

*Long Island Power Authority
Caithness Long Island Energy Center*

Findings Statement

December 2005

**LEAD AGENCY FINDINGS STATEMENT
STATE ENVIRONMENTAL QUALITY REVIEW ACT**

This Findings Statement has been prepared in accordance with Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617.

Lead Agency: Long Island Power Authority (LIPA)

Address: 333 Earle Ovington Boulevard
Uniondale, New York 11553

Name of Action: Caithness Long Island Energy Center

SEQRA Classification: Type 1 Action

Description of Action: Caithness Long Island, LLC, the project sponsor, has proposed to site, install and operate a combined-cycle combustion turbine generator with an output of approximately 350 megawatts and other associated equipment and structures on an approximately 15-acre site within a 96-acre parcel in the Town of Brookhaven's Empire Development Zone. The proposed facility will consist of a Siemens Westinghouse Power Corporation 501F turbine, a heat recovery steam generator and a single steam turbine. The heat recovery steam generator will be equipped with natural gas-fired duct burners. Air-cooled condensing will be employed to minimize water usage, reduce water treatment costs and eliminate cooling tower plume impacts. Selective catalytic reduction technology and an oxidation catalyst will be utilized to reduce air emissions. The facility will interconnect to the 138-kilovolt (kV) LIPA system within the 96-acre parcel via a new 138 kV switchyard to be constructed on site and adjacent to the existing LIPA 138 kV Holbrook-to-Brookhaven transmission line right-of-way. LIPA will use the plant's capacity, energy and ancillary services to help meet Long Island's long-term energy needs.

Location: The facility will be located on a 15-acre site within an approximately 96-acre parcel located south of the Sills Road interchange (Exit 66) of the Long Island Expressway within the Town of Brookhaven, Suffolk County, Long Island. The property is east of Old Dock Road and north of Horseblock Road and bounded on the north by the Long Island Railroad.

Date FEIS Filed: June 23, 2005.

I. INTRODUCTION

This Findings Statement for the Caithness Long Island Energy Center (the "Project") provides the Long Island Power Authority's rationale for its decision on the Project, drawing upon information in the Final Environmental Impact Statement (FEIS) prepared at the direction of LIPA as the SEQRA lead agency, as well as related documents and public comments received on the Project, including the Draft Environmental Impact Statement (DEIS) dated March 2005.

This Findings Statement also certifies that LIPA, as lead agency, has met the applicable requirements of 6 NYCRR Part 617 in reviewing the Project, including but not limited to:

- Establishing LIPA as the lead agency;
- Preparing a Draft Scope of Work for the Draft Environmental Impact Statement for public review and comment;
- Holding a public meeting and receiving written comments on the Draft Scope of Work;
- Preparing a Final Scope of Work for the Draft Environmental Impact Statement;
- Causing the preparation of the DEIS by the project sponsor;
- Accepting the DEIS for public review and comment;
- Holding a public hearing on the DEIS;
- Receiving public comments on the DEIS within the prescribed period after the close of the public hearings;
- Causing the preparation of the FEIS; and
- Accepting the FEIS and filing a Notice of Completion.

This Findings Statement is the final step in the SEQRA process for the Project.

A. Project Purpose and Need

LIPA is pursuing a diverse portfolio of resources to provide cost-effective, reliable electric power to its customers on Long Island. To this end, LIPA issued a Request for Proposals seeking proposals for 250 to 600 megawatts (MW) of baseload supply to help meet Long Island's long-term energy needs. In June 2004, LIPA selected the Caithness Long Island Energy Center proposed by Caithness Long Island, LLC (Caithness) as one of the proposed projects to meet baseload needs.

LIPA's mission is to deliver safe, reliable, and economical electric service to its customers. LIPA is committed to continuously being responsive to its customers' needs, upgrading and enhancing the electric system, and advancing energy efficiency and renewable technology initiatives, thereby fostering economic stability and growth and

improving the quality of life within its service territory. In pursuit of this goal, LIPA adopted its Energy Plan 2004 to 2013 in June 2004. The Energy Plan sets forth five objectives:

- Objective 1: Enhance reliability of the bulk power system;
- Objective 2: Enhance reliability of the distribution system;
- Objective 3: Minimize customer rates and increase customer satisfaction;
- Objective 4: Promote a healthy environment; and
- Objective 5: Position LIPA to respond rapidly to change.

The Project will meet three of these objectives. It will enhance the reliability of the power system by increasing generation on the eastern end of the island, where load growth is highest. It will minimize customer rates by more efficiently utilizing fuel. Finally, the Project will promote a healthy environment by having, on a per megawatt basis, very low air emissions.

The need for additional power generating resources in New York and Long Island in particular is addressed in the report, "Power Trends: New York's Success & Unfinished Business," May 2004, prepared by the New York Independent System Operator (NYISO), the organization that controls the flow of electric power in New York State. The NYISO, while acknowledging some success, still predicts a need for additional energy production capacity in order to meet New York's growing energy needs. For additional energy production capacity, NYISO made the following observations:

- "The NYISO recommends that additional capacity, predominantly in NYC and on Long Island, should be completed in the 2008 and beyond timeframe in order to ensure that the City and Long Island do not fall below minimum reliability requirements. The amount of this capacity should be a minimum of 500 to 1,000 MW each year depending on the pace of demand growth... Long Island is even more critical and may fall below its locational requirements next year. LIPA is installing a number of small generators on an emergency basis for this summer, and has issued RFPs for new resources. However, the urgency of siting additional generation on Long Island as soon as possible cannot be overstated."
- By 2009, Long Island will face a deficit in its Installed Capacity requirements of 276 MW unless new generation is added even with completion of new facilities already under construction.
- "The NYISO recommends now that 2,000 MW of new generation be added by 2009, predominantly in NYC and Long Island, and that 500 to 1,000 MW be approved and constructed annually thereafter depending on the pace of electricity usage."

- Looking beyond reliability requirements, NYISO explains that a newer, more efficient fleet of generating facilities would “produce orders of magnitude improvement in terms of emissions reductions.”

NYISO issued an updated Power Trends Report in April 2005, which confirmed the need for additional capacity on Long Island.

NYISO requires LIPA to either own or have contracts for generating capacity and other resources to meet peak summer demand, plus a reserve of 18 percent. This reserve requirement is necessary in the event of possible outages of power plants, as well as weather conditions that may be warmer than anticipated, as has been the case in several of the past summers. Because of Long Island’s geographic distance and separation from the rest of New York State’s electric generating capacity, NYISO requires LIPA to maintain an installed capacity within its service area. The transmission capacity from the major transmission infrastructure in New York State’s electric grid into Long Island is limited. The on-Island locational requirement is 99 percent of the expected summer peak demand. Although LIPA is currently meeting the NYISO’s locational requirement, LIPA’s current margin in 2005 of 23 MW is being met through the use of temporary generators. LIPA must secure additional on-Island generating capacity to continue to meet the NYISO requirement and to ensure the reliability of the electric system as the load grows.

LIPA currently projects that the underlying peak demand for energy on Long Island will grow each year by approximately 100 MW between now and 2012. This is equivalent to a growth rate of about 1.9 percent per year. LIPA has instituted a multi-pronged energy conservation program to meet this demand. Energy conservation, or Demand Side Management (DSM) tools, such as the Residential Lighting & Appliances Program, Residential Cool Homes (HVAC) Program, LIPAE_{edge}, and the Peak Reduction Program have been implemented. Even with the energy savings from these DSM programs, load is still projected to grow by about 80 MW per year or about 1.6 percent. Therefore, additional on-Island generation is required to meet the peak demand and the requirements of NYISO.

To meet this need, the Energy Plan 2004 to 2013 details specific short- and long-term resource goals. As part of this plan, LIPA determined it is necessary to contract for power from an on-island generation facility as well as an off-island facility, and/or a transmission line connecting to Long Island. LIPA decided to procure capacity for a period of up to 20 years through its Baseload RFP. The Project was selected as one of two projects that best met the objectives of the Energy Plan. LIPA has also decided to contract with the Neptune Regional Transmission System Cable to bring about 660 MW of off-Island power into its service area.

In addition to these two projects, renewable energy generation resources are in the demonstration and planning stages. Wind turbines have been installed on land, and a large offshore wind farm, which would provide about 140 MW of electricity, is in the

early permitting phase. A significant fuel cell installation is also in the procurement process.

Overall, the Caithness Long Island Energy Center is one part of LIPA's multi-pronged plan to meet the objectives of its Energy Plan for 2004 to 2013 with conservation, renewable energy and additional state-of-the-art fossil fuel facilities.

The Caithness Long Island Energy Center is also consistent with the latest New York State Energy Plan (SEP), dated 2004. The Project will increase the diversity of energy supplies on Long Island and enhance and promote electric competition – a public policy goal in New York State. In all key areas – price, reliability, economic development, adequacy, and environmental impact – the SEP finds that competition in the electricity sector has been beneficial, but greater benefits can be achieved. According to the SEP, “[t]he primary barrier to achieving effective wholesale competition in the energy industries is the lack of adequate resources (electric generation capacity, electricity and natural gas delivery infrastructure, and demand reduction techniques) in certain areas where they are needed.” The Project will be consistent with these goals. The Project will also be consistent with the SEP's goal of siting new, cleaner, state-of-the-art power plants and in ensuring system reliability and improving the State's environment. The Project is necessary for the long term reliability of the LIPA electric generation and distribution system. Without this or a similar project, Long Island would face the possibility of energy shortages, leading to possible rolling black-outs and the loss of reliability in the electric system.

