

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

**Project:** Manorville Cell Tower Overhead Utility Line Removal and  
Underground Utility Line Installation Project

**Date:** March 2, 2023

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 provided by PSEG Long Island and the Environmental Assessment Forms Parts 1, 2 & 3 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:** Manorville Cell Tower Overhead Utility Line Removal and Underground  
Utility Line Installation Project (“the Proposed Action”)

**Location:** Right-of-way running southeast from Hot Water Street to south of Oceanview  
Boulevard, Town of Brookhaven, Suffolk County, New York

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Proposed Action Description:**

The Proposed Action includes the removal of a section of overhead (“OH”) electric utilities along the existing utility right-of-way (ROW) and installation of underground utilities (“UG”) along the ROW running southeast from Hot Water Street to south of Oceanview Boulevard, Town of Brookhaven, Suffolk County, New York (see Figure 1). The Proposed Action is being completed in order to eliminate an OH wire private property crossover, while continuing to provide reliable electric service to the existing cell tower. The Proposed Action includes the removal of nineteen

(19) wood utility poles and associated OH lines; and the installation of one UG primary cable, one manhole (#109234), and three splices (see Figure 1).

Nineteen existing wood utility poles will be cut to grade and removed using hand carts along the existing access path to minimize use of equipment within the ROW. There is no ground disturbance proposed for the pole removal.

The existing UG distribution cable will be extended south along the access road to the cell tower, approximately 945 linear feet, to service the existing cell tower site. An approximately 25-foot portion of the UG service will be installed via guide drill and the remainder will be installed via open trench adjacent to the existing access road. Approximately 0.06 acres (2,850 SF) of ground disturbance will be required to facilitate cable installation via open trench. Standard UG structures (i.e. splices and a manhole) will be required along the new UG cable. The area along the roadway where open trenching will occur is sparsely vegetated. Upon completion of construction, all disturbed areas will be re-vegetated with appropriate native species. Tree removal is not required; however, if any hardwood trees (greater than 3-inches diameter at breast height) must be removed for site access or trenching, the tree clearing shall occur during the winter months (December 1- February 28).

The Climate Leadership and Community Protection Act (CLCPA) requires State agencies, authorities, and entities to direct funding in a manner designed to achieve a goal for disadvantaged communities to receive 40% of overall benefits of spending on clean energy and energy efficiency programs. The CLCPA directs the Climate Justice Working Group to establish criteria for defining disadvantaged communities, however until the criteria is established, New York State has identified interim criteria for disadvantaged communities. The Proposed Action is not located in a disadvantaged community as provided for by the interim criteria and does not include funding for clean energy and energy efficiency programs.

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

The Proposed Action is an “Unlisted” Action as defined in SEQRA. 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. Key findings are outlined below.

### ***Land Use***

The Proposed Action involves the removal of existing OH poles and equipment and the installation of UG distribution cables beneath an existing right-of-way (ROW). The ROW runs along several forested, undeveloped parcels, and is within the Central Pine Barrens Compatible Growth Area. The Proposed Action is not expected to result in removal of trees or changes to existing 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.

### ***Threatened and Endangered Species***

A consultation request was submitted to the New York State Natural Heritage Program (NYNHP) on March 29, 2022 to identify rare plants/animals or significant natural communities in the vicinity of the Proposed Action. In a response dated May 12, 2022, two wildlife species with endangered or threatened protection status in New York State were identified by NYNHP as being on or in the vicinity of the project site: eastern tiger salamander (*Ambystoma tigrinum*, NYS Endangered) and northern long-eared bat (*Myotis septentrionalis*, NYS Threatened) [see Attachment A].

As no tree clearing will occur, no potential impacts to roosting northern long-eared bats are expected. However, if any hardwood trees (greater than 3-inches diameter at breast height) must be removed for site access or trenching, the tree clearing shall occur during the winter months (December 1- February 28) to avoid potential impacts to roosting northern long-eared bats.

Similarly, no impacts will occur to tiger salamanders. Only the pole removal portion of the Proposed Action is located within 1,000 feet of the known eastern tiger salamander habitat at Cranberry Pond, with the ROW entrance located approximately 700 feet southwest of the pond. Impacts to the eastern tiger salamander will not occur, as no loss of habitat will occur within the New York State Department of Environmental Protection (NYSDEC) jurisdictional area around Cranberry Pond (1,000 foot radius).

Further, based on conversations with the NYSDEC Bureau of Ecosystem Health, given the lack of disturbance within 1,000 feet of known tiger salamander breeding ponds, the Proposed Action will not result in a “take” as per 6 NYCRR Part 182. PSEG Long Island has submitted an application for a determination of no incidental take to NYSDEC on October 13, 2022. In a letter dated November 22, 2022 the NYSDEC determined that the proposed project is not likely to result in the take of threatened or endangered species, and therefore, no permit is required at this time.

### ***Critical Environmental Areas***

The Proposed Action is located within the Central Suffolk Special Groundwater Protection Area (SGPA) and the Central Suffolk Pine Barrens, which are designated as Critical Environmental Areas (CEAs) to protect groundwater, protect human health, and drinking water. The Proposed Action will involve ground disturbance at relatively shallow depths (less than 5 feet below grade). Based on the United States Geological Survey Long Island Depth to Water Viewer, groundwater at the Proposed Action site is located at depths greater than 70 feet below grade; therefore, excavation activities will not encounter groundwater. Further, the Proposed Action will involve minimal removal of low lying vegetation in the area of trenching, will not involve any waste discharges to ground surface, and will not involve the installation of any sanitary facilities. Therefore, the Proposed Action will not result in significant adverse impacts to these CEAs.

### **For Further Information:**

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/s/ Billy Raley

Billy Raley

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Dated: March 2, 2023