

STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT

BRIDGEHAMPTON TO BUELL NEW 69-KV UNDERGROUND TRANSMISSION CABLE

LONG ISLAND POWER AUTHORITY

The Board of Trustees of the Long Island Power Authority (LIPA) is the lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA) for review of the proposal to construct the Bridgehampton to Buell New 69-kV Underground Transmission Cable (the “Proposed Action”), which was referred to as the Preferred Alternative in the Final Environmental Impact Statement dated November 13, 2024 and “Alternative 2” in the Draft Environmental Impact Statement Dated May 18, 2022). Per 6 NYCRR §617.11(c) of the implementing regulations of SEQRA, each involved agency, including the lead agency, must adopt a SEQRA Findings Statement for any action that has been the subject of a FEIS prior to a final decision to undertake, fund, approve or disapprove such action. The Proposed Action discussed herein was the subject of a FEIS, dated November 13, 2024, which was adopted by LIPA at its Board of Trustees Meeting on November 13, 2024, and thereafter was circulated for public consideration. Pursuant to 6 NYCRR §617.11(a), a minimum period of ten days is required for consideration of the FEIS before the issuance of a written Findings Statement. As the minimum ten-day period for consideration of the FEIS has elapsed, the lead agency and other involved agencies may proceed with their SEQRA Findings Statement. This document constitutes LIPA’s Findings Statement for the Proposed Action.

Name of Action: Bridgehampton to Buell New 69-kV Underground Transmission Cable

Action Location: The proposed cable (and its encasing conduit) will be installed along an approximately 7.6-mile route between the Bridgehampton Substation located on Bridgehampton-Sag Harbor Turnpike in the Town of Southampton and the Buell Substation located on Cove Hollow Road in the Town of East Hampton, passing through the Village of Sag Harbor. Cable installation primarily will occur within public roadway rights-of-way (ROWs), as well as short segments on the north side of both substation properties and beneath the Long Island Rail Road (LIRR) tracks to the immediate north of the Buell Substation. The Proposed Action also includes areas of incidental disturbance for construction staging and laydown adjacent to the cable installation area. Overall, the Proposed Action Area, encompassing the full extent of the Limits of Disturbance (LOD), is 44.53± acres, of which 36.08± acres will experience direct ground disturbance (i.e., excavation, grading, clearing, pavement milling/restoration, etc.), with an additional 8.45± acres of incidental disturbance (the “Proposed Action Area”).

Summary of Action: Installation of the proposed new 69kV underground transmission cable will be undertaken entirely via open trenching construction methods, with

the exception of the following locations: (i) the segment crossing the LIRR ROW just north of the Buell Substation, which will be installed using jack-and-bore method to route the cable underneath the railroad tracks; and (ii) approximately 200 feet of installation via horizontal directional drilling (HDD) in two areas to install the cable beneath culverts. The final design of the Proposed Action will be subject to review by the agencies having jurisdiction over the roadways and other lands along the proposed cable route, which may request the limited use of HDD in other locations.

Lead Agency: Long Island Power Authority
Board of Trustees
333 Earle Ovington Boulevard, Suite 403
Uniondale, New York

Contact Person: Billy Raley, Senior Vice President of Transmission and Distribution

SEQRA

Classification: Type 1

DESCRIPTION OF LEAD AGENCY ACTIVITIES UNDER SEQRA

LIPA established itself as the lead agency and conducted a coordinated review pursuant to SEQRA. On April 6, 2021, LIPA adopted a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement (DEIS). LIPA then prepared a Draft Scope outlining the proposed content of the DEIS, which was circulated for public comment on or about May 12, 2021. On June 30, 2021, LIPA adopted a Final Scope outlining the required content of the DEIS, which accounted for public comments received on the Draft Scope.

PSEG Long Island (PSEGLI), as Agent for LIPA, prepared the DEIS, with technical assistance from various consultants. On May 18, 2022, LIPA accepted the DEIS for the purpose of commencing public review, and thereafter, the DEIS was distributed in accordance with the requirements of SEQRA. The DEIS was posted on the Proposed Action's publicly accessible website, and paper copies of the document were available at the LIPA offices in Uniondale, Rogers Memorial Public Library in Southampton, and East Hampton Public Library. A notice of public hearing and availability of the DEIS was duly published in the local newspapers of record, the East Hampton Star and the Southampton Press, as well as the Environmental Notice Bulletin (ENB), in accordance with SEQRA requirements. The public hearing on the DEIS was held on June 28, 2022, at LTV Studios in Wainscott, New York. All persons in attendance at the public hearing were welcome to provide verbal and/or written comments or questions. All comments at the hearing were recorded, and a transcript of the meeting was generated. The period for written public comments remained open through July 12, 2022, exceeding SEQRA's minimum requirement of ten days after the hearing. The public review period for the DEIS, from the Notice

of Acceptance published in the ENB to the close of the comment period on July 12, 2022, totaled 48 days, thereby exceeding the minimum 30-day requirement of SEQRA.

A FEIS was prepared to address all substantive comments received from the public, involved agencies, and other interested parties at the hearing, as well as all written comments that were received on the DEIS through the end of the DEIS public review period and beyond. As provided for in the SEQRA regulations, the DEIS was incorporated into the FEIS by reference, so that the combination of the two documents constitutes the entire Environmental Impact Statement (EIS) for the Proposed Action. The FEIS was made available for public consideration with paper copies provided at the LIPA Offices, Rogers Memorial Public Library, East Hampton Public Library, and John Jermain Memorial Library. An electronic version of the FEIS was posted online at the Proposed Action's website (<https://www.psegliny.com/reliability/bridgetobuell>) and on LIPA's website at [Environmental Assessments - LIPA](#).

FACTS AND CONCLUSIONS IN THE FEIS RELIED UPON TO SUPPORT THE DECISION

PROJECT LOCATION

The Proposed Action involves the installation of a new 69-kV underground transmission cable from the Bridgehampton Substation to the Buell Substation, spanning a total distance of approximately 7.6 miles. Except for short segments in the vicinity of the two substations totaling about 0.1 mile (approximately 1.5 percent of the entire 7.6±-mile length), the proposed cable will be installed in conduit below grade beneath the existing paved roadways, with a limited amount of disturbance occurring within the adjacent maintained pervious (vegetated) areas directly adjacent to the roadway ROWs. Most of the cable length outside the roadway ROWs will be within previously disturbed areas directly north of both the Bridgehampton Substation and the Buell Substation. Additionally, short segments of the cable to the north of the Buell Substation will be installed beneath the railroad embankment in the LIRR ROW, within a LIPA-owned parcel, and within a new easement to be established through an adjoining New York State-owned parcel.

In addition to the proposed underground cable, 15 manhole vaults will be installed in the Proposed Action Area. This primarily accounts for the small area of direct disturbance in the roadway ROWs that will extend outside pavement areas.

A new termination structure will be constructed within each of the two substations, adjacent to existing steel structures, to provide interconnection points for the new cable. The termination structures will be of a similar height to the other termination and steel structures within the substations.

The new 69-kV underground transmission cable will have the following route, from west to east (with the specific routing within the roadway ROW primarily designed to avoid conflicts with existing subsurface utilities):

- The cable will exit from the north side of the Bridgehampton Substation, and travel 250± feet northeast to Bridgehampton-Sag Harbor Turnpike.
- The cable will continue north along Bridgehampton-Sag Harbor Turnpike (which becomes Main Street at the entrance to the Village of Sag Harbor) for 1.34± miles before turning east on Jermain Avenue.
- The cable will continue east on Jermain Avenue for 0.49± mile.
- The cable will turn south onto Madison Street for 0.28± mile.
- The cable will turn east onto Harrison Street for 0.55± mile.
- At the intersection of Harrison Street and Hampton Street (NYS Route 114), the cable will turn south and follow the latter roadway for 4.93± miles (as Hampton Street progresses south, it becomes East Hampton-Sag Harbor Turnpike).
- At the intersection of NYS Route 114 and Cove Hollow Road, the cable will cross the latter roadway ROW, travel across adjacent parcels owned by NYS and LIPA, and then pass beneath the LIRR tracks and enter the north side of the Buell Substation, a distance of 300± feet.

The LOD for the Proposed Action encompasses all areas that may undergo direct disturbance of the land surface or may otherwise be utilized for miscellaneous construction activities such as equipment staging or laydown. The LOD includes the full pavement width of all roadways along the proposed cable route. This accounts for areas to be trenched for the cable or excavated for the 15 manhole vaults, areas affected by any design changes that are required to be made in the field in order to address unanticipated field conditions, and pavement areas that will not be excavated but will undergo restorative milling and repaving. Incidental disturbance areas within the unpaved portion of the ROWs that will be used for staging and laydown are also included in the LOD. As noted previously, the Proposed Action, encompasses the full extent of the LOD, totaling 44.53± acres, of which 36.08± acres will experience direct ground disturbance (i.e., excavation, grading, clearing, pavement milling, etc.), with an additional 8.45± acres of incidental disturbance.

The proposed cable installation route within public roadway ROWs consists of paved roadways and maintained roadside areas owned by three governmental agencies: New York State Department of Transportation (NYSDOT), Suffolk County Department of Public Works (SCDPW), and Village of Sag Harbor. Additionally, the proposed cable will traverse four tax parcels owned by LIPA, one owned by NYS, and a LIRR ROW.

DESCRIPTION OF THE PROPOSED ACTION

The routing contemplated in the DEIS entailed the placement of the proposed new 69kV underground transmission cable within the LIPA ROW, which contains existing overhead transmission lines owned by LIPA, spanning between the Bridgehampton and Buell Substations (the “DEIS Proposal”). After considering the comments received during the public review period for the DEIS, that proposal was re-evaluated, and Alternative 2 presented in the DEIS was selected as the preferred alternative, with a slight adjustment of the routing to avoid the frontage of Pierson Middle/High School on the south side of Jermain Avenue. The environmental impacts of the Proposed Action were carefully considered in the FEIS, which referred to the Proposed

Action as the “Preferred Alternative.” Construction of the Proposed Action consists of several major components, including conduit installation, manhole vault installation, cable pulling, cable splicing, and site restoration. As summarized previously, it is proposed that installation of the cable be undertaken entirely via open trenching construction methods, with the exception of the two following locations:

- the segment crossing the LIRR ROW just north of the Buell Substation, which will be installed using jack-and-bore method to route the cable/conduit underneath the railroad tracks; and
- approximately 200 feet of installation via HDD to install conduit beneath culverts in two areas, at the crossing of Ligonee Brook on Bridgehampton-Sag Harbor Turnpike and at the crossing of an unnamed wetland on NYS Route 114 near the intersection of Merchants Path and Swamp Road.

The final design of the Proposed Action will be subject to review by the agencies having jurisdiction of the roadways and other lands along the proposed cable route (i.e., NYSDOT, SCDPW, Village of Sag Harbor, and Town of East Hampton), which may request the use of HDD in other discrete areas, such as roadway crossings.

The open trench excavation for the Proposed Action will have a width of approximately four feet and a minimum depth of 42 inches below grade. After the cable/conduit has been installed, the trench will be backfilled to the original grade, and any excess excavated material will be transported off-site for disposal at a suitable, approved facility in accordance with applicable regulations. Typical trenching work can progress at a rate of 200± feet per day or more when occurring on paved surfaces. Pickup trucks will help deliver personnel and small equipment to the Proposed Action Area; and larger equipment, such as cable reels and conduit, will be delivered via 18-wheeler truck and trailer, or similar transports.

It is expected that the duration of drilling and length of any HDD segments under the Proposed Action will be relatively short (i.e., on the order of a few days, and potentially crossing under a culvert, roadway or intersection, for example). HDD drilling activities will require the use of water for the creation of a slurry to stabilize the borehole. The water supply will be from one or more hydrants, permission for which will be obtained from the Suffolk County Water Authority (SCWA). Any HDD work for the Proposed Action is expected to involve small equipment which can be deployed and will operate at relatively low drilling fluid pressures. This will limit the amount of water required from SCWA, while also minimizing the potential for the occurrence of a “frac-out” event¹. Any wastewater generated during HDD that cannot be reused/recycled will be collected in tanks located within the work area and subsequently transported to an approved disposal facility licensed to accept this type of waste. No operational use of water will occur in association with the Proposed Action upon the completion of any HDD construction.

¹ A “frac-out” event can occur if drilling fluid escapes from the HDD drill hole through fractures in the soil. Significant frac-out events are not common, but they can occur if the downhole pressures exceed the restraining forces of the surrounding formation, particularly during the pilot hole drilling operations when the pressures are the highest. The HDD entry and exit locations are most vulnerable to such effects, but they can occur at any location along the drill path.

To accommodate jack-and-bore installation beneath the LIRR ROW, launching and receiving pits will be excavated on the north and south sides of the railroad tracks, with the excavated material stockpiled nearby to backfill the pits upon the completion of this construction. When the drilling has been completed, the equipment will be removed from the launching pit, the conduit segment through the railroad embankment will be connected to conduit sections to the north and south installed via trenching, and the two pits will be backfilled. Unlike HDD, jack-and-bore is a dry augur method which does not utilize drilling fluid for borehole stabilization, thereby eliminating the need for water use, and reducing the potential for borehole collapse or the creation of a void around the borehole.

Fifteen precast manhole vaults will be installed in the Proposed Action Area. The installation of each vault will take two to three work shifts (anticipated to occur overnight). Material removed from excavations for manhole vaults will temporarily be staged in designated areas within the ROW adjacent to the roadway. If suitable, excavated material will be used in backfill. Any excess excavated material that cannot be utilized as backfill will be transported off-site daily to a suitable, approved disposal location in accordance with all applicable regulations.

