CS Battery Storage Project

Expanded Environmental Assessment

Applicant:

Canal Southampton Battery Storage, LLC

May 2022

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Chapter 1: Introduction

Canal Southampton Battery Storage, LLC ("**CS Battery Storage**") proposes the development of an approximately 100 megawatt (MW)/200 megawatt hours (MWh) battery energy storage system ("**BESS**") in the Town of Southampton, Suffolk County, New York. The Southampton Battery Storage Project ("**Proposed Project**") will be located on a single lot consisting of approximately 4.9-acres along North Shore Road in the Town of Southampton ("**Project Site or, Site**").

Once operational, the batteries will be recharged at night or during times of excess solar and/or wind power production and will be available to augment the supply of electricity to the local transmission system during peak demand periods. In addition, the proposed BESS Project will enhance the efficiency of the local grid by providing frequency regulation and voltage control capabilities, as well as emergency backup power. The proposed Project will be capable of powering approximately 65,000 homes for approximately 2 hours.

A. PROJECT NEED AND BENEFIT

In June 2018, the New York State Energy Research and Development Authority (NYSERDA) and the New York State Department of Public Service (NYSDPS) outlined the direct and indirect benefits of developing BESS facilities, which include:

- enhancing electric system operational flexibility, thereby enabling cleaner renewable energy sources to meet periods of peak demand;
- adding resiliency to the grid to reduce outages;
- creating new energy storage sector employment opportunities; and,
- providing public health benefits through reduced air emissions (i.e., carbon dioxide [CO_2] and oxides of nitrogen [NO_x]) resulting from the displacement of older, fossil-fuel generating units.

NYSERDA and NYSPSC also identified the policies, regulations and initiatives needed to achieve these benefits, which provided the foundation for the Climate Leadership and Community Protection Act (CLCPA), which was passed by the New York State Legislature in July 2019.

The CLCPA establishes a target/goal for New York State (NYS) to achieve 100 percent zero-emission electricity by 2040, with 70 percent of the State's electricity generated from renewable energy sources by 2030. A key component to achieve NYS's clean energy targets/goals rests with the development of BESS, which serve to enhance the operational flexibility and efficiency of the electric grid to balance the integration of alternative renewable energy sources (i.e., zero-emission wind and solar energy projects) with existing and future electric system demands. As a result, the development of BESS facilities represents a critical first step toward increasing transmission system efficiency and reducing New York's dependance on its oldest fossil fuel-fired generating assets, particularly during peak energy demand periods. In light of the above, the CLCPA also established a target/goal to develop 3,000 MW of BESS capacity in New York by 2030. New York Gov. Kathy Hochul recently announced plans to double the state's energy storage deployment target to at least 6,000 MW by 2030.

CS Battery Storage Project recognizes that BESS will help to integrate clean, renewable energy alternatives (i.e., primarily wind and solar generation) into New York's electric transmission grid. This transition will not only reduce the carbon footprint of older energy generation units on Long Island, but it will also result in a net improvement in air quality for the Town of Southampton and Suffolk County residents. BESS reduces the need for additional transmission infrastructure and operation of legacy, fossil fuel generators to meet periods of increased electricity demand.

In sum, as intermittent renewable power sources, such as wind and solar, provide a larger proportion of Long Island's electric generation mix, battery energy storage systems will be critical to overall system reliability. Functionally, energy storage facilities will be used to smooth and time-shift renewable generation and minimize curtailments. As such, BESS facilities are key to the successful integration of alternative energy sources into LIPA's renewable energy generation portfolio, which will result in a drastic reduction in Long Island's demand for fossil fuels with associated air quality benefits.

B. PROJECT OVERVIEW

The Project will be designed, constructed, and operated in compliance with applicable federal, State, and local requirements as well as NYISO's interconnection requirements and specifications.

The proposed BESS facility will consist of utility scale lithium-ion battery racks/cabinets. Ancillary supporting equipment will include power conversion systems (PCS) with closed coupled transformers, used to convert from direct current (DC) to alternating current (AC) or AC to DC, as required; HVAC equipment for cooling purposes; switchgear; and a 138 kV step-up transformer to support interconnection to the LIPA/PSEG-LI transmission grid. The Proposed Project will connect to the transmission grid via a new underground gen-tie to LIPA's nearby Canal Substation located directly to the east of the Project Site.

Access to the Site will be from a new driveway off North Shore Road.

Project construction is anticipated to be completed in 6 months and will begin in 2024.

C. REQUIRED AGENCY ACTIONS, PERMITS AND APPROVALS

The Project, as proposed, requires federal, State and local discretionary and ministerial permits and approvals as summarized in **Table 1**. The Project may require compliance with other federal, State and local programs that are addressed throughout this document.

Table 1
Summary of Permits, Approvals and Consultations

Agency		Permit/Approval/Consultation	Agency Action
Federal	U.S. Fish and Wildlife Service (USFWS)	Threatened and Endangered Species Review and Consultation *(required to support discretionary approvals)*	Determination if federally regulated species or their habitats are potentially present on-site.
	Federal Energy Regulatory Commission (FERC)	Exempt Wholesale Generator (EWG) Self Certification	Certification for owners or operators of eligible facilities selling electric energy at wholesale.
	U.S. Environmental Protection Agency (USEPA)	Spill Prevention, Control and Countermeasure (SPCC) Plan *(potential)*	An SPCC Plan is required for facilities having a total above ground oil storage capacity of 1,320 gallons, including any oil filled equipment having a storage capacity greater than 55 gallons.
New York State	New York State Independent System Operator (NYISO)	Large Facility Interconnect Approval	LIPA Transmission System Interconnection approval for BESS project greater than 20 MW
	New York State Public Service Commission (NYSPSC)	Public Service Law § 68 Certificate of Public Convenience and Necessity *(discretionary approval)*	BESS projects that have a capacity greater than 80 MW require a Section 68 CPCN. A Section 68 Petition for a CPCN is filed with the NYSPSC for their review and approval, prior to construction.
	New York State Department of Environmental Conservation (NYSDEC)	New York Natural Heritage Program (NYNHP), Threatened and Endangered Species Inventory Review Article 11, 6 NYCRR Part 182 *(required to support discretionary approvals)*	Consultation letter sent to the NYNHP to determine if the Project will impact any protected plant or animal species habitat.
		SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)	Required for land disturbances that exceed greater than one acre
	New York State Office of Parks, Recreation and Historic Preservation (OPRHP)	The New York State Historic Preservation Act of 1980 Review and Consultation – "Determination of No Effect" *(required to support discretionary approvals)*	Consultation letter sent to the OPRHP to determine if the Project will impact any cultural and/or historic resources.
	New York State Department of Transportation (NYSDOT)	Utility Crossing and Highway Work Permit	Approval required for the proposed interconnection connection to the Canal Substation via an underground crossing of the Sunrise Highway entry/exit ramps.
Suffolk County	Suffolk County Water Authority (SCWA), New Construction Service	New Fire Protection Service Line Construction/Backflow Prevention Device approval *(potential)*	Approval for expansion of existing service line and fire loop to serve the new facility.
	Suffolk County Planning Commission	Site Plan Advisory Review	Site Plan Application advisory review comments to Town Planning Board

Table 1
Summary of Permits, Approvals and Consultations

Agency		Permit/Approval/Consultation	Agency Action
	Suffolk County Department of Public Works, Division of Planning and Permits	Highway Work Permit (Curb Cut Permit) *(potential)*	Approval for new curb cut from North Road (Suffolk County Route 39B)
Town of Southampton	Planning Board	Special Exception Use Approval (*discretionary* approval)	Approval of a special exception is required for energy storage project in R-60 Zoning District
		Site Plan Approval *(discretionary approval)*	Review and approval of Project Site Plan Application to demonstrate compliance with Town requirements and performance standards
		State Environmental Quality Review Act (SEQRA) *(required to support discretionary approvals)*	Conduct coordinated SEQRA review and issue SEQRA Determination to support Project development
		MS4 Stormwater Pollution Prevention Plan (SWPPP) review	Town Stormwater Management Officer approval of SWPPP required under Chapter 285 of Town Code
	Architectural Review Board	Architectural Review *(potential)*	Required for any application for Site Plan Approval to confirm conformance of building structures exterior with Town Codes
	Building & Zoning Division	Building Permit(s)	Permits to construct BESS structures per New York State Uniform Fire Prevention and Building Code and Energy Conservation Construction Code and other applicable Town requirements, including permits for temporary construction site trailers, in accordance with Town Code Chapter 123.
		Certificate of Occupancy	Required prior to occupancy and issued upon inspection by Building Inspector (Town Code § 250-44)

D. ORGANIZATION OF EXPANDED ENVIRONMENTAL ASSESSMENT

This Expanded Environmental Assessment (Expanded EA or EAA) evaluates the Project's potential environmental impacts in accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617). The SEQRA analysis for the Project addresses the potential areas of impact, including land use, zoning and community facilities, cultural resources, visual resources, socioeconomics and environmental justice, natural resources, traffic and noise. The Project's completed Full Environmental Assessment Form (FEAF) is provided in **Appendix A**.

This Expanded EA is organized as follows:

- Chapter 1.0 presents background information and a Project Overview; a statement of the Project's purpose and need; and a summary of the required federal, State and local agency permits and approvals.
- Chapter 2.0 provides a detailed Project description; a schedule for the Project; a description of safety and security measures; and a summary of the decommissioning plan for the Project.
- Chapter 3.0 provides a description of the existing environment and an assessment of the potential Project impacts during both construction and operation of the Project.

E. SITE DESCRIPTION

The Proposed Project will be situated on a site located at 24 North Shore Rd, Southampton, New York (Project Site). A general site location map for the Project is shown in **Figure 1**. An aerial photograph of the Project Site and surrounding area is included as **Figure 2**. The Project Site consists of two parcels (SCTM # 0900-208.00-01.00-002.000 and 0900-208.00-01-00-004.001) and is approximately 4.9-acres in size. (**Figure 3**).

The Project Site is located approximately 90 feet south of Sunrise Highway between the main highway and the entrance/exit ramps. The Project Site is currently zoned as R-60 for residential use and has one existing single-family home and four auxiliary cottage structures on the property. The remainder of the development site is currently undeveloped and wooded. Topography across the development area may be characterized as generally flat. Project Site elevations range from a low of approximately 10 feet to a high of approximately 46 feet referenced to NAVD88. Review of the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM) did not indicate the potential presence of wetlands subject to regulation by the NYSDEC or the US Army Corps of Engineers (USACE). Review of historic United States Geological Survey (USGS) topographic mapping and historic aerial photography indicates that the western portion of the Project Site has been developed with a single residential development and four smaller, cottage-type structures and the eastern area has remained undeveloped.

F. FACILITY OVERVIEW

The Project will be designed, constructed and operated in compliance with applicable federal, state, county, and town codes and regulations, as well as LIPA's interconnection requirements and specifications. An overview of the Project development site, proposed equipment, proposed electric interconnection, and anticipated operations is provided below.

PROPOSED BESS TECHNOLOGY

The BESS facility will consist of utility scale Lithium-ion battery racks/cabinets. Ancillary supporting equipment will include PCS with closed coupled transformers (also known as power inverters), used to convert from DC to AC or vice versa; HVAC equipment for battery cooling; inert gas insulated switchgear (GIS); and a 138 kV step-up transformer and auxiliary transformers to support interconnection to the LIPA/PSEG-LI transmission grid.

PROPOSED ELECTRIC INTERCONNECTION

CS Battery Storage anticipates the electric interconnection will consist of a new underground gen-tie into the nearby LIPA Canal Substation located to the east of the Project Site.

SITE ACCESS, SECURITY, AND FIRE SAFETY

Site access/egress will be from North Road. The Project Site will be secured with a locked gated fence and equipped with required fire protection systems.

A Preliminary Fire Safety Plan is included with the Project's Site Plan/Special Exception Application. Fire flow requirements for the BESS have yet to be finalized. CS Battery Storage anticipates, however, that fire flow requirements will be satisfied through a new interconnection off the Suffolk County Water Authority (SCWA)'s existing water main on North Road. Since the Facility will be unmanned during operation, a potable water service connection is not anticipated at this time.

EMERGENCY SERVICES/EMERGENCY RESPONSE PLAN

A preliminary emergency response plan is included with the Project's Site Plan/Special Exception Application. Prior to operation, CS Battery Storage will provide a copy of the facility's emergency response plan, operation and maintenance plan, electrical schematic, and site plan to the Town of Southampton Fire Marshal, Fire Code official and the Suffolk County Police Chief. In addition, CS Battery Storage will coordinate with the Fire and Police Departments in the development of an emergency response plan. The emergency response plan will be directed at ensuring that local emergency response personnel are properly trained and have immediate, 24-hour access to the facility. CS Battery Storage will also provide local emergency response personnel with onsite training in how to access and safely shut down the facility in the event of an emergency. To facilitate an emergency response, all means for safely shutting down the energy storage facility will be clearly marked.

CS Battery Storage will identify a qualified contact person to provide on-call assistance to local emergency responders. Contact information will be updated whenever there is a change in the contact person via written notification to the Fire Marshal and Police Department. Finally, the emergency response plan will be reviewed annually with local emergency officials and revised or updated, as necessary.

PROCESS AND SANITARY WASTEWATER DISCHARGE

The BESS Facility will be unmanned and will not have process or sanitary wastewater discharges. As such, state and local permits or approvals normally required for sanitary or process wastewater effluents will not be necessary. During construction, it is anticipated that port-o-johns will be provided and maintained, as necessary, by CS Battery Storage's construction contractor.

A. Construction

Construction activities at the Project Site will generally follow the sequence below:

1. **Erosion and Sediment Controls**: Erosion and sediment controls will be installed in accordance with approved plans.
2. **Clearing**: Tree and vegetation clearing is anticipated for the construction of the Project. Approximately 2.6 acres of trees and vegetation will be cleared.
3. **Demolition**: The existing buildings and structures on the Site will be demolished.
4. **Grading and Stabilization:** Grading of the Site will be done in accordance with approved plans.

5. **Installation of Utilities**: The Project may require the installation of underground electrical connections internally within the Project Site as well as for the new gentie to the nearby LIPA Canal Substation.
6. **Foundations Construction**: Foundations for all equipment will be installed.
7. **BESS Cabinets and Ancillary Equipment Installation**: Following the completion of the foundations, the pre-assembled BESS cabinets and ancillary equipment (e.g., inverters and transformers) will be placed on the platforms.
8. **Stormwater Management**: Stormwater management and erosion control measures will be implemented as reflected on the Proposed Project's Stormwater Management Plan and Site Plan.

During construction, it is estimated that approximately 50 workers may be onsite at peak times during the anticipated 6-month construction period. An appropriate onsite parking plan will be developed in consultation with the Town to accommodate the construction workforce.

Construction activities for the Project are anticipated to occur primarily between the hours of 7:00 AM and 6:00 PM, Monday through Friday. To the extent overnight, weekend or holiday construction work is required, and permitted by the Town of Southampton, CS Battery Storage (or its contractor) will secure prior authorization from the Town.

G. OPERATIONS AND MAINTENANCE

A communications system will provide for automated and remote monitoring and operations 24 hours per day, 7 days per week, 365 days per year to ensure reliable performance and system life. CS Battery Storage anticipates that interconnection locations for local electrical (i.e., station power) and communications will be from existing power and communication lines along North Road.

