

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

Project: County Road 51 Transmission and Distribution Underground Dip Project

Date: February 3, 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 (“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: County Road 51 Transmission and Distribution Underground Dip Project

Location: East Moriches – Riverhead Road (County Road 51); hamlet of Eastport, Town of Brookhaven, Suffolk County, New York

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Proposed Action Description:

The Proposed Action is located on East Moriches – Riverhead Road (County Road 51) and under Captain Daniel Roe Highway (County Road 111) (see Figure 1). The Proposed Action includes the relocation of a portion of an existing overhead 69kV transmission line to underground to address safety considerations near the on and off ramp to County Road 111. This project will result in the removal of Pole 132 and some adjacent poles installed in 2017 as an in-kind replacement as part of a reconductoring and resiliency project.

The Proposed Action includes the removal of five (5) steel transmission poles, the replacement and relocation of two (2) steel transmission poles with steel transmission riser poles and installation of four (4) new wood distribution poles on the western shoulder of County Road 51. The existing transmission circuit in that location is being relocated underground along with associated distribution wire. The steel transmission poles that are planned to be removed will be cut approximately 2 feet below grade and will be backfilled. The new installation of wood distribution poles is necessary to maintain service to the adjacent agricultural buildings. The replacement steel transmission poles will be the same height or shorter than the existing poles. The new wood distribution poles will be both smaller in height and narrower in diameter than the existing poles.

Approximately 1,330 feet of underground transmission cable will be installed via open trench starting from the new steel transmission riser pole (131) to the new steel riser pole (138), along the western shoulder of County Road 51. Approximately 615 feet of underground distribution cable will be installed via open trench between new riser poles 136 and 138.5. Additionally, approximately 700 feet of two spare conduits, for future uses, will be installed on County Road 51 from the north side of County Road 111 to the south side of County Road 111 (see Figure 1).

The majority of the Proposed Action is comprised of the removal and replacement of steel transmission poles, installation of wood distribution poles and installation of underground transmission and distribution cable within paved and previously disturbed areas. In total, approximately 0.22 acres of ground disturbance will occur for the entirety of the Proposed Action.

Reasons Supporting This Determination:

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. Since the Proposed Action primarily involves the installation of underground facilities and the in-kind replacement of existing infrastructure, there will be no change to land use or community character, nor will there be any adverse effects on human health.

The replacements of transmission poles and minor relocation of aboveground distribution with new shorter poles, risers, and associated overhead wires are planned to be installed in an area where there is existing aboveground infrastructure. The visual changes associated with the Proposed Action are more specifically depicted in the photo simulations provided in Attachment A. The Proposed Action will remove four steel transmission poles located in front of an agricultural building and reduce the amount of overhead wiring in that area. Additionally, the Proposed Action will remove a steel transmission pole and an overhead wire that is located near the active on ramp for County Road 111 (see View 4). The Proposed Action will not result in adverse impacts to the visual character of the area.

The EAF Mapper Summary Report identified that the Proposed Action is located within the Central Suffolk Pine Barrens Critical Environmental Area (CEA). More specifically, all proposed work located north of County Road 111 is located within the Core Preservation Area and all proposed work located south of County Road 111 is located within the Compatible Growth Area. These locations have been designated as CEA's due to their benefit to human health and in an attempt to protect drinking water. The majority of the Proposed Action requires installation of underground cables and removal, replacement, and new installation of wood and steel utility poles within paved and previously disturbed areas. Based on United States Geological Survey (USGS) data, the depth to groundwater in the project location averages from 31-75 feet below land surface. Two new concrete foundations will be installed 20 feet below grade as a base for the two replacement steel transmission riser poles. Therefore, the foundations

are not expected to reach depths where groundwater will be encountered. Additionally, only minor tree trimming is needed around pole 136 in order to replace the overhead wire that is going through a tree. No other locations require tree trimming or tree removals. Vegetation removal will be limited to the existing mowed roadside, and no areas of natural vegetation will be removed. Given this information, the Proposed Action will not result in significant adverse impacts to the Central Suffolk Pine Barrens CEA.

The EAF Mapper Summary Report identified that a portion of the Proposed Action is adjacent to lands containing wetlands or other waterbodies regulated by a federal, state, or local agency. Upon further review of aerial photography and review of New York State Department of Environmental Conservation (NYSDEC) wetland maps, the Proposed Action is located outside of any areas of State freshwater and tidal wetland jurisdiction. No work will occur within a wetland. No impacts to regulated wetlands or waterbodies will result from the Proposed Action.

