



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-2008-00666-ESP**
Issue Date: 22 SEP 2008
Expiration Date: 22 OCT 2008

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: Admirals Cove LLC
P.O. Box 1125
Syosset, N.Y. 11791

ACTIVITY: Replace bulkheading, fill boat ramps, and install dolphins and safety ladders

WATERWAY: Bellmore Creek, Hempstead Bay

LOCATION: Bellmore, 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.

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.

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 of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) 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 life stages of some EFH-designated species. However, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS 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 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, 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 permit
- Town of Hempstead permit

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) 790-8522 and ask for Craig Spitz.

PLEASE USE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE

CENAN-OP-RE

22 SEP 2008

PUBLIC NOTICE NO. NAN-2008-00666-ESP

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



A handwritten signature in black ink, appearing to read "Richard L. Tomer". Below the signature, the date "19 Sep 2008" is written.

For Richard L. Tomer
Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

The applicant, Admirals Cove, LLC, has requested Department of the Army authorization to replace bulkheading, fill boat ramps, and install dolphins and safety ladders in Bellmore Creek, Hempstead Bay at Bellmore, Town of Hempstead, Nassau County, New York.

The work would involve the removal and replacement, in-place or landward, of approximately 584 linear feet of bulkhead.

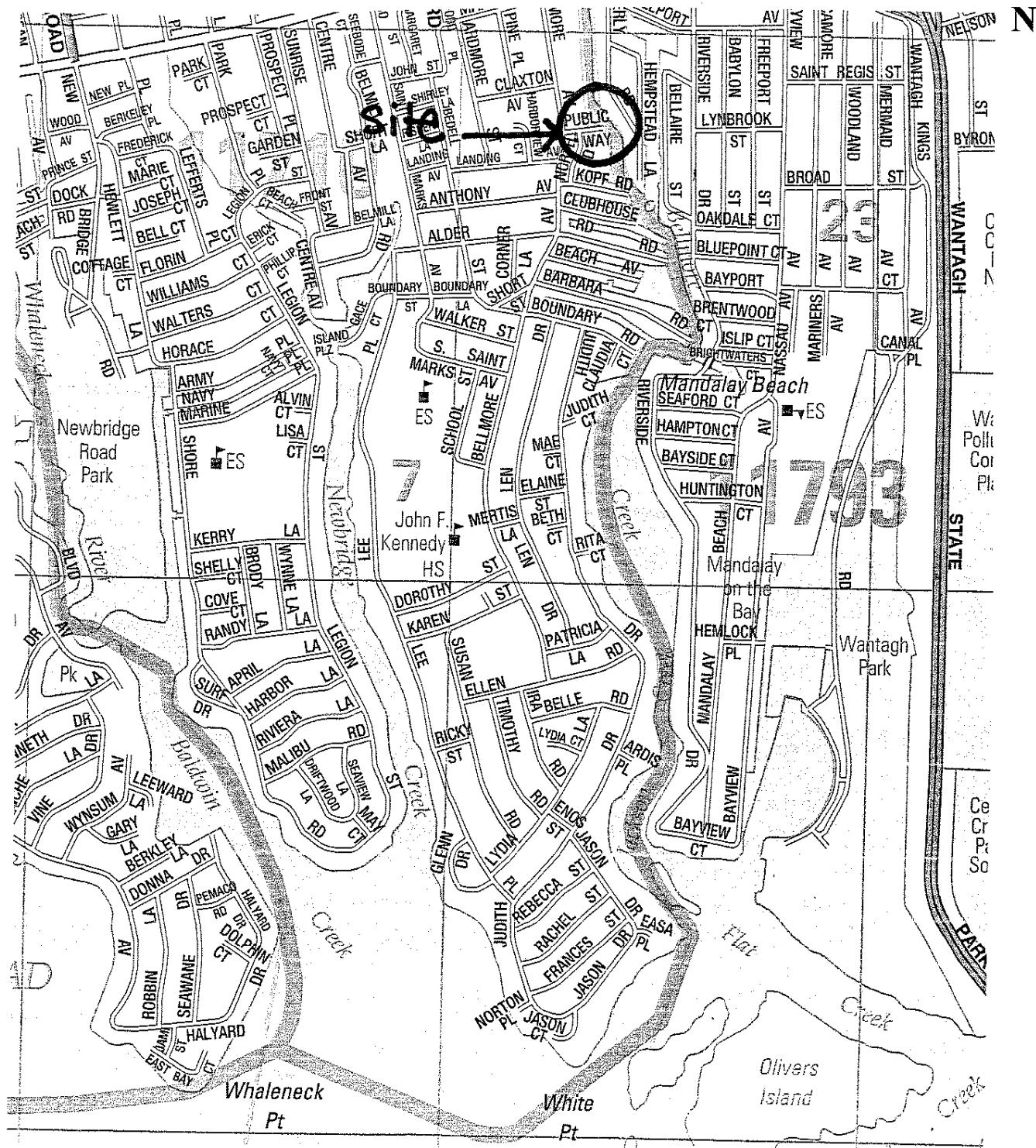
Two existing boat ramps would be closed off with the replacement bulkheading followed by the discharge of approximately 275 cubic yards of clean material below the plane of Spring High Water (SHW) in the 16.5-foot to 17-foot wide by 50 to 51-foot long southern boat ramp and approximately 218 cubic yards of clean material below the plane of SHW in the 15.5-foot to 18-foot wide by 38 to 38.5-foot long northern boat ramp.

