

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

**Project:** Bay Park Sewage Treatment Plant (STP) Dedicated Distribution Feeder Project

**Date:** January 24, 2020

This notice is issued in accordance with Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617 and 21 NYCRR LXXXI 10052.

The Long Island Power Authority (“Authority”) has determined, based on information provided by PSEG Long Island and the Environmental Assessment Form Parts 1, 2 & 3 prepared by PSEG Long Island that the Proposed Action described below will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Bay Park Sewage Treatment Plant (STP) Dedicated Distribution Feeder Project

**Location:** LIPA E.F. Barrett Substation and Nassau County Bay Park STP, along the Daly Blvd., Hampton Rd., Royal Ave., River St., Williamson St., and Compton St. rights-of-way, hamlet of Oceanside, hamlet of Bay Park and Village of East Rockaway, Town of Hempstead, Nassau County, New York

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Proposed Action Description:**

Nassau County has requested that PSEG Long Island, as agent for and service provider to the Long Island Lighting Company d/b/a LIPA, a wholly-owned subsidiary of the Long Island Power Authority (“LIPA”) become the primary source for electrical power to the County’s Bay Park Sewage Treatment Plant (“STP”). STP’s current source of primary power is four 3,600 kW Cooper Bessemer engines with Ideal generators, two of which are currently required to run the Bay Park STP’s electrical load and two which serve as spares. Additionally, there is an existing LIPA 13.2kV feeder that can provide electrical service in emergencies; however, this feeder is not sufficient to power the entire facility.

In order to ensure sufficient and reliable power supply to the Bay Park STP, PSEG Long Island is planning the installation of two dedicated underground 13.2kV feeders that will originate at LIPA’s E.F. Barrett Substation located at 4001 Daly Blvd in the hamlet of Oceanside, New York and will terminate at the Bay Park STP located south of Marjorie Lane in the Village of East Rockaway, New York. In addition, electrical equipment and interconnections will be installed within the limits of the E.F. Barrett Substation and Bay Park STP to accommodate the feeder installation.

The Proposed Action will provide up to 10.3 MW of both primary and backup supply of power to the Bay Park STP. There will also remain 7MW of generators on site at the Bay Park STP to be used only during emergencies.

The Proposed Action is expected to be completed by April 2022. The addition of approximately 10.3MW of load into the Barrett 138kV bus will accelerate the current plan for a bus reconfiguration in 2024 by one to two years dependent upon the system forecast.

While the electrical lines will benefit the Bay Park Conveyance Project directed by the Consent Agreement that the County entered with the New York State Department of Environmental Conservation (NYSDEC), its primary purpose pre-existed the Bay Park Conveyance Project directed by the Consent Agreement. As such, the Proposed Action has an independent utility from the County's work pursuant to the Consent Agreement; providing the STP with a reliable source of electricity in order to allow the STP to avoid the use of generators resulting in reduced noise and emissions. The Consent Agreement work is classified as a Type II action under SEQRA pursuant to 6 NYCRR 617.5(c)(35) as it is directed by the NYSDEC's Consent Agreement. The Proposed Action and the Bay Park Conveyance project would not have common impacts. Under 6 NYCRR 617.3(g)(1), completing a SEQRA review for the Proposed Action only therefore will be no less protective of the environment than a SEQRA review encompassing both the Proposed Action and the County's work pursuant to the Consent Agreement. No cumulative impacts are anticipated to result from the two actions.

#### Proposed Action Location, Components and Methodology

The two new 13.2kV distribution feeder cables will each be approximately 11,000 linear feet in length. The feeders will exit north from the existing E.F. Barrett Substation on to Daly Boulevard, then west on Daly Boulevard, across the Daly Boulevard Bridge, proceed to Hampton Road, north on Hampton Road to its intersection with Royal Avenue, continue north on Royal Avenue to River Street, west on River Street and under the East Rockaway Channel. The two distribution feeder cables will be installed below the East Rockaway Channel and continue along Williamson Street to 5<sup>th</sup> Avenue, where they will turn south along 5<sup>th</sup> Avenue and Compton Street and terminate at the STP.

The two distribution exit feeders will be installed in 6" conduits, with two spare conduits installed for potential future distribution feeder installation. The distribution feeders will be installed via open trench, with the exception of an approximate 300-foot length, where they will be affixed to the Daly Boulevard bridge, and an approximate 400-foot length where they will be installed via HDD below East Rockaway Channel. Except for these locations, the distribution feeders will be located under existing roadways, and within the limits of the E.F. Barret Substation and Bay Park STP. A total of approximately 28 manholes will be installed along the feeder route.

