

**From:** [Lansdale, Sarah](#)  
**To:** [PSEG-LI-B2BSEQR](#)  
**Cc:** [Scully, Peter](#); [Fleming, Bridget](#); [McCaffrey, Kevin](#); [Kangas, Melissa](#); [Kerr, Mikael](#); [Braun, Robert](#); [Cohen, Dennis](#); [Freleng, Andrew](#); [Corral, John](#)  
**Subject:** [EXTERNAL] Suffolk County comments: DEIS for the PSEG Long Island Bridgehampton to Buell 69kv Transmission Project  
**Date:** Tuesday, July 12, 2022 4:13:15 PM  
**Attachments:** [SC PSEG letter.pdf](#)

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Dear Ms. Gorman:

We are in receipt of the above referenced Draft Environmental Impact Statement (DEIS) for the PSEG Long Island Bridgehampton to Buell Transmission Project. On Behalf of the Suffolk County Department of Economic Development and Planning, please see attached for our comments.

Thanks,

Sarah Lansdale  
Director of Planning  
Suffolk County



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# COUNTY OF SUFFOLK



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

**Natalie Wright**  
Commissioner

**Division of Planning  
and Environment**

July 11, 2022

Via email: [PSEG-LI-B2BSEQR@pseg.com](mailto:PSEG-LI-B2BSEQR@pseg.com)

Re: DEIS for the PSEG Long Island Bridgehampton to Buell 69kv Transmission Project

Dear Ms. Gorman:

We are in receipt of the above referenced Draft Environmental Impact Statement (DEIS) for the PSEG Long Island Bridgehampton Buell 69kv Transmission Project (Proposed Project). On Behalf of the Suffolk County Department of Economic Development and Planning, thank you for the opportunity to provide our preliminary comments on the proposed installation of a new underground 69 kilovolt (kV) transmission cable from the Bridgehampton Substation located on Bridgehampton-Sag Harbor Turnpike in the Town of Southampton to the Buell Substation located on Cove Hollow Road in the Town of East Hampton. Please find below information on the Suffolk County resources that may be affected, the Suffolk County Departments/Offices that should be included in the PSEG environmental review process, and our comments on the DEIS for the Proposed Project.

## County Resources May be Adversely Affected by the Proposed Project

As indicated in the DEIS, the proposed transmission cable route passes through a number of Suffolk County Parkland tax map parcels. This includes Suffolk County owned parcels in the Long Pond Greenbelt Area (herein referred to as "Greenbelt"). As indicated on Page S-10 of the DEIS: "The Long Pond wetland complex is an interconnected chain of coastal plain ponds that extends from Sagaponack Inlet north to Sag Harbor. The ponds are groundwater fed and feature generally sloping shorelines. As the depth of the ponds fluctuate the variability of the exposed shorelines supports a wide array of species (USFWS Undated). The United States Fish and Wildlife Service (USFWS) recognizes the Greenbelt as a "priority wetland" under the federal Emergency Wetland Resources Act. The Greenbelt is also recognized as a "Priority Site for Biodiversity" by the NYNHP. Two areas of surface waters and freshwaters wetlands within the Long Pond Greenbelt directly intersect the Proposed Project Area. The underground cable will be installed beneath these surface waters via HDD."

AC-1

AC-2

The Long Pond Greenbelt's importance as an ecologically valuable resource was first recognized publicly in the 1970 Master Plan for the Town of Southampton. As stated in the Master Plan, the greenbelt system would provide a park linkage between neighborhood, community and regional parks. These linkages by design generally follow natural drainage channels. As a result, they frequently incorporate a series of ponds in their alignment from the shore to the highlands of the moraine. Several other greenbelt areas were also cited in the Master Plan; but the Long Pond Greenbelt is by far the largest and most recognized for its esthetic and ecological importance.

AC-3

Suffolk County has acquired approximately 400 acres in the Long Pond Greenbelt area since its first acquisition in the area in 1975. The County recognizes the ecological importance of the Long Pond Greenbelt and it is still a

AC-4



priority acquisition area for open space preservation. The Long Pond Greenbelt is listed in Suffolk County's 2021 Master List with the County targeting acquisition of an additional 60 acres in the area.