Implementation of the Proposed Action includes temporary construction staging and laydown areas. These areas will not undergo excavation or other direct land disturbance but will be subject to “incidental disturbance” from other construction activities and are included in the overall LOD. Staging/laydown activities involving the short-term storage of equipment (e.g., excavators, bulldozers, and front-end loaders) between work shifts and materials (conduit segments, cable reels, etc.) for work activities that may span a few days will occur within the already-disturbed, unpaved roadway shoulder areas, along the outer edges of the public roadway ROWs. Additionally, excavated materials (e.g., soil and asphalt) will be temporarily stockpiled in these areas for ready availability to backfill the excavations and restore the roadway pavement once the subsurface work has been completed. Use of the laydown/staging areas will occur in a manner that does not interfere with driveways and other points of access between the roadways and adjacent developed parcels. Similar laydown/staging activities will occur immediately within the LOD, outside the area of direct disturbance, to the north of both substations.

As indicated above, it is expected that on-site staging and laydown will involve limited quantities of materials for a few days and will not be used for periods of extended storage. The construction contractor will be responsible for procuring one or more suitable, nearby locations for the storage of larger quantities of materials to serve the longer-term needs of the construction work in order to ensure the timely completion of the new cable installation. Staging along the route will be limited to the work occurring in those areas; the LIPA Shoreham facility will be used as the main staging area for the Proposed Action, with materials delivered on an as-needed basis. If additional locations are required for material storage, the substations will be utilized.

From west to east, the public roadways along the proposed cable route include Bridgehampton-Sag Harbor Turnpike (Suffolk County Road 79, under the jurisdiction of SCDPW), three local roadways in the Village of Sag Harbor (Jermain Avenue, Madison Street, and Harrison Street, under the jurisdiction of the Village Highway Department), Hampton Street/East Hampton-Sag Harbor Turnpike (NYS Route 114, under the jurisdiction of NYSDOT), and a local roadway in

the Town of East Hampton (Cove Hollow Road, under the jurisdiction of the Town Highway Department)².

Based on initial input received from NYSDOT, as well as other agencies with jurisdiction over the affected roadways, it is anticipated that upon completion of the installation of the Proposed Action, the full width of the roadways will undergo restoration, with the exception of Bridgehampton-Sag Harbor Turnpike which will receive partial restoration. This restoration work includes new pavement in excavation areas (for the trench and manhole vaults), as well as milling to refurbish the asphalt surface of the remaining areas of pavement. Continuing consultation will occur with the involved roadway agencies to determine the restoration requirements for any given section of roadway.

Continuous vehicle access points during construction will be provided from the roadways within the Proposed Action Area. Access to the Bridgehampton Substation will be provided primarily from the existing dirt access road connecting to the open area on the north side of the substation, which will be used during construction for laydown and staging, as well as the paved access driveway on the south side of the substation, which leads to the fenced enclosure surrounding the substation. Access to the Buell Substation will occur via the paved access driveway from Cove Hollow Road on the west side of the substation. Stabilized construction entrances will be installed at the existing dirt access road on the west side of Bridgehampton-Sag Harbor Turnpike, north of the Bridgehampton Substation, and at the location of the jack-and-bore location on the north side of the LIRR tracks, north of the Buell Substation.

Coverage is required under the NYS Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities (GP 0-20-001) since the proposed ground disturbance exceeds one acre. This regulatory provision includes the requirement for the preparation of a Stormwater Pollution Prevention Plan (SWPPP) and accompanying Erosion and Sediment Control Plan. Since the Proposed Action entails the installation of an underground linear utility, the SPDES General Permit requires only sediment and erosion controls during construction; no new or modified measures for post-construction stormwater management are required or proposed.

Construction is proposed to occur during eight-hour shifts between 8:00 AM and 4:00 PM and between 10:00 PM and 6:00 AM on weekdays to minimize potential traffic disruptions during the morning and afternoon peak periods. Weekend work during these hours may occur on an as-needed basis.

The construction time frame for the Proposed Action is estimated to be approximately 9 to 12 months (not including any seasonal work closures that may apply, which could limit or eliminate construction in the summer season, for example). Based on experience with similar recent projects in the area, it is anticipated that a construction hiatus will apply between Memorial Day weekend and Labor Day weekend, although some flexibility may be possible if the involved

² The section of the proposed cable to be installed via trenching on the two substation properties and via jack-and-bore method beneath the LIRR tracks just north of the Buell Substation will not affect roadway ROWs.

roadway agencies determine that the work can be accomplished in a manner that does not significantly impact local traffic conditions during the peak-volume period of the summer season. Appropriate accommodations will be made by closely coordinating with representatives of adjacent and nearby properties to minimize disruption of scheduled activities and events, including, but not limited to, Pierson Middle/High School on Jermain Avenue, Mashashimuet Park at the intersection of Main Street and Jermain Avenue, and Sag Harbor Golf Course/Barcelona Neck Natural Resources Management Area on NYS Route 114.

The anticipated 9–12-month completion of the work as described above is based on concurrent construction with crews operating at more than one location along the cable route, rather than in a single linear sequence. For example, multiple crews may work on trenching and conduit installation at the same time in two or more locations along the cable route, and/or different functions may be performed in parallel at other locations, including vault installation, cable pulling, cable splicing and site restoration, in addition to trenching/conduit installation. The overall schedule, as well as the performance of construction simultaneously at multiple locations in the Proposed Action Area, will depend on the timeliness of permit issuance by the various involved agencies and the conditions that may be imposed by these agencies for such permits. Completion of the proposed cable installation on an accelerated schedule will help to reduce any construction-related impacts to a shorter duration than would have been the case under the original schedule discussed in the DEIS.

The total cost of the Proposed Action is estimated to be approximately \$65 million, which is about 21 percent lower than the initial \$78.6± million estimate for the total cost of Alternative 2 in the DEIS. This decrease in cost is due to a more definitive level of engineering, which included a shortened construction schedule, and fewer manholes. The estimated cost of the Proposed Action as presented herein is about 41 percent higher than the total estimated cost of \$46± million for the DEIS Proposal for cable routing through the LIPA ROW.

Close coordination with the appropriate roadway agencies will be undertaken to minimize congestion and community impacts during construction of the Proposed Action by maintaining acceptable levels of service as close as possible to pre-construction levels. These objectives will be implemented by means of a Maintenance and Protection of Traffic (MPT) Plan, which will be subject to review by the roadway agencies as part of their permitting process. The individual agencies will review the proposed design and traffic plans and will provide feedback in order to ensure that impacts to roadways and surrounding areas are minimized.

Based on the current design of the Proposed Action, it is anticipated that the maintenance of two lanes of traffic flow may be feasible during trench installation along NYS Route 114, pending review and approval by NYSDOT. With the cable/conduit trench being excavated along the west/south edge of the pavement, rows of traffic cones will be used to temporarily shift the traffic lanes to the east/north side of the pavement, including the approximately 10-foot paved shoulder.

The other roadways along the proposed cable route (Bridgehampton-Sag Harbor Turnpike/Main Street, Jermain Avenue, Madison Street, Harrison Street, and Cove Hollow Road) do not have sufficient width to maintain concurrent two-way traffic flow during trenching and will be subject to alternating one-way traffic flow, which will employ flaggers at either end of the work zone to

control traffic. In this MPT scenario, one travel lane is delineated on the roadway via the temporary placement of rows of traffic cones, and while a flagger allows traffic at one end of the work zone to proceed, traffic is stopped at the other end of the work zone by a second flagger. After the first flagger stops the traffic flow and the traffic in that direction clears the work zone, the second flagger allows traffic to proceed in the opposite direction, and this alternation of traffic flow in either direction continues throughout the work shift.

The installation of manhole vaults in the roadway ROWs requires a larger excavation footprint than the trenching and will not retain sufficient pavement width even to accommodate alternating one-way traffic flow, thereby necessitating roadway closures. To minimize impacts on local traffic conditions, it is anticipated that this work will be conducted during the overnight period, when traffic volumes are much lower than during the daytime. The installation of each of the 15 vaults will take two to three nights³, with excavation occurring on the first night and the vault placement and conduit/cable work occurring on the subsequent nights. For the two vaults on Bridgehampton-Sag Harbor Turnpike and nine vaults on NYS Route 114, alternative north-south arterial routes will be selected in consultation with the roadway agencies involved. Either of these two roadways can serve as a detour route when construction closes the other route; additionally, Sagg Road and Townline Road, which are classified by NYSDOT as a minor arterial and a major collector roadway, respectively, may be considered to serve as temporary detour routes.

A single manhole vault will be installed in each of the three Village of Sag Harbor roadways in the Proposed Action Area (Jermain Avenue, Madison Street and Harrison Street). Coordination will be undertaken with the Village Public Works Department to select the best detour routes while this construction is in progress.

For all the work outlined above, temporary restoration of excavations will occur at the end of each work shift, involving backfilling and temporary asphalt or the placement of metal plates, with traffic cones removed to return traffic flow to in-lane, two-way conditions during the period between work shifts. MPT, which measures altering traffic flow, will only be in effect during periods of active construction. Temporary restoration will remain in place and be properly maintained until permanent pavement restoration occurs upon the completion of the excavation work.

As noted previously, even though trenching and manhole vault installations will result in the excavation of only a portion of the pavement area, the design of the Proposed Action contemplates full-width pavement restoration for all roadways along the proposed cable route except for Bridgehampton-Sag Harbor Turnpike, which will only receive partial restoration –. This pavement restoration work will be performed along one side of the roadway at a time and alternating one-way traffic flow will be implemented as described above during construction shifts, with temporary surface restoration at the end of each work shift to allow a return to two-way traffic flow conditions during the period between work shifts.

³ Additionally, night work may be required to accommodate dewatering. All necessary permits will be obtained prior to commencing dewatering.

REQUIRED APPROVALS, PERMITS AND REVIEWS

Implementation of the Proposed Action involves the following required approvals, permits and reviews:

- LIPA Board of Trustees – Project Approval and Funding; SEQRA Lead Agency
- LIRR – Crossing Permit
- Village of Sag Harbor, Harbor Committee – Coastal Consistency in accordance with their New York Department of State-approved Local Waterfront Revitalization Plan
- NYSDEC – Article 24 Freshwater Wetlands (IP# 1-9901-00011/00035); General Permit GP-0-20-001 for Stormwater Discharge from Construction Activities and Approval of Stormwater Pollution Prevention Plan
- U.S. Army Corp of Engineers – Nationwide Permit #57 for Electric Utility Lines and Telecommunications Activities
- NYSDOT – Road Work Permit, Hampton Street/East Hampton-Sag Harbor Turnpike (NYS Route 114); Easement for cable routing across parcel at intersection of NYS Route 114 and Cove Hollow Road
- SCDPW – Roadway Opening Permits for Bridgehampton-Sag Harbor Turnpike (Suffolk County Road 79)
- Town of East Hampton Highway Department – Coordination for work in Town roadway ROW (Cove Hollow Road)
- Village of Sag Harbor Highway Department – Coordination for work in Village roadway ROWs (Jermain Avenue, Madison Street and Harrison Street).

NEED, OBJECTIVE AND BENEFITS OF THE PROPOSED ACTION

The public need for the Proposed Action relates to LIPA’s objective of providing safe and reliable electric service to the East End of Long Island. This area has been growing in terms of electrical demand at an average rate of about 1.75 percent since 2009. The forecasted net average annual electric load growth for this area over the next 10 years is approximately 1.7 percent per year. This anticipated load growth will result in thermal and voltage constraints on this portion of LIPA’s Transmission and Distribution (“T&D”) System resulting in the need for various transmission improvement projects in order to continue to provide reliable electric service. The installation of a new 69-kV underground transmission cable between the Bridgehampton and Buell Substations is included among these projects.

The configuration of the existing transmission circuits in the LIPA ROW between the Bridgehampton and Buell Substations is such that the loss of the existing overhead transmission wires would result in a single 69-kV supply to portions of the North Fork and areas east of the Bridgehampton Substation on the South Fork. The two existing circuits in the LIPA ROW are not independent, and the loss of power in either circuit, whether intentional (e.g., for scheduled maintenance or repairs) or not (e.g., resulting from storm impacts), will also incapacitate the

other circuit. In 2025, under forecasted electric load conditions, such a loss of the existing Bridgehampton-to-Buell cable would result in the remaining 69-kV supply exceeding its thermal capability, which poses an unacceptable risk of damaging T&D System equipment and can result in significant customer outages. The Proposed Action will provide an additional transmission supply to the area and mitigate the risk to equipment in the T&D System and to customers.

Additionally, in the event that a double circuit becomes inoperable, a Transient Voltage Recovery limitation is created. Transient Voltage Recovery is the ability of the T&D System to return to a set voltage threshold following a system disturbance such as the loss of the double circuit. Implementation of the Proposed Action will reinforce the T&D System on the East End of Long Island and will help mitigate potential Transient Voltage Recovery limitations.

While ongoing efforts have been undertaken to upgrade the transmission system on Long Island's South Fork, the existing transmission circuits do not have sufficient capacity to meet future needs. The objective of the Proposed Action is the prevention and mitigation of customer outages, enhancement of the voltage profile of the South Fork system during times of heavy load, and improvement of the power quality experienced by customers. The Proposed Action is part of LIPA's overall long-range expansion plans to meet the demands of eastern Suffolk County and to reduce dependence on local generation with the implementation of an increase in the use of renewable energy sources and the necessary improvements to the T&D System to allow for the connection of those sources.

