

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

Project: Yaphank Fuel Cell Park & 13kV Feeder Cable

Date: September 14, 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:** Yaphank Fuel Cell Park & 13kV Feeder Cable

**Location:** East of Bayshore Avenue, Montauk Highway, Bellport Avenue, Sunrise Highway, South Village Drive, and Sunburst Lane, hamlets of Bellport and Yaphank, Town of Brookhaven, New York

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Proposed Action Description:**

The Proposed Action includes the underground installation of a ±7,350 foot 13 kV feeder cable between the North Bellport Substation and two new pad mounted switchgears, and the construction of a fuel cell on 0.93 acres of vacant land located east of Sunburst Lane in the hamlets of Bellport and Yaphank, Town of Brookhaven, New York. The fuel cell and feeder cable were the subject of an environmental review conducted by the Town of Brookhaven as an Unlisted Action. The Town conducted an uncoordinated review of the project. Despite receiving a copy of the Town's review and providing comments on the materials provided, The Long Island Power Authority ("LIPA") was not formally designated or notified as an involved agency in the Town's environmental review. While PSEG Long Island, on behalf of LIPA, is only undertaking the portion Proposed Action relating to the underground installation of the 13 kV feeder cable, this environmental assessment ("EA") is being prepared to satisfy SEQRA requirements which prohibit segmentation, and therefore includes a review of the entirety of the Proposed Action. This environmental assessment ("EA") is being prepared to satisfy the review requirements under SEQRA.

The fuel cell will consist of three (3) FCE SureSource™ 3000 carbonate fuel cell power units as well as associated ancillary equipment. The technology generates electricity using clean electrochemical fuel cell technology with simple cycle efficiency approaching 47 percent. There are no buildings to be constructed and the fuel cell will be unmanned. The fuel cell will connect to natural gas and potable water utilities in the area. Ingress and egress points will be created for maintenance access to the fuel cell. Stormwater will be directed to an existing recharge basin. Landscaping will be installed to provide vegetative screening of the fuel cell. The developer of the fuel cell will install a cable that will connect to the cable to be installed by PSEG Long Island.

Two new PMH gears will be installed along the feeder cable route; one to the west of the substation and one to the east of Sunburst Lane. The developer for the fuel cell will connect to the PMH gear east of Sunburst Lane. A total of ten manholes will be installed, each of which will require an 11' by 6' disturbance area. Drill pits for directional drilling of the feeder cable will be located at each manhole. Trenching will only occur for the portion of the feeder cable located within the substation.

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

Based on a review of the Proposed Action's scope of work in accordance with the requirements of SEQRA, the Short Environmental Assessment Form Parts 1, 2 & 3 ("SEAF") were prepared to evaluate potential impacts of the Proposed Action.

The SEAF 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. Since the Proposed Action primarily involves the installation of an underground distribution cable, there will be no changes to land use or community character, nor will there be any effects on human health.

No impacts associated with the feeder cable will occur to visual resources as the feeder cable will be located underground. The fuel cell will not have adverse visual impacts to surrounding areas. As the fuel cell is located within the boundaries of the municipal landfill property, visual impacts to sensitive resources will be limited. The relatively level topography and the presence of heavily wooded areas to the south and west will limit visibility. Further, the fuel cell will provide landscaping for further vegetative screening in accordance with a landscaping plan to be approved by the Town. The fuel cell will not have lighting installed, which will further reduce potential visual impacts at night.

No noise impacts will occur from operation of the feeder cable. As indicated in the Town's SEQRA review, noise from the fuel cell will result in a less than 2 decibel increase in noise at the nearest sensitive receptors (a residence located  $\pm 2,400$  feet away and a recreational park located  $\pm 1,300$  feet away). According to the NYSDEC Guidance document (Assessing and Mitigating Noise Impacts) for noise assessment, this increase would not be perceptible to the human ear, and as a result, no noise related impacts will occur as a result of the operation of the fuel cell.

The feeder cable installation associated with the Proposed Action will not require the use of potable water. The fuel cell will require the use of approximately 39,000 gpd on average (i.e., three fuel cell units consuming 13,000 gpd each). Water to support the fuel cell will be obtained through a new water service connection from the Suffolk County Water Authority (SCWA) distribution system. The new service connection will extend approximately 2,600 feet from Sunburst Lane, to the fuel cell. SCWA is the largest groundwater supplier in the nation. In 2016, SCWA pumped, on average, 208 million gallons per day (mgd) or a total of 76.0 billion gallons from roughly 586 active wells. The SCWA distribution system consists of over 5,964 miles of water mains, 64 storage facilities having a combined water storage capacity of 68.9 million gallons and 237 pump stations. Peak daily production capacity exceeds 450 mgd. By comparison, the Proposed Action's water needs will represent only a small incremental increase in water withdrawal from the SCWA's system. The Project's average annual water needs will constitute less than a 0.02 percent increase over existing demand on the SCWA system. No impact on potable water will result from the Proposed Action.

Ground disturbance will primarily take place within previously disturbed areas and paved roadway, with the exception of 0.25 acres of wooded land located on the south side of the landfill for the construction of the fuel cell. Disturbed areas will be restored upon completion of the project. A portion of the Proposed Action is within an OPRHP designated archaeologically sensitive area. Past disturbance,

grading and construction have occurred along the Proposed Action route, which is primarily comprised of roadway rights-of-way, which have resulted in significant previous soil disturbance in these areas. By letter dated May 18, 2020, based on review of the feeder cable installation associated with the Proposed Action scope, the OPRHP made the determination that no historic or pre-historic resources will be affected by the project. No historic or archaeological resources were identified in association with the fuel cell.

The EAF Mapper Summary Report identified that there are Northern Long-eared Bats (NLEB) located at or around the Proposed Action site. NLEB is listed as threatened, both Federally and in New York State. NLEB utilize tree cavities or trees with loose bark to roost, forage, and raise young. The Proposed Action will not require vegetation trimming and removal along the feeder cable route. Tree removal will not be necessary for the feeder cable; however, 0.25 acres of trees will be removed for the construction of the fuel cell. Notwithstanding, no suitable NLEB habitat exists within the Proposed Action disturbance area. Moreover, the NLEB's threatened status is not due to habitat loss, but rather colony collapse due to the introduction of white-nose syndrome (WNS). As such, the Proposed Action will not result in significant adverse impacts to wildlife or ecological communities including the NLEB at either the individual or the population level.

Installation of the feeder cable associated with the fuel cell will not generate any new stormwater discharges. The fuel cell will create 0.65 acres of new impervious surfaces and associated stormwater discharges. Stormwater will be directed to an existing recharge basin located on the landfill property which has excess recharge capacity. No adverse impacts associated with stormwater runoff will occur in association with the Proposed Action.

The northern end of the feeder cable and the fuel cell itself is adjacent to the Brookhaven Landfill, which is an active solid waste management facility. The feeder cable and the fuel cell will not impact the landfill nor will it interfere with any solid waste management activities, as the feeder cable and fuel cell are not located within any of the active designated areas for solid waste management. Additionally, the feeder cable and fuel cell are adjacent to vacant land associated with the Brookhaven Landfill (NYSDEC Site 152041). The Brookhaven Landfill is an active site in the NYS Superfund Program and is the subject of ongoing investigation and remediation. The Proposed Action will not interfere with any remediation areas or activities, nor will it contribute any hazardous waste to the landfill.

Based on the SEAF 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 will not be prepared.

**For Further Information:**

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/s/ Rick Shansky

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Dated: September 14, 2020