Three (3) 3-pile dolphin clusters would be installed at the bulkhead corners at the south side of the marina and a safety ladder would be installed at each bulkhead.

The stated purpose of this project is to prevent erosion to the upland property.

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Admirals Cove LLC - Bellmore Location Map

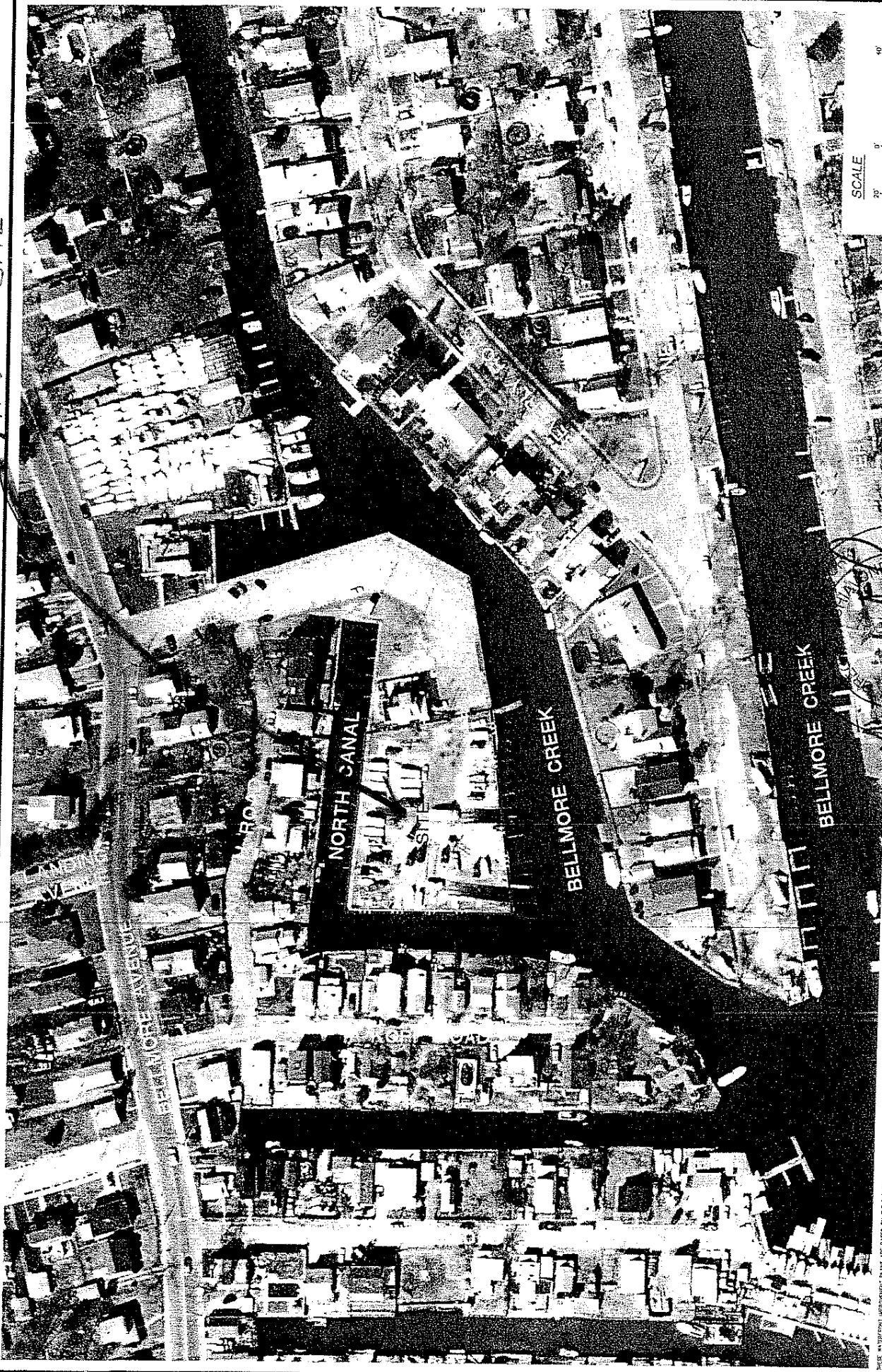


Land Use Ecological Services, Inc.