The Proposed Action will have the benefit of addressing the T&D System constraints on the South Fork of Long Island. The existing T&D System, built in the early 1900s, was not originally designed to meet the current projections of electric demand, and therefore a new 69-kV underground transmission cable between the Bridgehampton Substation and Buell Substation is needed to support forecasted electric load growth. While ongoing efforts have been undertaken to upgrade the T&D System on the South Fork, the existing transmission circuits do not have sufficient capacity to meet future needs under peak conditions. Installation of the new cable will relieve overload conditions in the event of the loss of a double circuit on the existing transmission circuits currently serving the East End of Long Island, thereby providing improved system reliability and resiliency.

In summary, the Proposed Action will benefit both the T&D System and customers on the East End of Long Island by relieving potential overload conditions and minimizing customer outage risk, while also supporting future forecasted load growth and reducing LIPA's dependence on local generation.

CONSIDERATION OF POTENTIAL ENVIRONMENTAL IMPACTS, FACTS AND CONCLUSIONS DISCLOSED IN THE FEIS

OVERVIEW

As discussed previously, the Proposed Action involves the installation of a new 69kV underground transmission cable between the Bridgehampton Substation and the Buell Substation. This cable installation primarily will be undertaken via standard trenching, but also involves short segments of jack-and-bore method (at one location, beneath the LIRR tracks just north of the Buell Substation) and HDD (currently contemplated for two culvert crossing locations). All areas of land disturbance will be restored in-kind upon the completion of construction, such that no-long-term adverse impacts will result from operation of the Proposed Action. On this basis, the impact analysis presented below focuses on short-term effects during construction of the Proposed Action.

SOILS AND TOPOGRAPHY

SOILS

Except for the short segment to be installed by jack-and-bore method beneath the LIRR embankment just north of the Buell Substation, and short segments of HDD installation at two culvert crossings, it is proposed that the new 69-kV underground transmission cable be installed underground via standard trenching along its entire route. In addition to excavation for the cable placement along the trenched segments of the cable route, soil disturbance will also be necessary for the installation of 15 manhole vaults. The LOD also includes pavement restoration outside the cable trench; this work, involving milling of the existing pavement, will not penetrate the underlying soil. The LOD accounts for any design changes that may be required in the field in order to address unknown field conditions. The roadway ROW area for temporary laydown and staging will not require clearing, grading or excavation.

Installation of the short cable segment under the LIRR just north of the Buell Substation by jack-and-bore method will involve the excavation of a 40 by 15 foot “distribution” (entry) pit on the north side of the LIRR and a 15 by 15 foot receiving pit on the south side of the LIRR. Soil will also be disturbed within the horizontal borehole that will be drilled between these pits under the railroad tracks. However, this area will be restored to pre-construction conditions upon the work’s completion.

The trench that will be used to install much of the length of the proposed transmission cable (i.e., totaling 7.5± miles of the 7.6±-mile cable route) will be a minimum of 42 inches below-grade and four feet in width. The twelve± inches that occupy the greatest depth of the trench will contain the conduit and cable. Larger excavations (approximately 240 square feet) will be needed for each of the 15 manhole vaults to be installed along the proposed cable route. This excavation work will primarily occur within the existing pavement area of the roadway ROWs, which is not characterized by significant slopes and, therefore, will have minimal potential for soil erosion and transport.

Excess material from the installation of the 15 manholes and associated subsurface equipment for the Proposed Action will total 630± cubic yards. This excavated material will be temporarily stored in the incidental disturbance areas along the roadway shoulders within the limits of the Proposed Action Area and, to the degree possible, will be replaced back into the excavations upon the completion of the cable installation. However, since excavation will primarily occur within areas of paved roadway, as well as some adjacent areas of stabilized roadway shoulder, it is not expected that it will be practicable for all excavated material to be reused on-site as fill. Therefore, excess material will be transported to a suitable, approved disposal location in accordance with all applicable regulations. If long-term staging of excess soils is required prior to disposal, the material will be taken to a temporary staging location.

The information in the Suffolk County Soil Survey indicates that on-site soils have some limitations for development due to sandy surface layer, stability, slopes, and a seasonal high-water table. However, modern engineering design and construction methods are effective in overcoming these limitations, such that significant adverse impacts related to soils are not expected to result from implementation of the Proposed Action. A site-specific Stormwater Pollution Prevention Plan (“SWPPP”) and associated Erosion & Sediment Control Plan (“E&SC”) have been developed, which are designed to provide stabilization, and to otherwise prevent or minimize soil erosion during construction, including measures to address potential sediment transport resulting from both the action of water and wind.

An approximate 0.49 acre area of the proposed cable route, between Cove Hollow Road and the Buell Substation, contains woodland vegetation that will require vegetation removal to install the proposed cable. This area will be stabilized via revegetation as soon as practicable to minimize the potential for erosion and sediment transport. Impacts to the soils in this area will be mitigated by implementation of the SWPPP and associated Erosion and Sediment Control Plan. This includes the installation of temporary barriers to protect any trees to be retained, as well as the underlying soils, that are situated in proximity to the work area. The disturbed area will be restored with appropriate native vegetation upon the completion of construction.

Upon re-establishment of vegetative cover in disturbed areas, the roadway ROWs containing the new underground transmission cable will have equivalent long-term stability to prevent soil erosion and sediment transport as applies under existing conditions, with the generally coarse-grained characteristics of these soils helping to promote rapid infiltration and moderating the generation of surface runoff, and restoration plantings providing soil stabilization and stormwater control outside the pavement area.

Overall, the Proposed Action has been designed to avoid significant adverse impacts to soils. Potential impacts would be minimal and appropriately mitigated through the measures described above.

TOPOGRAPHY

Since the Proposed Action Area is occupied by a public roadway ROW and two electrical substations, ground elevations have been altered from their natural state, with slopes generally

being gentler than the surrounding terrain, including the cable route previously proposed in the DEIS through the LIPA ROW between the two substations.

The roadway elevation within the Proposed Action Area ranges from a low of 10± feet above mean sea level (amsl) in the vicinity of Otter Pond to a high point of 102± feet amsl at the Bridgehampton Substation. As indicated from the land survey data, the main work area for the Proposed Action within the pavement does not exhibit steep slopes. Although some slope areas occur along the unpaved shoulders of the roadways within the ROW, these areas will be used for equipment and materials staging/laydown, which will not be subject to excavation or other direct disturbance.

Installation of the proposed cable is planned to predominantly occur via the excavation of a four-foot-wide trench (and 15 associated manhole vaults) over a total length of 7.5± miles, with the remaining 0.1± mile segment of the cable being installed via jack-and-bore in a horizontal borehole beneath the LIRR and two short segments of HDD at wetland culverts. After the cable has been placed, the excavations (for the trench and manhole vaults, and the jack-and-bore and HDD launching and receiving pits) will be backfilled to the original grade. Therefore, implementation of the Proposed Action will existing topographic conditions.

Because of the relatively low topographic relief and existing paved roadways present along the cable route for the Proposed Action, ground surface stabilization will not be needed to accommodate construction access, thereby facilitating restoration to original grade upon the completion of construction.

WATER RESOURCES

SURFACE WATERS, WETLANDS, AND STORMWATER DRAINAGE

Freshwater wetlands are present within the Proposed Action Area; however, these wetlands are channelized beneath the roadway via existing culverts. Because these wetlands are contained within culverts in the area of the cable crossings, there will be no direct impact on them. Furthermore, implementation of the Proposed Action will comply with PSEGLI's NYSDEC Maintenance Permit (#1-9901-0011/00035 and 00037), which includes authorization for activities under Article 24 (New York State Freshwater Wetlands) jurisdiction, for limited locations along the proposed cable route within mapped wetlands. In addition, a SWPPP and associated Erosion & Sediment Control Plan will be implemented prior to any ground disturbance to ensure that construction will not result in any indirect stormwater or sediment transport impacts to the adjacent wetlands during construction.

The Proposed Action will not increase the area of impervious surfaces within the roadway ROW, and existing vegetated areas disturbed for the proposed construction activities will be restored in-kind and in-place upon the completion of construction. Therefore, the volume of stormwater runoff generated on-site will not increase under the Proposed Action.

The Proposed Action will temporarily expose soils during construction, which potentially could result in erosion and sediment transport. However, such impacts will be avoided and mitigated through the implementation of a site-specific SWPPP and associated Erosion & Sediment

Control Plan, which will provide a comprehensive stormwater management strategy and a range of best management practices (BMPs) and other mitigation measures.

Given the revegetation and erosion control measures to be implemented, the Proposed Action will not increase the vulnerability of the area to long-term stormwater erosion during installation or operation of the new underground transmission cable. These measures will ensure that significant adverse impacts to surface waters, wetlands, and stormwater drainage are avoided. The Proposed Action will avoid the Long Pond Greenbelt, which is located along the cable route presented in the DEIS, thereby eliminating the risk of significant adverse impacts to this area which was an issue of concern for the DEIS Proposal.

FLOOD ZONES

No portion of the Proposed Action Area is situated within the 100-year floodplain, with limited areas located within the 500-year floodplain; and, therefore, the proposed cable installation will not be susceptible to significant flooding impacts. Furthermore, the Proposed Action will not result in an increase in impervious surface area and, therefore, will not cause or exacerbate flooding impacts, thus avoiding significant adverse impacts to these areas.

GROUNDWATER RESOURCES

The Proposed Action Area is in the South Fork Special Groundwater Protection Area (SGPA), within which groundwater protection is critical to ensuring the availability of the local potable water supply. The Proposed Action involves installing an underground transmission cable, which will not generate hazardous materials or entail land use activities that could adversely affect groundwater quality. The cable conduit and the cable insulation within the conduit will not include oils or other potentially deleterious substances that could be released into the ground in the event of a cable failure. Furthermore, any imported fill that may be needed for the Proposed Action (e.g., engineered fill if necessary to provide the required thermal resistivity properties to mitigate the potential for excessive ampacity reduction in the cable) will be tested prior to placement within excavations to ensure that the material is clean and will not pose a potential impact to groundwater resources.

Portions of the Proposed Action Area containing existing vegetation that will be disturbed during cable installation will be restored upon the completion of construction. This replacement vegetation will consist of species that are well-adapted to local conditions and will not require irrigation or treatment with landscaping chemicals or fertilizers; and, thereby, will not place an ongoing demand on groundwater resources for irrigation or contribute to the loadings of nutrients and other chemicals to the aquifer. Additionally, the transmission cable and its appurtenances will operate without the need for water.

A SWPPP has been prepared in accordance with the requirements of the NYSDEC SPDES General Permit for Discharges from Construction Activities (No. GP020001). As a result, flooding or on-site drainage issues are not expected during construction, as suitable erosion and sediment controls will be implemented, which will protect water resources during the period while the Proposed Action Area is disturbed by construction.

The Proposed Action involves the placement of an underground transmission cable within a minimum 42-inch trench along almost all its 7.6±-mile length, except for approximately 0.1 mile of jack-and-bore installation beneath the LIRR near the Buell Substation, as well as two locations where HDD will be employed where the roadway crosses wetlands. The water table is anticipated to be more than five feet below the ground surface in the overwhelming majority of the 7.5±-mile-long area proposed for trenching, such that dewatering would not be required; and the wetland crossings along the cable route are channelized within culverts, for which cable installation will be accomplished without the need for dewatering. However, it is anticipated that there will be limited locations where excavation will extend below the water table, particularly for manhole vault installation. In these situations, where dewatering is necessary, the required permit(s) will be obtained from NYSDEC, and all permit conditions and requirements will be complied with to ensure that this activity is conducted in a manner that does not adversely affect nearby wetlands and other sensitive environmental resources.

Soil excavated during the trenching operation will be retained on-site during construction and reused as backfill during site restoration to the degree practicable. Thereby, given the permeable nature of the Upper Glacial deposits and surface soils in the Proposed Action Area, the native soils that will be reused within the disturbed areas will continue to promote groundwater recharge after completion of the Proposed Action.

When HDD is used for cable installation under the Proposed Action, it is expected to be limited in scope, with respect to both duration and spatial extent. Furthermore, the HDD drilling fluid consists of water and inert materials (e.g., naturally occurring bentonite clay), which will not pose a significant threat to groundwater resources.

As noted previously, after construction has been completed, the Proposed Action will not place a demand on the groundwater aquifer or on the SCWA, as no water supply will be required for the cable operation or for the restored vegetation.

Since the Proposed Action has been designed to avoid potential impacts to groundwater resources, significant adverse impacts to these resources will not occur.

ECOLOGY

VEGETATION

As the Proposed Action will be located within the existing paved roadway ROW, most of the site is maintained as impervious. There are no anticipated changes in habitat quantities of the overall Proposed Action Area. As previously discussed, the Proposed Action involves two types of disturbance, direct soil disturbance and incidental ground disturbance. As the use of the incidental disturbance area can be described as “passive,” there is no expected change in vegetated cover within this area.

At the completion of construction of the Proposed Action, there will be no increase in permanently unvegetated/impervious areas. Only the removal of vegetation on the north side of the Buell Substation to facilitate the jack-and-bore installation of the cable beneath the LIRR is

expected to result in a change in the characteristics of the habitats on site during construction; however, upon the completion of construction, this area will be restored with appropriate native vegetation. As a result, the Proposed Action Area will continue to provide natural habitat for wildlife, and thus minimizing significant adverse impacts to these areas.

WILDLIFE

There will be temporary land disturbance during construction of the Proposed Action. However, these areas of disturbance will be restored with appropriate native species upon the completion of construction. As there will be no increase in impervious areas and no loss of vegetated areas, long-term impacts to wildlife are not anticipated.

Most of the species that utilize the Proposed Action Area are somewhat tolerant of human activity. While it is expected that some wildlife will be temporarily displaced during construction, which may increase the abundance of wildlife populations on nearby and adjacent lands, no displacement of wildlife will result from operation of the underground.. Wildlife that is mobile is expected to migrate to adjacent suitable habitat during construction but will return to the Proposed Action Area upon the completion of construction.

