

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

Project: Beach Lane Utility Relocation

Date: December 18, 2021

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 (LIPA) has determined, based on information and the EA prepared by PSEG Long Island, that the Proposed Action described below will not have a significant adverse impact of the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Beach Lane Utility Relocation (“the Proposed Action”)

Location: Beach Lane, approximately 2,380 feet south of Wainscott Main Street in hamlet of Wainscott, Town of East Hampton, Suffolk County, New York

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Proposed Action Description:

The Proposed Action includes the relocation of a section of overhead (“OH”) electric distribution utility lines to underground (“UG”) along the public right-of-way on Beach Lane in the hamlet of Wainscott, Town of East Hampton, Suffolk County, New York. The Proposed Action includes the installation of one 13kV UG cable, one below grade (“BG”) transformer, one Load Break Cable Tap Assembly (“LBCTA”), replacement of one utility pole, removal of four utility poles, removal of a portion of overhead lines, as well as associated pole top and anchor work (see Figure 1 - Location Map and Figure 2 - Aerial Imagery Map).

The Proposed Action is being carried out in support of the South Fork Wind (“SFW”) offshore wind project. SFW requires access and appropriate clearances on the east side of Beach Lane for the construction of a portion of the offshore wind project. As a result, relocation of a portion of the existing OH circuit is required to accommodate the SFW project construction activities. Overall, the total disturbance area for the Proposed Action is less than 0.01 acres.

The UG work includes installation of approximately 635 linear feet of 13kV UG distribution cable, one 37.5 kVA BG transformer, one LBCTA, and one splice box. The UG cable will be installed via horizontal directional drill. The UG cable will connect to existing Pole #21 and terminate near the southern property boundary of 98 Beach Lane, where it will connect to an existing UG cable. The BG transformer and splice box will be installed near the northern property boundary of 98 Beach Lane and will be connected to the proposed UG cable. The OH work includes the in-kind replacement of Pole #22, removal of four utility poles (Pole #23, #24, #25 and #26), removal of approximately 500 feet of existing OH wire, installation of a new down guy at Pole #22 and associated pole top work. Verizon will be installing Pole #22 and PSEG

Long Island will remove each original pole. The material of the replaced poles will be the same (wood) and the poles will increase less than ten feet in height after embedment. Lastly, risers will be installed at Pole #21 and #22 for OH connections to the proposed UG cable.

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 ("SEAF") was prepared to evaluate potential impacts. The SEAF evaluates the effect of the Proposed Action upon land use, community character, natural resources, visual resources, energy use, environmental hazards and human health resources.

Land Use

The Proposed Action involves the installation of UG distribution cables beneath an existing right-of-way, the in-kind replacement of existing aboveground equipment along a developed roadway, and the removal of existing OH poles and equipment. The Proposed Action is located within the East Hampton Scenic Area of Statewide Significance. The Proposed Action will not result in any changes to land use and will not impact any scenic resources within the vicinity of the site as there will be no changes that will negatively impact the visual character of the area. In fact, existing OH infrastructure will be replaced with UG infrastructure as a result of the Proposed Action. Therefore, the Proposed Action will have no significant adverse impacts on land use or scenic resources, 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. A portion of 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 October 25, 2021. In a findings letter dated October 28, 2021, 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 (see **Attachment A**). The Proposed Action will occur entirely within previously disturbed areas. Given this information, no significant adverse impacts to archaeological and/or historic resources will occur.

Threatened and Endangered Species

The EAF Mapper summary report identified three Threatened or Endangered animal species located at or near the Proposed Action Site. The *Sternula antillarum* (Least Tern) and *Haliaeetus leucocephalus* (Bald Eagle) are listed as Threatened in New York State. The Least Tern nests on open sand of sand flats, ocean beaches, barrier islands and dredges. The Bald Eagle prefers relatively undisturbed, wooded areas near wetlands or large bodies of water with abundant prey such as fish. Areas with development or other human disturbances tend to be unsuitable for nesting and wintering. The *Charadrius melodus* (Piping Plover) is listed as Endangered both Federally and in New York State, and is listed as Threatened Federally. The Piping Plover prefer sandy shorelines for breeding, spawning and foraging. The Proposed Action site consists of a developed roadway with mowed grass within the roadside and some landscaped vegetation. There are no wetlands, other waterbodies or beaches in or adjacent to the Proposed Action site. The Proposed Action site does not contain suitable habitat for the Least Tern, Bald Eagle or Piping Plover as it is comprised of roadway and maintained landscaped areas. As such, the Proposed Action will

not result in significant adverse impacts to wildlife including the Least Tern, Bald Eagle or Piping Plover at either the individual or the population level.

New York State Coastal Zone

The Proposed Action is located within a New York State Coastal Zone. A New York State Department of State (“NYSDOS”) Coastal Management Program Coastal Assessment Form (“CAF”) has been completed. The CAF does not identify any NYSDOS Significant Coastal Fish and Wildlife Habitats within or adjacent to the Proposed Action. There will be no significant adverse impact to any Significant Coastal Fish and Wildlife Habitat as the Proposed Action is confined to previously disturbed portion of upland areas and the Proposed Action will not result in changes to runoff patterns that would impact the New York State Coastal Zone.

The Proposed Action is located within the East Hampton Local Waterfront Revitalization Program (LWRP) area. Concurrence with the Town of East Hampton LWRP is required for all SEQRA Type I and Unlisted Actions. After conducting a review of the LWRP and its policies, it was found that the Proposed Action is consistent with the LWRP and will not hinder the achievement of those policies. A full summary of the Proposed Action’s consistency with the LWRP Policies is provided in the “Conformance with the Town of East Hampton Local Waterfront Revitalization Plan Policies”. By email, dated December 10, 2021, the Town of East Hampton Chief Environmental Analyst concurred that the Proposed Action “is consistent with the Town’s adopted Local Waterfront Revitalization Plan”.

Floodplains

The pole replacement, pole removals, and a majority of the proposed UG cable installation are located within the FEMA Special Flood Hazard Areas; Zone AE and the 0.2-percent-annual-chance (or 500-year) flood zone. The proposed pole will be built to current storm hardening construction standards. All disturbed areas will be restored in-kind to pre-construction contours. Due to the limited amount of ground disturbance (<0.01 acres), changes to topography that may change flood patterns will not occur. No impacts to the floodplains or to other upstream/downstream properties will result from the construction and operation of the Proposed Action, particularly in view of the resiliency of the design.

For Further Information:

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/s/ Billy Raley

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Dated: December 18, 2021