B. Description of the Project Site

The Caithness Long Island Energy Center will be located in the Town of Brookhaven, Long Island, New York. The Project site will comprise approximately 15 acres within the Town of Brookhaven's Empire Development Zone, and is part of a larger 96-acre parcel controlled by Caithness Long Island, LLC. The 15-acre project site is located south of the Sills Road interchange (Exit 66) of the Long Island Expressway (LIE). It is situated east of Old Dock Road, north of Horse Block Road and south of the Long Island Rail Road (LIRR). The Patchogue-Yaphank Road (County Route 101) interchange with the LIE is located approximately 1,600 feet (0.3 miles) north of the property. An additional 28 acres within the 96 acres will be temporarily disturbed during construction for material lay down, equipment storage, and construction parking. The Project will interconnect to the LIPA system within the 96-acre parcel via a new 138 kilovolt (kV) switchyard to be constructed on site and adjacent to the existing LIPA Holbrook-to-Brookhaven transmission line right-of-way (ROW). Natural gas will be provided by a new natural gas pipeline, or “lateral,” which would be the subject of its own, separate environmental review. A spur from the new natural gas pipeline will run across the 96-acre parcel to the Project site.

C. Description of the Project

The dual-fuel, "combined-cycle" generating plant will generate approximately 350 MW of electricity. Approximately 215 MW of this power will be produced using a combustion turbine generator set. Exhaust heat from the combustion turbine will then be sent to a heat recovery steam generator (HRSG) to produce steam to drive a steam turbine generator. The steam turbine generator will provide approximately 135 MW, the balance of the plant output. The HRSG will include a 45 MW natural gas-fired duct burner. Selective catalytic reduction technology (SCR) and an oxidation catalyst will be used to control oxides of nitrogen (NO_x) and carbon monoxide (CO) emissions, respectively. Exhaust steam from the steam turbine will be cooled (i.e., condensed) and then returned to the HRSG using an air-cooled condenser. Air-cooled condensing will be employed to minimize water use and eliminate potential cooling tower plume. The Project is designed for base load electric generation.

Natural gas will be used as the primary fuel with low sulfur distillate oil serving as a back-up fuel. Use of the back-up fuel will be limited to 30 days per year. To accommodate short-term operation on low sulfur distillate, the Project will include a 750,000-gallon fuel oil storage tank and associated off-loading facilities. The tank and all associated appurtenances will be consistent with New York State and Suffolk County Department of Health Services requirements.

D. Summary of Discretionary Approvals and Involved and Interested Agencies

Development and operation of the Project will require certain discretionary federal, state, and local regulatory agency notifications, actions, permits and approvals from the following agencies:

United States Environmental Protection Agency (EPA)

- Prevention of Significant Deterioration (PSD) Permit

Long Island Power Authority

- Facility Power Purchase Agreement
- Interconnection Agreement

New York State Department of Environmental Conservation (DEC)

- Part 201 State Air Permit (including Part 231 New Source Review requirements)
- Title IV Acid Rain Permit
- State Pollutant Discharge Elimination System (SPDES) Permit for Storm Water Discharges Associated with Industrial Activities and Process Wastewater Discharge
- Major Oil Storage Facility Permit

New York State Public Service Commission (PSC)

- Section 68 Certificate of Public Convenience and Necessity (as well as an Order for Lightened Regulation)
- Section 69 approval to issue any bonds, notes or other forms of indebtedness for periods longer than 12 months

Suffolk County Department of Health Services (SCDHS)

- Article VI Approval for Water Use
- Article VII Approval for Water Pollution Control
- Article XII Approval for Toxic and Hazardous Materials Storage and Handling Controls (delegated by DEC)

Suffolk County Planning Commission

- Advisory Recommendation

Town of Brookhaven Town Board

- Special Permit Approval for Electric Generating Facility
- Variance for Stack Height
- Variance for Building Height

Town of Brookhaven Planning Board

- Site Plan Approval (including tree clearing permit for testing activities)

E. Project Schedule

If all approvals and financing are secured, construction activities for the Project are anticipated to commence approximately fall of 2006 and Project operations approximately fall of 2008.

F. Procedural History

The following actions have been taken pursuant to all applicable laws, regulations, orders and guidelines regarding the environmental review process:

September 22, 2004 - LIPA began the coordinated review process by sending all involved agencies a letter requesting their consent for LIPA to serve as the lead agency for the Project (along with Part 1 of the Environmental Assessment Form) as required under 6 NYCRR § 617.6(b)(3). No involved agency objected in writing to LIPA's serving as lead agency within the 30-day period provided under Part 617.

November 18, 2004 - In view of the size and scope of the Project, LIPA determined that the Project might include the potential for at least one significant adverse impact and issued a Positive Declaration to that effect pursuant to 6 NYCRR § 617.7.

December 8, 2004 - LIPA prepared and released a Draft Scope of Work and announced the holding of a public meeting on the Draft Scope in the New York State *Environmental Notice Bulletin*, *Long Island Newsday* and *Suffolk Life*.

January 5, 2005 - Public meeting on the Draft Scope of Work.

January 12, 2005 - Public comment period on the Draft Scope of Work closes.

January 26, 2005 - Based on public comments, the Final Scope of Work is issued. Notice of the availability of the Final Scope of Work is published in the New York State *Environmental Notice Bulletin*, *Long Island Newsday* and *Suffolk Life*.

March 2005 - Based on the Final Scope of Work, Caithness prepared a DEIS for review by LIPA and its consultants.

March 24, 2005 - LIPA accepts the DEIS by determining that the DEIS is adequate with respect to its scope and content for purposes of commencing public review under SEQRA as required by 6 NYCRR § 617.9(a)(2).

March 30, 2005 - A notice of completion of the DEIS, which also announces the availability of the DEIS and the scheduling of a public hearing, is published in the New York State *Environmental Notice Bulletin*, *Long Island Newsday* and *Suffolk Life*.

April 20, 2005 - LIPA holds a public hearing on the DEIS.

April 27, 2005 - A notice announcing the extension of the public comment period by three weeks, from May 4, 2005 to May 25, 2005 is published in New York State *Environmental Notice Bulletin*, *Long Island Newsday* and *Suffolk Life*.

May 25, 2005 - Public comment period on the DEIS closes.

June 2005 - Based on comments on the DEIS, LIPA caused the FEIS to be prepared.

June 23, 2005 - LIPA accepts the FEIS.

June 29, 2005 - A notice announcing the release and availability of the FEIS is published in the New York State *Environmental Notice Bulletin*, *Long Island Newsday* and *Suffolk Life*.

The FEIS and its supporting documents are incorporated by reference into this Findings Statement. The DEIS and FEIS are on file at the LIPA offices at 333 Earle Ovington Blvd., Uniondale, New York and are also available on the LIPA website at www.lipower.org (under the "About LIPA, Powering LI" tab) and at the following locations: Brookhaven Free Library, 273 Beaver Dam Road, Brookhaven, NY 11719, (631) 286-1923; Longwood Public Library, 800 Middle Country Road, Middle Island, NY 11953, (631) 924-6400; South Country Library, 22 Station Road, Bellport, NY

11713, (631) 286-0818; and Patchogue-Medford Library, 54-60 East Main Street, Patchogue, NY 11772, (631) 654-4700.

Throughout the planning and environmental review process for the Project, LIPA and Caithness met with elected officials, regulatory agencies, and interest groups to discuss the Project, receive public input on the Project, and answer questions about the Project. Appendix A provides a list of this additional public outreach.

II. ALTERNATIVES CONSIDERED

In addition to the Project, LIPA also considered a broad range of alternatives to the Project that were described, analyzed and assessed in the DEIS and FEIS.

A. “No-Action” Alternative

The no-action alternative assumes that the Caithness Long Island Energy Center would not be constructed at the Project site and that the site would remain undeveloped. While leaving the Project site undeveloped would not be incompatible with other currently undeveloped property in the area, it would be inconsistent with the specific land use development patterns earmarked for this location. Similar to the Project, no significant adverse impacts to cultural resources would occur under the no-action alternative. Under the no-action alternative, the local landscape would remain unchanged, and there would be no short-term increase in traffic as is expected to occur during construction of the Project. However, with the no-action alternative, the direct and secondary economic benefits associated with the Project, including construction-related employment and local expenditures for goods and services, would not be realized, and the various tax jurisdictions would not receive the sizable tax payments projected for the Project. Under the no action alternative, there would be no air emissions, noise, stormwater runoff, annual water consumption, or permanent clearing of approximately 17.2 acres of forested pitch pine-oak stands. However, the Project does not result in any significant adverse impacts in these areas, and because the Project would displace output from older, higher emitting electric generating units, the no action alternative would not result in a reduction of region-wide air emissions as compared to the Project. Finally, the no-action alternative does not satisfy LIPA’s purpose and need as described in section I.A. to provide additional electric capacity in its service area.

B. Energy Efficiency and Demand Side Management Alternative

The Energy Efficiency and Demand Side Management Alternative assumes that all of LIPA’s existing energy conservation measures remain in force and are augmented to the highest degree practicable. As part of LIPA’s energy efficiency and demand side management program, LIPA has implemented the Clean Energy Initiative (CEI), LIPAedge and the Peak Reduction Program (PRP).

LIPA has also approved a project to engage six contractors to help achieve approximately 75 MW of energy efficiency over a ten-year period. The six approved contractors will implement a wide range of energy efficient programs that will target both small and large

commercial and industrial customers, publicly owned buildings and multi-family dwellings. These programs will employ the use of energy efficient heating and air conditioning technologies, lighting systems, pumps and motor drives.