The facility will be unmanned but an Operations and Maintenance (O&M) Contractor will provide remote monitoring and will perform maintenance on an as-needed basis. Typical maintenance requirements will be performed during normal operating hours with service technicians coming to inspect all equipment and to clean/replace batteries cells as appropriate. Unanticipated process conditions will be automatically reported to enable service technicians to assess the situation and take appropriate action, including dispatch of service technicians, to return the equipment to normal operational conditions, whenever required, to maintain safety and reliable operation. A preliminary Operations and Maintenance Plan is included with the Project's Site Plan/Special Exception Application.

H. DECOMMISSIONING

At the time the Project reaches the end of its useful life (designed for 20 years with the possibility of extension) or, alternatively, storage and distribution of electricity has ceased or been abandoned for more than one year, the Project will be decommissioned.

The Preliminary Decommissioning Plan for the Project is included with the Project's Site Plan/Special Exception Application.

Decommissioning of the facility will proceed in reverse order of construction and commissioning of the Project such that the land area can be reused. Decommissioning will be accomplished with the objective of maximizing the recycling of materials and minimizing the amount of waste to be

disposed. The BESS cabinets and ancillary equipment will be removed from the foundations and returned to the manufacturer or their approved recycling partner(s) for dismantling, material processing and recovery of ferrous and non-ferrous metals and other packaging products. Site equipment will be disconnected from all utilities. Underground conduit and piping will be cut and capped below grade and abandoned in place, or entirely removed. The Site will be restored to a condition comparable or improved to that which existed prior to completion of the Project.

I. LAND USE AND ZONING

This section describes the existing land uses and zoning at the Project Site as well as the surrounding area.

EXISTING CONDITIONS

LAND USE

The Project Site is located at 24 North Shore Road in Southampton, New York. The Project Site is located approximately 90 feet south of Sunrise Highway and located on two parcels (SCTM 0900-208-000100-002.000 and 0900-208-000100-004.001) between the main highway and the entrance/exit (see **Figure 3**). The Project Site is currently occupied by a single-family home and four auxiliary cottage structures. The remaining section of the Project Site is a largely undeveloped, wooded area that will require some clearing and leveling for the proposed battery storage facilities.

The greater surrounding area is predominately residential to the north of Sunrise Highway, commercial to the west, with transportation and utility uses directly north, south, and east of the Project Site. Directly south of the Project is a highway salt storage facility. Several residential units and a nightclub are located west of the Project Site on Canal Road. The Shinnecock Canal is approximately 700 feet to the west, and the Project Site is located between the Great Peconic Bay to the north and the Shinnecock Bay to the south.

Land uses within the half-mile study area consist of mostly developed land uses (residential and commercial), wooded areas, water bodies, highways and railways, and utility services, such as the existing Canal Substation roughly 1,100 feet east of the Project Site.

CONSISTENCY WITH LOCAL LAND USE PLANS

Town of Southampton Comprehensive Plan, 1999

The 1999 Comprehensive Plan sought to protect the Town of Southampton's valuable natural, historic, and scenic resources, enhance public infrastructure and facilities, maintain and diversify the local economy, and provide more travel choices for local residents. Specifically, the 1999 Comprehensive Plan considered the challenges related to electric power such as cost effective and reliable utilities. As was suggested in the Comprehensive Plan, public and private sectors are encouraged to explore alternative sources for energy supply to resolve the existing inconsistency in service and fluctuations in power. Additionally, at the time, the LIPA was recognized as having power rates well above the national average, which discourages business in the area.

The Project is consistent with the Town of Southampton Comprehensive Plan of 1999 as it seeks to strengthen the energy grid and provide additional storage to create a more robust and reliable energy network for the local community.

Sustainability Plan "Southampton 400+", 2013

Southampton 400+ is an addendum to the Town of Southampton Comprehensive Plan that specifically encourages sustainability. The 2013 addendum highlights sustainable priorities and tactics to be implemented into planning and land use throughout the Town. As a signatory to the US Conference of Mayors Climate Protection Agreement, the Town of Southampton has committed to becoming carbon neutral by 2040 through a combination of conservation, efficiency, and alternative energy sources. The addendum lays out actions to achieve this goal through long term planning, regular energy and carbon audits, and educational initiatives.

The Project aligns with Southampton 400+ by aiding in the support and expansion of energy supply infrastructure. Additionally, the proposed battery energy storage system will improve the LIPA electrical grid and expand storage capabilities for the region.

Coastal Resources & Water Protection Plan, 2016

The Southampton Coastal Resources & Water Protection Plan (SCRWPP) was adopted in 2016 with the intent of protecting and managing the waters, waterfront area, and associated resources within the Town. The SCRWPP includes harbor plans to manage specific bodies of water such as the Shinnecock Bay and Shinnecock Canal to avoid conflict between uses and protect the existing natural resources. The SCRWPP notes how the area around the Shinnecock Canal and Bay have been altered and engineered for human uses, such as medium- to high-density residential uses, commercial uses, recreation and open space, and institutional uses. Near the Project Site is a vehicle beach access point. The Project is located within the water protection boundary, but with the implementation of best management practices during construction and operation to control stormwater, will not impact the ecological health or water quality of the Shinnecock Bay or Canal.

ZONING

The Project Site is located within the Town of Southampton's R-60 zoning district, which extends from North Road to about 1.3 miles east (see **Figure 4**). The R-60 zoning district is for residential use with a lot area of at least 60,000 square feet (sf) in size. Uses permitted within this zone include single-family detached dwellings; accessory structures; parks or playgrounds; municipal buildings; schools; greenhouses and nurseries; agriculture; and BESS less than 600 kWh.

Directly north and west of the Project Site are other residential zones, such as R-15 for residential lots with at least 15,000 sf. The area west of the Project also includes the Resort Waterfront Business (RWB) district, which spans from the Sunrise Highway south along the Shinnecock Canal until it opens up to Shinnecock Bay. The zoning district is intended for development that complements the canal history and use, as well as promotes tourism. Public access to the water is an essential part of the Town of Southampton's culture and economy and by encouraging tourism development along the waterways, the Town may continue to engage the public with waterfront activities and further develop the local economy. South of the Project Site are the Maritime Planned Development District (MPDD) and Motel (MTL) zoning districts. The MPDD zoning district also encourages development with predominately water-enhanced uses, while also maximizing the preservation of natural resources and vegetation. MTL permitted out-right uses include single family detached dwellings; places of worship; parks and playgrounds; libraries or

museums; municipal uses; schools; nonprofits; agriculture; restaurants; battery energy storage systems less than 600 kWh; and transient hotels and motels with a special permit.

The Project will require a special permit to allow for a BESS facility in excess of 600 kWh. The Project will comply with the performance standards and zoning requirements outlined in § 330-162.21 of Article XVII, Special Exception Uses, of the Zoning Code. The BESS facility will not produce vibration, smoke, dust, or other particulate matter emissions, odors, toxic noxious matter, radiation hazards, humidity, or intense heat or glare and will not store fire or explosive hazardous materials. The Project will be designed and constructed to comply with applicable federal, state, and local codes and requirements.

Table 2.
Town of Southampton R-60 Residential Zoning District Dimensional Criteria for BESS Facilities

Code Section	Criteria	R-60 Zoning District Requirement	Residential District Requirements for BESS Systems greater than 600 kWh	Provided
§ 330-11/§330-162.21.C(2)	Lot area (sq. feet)	60,000	120,000	217,364
§ 330-11	Maximum lot coverage by main and accessory buildings (percent)	15		NA
§ 330-11	Lot width, minimum (feet)	150		250
§ 330-11	Height, maximum			
§ 330-11/§330-162.21.C(3)	Height	32	20	20
§ 330-11	Stories	2		-
§ 330-11	Yards, principal building, minimum (feet)			
§ 330-11/§330-162.21.C(7)	Front	80	20	125
§ 330-11/§330-162.21.C(4)	Side, minimum for 1	25	50	75
§ 330-11	Side, total for both on interior lot	65		
§ 330-11	Side, abutting side street on corner lot	80		
§ 330-11/§330-162.21.C(4)	Rear	100	50	75

§ 330-11	Yards, accessory buildings and structures, except fences and retaining walls, minimum (feet)			
§ 330-11	Distance from street	90		
§ 330-11	Side, minimum for 1	30		
§ 330-162.21.B	On-Site Utility lines and electrical circuitry		Must be located underground	Complies
§330-162.21.C(5)	Landscape Screening Requirements		Screening within required yards shall include landscape plantings to be erected and maintained by the applicant along the front, side and rear property lines	Complies
§330-162.21.D	Fencing Requirements		Maximum 6 ft in height	Complies

Project Compliance with Town's R-60 District Criteria Set Forth in Code §330-6.

The following demonstrates that the Project complies with the applicable standards set forth in the Town of Southampton Code § 330-6, which are detailed below in italicized type followed by the Applicant's responses in regular type.

> *A. Within any residence district, a building, structure, lot or land shall be used only for one of the uses indicated in § 330-10, Residence Districts Table of Use Regulations, for the specific district in which it is located on the Zoning Map and in accordance with the particular classification of that use in that district. In the case of a lot or land being utilized for the construction or erection of a single-family detached dwelling, the definition of "lot" in § 330-5 shall apply. Further, any such building, structure, lot or land shall only be utilized in conformance with the provisions of § 330-11, Residence Districts Table of Dimensional Regulations. In addition, such uses shall also comply with all other applicable provisions of this chapter.*

Compliance Review

The Project Site is located within the Town of Southampton R-60 residential district. Permitted uses within this residential district include: single-family detached dwelling, park, playground or recreational use, fire station or municipal offices, schools operated or licensed by the New York State Department of Education, agriculture (excluding animal husbandry), plant nursery, marinas and boatyards, and BESS less than or equal to 600 kWh. BESS in excess of 600 kWh are permitted with a Special Exception Permit within R-60 districts.

As detailed in **Table 2** and the site plan (see **Appendix B**), the Project complies with the required setbacks and dimensional requirements for an R-60 zoning district, unless the standards of §330-162.21 are more restrictive.

Project Compliance with Town's Battery Energy Storage System Standards Set Forth in Code §330-162.21

The Project will require a special permit to allow for a BESS facility in excess of 600 kWh. The Project will comply with the performance standards and zoning requirements outlined in § 330-162.21 of Article XVII, Special Exception Uses, of the Zoning Code. The Town's regulations are outlined in italicized type followed by the Applicant's responses in regular type.

A. Applications for the installation of battery energy storage systems with an aggregate capacity greater than 600 kWh shall be reviewed by the Planning Board pursuant to § 330-183, the special exception general standards in § 330-122 and as follows:

Compliance Review:

The Project, as demonstrated herein, complies with the standards pursuant to §330-183 and 330-122.

B. Utility lines and electrical circuitry. All on-site utility lines shall be buried underground.

Compliance Review:

As detailed in the site plan (see **Appendix B**), utility lines and electrical circuitry within the Project Site will be buried underground. The Project will connect directly to the adjacent LIPA Canal Substation via a new underground gentie. Therefore, the Project complies with this standard.

C. Parcels upon which battery energy storage systems are placed shall adhere to the dimensional regulations for the applicable zoning district with additional standards as set forth below:

(1) The minimum lot area for all Business and Industrial District parcels proposing battery storage in excess of 600 kWh shall be 40,000 square feet.

(2) The minimum lot area for all residential parcels proposing battery storage in excess of 600 kWh shall be 120,000 square feet.

(3) The maximum height of any building or structure used for battery storage shall be 20 feet, as measured pursuant to § 330-5, Height of structure or building, except as may be required in a FEMA flood zone.

(4) The minimum required transitional side and rear yards shall be 50 feet when adjoining residential properties.

(5) The minimum screening within required yards shall include landscape plantings to be erected and maintained by the applicant along the front, side and rear property lines; the Planning Board may modify these requirements for screening where the same or better screening effect is accomplished by the natural terrain or foliage.

(6) Design and visibility. Battery energy storage systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the existing terrain, character of the property and surrounding area without interfering with ventilation or exhaust ports.

(7) Adjoining street right-of-way.

(a) The minimum required transitional front yard shall be 20 feet, unless the Planning Board finds for aesthetic and/or safety reasons that additional setback is necessary.

(b) The minimum required screening shall be achieved by landscape plantings, including evergreen shrubs not less than four feet in height, and deciduous street trees that meet Town specifications.

Compliance Review:

As detailed in **Table 2** and the site plan (see **Appendix B**), the Project complies with all required setbacks and dimensional requirements for an R-60 zoning district as well as the BESS standards detailed above.

D. Fencing requirements.

(1) Battery energy storage systems, including all mechanical equipment and buildings dedicated to battery energy storage systems shall be enclosed by a fence to a maximum height of six feet with a self-locking gate to prevent unauthorized access and shall not interfere with ventilation or exhaust ports.

(2) All required fencing shall comply with front yard setbacks pursuant to the table of dimensional regulations for the applicable zoning district.

(3) The Planning Board shall require landscaping located between the fence and the surrounding properties, including the public right-of-way as appropriate and necessary.

Compliance Review:

As detailed in the general arrangement (see **Appendix B**), the Project complies with all the fence and landscaping requirements detailed above including a 4ft high perimeter fence.

E. Accessory/principal use.

(1) Battery storage in excess of 600 kWh shall not be permitted as accessory to the principal use of a residential dwelling.

(2) In Business and Industrial Districts, battery storage in excess of 600 kWh shall constitute a principal use and as such parcels shall comply with the maximum number of uses as per § 330-31.

(3) Battery storage in excess of 600 kWh may be considered accessory when the primary use of a parcel is for the generation of electricity via solar panels.

Compliance Review:

The Project is not considered an accessory use.

F. Avoidance area. Battery energy storage systems facilities shall not be located in the following avoidance areas:

(1) Flood hazard zones, unless compliance with FEMA can be achieved without significant visual or safety impacts.

(2) Aquifer Protection Overlay District where the clearing standards cannot be met.

(3) Agricultural lands and open space/greenbelt areas.

(4) Historically and culturally significant resources, unless it can be demonstrated that an installation will not adversely affect the historic resource and is fully reversible.

(5) Designated conservation areas, including but not limited to lands purchased through the Community Preservation Fund.

(6) Scenic corridors or viewsheds, unless the installation is fully camouflaged and is found to not compromise the scenic corridor or viewshed.

(7) Wetlands, both tidal and freshwater.

Compliance Review:

The Project Site is not located within the flood hazard area, aquifer protection overlay district, agricultural land, designated conservation area, scenic corridor or viewshed area, or within wetlands area, and will not impact historic or culturally significant resources.

G. *Submission. A complete site plan pursuant to §§ 330-181, 330-183, 330-184 and special exception requirements as follows:*

(1) Name, address, phone number, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.

(2) A one- or three-line electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.

(3) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.

(4) Commissioning plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Where commissioning is required by the Uniform Code, battery energy storage system commissioning shall be conducted by a New York State (NYS) licensed professional engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in the Uniform Code shall be provided to the Planning Board prior to final inspection and approval and maintained at an approved on-site location.

(5) Fire safety compliance plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code.

(6) Operation and maintenance manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code.

(7) Erosion and sediment control and stormwater management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such

standards as may be established by the Planning Board in consultation with the Town Engineer.

Compliance Review:

The Project's submission for a Site Plan and Special Exception Use includes the information required above.

H. Signage.

(1) The signage shall be in compliance with ANSI (American National Standards Institute) Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and twenty-four-hour emergency contact information, including reach-back phone number.