PO Box 1060
Riverhead, NY 11901
Tel. 631-727-2400 Fax. 631-727-2605

Location map taken from Nassau County Atlas, Hagstrom, 2007.
N $40^{\circ}39'39''$ (coordinates are center of project site)
W $73^{\circ}31'16''$

SHEET 1 / 9

PAG 976



AERIAL PHOTOGRAPH

Admirals Cove LLC
STUARTE, FL

SITUATION OF

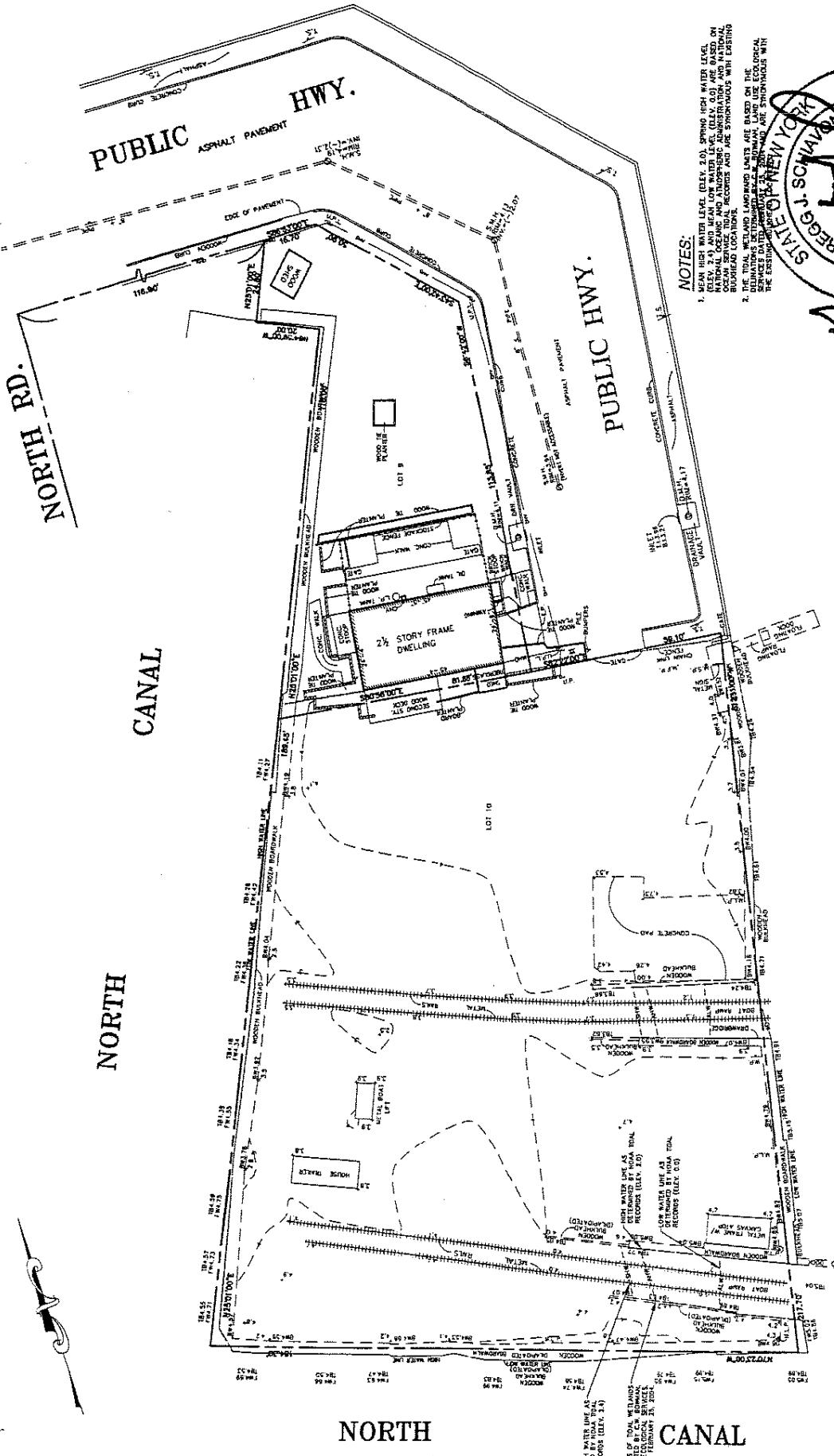
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HAWAII ENGINEERING

