

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

**Project:** Arverne to Rockaway Beach New 33kV Transmission Circuit (the “Proposed Action”)

**Date:** January 24, 2022

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 should not be prepared.

**Name of Action:** Arverne to Rockaway Beach New 33kV Transmission Circuit (the “Proposed Action”)

**Location:** Edgemere Avenue, Rockaway Beach Boulevard, Beach 73<sup>rd</sup> Street, and Beach Channel Drive in the neighborhoods of Arverne, Rockaway Beach and Rockaway Park, Queens County, New York

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Proposed Action Description:**

The Proposed Action consists of the installation of one new underground (UG) 33kV transmission circuit and spare conduit between the existing LIPA Arverne Substation, located at 53-1 Rockaway Beach Boulevard in Far Rockaway, and the existing LIPA Rockaway Beach Substation, located at 10801 Beach Channel Drive in Rockaway Park (see Figure 1).

The proposed transmission circuit will be approximately 3 miles in length and will primarily be installed within/along public roadways and LIPA rights-of-way in the neighborhoods of Arverne, Rockaway Beach and Rockaway Park, Queens County, New York (see Figure 2). The transmission circuit will traverse below the Metropolitan Transportation Authority (MTA) elevated A/S-train subway tracks at four locations. Splice vaults will be installed along the route of the transmission circuit.

The Proposed Action is being installed in order to relieve contingency overload conditions on the existing transmission circuits currently serving the project area (Circuit #s 33-211 and 33-212). In addition, forecasted load for the project area is expected to increase over the next ten years, which would increase the potential for overload conditions. Therefore, the Proposed Action will serve to relieve these contingency overload conditions, while also supporting future load growth within the area.

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

The Proposed Action is an “Unlisted” Action as defined in SEQRA. An Environmental Assessment (“EA”) was completed by PSEG Long Island. The EA analyzed the potential environmental impacts of the Proposed Action. Based on a review of the Proposed Action’s scope of work in accordance with the requirements of SEQRA, a Short Environmental Assessment Form Parts 1, 2 & 3 (“SEAF”) were prepared. Key findings are outlined below.

- Installation of the transmission circuit will be entirely UG and therefore will not result in any significant adverse visual impacts. The circuit will be installed UG in areas where existing utilities exist, therefore the Proposed Action will not result in any significant adverse impacts to land use.
- The Proposed Action is located adjacent to three sites that are listed, or eligible for listing, in the State or National Register of Historic Places (Rockaway Courthouse, Congregation Derech Emunoh, Synagogue, and Hammels Wye Substation). A consultation request was submitted to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) on June 9, 2021, and OPRHP responded in a letter dated June 15, 2021, indicating that the Proposed Action would have no impact on historic properties, including archaeological and/or historic resources (see **Appendix A**). Therefore, the Proposed Action will not result in any significant adverse impacts to these resources.
- Portions of the Proposed Action include circuit installation within 200 feet of MTA property. PSEG Long Island Real Estate will work with MTA to obtain any necessary access agreements and approvals needed to complete work in these areas. MTA will review project scope and design documents to verify that the project will not impact MTA assets. Access and approvals will be obtained from MTA prior to commencement of construction in these areas, and work will be conducted in accordance with any conditions of access/approval.
- Portions of the Proposed Action will be located within New York State Department of Environmental Conservation (NYSDEC) regulated tidal wetlands adjacent areas. All work activities in the tidal wetland adjacent areas will be completed in accordance with the requirements of a NYSDEC tidal wetland permit that will be obtained prior to commencement of construction in these areas. Sediment and erosion control measures will be installed, as required. Therefore, the Proposed Action will not result in significant adverse impacts to wetlands.

