

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

Project: East Hampton 4kV to 13kV Conversion

Date: October 15, 2024

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

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

Name of Action: East Hampton 4kV to 13kV Conversion

Location: Main Street (NYS Route 27, POW/MIA Memorial Highway), Pondview Lane, Dunemere Lane, Egypt Lane, Davids Lane, Accabonac Road, The Circle, Hunting Lane, Gay Lane; Village of East Hampton and Town of East Hampton, Suffolk County, New York

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Proposed Action Description:

The Proposed Action includes a partial upgrade and conversion of the existing Village of East Hampton electric distribution system from 4 kilovolts (kV) to 13kV to support load growth in the area. The existing 4kV circuits serving the Proposed Action area are at peak load during the summer months and do not have adequate capacity to sustain additional load growth. The project components are discussed in detail below and are depicted in Figures 1 through 7.

Conversion activities will include the installation of approximately 20,000 linear feet of new underground (UG) distribution cable along Accabonac Road, Egypt Lane, Hunting Lane, Gay Lane, Pondview Lane, Dunemere Lane, The Circle, Main Street, and Davids Lane. The new UG cable will extend from a new riser pole and new pad-mounted switchgear on Accabonac Road and will connect into four other new pad-mounted switchgears at various locations along the route. Additionally, twenty new manholes will be installed, and one existing transformer will be replaced. Cable installation will be completed via a combination of open trench and horizontal directional drilling (HDD).

A portion of the UG cable along Accabonac Road will cross below a Long Island Rail Road (LIRR) overpass. Appropriate permits and approvals will be obtained from LIRR for this crossing.

Certain overhead (OH) distribution upgrades will also be completed as part of the Proposed Action, including the replacement of one existing 35-foot wood utility pole located on The Circle, (that extends to an approximate height of 29.5 feet) with a new 40-foot wood utility pole (that will extend to an approximate height of 34 feet), and the installation of one new wood 45-foot riser pole, located on the west side of Accabonac Road immediately north of the LIRR tracks (that will extend to an approximate height of 38.5 feet). The new riser pole will be of similar height to existing utility poles in the immediate area, which consist of 35-foot to 60-foot utility poles that range from approximately 29.5 feet to 52 feet in height.

In total, the Proposed Action will require approximately 0.4 acres of ground disturbance, of which approximately 0.3 acres will be within paved asphalt or concrete areas, and approximately 0.1 acres will be within grass roadside areas. The Proposed Action is located within a developed suburban area.

Additional future work related to the 4kV to 13kV conversion may be proposed within the Village and Town of East Hampton as load growth necessitates added electrical capacity, including within the area of the Proposed Action. However, the definitive plan and scope for these activities has not been confirmed, and engineering for additional phases has not been completed. A separate SEQRA will be prepared pursuant to 6 NYCRR 617.3(g)(1) for future phases of work related to the Proposed Action. Completing a separate environmental review under SEQRA for future activities will be no less protective of the environment than a SEQRA review encompassing the Proposed Action and future phases of work. A cumulative review will be completed as part of the SEQR analyses that will be conducted for future work phases.

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.

- The distribution cable installation will be UG in areas where subsurface utilities exist. The pole replacement along The Circle will be similar in height (within 10 feet) to the pole it is replacing and will be located within an existing utility pole alignment. The new pole on Accabonac Road will be similar in height to adjacent poles in the immediate area (within 10 feet in height). Abundant OH infrastructure exists in this area, including an existing transmission lattice tower across the street that extends to 70+ feet in height. Therefore, the Proposed Action will not result in any significant visual or land use impacts.
- The northernmost portion of the Proposed Action is located within the Central Suffolk Special Groundwater Protection Area (SGPA) Critical Environmental Area (CEA) (*see* Figure 8), an area designated to protect groundwater. Depth to groundwater in this area is anticipated to be

encountered at approximately 5 feet below grade¹; apart from a singular pole installation that will extend to approximately 8 feet below grade, excavation activities in this area are planned to be completed to depths of less than 5 feet below grade. 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. In the event dewatering is required in these areas and extracted groundwater requires discharge to the sewer system, best management practices (filter bags and inlet protection) will be implemented to protect these resources. Given this information, the Proposed Action will not result in significant adverse impacts to this CEA.

