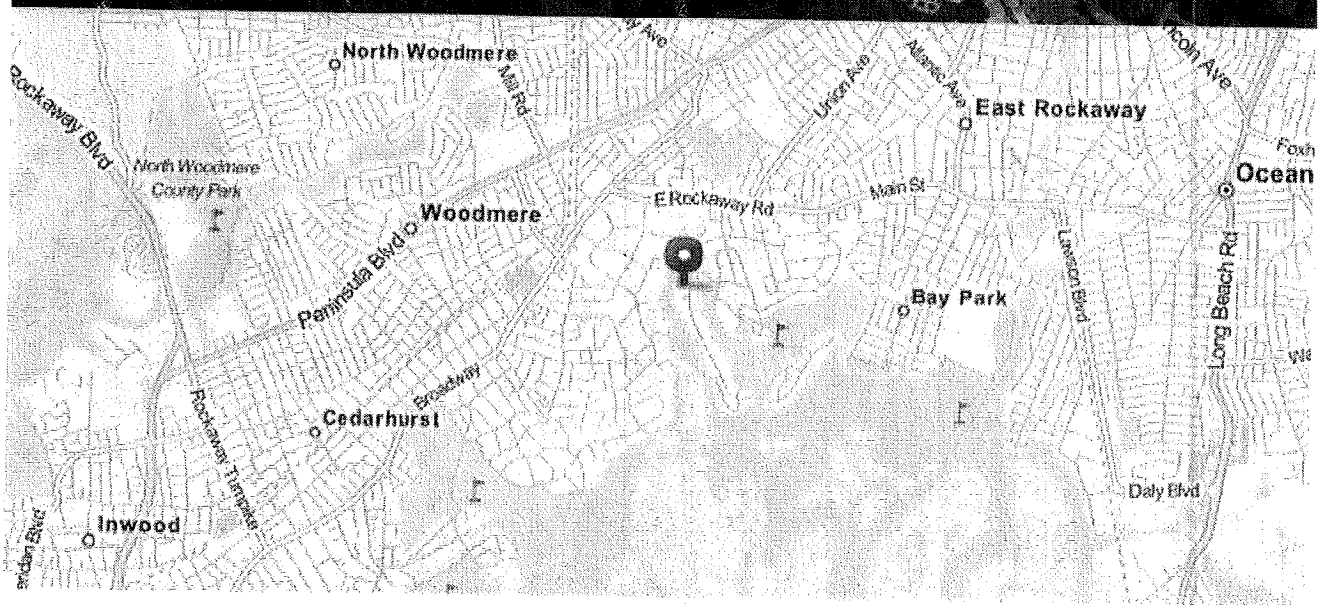
The applicant, Kim Volman, has requested Department of the Army authorization for new Bulkhead, new pier structures, fill placement in wetland and wetland restoration in Macy Channel, in Hewlett Harbor, Town of Hempstead, Nassau County, New York.

Installation of a 4-foot wide by 19-foot long catwalk connected to a 3-foot wide by 18-foot long ramp onto a 4-foot wide by 26-foot long float with two (2) 4-foot wide by 30-foot long finger float and fourteen (14) 12-inch diameter mooring piles. The work would involve installation of 220 linear feet of new bulkhead. Place approximately 350 cubic yards of fill into approximately 0.1727 acres of tidal wetland behind the bulkhead. The new bulkhead sheathing contains open locks that would allow water to continue to enter the tidal wetland and the area will be planted with bay berries, cord grass, switch grass and winterberry holly to restore the tidal wetland vegetation. The high marsh area waterward of the bulkhead will be restored with wetland plantings of cord grass, switch grass, rosa rugosa, and baccharis hamilfolia.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by limiting construction to the smallest area practicable and provided on site wetland restoration.

The stated purpose of this project is to provide safe recreational mooring and shoreline stabilization.