(2) As required by the NEC (National Electric Code), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

Compliance Review:

The Project will include warning signage on the security fence adjacent to the entrance. Each individual battery cabinet will also include signage detailing the type of system, any special hazards associated, type of suppression system installed, and a twenty-four-hour emergency contact with phone number. Information on disconnect or other emergency shutoff information will also be displayed. Therefore, the Project complies with this standard.

I. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties and must adhere to Article XXIX of the Town Zoning Code.

Compliance Review:

Dark-sky compliant security fixtures will be installed, which will only activate during an emergency or security threat. Therefore, the Project complies with this standard.

J. Noise. The one-hour average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall comply with noise standards found in § 235-3B. Applicants may submit equipment and component manufacturer's noise ratings to demonstrate compliance. The applicant may be required to provide operating sound pressure level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.

Compliance Review:

The Project will comply with the Town's Noise Code as demonstrated in Section J. Therefore, the Project complies with this standard.

K. All applications shall include an emergency operations plan. a copy of the approved emergency operations plan shall be given to the system owner, the local Fire Department, and local Fire Code Official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:

(1) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.

(2) Procedures for inspection and testing of associated alarms, interlocks, and controls.

(3) Procedures to be followed in response to notifications from the battery energy storage management system, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to Fire Department personnel for potentially hazardous conditions in the event of a system failure.

(4) Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the Fire Department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.

(5) Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.

(6) Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.

(7) Other procedures as determined necessary by the Planning Board to provide for the safety of occupants, neighboring properties, and emergency responders.

(8) Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

Compliance Review:

A preliminary emergency response plan is included with the Project's Site Plan/Special Exception Application. Prior to operation, CS Battery Storage will provide a copy of the facilities operation and maintenance plan, electrical schematic, and site plan to the Town of Southampton Fire Marshal, Fire Code official and the Suffolk County Police Department.

L. Ownership changes. If the owner of the battery energy storage system changes or the owner of the property changes, the special exception approval shall remain in effect, provided that the successor, owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage system shall notify the Planning Department of such change in ownership or operator in writing within 30 days of the ownership change. All permits and approvals for the battery energy storage system shall be void if a new owner or operator fails to provide written notification to the Planning Department within the required timeframe. Reinstatement of a voided special exception/site plan will be subject to approval process for new applications.

Compliance Review:

CS Battery storage acknowledges the requirements for any change in ownership.

M. Decommissioning. All site plan applications shall include a decommissioning plan. The decommissioning plan shall include the following:

(1) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;

(2) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

(3) The anticipated life of the battery energy storage system;

(4) The estimated decommissioning costs and how said estimate was determined;

(5) The method of ensuring that funds will be available for decommissioning and restoration;

(6) The method by which the decommissioning cost will be kept current;

(7) The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and

(8) A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

(9) The owner and/or operator of the energy storage system shall implement said plan upon abandonment and/or in conjunction with removal from the facility.

Compliance Review:

The Preliminary Decommissioning Plan for the Project is included with the Project's Site Plan/Special Exception Application., which has been prepared consistent with the goals and objectives of Town Code § 330-162.21(M). Therefore, the Project complies with this standard.

N. Decommissioning fund. The owner and/or operator of the energy storage system shall continuously maintain a fund payable to the Town of Southampton, in a form and amount approved by the Town for the removal of the battery energy storage system, for the period of the life of the facility. All costs of the financial security shall be borne by the applicant.

Compliance Review:

CS Battery Storage acknowledges the requirements set forth in § 330-162.21(N).

Project Compliance with Town's Site Plan Approval Standards Set Forth in Code §330-182

The following demonstrates that the Project complies with the applicable standards set forth in the Town of Southampton Code § 330-182, which are detailed below in italicized type followed by the Applicant's responses in regular type.

A. Traffic access. All proposed traffic accessways are adequate in number, width, grade, alignment and visibility, are located in proper relationship with intersections, pedestrian crossings and places of public assembly and are in conformance with overall traffic safety conditions.

Compliance Review

The Project will incorporate a new curb cut on North Road and will adhere to necessary guidelines for a seamless relationship with the main roadway intersection and ensure overall traffic safety.

B. Interior circulation and parking. Adequate off-street parking and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the interior circulation system is adequate to provide convenient access to such spaces consistent with pedestrian safety.

Compliance Review

The Project will be unmanned and parking will only be required during routine maintenance. The Project Site will include a hammer-head roadway to allow for emergency vehicles for adequate access and adherence to fire safety standards. The Project will include a 4-foot-high chain link perimeter fence for limited access and pedestrian safety.

C. Landscaping and screening. All required recreation, parking, service and similar areas are screened, at all seasons of the year, from view of adjacent residential districts and streets and the landscaping of the site is in character with that generally prevailing in the neighborhood and enhances the character of the Town.

Compliance Review

The Project will be properly screened and landscaped to mitigate visual disturbances to nearby properties and sites. The Project will adhere to the required setbacks, and existing vegetation within the setbacks will remain. The Project will not have any adverse impacts on the neighborhood character and adjacent residential districts and streets.

D. Existing development and Master Plan. The development proposed is at a scale and density consistent with existing development and with the Master Plan of the Town of Southampton.

Compliance Review

The Project has been designed with consideration of the Master Plan of the Town of Southampton in mind and will be consistent with the existing development in the surrounding areas.

E. Natural features. Due regard shall be paid to all natural features on and adjacent to the site, including but not limited to water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, unique plant and wildlife habitat and flood hazard areas.

Compliance Review

There are no waterbodies, draining courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, unique plant wildlife habitats or flood hazard areas within the Project Site. The Project will require the cutting and clearing of portions of the wooded areas on the Project Site, however, clearing will be limited to the areas necessary to construct and operate the Project.

F. Cultural features. (1) Due regard shall be paid to all cultural features on and adjacent to the site, including but not limited to archaeological and paleontological remains, old trails, historic buildings and sites and agricultural fields.

Compliance Review

The Project is undergoing cultural resources review in accordance with the New York Historic Preservation Office (SHPO) Environmental Review Program. As described in Section C, given

the absence of archaeological resources documented in the recently completed Phase 1A/1B archaeological investigation, the Project is not expected to have any adverse impacts on the cultural resources in the study area.

G. Pavement. All plazas and other paved areas intended for use by pedestrians shall use such pavement and plant materials so as to encourage their use by pedestrians during all seasons of the year and prevent the creation of vast expanses of pavement.

Compliance Review

The Project Site is not intended for public use by pedestrians, however there will be a pervious gravel roadway throughout the site to allow for vehicle access for regularly maintenance and in case of emergency. The curb cut will be incorporated using existing guidelines, however there are no current pedestrian pathways in the near vicinity.

H. Lighting. All outdoor lighting is of such nature and so arranged as to preclude the projection of direct light and glare onto adjoining properties and streets.

Compliance Review

The Project Site will include lighting for maintenance work that will follow necessary guidelines to minimize disturbance on surrounding areas and reduce direct light and glare on neighboring properties.

I. Facades. Building facades shall be compatible with the surrounding area in scale, color, style and material.

Compliance Review

The Project will only include battery enclosure cabinets and associated structures, such as energy converters and substations. It will not include any buildings or facades on the Project Site.

J. Drainage. The drainage system and layout proposal will afford an adequate solution to any drainage problems.

Compliance Review

The Project Site will include proper drainage solutions to ensure the safety of the electrical equipment as well as prevent overflows on nearby properties and streets, including two water retention basins near the site's roadway entrance.

K. Public utilities. The plans for water supply and sewage disposal are adequate.

Compliance Review

The Project will not require a water supply or sewage disposal given that it is an unmanned battery energy storage system.

L. Public address or sound system. Any sound or public-address system shall be such that no sound from a system shall be audible on adjoining properties or on the adjacent street.

Compliance Review

The Project will not include a public address or sound system on the Project Site.

M. Physically challenged access. (1) The plan and building design shall accommodate the needs of the physically challenged and be in conformance with the state and federal standards for design and construction concerning the physically challenged, including but not limited to

handicapped parking requirements; (2) For residential developments designated as high-density senior citizen housing or multifamily housing, as defined in Chapter 123, Article IV, established pursuant to but not limited to SC-44, MFPRD and PDD, to the extent practicable, the Planning Board shall ensure that the development shall incorporate certain site design and building construction elements to reduce problems meeting requirements for accessibility pursuant to the Americans With Disabilities Act (ADA) and the Fair Housing Act (FHA).

Compliance Review

The Project is not for residential use and will not include any permanent parking.

N. Energy conservation. The site plan and building design shall maximize the conservation of energy.

Compliance Review

The Project is designed with the intent of storing energy and will comply with necessary energy conservation strategies.

O. Nothing herein shall preclude the Planning Board from requiring neighboring properties to participate in the construction of joint or shared improvements, such as parking, access or drainage, provided that a problem has been identified which can be mitigated only by joint action and an implementation plan has been formulated to institute said mitigation.

Compliance Review

The applicant shall not preclude any participation from neighboring properties on mitigatable joint or shared improvements.

P. Architecture. Architecture shall comply with the purposes and criteria set forth in §§ 330-168 and 330-171 of this chapter.

Compliance Review

The Project will adhere to the Board of Architectural Review guidelines for design and site plans, as it is applicable to the Facility. The site plan found in **Appendix B** provides further details on the Project's compliance with existing setback and placement standards.

Q. Agricultural Overlay District. In considering site plan applications for all nonagricultural buildings and structures, including one- and two-family dwellings and accessory structures, that are to be situated on a lot equal to or greater than 15 acres and located within the Agricultural Overlay District, the Planning Board shall use the following factors to determine the most suitable location of the buildings and/or structures for the current and future development of the property and the most suitable area for future farmland preservation: (1) Development areas shall be located on the portion of the lot where impacts on the loss of prime agricultural soils are minimized; (2) Development areas shall be located on the portion of the lot where impacts on views and vistas of the farmland areas from public rights-of-way are minimized; (3) Farmland areas shall be located on the portion of the lot to encourage continuity of farmland and farming operations on the lot and adjoining properties; and (4) Development and farmland areas shall be located to minimize impacts on the future subdivision of the lot in accordance with open space requirements of Chapter 247 of the Town Code.

Compliance Review

The Project is not located in an agricultural overlay district.

Project Compliance with Town's Special Use Permit General Standards Set Forth in Code §330-122

The following demonstrates that the Project complies with the applicable standards set forth in the Town of Southampton Code § 330-122, which are detailed below in italicized type followed by the Applicant's responses in regular type.

A. Such use will be in harmony with and promote the general purposes and intent of this chapter as stated in §330-3.

Compliance Review:

The Project complies with the purposes and intent of the Town of Southampton to ensure a healthy and safe community. The Project is sited at a location suitable for the proposed use with proper zoning and generally isolated from residences. The Project will promote the public interest by creating more storage for the energy grid and establishing a more robust and resilient renewable energy system and is consistent with the Town's goals adopted in the Sustainability 400+ Plan, including becoming become carbon neutral through a combination of conservation, efficiency and alternative energy sources.

B. The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.

Compliance Review:

The Project is an appropriate use of the land and will connect to the nearby and existing LIPA Canal Substation. The Town's R-60 zoning district allows for use of BESS in excess of 600 kWh with a special exception permit. The Project is will be unmanned and remotely monitored and therefore will not increase traffic near the Sunrise Highway access ramps. The Project is tucked away in an isolated area away from residences and surrounded by highway ROW, and a county owned industrial vehicle storage yard, minimizing any concerns of conflicts with residential uses, safety risks, visual impact, or sound. As such, the proposed use is appropriate for the site location and surrounding properties and may be viewed as the best and highest use of the land, where there has historically been difficulty in getting alternative uses permitted by the landowner.

C. The proposed use will not prevent the orderly and reasonable use of adjacent properties, particularly where they are in a different district.

Compliance Review:

As stated above, the BESS facility is considered a Special Exception use within the R-60 Zoning District. The Project will not prevent the orderly and reasonable use of adjacent properties in the existing and surrounding zoning districts.

D. The site is particularly suitable for the location of such use in the Town.

Compliance Review:

As stated above, the BESS facility is considered a Special Exception use within the R-60 Zoning District. Therefore, the site is suitable for the Project.

E. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.

Compliance Review:

The Project will not impact the character and potential development of other uses within the zoning district. The proposed use will conform to existing dimensions and regulations and will not impede on any nearby uses or properties. The surrounding area is largely comprised of residential, commercial, transportation and utility uses, and not located near a church, school or other place of public assembly. The Project is compatible with the existing land uses in the surrounding area and will not pose any adverse impacts to the character of the district. There are no plans of public assembly located within a reasonable distance of the property.

F. The proposed use, particularly in the case of a nonnuisance industry, conforms to this chapter definition of the special exception use where such definition exists or with the generally accepted definition of such use where it does not exist in this chapter

Compliance Review:

As stated above, the BESS facility is considered a Special Exception use within the R-60 Zoning District. The Project confirms with the definition of a special exception use outlined under BESS in excess of 600 kWh in § 330-162.21 and will not create a nuisance to the district, properties or community.

G. Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and, further, that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection, except under unusual circumstances.

Compliance Review:

The general arrangement in **Appendix B** further illustrates the plan for the creation of a new curb cut and visible entrance and exit to the Project Site. The Project is not anticipated to create an increase in roadway or pedestrian traffic during operation. The vehicular entrances and exits will be designed to ensure proper fire safety and access. The Project Site will be setback 80-feet from the main roadway, as is detailed in the Town's zoning code.

H. All proposed curb cuts have been approved by the street or highway agency which has jurisdiction.

Compliance Review:

The proposed curb cut to North Road, a public road, will be reviewed and approved by the proper municipal entities. The Project's ingress and egress will be through the new driveway and will not interfere with traffic patterns, sidewalks, or curbs.

I. There are off-street parking and truck loading spaces at least in the number required by the provisions of §§ 330-92 through 330-101, but in any case an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and, further, that the layout of the spaces and driveways is convenient and conducive to safe operation.

Compliance Review:

The Project will provide appropriate, temporary on-site parking during construction. During operation, there will be no regularly active employees, patrons, or visitors on site, and as such, there will be no parking on the premises. The roadway will be large enough for routine maintenance access. Emergency access and egress to the Project Site will be developed with the Town Fire Marshal and the Hampton Bays Fire Department.

J. Adequate buffer yards and screening are provided where necessary to protect adjacent properties and land uses.

Compliance Review:

As detailed in the general arrangement, the Project is adequately setback from neighboring properties and roadways. The Project will also include a 4-foot-high perimeter fence to ensure safety and proper screening.

K. Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.

Compliance Review:

The Project will not produce any sewage, refuse, or other waste. Two water retention basins will serve as stormwater management for the property.

L. No outdoor sales lot, rental equipment storage or display area will be permitted in the required front yard area of any business district, except that in the HB District such uses may be permitted in the required front yard, provided that they are set back 50 feet from the front property lines.

Compliance Review:

There will be no outdoor sales lot, rental equipment storage, or display area present on the Project Site.

M. The proposed use recognizes and provides for the further specific conditions and safeguards required for particular uses in this article.

Compliance Review:

The proposed use will be designed and developed in compliance with the Special Exception Permit and the additional conditions and safeguards outlined for a BESS in excess of 600 kWh.

Project Compliance with Town's Battery Energy Storage System Standards Set Forth in Code §123-39.3

In accordance with § 123-39.3, BESS shall be installed and maintained in accordance with the NYS Residential or Commercial Building Code. Facilities with an aggregate capacity greater than 600 kWh shall first obtain special exception approval from the Planning Board. As such, the Project must satisfy the Special Exception Permit criteria outlined above in §330-122, as well as the specific guidelines necessary for a BESS in excess of 600 kWh outlined in §123-39.3. The Town's regulations are outlined in italicized type followed by the Applicant's responses in regular type.