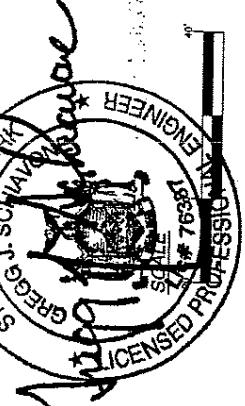
Robinson, Muller & Schiavone Engineers, PC

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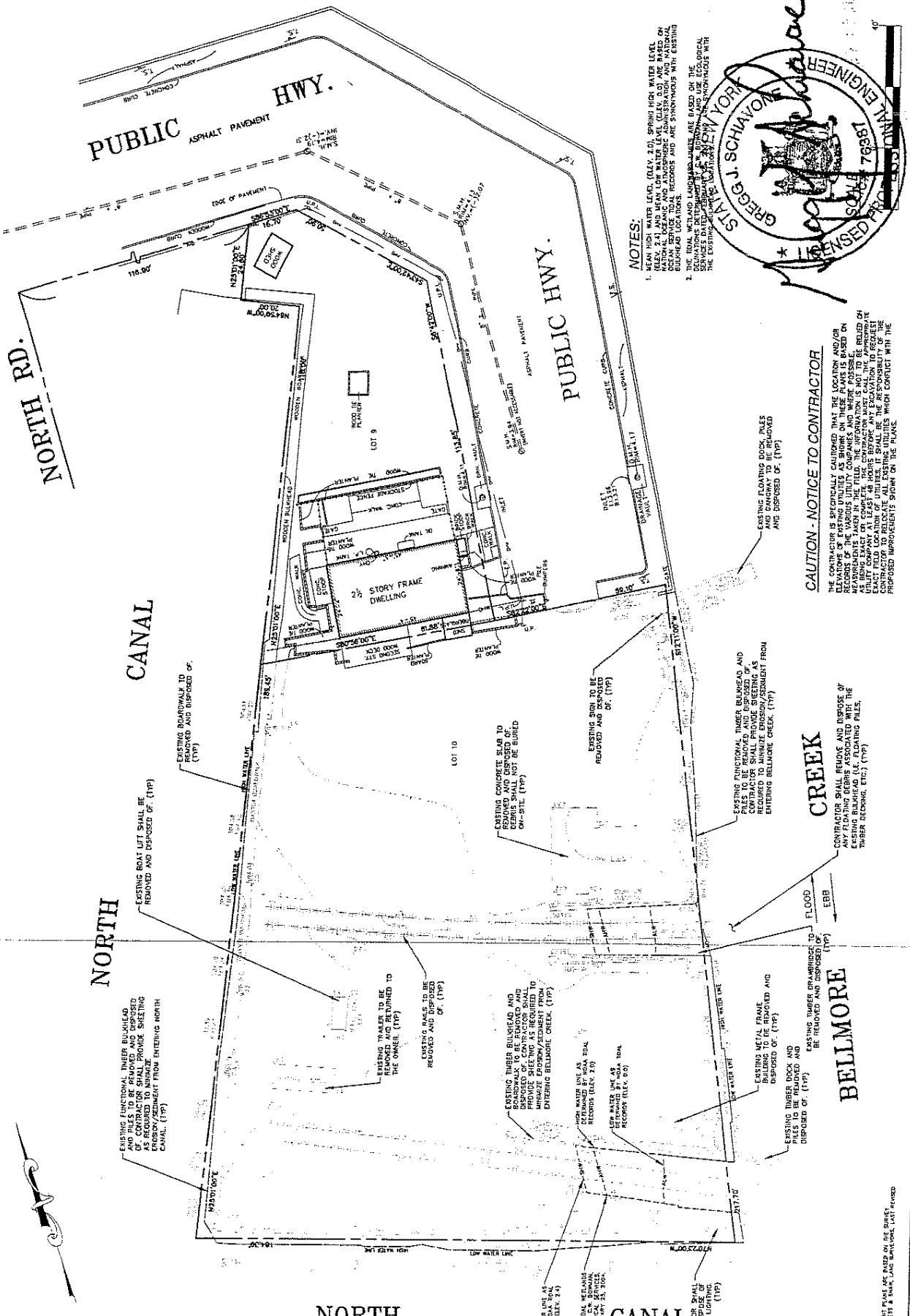
365 New York Avenue, Huntington, New York 11743
Phone 631-271-0578 Fax 631-271-0582