NAN-2014-00101-EYA



LATITUDE 40° 38' 4" N
LONGITUDE 73° 41' 29" W

LOCATION PLAN

NOT TO SCALE

N

APPLICANT:
KIM VOLMAN
1300 SEAWANE DR
HEWLETT HARBOR, NY 11557

BLUE GATE CONSULTING
PO BOX 327
MASSAPEQUA, NY 11758
516 798-4845

GRAY ARCHITECTURAL SERVICES, P.C.
2401 CAPRI PL
N BELLMORE, NY 11710

REGISTERED ARCHITECT
CHRISTOPHER L. GRAY
027536
STATE OF NEW YORK

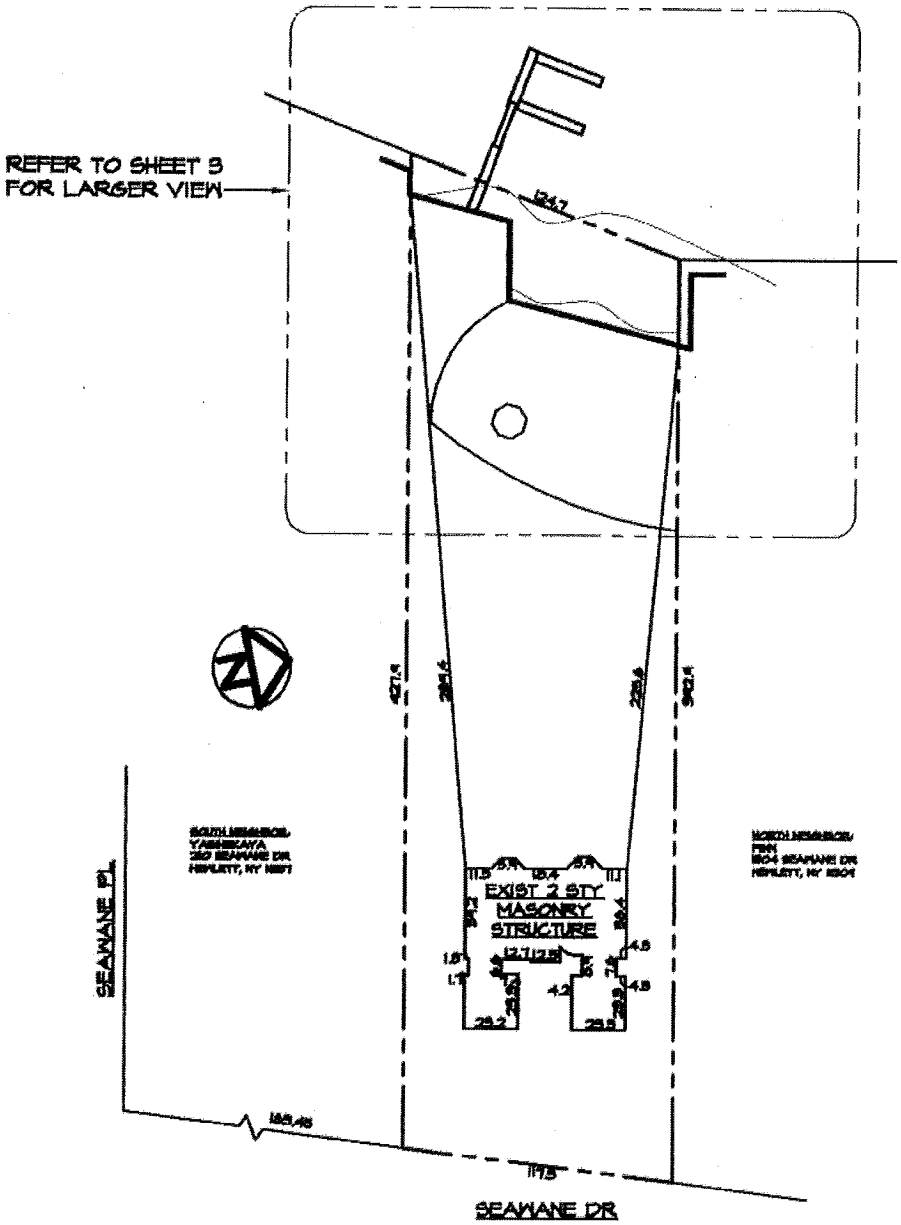
VILLAGE OF HEWLETT HARBOR

COUNTY OF NASSAU

SECTION	42
BLOCK	K
LOT	202
FLOOD ZONE	AE

SHEET 1 OF 6
12-19-13 4-2-14
1-27-14
3-27-14

NAN-2014-00101-EYA



PLOT PLAN

1"=80'