AC-4

The transmission cable passes through a number of Suffolk County owned Parkland parcels to the west of the Long Pond Greenbelt Area and to the north of the East Hampton Airport. Suffolk County Parkland in this area of proposed disturbance are governed by various Parkland designations, including the designation of "Nature Preserve." Please contact the Suffolk County Department of Parks to access specific management plans and refer to the Suffolk County Nature Preserve Handbook.

AC-5

Additional information regarding the above-noted Suffolk County Parkland Parcels can be obtained from the Suffolk County Open Space Rating GIS program, which is available to the public at the following website: <https://gisapps.suffolkcountyny.gov/openspacerating/>. This GIS Program provides information on parcel acreage size, wetlands, Critical Environmental Areas and Federal and New York State Listings of Endangered/Threatened Species. The Suffolk County GIS program confirms that the above referenced Suffolk County owned Parkland parcels contain New York State Natural Heritage program elements, natural communities, endangered and threatened species and plant species.

AC-6

#### Comments on the DEIS for the Proposed Project

Below please find our comments on the DEIS for the Proposed Project. Please note that the County reserves the right to comment on the Proposed Project in the future and wants to be kept informed of all actions pursuant to the SEQRA Environmental Impact Statement and permitting processes, and requests the opportunity to continue to participate in the review of the project as additional information becomes available through these processes.

AC-7

- The proposed cable route also passes through a Potential Environmental Justice Area as indicated by the NYSDEC's ARCGIS Webmap of Potential Environmental Justice Areas. The NYSDEC Commissioner's Policy 29 (CP-29) provides guidance for incorporation environmental justice concerns into DEC environmental permit review process and the DEC application of the State Environmental Quality Review Act. We would recommend that PSEG review the NYSDEC guidance for incorporating Environmental Justice Concerns into the overall environmental review and permit processes, adequately engages and addresses the concerns of environmental justice communities. We would also recommended that PSEG include information on Environmental Justice concerns in the Environmental Impact Statement review process.
- The DEIS notes that a consultation was conducted with the State Historic Preservation Office (SHPO). We would also recommend that a consultation be conducted with the Tribal Historic Preservation Office (THPO). This consultation should be done to determine whether consultation rights of Indigenous and Tribal peoples, particularly the Shinnecock Indian Nation, over ancestral lands and natural resources may be triggered. We believe this THPO consultation is required as part of the Federal permitting process.
- The DEIS notes that a Horizontal Direction Drill (HDD) cable installation method will be utilized to transverse the Long Trail Greenbelt Area in order to protect sensitive natural resources. As indicated in the DEIS, this HDD installation allows the transmission cable to be installed via subsurface drilling without any disturbance to the land surface along the cable route. The DEIS notes that this HDD method uses a drilling fluid comprised of a non-hazardous bentonite clay-water mixture. The DEIS also indicates that there are no anticipated impacts to surface water conditions of the ponds or turbidity will result from this drilling method. Please explain the analysis that was used to support this determination. Please also coordinate with Suffolk County on the development of the Frac Out Plan (FOP) in the event that drilling fluid escapes from the excavation through fractures in the soil, and consider the development of a Mitigation/Management Fund to offset impacts that may occur as a result of the proposed project and support ongoing preservation efforts in the project area.