A. All battery energy storage systems must be designed and installed in accordance with all applicable provisions of the New York State Uniform Fire Prevention and Building Code as may be amended from time to time and applicants must provide documentation referenced within the permit application to demonstrate how this system meets these requirements. (1) General. Battery energy storage systems installed in buildings or structures shall be installed and maintained in accordance with the NYS Residential or Commercial Building Code, depending on the permitted use of the property. The temporary use of an owner's or occupant's electric-powered vehicle as an energy storage system shall be permitted in accordance with applicable sections of the NYS Residential Code.

Compliance Review:

The Project will be designed in compliance with the NYS Uniform Fire Prevention and Building Code. The Project will include energy storage cabinets and connected inverters. Each unit will be installed and maintained in accordance with the State code.

A.2. Storage limitations. Individual battery energy storage system units shall have a maximum rating of 20 kWh. The aggregate rating shall not exceed: (a) Forty kWh within utility closets and storage utility spaces; (b) Eighty kWh in attached or detached garages and detached accessory structures; (c) Eighty kWh on exterior walls; (d) Eighty kWh outdoors on the ground; (e) Battery energy storage system installations exceeding the permitted aggregate ratings shall be installed in accordance with Section 1206.2 through 1206.17.7.7 of the Fire Code of New York State, as may be amended.

Compliance Review:

The Project will total 100 MW/200 MWh of outdoor battery storage and will adhere to necessary standards and installation practices outlined in Section 1206.2 through 1206.17.7.7 of the Fire Code of New York State.

B. A battery energy storage system permit and an electrical permit shall be required for any installation less than or equal to 600 kWh. Applications for battery energy storage systems with an aggregate capacity greater than 600 shall first obtain site plan/special exception approval from the Planning Board and then shall submit a building/electrical permit application.

Compliance Review:

The Project will submit the necessary applications to the Planning Board for approval to obtain the proper permits for construction and operation of a BESS greater than 600 kWh.

C.1. All applications for any battery energy storage system within the Town shall meet all applicable provisions of the New York State Uniform Code and the following safety standards: (a) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications); (b) UL 1642 (Standard for Lithium Batteries); (c) UL 1741 or UL 62109 (Inverters and Power Converters); and (d) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Compliance Review:

The Project and equipment will adhere to the above guidelines and regulations to ensure the safety of the community. Additional details pertaining to the Project's power converters and batteries may be found in **Appendix B.**

C.2. Access. Access to the battery energy storage system shall be maintained, including snow removal and any other obstruction (other than required fencing/screening).

Compliance Review:

The Project will include a new curb cut and entrance point on North Road. The roadway will be designed for emergency vehicle access and properly maintained for unobstructed ingress and egress.

C.3. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with a National Fire Protection Association (NFPA) of 70.

Compliance Review:

The Project will be designed in accordance with all necessary fire safety regulations. The Project is designed for outdoor use and will be properly weatherproofed to withstand the potential weather conditions and protect battery equipment.

D. Cessation of use. All battery energy storage systems shall be maintained in good working order and in accordance with industry standards. A system shall be considered abandoned when it ceases to operate consistently for a period of one year.

Compliance Review:

The Project will be properly maintained throughout operation. The Project will remove and recycle materials and parts as needed through regulated transport, handling, and disposal requirements. Necessary removal and disposal will be conducted by qualified, trained employees and/or contractors in accordance with all federal, state, and local requirements. The materials will be removed from the Project Site and disposed to an off-site facility.

E. As part of the approval for battery storage installation, the applicant shall be required to affix a warning label next to all utility meters, indicating the kind of operating battery storage installation system on site. A certificate of compliance shall not be issued unless said warning label has been affixed.

Compliance Review:

The Project will include the necessary signage and warning labels in a clear and visible area next to all utility meters on the Project Site.

F. The Town must maintain a list by address of all battery energy storage system installations, including listing battery type, to be shared with relevant first responder organizations.

Compliance Review:

The applicant will provide the Town with all necessary information needed for Southampton's records to ensure adequate safety procedures are in place.

ASSESSMENT OF POTENTIAL IMPACTS

LAND USE

The Project is compatible with existing land uses within the general surrounding area. In order to be compatible with the existing land use, a project must minimize or avoid the impairments to the

land use, including avoiding adverse effects to air quality, water resources, noise, traffic and transportation, visual resources, community facilities and natural resources. In addition, a project must not render existing land uses nonviable nor adversely impact surrounding land uses. As outlined in the project description, the Project will have minimal environmental impact due to the clean technology and engineering practices, further outlined in the general arrangement. The Project relates in land use to the nearby LIPA Canal Substation it will ultimately connect to. A large portion of the Project Site is unused and wooded, therefore the Project will not inhibit any existing land uses, and as such will not result in significant adverse impacts to land use.

ZONING

The proposed battery energy storage facility is permitted within R-60 districts with a Special Exception Permit and will comply with the special exemption use and standards. The general arrangement outlines how the Project designs will comply with the necessary zoning setbacks and frontage.

J. COMMUNITY FACILITIES AND SERVICES

This section considers the potential of the Project to affect community facilities and services on or near the Project Site. Community facilities are public or publicly funded facilities, such as schools, hospitals, libraries, day care centers, etc. An impact generally occurs when a project either physically displaces or alters a community facility or causes a change in population that could affect the essential community services ability to serve the area, such as police or fire departments.

EXISTING CONDITIONS

The Project will be constructed in the unincorporated hamlet of Hampton Bays, Town of Southampton, Suffolk County, New York. Emergency services for the proposed Project Site are provided by the Town of Southampton Police Department and Hampton Bays Fire Department.

The Project Site is served by the Hampton Bays School District, however, there are no schools located within a half-mile radius of the Project Site. Other community and recreational facilities include the Town of Southampton Parks & Recreation Department, the Southampton Hospital, and Meschutt Beach County Park (see **Figure 5**).

ASSESSMENT OF POTENTIAL IMPACTS

The Project will not result in the displacement of any community facilities during construction or operation. During construction, it is estimated that approximately 50 workers may be onsite at peak times over the course of the anticipated 6-month construction period. An appropriate onsite parking plan will be developed in consultation with the Town to accommodate the construction workforce. The Project will not require a regular, active in-person attendee during operation, and will largely be monitored remotely. An occasional maintenance inspection will be required on an as-needed basis during normal hours of operation with service technicians coming to inspect equipment or replace/clean battery cells. Therefore, the required workforce for construction and operation will have a minimal impact on the community facilities or services.

K. CULTURAL RESOURCES

This section identifies the applicable laws, policies and regulations as related to the protection of archaeological and historic resources. A summary of the existing setting of known cultural

resources is provided as well as an evaluation of the Proposed Project's potential impacts to known resources.

APPLICABLE LAWS, POLICIES, AND REGULATIONS

This cultural resource review is conducted in accordance with the New York State Historic Preservation Office (SHPO) Environmental Review Program, which includes the following:

- Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended through 2000;
- Section 14.09 of the New York State Historic Preservation Act, which was enacted by the New York State Historic Preservation Act of 1980 (Chapter 354 of the Laws of 1980); and
- SEQRA regulations (6 NYCRR Part 617 of the New York State Environmental Conservation Law Article 8).

In New York State, the Office of Parks, Recreation and Historic Preservation (OPRHP) serves as the SHPO. Under Section 14.09 of the Parks, Recreation and Historic Preservation Law, the New York SHPO's role in the review process is to ensure that impacts on historic properties (archaeological sites and historic architectural resources) that are eligible or listed on the State or National Register of Historic Places (S/NRHP) are considered and avoided or mitigated during the project planning process. In addition, the SHPO advises local communities on local preservation environmental reviews, upon request, under the provisions of SEQRA (OPRHP 2015).

EXISTING CONDITIONS

Background research of the Project Site and surrounding area using the National Park Service, National Register of Historic Places (NPS, NRHP) and the OPRHP's Cultural Resource Information System (CRIS) website found no (S/NRHP-listed historic sites directly on the Project Site (see **Figure 6**). Two buildings (USN: 10309.000886 and 10309.000887) were evaluated on the Project Site and were determined "Not Eligible" as of October 25, 2021.

The CRIS web research identified several archaeological surveys and consultation projects within a half-mile radius of the Project Site. These surveys assessed their respective project areas as sensitive for both prehistoric and historic resources and a few of those surveys involving subsurface testing identified isolated prehistoric artifacts determined to have no archaeological significance. The remaining surveys that included subsurface testing failed to identify any artifacts. In addition, the CRIS database reveals three inventory forms for prehistoric sites located within a one-mile radius of the Project site. One of these prehistoric sites is located about a third of a mile to the southwest, on the west side of the Shinnecock Canal; the other two prehistoric sites included human burials and are located about one mile to the east. All of these sites yielded small to moderate quantities of lithic debitage (the waste material generated during tool manufacture or use) and completed tools. The two sites to the east are described as villages.

In order to determine the presence or absence of archaeological resources on the Project Site, a Phase 1B Archaeological Investigation was recently completed. That survey involved the excavation of 41 shovel test pits established across a 30-foot-interval grid and failed to identify any archaeological resources. The methods, results, and conclusions of that survey are currently being summarized in a technical report that will be submitted to SHPO for their review and concurrence.

In addition to these archaeological surveys, a number of assessments were conducted in the study area of potential buildings' historical significance (USN Number: 10309.000288, 10309.000292, 10309.000326, 10309.000439), many of which have been deemed as "Not Eligible." One building (USN Number: 10309.000751) has not yet been determined for historical significance eligibility.

Two sites have been determined as "Eligible" under NRHP Criterion A, C, the Shinnecock Canal (USN Number: 10309.000754) and associated Shinnecock Canal Bridge (USN Number: 10309.000325). The Shinnecock Canal is potentially eligible for inclusion in the NRHP for its association with boating in Hampton Bays and its ability to serve as a good example of late 19th century canals.

ASSESSMENT OF POTENTIAL IMPACTS

The Project will not have significant adverse impacts to the Shinnecock Canal and Shinnecock Canal Bridge during construction or operation. Given the absence of archaeological resources documented in the recently completed Phase 1A/1B archaeological investigation, the Project is not expected to have any adverse impacts on the cultural resources in the study area.

L. VISUAL RESOURCES

This section considers the potential impacts of the Project on known visual resources on or near the Project Site.

EXISTING CONDITIONS

REGIONAL AND LOCAL LANDSCAPE

As described in the Land Uses section, the Project Site consists of partially developed land with a main house and auxiliary cabins, and a largely wooded area. The approximate 4.2-acre lot is bound by the Sunrise Highway and exit ramp to the north, east and south, and North Shore Road to the west. Further west of the Project Site is the Shinnecock Canal, and the Long Island Rail Road (LIRR) runs just south of the Sunrise Highway Entrance and Exit ramp. The existing LIPA Canal Substation that the Project is expected to connect to is situated just east of the Project Site.

Landforms. Elevations within the Project Site are approximately 26 feet above mean sea level (MSL).

Travel Corridors. The major thoroughfares in the study area are Sunrise Highway (NY-27), North Road, and Montauk Highway. The LIRR also runs along the southern section of the half-mile study area.

Water Resources. The Project is located near several water resources, including Shinnecock Canal, Shinnecock Bay, and the Great Peconic Bay.

Land Use Patterns. The land uses within the half-mile study area consist of residential, commercial, and transportation and utility uses. Residential uses are primarily to the north beyond Sunrise Highway, transportation and utility uses surround the site, and commercial uses are to the west and south.

State, County, and Local Parks/Management Areas. The study area includes the Meschutt Beach County Park as well as other local public open spaces, such as the Sunset Avenue Canal fishing area, and the Shinnecock Canal fishing pier. There are several other county and local parks

just outside of the study area such as Red Creek Pond, Sears Bellows County Park, Squiretown Park, Southampton Parks & Rec Maintenance, and Good Ground Park.

Historic Resources. A review of available databases was conducted to identify historic resources, including, Geographic Information System (GIS) data for NRHP from the NPS as well as OPRHP's CRIS. As identified above in "Cultural Resources," the Shinnecock Canal and Shinnecock Canal Bridge are S/NRHP-eligible properties within half -mile of the Site.

NYSDEC VISUAL POLICY RESOURCE INVENTORY

The NYSDEC issued a Program Policy on July 31, 2000, entitled "Assessing and Mitigating Visual Impacts." This document, as revised on December 13, 2019, defines State regulatory concerns and provides the framework for evaluating visual and aesthetic impacts generated from proposed development. This NYSDEC policy also defines important technical concepts and methods for compliance with SEQRA with respect to environmental aesthetics. With this Policy, NYSDEC asserts that the State's interest with respect to aesthetic resources is to protect those resources whose scenic character has been recognized through national or State designations. Aesthetic resources reviewed include:

1) *A property on or eligible for inclusion in the National or State Register of Historic Places* [16 U.S.C. § 470a et seq., Parks, Recreation and Historic Preservation Law § 14.07]. Both the Shinnecock Canal and Shinnecock Canal Bridge are eligible sites located within the half-mile study are of the Project.
2) *State Parks* [Parks, Recreation and Historic Preservation Law § 3.09]. There are no State parks located within a half-mile of the Site.
3) *Urban Cultural Parks* [Parks, Recreation and Historic Preservation Law § 35.15]. The State Heritage Areas program has replaced the urban cultural parks program. There are no NYS Heritage Areas located within the half-mile study area.
4) *The State Forest Preserve* [NYS Constitution Article XIV]. The State Forest Preserve is limited to the Adirondack and Catskill Parks, and some portions of the counties where these two parks are located. The Project is not located in either the Adirondack or Catskill Park.
5) *National Wildlife Refuges* [16 U.S.C. § 668dd], and State Game Refuges [ECL 11-2105]. There are no National Wildlife Refuges (NWF) or State Game Refuges (SGR) located within a half-mile of the Site.
6) *National Natural Landmarks* [36 CFR Part 62]. There are no National Natural Landmarks (NNL) located within 1,000 feet of the Site.
7) *The National Park System* [54 U.S.C. Subtitle I]. There are no national parks located within half-mile of the Project Site.
8) *Rivers designated as National or State Wild, Scenic or Recreational* [16 U.S.C. Chapter 28, ECL 15-2701 et seq.]. There are no rivers designated as National or State Wild, Scenic or Recreational located within half-mile of the Project Site.
9) *A site, area, lake, reservoir or highway designated or eligible for designation as scenic* [ECL Article 49]. Areas subject to Article 49 designation include Scenic Byways (now under the purview of the New York State Department of Transportation [NYSDOT]), parkways designated by the OPRHP, and other areas designated by NYSDEC. According

to NYSDOT, there are no designated scenic byways or scenic roads within the half-mile study area.

10) *Scenic Areas of Statewide Significance* [Article 42 of Executive Law]. There are no Scenic Areas of Statewide Significance (SASS) located within a half-mile of the Project Site.

11) *A state or federally designated interstate or inter county foot trail, or one proposed for designation* [16 U.S.C. Chapter 27 or equivalent]. There are no trails within the half-mile study area.

12) *Adirondack Park Scenic Vistas*. The Project is not located in the Adirondack State Park.

13) *State Nature and Historic Preserve Areas*. There are no preserves located within a half-mile radius of the Project Site.

14) *Palisades Park*. The Project is not located in the Palisades Park.

15) *Bond Act Properties purchased under Exceptional Scenic Beauty category.* There are no properties under this designation located within the study area.

