

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

Project: Robert Moses Cable Replacement (the “Proposed Action”)

Date: March 31, 2025

This notice is issued in accordance with Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617 and 21 NYCRR LXXXI 10052.

The Long Island Power Authority (LIPA) has determined based on information provided by PSEG Long Island and the Environmental Assessment Form Parts 1, 2, & 3 prepared by PSEG Long Island that the Proposed Action described below will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Robert Moses Cable Replacement (the “Proposed Action”)

**Location:** Robert Moses Substation, Robert Moses State Parkway, Burma Road, Town of Islip, Suffolk County, New York

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Proposed Action Description:**

The Proposed Action includes the replacement and minor relocation of an underground (UG) 4 kilovolt (kV) distribution feeder connecting the Robert Moses Substation (the “Substation”) to a riser pole located within FINS, west of the hamlet of Kismet. The Proposed Action will also include the installation of UG composite boxes and aboveground pad-mounted switchgears (“PMH”) along the Proposed Action route. In addition, the portion of the UG feeder along Robert Moses State Parkway will be within New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) property. As such, the Proposed Action also includes the execution of a permanent easement to be obtained from OPRHP at the completion of construction. Project components are discussed in detail below and are depicted on Figures 1 through 8 (the “Proposed Action Area”).

The Proposed Action will include the installation of approximately 12,000 linear feet of new UG distribution feeder cable and spare conduit along Robert Moses State Parkway and Burma Road. The existing UG distribution feeder will be abandoned in place. The new UG feeder will extend from the Substation and connect to a new PMH that will be installed immediately outside of the Substation, then continue in an easterly direction along the south sides of Robert Moses State Parkway and Burma Road, terminating at an existing riser pole (#79) on Burma Road, approximately 250 feet west of the hamlet of Kismet (see Figure 2). Feeder installation will be completed mainly via horizontal directional drilling

(HDD), with minor portions being performed open trench to make connections into PMH and riser poles. Thirteen new composite boxes and two new PMHs will be installed along the route of the Proposed Action. In addition, one existing PMH will be replaced. Minor vegetation clearing along the road shoulder will be required to install some of the composite boxes and perform the conduit installation via HDD.

The majority of the feeder on Robert Moses State Parkway will be installed within the road shoulder, except where the feeder is required to cross the roadway. The majority of the feeder on Burma Road will also be installed within the roadway except in areas where the composite boxes will be installed.

The portion of the UG feeder along Burma Road will be within FINS property. A Special Use Permit will be obtained from FINS prior to construction of the Proposed Action within this property.

In total, the Proposed Action will require a maximum ground disturbance of approximately 0.88 acres, of which approximately half will be on FINS property.

### SEQRA Findings

Based on a review of the Proposed Action's scope of work in accordance with the requirements of SEQRA, the Short Environmental Assessment Form Parts 1, 2 & 3 ("SEAF") was prepared to evaluate potential impacts of the Proposed Action. The SEAF evaluates the effect of the Proposed Action upon land use, natural resources, visual resources and community character, energy use, environmental hazards and human health resources. Key findings are outlined below.

#### *Visual Resources*

Distribution feeder cable installation will be completed underground in areas where subsurface utilities exist. PMHs will be installed in areas with existing PMHs and will be similar in height, to the existing infrastructure within the area. Therefore, the Proposed Action will not result in any significant adverse visual impacts.

#### *Groundwater*

The Proposed Action is located above the Nassau-Suffolk Sole Source Aquifer, which is an Environmental Protection Agency (EPA) designated Sole Source Aquifer. Precipitation is the sole source of groundwater recharge. Installation of the new cable via HDD will occur at shallow depths (approximately 5 feet). It is likely that groundwater levels at some locations will vary due to tidal influences. Work activities in this area will not involve the introduction of any hazardous substances to the subsurface, and extraction of groundwater in this area is not anticipated. Although cable installation activities may directly encounter the water table, it is not anticipated to have permanent adverse impacts on groundwater quality. The installation of the cable and composite boxes will be a short-term disturbance confined to the shallow aquifer, and not at depths affecting the intake elevations of local water supply wells. Distribution cable, conduit and composite box materials are inert and therefore will have no impact on groundwater, even if encountered during construction. Installation of PMHs will not impact groundwater, as these components are located aboveground. Overall, no significant impacts to groundwater are expected as a result of the Proposed Action.