While LIPA has been and is committed to continue funding this extraordinary effort in promoting energy efficiency and demand side management, the Energy Efficiency and Demand Side Management Only alternative is not sufficient to allow LIPA to meet the growing energy needs on Long Island, would not permit LIPA to ensure lower costs and reliable and efficient electricity to LIPA customers, and would not allow LIPA to meet NYISO's regulatory requirements.

C. Alternative Energy Initiatives Being Pursued by LIPA

LIPA has been and is continuing to pursue a diverse assortment of projects and initiatives to meet Long Island's growing demand for energy. Besides traditional power generation, transmission line, and energy efficiency and demand side management projects, these alternative energy initiatives include fuel cell projects, wind energy projects, solar/photovoltaic projects, renewable energy projects and other general distributed generation projects.

However, even if all of LIPA's alternative energy initiative and demonstration projects were fully viable and operational at the same time, as a whole they would not be able to generate sufficient electricity to meet the growing energy needs on Long Island, would not permit LIPA to ensure lower costs and reliable and efficient electricity to LIPA customers, and would not allow LIPA to meet NYISO's regulatory requirements.

D. Alternative Sites

Sites under the Control of the Project Sponsor

The Project site location is the only property in New York currently controlled by Caithness Long Island, LLC. Caithness Energy, LLC, the corporate parent of Caithness Long Island, LLC, does not have any other properties on Long Island under its control through lease, option, or outright ownership. There are two other facilities in New York State that are owned, operated by or affiliated with Caithness Energy, LLC. These facilities are the Onondaga Cogeneration Facility located in Syracuse, Onondaga County and the Selkirk Cogeneration Facility located in Selkirk, Albany County. These already developed properties are located in upstate New York and would not satisfy LIPA's desire for additional "on-island" capacity as stated in its RFP.

Alternate Sites Considered by LIPA as Part of the RFP Selection Process

LIPA provided the following evaluation criteria in the Baseload RFP: cost, contractual terms, risk, capabilities of responding firms, transmission considerations, competition and diversity, in-service date, and the impact on the environment. LIPA also stated a preference for projects which provided fuel options.

In response to the RFP, fourteen proposals were received, including six for on-island generating facilities (one of the six proposed on-island proposals included a submission by a joint venture team for facilities at two separate sites). All of the proposals were for combined-cycle facilities and all of the proposals had comparable, state-of-the-art pollution controls (i.e., SCR, CO catalyst, etc.). The evaluation process proceeded through a number of phases, with LIPA sending the respondents numerous clarifying questions including several levels of questioning on permitting, potential environmental impacts, existing site conditions, and surrounding land uses, among other environmental topics.

Midway in the evaluation process, three of the on-island project proposals were considered less favorable due to a combination of cost and environmental considerations. All three of the less favored proposals were located in close proximity to dense residential populations. All three could have resulted in significant construction traffic impacts as well. One proposal may have resulted in impacts to wetlands and another may have resulted in impacts on Long Island Sound due to installation of a gas pipeline.

That left three on-island proposals for more detailed consideration. The following is a brief description of these three proposals and of the environmental concerns identified by the LIPA Selection Committee.

- Caithness Long Island Energy Center. The LIPA Selection Committee, in recommending the selection of this proposal, concluded that the Caithness Long Island Energy Center proposal reflected a strong blend between solid economics, dual-fuel capability, and a site that was expected to experience minimal environmental impacts.
- Site 4. A company submitted a proposal for an approximately 270 MW gas-fired facility with no dual fuel capability located in center eastern Suffolk County. This proposal was carried into the final phases of the evaluation due to its favorable economics. However, this site was situated within the deep recharge zone and located adjacent to residences. The LIPA Selection Committee felt that there was the potential for significant adverse air quality, traffic, noise, and visual impacts that might affect both the timing and success in obtaining federal, state, and/or local approvals. Thus, the LIPA Selection Committee had concerns about the in-service date for this proposal. Ultimately, after considerable discussion with the project sponsor, because of these uncertainties and concerns, this proposal was not subject to further detailed analysis by the LIPA Selection Committee.
- KeySpan/ANP Joint Venture. A KeySpan/ANP Joint Venture submitted a proposal to build two 250 MW gas-fired plants—one at a location in Melville (Spagnoli Road) and the second at a location in Yaphank (Brookhaven), in Suffolk County. Both sites had received Article X Certificates of Environmental Compatibility and Public Need under the New York State Public Service Law and had received virtually all of their permits and approvals.

Based strictly upon environmental considerations, the KeySpan/ANP Joint Venture proposal, like the Project, would not have any significant adverse environmental impacts. While both the Spagnoli Road and Brookhaven Energy facilities already have all of their needed approvals (although the Brookhaven Energy facility site approvals would have to be modified), the LIPA Selection Committee viewed the KeySpan/ANP Joint Venture proposal less favorably for a number of reasons. First, the KeySpan/ANP Joint Venture proposal was not as economically viable to the LIPA rate payers as the Project. Second, KeySpan already owns considerable generation on-island and thus its selection would not encourage a fully competitive generation market as compared to the Project. Third, the KeySpan/ANP Joint Venture proposal did not provide for dual-fueled facilities, which would permit a more diversified fuel supply for on-island generation.

E. Alternative Project Technologies

Combined-Cycle vs. Simple-Cycle Design

A combined-cycle facility was chosen over a simple-cycle facility because of two key advantages: increased efficiency and displaced emissions. By using the waste heat from the combustion turbine to produce steam that in turn generates additional electricity, the Project will operate with a higher thermal efficiency than other types of electric generating facilities. The "combined-cycle" technology is approximately 30 percent more efficient than conventional simple cycle electric generator technologies. Since a combined-cycle plant uses less fuel than either a steam turbine or a gas turbine to generate a kilowatt-hour of electricity, the savings in fuel is significant, which results in lower operating costs. As a result, the Project would likely be dispatched on a near continuous basis, enabling it to displace older, less efficient electric generating facilities, which would result in a net environmental benefit for Long Island.

Alternate Combustion Turbines

Consideration was given to various turbine technologies that would have resulted in a project of a larger or smaller generating capacity. Several turbine performance specifications were obtained and evaluated for their emissions of NO_x, CO, volatile organic compounds (VOC) and particulate matter (PM and PM₁₀); initial equipment delivery schedules; costs; operations; maintenance programs; and warranties.

Alternative turbines would have resulted in similar, but not identical, turbine performance and emissions. None of the alternative turbines would have led to a significant adverse impact. As a consequence, the Siemens Westinghouse Power Corporation Frame 501F combustion turbine generator was selected based upon the schedule for procurement and installation. The 501F is a proven turbine with 163 units operating across the world and a total accumulated operating time exceeding 1.5 million hours since the first 501F was installed in 1991.

F. Alternative Cooling Technology

Two alternative cooling technologies were considered: wet cooling and hybrid wet/dry cooling. The following provides a brief description of these alternative cooling technologies.

Mechanical Draft (Wet) Cooling Tower System

A mechanical draft cooling tower uses evaporation to cool the circulating water. Several million gallons per day of makeup water are required to account for evaporation losses. In addition to water lost by evaporation, water is also lost due to drift and blowdown. In addition, water vapor in the saturated air that is discharged from the cooling tower can condense upon contact with cooler ambient air, creating a plume. For all these reasons, the mechanical draft wet cooling alternative was not selected.

Hybrid (Wet/Dry) Cooling Tower System

A hybrid or wet/dry cooling system, is similar to a wet cooling system, except that the cooling tower includes both dry tube heat exchanger sections and wet evaporative cooling sections. A wet/dry cooling tower works in combination to cool the circulating water. The hybrid cooling system requires several million gallons per day of make-up water and generates blowdown in the same way as a wet cooling system. For this reason, a hybrid cooling tower was not selected.

G. Alternative Control Technology

Three alternative technologies to control NO_x emissions from the facility's combustion turbine and duct burner were evaluated. These included: Selective Non-Catalytic Reduction, XONON™ and SCONO_x™. The following provides a brief description of these alternative emission control technologies.

Selective Non-Catalytic Reduction (SNCR)

SNCR is a method of post-combustion control of NO_x emissions. The exhaust temperature at the exit of the Project's combined-cycle combustion turbine unit is between 200–300° Fahrenheit, which is significantly less than the optimum temperature range for using SNCR. This alternative emission control system therefore is not technically feasible for the Project.

XONON™

A newer NO_x control technology has been developed by Catalytica Energy Systems, with the trade name of XONON™. This combustion technology includes a pre-burner, a fuel injection and mixing system, a flameless catalyst module and a flameless burnout zone. Since the close of the FEIS, LIPA has become aware that the one proposed project of 750

MW in California is currently built and has commenced operation. Insufficient time has passed to assess the actual efficiency and reliability of this control technology at the California plant. No other comparable installations of this alternative emissions control technology are in operation. Based on the fact that the XONON™ technology has yet to be proven to operate efficiently and reliably on combustion turbines of the size proposed by the project, it was not selected.

SCONO_x™

SCONO_x™ or Em_x™ is a proprietary catalytic oxidation and adsorption technology that uses a single catalyst for the control of NO_x, CO and VOC emissions. The performance of SCR and SCONO_x™, as NO_x emission levels are concerned, is essentially equivalent. Both technologies have demonstrated the ability to reduce NO_x emissions by at least 90 percent. SCR has a proven record of consistently achieving low NO_x emission levels while SCONO_x™ does not. SCONO_x™ has not been demonstrated in practice on a unit larger than 45 MW. Therefore, this alternative control technology was not selected.

H. Alternative Project Design Options

The evaluation of alternative project design options included an assessment of alternative site layouts and stack heights.