An inventory of additional visual resources including scenic easements, public parks and recreation areas, scenic overlooks, other environmentally sensitive community lands and general areas of public access is also considered within the context of the NYSDEC Policy. There are no such visual resources within the half-mile study area (see Figure 7).

ASSESSMENT OF POTENTIAL IMPACTS

The Project is not expected to have any adverse impacts to visual resources within the study area. The Project Site is a largely wooded area with an existing substation on a nearby lot, and the visual impacts to sensitive resources will be limited. The Shinnecock Canal and Shinnecock Canal Bridge are not directly visible from the Project Site, and the Project will adhere to proper setbacks and will be enclosed by a 7-foot-high chain link fence. The tallest proposed structure on the Project Site will be the substation transformer, at approximately 20 feet high, which meets the Town code requirements. Surrounding area views will be compatible with the existing electrical and utility components nearby, and the proposed structures will not be taller than nearby buildings.

M. SOCIOECONOMIC AND ENVIRONMENTAL JUSTICE

This section evaluates the existing demographics and economic status (i.e., income levels) of the project area and assesses social and economic effects associated with the Project during construction and operation.

EXISTING CONDITIONS

A summary of the existing demographic and economic conditions can be obtained by reviewing the most recent decennial census which provides counts of people and provides a snapshot of the population. The 5-year American Community Survey (ACS) measures the changing social and economic characteristics of the U.S. population over a given period of time but does not provide official counts of the population in between censuses. A combination of this data was reviewed in this assessment to understand the general trends within the Project area.

The Project Site is located within Suffolk County, New York. **Table 3** provides a snapshot of the existing population demographics within Suffolk County and New York State. In 2020, both regions saw a population increase from 2010, with Suffolk County having a higher population

density of 1,675 persons per square mile than the State of New York's 429 persons per square mile. Suffolk County has a higher median household income ($101,031 versus $68,486) and lower percentage of residents in poverty (6.8 percent versus 13.0 percent) compared to New York State. The percent of residents in the civilian labor force, and rate of employment, are relatively similar in Suffolk County and New York.

Table 3
Demographic and Economic Conditions

State, County	Population (2010)	Population (2020)	Population Density (Persons/square mile)	Median Household Income	Unemployment Rate	Civilian Labor Force	Persons in Poverty (percent)
New York	19,378,102	20,201,249	428.69	$68,486	5.5%	63.0%	13.0%
Suffolk County	1,493,350	1,525,920	1,674.67	$101,031	4.2%	65.0%	6.8%

Sources:
U.S. Census Bureau, Quick Facts. https://www.census.gov/quickfacts/fact/table;
U.S. Census Bureau 2010, 2020; American Community Survey (ACS) 2015-2019 5-Year Estimates.

As shown in **Table 4**, New York State has a more diverse population than Suffolk County, with 52.5 percent of its population identifying as White, only, compared to 63.4 percent in Suffolk County. However, Suffolk County has a larger population of residents identifying as Hispanic or Latino (21.8 percent versus 19.5 percent).

Table 4
Race and Ethnicity (Percent)

	Total Population	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islanders	Two or More Races	Hispanic or Latino
New York	20,201,249	52.5%	13.7%	0.3%	9.5%	0.0%	3.6%	19.5%
Suffolk County	1,525,920	63.4%	7.0%	0.2%	4.3%	0.0%	2.7%	21.8%

Source:
U.S. Census Bureau 2020

Table 5 illustrates U.S. Census block groups that may classify as Potential Environmental Justice Areas (PEJA). The NYSDEC identifies PEJAs as areas where the population meets or exceeds at least one of the following statistical thresholds:

- At least 52.42% of the population in an urban area reported themselves to be members of minority groups; or
- At least 26.28% of the population in a rural area reported themselves to be members of minority groups; or
- At least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level.

According to the NYSDEC Potential EJ Mapping by County, the Project Site is located within and surrounded by other PEJAs (see **Figure 8**). **Table 5** identifies the NYSDEC PEJAs within a half-mile study area.

Table 5
Potential Environmental Justice Areas (PEJA)

Census Block Group ID	Population	Minority Population (percent)	Income Below Federal Poverty Level (percent)	Area Designation[1]	County
150000US361031907054	455	45.23%	13.52%	Rural	Suffolk
150000US361031904032	608	45.58%	6.69%	Rural	Suffolk
150000US361031904033	655	45.93%	8.63%	Rural	Suffolk

Notes:
1. NYCDEC CP-29 defines Urban Area as "all territory, population, and housing units located in urbanized areas and in places of 2,500 or more inhabitants outside of an urbanized area. An urbanized area is a continuously built-up area with a population of 50,000 or more. For purposes of this policy, urban classifications are established by the U.S. Census Bureau." Rural area is defined as "territory, population, and housing units that are not classified as an urban area."

Sources:
ACS 2014-2018 5-Year Estimates. NYSDEC Potential Environmental Justice Areas ArcGIS Data.

ASSESSMENT OF POTENTIAL IMPACTS

The Project will generate economic benefits to the surrounding communities, including temporary construction jobs, local spending in the area on supplies and materials for construction, and spending by construction workers in the area on food, lodging, and other services.

The Project will not have an adverse or disproportionate effect on the PEJA. The Project will improve the environmental conditions of the local areas by reducing the need for combustion-based energy storage technologies, and as a result, the air quality may improve. The Project will work in compliance with State and local noise standards throughout construction to ensure there are no adverse noise impacts on the local community.

N. GEOLOGY AND SOILS

This section describes the existing geological setting within the Project Site, including topography, slopes, groundwater depth and soils.

EXISTING CONDITIONS

GEOLOGY

The surficial deposits on Long Island are of glacial origin, deposited approximately 10,000 years ago. During the last ice age, glaciers advanced, then retreated across the Northeast, terminating at Long Island, Block Island, and Cape Cod. As a result, two terminal moraines parallel the northern coastline of Long Island: the Harbor Hill Moraine and the Ronkonkoma Moraine. Surficial deposits consist of glacial till to the north and glacial outwash to the south. Glacial outwash

deposits consist primarily of sand and gravel. Along the south shore of Long Island, shallow brackish-water lagoons and barrier islands are the dominant landforms.

Underlying the surficial deposits are coastal plain sediments, which formed nearly 100 million years ago. They include the following formations: Gardiners Clay, Magothy Formation, Raritan Formation (i.e., Raritan Clay), and the Lloyd Formation. Crystalline bedrock is found at varying depths along the south shore of Long Island. The depth to bedrock in Nassau County varies from approximately 400 feet below sea level at the north shore near Kings Point to approximately 1,600 feet below sea level in the southeastern corner near Massapequa and is approximately 1,400 feet below sea level in the vicinity of the Site (Ground Water Atlas of the United States, HA 730 M, http://capp.water.usgs.gov/gwa/ch_m/index.html).

TOPOGRAPHY

Topography across the development area may be characterized as relatively flat. Project Site elevations range from a low of approximately 10 feet to a high of approximately 46 feet.

SOILS

As shown in **Figure 9**, soils mapping from the Natural Resource Conservation Service (NRCS) Web Soil Survey indicates that soils within the Project Site are comprised of Carver and Plymouth soils (CpC, 3 to 15 percent slopes). Carver and Plymouth soils are loamy coarse sand that are often form outwash plains and moraines. The typical soil profile for Carver and Plymouth Substratum consists of 0 to 3 inches of decomposed plant material underlain by 3 to 67 inches of coarse sand.

ASSESSMENT OF POTENTIAL IMPACTS

GRADING AND DRAINAGE

As shown on the Project's preliminary Site Civil Grading Plan in **Appendix B**, significant re-grading of the Site to accommodate the Project is not anticipated. Based on preliminary facility design, limited excavation is anticipated for the installation of new buried electrical conduits and foundations. Extensive excavation for foundations is not anticipated at this time. To the extent practicable, the existing drainage patterns will be maintained.

STORMWATER MANAGEMENT DESIGN AND COMPLIANCE

During construction of the Project, both structural and non-structural best management practices (BMPs) will be used to minimize erosion and sedimentation. Since construction activities are anticipated to disturb greater than one acre, the Project will require coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-20-001).

Preliminary engineering drawings depicting the Erosion and Sediment Control Plan are included in **Appendix B**. All erosion and sediment control measures and best management practices used during construction will comply with the specifications contained in the New York Standards and Specifications for Erosion and Sediment Control, November 2016. In accordance with general permit conditions, the Project will also develop a Stormwater Pollution Prevention Plan (SWPPP) prior to construction.

The Project's post-construction stormwater management system has been designed in accordance with Chapter 9 of the New York State Stormwater Management Design Manual for redeveloped sites. Uncompacted gravel and pervious pavement is proposed to minimize impervious coverage within the Project Site.

The Project will not produce discharges of any process water.

O. WATER RESOURCES

This section includes a discussion of the existing water resources, including wetlands and floodplains and potential impacts resulting from the construction and operation of the Project. A site reconnaissance investigation was conducted on October 14, 2021 to confirm the presence/absence of surface waters and wetlands within the Project Site.

EXISTING CONDITIONS

GROUNDWATER

The Project Site is located within the Nassau-Suffolk Sole Source Aquifer, as designated by the U.S. Environmental Protection Agency (EPA). A sole source aquifer is an aquifer that supplies at least 50 percent of the drinking water for its service area and where there are no reasonable available alternative drinking water sources should the aquifer become contaminated.

SURFACE WATERS

Within the half-mile study area is the Shinnecock Canal which connects the Great Peconic Bay with Shinnecock Bay, which opens up into the Atlantic Ocean. The Shinnecock Bay is part of the South Shore Estuary Reserve, a series of interconnected bays, streams, and wetlands along the south shore of Long Island. The Great Peconic Bay is part of the Peconic Estuary system, which includes the bays, harbors, embayment and tributaries located between the North and South Forks of eastern Long Island. Both the Great Peconic Bay and Shinnecock Bay are classified under the NYDEC as Classification SA (marine waters), indicating its best usage as shellfishing for marketing purposes, fishing, and swimming and other recreations.

WETLANDS

There are no federal-jurisdictional wetlands identified on the Project Site mapped by the U.S. Fish and Wildlife Service (USWFS). However, the Shinnecock Canal, located within the half-mile study area, is mapped as an Estuarine and Marine Deepwater habitat (E1UBLx). Parts of the Shinnecock Bay and Great Peconic Bay are also classified as Estuarine and Marine Deepwater habitats (E1UBL, E1AB1L, E1AB3L). Along the shore line of both bays, including Meschutt Beach County Park, is an Estuarine and Marine Wetland habitat (E2US2N). **Figure 10** depicts the locations of mapped wetlands present within the vicinity of the Project Site based on available resource mapping tools such as the USFWS National Wetlands Inventory (NWI).

There are no NYSDEC-regulated freshwater wetlands within the half-mile study area.

The Shinnecock Canal, and parts of Shinnecock Bay and Great Peconic Bay, are mapped as a NYSDEC-Tidal Wetland, and are classified as Littoral Zones (LZ). The LZ is defined as the tidal wetland zone that includes all lands under tidal waters which are not included in any other category (ECL Article 25). Portions of the Great Peconic Bay and Shinnecock Bay along the shoreline are

classified as Coastal Shoals, Bars and Mudflats (SM). The SM is defined as a tidal wetland zone that is not vegetated and is covered by saline or fresh tidal waters at high tide and exposed or covered by shallow waters up to one foot high at low tide.

FLOODPLAINS

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the Project Site was reviewed (FIRM Map No. 36103C0494H and 36103C0513H dated December 11, 2013). The FEMA FIRM shows the Project Site is not located within the 100-year and 500-year floodplains (**Figure 11**). The tax lot bordering the Project Site to the southwest is located within a 500-year floodplain.

ASSESSMENT OF POTENTIAL IMPACTS

GROUNDWATER

The Project Site is located within the Nassau-Suffolk Sole Source Aquifer. Construction activities, including dewatering if necessary, would be performed in accordance with applicable federal, state, and local regulations and guidelines and would not result in the introduction of groundwater contaminants. Operation of the Project would not utilize potable water or require groundwater extraction. Therefore, the Project would not adversely affect groundwater.

SURFACE WATERS

The Project will not result in adverse impacts to the Shinnecock Canal, Shinnecock Bay, or Great Peconic Bay. All activities will be inland from the existing waterways. Further, appropriate erosion and sediment controls will be installed during construction in accordance with the Soil Erosion and Sediment Control Plan that will be developed to protect surrounding natural resources during construction activities. During operation, direct and indirect stormwater discharges will be properly managed under a SWPPP to be prepared and associated BMP Plan. The Project will not produce discharges of any process water.

WETLANDS

There are no federal or State regulated wetlands within or directly adjacent to the Project Site. Therefore, the Project will not adversely affect wetlands.

FLOODPLAINS

As reflected in the Project Drawings in **Appendix B**, a very small portion of the Project Site will be located within the 500-year floodplains, based on FEMA mapping. Therefore, the Project will not adversely affect the risk of flooding or adjacent to the Project Site.

P. TERRESTRIAL RESOURCES

This section includes a discussion of the existing terrestrial natural resources and potential impacts resulting from the construction and operation of the Project. Resources evaluated within and surrounding the Site include vegetation, wildlife, and endangered and/or threatened species. A site reconnaissance investigation was conducted on October 14, 2021 to confirm the ecological conditions within the Project Site.

EXISTING CONDITIONS

ECOLOGICAL COMMUNITIES

Ecological communities within the Project Site are best categorized according to Edinger et al. (2014) as the Barrens and Woodlands subsystem, which "includes upland communities that are structurally intermediate between forests and open canopy uplands." The majority of the Project Site is best characterized as the pitch pine-scrub oak barrens[1] ecological community. The western portion of the pitch pine-scrub oak ecological community contains more invasive/non-native species, while the eastern portion is predominantly dead or dying pitch pine (*Pinus rigida*). Other dominant vegetation within the Project Site is red oak (*Quercus rubra*), scarlet oak (*Quercus coccinea*), common greenbrier (*Smilax rotundifolia*), black huckleberry (*Gaylussacia baccata*), sassafras (*Sassafras albidum*), little bluestem (*Schizachyrium scoparium*), and autumn olive (*Elaeagnus umbellata*). West of the pitch pine-scrub oak barrens ecological community the Project Site is sparsely vegetated, with gravel areas and developed with residential structures, and would best be described as the rural structure exterior[2] ecological community.

WILDLIFE

The Project Site comprises natural areas (i.e., the pitch pine-scrub oak barrens ecological community) and developed areas (e.g., buildings, maintained lawn, and gravel). The Sunrise Highway and its exit ramp border the Project Site to the north, east, and south, contributing to the baseline noise disturbance in the area. As such, primarily generalist species tolerant of human activity have the potential to occur within the Project Site.

Mammals

Habitat for mammals within the Project Site is subject to traffic noise disturbance from the Sunrise Highway and is likely to be used primarily by disturbance-tolerant species. These include the raccoon (*Procyon lotor*), gray squirrel (*Sciurus carolinensis*), white-tailed deer (*Odocoileus virginianus*), red fox (*Vulpes vulpes*), eastern cottontail (*Sylvilagus floridanus*), groundhog (*Marmota monax*), Virginia opossum (*Didelphis virginiana*) and domestic cat (*Felis catus*). White-tailed deer scat was observed during the October 14, 2021 reconnaissance investigation.