APPLICANT:
KIM VOLMAN
1300 SEAWANE DR
HEWLETT HARBOR, NY 11557

BLUE GATE CONSULTING
PO BOX 327
MASSAPEQUA, NY 11758
516 798-4845

GRAY ARCHITECTURAL SERVICES, P.C.
2401 CAPRI PL
N BELLMORE, NY 11710

REGISTERED ARCHITECT
CHRISTOPHER GRAY
027536
STATE OF NEW YORK

VILLAGE OF HEWLETT HARBOR

COUNTY OF NASSAU

SECTION	42
BLOCK	K
LOT	202
FLOOD ZONE	AE

SHEET 2 OF 6
12-19-13 4-2-14
1-27-14
3-27-14

NAW-2014-00101-EYA

MACY CHANNEL

INSTALL 26'x 4' FLOATING DOCK

INSTALL 18'x 3' ALUMINUM RAMP

(14) 12" MOORING PILES

EBB → FLOW

INSTALL 30'x 4 SEASONAL DOCK FINGERS

NOTE:
REBUILD INTER-TIDAL MIDIGATION AREA AND HIGH MARSH AREA TO BE A PRODUCTIVE ENVIRONMENT FOR ALL PLANTINGS

REMOVE 75 LF OF EXISTING BULKHEAD

INSTALL 19 x 4' CATWALK

124.7

WOOD CHIP WALK WAY

AMERICAN CORD GRASS PLUGS (INTER TIDEL MIDIGATION) BOUNDRY LINE

INSTALL 220 LF OF NEW BULKHEAD

AMERICAN CORD GRASS PLUGS (INTER TIDEL MIDIGATION)

MLW: -1.1'

TIDAL WETLAND BOUNDRY LINE

(NO CLEAN FILL NECESSARY)

350 C/Y OF CLEAN FILL

MHW: 3.1'

HIGH MARSH PLANTINGS

HIGH MARSH AREA TO RECEIVE SUGGESTED PLANTINGS-(25) GALLON-ROSA RUGOSA, (25) GALLON- BACCHARIS HAMILFOLIA, (10) GALLON-IVA FRUTESCENS

12 C/Y OF PLANTING MULCH IN THE HIGH MARSH AREA COMBINED WITH PLANTINGS AND SOIL TO ENRICH THE SOIL TO ENSURE SURVIVAL OF PLANTINGS

EXISTING WINDMILL

350 C/Y OF CLEAN FILL

500 SWITCH GRASS PLUGS

TIDAL WETLAND BOUNDRY LINE

SOUTH NEIGHBOR:
YASINSKAYA
210 SEAWANE DR
HEWLETT, NY 11557

NORTH NEIGHBOR:
FINN
1304 SEAWANE DR
HEWLETT, NY 11509

PLOT PLAN

1"=30.0'