Alternate Site Layouts

As part of the development of the Project's site plan, Caithness considered a number of potential site layouts on the 96-acre parcel. Locating the facility at the southern portion of the 96-acre parcel was preferred because: (1) it placed the facility proximate to nearby existing and developing industrial properties thereby providing for a continuation of the orderly development of the Project area; (2) it placed the Project closer to existing infrastructure located along Zorn Boulevard, thereby minimizing the costs and environmental impacts associated with interconnecting to municipal services; (3) it placed the Project outside tax parcels within or directly adjacent to a deep recharge area, thereby allowing the storage and use of low sulfur distillate oil as a backup fuel; and (4) it allowed for development within the Brookhaven Empire Zone, which provides a variety of tax benefits to qualifying projects, and thus to Long Island ratepayers.

Subsequent to the determination that locating the facility on the southern portion of the 96-acre parcel is preferred, Caithness considered alternate site plans to further optimize the facility layout to minimize the facility footprint, which would allow Caithness to minimize the area of disturbance and maximize buffer areas; comply with the Town of Brookhaven setback requirements; ensure future access by easement to an out-parcel located east of the project site within the 96-acre parcel; and guarantee the provision of adequate buffers, to the extent practicable, for nearby developments.

Caithness also investigated the potential for relocating the facility footprint further east within the southern portion of the 96-acre project parcel. However, the criteria employed

by Caithness to locate the facility militate against relocating the facility to the eastern side. First, an industrial park is not considered a sensitive receptor location from an environmental impact perspective. By contrast, relocating the facility to the east of the parcel would place it closer to highly sensitive receptors, such as the residences along Yaphank Avenue and the Suffolk County-owned property where work-force housing and other community facilities may be developed. Although these parcels are not as close to the Project site as the Sills Industrial Park, any increase in impacts to these sensitive receptors would be considered adverse in contrast to any perceived benefits at non-sensitive receptors in the industrial park. Second, relocating the facility to the eastern side would place it completely outside the Empire Zone. Thus, any benefits that would accrue to LIPA and its customers based on the facility's location within the Empire Zone would be lost in their entirety. Finally, relocating the facility to the east would not change the facility's level of compliance with the Town's zoning requirements. As Chapter 3 of the FEIS details, the facility would comply with all of the Town's zoning requirements with the exception of the height limitations, for which Caithness would require a variance for certain facility components. The same relief from the height limitation would be required if the facility was relocated to the east.

Because moving the plant east provides no more than negligible environmental benefits to industrial parcels located on Sills Road but could provide environmental and economic disadvantages, relocating the facility site east is not considered a preferred alternative as compared to the current location.

After the release of the DEIS and as discussed in the Foreword to the FEIS, the dimensions of the air cooled condenser (ACC) were modified and the ACC moved 60 feet further east from the western boundary than had been proposed with the DEIS. The result will be a slight improvement in visual quality and a slight reduction in noise at the boundary line. Overall, the final siting of the facility general arrangement used a plan that minimized the overall facility footprint; complied with the Town of Brookhaven setback requirements; ensured future access to an access easement located east of the project site within the 96-acre parcel; and guaranteed the provision of adequate buffers, to the extent practicable, for nearby developments.

Alternate Stack Heights

Concerted efforts were expended by Caithness to minimize the visibility of the Project including changes to the facility profile and size. A stack height of 170 feet was determined to be the minimum stack height required to ensure insignificant air quality impacts.

I. Natural Gas Fired Only Operation

The use of natural gas only for operation was also analyzed. Natural gas is the cleanest burning fossil fuel and combustion turbines are easier to maintain when fired exclusively with natural gas. However, natural gas supply can be curtailed during severe cold weather. The availability of a back-up fuel would allow the Project to operate during

natural gas curtailment periods. In addition, the flexibility to fuel switch based on price would benefit LIPA's customers. For these reasons, the ability to use a backup fuel is considered an important economic and reliability issue for LIPA.

J. Alternate Scale or Magnitude of Project

A number of alternatives were evaluated that would have resulted in a project of a smaller or larger generating capacity. The alternatives investigated included different turbine technologies, including "G" class turbines and a Siemens Westinghouse V84.3 turbine, and a project configuration without duct firing.

Alternative Gas Turbine Generating Capacities

"G" Class Turbines

A Siemens Westinghouse "G" frame turbine would result in a project of a larger generating capacity. The Project's 501F turbine will produce approximately 200 MW of electric power. A "G" frame turbine would be capable of producing approximately 235 MW of electric power. The Siemens Westinghouse "G" technology, although derived from their "F" technology base, is a relatively new gas turbine configuration. Only a limited number of units are in operation and cumulative operational hours are correspondingly low. Although the "G" turbines have a better heat rate than the proposed "F" technology and would result in a plant of a larger generating capacity, this advantage was more than offset by the risks associated with the relatively new "G" technology as compared to the proven reliability and performance of the "F" machines. The "F" technology would be better supported by the original equipment manufacturer and there would be a better established secondary market for parts, service, and performance upgrades over its lifetime as a result of its larger fleet size. Further, Caithness believed that use of an "F" class turbine, as compared to the "G" turbine, better fit within the envelope of parameters articulated by LIPA within its RFP.

Siemens-Westinghouse V84.3

The Siemens Westinghouse V84.3, slightly smaller in rating than the 501F, is capable of producing approximately 170 MW of electric power. Siemens Westinghouse has discontinued this unit. Approximately 40 units are either in operation or construction worldwide. Due to the limited fleet size, Caithness determined that there may be long-term support issues and few performance upgrades developed.

Facility Duct Firing Options

Duct burner firing as contemplated for the Project will increase the electric output of the facility's steam turbine generator by about 46 MW. Without the proposed gas-fired duct burner, the Project would be capable of generating slightly more than 300 MW. Caithness incorporated the use of a gas fired duct burner to provide the facility with a "merchant component," consistent with the development of competitive electric markets in New York State.

III. ENVIRONMENTAL IMPACTS OF THE PROJECT

LIPA has considered the potential environmental impacts resulting from the Project, as set forth in the FEIS. As discussed below, the Project will not result in any significant adverse environmental impacts, either individually or cumulatively with other LIPA-sponsored projects or nearby sources.

A. Land Use, Public Policy and Zoning

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts to land use, land use trends, public policy or local zoning requirements; therefore, no mitigation is required.

1. Land Use

The land area within the one-mile radius of the Project Site (the primary study area) is entirely within the Town of Brookhaven. Undeveloped land, the main line of the Long Island Railroad (LIRR), a LIPA 69 kV transmission corridor, and the Long Island Expressway (LIE) are located north of the Project site. Approximately ¼ mile north of the Project site, north of the LIRR mainline and east of Sills Road is the proposed location of the Brookhaven Energy Project, a 580-megawatt natural gas fired combined-cycle electric generating plant which was approved under Article X of the New York State Public Service Law in August 2002. Northwest of the site, south of the LIE, is Long Island Avenue, a local road with existing residences, forested land, and agricultural land.

Additional forested vacant land is located east and southeast of the Project site. The Grucci fireworks manufacturing and storage facility is located approximately ¼ mile southeast of the site. Long Island Cycle Park, a 10-acre motorcross facility, is located approximately 2000 feet southeast of the Project site on the east side of Miller Avenue. The Sills Industrial Park is located immediately west and southwest of the Project site on Old Dock Road.

The Zorn Industrial Park, presently under development, is located south of the Project site. The tenants of the Zorn Industrial Park are likely to be similar to those found within the adjacent Sills Industrial Park. South of the Zorn Industrial Park, on the south side of Horseblock Road, is the Alexan Brookhaven Residential Community. Vacant forested land comprises the majority of the remaining land use south of Horseblock Road within the primary study area, with the exception of a vacant industrial warehousing facility and the "Sunshine Square" shopping center, both located along the eastern side of Patchogue-Yaphank/Sills Road. A small portion of the site's one-mile radius overlaps a residential development located east of Patchogue-Yaphank/Sills Road and north of Woodside Road.

Development of the Project will result in development of vacant forested land and the siting of an industrial facility at an appropriately industrial-zoned parcel. Further, the Project will be compatible with existing and proposed land uses within the one-mile radius study area, as well as the broader region. The FEIS also examined the Project's

potential impacts to potential development of 440-acres of Suffolk County-owned property in Yaphank and found that the Project would not have any significant adverse impacts to the development of potential workforce housing or recreational or commercial sporting activities at the county-owned property. Overall, the Project will not impair land use and will not render existing land uses non-viable.

2. *Public Policies*

The Town of Brookhaven Comprehensive Land Use Plan was adopted in 1996. It places emphasis on appropriate economic development together with preservation and protection of natural and community resources. The Land Use Plan seeks to direct industrial development south of the LIE near the boundary between the Longwood school district and the South Country school district. The Project site and all interconnections are south of the LIE, outside the Central Special Groundwater Protection Area (SGPA). This school district boundary runs through the 96-acre parcel. The Project is fully consistent with the Town Comprehensive Land Use Plan.

In October 2000, the Suffolk County Planning Department, acting on a resolution of the County Legislature, issued the "Smart Growth Policy Plan for Suffolk County." This document is not intended to specify a use for each parcel in the County, but rather is intended to measure existing laws, regulations, policies and programs against smart growth principles. While the plan is designed for County government actions, the Project was evaluated and found to be consistent with the plan's smart growth principles.

3. *Zoning*

The 96-acre parcel containing the Project site is located within the Town of Brookhaven Zoning Code's L-1 District. In the L-1 District a variety of office, warehouse, manufacturing, light industrial, commercial, agricultural, and institutional uses are allowed "as-of-right." The Town of Brookhaven Zoning Code authorizes the construction of electric generating plants within the zoning district by Special Use Permit issued by the Town of Brookhaven Town Board. The Project will seek to obtain a Special Use Permit from the Town of Brookhaven Town Board, as well as site plan approval from the Town Planning Board.