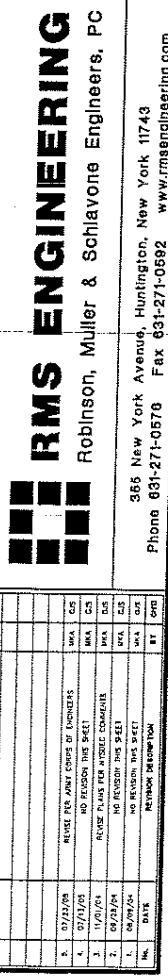
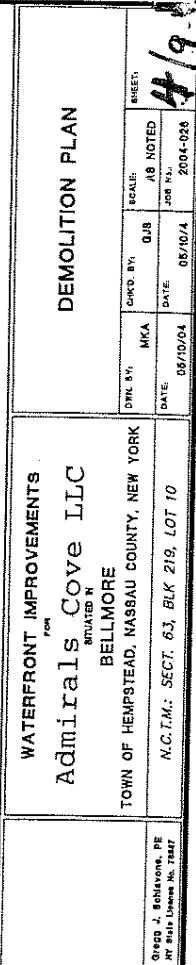
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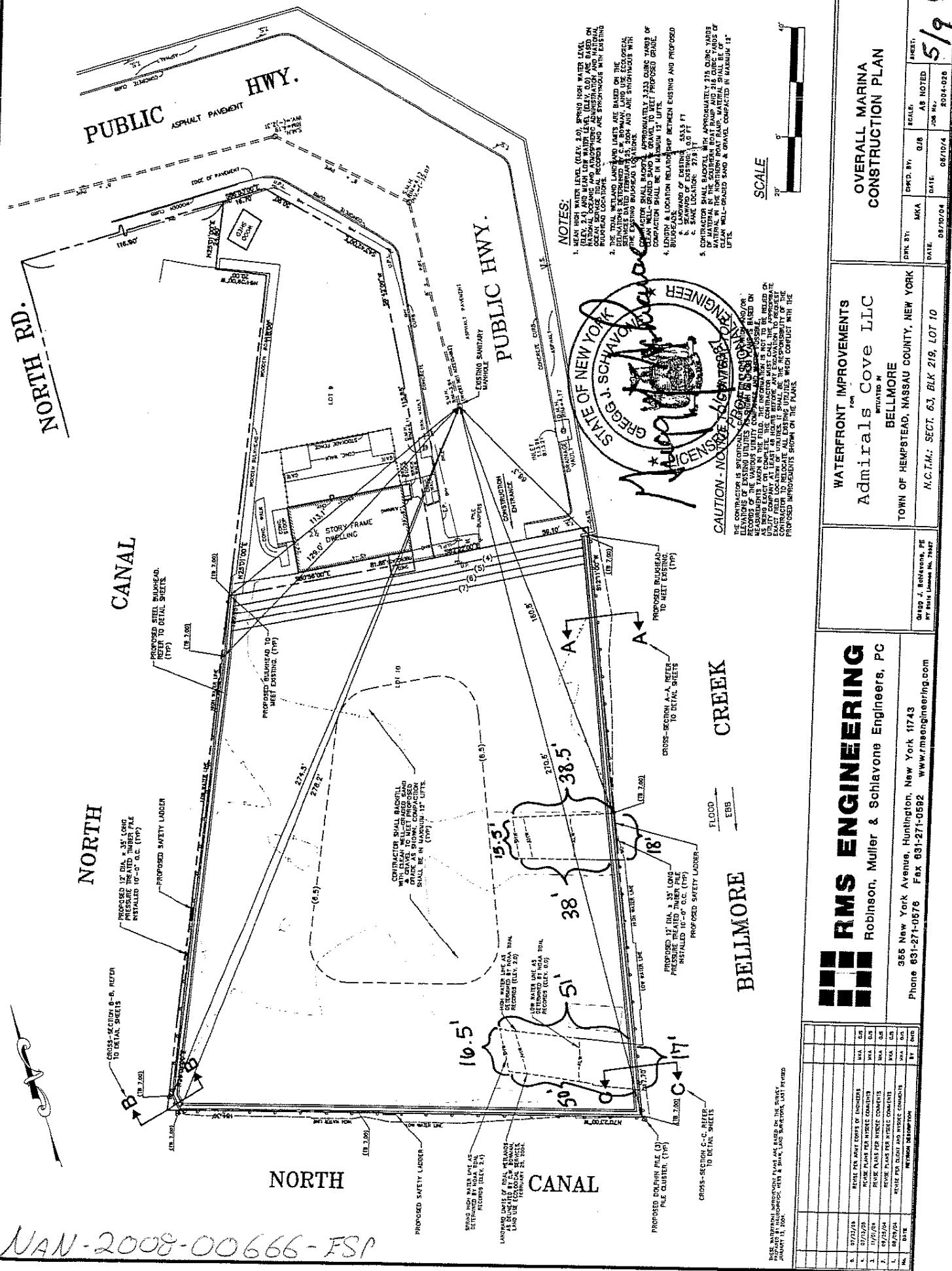