Birds

The Breeding Bird Atlas is a periodic census of the distribution of breeding birds across New York State. The most recent census was conducted from 2000 to 2005 and documented 57 species as confirmed or probable/possible breeders in the survey block in which the Project Site is located

[1] Edinger et al. (2014) defines the pitch pine-scrub oak barrens ecological community as "a shrub-savanna community that occurs on well-drained, sandy soils that have developed on sand dunes (primarily glacial lacustrine dunes), glacial till, and outwash plains. This community is adapted to and maintained by periodic fires; natural frequency of fires ranges from 6 to 15 years."

[2] Edinger et al. (2014) defines the rural structure exterior ecological community as "the exterior surfaces of metal, wood, or concrete structures (such as commercial buildings, barns, houses, bridges) or any structural surface composed of inorganic materials (glass, plastics, etc.) in a rural or sparsely populated suburban area. These sites may be sparsely vegetated with lichens, mosses, and terrestrial algae; occasionally vascular plats may grow in cracks. Nooks and crannies may provide nesting habitat for birds and insects, and roosting sites for bats."

(Block 7052B) (see **Table 6**). The three-square-mile survey block spans different habitat types and larger, less disturbed habitats than what is present within the Project Site, including Shinnecock Bay and Great Peconic Bay. As such, a smaller subset of these species is likely to breed in the habitats comprising the Project Site.

Birds observed in the Project Site during the October 14, 2021 reconnaissance investigation include American crow (*Corvus brachyrhynchos*), mourning dove (*Zenaida macroura*), and blue jay (*Cyanocitta cristata*).

Table 6
New York State Breeding Bird Atlas Species for Block 7052B

Common Name	Scientific Name
Canada Goose	*Branta canadensis*
Mute Swan	*Cygnus olor*
American Black Duck	*Anas rubripes*
Mallard	*Anas platyrhynchos*
Northern Bobwhite	*Colinus virginianus*
Ring-necked Pheasant	*Phasianus colchicus*
Green Heron	*Butorides virescens*
Black-crowned Night-Heron	*Nycticorax*
Yellow-crowned Night-Heron	*Nyctanassa violacea*
Osprey*	*Pandion haliaetus*
Clapper Rail	*Rallus longirostris*
Piping Plover†	*Charadrius melodus*
American Oystercatcher	*Haematopus palliatus*
Willet	*Tringa semipalmata*
Least Tern!	*Sternula antillarum*
Rock Pigeon	*Columba livia*
Mourning Dove	*Zenaida macroura*
Whip-poor-will*	*Caprimulgus vociferus*
Belted Kingfisher	*Megaceryle alcyon*
Red-bellied Woodpecker	*Melanerpes carolinus*
Downy Woodpecker	*Picoides pubescens*
Northern Flicker	*Colaptes auratus*
Great Crested Flycatcher	*Myiarchus crinitus*
Red-eyed Vireo	*Vireo olivaceus*
Blue Jay	*Cyanocitta cristata*
American Crow	*Corvus brachyrhynchos*
Fish Crow	*Corvus ossifragus*
Tree Swallow	*Tachycineta bicolor*
Northern Rough-winged Swallow	*Stelgidopteryx serripennis*
Barn Swallow	*Hirundo rustica*
Black-capped Chickadee	*Poecile atricapillus*
Tufted Titmouse	*Baeolophus bicolor*
Carolina Wren	*Thryothorus ludovicianus*

Table 6
New York State Breeding Bird Atlas Species for Block 7052B

Common Name	Scientific Name
House Wren	*Troglodytes aedon*
Wood Thrush	*Hylocichla mustelina*
American Robin	*Turdus migratorius*
Gray Catbird	*Dumetella carolinensis*
Northern Mockingbird	*Mimus polyglottos*
Brown Thrasher	*Toxostoma rufum*
European Starling	*Sturnus vulgaris*
Cedar Waxwing	*Bombycilla cedrorum*
Yellow Warbler	*Dendroica petechia*
Pine Warbler	*Dendroica pinus*
Prairie Warbler	*Dendroica discolor*
Common Yellowthroat	*Geothlypis trichas*
Eastern Towhee	*Pipilo erythrophthalmus*
Chipping Sparrow	*Spizella passerina*
Saltmarsh Sparrow	*Ammodramus caudacutus*
Song Sparrow	*Melospiza melodia*
Northern Cardinal	*Cardinalis*
Red-winged Blackbird	*Agelaius phoeniceus*
Common Grackle	*Quiscalus quiscula*
Brown-headed Cowbird	*Molothrus ater*
Baltimore Oriole	*Icterus galbula*
House Finch	*Carpodacus mexicanus*
American Goldfinch	*Spinus tristis*
House Sparrow	*Passer domesticus*

Notes:
*Species of Special Concern, !Threatened Species, †Endangered Species.
Sources:
NYS Breeding Bird Atlas (2000-2005) Block 7052B

Reptiles and Amphibians

The Project Site lacks vernal pools, wetlands, or other surface waters required by many reptile and amphibian species. The New York State Herp Atlas Project (1990-1999) recorded observations of 23 species of reptiles and amphibians as occurring within the Southampton USGS Quadrangle, in which the Project Site is located (see **Table 7**). However, only a smaller subset of these species have the potential to be present.

Table 7
Reptiles and Amphibians Observed within the Southampton USGS Quadrangle during the New York State Herp Atlas Project (1990-1999)

Common Name	Scientific Name
Spotted salamander	*Ambystoma maculatum*
Eastern tiger salamander†	*Ambystoma tigrinum*
Fowler's toad	*Anaxyrus fowleri*
Loggerhead turtle!	*Caretta*
Green sea turtle!	*Chelonia mydas*
Common snapping turtle	*Chelydra serpentina*
Painted turtle	*Chrysemys picta*
Spotted turtle*	*Clemmys guttata*
Northern ringneck snake	*Diadophis punctatus*
Eastern mud turtle†	*Kinosternon subrubrum*
Kemp's Ridley sea turtle†	*Lepidochelys kempii*
Bullfrog	*Lithobates catesbeianus*
Green frog	*Lithobates clamitans*
Wood frog	*Lithobates sylvaticus*
Northern diamondback terrapin	*Malaclemys terrapin*
Red-spotted newt	*Notophthalmus viridescens*
Northern redback salamander	*Plethodon cinereus*
Northern spring peeper	*Pseudacris crucifer*
Eastern spadefoot toad*	*Scaphiopus holbrookii*
Common musk turtle	*Sternotherus odoratus*
Eastern box turtle*	*Terrapene carolina*
Common garter snake	*Thamnophis sirtalis*
Red-eared slider	*Trachemys scripta*

Notes:
*Species of Special Concern,!Threatened Species, †Endangered Species.
Sources:
NYS Herp Atlas Project (1990-1999) for USGS Southampton Quadrangle

ENDANGERED, THREATENED AND SPECIAL CONCERN SPECIES

The USFWS IPaC response identifies the northern long-eared bat (*Myotis septentrionalis*; threatened), piping plover (*Charadrius melodus*; threatened), red knot (*Calidris canutus rufa*; threatened), monarch butterfly (*Danaus plexippus*; candidate), sandplain gerardia (*Agalinis acuta*; endangered), and seabeach amaranth (*Amaranthus pumilus*; threatened) as having the potential to occur in the Project Site. No critical habitats were identified in the Project Site.

The NYNHP response identifies the piping plover and least tern (*Sternula antillarum*; threatened) as having the potential to occur within a half-mile of the Project Site. The NYNHP response does not identify any significant natural communities in the Project Site.

The 2000-2005 New York State Breeding Bird Atlas also identified piping plover, least tern, osprey (*Pandion haliaetus*; special concern), and whip-poor-will as occurring in Block 7052B, in which the Project Site is located.

The 1990-1999 New York State Amphibian & Reptile Atlas Project (Herp Atlas) identified the eastern tiger salamander (*Ambystoma tigrinum*; endangered), spotted turtle (*Clemmys guttata*; special concern), eastern box turtle (*Terrapene carolina*; special concern), eastern mud turtle (*Kinosternon subrubrum*; endangered), eastern spadefoot toad (*Scaphiopus holbrookii*; special concern), loggerhead sea turtle (*Caretta*; threatened), green sea turtle (*Chelonia mydas*; threatened), and Kemp's Ridley sea turtle (*Lepidochelys kempii*; endangered) as occurring in the Southampton USGS Quadrangle, in which the Project Site is located. As discussed under "Reptiles and Amphibians," the Project Site lacks vernal pools, wetlands, or other surface waters. Therefore, eastern tiger salamander, spotted turtle, eastern mud turtle, loggerhead sea turtle, green sea turtle, and Kemp's Ridley sea turtle are unlikely to occur within the Project Site.

Northern Long-eared Bat

The northern long-eared bat is a federally and state-listed threatened species. The northern long-eared bat is a temperate, insectivorous bat that hibernates in caves or mines during winter and then emerges in early spring, with males dispersing and remaining solitary until mating season at the end of the summer, and pregnant females forming maternity colonies in which to rear young. Outside of the winter hibernation period, northern long-eared bats generally inhabit mature, closed-canopy, deciduous or mixed forest within heavily forested landscapes (Owen et al. 2003, Carter and Feldhammer 2005, Ford et al. 2005). The northern long-eared bat is considered a forest-dependent species that is sensitive to fragmentation and urbanization and requires interior forest for both foraging and breeding (Foster and Kurta 1999, Broders et al. 2006, Henderson et al. 2008). Although they may occur in urbanized areas (Whitaker et al. 2004, Johnson et al. 2008) and will occasionally utilize buildings and other artificial structures rather than trees for roosting (Timpone et al. 2010, USFWS 2013), urban northern long-eared bats tend to occur near large, forested parks or other green spaces with abundant tree cover (Johnson et al. 2008). Summer occurrences of northern long-eared bats have been recorded in the Town of Southhampton, however, no known hibernacula exist within 0.25 miles of the Project Site. Therefore, northern long-eared bats are unlikely to occur within the Project Site. Northern long-eared bats were not observed during the October 14, 2021 reconnaissance investigation.

Piping Plover

Piping plover is a federally-listed threatened and state-listed endangered shorebird. Piping plovers use wide, open expanses of unvegetated, coastal beach for habitat (Elliot-Smith and Haig 2004). The breeding range of the piping plover within New York State is limited to the coastlines of Long Island, where plovers nest from Queens to eastern Suffolk County (Wasilco 2008). The Project Site lacks wide, open expanses of unvegetated beach that piping plover utilize for habitat. Therefore, piping plover do not have the potential to occur within the Project Site. Piping plover were not observed during the October 14, 2021 reconnaissance investigation.

Red Knot

The *rufa* subspecies of the red knot migrates up to 30,000 miles round trip between primary wintering grounds in South America and breeding grounds in the high arctic, with conditions for refueling at staging sites along the Atlantic coast being critical determinants of migration and reproductive success and overall survival (Baker et al. 2004, Morrison et al. 2007). The Project Site does not include beaches, bays, or estuaries that red knot use for staging. Therefore, red knot are not expected to occur within the Project Site. Red knot were not observed during the October 14, 2021 reconnaissance investigation.

Monarch Butterfly

The monarch butterfly is a candidate species for listing under the Endangered Species Act. Monarch butterflies in North America undergo a fall migration to Mexico or southern California, sometimes traveling thousands of miles to overwinter. A reverse migration occurs in the spring, with adult monarch butterflies spreading across the United States and Canada, where they feed and breed. Monarch butterflies are important pollinators, as the adults feed on nectar from a variety of plants. Larvae, however, are dependent on milkweed (primarily *Asclepias* species). Adult breeding monarch butterflies and larvae utilize a variety of habitat types as long as there is access to larval host plants, including agricultural fields, prairies, pastures, gardens, roadsides, and urban/suburban areas. The primary threats to monarch butterfly populations are the loss of breeding and overwintering habitat, parasites, climate change, and confusion of host plants with invasive species from Europe (e.g., black swallow-wort [*Cynanchum louiseae*] and pale swallow-wort [*Cynanchum rossicum*]). Monarch butterfly have the potential to occur within the Project Site. Monarch butterfly were not observed during the October 14, 2021 reconnaissance investigation.

Osprey

Osprey are state-listed special concern piscivorous (feeding primarily on fish) birds of prey, and thus live near rivers, lakes, or the coast. Female osprey lay between one and four eggs (three eggs on average) during the early spring. Osprey utilize standing dead trees and man-made structures (including nest platforms) as locations to build their nest. Use of the insecticide DDT caused the thinning of raptor eggshells, including osprey, resulting in a sharp decline in populations. DDT was banned during the early 1970s throughout the United States, resulting in the gradual recovery of breeding osprey populations (NYSDEC 2015). Osprey have the potential to utilize the standing dead trees within the Project Site as nesting sites. Osprey and osprey nests were not observed during the October 14, 2021 reconnaissance investigation.

Whip-poor-will

The whip-poor-will is a state-listed special concern bird. Whip-poor-wills occur in dry deciduous or evergreen-deciduous forest with little or no underbrush, close to open areas (Poole 2005). The Project Site contains evergreen-deciduous forest (i.e., pitch pine-scrub oak barrens). Therefore, whip-poor-will have the potential to occur within the Project Site. Whip-poor-will were not observed during the October 14, 2021 reconnaissance investigation.

Least Tern

The least tern is a federally-listed endangered and state-listed threatened species of bird. The least tern is a colonial seabird that nests on open, sparsely vegetated sand beaches and dredge spoil sites. New York State's populations of least terns declined 21 percent during the 1980's and 1990's

(Rosenberg and Burger 2008) but appear to have since stabilized at around 3,000 pairs (Wasilco 2008). The Project Site lacks wide, open expanses of unvegetated beach that least tern utilize for habitat. Therefore, least tern do not have the potential to occur within the Project Site. Least tern were not observed during the October 14, 2021 reconnaissance investigation.

Eastern Box Turtle

The eastern box turtle is relatively common in New York State, but populations are in decline and the species is state-listed as a species of special concern (Gibbs et al. 2007). Eastern box turtles are found in forests and a variety of open or successional habitats, usually near ponds or streams, and prefer habitats with sandy, well-drained soils (Mitchell et al. 2006, Gibbs et al. 2007). While the Project Site includes forested habitat with sandy, well-drained soils, the closest waterbody or wetland is the Shinnecock Canal, which is isolated from the Project Site due to bulkheads and roads. Therefore, eastern box turtle do not have the potential to occur within the Project Site. Eastern box turtle were not observed during the October 14, 2021 reconnaissance investigation.

Eastern Spadefoot Toad

The eastern spadefoot toad is a state-listed species of special concern in New York (NYSDEC 2016). It is a medium-sized toad, possesses smooth brown or olive skin and scattered warts, and has golden yellow eyes (NYNHP 2015, Burke and Feinberg 2013). Eastern spadefoot toads are nocturnal (Burke and Feinberg 2013). Eastern spadefoots reside in habitats with dry, sandy soils and loose soils (NYNHP 2015, Conant and Collins 1998). Associated ecological communities include pine barrens vernal ponds, pitch pine-scrub oak barrens, and red cedar rocky summits (NYNHP 2015). It usually only emerges from its burrow after heavy rains or lengthy wet periods during the warmer months of the year (Conant and Collins 1998). Eastern spadefoot toads have the potential to occur, but not to breed within the Project Site. Eastern spadefoot toads were not observed during the October 14, 2021 reconnaissance investigation.

Seabeach Amaranth

Seabeach amaranth is an annual herbaceous plant. It grows along sandy beaches of the Atlantic coast where there is accreting shoreline, upper beach, foredune, or overwash flat; as well as at beach nourishment sites (USFWS 2012). These habitats do not occur within the Project Site. Therefore, seabeach amaranth does not have the potential to occur in the Project Site. Seabeach amaranth was not observed during the October 14, 2021 reconnaissance investigation.