The Project will comply with the substantive requirements of the Town of Brookhaven Zoning Code, with the exception of exceeding the maximum height requirement, which is required because of engineering and air quality constraints.

B. Community Facilities

Based on the analysis in the FEIS, LIPA finds that the Project will not result in significant adverse impacts to fire and emergency services. The plant's permanent employees will be trained as an on-site fire brigade and will work cooperatively with the local fire department to function as the first line of defense in the event of a fire at the plant. Prior to the commencement of Project operation, Caithness will prepare an

Emergency Response Plan and comprehensive security plan to support operational activity at the site.

Due to the limited number of operational employees, LIPA finds that the Project will not result in the placement of a significant number of additional students in local schools or impact the ability of local religious institutions to serve their community. Nor will air emissions or noise from the Project adversely impact community facilities. Overall, no significant adverse impacts are expected to occur to any community resource.

C. Cultural Resources

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant impacts to historic architectural properties, or historic resources listed on or eligible for the State and National Registers of Historic Places, including the nearby Suffolk County Almshouse Barn, St. Andrew's Church, Homan-Gerard Mills site, and Robert Hawkins Homestead. Thus, no mitigation is required.

As discussed in the FEIS, background research indicated that no archaeological sites exist within the 96-acre parcel. Nevertheless, a Phase IB cultural resource survey of the 96-acre parcel was performed. No archaeological sites were encountered during that survey, and no cultural material was recovered. Because it is possible that archaeological sensitive sites could be discovered during construction, Caithness will develop and implement an Unanticipated Discovery Plan, as described in the FEIS, as part of the construction of the Project. Such plan will present the approach that would be employed to address such emergency discoveries to ensure that any potentially significant archaeological resources discovered during construction, including human remains, are dealt with in full accordance with state and federal requirements, including the most recent *Standards for Cultural Resource Investigations and Curation of Archaeological Collections in New York State*. This approach will also ensure that procedures and lines of communication with the appropriate government authorities are clearly established prior to the start of construction so that discoveries can be addressed in a timely manner, minimizing the impacts to the construction schedule to the extent possible.

In a letter dated May 16, 2005, the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") determined that the Project will have No Impact upon historical/cultural resources and that OPRHP has "no further concerns regarding the currently proposed construction."

D. Visual Resources

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts to visual resources; therefore, no mitigation is required.

The most prominent structures associated with the Project are the exhaust stack, air cooled condenser and the generation building. The generation building will house the combustion turbine generator, the HRSG and the steam turbine generator. The tallest

structure will be the 20-foot diameter exhaust stack with a height of approximately 170 feet above grade. The Project site was selected, in part, because of the close proximity of existing electric transmission facilities, minimizing the visual impact of new overhead transmission lines or the temporary disturbance of underground lines.

The Project will provide a minimum 115-foot wide visual and landscaping buffer between the facility and the property boundaries in all directions. Potential visibility of the Project is expected to be very limited to non-existent from locations beyond one mile toward the north and west, and two miles to the east. Visibility from the south will be variable but limited primarily to short areas along Horseblock Road where breaks in vegetation will permit partial views of the facility. For those locations from which the plant can be seen, most views will include only a portion of the stack and the upper portion of the air cooled condenser and generation building.

The exterior architectural treatment of the buildings (i.e., windows, doors, siding, etc.) will be painted a neutral color to minimize visibility and to blend with the other manufacturing buildings in the surrounding area. The steel stack will be painted a neutral tone to complement the generation building. Non-reflective materials will be specified, where feasible, to further soften the facility appearance and minimize the potential for glare.

Maintenance of the facility by Caithness is an important aspect to the visual appearance of the Project and the continued enhancement of the area aesthetics. The façade of the generation building and other prominent plant components will be periodically inspected to ensure that the selected materials remain durable and attractive. Caithness will develop a program of scheduled maintenance to repair or replace any façade materials that show accelerated wear. The areas surrounding the facility will be similarly maintained and kept free from loose debris or other refuse.

The Project's lighting design will incorporate the least lighting possible to minimize off-site impacts while providing enough lighting to ensure worker safety during routine operations and maintenance. The site lighting will be designed according to the latest edition of the Illuminating Engineering Society (IES) Lighting Handbook and will comply with LIPA's Dark Skies-Friendly Night Light Program.

E. Socioeconomics and Environmental Justice

Based on the analysis in the FEIS, LIPA finds that the Project will not have any significant adverse socioeconomic or environmental justice impacts, and thus no mitigation is required.

1. Socioeconomic Impacts

The Project is expected to generate approximately 375 peak construction jobs, with an average workforce level of approximately 250 construction employees. Construction is expected to be completed within a 26-month timeframe. Estimated total payroll

expenditures to construct the Project are anticipated to be approximately \$25 million, with a peak construction period payroll of approximately \$4,002,848 per quarter. Local purchases of materials, supplies and contracted services used for construction would comprise another direct and positive socioeconomic effect, and are estimated at \$16 million. Thus, total primary economic infusion into the local economy is expected to be approximately \$41 million.

In terms of secondary employment and economic activity likely to be generated in the vicinity of the Project by the construction of the plant, the FEIS estimated that economic output in the area would increase by approximately \$82.3 million, of which \$41.3 million would be secondary impact. Earnings in the area are estimated to increase by approximately \$54.3 million, of which \$25 million would be primary payroll and \$29.3 million would be secondary earnings impact. On the basis of 375 construction jobs directly associated with the Project, employment in the area is expected to temporarily increase by an additional 722 jobs, for a total of 1097 jobs created.

The Project is expected to provide an estimated 25 permanent operations jobs with an estimated on-site payroll of approximately \$1.32 million per year. Total non-fuel operations and maintenance (O&M) expenditures is expected to equal approximately another \$0.75 million in local supplies and services. It is estimated that due to secondary impacts of Project operation for a typical operating year, total economic output for the area will increase to approximately \$3.03 million per year, of which \$0.96 million will be secondary impact. Household earnings in the Nassau-Suffolk metropolitan area are estimated to increase by approximately \$2.65 million per year, of which \$1.32 million will be direct payroll and \$1.33 million will be secondary earnings impact. In addition, employment is estimated to increase by approximately 75 permanent new jobs in addition to the 25 created directly by the Project.

The Project will provide substantial tax benefits because the 15-acre Project site is located within a New York State-designated Empire Zone in the Town of Brookhaven. The Empire Zones Program Act provides a variety of benefits to qualifying projects. All benefits of the Empire Zone will accrue to LIPA and its customers under a contract to be entered into between LIPA and Caithness.

The locally available construction labor force is estimated to be adequate to satisfy the needs of the Caithness Long Island Energy Center, and no in-migration of construction workers is expected. Accordingly, there will be no incremental increase in demand for municipal services, and no increased costs to the public during construction. Similarly, the existing employee base of power plant operational staff located on Long Island is expected to provide for the 25 person operating staff at the facility without significant in-migration. Since the required operating staff is expected to currently reside on Long Island, there is no expected incremental increase of municipal service costs attributed to the operations employees. Caithness will not be seeking relief from local tax requirements. In addition, it is not anticipated that the Project will adversely impact property values within the Project study area.

2. *Environmental Justice (EJ)*

The intent of the environmental justice (EJ) analysis is to determine whether construction and/or operation of a Project will have a significant adverse and disproportionate effect on an "environmental justice community." The methodology used in preparing the EJ analysis for the FEIS was based upon the New York State Department of Environmental Conservation Environmental Justice Policy (CP-29, Environmental Justice and Permitting, March 19, 2003) and federal guidance documents prepared by the United States Environmental Protection Agency. In coordination with the DEC, a study area which included all census block groups that fall within or overlap a two-mile radius study area surrounding the Project site was examined to determine if there were any "communities of concern" that might be potentially affected by the Project. Three census blocks within the two-mile study area have minority populations above the DEC EJ threshold and two census blocks have a low income population above the DEC EJ thresholds. Since potential environmental justice areas were identified, an assessment was conducted with regard to air quality, contaminated materials and chemical use, traffic and transportation, noise, and visual impacts to determine if the Project would have a significant adverse and disproportionate effect on these communities. In each of these areas, the FEIS found that the Project will not have a significant adverse and disproportionate effect on any EJ communities or communities of concern.

F. Traffic and Transportation

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse traffic impacts or impacts to transportation. Therefore, no mitigation is required.

Minimal amounts of traffic will be generated from the Project because a small number of employees are needed to operate the power plant. The traffic from the Project will access and leave the site via Zorn Boulevard at Horseblock Road. Zorn Boulevard is located on the north side of Horseblock Road between Old Dock Road and Alexan Boulevard. The Zorn Boulevard access will be restricted to right-turn movements only (i.e., prohibiting all left-turn movements, allowing entering and exiting right-turns only). None of the studied intersections will experience a change in the Level of Service because of the operation of the Project. At the four intersections that will have a Level of Service F without the Project, as discussed in the FEIS, the additional delays caused by operation of the Project will be less than 5 seconds. Delays of this magnitude are not considered to be significant.

No significant adverse impacts to local airport operations or air navigation will result from the operation of the Project. The Project will also not result in any significant adverse impacts to the operation of the main line of the Ronkonkoma Branch of the LIRR.

G. Air Quality

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts to air quality; therefore, no mitigation is required.