APPLICANT:
KIM VOLMAN
1300 SEAWANE DR
HEWLETT HARBOR, NY 11557

BLUE GATE CONSULTING
PO BOX 327
MASSAPEQUA, NY 11758
516 798-4845

GRAY ARCHITECTURAL SERVICES, P.C.
2401 CAPRI PL
N BELLMORE, NY 11710

VILLAGE OF HEWLETT HARBOR

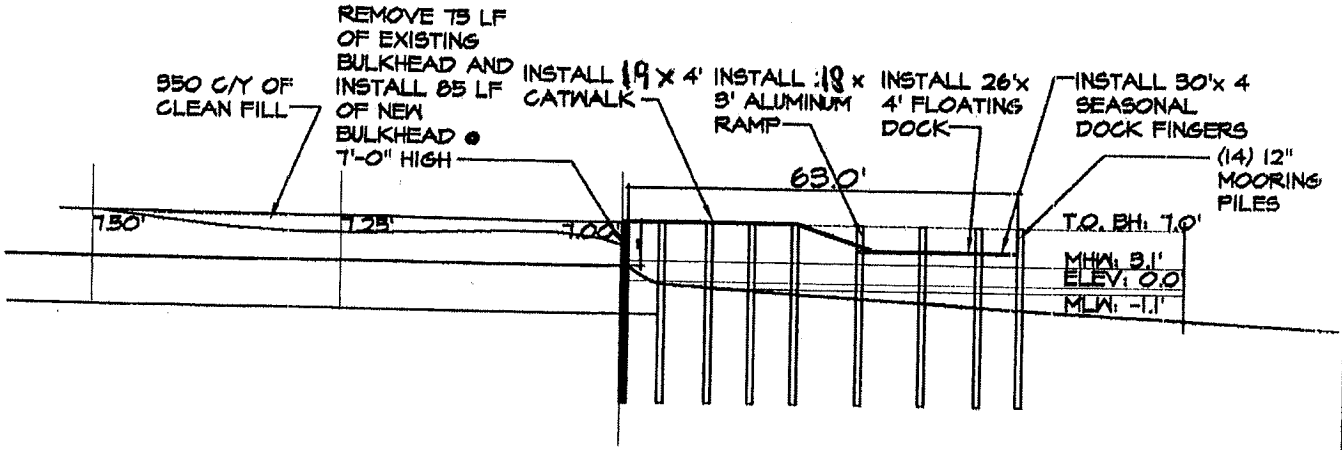
COUNTY OF NASSAU

SECTION	42
BLOCK	K
LOT	202
FLOOD ZONE	AE

SHEET 3 OF 6

12-19-13 4-2-14
1-27-14 5-6-14
3-27-14

NAN-2014-00101-EYA



DOCK CROSS SECTION

1"=30.0'

PROJECT:

1- REMOVE 75 LF OF EXISTING BULKHEAD
2- INSTALL 220 LF OF NEW BULKHEAD
3- 3'x18' ALUMINUM RAMP
4- 340 SF OF FLOAT
5- (14) 12"x30" MOORING PILES
6- 350 C/Y OF CLEAN FILL
7- 12 C/Y OF PLANTING MULCH COMBINED WITH PLANTINGS AND SOIL TO ENRICH THE SOIL TO ENSURE SURVIVAL OF PLANTINGS
8- HIGH MARSH AREA TO RECEIVE SUGGESTED PLANTINGS-(25) GALLON-ROSA RUGOSA, (25) GALLON-- BACCHARIS HAMILFOLIA, (10) GALLON-IVA FRUTESCENS 500 SPIKE GRASS PLUGS
9- AMERICAN CORD GRASS PLUGS (INTER TIDEL MIDIGATION)

FLOAT MATERIALS:

12"x 25' PILES AT 6' ON CENTER
6"x8" WHALERS (3) ROWS
3.5 SHEATHING 18' CLAY
5/8" TIMBER BOLTS
5/8" LAG BOLTS
3x10 BOX FRAME
2x10 INSIDE FRAME
2x6 DECKING
HD METAL CORNERS
1/2" CARRIAGE BOLTS
12" CLEATS
CORNER BUMPER ON EDGE OF FLOAT
12" PERMA FLOATS