Competition, both within a given species and between different species already utilizing the resources of the adjacent suitable habitat, may result in a net decrease in population size for some species. While a significant portion of the existing habitat will remain, site-specific populations may decrease from the temporary loss of successional habitat that certain species may prefer. If a population decrease is experienced, it will only be temporary in nature, as populations will likely rebound following the restoration of the Proposed Action Area to its pre-construction condition. No significant adverse impacts to wildlife populations are anticipated to result from construction or operation of the Proposed Action.

RARE, THREATENED OR ENDANGERED SPECIES

The New York Natural Heritage Program (NYNHP) identified the occurrence of six animal species and eight plant species listed as rare, threatened, or endangered in NYS recorded within or in the vicinity of the Proposed Action Area. No rare, threatened, or endangered species were identified during three ecological field inspections undertaken for preparation of the FEIS.

NYSDEC enforces two regulatory buffers for the endangered Eastern Tiger Salamander, 535 feet and 1,000 feet. All soil disturbance under the Proposed Action within 535-feet of a known Eastern Tiger Salamander breeding pond will occur within the existing paved roadway; no clearing or loss of vegetation is proposed within 535 feet of a known breeding pond. Select soil disturbance will occur within 1,000 feet of known breeding ponds, particularly on the north side of the Bridgehampton Substation. However, there will be no change in habitat type and all existing forested habitat within 1,000 feet of the known breeding pond will be retained. Based on these considerations, the construction and operation of the Proposed Action is not anticipated to result in the “incidental take,” thereby avoiding significant adverse impacts, to this species.

Habitat consistent with the life history requirements of the endangered Northern Long-eared Bat is present surrounding the Proposed Action Area and along the western portions of the Proposed Action Area north of the Buell Substation. To ensure no roosting bats are impacted under the Proposed Action, all tree removals will occur during the NYSDEC-designated non-active season between December 1st and February 28th, when this species is hibernating and is not found within the landscape.

The analysis presented in the FEIS indicates that the Proposed Action will have no significant adverse impact on other species listed as rare, threatened or endangered in NYS, as identified by NYNHP within or in the vicinity of the Proposed Action Area, including scarlet bluet, pine barrens bluet, least tern, bald eagle, narrow-leaved bush clover, coastal goldenrod, marsh straw sedge, small white snakeroot, orange crested orchid, large grass-leaved rush, and Stuve's bush clover.

WETLANDS

The Proposed Action will install the underground transmission cable directly beneath or above two identified freshwater wetlands that bisect the paved roadway via existing culverts. As these wetlands are contained within culverts near the cable crossing, there are no anticipated impacts to turbidity or surface conditions.. Additionally, implementation of the Proposed Action will comply with PSEGLI's NYSDEC Maintenance Permit (#1-9901-0011/00035 and 00037), which includes authorization for activities under Article 24 (New York State Freshwater Wetlands) jurisdiction, for limited locations along the proposed cable route within mapped wetlands; and a SWPPP will be implemented prior to any ground disturbance to ensure that construction will not result in any significant adverse impacts to adjacent wetlands during construction.

CULTURAL RESOURCES

To assess the potential for the Proposed Action to result in impacts to significant cultural resources, the area proposed for disturbance was delineated, researched and surveyed to identify cultural resources that may be present in the LOD, including archaeological and architectural resources. If present in the LOD, such resources would require evaluation for historic significance using the designation criteria presented below for the State and National Register of Historic Places (NRHP), and local historic landmarks. Then, an assessment could be made about the potential for the Proposed Action to result in impacts to cultural resources, including any resources considered historic resources for the purpose of SEQRA and Section 14.09 of the NYS Historic Preservation Act.

The cultural resources study area, or Area of Potential Effects (APE), includes the entire area that could be subjected to ground disturbance in association with the Proposed Action (i.e., the LOD, or the Proposed Action Area). As described previously, such disturbances include the installation of the new underground cable, new manhole vaults, new termination structures, vegetation clearing and grading, as well as incidental disturbance for equipment staging and laydown. The LOD encompasses 44.53± acres, of which 36.08± acres will experience direct ground disturbance (i.e., excavation, grading, clearing, pavement milling, etc.), with an additional 8.45± acres of incidental disturbance.

Vertical impacts associated with the Proposed Action will vary from ground surface impacts for equipment staging/laydown and vegetation clearing, to deeper excavations of five± feet in depth for the installation of the cable via trenching and excavations of 15± feet for each of the 15 manhole vaults. The APE considers the maximum horizontal and vertical extent of ground disturbing activities associated with the Proposed Action within the 44.53±-acre LOD.

ARCHAEOLOGICAL RESOURCES

The NYS Cultural Resource Information System (CRIS) was consulted to determine the presence or absence of known and previously recorded archaeological resources. Based on information available from CRIS, no State Historic Preservation Office/Office of Parks, Recreation, and Historic Preservation (SHPO/OPRHP) archaeological resources are present in the APE. However, the APE traverses two Archaeologically Sensitive Areas and five NYS Museum Areas.

Consultation initiated with SHPO/OPRHP produced a response on December 21, 2023, in which it was indicated that a Phase IA Literature Search and Sensitivity Assessment Survey was warranted because portions of the APE were located in archaeologically sensitive areas, with some of these areas known to contain Native American burial sites. The Phase IA investigation was intended to identify previously recorded archaeological sites and other cultural resources within or near the APE, to assess the archaeological sensitivity of this area, to document previous ground disturbance, and to make recommendations regarding the potential need for Phase IB subsurface archaeological testing.

It was determined that a shovel test pit (STP) survey was necessary in the APE where below-ground disturbance was likely to occur and for any locations for laydown/staging inside archaeologically sensitive areas as determined by CRIS. Phase IB subsurface archaeological testing, including 272 STPs, was completed within the APE in August 2024. No significant deposits or subsurface features were detected during the survey, and a total of 14 STPs were positive for historic artifacts, with more having features, such as terracotta drainpipes and fill materials that were not collected. Most of the encountered artifact's date from the 19th century, and consist of nails, ceramic sherds, and glass fragments. None of the artifacts constituted newly recorded archaeological sites.

Overall, the survey showed that the APE has a low sensitivity for intact archaeological sites. This was evidenced by the lack of cultural features and sites detected during the survey and the presence of numerous disturbances, such as utilities, which render the APE unlikely to retain intact subsurface archaeological resources. Thus, no State or National Register of Historic Places-listed or eligible resources or locally designated archaeological resources will be impacted by the Proposed Action. For these reasons, the Proposed Action is not anticipated to have significant adverse impacts on archaeological resources, including any archaeological resources that could be considered historic resources pursuant to SEQRA and Section 14.09 of the NYS Historic Preservation Act.

ARCHITECTURAL RESOURCES

The APE intersects the NRHP-listed Sag Harbor Village Historic District (94NR00635), Sag Harbor Hills, Azurest, and Ninevah Subdivisions (SANS) Historic District (18NR00103), and Sag Harbor Village District (90NR01941). In addition, the APE intersects the NRHP-eligible Sag Harbor Historic District – Boundary Increase 2020 (10309.000869). While the APE traverses these districts, none of the associated buildings are mapped in the APE. Finally, one individual architectural resource is mapped in the APE. This resource consists of eight Vacation Cottages (10303.000851) that have not been evaluated for inclusion in the NRHP. While the resource in the APE is mapped by CRIS, a review of aerial imagery indicates that the buildings are located outside the APE. Thus, no NRHP or State Register listed or eligible resources or locally designated architectural resources will be directly impacted by the Proposed Action. Further, the Proposed Action will not introduce any changes to the existing viewshed or cultural context as the proposed facilities will be situated underground (except for the two new termination structures to be constructed adjacent to the substations; these termination structures will be similar in height to the other termination and steel structures within the substations). For these reasons, no NRHP or State Register listed or eligible resources or locally designated architectural resources will be indirectly impacted by the Proposed Action. Thus, the Proposed Action is not anticipated to have direct or indirect adverse impacts on architectural resources, including any architectural resources that could be considered historic resources pursuant to SEQRA and Section 14.09 of the NYS Historic Preservation Act.

OPEN SPACE AND RECREATION

The Proposed Action Area is almost entirely located within the public roadway ROWs, in addition to short segments at the two substation properties, an LIRR crossing, and a short segment across a vacant NYSDOT-owned parcel just north of the Buell Substation. These lands do not constitute open space or recreational resources. However, several such resources adjoin the roadway ROWs along the Proposed Action Area, including:

- Mashashimuet Park and Otter Pond
- Barcelona Neck Natural Resources Management Area
- Sag Harbor Golf Course

All potential impacts to the above-listed public recreation/open space areas will be temporary and will be minimized to the maximum extent practicable, primarily through timely outreach to coordinate with the respective facility owners/operators, who will be notified approximately one to two weeks in advance of work adjacent to their property. Upon construction's completion, the Proposed Action Area will be restored to pre-construction conditions, with no further effect on adjacent properties, thus minimizing significant adverse impacts to these areas.

CRITICAL ENVIRONMENTAL AREAS

The Proposed Action Area is located within three Critical Environmental Areas (CEAs) and is contiguous to a fourth CEA, all of which are recognized as CEAs per 6 NYCRR §617.14(g) of the SEQRA regulations. The Proposed Action Area is situated within the following three CEAs:

- South Fork Special Groundwater Protection Area (located in the Town of Southampton and Town of East Hampton) – designated for the protection of groundwater
- Aquifer Protection Overlay District (located in the Town of Southampton) – designated for the preservation of water quality
- Water Recharge Overlay District (located in the Town of East Hampton) – designated for the protection of groundwater and drinking water.

The Proposed Action Area adjoins Long Pond Greenbelt CEA (located in the Town of Southampton), which was recognized as a benefit to human health and to protect drinking water.

As discussed previously, the Proposed Action has been designed to minimize impacts to both surface water and groundwater resources, which is the basis for the designation of the four CEAs identified above. Therefore, it is not anticipated that there will be significant adverse impacts to the resources associated with these CEAs.

NOISE

A pre-construction ambient sound survey was performed along the route of the Proposed Action in March 2024 to characterize the existing sound environment (i.e., background conditions), in accordance with the protocols of the American National Standards Institute. Ambient sound levels (in A-weighted decibels, dBA) were recorded on a weekday during a non-holiday week at 12 measurement stations, with measurements taken at all measuring stations during morning (8:00 AM to 10:00 AM) and evening (4:00 PM to 6:00 PM) periods, and at three locations during the nighttime (7:00 PM to 9:00 PM) period. The nighttime measurements were used to calculate Day-Night sound level (L_{dn}), which is an average of daytime and nighttime ambient sound levels (using the LA_{90} metric), with an added 10 dBA “penalty” added to the nighttime measurements. L_{dn} is used by the U.S. Environmental Protection Agency to determine limits for protecting public health and welfare by accounting for higher human sensitivity to noise exposure during the overnight period (between 10:00 PM and 7:00 AM).

A total of 57 noise-sensitive areas (NSAs) were identified adjacent to the Proposed Action Area, primarily consisting of residential uses (48 NSAs), but also include 3 institutional use NSAs (a school, a church, and a cemetery), 5 commercial use NSAs, and one industrial use NSA. The following distinct major sound-producing construction activities were considered in the analysis: trenching (along almost the entire 7.6±-mile cable route), trenchless cable installation via jack-and-bore (for a short segment of the route beneath the LIRR just north of the Buell Substation), and manhole vault installation (at 15 discrete locations, at approximately equal intervals along the cable route). Each of these activities will utilize a different combination and configuration of sound-producing equipment, including excavators, mobile cranes, dump trucks, an auger drilling rig, a concrete truck, a vacuum truck, pumps, and generators. Two locations of culverts crossing the Proposed Action Area will involve HDD for cable installation; and it is also possible that HDD may be used to a limited extent at additional locations, for example if determined to be necessary at the direction of an involved regulatory agency for a culvert, roadway or intersection crossing. As such, the analysis was based on a typical HDD equipment configuration, including a drilling rig, excavator, mud pump, mobile crane, mixer truck, and generator as major sound sources.

Specialized noise modeling software, Cadna-A[®], was used to predict future sound levels during the various construction activities for the Proposed Action. Representative locations along the proposed cable route were selected for modeling based on proximity of the proposed construction to the identified NSAs. Construction activities taking place at specific locations, such as trenching and manhole installation, were modeled at these locations based on the engineering design drawings.

The Cadna-A[®] noise model provides an estimate of sound levels at distances from sources considering various factors, including sound power levels from stationary and mobile sources, the effects of terrain features including relative elevations of noise sources, intervening objects such as buildings and sound barrier walls, and ground effects due to pavement and unpaved surfaces. The existing topography was used to create a terrain model based on U.S. Geological Survey topographic data. A search radius of 2,000 feet from each receptor was used in the model to ensure that all noise sources contributing to the predicted noise levels were modeled at each NSA. For the model's purposes, the equipment was assumed to be continuously operating at full load, although it is likely that sound sources will only operate simultaneously for short durations and may be intermittently idling or shut off. Sound source levels, where provided as sound pressure levels at a specified distance, were converted to sound power levels for use in the modeling application.

The results of the analysis showed that the Proposed Action will result in a temporary increase in ambient sound levels during cable installation. More specifically, the calculated sound level increases at NSA locations ranged from values considered by NYSDEC to be "intrusive" (5 to 10 dBA increase) to values considered "very objectionable" (greater than 20 dBA increase), indicating a possible need for mitigation. However, it is important to recognize that the effects at any given location will be limited, since daily construction will occur in relatively small areas and will progress at a fairly rapid pace along the cable route and will not involve concurrent work along the entire 7.6±-mile Proposed Action Area for the full 9-to-12-month construction period. The most intensive construction activities are expected to be completed at any specific location in no more than a few days. In particular, the trenching work typically will progress at a rate of 200± feet per day or more, and the installation of each of the 15 manhole vaults and HDD conduit installation (e.g., under a culvert, or intersection or roadway if determined to be necessary) typically will be completed in a few days.