Sandplain Gerardia

Sandplain gerardia is a federally and state-listed endangered species. Sandplain gerardia grows primarily within maritime grasslands, Hempstead plains grasslands, and other open grasslands (NYNHP 2021). Suitable habitat for sandplain gerardia does not exist in the Project Site. Therefore, sandplain gerardia does not have the potential to occur in the Project Site. Sandplain gerardia was not observed during the October 14, 2021 reconnaissance investigation.

ASSESSMENT OF POTENTIAL IMPACTS

The Project is expected to result in minimal impacts to natural resources. An evaluation of the construction and operation of the Project on the groundwater, ecological communities, wildlife, and endangered, threatened and special concern species is presented in the following sections.

ECOLOGICAL COMMUNITIES

As discussed under "Existing Conditions," ecological communities within the Project Site are limited to pitch pine-scrub oak barrens and rural structure exterior. Through consultation with the Town, it is understood many of the existing trees have been infested by the invasive Southern Pine Beetle (*Dendroctonus frontalis)* and are dead. CS Battery Storage will work with the Town to coordinate the handling of dead and/or infested trees, removing trees within 10 feet of any proposed equipment. All vegetation clearing and tree removal would occur between December 1 and February 28 to minimize impacts to potential roosting species and when the Southern Pine Beetle is dormant. During construction, orange construction fencing will be installed to demarcate the limits of clearing. While the tree removal and vegetation clearing may alter ecological communities within the Project Site, the pitch pine-scrub oak barrens ecological community is relatively common within the vicinity of the Project Site. Therefore, the Project will not adversely affect ecological communities.

WILDLIFE

Wildlife within the Project Site is likely to be limited to disturbance-tolerant wildlife species. Any wildlife within the Project Site would likely relocate to similar habitat in the surrounding area during construction and operation of the Project. Therefore, the Project will not adversely affect wildlife.

ENDANGERED, THREATENED AND SPECIAL CONCERN SPECIES

Suitable habitat for piping plover, red knot, least tern, eastern box turtle, seabeach amaranth, and sandplain gerardia does not exist within the Project Site. Therefore, these species are unlikely to occur within the Project Site and will not be adverse affected by the Project.

Northern Long-eared Bat

Northern long-eared bats are unlikely to occur within the Project Site because no known hibernacula exist within 0.25 miles of the Project Site. However, all tree removal would occur between December 1 and February 28 to avoid potential impacts to northern long-eared bat. Therefore, the Project will not adversely affect northern long-eared bats.

Monarch Butterfly

Monarch butterflies have the potential to forage or breed within the Project Site. Clearing of vegetation from the Project Site would occur between December 1 and February 28, therefore monarch butterflies would not be affected by construction of the Project. During operation of the Project monarch butterflies would be able to utilize similar habitat in the vicinity of the Project Site. Therefore, the Project will not adversely affect monarch butterfly.

Osprey

Osprey have the potential to utilize standing dead trees within the Project Site as nesting sites. Therefore, tree removals would occur between December 1 and February 28 when osprey are not nesting. Osprey that may occur in the Project Site are likely to relocate similar habitat within the vicinity of the Project Site during construction and operation of the Project. Therefore, the Project will not adversely affect osprey.

Whip-poor-will

Whip-poor-will have the potential to occur within the Project Site. Clearing of vegetation and tree removal from the Project Site would occur between December 1 and February 28 when whip-poor-wills would be absent from the Project Site. During construction and operation of the Project whip-poor-will are likely to relocate to more suitable habitat within the vicinity of the Project Site. Therefore, the Project will not adversely affect whip-poor-will.

Eastern Spadefoot Toad

Eastern spadefoot toads have the potential to occur but not to breed within the Project Site. Construction and operation of the Project would not adversely affect vernal pools and therefore would not adversely affect breeding eastern spadefoot toads. Clearing of vegetation and tree removal from the Project Site would occur between December 1 and February 28. Therefore, the Project will not adversely affect eastern spadefoot toads.

SUMMARY AND CONCLUSIONS

The Project Site is located on a parcel consisting of pitch pine-scrub oak barrens and rural structure exterior ecological communities surrounded by the Sunrise Highway and its exit ramp and offers habitat suitable only to disturbance-tolerant species. Vegetation clearing and tree removals would occur between December 1 and February 28, during a time period when many wildlife species are either inactive or have migrated away from the Project Site for the winter. There are no endangered, threatened, or special concern species expected to be adversely affected by construction and operation of the Project. Therefore, no adverse impacts to natural resources will result from the construction and operation of the Project.

Q. TRAFFIC AND TRANSPORTATION

This section addresses issues relative to traffic and transportation, including a review of the existing roadway network and traffic operations in the vicinity of the Project Site.

EXISTING CONDITIONS

The Project is located off North Road. **Figure 15** illustrates the Project Site and surrounding roadways. Major north-south arterial corridors include North Road directly adjacent to the Project Site and the Sunrise Highway running east and west just north of the Site.

TRUCK ROUTES

The major NYSDOT roadways within the half-mile study include Sunrise Highway (NY-27) and Montauk Highway (Suffolk County Road 80). The Project is located between Sunrise Highway and the affiliated entrance and exit ramp.

Sunrise Highway – Sunrise Highway runs east and west with 2-lanes of traffic in each direction. Near the Project Site, the speed limit is 45 MPH, however it converges into a major roadway with lights, intersections, and a slower speed limit further east. The Project Site is located at Exit 66 – North Road, Shinnecock.

Montauk Highway – Montauk Highway is another major roadway located south of the Project Site. The roadway runs east and west and is one-lane with an additional turning lane within the study area. The speed limit within the study area is 45 MPH.

PUBLIC TRANSPORTATION

The Site is accessible by the Suffolk County Transit bus route S92 and the LIRR Montauk Beach route.

ASSESSMENT OF POTENTIAL IMPACTS

During construction, anticipated Project-related traffic will consist of commuting construction workers and material/equipment deliveries. An average 50 workers will be on Project Site during peak construction periods. An appropriate parking plan will be developed in consultation with the Town and located within or in the vicinity of the Project Site to accommodate the construction workforce. Construction is anticipated to occur between the hours of 7:00 AM and 6:00 PM, Monday through Friday. Access to the Project Site will be from the new North Road entrance.

It is anticipated that Project-related deliveries and construction crews will utilize Sunrise Highway or Montauk Highway from the east and west. Deliveries can be dispersed throughout the day and scheduling of large deliveries will avoid the roadway peak hours.

Based on the limited number of construction workers, the temporary construction of the Proposed Project will not have a significant impact on traffic operating conditions and the existing traffic roadway network will be able to support the anticipated traffic. Roadway improvements will not be required for the construction of the Project. Further, the Project will not require any work in public rights-of-way utilized by the general city population such as sidewalks, vehicular street infrastructure, and will have no impact on waterway, subways or bridges. Staging of materials for the construction of the Project will be within the lease area and will not result in localized vehicular traffic congestion created by street barriers or enclosures typically associated with construction in city environments.

After completion of the Project, the operation of the BESS will result in minimal traffic in the area as the Project Site will be primarily unmanned. Therefore, Project-related traffic during operations will not have a significant impact on traffic operating conditions and the existing traffic roadway network.

R. NOISE

This section summarizes the noise standards and guidelines that are applicable to the Project, the existing ambient noise conditions in the Project area and the potential impacts of the Project with respect to noise.

APPLICABLE STANDARDS AND GUIDELINES

Noise levels associated with the construction and operation of the Project will be subject to the emission source provisions of the Town of Southampton.

TOWN OF SOUTHAMPTON NOISE CODE

The Town of Southampton Noise Code Chapter 235 defines specifics related to, general noise prohibitions, limitations of noise and noise sources which are exempt from code. Specifically, §235-3 defines noise standards and limits for residential and commercial/industrial districts. The Town of Southampton includes articles of exceptions for energy storage projects in excess of 600 kWh. Specifically, Chapter 330: Zoning, Article XVII. Special Exception Uses §330-162.21.

Battery energy storage systems in excess of 600 kWh – Subsection J states "*Noise. The one-hour average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall comply with noise standards found in §235-3B"* as follows:

B. No person shall create or cause to be emitted any noise which, when measured at or beyond any lot line of the property on which such noise is being generated in a commercial or industrial district, exceeds the following standards:

(1) From 7:00 a.m. to 7:00 p.m.:

(a) Airborne sound in excess of 70 dBA's; or

(b) Airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands

Commercial / Industrial District Daytime Octave Band Sound Pressure Level Limits									
	Octave Band Center Frequency (cycles per second)								
	31.5	***63***	***125***	***250***	***500***	***1,000***	***2,000***	***4,000***	***8,000***
Octave Band Sound Pressure Level Decibels (re 20 µPA)	*85*	*80*	*74*	*67*	*62*	*58*	*53*	*50*	*47*

(2) From 7:00 p.m. to 7:00 a.m.:

(a) Airborne sound in excess of 55 dBA's; or

(b) Airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands

Commercial / Industrial District Nighttime Octave Band Sound Pressure Level Limits									
	Octave Band Center Frequency (cycles per second)								
	31.5	***63***	***125***	***250***	***500***	***1,000***	***2,000***	***4,000***	***8,000***
Octave Band Sound Pressure Level Decibels (re 20 µPA)	*78*	*73*	*67*	*60*	*55*	*51*	*46*	*43*	*40*

EXISTING CONDITIONS

The Project Site is located at 24 North Road in the Town of Southampton, Suffolk County, New York. The Sunrise Highway runs immediately adjacent to the north of the site, and the site is bound by highway off-ramps and North Road which is west of the site. The closest residences are north of the site opposite the Sunrise Highway, and one southwest of the site on the opposite side of North Road.

ASSESSMENT OF POTENTIAL IMPACTS

CONSTRUCTION NOISE

Construction of the Project will generate noise from construction equipment, construction vehicles, and delivery vehicles traveling to and from the Site. Noise levels caused by construction

activities will vary widely, depending on the phase of construction—grading, excavation, foundation, placement of the structures, etc.—and the specific task being undertaken. All construction activities will be conducted in full compliance with existing regulations, including use of mufflers on all construction equipment, as well as local day and hour construction limitations.

Various State and federal requirements mandate that certain classifications of construction equipment and motor vehicles be used to minimize adverse impacts. Thus, construction equipment will meet specific noise emission standards. Usually, noise levels associated with construction and equipment are identified for a reference distance of 50 feet, as shown in **Table 8.**

Table 8
Typical Noise Emission Levels For Construction Equipment

8Equipment Item	Noise Level at 50 Feet (dBA)
Air Compressor	81
Asphalt Spreader (paver)	89
Asphalt Truck	88
Backhoe	85
Bulldozer	87
Compactor	80
Concrete Plant	83(1)
Concrete Spreader	89
Concrete Mixer	85
Concrete Vibrator	76
Crane (derrick)	76
Delivery Truck	88
Diamond Saw	90(2)
Dredge	88
Dump Truck	88
Front End Loader	84
Gas-driven Vibro-compactor	76
Hoist	76
Jack Hammer (Paving Breaker)	88
Line Drill	98
Motor Crane	93
Pile Driver/Extractor	101
Pump	76
Roller	80
Shovel	82
Truck	88
Vibratory Pile Driver/Extractor	89(3)

Notes:

[1] Wood, E.W., and A.R. Thompson, Sound Level Survey, Concrete Batch Plant; Limerick Generating Station, Bolt Beranek and Newman Inc., Report 2825, Cambridge, MA, May 1974.

[2] New York State Department of Environmental Conservation, Construction Noise Survey, Report No. NC-P2, Albany, NY, April 1974.

[3] F.B. Foster Company, Foster Vibro Driver/Extractors, Electric Series Brochure, W-925-10-75-5M.

Sources:

Patterson, W.N., R.A. Ely, And S.M. Swanson, Regulation of Construction Activity Noise, Bolt Beranek and Newman, Inc., Report 2887, for the Environmental Protection Agency, Washington, D.C., November 1974, except for notated items.

Significant noise levels typically occur nearest the construction activities and may reach as high as 90 A-weighted decibels (dBA) under worst-case conditions. The level of noise impacts at local receptors will depend on the noise characteristics of the equipment, the activities involved, the hours of operation, and the location of sensitive noise receptors. Noise levels will decrease with distance from the construction area. Increased noise levels at the Site due to construction activity can be expected to be most significant during the early construction phases involving tree clearing and grading, and intermittent based on the equipment in use and the work being done.

OPERATIONAL NOISE

The Project will include multiple BESS cabinets that produce no noise but require temperature control through cooling units which are proposed as either side-mounted or rooftop units on each cabinet. In addition, switchgear and a 138 kV step-up transformer are proposed as part of this Project to support interconnection to the LIPA/PSEG-LI transmission grid.

As detailed in **Appendix D**, an analysis was performed to determine whether noise levels produced by the Project will be expected to result in exceedances of the Town Noise Code. While actual equipment procured may vary, the noise emission of the procured equipment will be equivalent to, or quieter than, the equipment modeled for the Project. Future noise levels with the Project in operation were predicted at the receiving property categories in accordance with the Town Noise Code. The noise levels from the Project are predicted to be compliant with the Town Noise Code limits.

CONCLUSION

As discussed above, the noise analysis for the Project demonstrates compliance with applicable noise regulations. Consequently, the Project will not result in any significant adverse noise impacts.