### *Floodplains*

According to FEMA Flood Maps, the portion of the Proposed Action within the driveway and adjacent to the Robert Moses Substation is located within the 100-year floodplain. The remainder of the Proposed Action within the Robert Moses State Park, and work within the western end of FINS is located outside the 1% and 0.2% annual flood risk zones (Zone X). The remainder of the Proposed Action within FINS, is located in the 1% annual chance flood hazard area (Zone AE). Zone X is considered low risk, and the AE zone is considered moderate to high risk, depending on the topographic elevation and intensity of a storm. The proposed cable and splice boxes will be located entirely underground. All construction will take place within existing roads, walkways, and adjacent roadside areas, and will have no impact on flooding or floodplains within the Proposed Action Area. This configuration will not increase the potential for property damage caused by flooding. The Proposed Action will not create any permanent changes in topography within the designated floodplains. No impacts to the floodplains or to other upstream/downstream properties are expected from the installation or operation of the cable and associated aboveground components. Therefore, the Proposed Action will not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters along the Proposed Action route.

### *Coastal Zone*

As the Proposed Action is located within the New York State coastal zone, a New York State Coastal Assessment Form was completed and submitted to the New York State Department of State (NYSDOS) on January 15, 2025 (see Attachment A). The Proposed Action will be consistent with and will not substantially hinder the achievement of any of the coastal policies set forth in 19 NYCRR Part 600.5.

### *Wetlands*

Based on wetlands delineations performed by GEI, the proposed cable installation will not be located within the boundaries of any regulated wetlands, but will be located with the regulated freshwater wetland adjacent area of multiple wetlands (see Figures 8A through 8K).

With the exception of the work immediately outside of the Substation, the work within Robert Moses State Park is located just beyond NYSDEC mapped tidal wetland adjacent areas (300-foot adjacent area), as they are above the ten-foot contour, but will be located within NYSDEC freshwater adjacent areas, as shown on the NYSDEC wetlands informational maps. GEI conducted a field assessment on August 6, 2024, and January 24, 2025, and encountered wetlands in close proximity to the Proposed Action (see Figures 8A through 8K). The Proposed Action will be located beneath existing paved roads, unpaved roads, and roadside adjacent areas. Silt fence will be installed between any open excavation and any wetlands located within 20 feet of the excavation activities. No wetlands will be disturbed in the construction or operation of the Proposed Action. Given the proposed erosion and sediment control measures, and that the Proposed Action will not intersect any wetlands, no permanent impacts to wetlands will occur as a result of the Proposed Action.

The Proposed Action is permissible under the PSEG Long Island Servco NYSDEC Maintenance Wetland Permit #1-9901-00011/00035 and 00037. The NYSDEC Maintenance Permit requires a site-specific

Notice of Commencement (NOC) submittal to NYSDEC for the clearing of any vegetation within regulated wetlands adjacent areas. PSEG Long Island will complete the required NOC and submit to NYSDEC and send a copy to the Town of Islip prior to construction.

#### *Terrestrial Ecological Communities and Vegetation*

Most disturbance for the cable installation will be within existing disturbed areas associated with the access driveway to the Substation, the Robert Moses Causeway, and Burma Road. There are 16 drill pit/composite box locations located within roadside areas that will cause a disturbance to vegetation. The Proposed Action will result in the temporary clearing of approximately 36,300 square feet (SF) of existing vegetated area, which is comprised of 14,500 SF of mowed roadside and 21,800 SF of Maritime Shrubland and Maritime Dune communities. Upon completion of construction activities, all disturbance will be revegetated with the appropriate species. Roadside mix will be utilized in mowed roadside areas, and native grasses and shrubs will be utilized in the Maritime Shrubland and Maritime Dune communities.. Since the proposed vegetation removal is temporary in nature and that the minimal loss of vegetation will not impact the overall natural communities, the Proposed Action is not expected to have any permanent impacts on terrestrial ecological communities and vegetation and will not have a significant adverse impact on those resources.

#### *Wildlife*

Wildlife utilizing the upland and wetland areas in the Proposed Action vicinity would be expected to temporarily re-locate to suitable habitat located adjacent to the Proposed Action route during construction activities and return to areas of suitable habitat upon the completion of construction. The Proposed Action is not expected to result in significant adverse impacts to wildlife at either the individual or population level.