The EAF Mapper Summary report identified the presence of Frosted Elfin and Northern Long-Eared Bat (NLEB) located at or around the Proposed Action site. The Frosted Elfin is listed as Threatened in New York State but is not listed federally. The Frosted Elfin is threatened by the degradation of and pervasive loss of early-successional habitat in the northeastern United States. The NLEB is listed as Endangered at both the New York State and Federal level. The 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. It has also been found, rarely, roosting in structures like barns and sheds. The Proposed Action will take place within and along paved rights-of-way and roadside mowed grass areas, all of which have been previously disturbed by past road construction and/or areas that undergo regular mowing/maintenance. Since no clearing of trees, shrubs, or habitat suitable to the species (*Baptisia tinctoria* and *Lupinus perennis* plants), is proposed, and all tree trimming will be minor in nature, the Proposed Action will not result in significant adverse impacts to wildlife or ecological communities, including the Frosted Elfin and the NLEB, at neither the individual nor the population level. The Proposed Action will not eliminate any high quality or valuable wildlife habitat and will not adversely affect the species that may occur in the area. Once construction is complete, all disturbed areas will be restored to original condition.

The EAF Mapper Summary Report identified that a portion of the Proposed Action is located within the Suffolk County Army Airfield Bombing and Gunnery Range (AAF) State Superfund site and adjacent to the Eastport Landfill (EL) State Superfund site. The AAF site includes 9,224 acres of land in West Hampton, Suffolk County, New York. The site is currently owned predominately by private and commercial entities, with the remainder owned by Suffolk County and New York State. The site was activated in May 1943 and inactivated in November 1945. The fighter groups trained at this base and received gunnery, bombing, small arms, and rocketry training and practice before going overseas in World War II. The practice and training ranges at the range involved the use of high explosives and live munitions. Review of historical documents and munitions data sheets indicate that there are a variety of explosives and explosives byproducts that may persist in the environment. Additionally, the majority of the projectiles, bombs, and munitions used at the range contained a variety of metals. Therefore, samples

were collected and analyzed for select explosives, explosive breakdown products and select metals. The Army Corps obtained site access in 2021-2022 and is conducting the Remedial Investigation.

The EL site is a 7.4-acre site located north of Old Country Road and south of Sunrise Highway in the hamlet of Eastport in the Town of Southampton. The Town of Southampton operated it as an open dump during the 1960s and 1970s. During operation, the site is reported to have received only household trash and cardboard containers. A 1975 study estimated that 9,300 cubic yards of refuse had been buried on the site and a majority of the waste is located in the southeastern portion of the site. By the mid-1970s, the site was used primarily as a transfer station although some dumping continued to occur. An inspection performed in 1986 found construction and demolition materials and household and farm trash which had recently been dumped onsite. Suffolk County Department of Health Services did not suspect that there were any significant quantities of industrial or agricultural chemical waste at this site. A Federal Investigative Team inspected the site and vicinity in 1983 and concluded that no potential hazards existed and that there was no need for further action.

The Proposed Action will not disturb any soils in the EL site but will disturb soils within the AAF site. However, all disturbance will take place within previously disturbed areas which had been developed after the AAF site had shut down. Therefore, the Proposed Action will not result in significant adverse impacts to either of the sites, nor will it result in the disturbance or release of contaminants that may be associated with these sites.

Finally, PSEG Long Island received a public comment letter raising traffic safety concerns related to the placement of the proposed wood distribution poles and relocated steel poles, and whether they are sufficiently distant from the active roadway (i.e. out of the “clear zone”) in accordance with certain professional guidance and the NYSDOT Highway Design Manual. Although PSEG Long Island’s initial screening of the Proposed Action did not identify any potential for adverse impacts on public health and safety, in an abundance of caution, PSEG Long Island retained L.K. McLean Associates, Engineering & Surveying, D.P.C. (“LKMA”) to consider and report on the placement of the proposed utility poles in relation to the edge of the CR 51 active roadway. LKMA’s report documented the offsets from the travel lane for each of the existing steel poles proposed to be modified or removed. The five proposed to be completely removed have offsets ranging from 12’6” to 14’5”. The two proposed to be relocated are currently offset by 14’ and 14’3.” Upon consideration of the NYSDOT Highway Design Manual, LKMA recommended that the 4 new wood poles and the 2 steel poles to be relocated be installed a minimum of 15 feet from the edge line of the travel lane. The Proposed Action, as designed, is consistent with these recommendations. The LKMA report noted that a 15’ “offset is equal to or greater than the previous clear zone approved by Suffolk County in the subject area.” Given that the Proposed Action will result in the complete removal of five steel utility poles from the roadside area, including those closest to the on and off ramps to CR 111, that the four new wood poles will be less than half the diameter of the removed steel poles, and that all new and relocated utility poles will be farther from the travel lane than the existing poles, the Proposed Action will have no adverse impacts to public safety and a net beneficial effect.

While the Proposed Action may have minor impacts on different aspects of the environment as discussed above, the cumulative impact of such impacts does not have the potential to have a significant adverse impact on the environment.

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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