Combined-cycle power plants with emissions of one or more criteria pollutants in excess of 100 tons per year (tons/yr) are considered major stationary sources subject to the Clean Air Act's Prevention of Significant Deterioration (PSD) permit program. The Project is subject to PSD review for the following pollutants: NO_x, CO, particulate matter and particulate matter sized 10 microns or smaller (PM/PM₁₀), sulfur dioxide (SO₂) and sulfuric acid mist (H₂SO₄). The Project is thus subject to Best Available Control Technology (BACT) requirements for these applicable PSD pollutants. Since the Project will be located in a severe ozone non-attainment area, and VOC and NO_x emissions each exceed the 25 tons/yr threshold, the Project is subject to the Clean Air Act's non-attainment new source review for both VOC and NO_x. The Project is thus subject to Lowest Achievable Emission Reduction (LAER) requirements and must obtain emissions offsets for both VOC and NO_x. Accordingly, Caithness has filed a PSD application with the EPA and a Part 201 State Air Facility Permit application, which incorporates New York's non-attainment new source review requirements at 6 NYCRR Part 231-2, with DEC. To meet both BACT and LAER requirements, the Project will utilize a selective catalytic reduction (SCR) system to limit NO_x emissions, an oxidation catalyst to limit CO and VOC emissions, and natural gas with low sulfur distillate as backup fuel oil to limit emissions of PM/PM₁₀, SO₂ and H₂SO₄.

To determine if the Project will result in any significant adverse air quality impacts, four worst-case facility operating scenarios (including the higher emissions rates that will occur during startup) were modeled pursuant to a EPA and DEC-approved modeling protocol. For all four operating scenarios, the maximum modeled concentrations will be less than the EPA-defined Significant Impact Levels (SILs), and the concentrations from the Project when added to existing background concentrations will not result in any National Ambient Air Quality Standard (NAAQS) violations. In addition, air quality modeling was performed for particulate matter sized 2.5 microns or smaller (PM_{2.5}), pursuant to DEC's interim policy for *Assessing and Mitigating Impacts of Fine Particulate Matter Emissions*. Because the Project's maximum modeled 24-hour and annual PM_{2.5} concentrations will be less than the DEC's interim thresholds and the total 24-hour and annual PM_{2.5} concentrations when added to existing background concentrations will be less than the EPA's PM_{2.5} NAAQs, the Project will not have a significant adverse impact on PM_{2.5} concentrations.

An assessment of non-criteria pollutants was also conducted which demonstrated that the maximum modeled non-criteria pollutants will be well below their corresponding DEC short-term and annual guideline concentrations. The Project will store aqueous ammonia for use with the SCR pollution control system at a concentration of 19 percent on-site, for which EPA does not mandate accident release modeling. Nevertheless, an analysis of a worst-case accidental release of the aqueous ammonia was conducted and summarized in

the FEIS, which showed that such a release will not result in an exceedance of ammonia greater than EPA's thresholds beyond the property boundary.

Overall, operation of the Project will not result in any significant adverse impacts to air quality.

H. Noise

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse noise impacts; thus no mitigation is required.

The design of the Project will include the following noise attenuation features:

- generation building housing the combustion turbine and steam turbine and generator;
- noise limits and design requirements for the heat recovery steam generator and exhaust stack;
- combustion turbine air intake silencer;
- noise limit and design requirements for the boiler feed water pumps;
- noise limits and design requirements for the air cooled condenser;
- noise limits for exterior pumps/motors;
- noise limit and design requirements for the glycol cooler fan;
- noise limit or enclosure for fuel gas compressor; and
- noise limit and design requirements for transformers.

As discussed in the FEIS, predicted increases in noise levels from the Project, including at all nearby sensitive receptor locations, are 3 decibels dB(A) or less, which is considered to be a barely perceptible increase in noise levels. Accordingly, no significant noise impacts are expected due to Project operation. The Project's operational noise levels will comply with the Town of Brookhaven noise ordinance limits for both the residential locations and the industrial property lines, for both daytime and nighttime operation.

I. Geology, Seismology and Soils

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts to geology, seismology or soils; thus no mitigation is required.

No unique or unusual geologic resources exist on the Project site or on the 96-acre parcel. The 96-acre parcel is nearly level and bedrock in the area of the 96-acre parcel is estimated at approximately 1,500 feet below ground surface. Support piles for the Project

will not reach the bedrock, so bedrock will not be affected. The soils at the site are also considered competent to support the loads associated with the Project, without the need for bedrock support. The seismic design for the Project will be based on the requirements of the International Building Code, and adherence to these requirements will minimize potential risks associated with seismic events. During construction of the Project, soil erosion and sediment controls will be installed to minimize the potential for erosion and soil loss. Any soils disposed off-site after excavation will be disposed of in accordance with all applicable rules and regulations.

None of the soil or geologic conditions encountered along the on-site interconnection routes presents any engineering or construction issues that cannot be addressed through conventional construction methods. Further, based on a review of data from past geotechnical investigations conducted on nearby properties and from observations of LIPA's existing 138 kV transmission line adjacent to the 96-acre parcel, the native and anthropogenic unconsolidated strata underlying the 96-acre parcel are considered suitable to support the proposed interconnection facilities. Considering depth to bedrock in the Project area, blasting will not be required during construction of the on-site interconnections. No wetlands or streams will be impacted by the excavation and construction of the on-site electric transmission and natural gas interconnections. Following construction, topography along the on-site interconnection routes will be graded similar to existing conditions. Therefore, there will be no significant adverse impacts as a result of the Project.

J. Infrastructure

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts to infrastructure and thus no mitigation is required.

1. Water Supply

Water will be required for several functions associated with the safe, clean and efficient operation of the Project. Water is used for steam cycle boiler water makeup, plant maintenance, inlet air-cooling, compressor cleaning, and potable water needs. The Project will be one of the most water efficient combined-cycle electric generation facilities statewide. This is primarily attributable to the selection of an air cooled condenser for heat dissipation rather than relying on once through or evaporative cooling technologies. In addition, water supply and wastewater discharge requirements will be minimized through installation of a finfan cooler to manage the facility's auxiliary cooling loop and to recycle and reuse process wastewater, when practicable.

The Project's water demand will range from 43,200 to 80,640 gallons per day (gpd) depending on the ambient temperature, weather conditions, and mode of operation. Over the course of a year, the average daily demand is expected to be about 50,400 gpd. The proposed fire suppression system will have a demand of 1,810 gallons per minute (gpm) under emergency conditions. A 12-inch diameter pipe under Zorn Boulevard will convey the water. Raw water will be stored on-site in a 750,000-gallon tank. Raw water will be

demineralized so that it is suitable for use in the combustion turbine, steam boiler and other processes.

Water will be supplied by the Suffolk County Water Authority (SCWA) from their Patchogue/Yaphank wellfield and pumping station, located on the west side of Sills Road. SCWA issued a Letter of Availability for the Project with the only caveat being that the Project not withdraw water at a rate of 150 gpm between 12 Midnight to 9AM. Caithness will comply with this restriction. Two of the three wells at the Patchogue/Yaphank wellfield can supply 1,400 gpm, and the third can supply 1,300 gpm. The maximum expected demand from the Project is about 56 gpm. Overall, the Project's average annual withdrawal will constitute less than a 0.05 percent increase over the present demand on the SCWA system. Therefore, the water supply needs for the Project will not result in any significant adverse impacts.

2. *Wastewater*

The Project will generate a minimum volume of wastewater. The majority of the process water will evaporate and not become wastewater. The main processes that generate wastewater will be flushing of a new demineralization trailer once or twice a month, off-line compressor wash water, and plant maintenance water collected in the facility floor drains. The rinse water for the demineralization system is expected to be at most 3,000 gallons per month and will be disposed of via an on-site groundwater recharge system. The water will be about the same quality as the water delivered by SCWA. The off-line wash water will be about 1,000 gallons per month. Because it would contain cleaning agents, it will be held and hauled to Suffolk County Sanitary Sewage District No. 3—Southwest. In addition, after being processed through an oil water separator, the floor drain water will be sent to the same sewage treatment plant. The oily materials from the oil water separator will be sent to a licensed disposal facility separately. Overall, these small volumes of process wastewater will not have a significant adverse impact on the existing disposal systems.

Sanitary sewage from workers and visitors is expected to be about 1,500 gpd. This volume of sanitary sewage will be disposed of in its own on-site subsurface disposal system. The new, on-site disposal systems will be designed and built according to Suffolk County Department of Health Services and DEC regulations and standards, and therefore are not expected to have a significant adverse impact.

3. *Groundwater*

The aquifers under the site and from which the water will be withdrawn are designated as Sole Source Aquifers by the United States Environmental Protection Agency, and as such are protected under the Federal Safe Drinking Water Act of 1974. However, the Project site is outside of any of the deep recharge areas. No significant adverse impact to the Patchogue-Yaphank wellfield or any nearby wells is expected.

Sanitary sewage will be disposed of in one on-site system, and rinse water from the demineralization trailer and some drain water will be sent to another on-site subsurface system. Both systems will be required to obtain a State Pollutant Discharge Elimination System (SPDES) permit and to comply with State and Suffolk County regulations and standards, and therefore will not have a significant adverse impact on the aquifers.

4. *Surface Water*

The Project will not have any surface water discharges, nor will it use any surface water. No surface waters exist on the Project site or on the 96-acre parcel. The nearest surface water body is the Carmans River, located about 1 mile northeast of the Project site. Therefore, the Project will not have a significant adverse impact on surface water quality.

5. *Stormwater*

The Project will place impervious surfaces in areas where currently stormwater can infiltrate into the ground, changing the runoff characteristics of the site. Both structural and non-structural methods will be used to prevent significant adverse stormwater and sedimentation impacts.