#### *Threatened, Endangered, Special Concern Species, and Significant Habitats*

Multiple rare, threatened, and endangered were identified as occurring within the vicinity of the Proposed Action by the New York Natural Heritage Program. A discussion of these species is provided below.

Habitat for Seabeach amaranth is not located within the Proposed Action Area and was not observed during site visits.

Zigzag bladderwort requires wetland habitats which are not located within the Proposed Action Area. The Proposed Action will disturb existing roads and adjacent upland areas, which are not characteristic habitats for this species.

Hidden dropseed prefers dry, sandy areas with open canopy. Although abundant habitat for this species is present, there has been rare historic occurrence of this species and with no observation during the site inspection.

The federally endangered piping plover and state threatened least tern utilize beach habitats between March and September of any given year. These areas are not found within 500 feet of the Proposed Action within Robert Moses State Park but will be located within 500 feet of the Proposed Action within FINS. Construction within FINS must be completed between October and March.

Roseate terns utilize small barrier islands with high vegetative cover for breeding habitat. There is no suitable breeding or foraging habitat in the area of disturbance or immediate vicinity of the Proposed Action route.

The proposed area of disturbance does not provide preferred roosting or foraging habitat for red knots.

Northern long eared bats require forested habitat for roosting and caves or other enclosed spaces for hibernation.

Horned Lark's, Seaside Sparrows, Needham's Skimmer, Seaside dragonlet, Horseshoe crabs, Monarch butterflies, and tricolored bats are all categorized as either rare, special concern, or proposed for listing as threatened or endangered. Habitat is not present within the Proposed Action Area for Seaside Sparrows, Seaside dragonlets, Horseshoe crabs, or tricolored bats. Foraging habitat is present for Needham's Skimmer and Monarch butterfly and some limited egg laying habitat is present for Monarch butterflies. These species have high motility, an abundance of nearby habitat, and the Proposed Action will involve limited habitat removal for these species.

As detailed above, no rare, threatened or endangered species will be impacted as a result of the Proposed Action.

### *Historic and Cultural Resources*

Based on results from a search of the OPRHP Cultural Resource Information System (CRIS) database, there are multiple structures listed as eligible within Robert Moses State Park and multiple locations associated with the Fire Island Light House that are nationally listed. Based on communication with NPS, all areas of the Proposed Action route in undisturbed natural areas within NPS jurisdiction are considered archaeological sensitive and would require a Phase 1B archaeological investigation. Due to sensitive resources on both state and federal land, permit applications for an archaeological investigation were prepared and submitted by Chronicle Heritage. A New York State Museum permit authorizing archaeological excavations was issued July 9, 2024. An NPS Archaeological Resource Protection Act (ARPA) Permit was issued September 5, 2024. The archaeological investigation for the Proposed Action was completed October 9 through 11, 2024, which included additional testing within Robert Moses State Park. As per the issued ARPA permit, tribal monitors representing the Shinnecock, Montaukett, and Unkechaug Nations were present during the excavations. No cultural resources were identified within the Proposed Action Area. A formal Phase 1B report was prepared and submitted to OPRHP on December 27, 2024, and to NPS on December 27, 2024. The OPRHP provided a letter on December 31, 2024, indicating that the Proposed Action would have no effects on cultural resources with New York State Parkland. Construction on the Proposed Action on FINS property will not commence until NPS confirms

the Proposed Action would have no effect on cultural resources within FINS. Copies of the archaeological investigation reports and the OPRHP letter of no effect are provided in Attachment B.

No potential for a significant adverse impact on the environment, flora, fauna, community character, or human health has been identified as a result of the Proposed Action. Based on the SEAF and PSEG Long Island's recommendation according to the standards as set forth in SEQRA, the Proposed Action will not result in any significant adverse environmental impacts and a Draft Environmental Impact Statement will not be prepared.

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**For Further Information:**

Contact Person: Erin Gorman, Manager, Environmental Projects and Permitting  
PSEG Long Island

Address: 175 East Old Country Road, Hicksville, NY 11801

Telephone Number: (800) 490-0025

E-mail: [PSEGLongIslandSEQR@pseg.com](mailto:PSEGLongIslandSEQR@pseg.com)

/s/ Billy Raley

Billy Raley

Senior Vice President of Transmission and Distribution, Long Island Power Authority

Dated: March 31, 2025