

**COUNTY ROAD 48 POLE RELOCATION
CONFORMANCE WITH NEW YORK STATE
COASTAL MANAGEMENT POLICIES**

Based on the County Road 48 Pole Relocation project's location, an additional assessment of the proposed action's consistency with relevant New York State Coastal Management Policies is required. Specifically, the following questions were answered "yes" on the New York State Department of State's Consistency Assessment Form, (Section C, Coastal Assessment):

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following:

a. State designated freshwater or tidal wetland? (44)

b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)

c. State designated significant fish and/or wildlife habitat? (7)

4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program? (See additional documentation for the project's consistency with the Town of Southold's LWRP Policies).

A summary of the Proposed Action's consistency with State's Coastal Management Policies 7, 11, 12, 17 and 44 is included below.

Policy 7 Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Response: The Proposed Action is located immediately north of a State designated significant coastal fish and wildlife habitat. However, the Proposed Action involves the relocation of an existing transmission line from overhead to underground and the installation/replacement of utility poles within previously disturbed roadway rights-of-way, a small area of maintained landscaping associated with a commercial use, and a public utility right-of-way, upland of ~~this~~—these significant habitats. The Proposed Action will not result in disturbances or impacts to significant coastal fish and wildlife habitats.

Policy 11 Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Response: The Proposed Action is located within FEMA Special Hazard Area (1 percent annual chance of flood) and Zone X (0.2 percent annual chance of flood). However, the Proposed Action involves the relocation of an existing transmission line from overhead to underground and the installation/replacement of utility poles within previously disturbed roadway rights-of-way, a small area of maintained landscaping associated with a commercial use, and a public utility right-of-way. Subsequent to installation of underground utilities, all land cover would be replaced in-kind. The Proposed Action would not significantly alter existing floodplains in the vicinity of the project location. Proposed above-ground utilities would not result in a substantial increase in impervious surface coverage and would not impact the rate of floodwater rise and fall, should flooding occur near the project location. As such, it is anticipated that there would be no significant adverse impacts to the designated floodplains as a result of the proposed installation and the Proposed Action will not increase the potential for flooding or erosion.

Policy 12 *Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.*

Response: As noted above, the Proposed Action would be confined to previously disturbed roadway rights-of-way, a small area of maintained landscaping associated with a commercial use and a public utility right-of-way. Subsequent to installation of underground utilities, all land cover would be replaced in-kind. No natural protective features would be altered or removed as a result of the Proposed Action, nor would natural resources be adversely impacted as a result of the Proposed Action.

Policy 17 *Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.*

Response: The Proposed Action involves the relocation of an existing transmission line from overhead to underground and the installation/replacement of utility poles within previously disturbed roadway rights-of-way, a small area of maintained landscaping associated with a commercial use, and a public utility right-of-way. No structures that would protect property from flooding and erosion are proposed as part of the Proposed Action.

Policy 44 *Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

Response: The Proposed Action is located south of existing New York State Department of Environmental Conservation (NYSDEC) Tidal Wetlands and immediately north of NYSDEC-regulated Freshwater Wetlands. However, the Proposed Action would be confined to previously disturbed roadway rights-of-way, a small area of maintained landscaping associated with a commercial use and a public utility right-of-way. The Proposed Action activities are authorized under PSEG Long Island's existing NYSDEC General Wetlands Permit (Servco/PSEG LI NYSDEC Permit No. 1-9901-00011/00026). Any areas of disturbance within the regulated wetlands adjacent area will be minimized through implementation of appropriate soil erosion and sediment control measures (i.e., silt fence) and restored to previous cover conditions. As such, there would be no significant adverse impacts to existing tidal and freshwater wetlands as a result of the Proposed Action.