No long-term increase in ambient sound levels is anticipated once construction is completed and the Proposed Action operational, as the new cable installation will not include sound-generating equipment or facilities. Therefore, no noise mitigation is required for operation of the Proposed Action upon construction completion. However, as indicated above, there would be a temporary increase in ambient sound levels during construction. This will be mitigated to the extent practicable, by performing construction during daylight hours, to moderate noise impacts to nearby NSAs. However, it will be necessary for some construction activities, such as the installation of manhole vaults, to occur in the overnight period to reduce interruptions to peak traffic flow during daytime hours. In these instances, certain measures are available to mitigate potential noise impacts to NSAs resulting from construction of the Proposed Action, as discussed more fully in the section of this Findings Statement below titled "Summary of Mitigation Measures to Be Implemented for the Proposed Action," including the use of BMPs. Additionally,

temporary sound barriers may be installed, as necessary, based on location-specific conditions to be determined in the field.

COASTAL ZONE

The segment of the proposed cable route within the Village of Sag Harbor is in the coastal zone boundary and is subject to assessment for consistency with the Village's approved Local Waterfront Revitalization Program (LWRP). The remainder of the Proposed Action Area – along Bridgehampton-Sag Harbor Turnpike between the Village and the Bridgehampton Substation and along NYS Route 114 between the Village and the Buell Substation – is not located within the coastal area boundary; and, therefore, these segments of the proposed cable installation are not subject to coastal consistency review either by the Town of East Hampton under its approved LWRP or by NYS Department of State for actions in the Town of Southampton which does not have an approved LWRP.

The provisions for the coastal consistency assessment with respect to the Village of Sag Harbor LWRP are set forth in Chapter 275 of the Village Code (Waterfront Consistency Review). The Village Harbor Committee undertakes this review, which evaluates consistency with the coastal policies specified in the LWRP. This review is based on information provided in a Coastal Assessment Form (CAF) completed by the applicant/project sponsor. A CAF prepared for the Proposed Action was included in the FEIS.

The Village's LWRP policies cover a range of coastal issues, including land development, protection of ecology, marine resources, flooding and erosion, water quality, public access and recreation, historic and archaeological resources, air quality, and waste management. Therefore, there is substantial overlap between the topics addressed in the Village's coastal consistency assessment and the impact analysis for the Proposed Action under other topics presented in the FEIS. Overall, the FEIS analysis shows that the Proposed Action is consistent with the coastal policies in the Village of Sag Harbor's LWRP. Installation of the new 69-kV underground transmission cable will be confined within roadway ROWs through the Village, involving temporary disturbance to excavate a four-foot-wide trench for cable placement, as well as four manhole vaults within which cable segments will be spliced. Additionally, there will be areas of incidental disturbance along the adjacent unpaved roadway shoulders (still within the roadway ROWs), outside the excavation footprint, which will be used for construction staging and laydown. All areas of disturbance will be restored in-kind upon the completion of construction, such that no significant long-term adverse impacts to coastal resources will result from the Proposed Action.

CONSTRUCTION IMPACTS

Potential impacts related to construction of the Proposed Action include noise, erosion and sediment transport, airborne dust, on-site vehicle/truck activity, and traffic on local roadways. Construction impacts are short term and intermittent in nature, largely contained on site, will be mitigated to the maximum extent practicable, and will cease when construction has been completed. The overall construction period is projected to be approximately 9-12 months (not including any seasonal work closures that may apply, which may limit or eliminate construction

in the summer season, for example) and are to be completed in a single phase. As illustrated in the engineering drawings, storage and staging of construction equipment and materials will occur within the roadway ROW, immediately outside the areas of direct disturbance (i.e., excavation, grading, clearing, pavement milling/restoration, etc.), in locations that do not interfere with driveways and other access to adjacent properties. Construction activities will typically occur Monday through Friday from 7:00 AM to 7:00 PM. Occasional nighttime and/or Saturday work may be required. Simultaneous construction of the underground cable and manhole installation could potentially occur.

Potential impacts related to noise will be moderated primarily by limiting most construction activities to weekdays between the hours of 7:00 AM and 7:00 PM, with the exception of the NYS Route 114, which may require that work be performed between 10:00 AM and 3:00 PM. The Proposed Action involves installation via open trenching along the entire cable route, except for a short segment under the LIRR just north of the Buell Substation in which the jack-and-bore method will be used, and short segments where HDD will be used (currently limited to two culvert crossings). Open trenching will generate intermittent and transient noise along the entire segment of open trenching, with the area affected at any given time gradually progressing along the route as the work is completed in small sections. The jack-and-bore method primarily will generate temporary noise due to construction activities in the entry and exit pits. Where HDD is used for portions of the Proposed Action as needed, there similarly would be an increase in sound levels primarily at the entry and exit pits.

In addition to maintaining regular construction hours, PSEGLI will conduct an enhanced outreach program to coordinate potential scheduling adjustments where possible and inform residents and businesses about the construction schedule and resultant increase in noise levels.

Erosion and sediment transport will be mitigated by adherence to the site-specific SWPPP and associated erosion control plan prepared in accordance with the NYS Standards and Specifications for Erosion and Sediment Control (Blue Book). Measures such as silt fencing, inlet protection, slope stabilization measures, and other BMPs will be utilized to minimize erosion, sediment transport and airborne dust generation during construction. Dust control, which includes the use of watering trucks, as needed, and limiting the extent of the area of disturbance at any given time, will reduce the potential for fugitive dust generation. The general topographic character of the Proposed Action Area, within public roadway ROWs, is level to gently sloping, which will moderate the magnitude of potential soil erosion.

Construction vehicle and truck activity during cable installation will be intermittent and dispersed. Limiting hours of operation primarily to weekdays between 7:00 AM and 7:00 PM for most construction, with the exception of the NYS Route 114, will assist in minimizing potential impacts.

The Traffic Impact Evaluation and Assessment discussed in both the DEIS and FEIS provides an analysis and mitigation strategies for installation of the proposed cable which will be implemented during construction of the Proposed Action. Temporary work zone traffic controls will be required for various construction activities, including trenching of the underground

cables, manhole construction, and cable pull-through when these activities directly intersect or are within proximity to these roadways.

When working within roadways, approximately 200 feet of trench can be installed daily. Roadways will generally remain open with reduced lanes and traffic controls during active construction. At the end of each workday, the trench typically will be closed and temporary asphalt or steel plates placed, allowing the roadway to remain fully open until the subsequent workday. MPT signage will be installed on the roadway to alert the traveling public of trucks entering and exiting. MPT signage will be placed on the roadway in both travel directions approaching the construction zone. Signs will be placed based on the posted speed limit and as per NYSDOT protocols. In all areas where the construction activities will occur within a lane of the roadway, the MPT typically will consist of closing the roadway in one direction and using flaggers to move vehicles in alternating directions around the approximately 200-foot-long work area.

When construction will occur within the center of the roadway and when manhole vaults are installed, it is expected that the roadway will be closed and the MPT will require temporary detours. For the two vaults on Bridgehampton-Sag Harbor Turnpike and nine vaults on NYS Route 114, alternative north-south arterial routes will be selected in consultation with the involved roadway agencies. Either of these two roadways can serve as a detour route when construction closes the other route; additionally, Sagg Road and Townline Road, which are classified by NYSDOT as a minor arterial and a major collector roadway, respectively, may be considered to serve as temporary detour routes.

The roadways in which work will occur under the Proposed Action are owned and maintained by various governmental agencies, as follows:

- SCDPW – Bridgehampton-Sag Harbor Turnpike/Main Street (County Road 79).
- Village of Sag Harbor Highway Department – Jermain Avenue, Madison Street, and Harrison Street.
- NYSDOT – NYS Route 114.

PSEGLI has commenced outreach to the involved roadway agencies and will continue communication with these agencies prior to commencing any work to ensure compliance with traffic safety standards and other agency requirements. Further, any work within the portion of the ROW to the north of the Buell Substation owned by the LIRR will include a permit and coordination with that agency to ensure this construction will be safely conducted.

CUMULATIVE IMPACTS

PSEGLI has formulated a program of improvements to the South Fork T&D System consisting of multiple projects, which will yield cumulative benefits to the eastern end of Long Island by accommodating anticipated growth and development in the region, to ensure reliable electric service to LIPA customers. These future projects, along with installation and operation of the Proposed Action, will mitigate customer outages and enhance the capability of the South Fork T&D System to meet system needs. This area has been growing in terms of electrical demand at

a net average annual rate of about 1.75 percent since 2009. The forecasted net average annual electric load growth for that area for the next 10 years is approximately 1.7 percent per year.

It is also important to highlight that the potential adverse effects associated with the Proposed Action pertain entirely to construction activities, with no long-term impacts associated with the operation of the completed 69-kV transmission cable. These circumstances avoid the potential for long-term cumulative impacts associated with a demand on environmental resources during the operational phase, such as loss of wildlife habitat, water consumption, and increased need for community services; and there will be no post-construction noise or traffic generation resulting from implementation of the Proposed Action. Moreover, it is estimated that construction activities within the roadway ROW for the Proposed Action will proceed at approximately 200 feet of underground cable installation per day; therefore, site disturbance and utility installation at interval locations are anticipated to be of short duration, on the order of a few days or less at any given location, as work progresses along the 7.6±-mile cable corridor. It is also important to recognize that the Proposed Action has been designed to minimize construction-related impacts to the degree practicable through the routing of the proposed cable within existing public roadway ROWs, limiting areas of disturbance, and other mitigation strategies described in this Findings Statement.

The DEIS and FEIS identify several PSEGLI projects that are anticipated to be under construction either preceding, at the same time as, or closely following, the construction period for the Proposed Action. However, the other planned projects are not expected to result in a combined impact with construction activities associated with the proposed new 69-kV underground transmission cable. Combined with the Proposed Action, these other planned projects will yield cumulative benefits to the East End of Long Island by accommodating projected growth and development in the region, providing reliable electric service to customers, mitigating customer outages, and enhancing the capability of the South Fork T&D System to meet system needs. In addition, although these other planned projects will yield cumulative benefits with the Proposed Action, they can exist independently of each other, and therefore under SEQRA they are considered separate projects.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Certain resources, both natural and man-made, will be utilized for the Proposed Action, including raw materials used in construction and manufacture of the components of the proposed cable and related components (e.g., copper, aluminum, concrete, plastics, etc.), and energy used for construction and maintenance, such as nonrenewable fossil fuels (i.e., diesel fuel, gasoline, and motor oil for tools and equipment). These resources and materials are considered irretrievably committed as they will not be available for reuse.

The Proposed Action Area predominantly comprises impervious roadway surfaces in which the cable will be installed via trenching; and, thereby, will not require a commitment of vegetative cover or plant or animal habitat for installation of the proposed cable. Limited areas of vegetated surfaces will be disturbed for the proposed cable installation. However, compensation for the commitment of existing ecological resources in these pervious areas of proposed disturbance will be achieved by restoration with appropriate native vegetation. This includes:

- Small areas of vegetation along the roadway shoulders will be disturbed for the installation of manhole vaults extending beyond the edge of pavement. However, these areas currently contain typical roadside vegetation having low habitat value, which is subject to mowing and other regular maintenance activities and will be replanted upon the completion of construction.
- Areas of incidental disturbance accommodating laydown/staging of equipment and materials during construction will not undergo clearing, grading or excavation. These areas also contain maintained roadside vegetation with low habitat value and will be replanted as necessary upon the completion of construction.
- The portion of the LOD to the north of the Bridgehampton Substation has been previously disturbed. To the degree that the removal of existing vegetation is necessary to allow trenching in this area, replanting/restoration will occur.
- The cable route to the immediate north of the Buell Substation extends through a small area of woodland between Cove Hollow Road and the LIRR. Excavation in this area under the Proposed Action includes a small segment of trenching and the entry pit for the jack-and-bore drilling operation. If tree removal becomes necessary, replanting with suitable native species will occur in this area.
- Impacts to existing trees located outside, but in close proximity to, the LOD will be avoided by the installation of temporary protective barriers.

As indicated above, although the temporary clearing of some vegetation will occur within the Proposed Action Area, installation of the new underground cable will not cause any permanent loss of vegetated areas, since all disturbed vegetated areas will be restored with appropriate native plant species.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY

The Proposed Action will contribute to the development of a robust and adaptable transmission and distribution grid that will ultimately help to facilitate the integration of renewable technologies consistent with New York’s Clean Energy Standard, which is designed to address climate change, reduce harmful air pollution, and ensure a diverse and reliable low-carbon energy supply, as well as the Climate Leadership and Community Protection Act, which aims to achieve 100 percent zero-emission energy by 2040.

GROWTH-INDUCING ASPECTS

It is expected that the full-time residential population and overall development will increase within the entire East End, with or without the proposed new 69-kV underground transmission cable between the Bridgehampton and Buell Substations. This growth will undoubtedly increase the demand on infrastructure, notably including energy supply. As such, implementation of the Proposed Action will not induce new growth in the area; rather, the new infrastructure is needed to serve such growth that is already anticipated, which is controlled by the zoning and application review/approval authority of local municipalities. Furthermore, the need for the Proposed Action is demonstrated in the DEIS and FEIS.