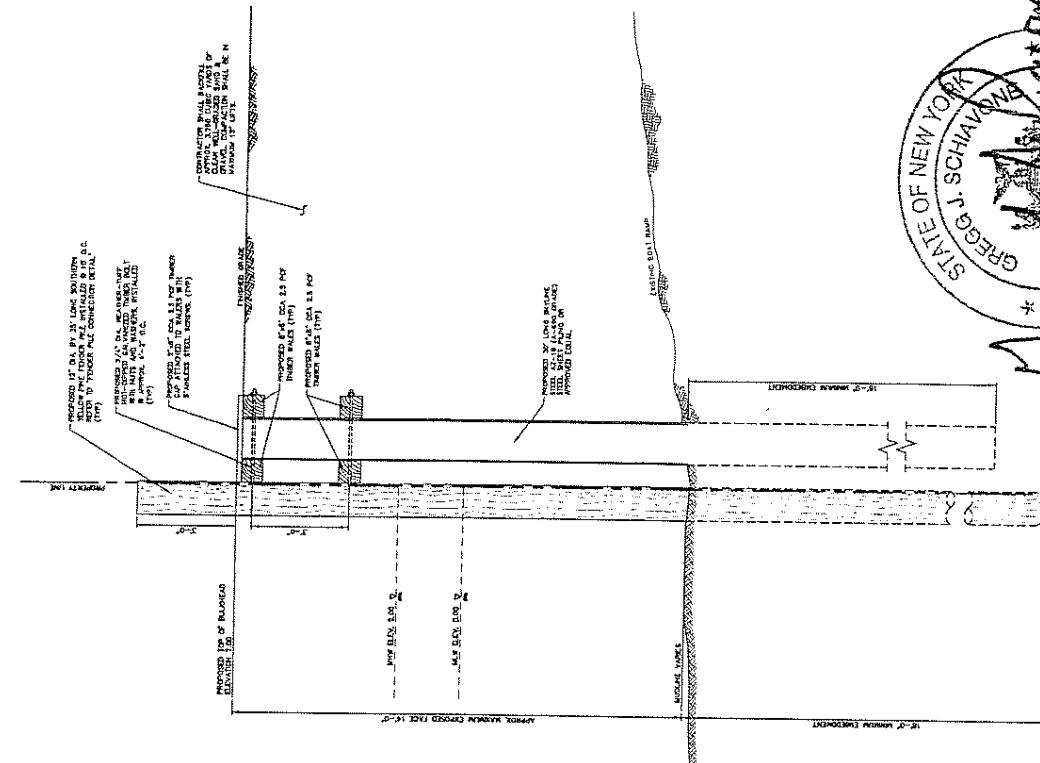
EXISTING CONDITIONS PLAN



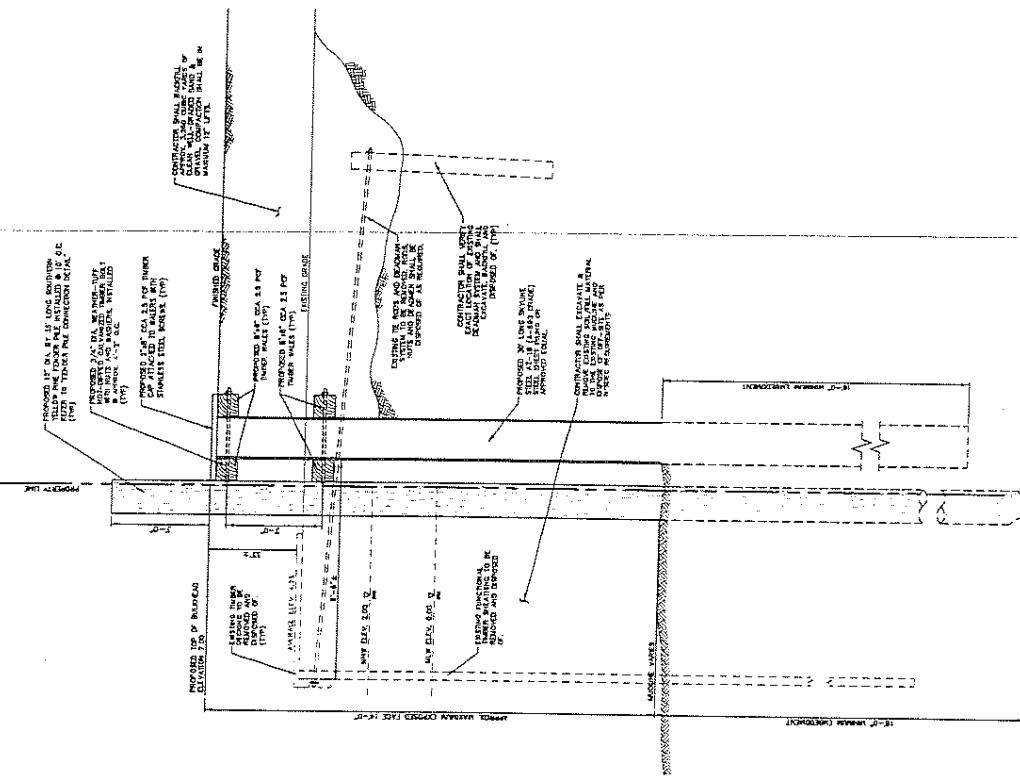
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BULKHEAD CROSS-SECTION A-A
SCALE: 1/2" = 1'

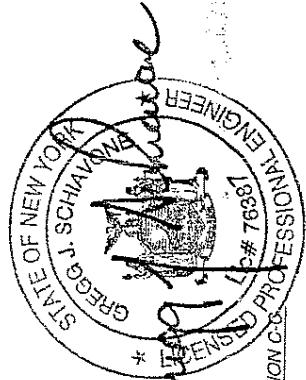


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6.	07/17/08	REVIEW PER ALARM CONTRACTORS	100A	
5.	07/17/08	NO REVIEW THIS SETT	100A	
4.	12/14/08	REVIEW PLANS FOR WINDSHIELD CONTRACTORS	-	
3.	11/18/08	REVIEW PLANS FOR HYDRAULIC CONTRACTORS	100A	
2.	09/27/08	REVIEW PLANS FOR ELECTRICAL CONTRACTORS	100A	
1.	08/10/08	REVIEW PLANS FOR MECHANICAL CONTRACTORS	100A	
RE.	DATE	REVIEW WORKSHEET	BY	