The site will be designed so that all stormwater is kept on site and sent to a recharge basin. All stormwater will infiltrate into the groundwater. Areas where chemicals and fuel are stored will have containment of 110 percent. These areas include the fuel tank, truck loading area, ammonia storage and transformers. Stormwater from these areas will be conveyed to oil/water separators. The water will be visually inspected to ensure that it is clean and does not contain oil or petroleum products. After inspection, the stormwater will be released to the recharge basins. The oily residue will be collected separately and sent to a licensed disposal facility.

Non-structural measures will include the preparation and implementation by Caithness of stormwater pollution prevention and spill prevention control and countermeasure plans. The plans will detail measures to be taken during operation to prevent spillage and loss of chemicals. In addition, cleanup measures will be specified. Specific contacts for environmental response companies will be maintained in the event of a spill. The stormwater pollution prevention plans will be updated periodically as needed. Procedures for truck loading and unloading will be detailed, and a plant employee will be required to be present at the loading/unloading spot. A regular system of daily, weekly, monthly, and annual inspections will be established to ensure that all equipment is in good operating condition. Regular employee training sessions will be held along with drills to ensure that all employees know the proper response to any spills or other emergencies.

These structural and non-structural measures will ensure that the Project does not have a significant adverse impact due to stormwater or sedimentation.

6. *Solid Waste*

The solid waste generated at the Project generally will be limited to small quantities of office waste and general plant refuse, which will be handled and recycled or disposed of appropriately. This small volume of solid waste is not expected to have a significant adverse impact on the solid waste handling system.

7. *Chemical Wastes*

During operations, the Project will generate small volumes of chemical wastes and waste that can be classified as hazardous. Typical wastes are expected to include the sludge from the oil/water separators, spent lubricating oils, oil filters and air filters. These wastes will be separated from general solid waste and stored in specially marked containers. The Project is expected to be designated as a Conditionally Exempt Small Quantity Generator as defined by the United State Environmental Protection Agency. This classification is for industrial facilities that generate less than 100 kilograms (220 pounds) of hazardous waste per month. Disposal of hazardous waste will comply with the federal Resource Conservation and Recovery Act of 1976 (RCRA) and the New York State Hazardous Waste Regulations (6 NYCRR Parts 370 et seq.). Adhering to the regulations will ensure that the collection, transportation and disposal of chemical wastes will not have a significant adverse impact.

8. *Energy*

The Project will consume approximately 16.3 million million British Thermal Units (mmbtu) per year of natural gas on an annual basis. If low sulfur distillate were burned for 30 days, the Project will consume approximately 11 million gallons of low sulfur distillate on an annual basis. This usage is minimal and will not have a significant adverse impact on the region's energy supply system.

9. *Electric and Magnetic Fields*

The Project will interconnect to LIPA's 138-kilovolt (kV) transmission system within the 96-acre parcel via a newly constructed 138 kV switchyard. The new switchyard will be located adjacent to LIPA's Holbrook-to-Brookhaven transmission line right-of-way, approximately 1,500 feet from the Project's step-up transformers. The 138 kV interconnection between the Project's step-up transformers and the proposed switchyard will be accomplished via an overhead transmission line to be located entirely within the 96-acre parcel.

The post-construction magnetic field levels and electric field levels for the Project's proposed 138 kV electric transmission line interconnection were calculated. Expected magnetic and electric fields will be well below applicable standards and will not have a significant adverse impact on human health.

K. Contaminated Materials

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse impacts due to contaminated materials at the site.

As discussed in the FEIS, a Phase I Environmental Site Assessment (ESA) of the approximately 96-acre parcel was conducted in general accordance with the ASTM "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (ASTM E 1527-00).

In addition, a limited Phase II assessment was undertaken by Caithness of a 1998 tetrachloroethene (PCE) plume at the northern portion of the 96-acre parcel. All concentrations were below DEC groundwater standards. PCE was detected at concentrations of 0.97 and 1.3 parts per billion (ppb), well below the DEC groundwater standard of 5 ppb.

L. Terrestrial Ecology

Based on the analysis in the FEIS, LIPA finds that the Project will not have a significant adverse impact on terrestrial ecology.

The pitch pine-oak forest community around the Project site is not considered unusual in terms of species composition and is apparently secure in New York State. All tree species within the portion of the Project site that will be cleared to accommodate the construction laydown and parking area are expected to rebound. The plant community within the on-site utility interconnect route will shift from that of a forest community to a low-stature plant community comprised of grasses, forbs, shrubs, and occasional pitch pine and oak saplings. Impacts to wetlands and rare species are not anticipated given their absence on the site.

Wildlife species that presently utilize pitch pine-oak forested stands will continue to have access to a significant amount of available habitat following construction of the Project. It is anticipated that forest community wildlife will return to the portion of the construction laydown and parking area that is allowed to revegetate and other undisturbed areas as the forest regenerates in the years following the completion of the Project. Therefore, no mitigation is required.

M. Construction Impacts

Based on the analysis in the FEIS, LIPA finds that there will be no significant adverse impacts to the environment due to construction of the Project. Therefore, no mitigation is required.

The Project will generate approximately 375 peak construction jobs. The average workforce level is expected to be approximately 250 construction employees. Construction is expected to be completed within 26 months. The peak construction period

will last approximately three months. Construction will generally occur on a one ten-hour shift, five-day workweek from 6:30 a.m. to 4:30 p.m., Monday through Friday. Work schedules have been planned to minimize shift-change traffic during peak traffic periods. Some evening activities could become necessary for certain construction tasks (e.g., concrete pours). These activities, however, would require a smaller number of workers than would occur during peak daytime hours.

During these 26 months construction will proceed as follows:

- installation of erosion and sedimentation control measures;
- installation of access drive and temporary utilities (electricity and phone);
- set-up and assembly of temporary office and warehouse;
- preparation of construction parking and equipment staging areas;
- site preparation;
- disposal of wastes during construction;
- excavation and construction of foundations;
- erection of permanent facility equipment and buildings;
- installation of Project gas and electric interconnections;
- stabilization of disturbed areas following completion of final grading; and
- systems testing and commissioning.

Prior to commencement of construction, a comprehensive security plan will be developed by Caithness and implemented. The security plan will be provided to the Suffolk County Police Department and the Suffolk County Department of Fire, Rescue, and Emergency Services for coordination and review.

1. Construction Traffic

The peak construction analysis in the FEIS considered a maximum of 500 workers at the Project site. Trip generation was assumed to result in approximately 400 vehicle trips entering the site during the morning peak period. For the evening peak period, approximately 400 vehicle trips were assumed to exit the site, with approximately 100 new entering trips for a possible second construction shift.

Temporary construction traffic impacts could arise in 2006 during the peak construction period, but are due to the volumes associated with the construction of two other planned developments. Intersections experiencing temporary impacts during the construction phase consist of:

- Horseblock Road/County Road (CR) 16 at LIE North Service Road
- Horseblock Road/CR 16 at LIE South Service Road

- Horseblock Road/CR 16 at Sills Road/CR 101
- Horseblock Road/CR 16 at Bellport Avenue/Station Road

These impacts associated with the Project during the peak construction period are not considered significant since they are expected to last approximately three months. If the Town of Brookhaven Division of Traffic Safety and/or the Suffolk County Department of Public Works were to administer any traffic improvements to alleviate construction traffic from the various development projects in the area, LIPA and Caithness would coordinate with such agencies accordingly.

2. *Air Quality*

Criteria pollutant vehicle emissions can occur as a result of traffic and/or added trip length from private vehicles that encounter roadway diversions or detours associated with the Project, as well as emissions from the actual construction vehicles. However, no road closures or diversions during the construction of the Project are anticipated.

Off-road construction equipment (such as bulldozers and backhoes) emit criteria pollutants, such as PM₁₀, PM_{2.5}, SO₂, VOC, and NO_x. However, impacts are expected to be minimal for several reasons. Little to no demolition will be required because the Project site is clear of existing structures, and minimal grading will be required because the Project site is relatively level. Most of the equipment will be prefabricated prior to arrival at the Project site or require minimal on-site assembly, thereby minimizing on-site activities. For these reasons, a minimal number of contractor vehicles are expected to be on-site. In addition, the Project site is located more than 2,500 feet from the nearest residence. At this distance, any off-road construction equipment emissions will result in minimal and insignificant impacts.

3. *Noise*

Only daytime construction is currently anticipated for the Project. The calculated construction noise levels are well below existing daytime L_{eq} noise levels at all locations. In the event that nighttime construction is required due to schedule constraints, and is permitted by the Town of Brookhaven, construction noise levels might exceed existing nighttime levels at three locations, but by no greater than 5 dB(A), the Town standard. As such, no significant adverse noise impacts from construction noise are anticipated.

4. *Stormwater*

Caithness will install erosion and sediment control measures prior to beginning other land disturbances and such measures will not be removed until the disturbed land areas are stabilized.

All erosion and sediment control measures and best management practices (including specifications for temporary and permanent seeding) used during construction will

comply with the specifications contained in the New York State Stormwater Management Design Manual.

N. Cumulative Impacts

Based on the analysis in the FEIS, LIPA finds that the Project will not result in any significant adverse cumulative impact.

A cumulative impact analysis was performed to examine whether the Project, cumulative with other relevant facilities will have the potential for causing significant adverse environmental impacts. Cumulative impact studies performed included: (i) an air quality cumulative impact analysis addressing the combined operation of the Project and all LIPA-sponsored power generation projects recently constructed, under construction, or proposed; (ii) a local air quality cumulative impact analysis, addressing the combined operation of the Project and any approved or pending large combustion sources located within 10 miles of the Project site; (iii) a water supply cumulative impact analysis addressing the combined operation of the Project and other power generation facilities proposed or permitted under NYS Article X jurisdiction and all LIPA-sponsored power generation projects recently constructed, under construction, or proposed; (iv) operational cumulative impact analyses addressing other technical areas (e.g., traffic, noise, and land use); and (v) where the construction of another project could overlap with construction of the Caithness Long Island Energy Center, a cumulative impact analysis addressing construction impacts.