ENVIRONMENTAL JUSTICE

The Proposed Action Area is within two Potential Environmental Justice Areas (PEJAs) designated by NYSDEC: one PEJA lies on both sides of Bridgehampton-Sag Harbor Turnpike between the Bridgehampton Substation and the Village of Sag Harbor; and the second PEJA adjoins the east side of NYS Route 114 between the Village of Sag Harbor and Stephen Hands Path.

NYSDEC Commissioner Policy 29 outlines the means for incorporating Environmental Justice issues into NYSDEC's environmental permit review process, enforcement program, grants program, and public participation process, as well as NYSDEC's application of SEQRA so that minority and low-income populations are not disproportionately impacted by adverse environmental and health effects. Environmental Justice standards also seek to promote nondiscrimination in federal programs affecting health and the environment and to provide minority and low-income communities the opportunity to access public information and participate in decision-making activities that may affect their health and environment.

The DEIS and FEIS thoroughly investigate potential environmental impacts associated with the Proposed Action with the goal of determining whether there will be any potentially significant adverse environmental impacts and how best to prevent or suitably mitigate them so there will be no significant harm to the surrounding community, while acknowledging the public benefits of the new 69kV underground transmission cable. These considerations support the conclusion that there will not be a disproportionate impact on disadvantaged individuals, particularly given that the Proposed Action involves an underground installation within public roadway ROWs which will have no long-term adverse impacts upon the completion of construction.

The environmental review process and the usual public outreach for this type of application provide significant opportunities for public and agency input to ensure that environmental impacts are identified and avoided, minimized, or mitigated to the maximum extent practicable. The primary responsibility for addressing the above criteria is typically with the decision-makers, who are guided by existing NYS, Suffolk County and local regulations relating to land development, environmental reviews, and public outreach and participation.

The information sharing and public outreach plan for the Proposed Action has involved or will involve the following:

1. Inclusion of an Environmental Justice component for the impact analysis in the FEIS.
2. Holding an initial public information session on June 28, 2022, in connection with the DEIS.
3. Holding a public hearing on June 28, 2022, at which the opportunity was provided for public comment on the DEIS.
4. Conducting a follow-up public information session, on November 20, 2024, in connection with the issuance of the FEIS for public and agency consideration.
5. Distributing essential information to involved agencies and interested parties (e.g., lead agency coordination correspondence, DEIS, FEIS, and SEQRA Findings pursuant to SEQRA).

6. Other involved agencies have their own environmental reviews, hearings, and public outreach and participation requirements, which provide additional opportunities for oral or written comments.

The above steps in the SEQRA and public outreach processes have provided, and will continue to provide, various times, locations and methods for persons, organizations, agencies, and their respective representatives, including minority populations and persons of limited income, to receive information and review facts, data, studies and reports regarding the Proposed Action, and to provide input, identify issues and concerns, express opinions and make recommendations on the record for decision makers to consider. Moreover, applications, plans, SEQRA documents, resolutions, and other pertinent materials are readily available to the public for in-person review. SEQRA filings and notifications of associated hearings are also published in the ENB to inform the public and involved and interested agencies of the status of projects. The SEQRA review process for the Proposed Action has already spanned several years (the Positive Declaration was issued in April 2021), with numerous opportunities for the public and local organizations and people of all backgrounds to reach out to public officials and staff.

In addition to the above, in accordance with the requirements of SEQRA, any project-related adverse environmental impacts for the Proposed Action have been identified and mitigated to the maximum extent practicable, as set forth in this positive Findings Statement, and in the DEIS and FEIS, including by locating the project within public roadway ROWs.

ALTERNATIVES

OVERVIEW

As discussed previously, the DEIS Proposal presented a project configuration with the new 69-kV underground transmission cable to be installed underground via HDD and trenching in the LIPA ROW between the Bridgehampton and Buell Substations. The LIPA ROW contains existing overhead transmission lines owned by LIPA and traverses open space and ecological resources, including the Long Pond Greenbelt. The DEIS also presented five alternatives, including three that would route the project along local roadways. During the public comment period on the DEIS, numerous commenters raised concerns about potential adverse environmental impacts associated with construction within Long Pond Greenbelt and other ecologically sensitive sections of the LIPA ROW. After considering these comments, the DEIS Proposal was re-evaluated, and Alternative 2 presented in the DEIS (with a slight adjustment of the routing to avoid the frontage of Pierson Middle/High School on the south side of Jermain Avenue). By selecting Alternative 2 as the preferred alternative (evaluated as the “Preferred Alternative in the FEIS), All of the potential impacts to environmentally sensitive areas (i.e. the Long Pond Greenbelt) are being avoided or drastically minimized, as the selected alternative will be constructed almost entirely within paved roadways.

With the “Preferred Alternative” discussed in the FEIS now the Proposed Action for purposes of this Findings Statement, the full list of remaining alternatives addressed herein includes:

- No Action Alternative (DEIS Alternative 1) – No change from existing conditions.
- Southern Underground Route (DEIS Alternative 3) – New 69-kV circuit installed underground via trenching from the Bridgehampton Substation south along

Bridgehampton-Sag Harbor Turnpike, east along Montauk Highway, and then north to the Buell Substation on East Hampton-Sag Harbor Turnpike.

- Northern Hybrid Route (DEIS Alternative 4) – New 69-kV circuit, following the same route as the current Proposed Action, installed overhead from the Bridgehampton Substation north to Sag Harbor, then underground via trenching within the Village, and then overhead from the Village south to the Buell Substation
- Overhead Route within LIPA ROW (DEIS Alternative 5) – Replacement of the existing Bridgehampton to Buell and Bridgehampton to East Hampton 69-kV Double Circuit by removing the 53 existing towers within the ROW and installing two new overhead lines on steel poles (approximately 134 steel poles, in two lines of 67 poles, with each pole at a height of approximately 60 feet above grade)
- DEIS Proposal – New 69-kV circuit installed underground within the LIPA ROW between the Bridgehampton and Buell Substations which contains existing overhead transmission lines owned by LIPA – this project configuration is the previous proposal presented in the DEIS but has been superseded by the current Proposed Action identified in this Findings Statement (called the Preferred Alternative in the FEIS), in consideration of the input received during the public review of the DEIS.

The Proposed Action was developed to a high degree of detail in the FEIS, including field investigations and engineering analyses, when it was decided that this configuration for the new 69kV underground transmission cable was the preferred alternative. This level of detail provides additional information to the lead and involved agencies upon which they can base their findings. The DEIS Proposal, involving cable routing in the LIPA ROW between the two substations, was thoroughly reviewed in the DEIS, but was revealed during public review of the DEIS to involve certain drawbacks, as discussed below, and has consequently been eliminated from further consideration.

Information for the three other construction alternatives examined in the DEIS (i.e., Alternatives 3 through 5) was developed for the purpose of evaluating whether any such alternative is likely to meet the objectives of the Proposed Action, while eliminating or reducing any potential impacts that were identified for the DEIS Proposal and also avoiding any additional adverse impacts.

NO ACTION ALTERNATIVE (DEIS ALTERNATIVE 1)

Under this scenario, the Proposed Action would not be undertaken, and the existing overhead electrical transmission facilities in the LIPA ROW between the Bridgehampton and Buell Substations would remain in place and would continue to operate with no improvements.

Although the No-Action Alternative would avoid potential adverse impacts associated with construction of the Proposed Action, such an outcome would not conform with LIPA's objective of addressing transmission constraints resulting from projected increased load demands from customers on the South Fork of Long Island. Without the Proposed Action, the benefits of ensuring system reliability would not be realized, and the system would become increasingly vulnerable to electrical outages and other adverse outcomes that ultimately would have significant adverse impacts on South Fork communities. Furthermore, as detailed in the FEIS

and summarized later in this Findings Statement, the Proposed Action will implement a range of measures directed at avoiding or mitigating potential impacts during construction; and by placing the new 69kV transmission cable underground and restoring all areas of land disturbance in-kind, no-long-term impacts will result from operation of the Proposed Action. These considerations indicate that any apparent environmental advantages of the No-Action Alternative would be minimized or eliminated, while failing to provide the necessary public benefits associated with achieving LIPA's objectives under the Proposed Action. On this basis, maintaining the status quo under the No-Action Alternative is not feasible or reasonable, and is not an appropriate option in lieu of the Proposed Action.

SOUTHERN UNDERGROUND ROUTE (DEIS ALTERNATIVE 3)

This alternative involves the installation of a new 69-kV circuit along an underground route extending southward from the Bridgehampton Substation along Bridgehampton-Sag Harbor Turnpike, eastward along Montauk Highway, and then northward along Cove Hollow Road to the Buell Substation. To a large degree, this alternative is analogous to the Proposed Action, in terms of installing the cable primarily via standard trenching along public roadway ROWs.

The total length of the cable route for Alternative 3 is 7.45± miles, which is approximately the same as the 7.6±-mile route the Proposed Action. The preliminary cost for this Alternative was estimated at \$84.7± million in the DEIS, about 30 percent greater than the \$65± million cost estimate for the Proposed Action.

The duration of construction for Alternative 3 was estimated at about 20 to 24 months in the DEIS. This is substantially longer than the time frame expected for construction of the Proposed Action due to increased concerns regarding the scheduling effect of anticipated closures on a State highway (Montauk Highway) which provides the main roadway access to and from the entire Town of East Hampton, especially during the seasonal summer peak.

Like the Proposed Action, Alternative 3 would not entail long-term impacts upon the completion of construction, as the new cable would be placed underground and all areas of land disturbance would be restored in-kind.

As with the Proposed Action, Alternative 3 includes short segments of the cable route that would be installed via trenching adjacent to freshwater wetlands. This includes areas south of the Bridgehampton Substation, Slate Pond (adjacent to the Bridgehampton Children's Museum) and associated wetlands on the east side of Bridgehampton-Sag Harbor Turnpike (adjacent to the South Fork Natural History Museum & Nature Center), and tidal and freshwater wetlands associated with the upper reaches of Georgica Pond. These wetlands appear to be more extensive than the wetlands adjacent to the cable route for Proposed Action, which includes two culvert crossings and a short roadway segment adjacent to Otter Pond.

The cable route for Alternative 3 has relatively low topographic relief, primarily along public roadway ROWs. As with the Proposed Action, this would help minimize the potential for erosion and sediment transport impacts during construction as compared to terrain with steeper gradients.

Field observations and other site-specific investigations show that implementation of the Proposed Action does not pose the potential for significant adverse impacts to ecological and

cultural resources. Alternative 3 would also involve cable routing in public roadway ROWs, which appear to entail a low potential for significant adverse impacts to these resources; however, similar site-specific studies would be needed to confirm this conclusion.

Overall, the potential for impacts during construction for Alternative 3 would be similar to those associated with the Proposed Action, given the similar setting involving cable installation primarily via trenching in public roadway ROWs, and it would be expected that analogous measures would be employed to minimize potential impacts during construction (e.g., a SWPPP and associated Erosion and Sediment Control Plan, in-kind restoration upon the completion of construction, compliance with applicable permit conditions, configuring staging/laydown areas to avoid interfering with roadway access from adjacent properties, implementation of noise abatement where necessary adjacent to NSAs, coordination with involved roadway agencies, outreach to area residents and other local stakeholders, etc.). However, impacts would be increased under Alternative 3 due to a longer duration of construction.

Based on the foregoing, although Alternative 3 would meet the beneficial objectives of the Proposed Action, there would be no reduction or elimination of potential impacts that have been identified for the Proposed Action; and additional adverse impacts may result from Alternative 3 due to a prolonged duration of construction and an increased potential for traffic congestion resulting from construction on the region's main arterial roadway (Montauk Highway). Therefore, the analysis shows that Alternative 3 is not preferable to the Proposed Action.

NORTHERN HYBRID ROUTE (DEIS ALTERNATIVE 4)

This alternative would place a combination new underground/overhead 69-kV circuit along the same route as the Proposed Action. The circuit in Alternative 4 would begin by exiting the Bridgehampton Substation overhead, transitioning to underground installation upon entering into the southwestern area of the Village, re-emerge overhead upon leaving the southeastern area of the Village and continue overhead to the Buell Substation.

The underground transmission segment for Alternative 4 would be subject to the same conditions and constraints that pertain to the Proposed Action in terms of construction within a public roadway ROW. This includes the need for single-lane roadway closures in many locations during active trenching (resulting in alternating travel on the single open lane, controlled by a flag crew) and traffic detours during the installation of manhole vaults.

Alternative 4 is the only scenario that involves standard overhead installation of the proposed transmission line via utility poles along public roadways. In general, field investigations for siting determinations are greatly simplified for overhead routing as compared to underground installation since existing utility considerations are only relevant in the limited area of pole placement rather than along the entire route, and there is greater flexibility to adjust pole placement to avoid locations with complex existing subsurface facilities. Because of these factors, an overhead installation typically progresses more rapidly per unit length than occurs with trenching. However, given that trenching would still be used for the most densely developed portion of the route through the Village of Sag Harbor, it is estimated that construction of Alternative 4 would not result in a significant time savings from the fully underground installation along the same route for the Proposed Action.

The preliminary cost for Alternative 4 was estimated at \$46.2± million in the DEIS, about 71 percent of the \$65± million cost estimate for the Proposed Action.

Alternative 4 is anticipated to result in long-term adverse visual/aesthetic impacts along the main roadways leading to and from the Village of Sag Harbor due to the installation of 70-foot-tall utility poles to replace 188 existing poles that range in height from 30 to 45 feet, as well as the possible addition of 12 new poles at 60 feet in height in an area that currently lacks overhead utilities. Although an overhead installation would meet the objectives of the Proposed Action and would reduce potential impacts during construction as compared to trenching the entire route, Alternative 4 is not considered to be a preferred alternative due to the anticipated long-term visual and community character impacts. Furthermore, any increased potential for impacts during construction of the Proposed Action will be minimized or avoided through the implementation of standard mitigation measures, including a SWPPP and associated Erosion and Sediment Control Plan, in-kind restoration upon the completion of construction, implementation of noise abatement where necessary adjacent to NSAs, coordination with involved roadway agencies, outreach to area residents and other local stakeholders, etc.

