

Appendix B

NYSDEC Letter of Non-Jurisdiction

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790

P: (631) 444-0365 | F: (631) 444-0360

www.dec.ny.gov

TIDAL WETLAND LETTER OF NON- JURISDICTION

January 31, 2019

PSEG Long Island LLC

Attn: Hannah Emouna

175 East Old Country Road

Hicksville, NY 11801

Re: UPA#1-4722-01075/00010

Facility – Shoreham

Lilco Road SCTM#200-40-1-1&2 & 200-40-2-1

Shoreham (Wading River/Long Island Sound)

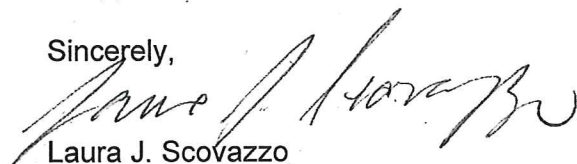
Dear Ms. Emouna:

Based on the information you have submitted, the Department of Environmental Conservation has determined that the portions of the referenced properties landward of the Red Limit of NYSDEC Jurisdiction elevation contour line shown on the attached two Figure 1 plans prepared by PSEG Long Island is beyond Tidal Wetlands Act (Article 25) jurisdiction. Therefore, in accordance with the current Tidal Wetlands Land Use Regulations (6NYCRR Part 661) no permit is required.

Be advised, no construction, sedimentation, or disturbance of any kind may take place seaward of the tidal wetlands jurisdictional boundary, as indicated above, without a permit. It is your responsibility to ensure that all precautions are taken to prevent any sedimentation or disturbance within Article 25 jurisdiction which may result from your project. Such precautions may include maintaining adequate work area between the jurisdictional boundary and your project (i.e. a 15' wide construction area) or erecting a temporary fence, barrier, or haul bay berm.

Please note that this letter does not relieve you of the responsibility of obtaining any necessary permits or approvals from other agencies or local municipalities.

Sincerely,



Laura J. Scovazzo

Deputy Permit Administrator

cc: D. Kennedy/VHB Engineering

BMHP

File



Department of
Environmental
Conservation



FIGURE 1
APPROXIMATE LIMIT OF NYSDEC TIDAL WETLANDS JURISDICTION

Sources: ESRI Web Map Server, 2018; Topographic Map prepared By Lockwood, Kessler & Bartlett, INC., 1971

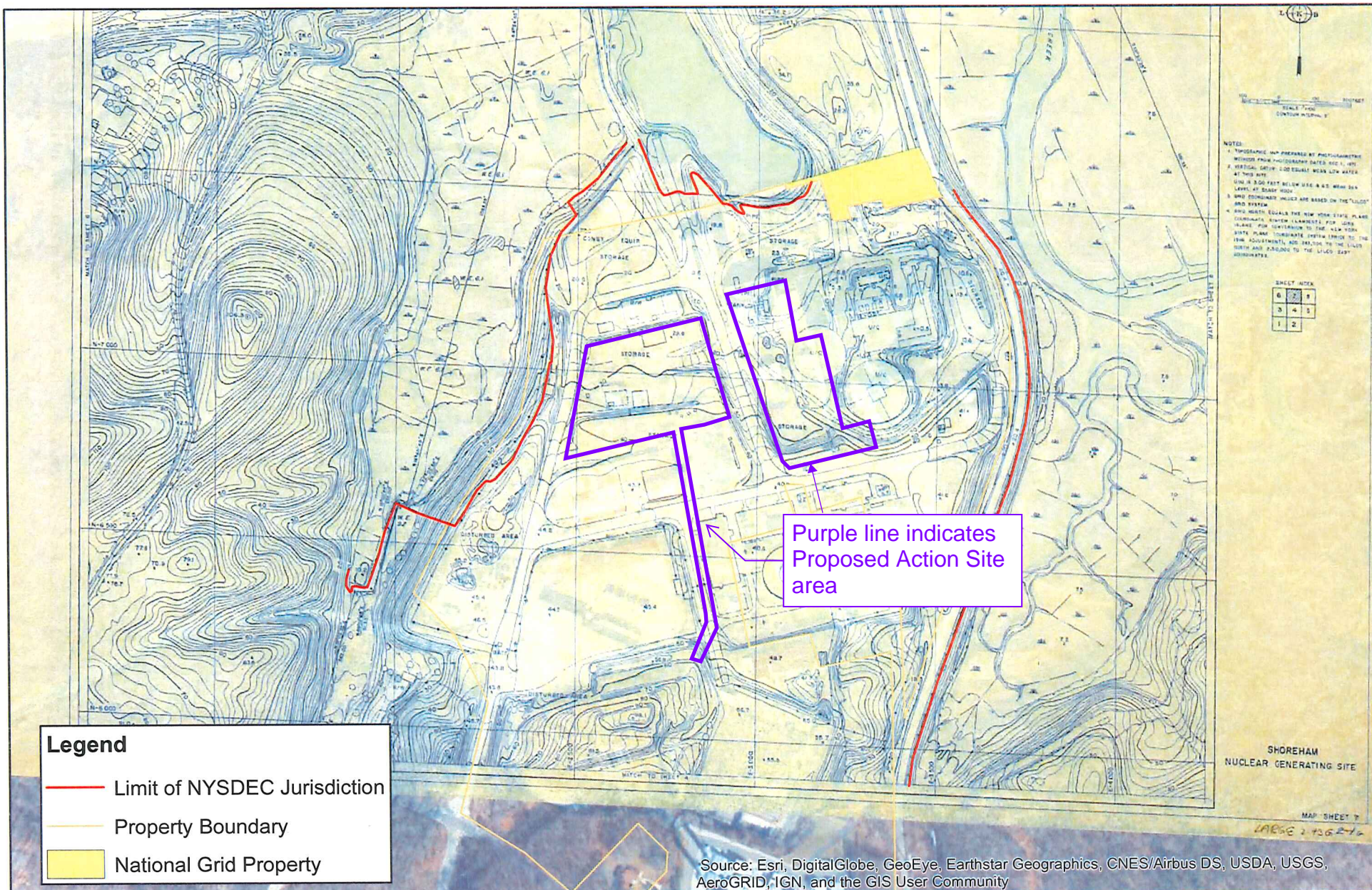


FIGURE 1
APPROXIMATE LIMIT OF NYSDEC TIDAL WETLANDS JURISDICTION
WITH TOPOGRAPHIC SURVEY OVERLAY

Sources: ESRI Web Map Server, 2018; Topographic Map prepared By Lockwood, Kessler & Bartlett, INC., 1971