AC-8

AC-9

AC-10

AC-11

AC-12



- The DEIS states that “coverage under PSEG Long Island’s NYSDEC General Wetlands permit (#1-9901-0011/00032), which includes authorization for activities under Article 24 jurisdiction, as well as a permit from the USACE will be required for the proposed cable routing through the wetlands associated with Long Pond along the ROW segment to the east of Bridgehampton-Sag Harbor Turnpike, and for cable conduit laydown operations in the wetlands along the ROW to the west of the Bridgehampton Substation. This permitting process will ensure that potential impacts to surface waters and wetlands are mitigated to the extent practicable.” Please keep Suffolk County updated regarding the status of these Permit applications. AC-13
- As indicated above, the proposed cable route passes through a number of Suffolk County parkland parcels. Please continue to coordinate with Suffolk County regarding applicable requirements related to the respective designations of the individual parcels involved. In addition, to minimize impact to the Suffolk County Parks holdings, coordination will be required with Suffolk County Parks regarding the development of the specific locations for the proposed manholes, temporary laydown areas and/or stages areas that may be located in or in close proximity to Suffolk County Parkland. To minimize the impact of these activities, please coordinate with Suffolk County Parks regarding the specific timing and construction work that may be located in or in close proximity to Suffolk County Parkland. AC-14
- If it is determined during the permitting process or further environmental analysis that the proposed project may result in impacts to the Long Pond Greenbelt area, one of the proposed alternatives should be considered for project implementation. AC-15  
AC-16
- PSEG should explore with the applicable municipalities, including Suffolk County, whether the installation of the proposed cable through designated Parkland parcels requires Parkland Alienation legislation. The New York State Parks, Recreation and Historic Preservation – Handbook on the Alienation and Conversion of Municipal Parkland (Revised September 1, 2017) notes on page 19 that, “the granting of underground utility easements that do not significantly impact the recreational utility of the project site” is a possible trigger for Parkland alienation. The Handbook also notes on Page 14 under Utility Easement, “where the alienation legislation authorizes easements for the installation of utility facilities beneath public parkland, the bill should require the surface of the land to be restored and to continue to be used for park purposes.” We would also recommended that PSEG include information regarding the applicability of Parkland Alienation in the Environmental Impact Statement review process. AC-17
- The Suffolk County Department of Health Services, Office of Ecology reviewed the DEIS for the Proposed Project. The Suffolk County Department of Health Services noted that the proposed project does not appear to require any Suffolk County Sanitary Code Article 6, 7 or 12 approvals and therefore the does not have any comments on the DEIS. The Suffolk County Department of Health also noted that that should the project scope change and require the installation of a wastewater disposal system or involve the storage of a hazardous material, the change may require Suffolk County Sanitary Code Article 6, 7, or 12 approvals. AC-18

#### Suffolk County Departments/Offices to Include in Project Coordination

As noted above, Suffolk County reserves the right to comment on this Proposed Project in the future and wants to be kept informed of all actions pursuant to the SEQRA Environmental Impacts Statement Process and permitting process and requests the opportunity to continue to participate in the review of this project as additional information becomes available. To insure full and proper coordination with the County please include the following County Departments/Offices in PSEGS environmental review process: The Suffolk County Executive’s Office, the Suffolk County Legislature, the Suffolk County Attorney’s Office, Suffolk County Parks, Suffolk County Department of Health Services, and Suffolk County Department of Public Works. At a minimum, please coordinate directly with John Corral, Environmental Projects Coordinator, Suffolk County Department of Economic Development and Planning, at [John.Corral@SuffolkCountyNY.gov](mailto:John.Corral@SuffolkCountyNY.gov). AC-19

Thank you again for the opportunity to comment on this regionally significant and important project. We are interested in ensuring that the SEQRA review process results in a prudent development proposal that considers the costs and benefits of this project on the people and environment inside and outside the immediate project area. Please feel free to contact me if you have any questions or would like any additional information.

Sincerely,



Sarah Lansdale, AICP  
Director of Planning  
Department of Economic Development and Planning  
Suffolk County

cc: Steven Bellone, Suffolk County Executive  
Peter A. Scully, Deputy County Executive  
Kevin McCaffrey, Presiding Officer, Suffolk County Legislature  
Hon. Bridget Fleming, Suffolk County Legislature, District Office 2  
Dennis Cohen, County Attorney  
Robert Braun, Bureau Chief, Suffolk County Attorneys Office  
Natalie Wright, Commissioner, Suffolk County Department of Economic Development and Planning  
Andrew Freleng, Chief Planner, Suffolk County Department of Economic Development and Planning  
Michael Brown, Land Management Specialist VI, Suffolk County Department of Economic Development and Planning  
John Corral, Environmental Projects Coordinator, Suffolk County Department of Economic Development and Planning  
Melissa Kangas, Planner, Suffolk County Department of Economic Development and Planning  
Jason Smagin, Commissioner, Suffolk County Parks Commissioner  
Nick Gibbons, Chief Environmental Analyst, Suffolk County Parks  
Walter Dawydiak, Director, Division of Water Quality, Suffolk County Department of Health  
Ken Zegel, Associate Public Health Engineer, Office of Ecology, Suffolk County Department of Health  
Joseph Brown, Commissioner, Suffolk County Department of Public Works