The proposed drill pits for installation of the feeders via HDD below the East Rockaway channel will be located one approximately 40 feet away from the eastern bulkhead of the channel, and the other approximately 70 feet away from the western bulkhead of the channel. The drill pits will be completed

within paved areas – a condominium parking lot located at 4 Rose Street in Oceanside and within the roadway in front of a residence at 140 Williamson Street in East Rockaway. The drill pits will each measure approximately 4' x 4' x 8'. The diameter of the HDD borehole will be approximately 16".

In addition to the underground distribution feeder installation, electrical equipment will be installed within the limits of the E.F. Barrett Substation and the Bay Park STP, and underground interconnections will be made as needed. Equipment installations will include the installation of new transformers, switchgears, battery racks, manholes, switching equipment and support structures. Modifications will be made to existing equipment to accommodate the electrical upgrades, as needed.

### **Reasons Supporting This Determination:**

Based on a review of the Proposed Action's scope of work in accordance with the requirements of SEQRA, the Full Environmental Assessment Form ("FEAF") was prepared to evaluate potential impacts of the Proposed Action. The FEAF evaluates the effect of the Proposed Action upon land use, natural resources, visual resources and community character, energy use, environmental hazards and human health resources.

#### *Land Use*

The Proposed Action involves the installation of distribution feeders beneath existing rights-of-way (with the exception of the HDD crossing East Rockaway Channel) and the installation of aboveground equipment within existing industrial facilities (E.F. Barrett Substation and Bay Park STP). The HDD activities below the East Rockaway Channel will not result in any changes to land use as the feeders will be installed below the bed of the channel. Similarly, the installation of the cables underneath roadways will not result in any changes to land use. Finally, the installation of the cables on the underside of the Daly Boulevard bridge will not cause any changes to land use. Therefore, the Proposed Action will have no significant adverse impacts on land use and the Proposed Action will be consistent with the current character of the area.

#### *Historic/Archaeological Resources*

The Proposed Action is not located within, or substantially contiguous to any property listed or eligible for listing on the National Register of Historic Places. The Proposed Action is located within a New York State Office of Parks, Recreation and Historic Preservation (OPRHP) designated archaeologically sensitive area. A consultation request for the Proposed Action was submitted to the OPRHP on December 6, 2019. In a findings letter dated January 3, 2019, OPRHP made a determination that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Proposed Action. With the exception of the HDD crossing below East Rockaway Channel, the Proposed Action will occur entirely within previously disturbed areas. Given this information, no impacts to archaeological and/or historic resources are anticipated.

### *Natural Resources*

Groundwater at the Proposed Action site may be encountered at depths less than 3 feet below ground surface. Due to the proposed depths of excavation activities, construction activities may encounter groundwater. Dewatering is not anticipated, but if it is warranted, groundwater will be removed with pumps and transferred into frac tanks. However, they are not anticipated to have a potential for significant adverse impacts because the cable will be located within an inert PVC conduit and the depth of construction activities will be shallow and not at depths consistent with the intake elevations of local water supply wells. The vast majority of excavation activities will be completed above the water table.

The majority of the Proposed Action is located within the 100-year floodplain, and portions of the Proposed Action are located within the 500-year floodplain. Underground distribution feeder installations will be completed via open trench in roadways and via HDD in open water areas. These configurations would not increase the potential for property damage caused by flooding. There would be no permanent change in topography within the designated floodplains. Further, the Proposed Action will result in a negligible increase in impervious area, as the vast majority of the work will be completed within existing paved areas that will be restored to pre-construction conditions. Therefore, the Proposed Action would not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters on the Proposed Action site or within the project vicinity.

As the Proposed Action is located within a New York State coastal zone, a New York State Department of State (NYSDOS) Coastal Assessment Form (CAF) was completed and submitted to NYSDOS. The Proposed Action will be consistent with and will not substantially hinder the achievement of any of the coastal policies set forth in 19 NYCRR Part 600.5.