APPLICANT:
KIM VOLMAN
1300 SEAWANE DR
HEWLETT HARBOR, NY 11557

BLUE GATE CONSULTING
PO BOX 327
MASSAPEQUA, NY 11758
516 798-4845

GRAY ARCHITECTURAL SERVICES, P.C.
2401 CAPRI PL
N BELLMORE, NY 11710

REGISTERED ARCHITECT
ANTHONY T. GRAY
STATE OF NEW YORK

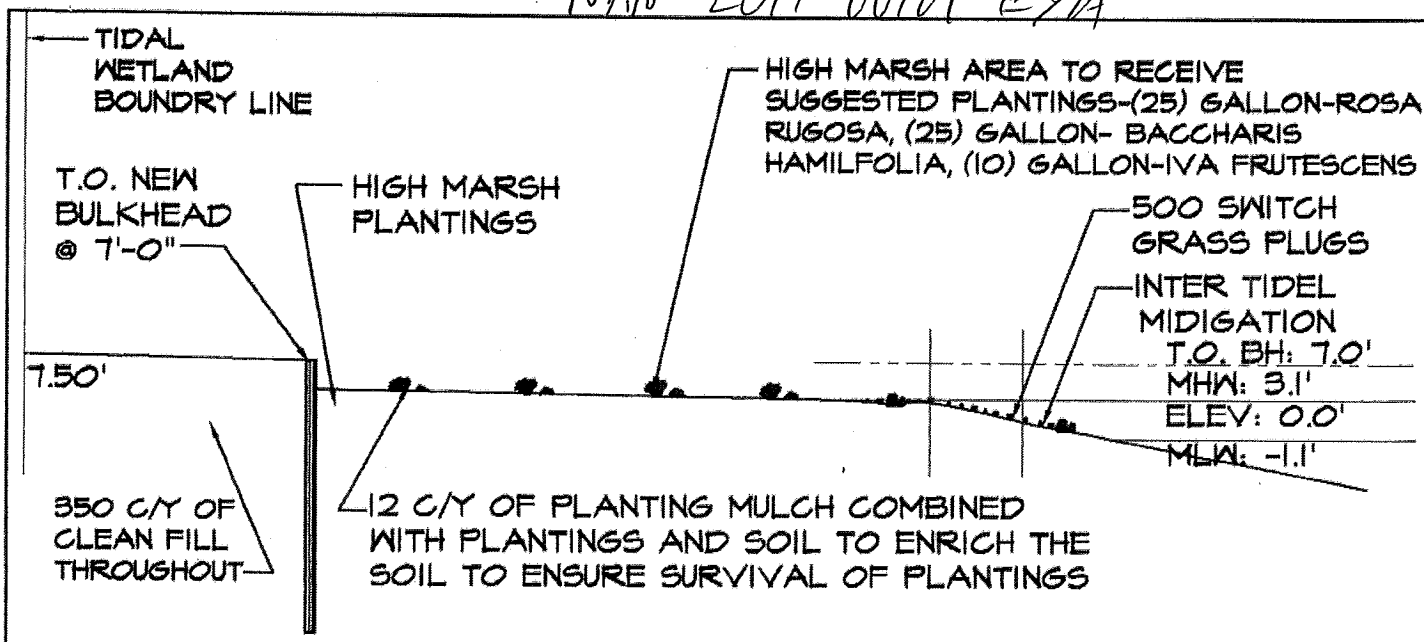
VILLAGE OF HEWLETT HARBOR

COUNTY OF NASSAU

SECTION	42
BLOCK	K
LOT	202
FLOOD ZONE	AE

SHEET 4 OF 6
12-19-13 4-2-14
1-27-14
3-27-14

NAN-2014-00101-EYA



WETLANDS CROSS SECTION

1"=20.0'

PROJECT:

1- REMOVE 75 LF OF EXISTING BULKHEAD
2- INSTALL 220 LF OF NEW BULKHEAD
3- 3'x18' ALUMINUM RAMP
4- 340 SF OF FLOAT
5- (14) 12"x30" MOORING PILES
6- 350 C/Y OF CLEAN FILL
7- 12 C/Y OF PLANTING MULCH COMBINED WITH PLANTINGS AND SOIL TO ENRICH THE SOIL TO ENSURE SURVIVAL OF PLANTINGS
8- HIGH MARSH AREA TO RECEIVE SUGGESTED PLANTINGS-(25) GALLON-ROSA RUGOSA, (25) GALLON- BACCHARIS HAMILFOLIA, (10) GALLON-IVA FRUTESCENS 500 SPIKE GRASS PLUGS
9- AMERICAN CORD GRASS PLUGS (INTER TIDEL MIDIGATION)

FLOAT MATERIALS:

12"x 25' PILES AT 6' ON CENTER
6"x8" WHALERS (3) ROWS
3.5 SHEATHING 18' CLAY
5/8" TIMBER BOLTS
3/8" LAG BOLTS
3x10 BOX FRAME
2x10 INSIDE FRAME
2x6 DECKING
HD METAL CORNERS
1/2" CARRIAGE BOLTS
12" CLEATS
CORNER BUMPER ON EDGE OF FLOAT
12" PERMA FLOATS

APPLICANT:
KIM VOLMAN
1300 SEAWANE DR
HEWLETT HARBOR, NY 11557

BLUE GATE CONSULTING
PO BOX 327
MASSAPEQUA, NY 11758
516 798-4845

GRAY ARCHITECTURAL SERVICES, P.C.
2401 CAPRI PL
N BELLMORE, NY 11710

REGISTERED ARCHITECT CHRISTOPHER L. GRAY 027536 STATE OF NEW YORK

VILLAGE OF HEWLETT HARBOR

COUNTY OF NASSAU

SECTION	42
BLOCK	K
LOT	202
FLOOD ZONE	AE

SHEET 5 OF 6

12-19-13 4-2-14
1-27-14 5-6-14
3-27-14