**From:** [Tommy John Schiavoni](#)  
**To:** [PSEG-LI-B2BSEQR](#)  
**Subject:** [EXTERNAL] Letter submission BTB transmission line installation  
**Date:** Tuesday, June 28, 2022 1:21:53 PM  
**Attachments:** [Doc - Jun 27 2022 - 11-09 PM.pdf](#)

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**Town of Southampton**  
116 HAMPTON ROAD  
SOUTHAMPTON, NEW YORK 11968

**TOMMY JOHN SCHIAVONI**  
COUNCILMAN

**TOWN COUNCIL**

Telephone: (631) 287-5745  
Fax: (631) 287-4507  
tjschiavoni@southamptontownny.gov

June 25, 2022

Dear PSEG Long Island,

I write to express my grave concerns regarding the proposed "Bridgehampton to Buell" (BTB) underground cable project. This project calls for the 5.2-mile installation of a 69 Kv transmission cable through the heart of the Long Pond Greenbelt (LPGB). The LPGB area has been designated as a "critical environmental area" by the Town of Southampton, a "priority wetland" by the US Fish and Wildlife Service and a "priority site for biodiversity" by the New York Natural Heritage Program. This area consists of a collection of parcels owned by various public and private entities creating a unique area critical to our community.

AC-20

AC-21

BTB calls for significant digging, grading, and clearing of land. In addition, the BTB project requires a roughly 4000+/- linear ft Horizontal Directional Drilling component to shoot the cable under a pristine pond system in the LPGB. As determined in the Draft EIS, several noted environmental implications from the directional drilling process could negatively impact the Long Pond's vernal ponds, wetlands, and endangered habitats. For these reasons, I consider the project to be counter to Southampton Town's environmental conservation goals.

AC-22

AC-23

The Suffolk County Legislature passed a resolution, IR 1334, to authorize legislative enforcement of the county's land in connection to this project. You should also know that many Long Pond Greenbelt parcels are properties obtained and owned by the Town of Southampton, which came to be throughout many decades of local conservation efforts.

AC-24

AC-25

I hope that the BTB project by PSEG does not disregard the protection efforts that have taken place in Southampton Town and that all stakeholders explore alternative options to either enhance the conservation efforts in the LPGB or bypass the preserve entirely by utilizing an alternative route.

AC-26

Thank you for your consideration.

Sincerely

Tommy John Schiavoni  
Councilperson, Southampton Town



**From:** [Jessica Feldman](#)  
**To:** [PSEG-LI-B2BSEQR](#)  
**Cc:** [Trustees Department DG; Mark McRedmond](#)  
**Subject:** [EXTERNAL] PSEGLI Bridgehampton to Buell proposal - Public Comment from Southampton Town Trustees  
**Date:** Tuesday, July 12, 2022 2:14:17 PM  
**Attachments:** [image001.png](#)  
[07-12-2022 Long Pond Greenbelt - Letter from Southampton Town Trustees.pdf](#)

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PSEGLI Bridgehampton to Buell proposal - Public Comment attached from Southampton Town Trustees.

Thank you,

**Jessica Feldman** *on behalf of*

Board of Trustees of the Freeholders and  
Commonalty of the Town of Southampton



116 Hampton Road  
Southampton, NY 11968

**Trustees Office Phone:** 631-287-5717 (\*Press 0)

**Fax:** 631-287-5723



BOARD OF TRUSTEES  
OF THE FREEHOLDERS AND COMMONALTY OF THE  
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SECRETARY/TREASURER



EDWARD J. WARNER, JR.

ANN WELKER

WILLIAM PARASH

116 HAMPTON ROAD  
SOUTHAMPTON, NEW YORK 11968  
PHONE: 631 287-5717 FAX: 631 287-5723

July 12, 2022

*Sent via e-mail to PSEG-LI-B2BSEQR@pseg.com*

Erin Gorman  
Manager, Environmental Projects and Permitting  
PSEG Long Island  
175 East Old Country Road  
Hicksville, NY 11891

Dear Manager Gorman,

The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton urge PSEG- LI to strongly consider Alternative #3, the Southern Route along Montauk Highway, for the transmission line connecting Bridgehampton and the Buell Lane Extension. As decreed by the Dongan Patent of 1686, the Southampton Town Trustees are the owners of the bottomlands of the Town Of Southampton, including the freshwater ponds and streams found within the Long Pond Greenbelt. This environmentally sensitive, protected area is critically important habitat for many threatened and endangered animals and plants, and contains rare coastal plain ponds which are ecologically important for many species.