- Due to the shallow depth of groundwater in the vicinity of the Proposed Action, dewatering will be required during construction. Fixed groundwater dewatering wells are proposed to be installed to facilitate construction. A NYSDEC Long Island Well Permit will be obtained prior to the installation or operation of the wells. Extracted groundwater is proposed to be discharged to the city sanitary/combined, for ultimate discharge and treatment at the Rockaway Wastewater Treatment Plant. A Wastewater Quality Control Application for Discharges Over 10,000 Gallons Per Day will be submitted to NYCDEP and discharge approval will be obtained prior to any discharges. In the event that extracted groundwater requires discharge to surface waters or the storm sewer system, the appropriate State Pollutant Discharge Elimination System (SPDES) permit will be obtained from the NYSDEC. Alternatively, if there are no discharges to surface water or sewers, extracted groundwater may be containerized on-site for subsequent off-site transportation and disposal at a PSEG Long Island approved disposal facility in accordance with state and federal regulations.
- As the Proposed Action is located within the New York State coastal zone and within a New York City waterfront revitalization program (WRP) area, a New York State Coastal Assessment Form was completed and submitted to New York State Department of State (NYS DOS), on July 13, 2021; and a New York City WRP Consistency Assessment Form was completed and submitted to the New York City Department of City Planning (DCP) on June 23, 2021 (see **Appendix B**). Consistency concurrence was received from the DCP. Based on these assessments, 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 or New York City WRP.
- Portions of the Proposed Action will be completed within the 100-year floodplain. The Proposed Action will not result in an increase in impervious area. All areas of disturbance will be restored (with seed/sod, concrete, or asphalt, as found prior to construction) upon completion of construction. Therefore, the Proposed Action will not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters on the Proposed Action site or within the project vicinity.
- GEI conducted a Threatened and Endangered Species Assessment for the Proposed Action, under subcontract to PSEG Long Island (see **Appendix C**). A consultation request was submitted to Natural Heritage Program (NHP) to identify rare plants/animals or significant natural communities in the vicinity of the Proposed Action. A report was also generated through New York Nature Explorer to identify listed records of rare species and significant natural communities from the databases of NYNHP. NHP responded in a July 29, 2021 letter identifying: two State-listed threatened animal species (Common Tern and Least Tern); one State-listed endangered and federal-listed threatened species (Piping Plover), one protected bird species (Barn Owl) and one animal species of concern (Checkered White butterfly) potentially located in the vicinity of the Proposed Action. A field assessment was conducted by GEI Consultants on July 12, 2021 to survey for presence/absence, potential habitat and to evaluate potential impacts to the identified animal species.

No Piping Plover, Least or Common Tern, Barn Owl or Checkered White Butterfly and no threatened or endangered plants listed by the Environmental Resource Mapper, NY Nature Explorer, or NYNHP were observed during the field assessment. While some limited

habitat in road medians and areas adjacent to the route may be available for a number of these species, due to the limited temporary disturbance of the proposed project, no impact to species of concern is anticipated. Also, potential habitat for the Checkered White butterfly within the median, while present, may be limited due to the high vehicle traffic likely causing constant disturbance. Since Barn Owls nest within cavities in man-made structures and trees, installation of the underground line will likely not have any impact on any potential Barn Owls in the vicinity. The breeding and foraging habitat for Piping Plover, Least Tern and Common Tern is not present along, or within the immediate vicinity, of the proposed project. Therefore, no significant adverse impacts to these species are expected.

- The Proposed Action is located approximately 65 feet from the Jamaica Bay Critical Environmental Area (CEA); however, it is not located within the limits of this CEA. Construction activities closest to the CEA will be occurring within the existing Beach Channel Drive roadway and LIPA Rockaway Beach Substation and will not result in the encroachment of Jamaica Bay. The Proposed Action will not result in any significant adverse impacts to this CEA.
- The Proposed Action is located within one property listed in the NYSDEC environmental remediation database (LILCO – Edgemere Substation [Site Codes: V00147/241024]) and adjoins two properties listed in the NYSDEC environmental remediation database (3-60 Beach 79<sup>th</sup> Street [Site Code: C241207]) and (K- Rockaway Park MGP [Site Code: 241029]). PSEG Long Island’s contractor will be required to submit an acceptable Health and Safety Plan (HASP) to PSEG Long Island prior to construction. Work activities to be conducted within the Edgemere Substation property (which is known as the LIPA Arverne Substation) will be conducted in accordance with a NYSDEC-approved National Grid Site Management Plan for this property. Proper health and safety protocols will be implemented during soil excavation activities and coordination with appropriate regulatory agencies will be conducted, as required. Therefore, significant adverse impacts to human health are not anticipated during construction or operation of the Proposed Action, nor will there be significant adverse impacts to the remediation of these site.

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

**For Further Information:**

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Dated: 1/24/2022