With regard to the two air quality cumulative impact analyses, air quality modeling results indicate that the total concentrations will neither exceed any NAAQS nor any SILs. With regard to the cumulative water supply analysis, the overall consumption of groundwater for the relevant energy facilities considered is minimal compared to the existing demand, which can be safely met by Long Island's groundwater resources. Moreover, the effect of water withdrawals from all of the projects will not have a significant adverse cumulative impact on groundwater. With regard to cumulative effects on land use, community facilities, cultural resources, visual resources, socioeconomics and environmental justice, traffic and transportation, noise, geology/seismology/soils, contaminated materials, and terrestrial ecology, the Project will result in no significant adverse cumulative impacts.

With regard to cumulative construction impacts, detailed analyses were performed to examine potential cumulative fugitive dust, noise, and traffic impacts associated with construction of the Caithness Long Island Energy Center and Brookhaven Energy Project. Those analyses concluded that there will be no significant adverse cumulative impacts. However, it did denote that for short periods of time (approximately three months), congested traffic conditions may occur if peak construction of both projects occurs at the same time. However, given the short duration of such congested traffic conditions, cumulative construction traffic impacts are also not considered significant.

O. Other Environmental Impacts

The Project will have no significant adverse impacts with respect to other short or long-term impacts, irreversible and irretrievable commitments of resources, or growth-inducing aspects, and will not result in any significant adverse impacts that cannot be avoided.

P. Natural Gas Supply Alternatives

The Project will utilize natural gas as its primary source of fuel. The natural gas will be delivered to the Project from one of several pipeline projects that are currently under review. It is contemplated that any new natural gas pipeline lateral would be developed by an entity other than LIPA or Caithness and would be available to the Project as well as other users in eastern Long Island. Any new pipeline project would require separate approval from either the Federal Energy Regulatory Commission (FERC) under its Section 7(c) certificate authority or the New York State Public Service Commission (PSC) under Article VII of the Public Service Law.

The FEIS included a general overview of the conceptual design of two alternative sources of natural gas supply that could serve the Project, including a review of probable environmental impacts of the alternatives. A full environmental review would be undertaken by the pipeline project sponsor following either FERC or PSC environmental review procedures. (FERC licensing involves an environmental impact review prepared in accordance with the National Environmental Policy Act (NEPA).) Such environmental review processes would be subject to public review and comment.

One potential supply of natural gas could occur with an extension of the "Iroquois Interstate Pipeline." The Iroquois Interstate Pipeline currently terminates in Commack, Suffolk County, New York. This pipeline could be extended from this termination point for an approximate 22 miles generally along the right-of-ways (ROWs) of the Sunken Meadow Parkway and the Long Island Expressway (LIE) and then along the existing LIPA transmission ROW to the Project site. As an interstate pipeline transmission facility, the proposed gas pipeline lateral would be regulated under the requirements of the Federal Natural Gas Act (NGA). The lateral would require a certificate of public convenience and necessity from FERC under the NGA. FERC would have exclusive jurisdiction over the review and licensing of the pipeline lateral, including environmental review under NEPA. This source of fuel supply, if Iroquois successfully completes its permitting requirements, would be available to the proposed Project as well as other users in eastern Long Island.

Another possible alternative would be for the Project to connect with the proposed "Islander East" pipeline. This proposed pipeline has received FERC approval and is awaiting certificates and approvals from the State of Connecticut. The terminus of this pipeline lateral is proposed to be located approximately 4,000 feet north of the Project site, along the eastbound service road of the LIE. For this alternative, a natural gas lateral (or pipeline spur) would need to be constructed, which would leave the northeastern

portion of the 96-acre parcel and follow LIPA's transmission line ROW to the proposed Islander East Pipeline terminus located along the LIE. This pipeline spur would require either FERC or PSC approval. If subject to PSC review, SEQRA expressly excludes actions subject to Article VII of the Public Service Law from the requirement to prepare an environmental impact statement (ECL § 8-0111(5) and 6 NYCRR § 617.5(c)(35)), and Article VII imposes its own environmental review requirements.

As stated in the FEIS, other providers of natural gas could also be utilized. Any such provider would be subject to either FERC or PSC review.

The licensing of a natural gas pipeline lateral ultimately used to provide a natural gas supply to the Project was not part of this SEQRA review because, as an independent project, it would go through its own separate environmental review and approval process. As stated above, the proposed pipeline routes presented in the FEIS are not yet approved by FERC or by the PSC.¹ Such approval would occur only after completion of the FERC or Article VII licensing process, which involves extensive environmental impact analysis and permitting requirements. As such, the alternative pipeline routes and construction methods presented in the FEIS may not be the final route and/or construction methods that are ultimately licensed by FERC or the PSC for supplying natural gas. However, the alternative pipeline routes presented in the FEIS are viable pipeline routes that demonstrate it is feasible to license a pipeline to bring natural gas to the Project. Similarly, the anticipated construction methods identified in the FEIS conform to standard industry practice and demonstrate that it is feasible to construct the pipeline without significant environmental effects.

¹ While the construction of a natural gas pipeline lateral is not part of the proposed action, it should be noted that SEQRA permits segmentation if circumstances warrant a segmented review and the lead agency demonstrates that such segmented review is clearly no less protective of the environment. 6 NYCRR § 617.3(g)(1). In this case, the environmental review of a proposed pipeline, as addressed in the FEIS, demonstrates that no significant adverse impacts from the construction of such a pipeline are expected and that, in any case, the pipeline will be subject to a full environmental review, along with public comment, by the pipeline sponsor and either FERC or PSC. Accordingly, pursuant to 6 NYCRR § 617.3(g)(1), LIPA finds that the independent review processes for the Caithness Long Island Energy Center and the natural gas pipeline lateral alternative are warranted and are no less protective of the environment.

IV. CERTIFICATION OF FINDINGS TO APPROVE

LIPA has considered the relevant environmental impacts, facts and conclusions disclosed in the FEIS and has weighed and balanced relevant environmental impacts with social, economic and other considerations.

Having considered the DEIS and FEIS and the above written facts and conclusions relied upon to meet the requirements of 6 NYCRR § 617.11, LIPA certifies that (1) the requirements of 6 NYCRR Part 617 have been met; and (2) consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

The above Findings Statement was approved and adopted by the LIPA Board of Trustees on December 15, 2005



**Edward J. Grilli,
Senior Vice President and Chief of Staff**

12-15-05

Date

Additional information can be obtained by calling the LIPA Caithness information line at 516-719-9828 or writing to the Long Island Power Authority, 333 Earle Ovington Boulevard, Suite 403, Uniondale, NY 11553, Attention Caithness Long Island FEIS.

APPENDIX A
PUBLIC OUTREACH

During the planning of the Caithness Long Island Energy Center, representatives of LIPA and Caithness met with representatives of the following federal, state and local governments, agencies, and interest groups regarding the proposed Project:

- United State Environmental Protection Agency, Region 2
- Resi Cooper, Legislative Aide to Senator Hillary Clinton
- Christopher Hahn, Legislative Aide to Senator Charles Schumer
- John Schneider Legislative Aide to Congressman Tim Bishop
- New York State Department of Environmental Conservation
- New York State Department of Public Service
- New York State Legislature - Senator Ceaser Trunzo, Senator Kenneth LaValle, Assemblyman Paul D. Tonko, Assemblywoman Patricia Eddington, Assemblyman Steve Englebright, and Assemblywoman Patricia Acampora
- Suffolk County Legislature - Legislators Peter O'Leary, Brian Foley, Daniel Losquadro, Vivian Vilorio-Fisher, and Andrew Crecca and Legislators-elect Wayne Horsley and Jack Eddington
- Suffolk County Office of the County Executive
- Suffolk County Department of Health Services
- Suffolk County Department of Public Works
- Suffolk County Fire Rescue Services
- Suffolk County Police Department
- Town of Brookhaven Office of the Supervisor
- Town of Brookhaven Office of the Assessor
- Town of Brookhaven Department of Planning, Environment and Land Management
- Town of Brookhaven Fire Marshall
- Town of Brookhaven Department of Public Safety
- Town of Brookhaven Town Council – Councilmen Steve Fiore Rosenfeld and James Tullo and Councilwoman-elect Constance Kepert
- Long Island Regional Planning Board
- Yaphank Volunteer Fire District
- South Country School District
- Bellport Hagerman East Patchogue Alliance
- Brookhaven Village Association
- Long Island Mid-Suffolk Business Action
- Long Island Association
- Long Island Business Development Council

- Long Island Neighborhood Network
- Natural Resources Defense Council
- Renewable Energy Long Island
- Sustainable Energy Alliance Long Island
- Long Island Pine Barrens Society
- Sills Industrial Association
- Long Island Newsday
- Suffolk Life Newspaper
- Long Island Business News
- Cablevision
- New 12 Long Island
- Oil Heat Institute of Long Island
- Yaphank Taxpayers and Civic Association
- Yaphank Presbyterian Church
- Bellport Chamber of Commerce
- Hauppauge Industrial Association
- Action Long Island
- Nassau Suffolk Building Trades Council
- Affiliated Brookhaven Civic Organizations
- Medford Taxpayers and Civic Association
- South Yaphank Civic Association
- Suffolk County Police Department
- Tri-Hamlet Coalition