AC-27

AC-28

AC-29

As discussed in Addendum #1 of the DEIS , the possibility of Frac-out and the ensuing environmental devastation to this fragile area is very real and should be avoided at all costs. Although the cost to detour the cable route to the south may be greater than the straight path though the greenbelt, the cost to the natural environment, and to the local community, with so many unknowns and possible accidents with HDD would be catastrophic.

AC-30

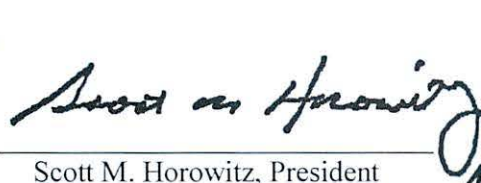
AC-31

AC-32


It is of the utmost importance to utilize the alternative route to the south. Thank you for your time and the opportunity to express our concerns.

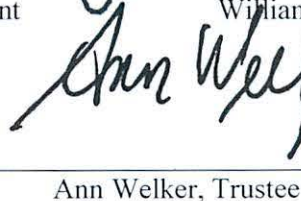
AC-33

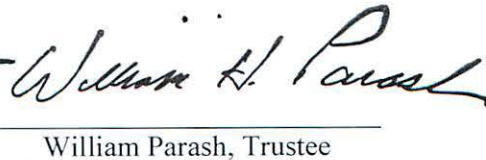
Sincerely,

  
Scott M. Horowitz, President

  
William Pell IV, Secretary-Treasurer

  
Edward J. Warner, Jr., Trustee

  
Ann Welker, Trustee

  
William Parash, Trustee

**From:** [Donohue, Irene](#) on behalf of [Fleming, Bridget](#)  
**To:** [PSEG-LI-B2BSEQR](#)  
**Cc:** [Iasilli, Michael](#); [Donohue, Irene](#)  
**Subject:** [EXTERNAL] Suffolk County Legislator Bridget Fleming - Public Comments on Bridgehampton to Buell  
**Date:** Tuesday, July 12, 2022 5:08:06 PM  
**Attachments:** [image001.png](#)  
[Letter to PSEG on Bridgehampton to Buell.pdf](#)

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To whom it may concern:

On behalf of Suffolk County Legislator Bridget Fleming, please see the attached comments regarding the Bridgehampton to Buell project.

Thank you,  
Irene Donohue

## Irene Donohue

Chief of Staff, 2<sup>nd</sup> District  
Legislator Bridget Fleming  
71 Hill Street, Suite F-1  
Southampton, NY 11968  
T: (631) 852-8400 | F: (631) 852-8404



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# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

**Bridget Fleming**

Second Legislative District

**Committee Member**

Environment, Parks & Agriculture

Health

Public Safety

Public Works, Transportation & Energy

Veterans & Consumer Affairs

Ways & Means



**Chair**, Gabreski Airport Community Advisory Board

**Chair**, Renewable Energy Jobs Taskforce

**Chair**, Transportation Working Group

**Member**, Tick Control Advisory Committee

July 12, 2022

Via email: [PSEG-LI-B2BSEQR@pseg.com](mailto:PSEG-LI-B2BSEQR@pseg.com)

**Re: PSEG Long Island Bridgehampton to Buell 69kv Transmission Project**

Dear Ms. Gorman:

As Suffolk County Legislator representing the Second Legislative District, I appreciate the opportunity to provide preliminary comments on the proposed installation of a new underground 69 kilovolt (kV) transmission cable from the Bridgehampton Substation located on Bridgehampton-Sag Harbor Turnpike in the Town of Southampton to the Buell Substation located on Cove Hollow Road in the Town of East Hampton.

The DEIS notes that the proposed cable route passes through a number of Suffolk County Parkland parcels in the Long Pond Greenbelt Area, noting, “(t)he Long Pond wetland complex is an interconnected chain of coastal plain ponds that extends from Sagaponack Inlet north to Sag Harbor. The ponds are groundwater fed and feature generally sloping shorelines. As the depth of the ponds fluctuate the variability of the exposed shorelines supports a wide array of species (USFWS Undated). The United States Fish and Wildlife Service (USFWS) recognizes the Greenbelt as a “priority wetland” under the federal Emergency Wetland Resources Act. The Greenbelt is also recognized as a “Priority Site for Biodiversity” by the NYNHP. Two areas of surface waters and freshwaters wetlands within the Long Pond Greenbelt directly intersect the Proposed Project Area. The underground cable will be installed beneath these surface waters via HDD.”