- 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 (NYS DOS) on September 30, 2024 (*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.
- As shown in Figure 9, the Proposed Action is located within the East Hampton Village Historic District and adjacent to the Egypt Lane Historic District and the Pantigo Road Historic District. All three districts consist of multiple buildings that are listed on the State and National Register for Historic Places. In addition, several buildings that are eligible for listing on the National Register for Historic Places (Murtha Residence, Terian Residence, Eldrege House, and William S. Jenny House (Kazickas Residence) are located adjacent to the Proposed Action. Due to the nature of the work activities described above, the Proposed Action will not result in a significant adverse visual impact to these properties. Utility infrastructure exists in all areas of the Proposed Action, including within or adjacent to the districts and properties mentioned above. In addition, the Proposed Action is located within a New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) designated archaeologically buffer area. A consultation request was submitted to OPRHP on April 9, 2024, and OPRHP responded with a letter dated April 10, 2024, that the Proposed Action would have no impact on historic properties, including archaeological and/or historic resources (*see* Attachment B). Therefore, the Proposed Action will not result in any significant adverse impacts to the aforementioned areas.
- Several portions of the Proposed Action are located within the 100-foot regulated freshwater wetland adjacent area (*see* Figure 10). Work activities within the regulated adjacent area are authorized under PSEG Long Island's New York State Department of Environmental Conservation (NYS DEC) Maintenance Permit #1-9901-00011/0035 and will be conducted in compliance with the requirements of this permit. Best management practices will be implemented for work in these areas, and appropriate sediment and erosion protection will be installed to protect the wetland areas. The Proposed Action will not encroach on the physical boundaries of the regulated wetlands. Therefore, the Proposed Action will not result in any significant adverse impacts to wetlands.
- The following rare, threatened, or endangered animal species were identified as being potentially located in the vicinity of the Proposed Action: the least tern (state listed threatened, federally listed endangered (interior only, not on coast)), the piping plover (state listed endangered and federally listed threatened) and the northern long-eared bat (state and federally listed endangered). A consultation request was submitted to the New York Natural Heritage Program (NYNHP) on April 9, 2024 to obtain additional information on the potential presence/location of these species.

¹ [Long Island Depth to Water and Hydrologic Conditions Viewer \(https://ny.water.usgs.gov/maps/li-dtw/\)](https://ny.water.usgs.gov/maps/li-dtw/)

NYNHP responded with a letter dated June 6, 2024 (*see* Attachment C) identifying the potential presence of the above threatened/endangered animal species within 0.5-mile of the Proposed Action. It also indicated the presence of the following plant species at or in the vicinity of the Proposed Action: Slender Blue Flag (reportedly documented at the project site on June 3, 2010, between a wet maritime shrubland and a mowed roadside) and the Pine Barrens Sandwort (documented within 0.5-mile of the project site). PSEG Long Island conducted a site visit on June 25, 2024 to evaluate the presence of the Slender Blue Flag and the Pine Barrens Sandwort at and in the immediate vicinity of the Proposed Action. Neither the Slender Blue Flag nor the Pine Barrens Sandwort were observed in areas that will be disturbed during construction. Therefore, the Proposed Action will not result in significant adverse impacts to the identified plant species.

Habitats associated with the threatened/endangered animal species are discussed below.

Least terns nest on open sand of ocean beaches, sand flats, barrier islands, and dredges. They typically use barren and relatively homogenous habitats. A small amount of vegetation may be useful for chicks to gain shelter once they hatch. Least terns are threatened by human disturbance, increased numbers of predators associated with human development, beach driving, and vegetative succession of their limited remaining habitat. Least terns nest in colonies with other least terns often near piping plovers².

Piping plovers nest on open, sparsely-vegetated beaches and sand flats between the primary dune and high tide line. They typically use beaches with ephemeral pools and bay tidal flats for brood-rearing. A small amount of vegetative cover may be used to protect chicks from exposure to the sun and wind. During winter, piping plovers use both coastal and inland beaches, algal bay flat, mudflats, and sand flats³.

Northern long-eared bats (NLEB) spend winter hibernating in caves and mines, called hibernacula. They typically use large caves or mines with large passages and entrances, constant temperatures, and high humidity with no air currents. NLEB roost underneath bark, in cavities, or in crevices of trees during summer. Males and non-reproductive females may also roost in cooler places, like caves and mines. They have also been found, rarely, roosting in structures like barns and sheds⁴.

The Proposed Action will not be completed on or adjacent to open beaches or coastline, and therefore is not located in an area that would be suitable habitat for least terns or piping plovers.

No tree removals are proposed to be completed. Minor tree trimming and limited removal of low-lying brush and shrubs will be completed for the installation of pad-mounted switchgears on Egypt Lane. These areas are located in a developed area along suburban roadways, immediately adjacent to residences and commercial properties. Based on geographical information obtained from NYNHP as part of ongoing PSEG Long Island conservation plans, no NLEB roost sites have been identified within 3 miles of the Proposed Action. Therefore, the Proposed Action is not expected to adversely impact the NLEB.

² <https://guides.nynhp.org/least-tern/>

³ <https://guides.nynhp.org/piping-plover/>

⁴ <https://ecos.fws.gov/ecp/species/9045>

- Portions of the Proposed Action located along Egypt Lane are located within the 100-year flood plain. Pad-mounted switchgear installations within this area will result in a negligible increase in impervious area (approximately 300 square feet); UG cable installations will be within impervious roadways, with no changes to grade. Therefore, the Proposed Action will not result in significant adverse impacts to the 100-year flood plain.

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.

For Further Information:

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Dated: October 15, 2024