

May 6, 2010

Mr. Roy L. Haje  
En-Consultants, Inc.  
1329 North Sea Road  
Southampton, NY 11968

Re: F-2002-1167  
U.S. Army Corps of Engineers/New York District Permit  
Application -Ketan Shevde - Construct Pier Assembly  
Little Neck Bay, Town of North Hempstead, Nassau County  
**Objection To Consistency Certification - Insufficient  
Information**

Dear Mr. Haje:

In our letter to you dated February 10, 2003 (copy attached), we described the type of and need for necessary information regarding the consistency certification for the above-referenced matter. That information was not received. Therefore, pursuant to 15 CFR Part 930.63(c), the Department of State objects to your consistency certification on the grounds of insufficient information.

Pursuant to 15 CFR Part 930, Subpart H, and within 30 days from receipt of this letter, you may request that the U.S. Secretary of Commerce override this objection. In order to grant an override request, the Secretary must find that the activity is consistent with the objectives or purposes of the Coastal Zone Management Act, or is necessary in the interest of national security. A copy of the request and supporting information must be sent to the New York Coastal Management Program and to the federal permitting or licensing agency. The Secretary may collect fees from you for administering and processing your request.

The appeal process can be a lengthy one, therefore, if you would like to continue discussions with this office while pursuing an appeal, please call Vance A. Barr at (518) 402-3399. If you or your client are represented by counsel, kindly have your attorney contact Mr. Barr for referral to our Legal Division.

The U.S. Department of Commerce and U.S. Army Corps of Engineers are being notified of this decision by copy of this letter.

Sincerely,

Sam Messina  
Deputy Director

Enclosure

cc: OCRM - John King  
COE/NY District - Marc Helmann  
NYS DEC/Region 1 - John Pavacic  
NYS DEC/Region 1 - Karen Graulich

Town of North Hempstead Building Department - Joseph Madden