OVERHEAD ROUTE WITHIN LIPA ROW (DEIS ALTERNATIVE 5)

This alternative would install a new overhead 69-kV double circuit to replace the existing overhead 69-kV double circuit within the LIPA ROW between the Bridgehampton and Buell Substations. Alternative 5 would not be an in-kind replacement of existing infrastructure. The two existing circuits in the LIPA ROW currently are not independent, such that the loss of power in either circuit would also incapacitate the other circuit. Alternative 5 would rectify this condition by providing two independent 69-kV circuits. This would facilitate the ability for maintenance and repairs, as well as emergency response, while also addressing the transmission constraints resulting from projected increased load demands from customers on the South Fork of Long Island which are the basis of the public purpose and need for the Proposed Action.

Alternative 5 would remove the existing towers in the LIPA ROW and would separate the two circuits onto two parallel lines of new steel poles. A minimum of 134 new steel poles would be required under Alternative 5, at a height of 65 feet above-grade, the same as the height of the existing towers in the ROW.

Stabilization in the LIPA ROW would be required for construction access to deliver the new poles and remove the disassembled towers. This temporary construction access road would span a distance of 3,400± linear feet east from Bridgehampton-Sag Harbor Turnpike, in a section of the LIPA ROW that includes areas of sensitive wetlands and adjacent buffers associated with the Long Pond, a known Eastern Tiger Salamander habitat, as well as steep slopes that would require significant regrading to accommodate heavy equipment access. The process involved in setting each individual pole would be similar to manhole installation under the Proposed Action, requiring the use of a crane. Additionally, concrete footings would be necessary for the pole line, which would necessitate the use of cement trucks in addition to the crane. This process would be repeated 134 times for the poles to be installed under Alternative 5; and the area of vegetative clearing would extend for a distance of 50± feet outside either side of the existing ROW to provide the necessary safety clearances from the new circuits.

The estimated best-case scenario for the duration of construction of Alternative 5 is approximately 20 months. The preliminary cost for Alternative 5 was estimated at \$56.1± million in the DEIS, about 86 percent of the \$65± million cost estimate for the Proposed Action.

Overall, Alternative 5 would result in significant, unavoidable adverse impacts to ecological resources within the LIPA ROW. These impacts would result from the need to provide construction access in areas containing ponds, wetlands and associated habitats in the vicinity of Long Pond, which would necessitate extensive disturbance and grading. Additionally, the trimming and removal of trees for a distance of approximately 50 feet beyond the north and south sides of the existing limits of the ROW would have to be maintained in perpetuity to meet operational requirements. The challenge of successfully negotiating the necessary easement expansion with the affected property owners along the length of the LIPA ROW is a major additional constraint that would likely significantly hinder the implementation of Alternative 5, if not make this scenario entirely infeasible. It is also expected that the poles installed under Alternative 5 would be more visible than the existing towers for viewers within the ROW, such as the users of the trails in this area, as well as from the various public roadways that intersect the ROW.

Based on the foregoing, although Alternative 5 would meet the beneficial objectives of the Proposed Action, its feasibility is questionable because of the need to procure easements from adjacent property owners along the LIPA ROW. Furthermore, this alternative would not minimize or eliminate potential adverse impacts which have been identified for the Proposed Action; and additional adverse impacts would be expected from this alternative due to extensive disturbance that would occur in the LIPA ROW and the increased visibility of the new poles. Therefore, the analysis shows that Alternative 5 is not preferable to the Proposed Action.

UNDERGROUND ROUTE WITHIN LIPA ROW (DEIS PROPOSAL)

The DEIS presented a proposal for the new 69-kV underground transmission cable involving installation within the LIPA ROW spanning the 5.2±-mile distance between the Bridgehampton and Buell Substations. Approximately 80 percent of the cable would be installed via open trench method, while the remaining 20 percent would be installed via HDD method. The HDD installation would route the cable beneath sensitive natural resources (including the Long Pond Greenbelt) in the ROW and beneath the LIRR tracks to the immediate north of the Buell Substation. There would also be a 1,600±-foot-long laydown area within the LIPA ROW to the west of the Bridgehampton Substation to support the HDD installation beneath the Long Pond Greenbelt. In addition to the proposed underground cable, fourteen manholes would be installed along the cable route. As with the Proposed Action, the existing overhead circuits within the LIPA ROW would remain and continue to operate upon completion of construction.

The installation of a temporary access road would be necessary within the LIPA ROW under the DEIS Proposal to provide a safe and stable surface for heavy construction vehicles to traverse during cable installation. This temporary access roadway would be 3.9± miles in length, and was anticipated to involve grading or excavation of existing soils and temporary placement of Recycled Concrete Aggregate (RCA) to stabilize the driving surface. The use of timber matting was analyzed as an alternative means of stabilization; however, due to the steep slopes and undulating topography in the LIPA ROW, this method was determined to be infeasible for the

entire length of the access road but would be utilized in the most sensitive area for the installation of a manhole within the Long Pond Greenbelt. Additionally, timber matting would be utilized to protect a portion of the wetland located west of the Bridgehampton Substation in the HDD laydown area.

Cable installation for the DEIS Proposal would have necessitated the disturbance of steep slope areas within the LIPA ROW, thereby posing an increased potential for soil erosion and sediment transport. In contrast, excavation work under the Proposed Action will primarily occur within the existing pavement area of roadway ROWs, which is not characterized by significant slopes and, therefore, will have minimal potential for soil erosion and sediment transport.

As noted above, the DEIS Proposal would have necessitated temporary regrading and stabilization to accommodate the installation of a construction access road, with a maximum 7 percent gradient, to allow for access by the HDD drilling equipment, crane and delivery vehicles for the placement of manhole vaults. It was proposed that the required temporary stabilization for vehicle access utilize RCA, to be placed atop geotextile fabric. Although the intent upon the completion of construction would have been to restore the profile along the temporary access roadway to pre-construction conditions, permanent topographic adjustments were likely to be necessary in areas that originally had very steep slopes, to moderate final gradients to minimize the potential for long-term erosion. Because of the relatively low topographic relief and existing paved roadways present along the cable route for the Proposed Action, temporary grading and ground surface stabilization with RCA will not be needed to accommodate construction access, thereby facilitating restoration upon the completion of construction as compared to what would have been required for the DEIS Proposal.

Potential adverse impacts to surface waters, wetlands, and stormwater drainage would have been greater under the DEIS Proposal due to its route through the Long Pond Greenbelt. In contrast, the Proposed Action will avoid the Long Pond Greenbelt and its associated wetlands, eliminating the risk of impacts to this area.

The potential impacts to flood zones between the DEIS Proposal and the Proposed Action would be similar in nature, as neither would increase impervious areas within designed floodplains.

The Proposed Action will avoid the Long Pond Greenbelt and its associated wetlands, eliminating any potential risks of adverse impacts to this area. Although it is expected that dewatering will be necessary at limited locations under the Proposed Action, the magnitude of potential impacts is substantially lower than would be posed by the DEIS Proposal's HDD drilling through the Long Pond Greenbelt; and potential impacts associated with dewatering will be avoided or mitigated by obtaining the required permit(s) from NYSDEC, and complying with all permit conditions and requirements.

Potential adverse impacts to ecological resources – including species designated as rare, threatened or endangered – would have been greater under the DEIS Proposal due to its routing through the existing LIPA ROW, which includes sensitive habitat within the Long Pond Greenbelt. In contrast, land disturbance under the Proposed Action will be situated mainly within existing paved roadways, with some incidental disturbance in adjacent areas of maintained

roadside vegetation, thereby reducing the amount of clearing and the potential for the disturbance of wildlife along the cable route.

The potential adverse impacts to archaeological resources for the DEIS Proposal and the Proposed Action would be of a similar, insignificant nature, as no cultural materials were encountered during the Phase 1B testing completed in both areas. The potential impacts to architectural resources for the DEIS Proposal and the Proposed Action would also be insignificant, as neither scenario would introduce changes to the existing viewshed or cultural context, as the cable would be installed underground.

The DEIS Proposal entailed an increased potential for temporary impacts to open space and recreation during construction, as such resources are located within the LIPA ROW. Since the Proposed Action will be routed along public roadway ROWs, direct impacts to open space/recreation resources will be avoided; and potential indirect impacts – e.g., in terms of access to Pierson Middle/High School, Mashashimuet Park, and Sag Harbor Golf Course/Barcelona Neck Natural Resources Management Area – will be mitigated through coordination with the involved management entities.

Routing of the proposed new 69kV underground transmission cable through the LIPA ROW under the DEIS Proposal would have traversed the Long Pond Greenbelt, thereby entailing an increased potential for adverse impacts to this NYSDEC CEA. By comparison, the Proposed Action will be installed along public roadway ROWs, avoid the CEA encompassing Long Pond Greenbelt and its associated wetlands, and eliminate the risk of impacts to this area.

The DEIS Proposal would have involved installation of the proposed new 69-kV underground transmission cable through the LIPA ROW, which is relatively isolated from NSAs. Cable routing under the Proposed Action is primarily along public roadway ROWs, which adjoin more developed areas containing various land uses that potentially could be affected by noise generated by the construction operation. However, suitable mitigation measures will be implemented to minimize the potential for noise impacts, including the use of BMPs and sound barriers as necessary. Furthermore, the effects at any given location will be limited in duration, since daily construction will occur in relatively small areas and will progress at a fairly rapid pace along the cable route and will not involve concurrent work along the entire 7.6±-mile Proposed Action Area for the full 9-to-12-month construction period; and noise impacts from the Proposed Action will not persist after the completion of construction at a given location.

The FEIS analysis indicates that the Proposed Action will have no long-term adverse effect on the environment and will be consistent with the Village of Sag Harbor's LWRP, based primarily on the routing of the new 69kV underground transmission cable within public roadway ROWs, with some incidental disturbance for construction staging/laydown along the adjacent unpaved roadway shoulders (still within the roadway ROWs), and in-kind restoration of all areas of disturbance upon the completion of construction.

The discussion above compares the potential adverse impacts of the DEIS Proposal with the Proposed Action for the range of relevant environmental parameters. Since both scenarios involve installation of the new 69kV transmission cable in an underground conduit, the primary impacts in both cases pertain to the effects of land disturbance during construction. However, since the DEIS Proposal would affect areas of sensitive natural resources in the LIPA ROW,

including the Long Pond Greenbelt, a NYSDEC-designated CEA, this alternative involves an increased potential for longer term impacts which may persist after the completion of construction than are associated with the Proposed Action.

These two options for routing new 69-kV underground transmission cable differ fundamentally in terms of the types of impacts that may arise during construction – the DEIS Proposal poses an increased potential of affecting natural resources in the LIPA ROW, while the Proposed Action has a higher potential for community impacts along the public roadway ROWs in which the new cable will be installed. This comparison is detailed in the foregoing discussion with respect to soils and topography, water resources, ecological resources, cultural resources, open space/recreation, CEAs, noise, and the coastal zone. By routing the new cable through the LIPA ROW, the DEIS Proposal would largely avoid disruptions to traffic flow on the area roadway system, whereas the Proposed Action involves excavation and other construction activities within public roadway ROWs. However, measures will be implemented under the Proposed Action to minimize local traffic impacts, including adherence to NYSDOT standards for MPT, coordination and compliance with the permitting requirements of the involved roadway jurisdiction agencies, and closely coordinating with representatives of adjacent and nearby properties.

Based on the foregoing, although the DEIS Proposal would meet the beneficial objectives of the Proposed Action, the FEIS analysis revealed that there would not be a significant net reduction of potential impacts that have been identified for the Proposed Action; and additional adverse impacts may result from the DEIS Proposal due to the location within sensitive environmental resources within the LIPA ROW, including the Long Pond Greenbelt, a NYSDEC-designated CEA. Therefore, the DEIS Proposal was determined not to be preferable to the Proposed Action.

SUMMARY OF MITIGATION MEASURES TO BE IMPLEMENTED FOR THE PROPOSED ACTION

A number of measures, as described herein, have been identified for implementation as part of the Proposed Action, which will either fully or substantially mitigate the potential adverse impacts identified in the FEIS and summarized in this Findings Statement.

SOILS AND TOPOGRAPHY

The assessment of potential impacts of the Proposed Action with respect to soils and topography indicates that no significant adverse impacts will occur. Furthermore, the Proposed Action will mitigate the potential for soil/topographic impacts in comparison to the DEIS Proposal involving cable installation through the LIPA ROW between the two substations, which would have involved the disturbance of native soils in areas with steep topography.

The following is a summary of measures that will be implemented to avoid or mitigate potential incidental adverse impacts associated with soil disturbance during construction of the Proposed Action:

- Existing pervious surface coverage will be retained, and areas of vegetation disturbed by construction will be restored with appropriate native/adapted plant species.

- The use of native/adapted plant species in landscaping restoration will also avoid the need to use fertilizers, pesticides and other chemical treatments, thereby minimizing the potential for impacts to soils related to landscape maintenance practices.
- Excess material excavated within the construction area will be transported to a suitable disposal facility in accordance with applicable regulations.
- Upon the completion of construction, the topographic profile of the roadway ROW in the Proposed Action Area will be retained.
- The Proposed Action includes the implementation of a site-specific SWPPP, with an accompanying Sediment & Erosion Control Plan, which identifies a range of measures directed at avoiding or mitigating construction-related impacts to soils – refer also to the section below on mitigation measures for the protection of water resources for additional discussion relevant to topography and soils.