AC-34

AC-35

Beginning in 1968, through a chain of land acquisitions, Suffolk County, the Nature Conservancy, and the Town of Southampton have preserved and protected over 600 acres of land that stretch from Otter Pond in Sag Harbor to Sagaponack Pond in Sagaponack known as the Long Pond Greenbelt. This unique expanse of land maintains interconnected coastal plain ponds, freshwater swamps, sensitive wetlands, and woodlands that support one of the highest concentrations of rare species and natural communities in New York State.

As detailed in the DEIS, the proposed horizontal direction drilling is expected to result in specific impacts to the aquifer, open space, and wildlife habitats in and around the site. Because the subsurface drilling is acknowledged to present potential harmful impacts to this extraordinarily valuable and fragile ecosystem and wildlife habitat, I urge that one of the proposed alternatives must be considered for project implementation.

AC-36

AC-37



But importantly, it is also critically important that careful consideration be given to the purported need for the project. It is noted in the DEIS that the additional Transmission and Distribution proposed is necessary to support forecasted electric load growth. However, year after year, we have seen consistent reductions in projected load requirement rates by LIPA. Reduction in projected need has been driven in part by greater adoption of energy efficiency models and alternative energy sources. LIPA's own "Peak Load Forecast Update" from March 2020 projects a drastic reduction from almost 7,500 megawatts projected in 2013 to less than 5,000 megawatts for 2020, and the new peak load forecast for 2030 is approximately 340 megawatts—lower than that year's forecast.

AC-38

Commitment to energy efficiency at the County level alone, reflected for instance in co-generation projects that are currently being implemented or in planning for large municipal buildings promises continued dramatic reductions. Indeed, local municipalities including Southampton and East Hampton towns are exploring energy efficiency strategies, community solar, demand response, and energy storage that promise to further reduce load requirements and the demand for large scale transmission and distribution infrastructure. Before irreversible harm is done to the fragile ecosystem that will be impacted, it is urged that further diligence in ascertaining Long Island's true energy needs be assessed and included with more specificity in the environmental review process, and that a renewed commitment to energy efficiency be urgently pursued.

Because of the important considerations surrounding the project, the Suffolk County Legislature passed Resolution 415-22, which requires Legislative approval of any easement, permit, right of way or any other grant of property rights to county parcels needed for project implementation. Considering also the overwhelming input of the public to protect this fragile and precious site, it is critically important that the SEQRA review process result in a prudent and thorough analysis of need, impacts and potential alternatives. The potential of irreversible damage to an invaluable natural resource indicates that the cost of doing anything less would be far outside of the public good.

AC-39

AC-40

AC-41

Please do not hesitate to contact me directly should you require any further information in this matter.

Respectfully submitted,



**Bridget Fleming**  
Suffolk County Legislator  
Second Legislative District  
BF/mai

# TOWN OF SOUTHAMPTON

Department of Land Management  
Environment Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

Phone: (631) 287-5710  
Fax: (631) 287-5706



JAY SCHNEIDERMAN  
TOWN SUPERVISOR

JANICE SCHERER  
TOWN PLANNING AND  
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA  
CHIEF ENVIRONMENTAL ANALYST

To: Janice Scherer, Town Planning and Development Administrator  
Clare Shea, Assistant Planning Director

From: Martin E. Shea, Chief Environmental Analyst  
C. Theresa Masin, Senior Environmental Analyst *CM*

Re: Bridgehampton to Buell New 96 KV Underground Transmission Cable

Date: June 30, 2022

As per your request, our office has reviewed the "Draft Environmental Impact Statement (DEIS) for Bridgehampton to Buell New 69 KV Underground Transmission Cable", which was prepared for the Long Island Power Authority. Based upon our review, we have the following comments:

## Executive Summary

- The Summary notes that the Long Island Power Authority (LIPA) and its contractor will deposit recycled concrete aggregate (RCA) along the project route, in order to stabilize the construction access path. While, the Summary does indicate that the RCA will be removed upon completion of the cable installation, a detailed removal plan is not described or provided later in the DEIS or its attachments. AC-42
- The Summary states that, upon completion of cable installation, all disturbed areas will be re-vegetated. However, a detailed re-vegetation plan is not provided in the DEIS or its attachments. It is crucial that the DEIS provide a detailed re-vegetation plan, in order to ensure that all proposed plantings will be compatible with, or will not have an adverse impact, on the surrounding natural habitat, inclusive of areas which have been listed as imperiled within New York. AC-43
- While the Summary indicates that proposed action will occur within close proximity to an endangered tiger salamander breeding pond, the DEIS does not address potential impacts to the federally threatened Northern Long Eared Bat (NLEB), which have a documented summer occurrence within 1.5 mile of the project site. AC-44

## 1.0 Description of The Proposed Action

- Page 1-9 indicates that approximately 1.5 acres of forested lands will be disturbed as a result of the proposed action. Moreover, Page 1-11 indicates that selective tree removal may be required. However, the DEIS does not address potential impacts to NLEB nor provide mitigative measure to lessen or avoid those impacts. AC-45
- The description indicates that approximately 5,125 cubic yards of fill, inclusive of RCA will be deposited along the project route, in order to modify and stabilize the existing grades by up to 15 feet. The DEIS does not describe potential impacts, to ground and surface waters, associated with leaching of contaminants associated with the RCA. AC-46
- Moreover, neither the DEIS, nor its appendices, provide a detailed plan for removal of the RCA and restoration of grades. AC-46

## 2.0 Natural Environmental Resources

- The Town's comments on the draft scope recommended that the DEIS describe, map, classify and rank the various natural community types within the Proposed Action area, consistent with the New York Natural Heritage Program's (NHP) natural community classification database. While the DEIS does map and identify the various community types, detailed community description and Conservation Status Rankings were not provide. For example, the coastal plain ponds of the Long Pond Greenbelt are given the rank of S2, G3G4, which indicates that this community type is imperiled in New York and at moderate risk of extinction worldwide. AC-47
- The DEIS does identify some of the documented rare, endangered and threatened species within the Proposed Action area. As the DEIS notes that the Long Pond Greenbelt supports one of the highest concentrations of rare species and natural communities in New York State, the area of disturbance should be identified for species of rare and/or special concern and a mitigative plan presented if applicable. AC-48
- The DEIS indicates that an incidental take permit will be sought for tiger salamander. However, additional mitigative measures to avoid impacts to tiger salamanders, such as a cessation of work within 1,000 feet of the identified breeding pond during the breeding season should be included. AC-49
- The DEIS acknowledges the project area is within 1.5 miles of documented NLEB summer occurrences. Moreover, Table 2.11 indicates that approximately 0.75 acres of potential NLEB habitat, including coastal oak-heath forest, pitch pine-oak forest, coastal oak-hickory forest and successional southern hardwood forests, will be disturbed as a result of the proposed action. However, the project sponsor should address how the impacts of tree cutting, removal and loss of NLEB habitat will be mitigated.
- Additionally, the project sponsor should be aware and indicate that an incidental take permit is likely to be required for NLEB and identify when clearing activities would commence. AC-50

## 4.0 Other Required Sections

- Page 4-4 indicates that *"No significant long term adverse impacts to wildlife populations are anticipated to result from the construction or operation of the Proposed Action"*. However, the DEIS does not address short or long term impacts to NLEB nor provide mitigative measures to lessen any anticipated impacts.

As outlined above, the responses to comments and concerns of our constituents should be addressed in all responses to comments as part of the FEIS process.

The Environment Division can provide additional guidance upon receipt of a Final Environmental Impact Statement (FEIS).

Attachments (via email): Janet Grossman email, Norma Vavolizza email, Mary Ann Mulvihill-Decker email, Susan White email, Mary Ellen Beitel email, Noyac CAC letter, Leslee Sumner letter, Gail Levin email, Jean Lindgren email, Tony Hitchcock email, Susan Edwards email, Peter Wilson email, Meghan Moore (Katz) email, Whitney Fairchild email, Frank Cadden email, Eve J. Combemale email, Dai Dayton email