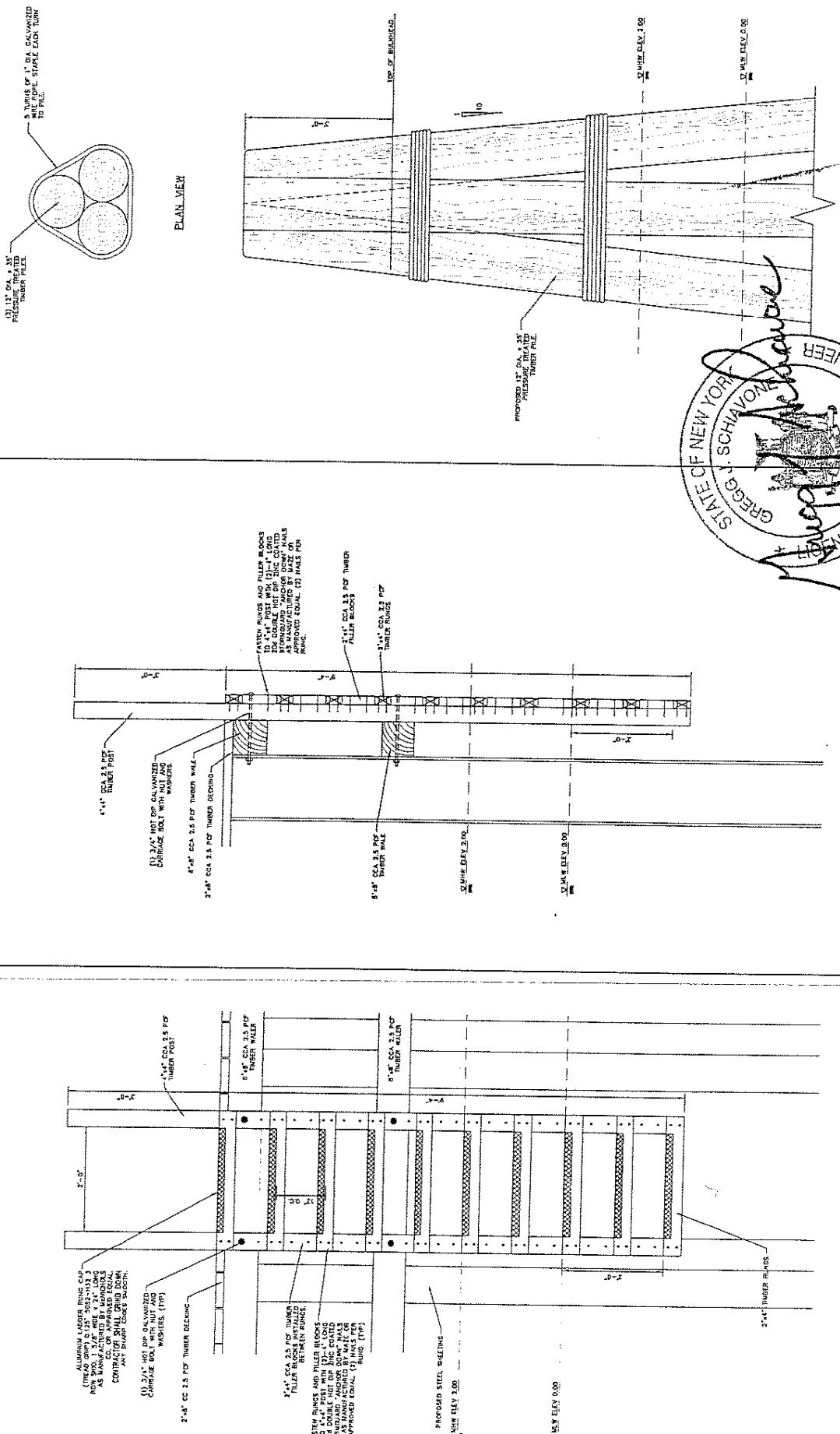
RMS ENGINEERING				
Robinson, Muller & Schiavone Engineers, PC		Admirals Cove LLC	BELLMORE	
TOWN OF HAMPTON, NASSAU COUNTY, NEW YORK		INITIATED BY		

CONSTRUCTION DETAILS				
DATE BY:	MKA	CORD. BY:	GUB	AS NOTED
05/10/04				REVIEW SHEET NO. 719
DATE:	05/10/04	DATE:	05/10/04	FOR NO. 2004-028
BULKHEAD CROSS-SECTION C-C				
PROFESSIONAL ENGINEER'S SIGNATURE				
STATE OF NEW YORK GEORGE J. SCHIAVONE, P.E. LIC# 76581 PROFESSIONAL ENGINEER				
INSTRUMENT NUMBER: 20-31				
SCALE: 1/2" = 1'				



RMS ENGINEERING
Robinson, Muller & Schiavone Engineers, PC
355 New York Avenue, Huntington, New York 11743
Phone 631-271-0578 Fax 631-271-0592 www.rmsengineering.com

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