WATER RESOURCES

Based on the assessment of potential adverse impacts with respect to surface waters, wetlands, stormwater drainage, flood zones, and groundwater resources, no significant adverse impacts on these resources will occur from construction or operation of the Proposed Action.

The following is a summary of measures that will be implemented to avoid or mitigate potential incidental adverse impacts to water resources during construction of the Proposed Action:

- The Proposed Action will retain existing pervious surface areas, with areas of disturbed vegetation being restored with appropriate native/adapted plant species. This will result in no net increase in stormwater runoff generation.
- The use of native/adapted plant species for revegetation in disturbed areas will avoid the need for irrigation, and the completed transmission cable and appurtenances will operate without water consumption. Therefore, the operation of the Proposed Action will not place a demand on local potable water supplies.
- Revegetation with native/adapted species will also avoid the need to use fertilizers, pesticides and other chemical treatments, thereby protecting the quality of surface water and groundwater resources.
- A SWPPP, including an associated Sediment and Erosion Control Plan, has been prepared for the Proposed Action, which will be implemented during construction to avoid or mitigate potential impacts related to stormwater runoff.
- Coverage under PSEGLI's NYSDEC Maintenance Permit (#1-9901-0011/00035 and 00037), includes authorization for activities under Article 24 jurisdiction for limited locations along the proposed cable route within mapped wetlands. As necessary, a permit will also be obtained from the U.S. Army Corps of Engineers. This permitting process will ensure that potential impacts to surface waters and wetlands are mitigated to the extent practicable.

- Coverage under PSEGLI's NYSDEC Maintenance Permit (#1-9901-0011/00035 and 00037) also ensures that NYSDEC water quality certification is obtained, thereby assuring compliance with NYS water quality standards.
- When HDD is needed to install portions of the proposed cable, this activity will utilize a drilling fluid consisting of water obtained from the SCWA and inert materials (e.g., naturally occurring bentonite clay), while a similarly innocuous lubricant will be used to facilitate the pulling of the HDD conduit through the HDD borehole. These methods will not pose the potential for releasing hazardous substances into the environment.
- When HDD is needed to install portions of the proposed cable, this operation will recycle the water and drill fluid to the extent practicable. Specialized equipment to perform such recycling is standard for use in HDD installations. Wastewater generated during drilling activities, which cannot be reused, will be collected into tanks, and transported and disposed of at an approved disposal facility licensed to accept this type of waste.
- When HDD is needed to install portions of the proposed cable, the volume of water required for the drilling fluid would be greatly reduced from what would have been needed for the DEIS Proposal because of the significantly shorter drilling lengths and durations that would pertain to the Proposed Action.
- Any HDD under the Proposed Action will comply as necessary with the SCWA's seasonal constraints, limiting water supply to the eight months of the year between October and May. Follow-up coordination would occur with SCWA prior to the commencement of any HDD construction to finalize the details of the proposed water use, and to obtain a permit identifying the specific hydrant(s) or separate metered connection(s) to be used and other particulars of the approval.
- The fine particulate matter suspended in the drilling fluid that would be used when HDD is needed to install portions of the proposed cable for the Proposed Action could potentially adversely affect nearby surface waters and wetlands if there is an inadvertent release from the HDD drilling hole. However, when HDD is utilized, it is expected to apply to limited locations; and the occurrence of wetlands along the proposed cable route is very limited. Furthermore, a frac-out contingency plan will be utilized, which establishes specific protocols to minimize impacts if a release does occur.
- Construction materials that pose a potential contamination threat (e.g., petroleum products and hazardous materials) shall be managed to minimize exposure to stormwater. Such materials shall be kept in secure containers and properly labeled. All storage containers and motorized/mechanical equipment containing such materials shall have secondary containment.
- Hazardous materials shall be used, stored, transported, and disposed of in the manner specified by the manufacturer and by applicable regulations. Contractors and subcontractors shall be made aware of this requirement and shall alert site personnel of this requirement.
- Copies of Safety Data Sheets shall be maintained on-site for hazardous materials.
- Solid and liquid waste shall be managed and disposed of properly, and in accordance with applicable State and Federal requirements. Construction and demolition waste shall

be separated from soils, and both shall be disposed of at an approved disposal facility. All other wastes shall be disposed of separately. Waste material shall be collected and stored in secure containers and removed from the site. Waste containers shall be inspected regularly. No solid or liquid waste shall be disposed of (e.g., buried or poured) on-site. Excess construction materials, supplies or debris shall be inspected at the end of each work shift and managed or disposed of the same day or as soon as reasonably possible.

- Contractor(s) and subcontractor(s) shall comply with applicable regulations regarding portable toilets. Each contractor and subcontractor shall provide wastewater collection facilities for its crews at the site throughout construction activities. Sanitary facilities shall not be placed near drainage courses or in low areas and shall be positioned so they are secure and cannot be tipped over. Sanitary facilities shall be serviced regularly.
- Any ground disturbance within 535 feet of a known Eastern Tiger Salamander breeding pond will occur only within the existing paved roadway.
- Disturbance to wetlands is avoided through the implementation of a SWPPP and the minimization of disturbance to existing paved areas to the maximum extent practicable.

ECOLOGY

Based on the assessment of potential adverse impacts with respect to ecological resources, no significant adverse impacts on these resources will occur from construction or operation of the Proposed Action.

The following is a summary of measures that will be implemented to avoid or mitigate potential incidental impacts to ecological resources during construction of the Proposed Action:

- Land disturbance will be minimized because of the construction installation methods utilized and the minimization of soil disturbance to the maximum extent practicable.
- All tree removal will occur between December 1st and February 28th, per NYSDEC guidance for locations in Suffolk County, which corresponds to the seasonal period during which Northern Long-eared Bats are not present in the landscape.
- Any ground disturbance within 535 feet of a known Eastern Tiger Salamander breeding pond will occur only within the existing paved roadway.
- Implementation of the Proposed Action will comply with PSEGLI's NYSDEC Maintenance Permit (#1-9901-0011/00035 and 00037).
- Disturbance to wetlands will be avoided through the implementation of a SWPPP and the minimization of disturbance to existing paved areas to the maximum extent practicable.
- All disturbed areas will be restored with appropriate native plant species or restoration of impervious areas.
- No known invasive species will be utilized for restoration activities. Specifically, species listed in 6 NYCRR Part 575 will not be utilized.
- No debris, fill, sand, gravel or other materials will be placed within 150 feet of a wetland.

CULTURAL RESOURCES

Since the FEIS investigation demonstrates that Proposed Action is not expected to result in adverse impacts to cultural resources, no mitigation is necessary or proposed.

OPEN SPACE AND RECREATION

Based on the assessment of potential impacts with respect to open space/recreation resources, no significant adverse impacts on these resources will occur from construction or operation of the Proposed Action.

The following is a summary of measures that will be implemented to avoid or mitigate potential incidental impacts to open space/recreation resources during construction of the Proposed Action:

- The staging/laydown areas have been configured to avoid interfering with the use of driveways and other points of access between the public roadways in the Proposed Action Area and adjacent properties, including those containing public open space and recreational resources.
- Outreach will be undertaken to inform the owners/operators of adjacent and nearby public open space/recreational resources about the construction schedule and this schedule will be adjusted as appropriate to minimize impacts regarding public access to these resources.
- Any effects on access to public open space/recreational resources related to the Proposed Action will be temporary, with access never fully blocked, and all access to any given resource being restored upon completion of construction at that location. At the construction rate of approximately 200 linear feet of cable per day, access to any location would not be interrupted for a period of more than two to three days.

CRITICAL ENVIRONMENTAL AREAS

Mitigation under the Proposed Action with respect to surface water and groundwater resources will also provide mitigation regarding potential adverse impacts to the CEAs within or adjacent to the Proposed Action Area, since all of these CEAs were established to protect groundwater and/or surface water resources.

NOISE

No long-term increase in ambient sound levels is anticipated once the Proposed Action is completed and operational, as the proposed cable installation does not include sound-generating equipment or facilities. Therefore, no noise mitigation is required for operation of the Proposed Action upon construction completion.

During construction, all contractors will be required to utilize BMPs to minimize adverse impacts to the surrounding area, including sound control devices on their equipment that are no less effective than those provided by the manufacturer. Contractors will also be required to maintain

equipment in accordance with manufacturers' recommendations. Equipment will have muffled exhausts and equipment idling will be kept to a minimum.

If work is expected to occur in a single area for an extended period, such as for the installation of a manhole or the use of HDD, and there are nearby NSAs, temporary sound barriers may be installed. Sound barriers can be built of materials with different reflective or absorptive properties that can reduce sound propagation from construction equipment to the surrounding area.

The physical sound mitigation barriers considered in the assessment are:

- Mitigation Case 1: 8-foot-high construction site sound blanket, STC-21, NRC 0.75
- Mitigation Case 2: 16-foot-high sound curtain, STC-33, NRC 0.75

In both cases, the barriers are assumed to be placed in a rectangle around the perimeter of the proposed activity, fully enclosing all noise-producing equipment.

The modeling results show that the use of these acoustical barriers can reduce sound levels by up to 10-20 dBA, which represents a significant reduction in the perceived sound and associated impacts at nearby receptors. Additional BMPs recommended by NYSDEC that could be implemented during construction of the Proposed Action to further reduce noise impacts include limiting noise-generating activities to daytime hours where practicable and coordinating with abutters about the date and duration of work near NSAs and around public areas and events.

Construction of the Proposed Action will occur during daylight hours, to the degree practicable, which will mitigate noise impacts to nearby NSAs. However, it is anticipated that some activities, such as the installation of manhole vaults, will need to occur during the overnight period to reduce interruptions to peak traffic flow during daytime hours. For such nighttime work, construction impacts will be mitigated by means of the installation of physical sound barriers as discussed above, and through close coordination with the involved roadway agencies, as well as targeted outreach to the occupants in the affected NSAs.

COASTAL ZONE

Based on the assessment of potential impacts with respect to the coastal zone, no significant adverse impacts on these resources will occur from construction or operation of the Proposed Action.

The following is a summary of measures that will be implemented to avoid or mitigate potential incidental impacts to coastal zone resources during construction of the Proposed Action:

- Disturbance in the coastal zone associated with the Proposed Action will predominantly occur within areas of roadway pavement, in which trenching will occur during construction to install the new 69kV underground transmission cable.
- Installation of the Proposed Action will not increase the extent of impervious surfaces in the coastal zone.

- Limited areas of disturbance in the coastal zone under the Proposed Action that extend outside existing pavement will be restored as soon as practicable upon the completion of construction using appropriate native plantings.
- All areas of the coastal zone disturbed under the Proposed Action will be subject to mitigation measures set forth in the site-specific SWPPP and associated Erosion and Sediment Control Plan.
- Construction in the vicinity of Mashashimuet Park will be coordinated with the owner/operator to ensure that potential site access impacts to this recreational asset are avoided or properly mitigated. A path of ingress and egress will be maintained during the single day work when will be performed near the entrance.

CONSTRUCTION-RELATED IMPACTS

Based on the assessment of potential impacts during construction, the Proposed Action will not result in significant adverse impacts, and to the extent that there are impacts, these will be temporary and minimized through mitigation techniques that will be implemented during construction. These mitigation techniques are discussed in the preceding sections of this Findings Statement with respect to soils and topography, surface water resources, groundwater resources, ecological resources, cultural resources, open space and recreation, CEAs, noise, and the coastal zone. Additional measures have been identified to mitigate potential traffic impacts during construction of the Proposed Action, including the following:

- Construction activities will conform to NYSDOT MPT protocols to ensure continuity of traffic flow and minimize such impacts, including the use of Alternating, One-Way Traffic with flaggers to safely direct vehicles around the work area.
- To minimize the impacts on local traffic conditions, any required roadway closures during construction (e.g., during the installation of manhole vaults) will be conducted during the overnight period, when traffic volumes are much lower than during the daytime.
- Temporary restoration of excavations in roadway ROWs will occur at the end of each work shift, involving backfilling and temporary asphalt or the placement of metal plates, with traffic cones removed to return traffic flow to in-lane, two-way conditions during the period between work shifts.
- Temporary restoration in roadway ROWs will remain in place and will be properly maintained until permanent pavement restoration occurs upon the completion of the excavation work.
- Full-width pavement restoration will occur for all roadways along the proposed cable route – with the exception of Bridgehampton-Sag Harbor Turnpike, which will only receive partial restoration – even though trenching and manhole vault installations will result in the excavation of only a portion of the pavement area.
- PSEGLI has initiated outreach to the involved roadway agencies and will continue communications with these agencies prior to commencing any work to ensure compliance with traffic safety standards and other agency requirements; all necessary

details for road closures and detours will be addressed in the applicable road opening permit requirements of the jurisdictional agencies involved.

- Administrative controls, such as public notifications and correspondence through PSEGLI External Affairs, will be implemented to ensure that the public is properly informed in advance of planned lane closures and detours.
- Any work within the portion of the ROW to the north of the Buell Substation owned by the LIRR will include a permit and coordination with that agency to ensure this construction will be safely conducted.

CERTIFICATION OF FINDINGS

Having considered the DEIS and FEIS, including the comments on the DEIS and responses thereto, as well as the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, LIPA finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the NYSDEC, 6 NYCRR Part 617, have been met; and
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
3. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable, as set forth herein.

Agency: The Long Island Power Authority

Prepared by: Christopher Kiernan, Permitting Specialist Supervisor, PSEG Long Island

Signature of Responsible Officer: /s/ Billy Raley

Name/Title of Responsible Officer: Billy Raley, Senior Vice President, Transmission and Distribution

Date: December 18, 2024