The Proposed Action will not be undertaken directly in wetland areas. The HDD drill pits will be located in paved areas that are separated from the East Rockaway Channel by existing bulkheads. Similarly, trenching activities on Hampton Road will be separated from the wetland to the west by an existing bulkhead. LIPA's General Wetlands Permit authorizes the proposed work in the state-regulated wetland adjacent areas. Therefore, individual NYSDEC wetland permits will not be required. Work within tidal wetland areas will be completed via HDD.

A frac-out contingency plan will be prepared and implemented to prevent any potential impacts to the East Rockaway Channel, including bottom sedimentation, from the HDD. A joint application will be submitted to the United States Army Corps of Engineers (USACE) to confirm coverage under Nationwide Permit No. 12 and to confirm with NYSDEC that no state permits are required. As the Proposed Action is located within a New York State coastal zone and involves a federal permit/funding, a Federal Consistency Assessment Form will be submitted to the NYSDOS for coastal consistency concurrence.

No federal or state-listed endangered, threatened, and special concern species, or significant habitats were found on-site or within the vicinity of the Proposed Action. Therefore, there will be no significant adverse impacts to the foregoing.

The existing site of the Proposed Action is best described as an Urban Vacant Lot, which is defined as “an open site in a developed, urban area that has been cleared either for construction or following the demolition of a building.” The new underground feeder cables would be installed within existing paved roadways. Equipment installations within the E.F. Barrett Substation and Bay Park STP will be located in developed areas. Removal of vegetation will not be necessary for the construction or operation of the Proposed Action. Given the limited ecological value and resources of the areas comprising the Proposed Action, no significant adverse impacts to terrestrial ecological communities and vegetation will result from the Proposed Action.

Terrestrial wildlife use of site of the Proposed Action is extremely limited due to current conditions as previously disturbed, developed industrial properties and existing asphalt roadways. Installation of the Proposed Action would not eliminate any high quality or valuable wildlife habitat and would not adversely affect the few urban-adapted species that may occur in the area. As habitat generalists, these species are highly disturbance-tolerant. Individuals of these species may temporarily be displaced from the site of the Proposed Action during construction. However, they are likely to return once construction is completed. Therefore, the Proposed Action will not result in significant adverse impacts to wildlife at either the individual or population level.

#### *Visual Resources*

The distribution feeder cables will be installed underground and will not result in any visual impacts. Aboveground equipment installations will be completed within existing industrial facilities (the E.F. Barrett Substation and the Bay Park STP) and will be lower in height than existing equipment and structures at these facilities. Therefore, the Proposed Action will not result in any significant adverse visual impacts.

The Proposed Action will not significantly impair the visual landscape as experienced from any scenic or aesthetic resources of concern or interfere with or reduce the public’s or area residents’ enjoyment and/or appreciation of the appearance of any inventoried scenic, open space, or other resource. Thus, there will be no significant adverse visual impacts as a result of the Proposed Action.

#### *Energy*

The Proposed Action is required to provide an adequate power supply to the Bay Park STP. The Proposed Action will address current needs and provide a more reliable electric supply to the STP. The Proposed Action will not result in an increase in generating capacity; rather, the Proposed Action will provide enhanced reliability for the existing load.

#### *Human Health and Hazardous Substances*

The Proposed Action is located within 1,500 feet of facilities serving children, the elderly and/or people with disabilities. However, the Proposed Action consists nearly entirely of underground utility installations with the exception of aboveground equipment installations that will occur within the limits of existing developed industrial properties (E.F. Barret Substation and Bay Park STP). The Proposed

Action is located near properties that have been the subject of remediation for either hazardous wastes or spills. The NYSDEC Spills database identified approximately 145 spills that occurred at or in the immediate vicinity of the Proposed Action, but all of the spills are reported as closed, except for three spills associated with the Bay Park STP. The Proposed Action is not expected to encounter hazardous substances associated with those three spills.

The NYSDEC Remediation Site Database identified 7 remediation sites located within 2,000 feet of the Proposed Action. Proper health and safety protocols will be implemented during soil excavation activities, including monitoring soils for discoloration, staining and odors. If necessary, excavation activities will be halted if any suspected contamination is identified until proper testing is completed, as warranted. As such, significant adverse impacts to human health are not anticipated during construction or operation of the Proposed Action.

Based on the EA and PSEGLI's recommendation according to the standards as set forth in SEQRA, the Proposed Action will not result in any significant adverse environmental impacts and a Draft Environmental Impact Statement need not be prepared.

**For Further Information:**

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