Figures

AKRF

Legend

Project Boundary

Canal Southampton Battery Storage LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, New York

0 2,000 4,000 Feet

1 inch = 2,000 feet

Figure 1
Site Location Map

Drawing Date: 10/26/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 2_Aerial.mxd

AKRF

Legend

Project Boundary

0 1,000 2,000 Feet

1 inch = 1,000 feet

Canal Southampton Battery Storage LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, New York

Figure 2
Site Aerial

Drawing Date: 12/7/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 3 Tax Map.mxd

AKRF

Legend

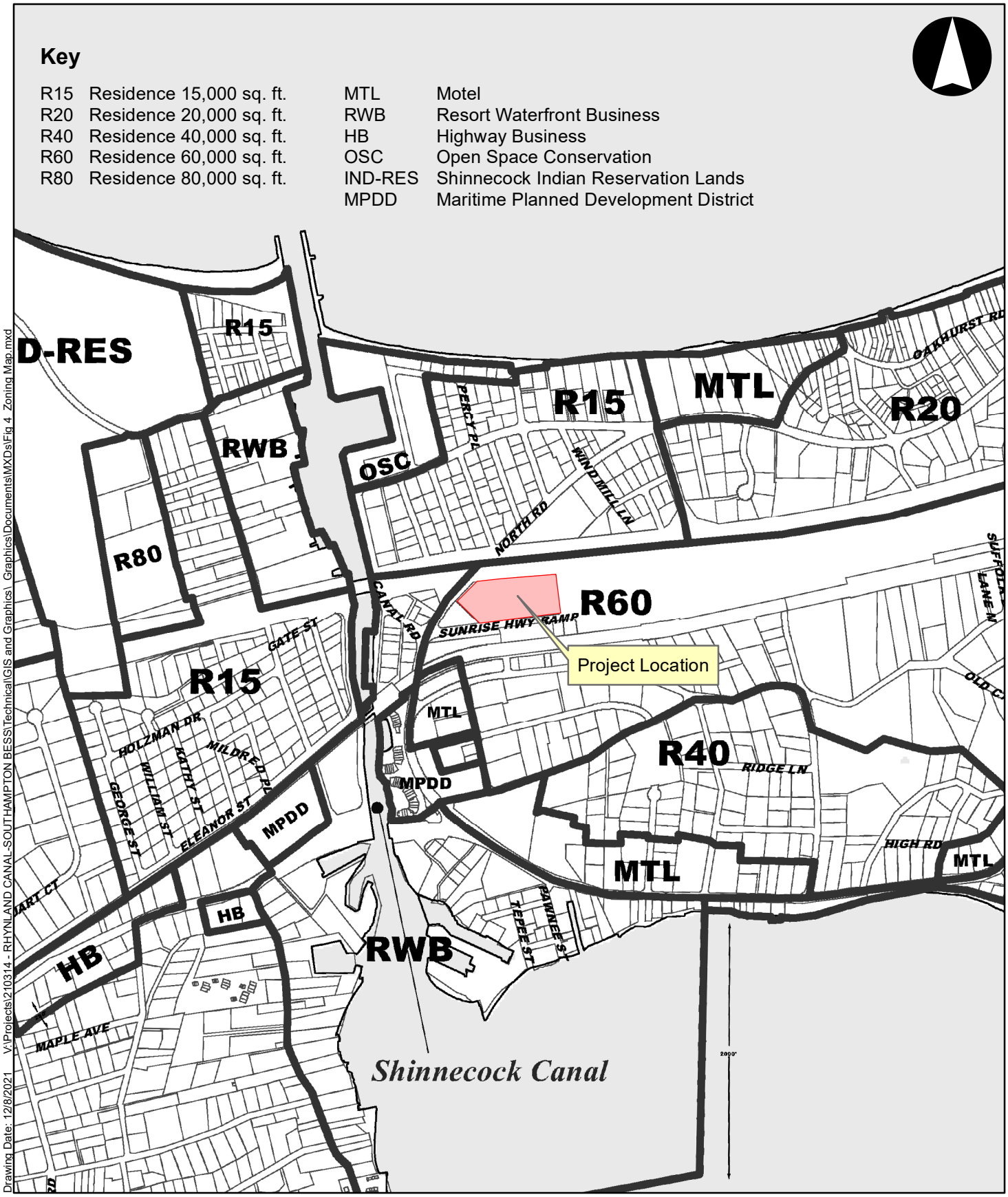
- Project Boundary
- Tax Parcel

0 150 300 Feet

1 inch = 150 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 3
Tax Map



Drawing Date: 12/8/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 4 Zoning Map.mxd

OAKRF

Legend

Project Boundary

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

0 1,000 2,000 Feet

1 inch = 1,000 feet

Figure 4
Zoning Map

Drawing Date: 12/9/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 5_Community Facilities Map.mxd

OAKRF

Legend

- Half Mile Buffer
- Project Boundary
- Parks

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

0 900 1,800 Feet

1 inch = 900 feet

Note: No churches, schools, or libraries located within half a mile of the Project.

Figure 5
Community Facilities Map

Drawing Date: 3/14/2022 V:\Projects\210191 - HAUGLAND GREENPORT BESS\Technical\GIS and Graphics\ Graphics\Documents\MXDs\Fig 6 Cultural Resources Map Rev1.mxd

AKRF

Legend

- Half Mile Buffer
- Project Boundary
- Archaeology Surveys
- S/NRHP-eligible structures

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 6
Cultural Resources Map

Drawing Date: 3/14/2022 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 7_Visual Resources Map.mxd

AKRF

Legend

- Half Mile Buffer
- Project Boundary
- Visual Resources

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 7
Visual Resources Map

Drawing Date: 12/9/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics\ Graphics\Documents\MXDs\Fig 8 EJ Map.mxd

AKRF

Legend

- Half Mile Buffer
- Project Boundary
- Potential Environmental Justice Area

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 8
Potential Environmental Justice Areas

Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 9 Soils Map.mxd

AKRF

Legend

- Half Mile Buffer
- Project Boundary
- Bs
- CpA
- CpC
- CpE
- CuB
- CuC
- Fs
- Gp
- HDA
- HVU
- PIA
- PIB
- PIC

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 9
Soils Map

Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 10_Aquatic Resources Map.mxd

AKRF

Legend

- Half Mile Buffer
- Project Boundary
- NWI Wetlands

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 10
Aquatic Resources Map

Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 11_FEMA Firm Map.mxd

AKRF

Legend

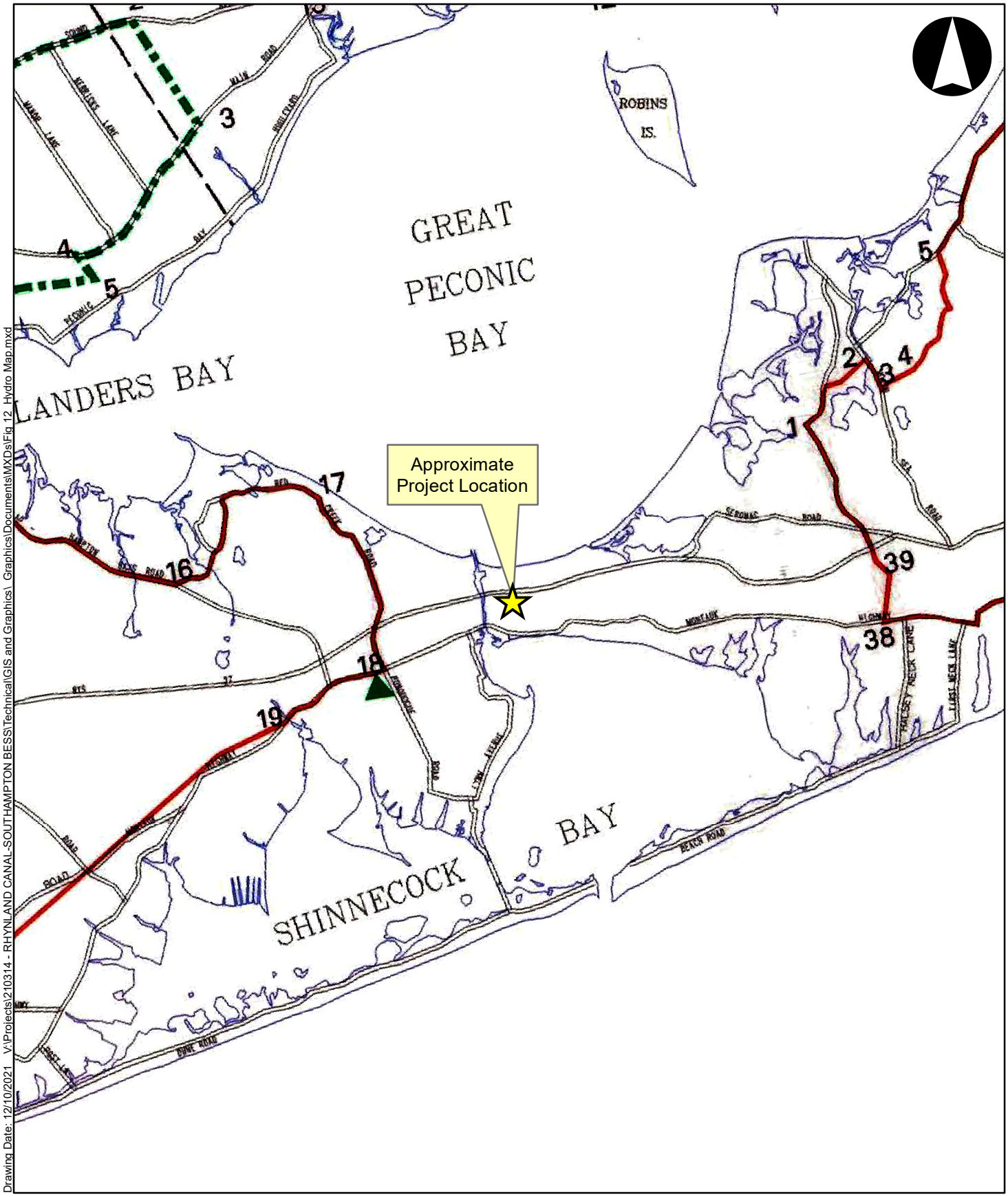
- Half Mile Buffer
- Project Boundary
- 100 Year Floodplain
- Velocity Zone
- 500 Year Floodplain

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 11
FEMA Firm Map



Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 12_Hydro Map.mxd

AKRF

Legend

Approximate Project Location

0 8,000 16,000 Feet

1 inch = 8,000 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 12
Groundwater Resources Map

Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics\ Graphics\Documents\MXDs\Fig 13_NYSDEC ERM Map.mxd

OAKRF

Legend

- Half Mile Buffer
- Project Boundary
- Rare Plants or Animals

Note: No significant natural communities located within a half mile of the Project site.

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 13
NYSDEC ERM Map

Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics_Graphics\Documents\MXDs\Fig 14_Critical Env Areas Map.mxd

AKRF

Legend

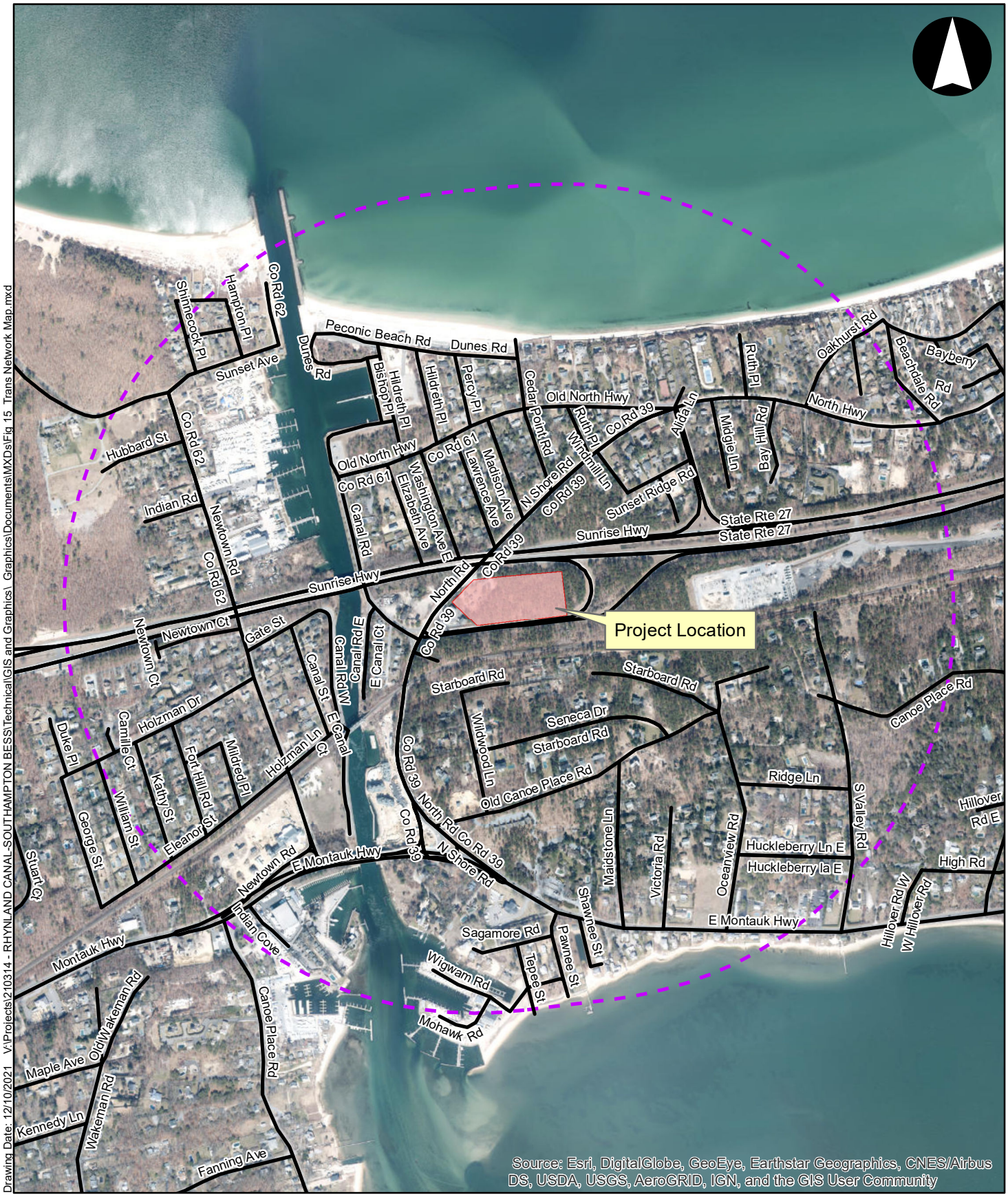
- Half Mile Buffer
- Project Boundary
- Critical Environmental Areas

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 14
Critical Environmental Areas Map



Drawing Date: 12/10/2021 V:\Projects\210314 - RHYNLAND CANAL-SOUTHAMPTON BESS\Technical\GIS and Graphics\ Graphics\Documents\MXDs\Fig 15 Trans Network Map.mxd

OAKRF

Legend

- Half Mile Buffer
- Project Boundary
- Streets

0 900 1,800 Feet

1 inch = 900 feet

Canal Southampton Battery Storage, LLC
CS Battery Storage Project
Town of Southampton, Suffolk County, NY

Figure 15
Transportation Network Map

Appendix A

SEQRA Full Environmental Assessment Form and EAF Mapping Tool Results

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: CS Battery Storage Project		
Project Location (describe, and attach a general location map): 24 North Road, Southampton, NY 11968		
Brief Description of Proposed Action (include purpose or need): Canal Southampton Battery Storage LLC seeks to develop an 100 MW/200 MWh, stand-along energy storage facility in the PSEG Long Island (PSEG-LI) service territory, located in New York Independent System Operator (NYISO) Zone K. The Project is located at 24 North Road in the Town of Southampton, Suffolk County, New York. The Project Site consists of one tax parcel (SCTM 208.000-0001-002.000) and is approximately 4.9 acres in size. The property is located within the R-60 residential zone. The facility will include energy storage units and associated power conversion system (PCS) enclosures that will connect to an on-site auxiliary substation before interconnecting to LIPA's existing Canal Substation located to the west. The Project will include driveway access from North Road for maintenance and emergency access.		
Name of Applicant/Sponsor: Canal Southampton Battery Storage, LLC	Telephone: (832) 203-6468 E-Mail: Ernesto.Pereda@trafigura.com	
Address: 1209 Orange Street		
City/PO: Wilmington	State: DE	Zip Code: 19801
Project Contact (if not same as sponsor; give name and title/role): Gus J. Hadidi	Telephone: (401) 215-4000 E-Mail: ghadidi@rhynland.com	
Address: 750 Lexington Avenue		
City/PO: New York	State: NY	Zip Code: 10022
Property Owner (if not same as sponsor): Ralph Fuccillo	Telephone: (516) 586-8300 E-Mail: rcfralph@optonline.net	
Address: 274-C West Montauk Highway		
City/PO: Hampton Bays	State: NY	Zip Code:11946

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	See Attached Permit Listing	TBD
c. City, Town or Village Zoning Board of Appeals ☑Yes ☐No	See Attached Permit Listing	TBD
d. Other local agencies ☐Yes ☐No		
e. County agencies ☑Yes ☐No	See Attached Permit Listing	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	See Attached Permit Listing	TBD
h. Federal agencies ☑Yes ☐No	See Attached Permit Listing	TBD

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R60 - Residence with minimum 60,000 sf of lot area

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Hampton Bays School District

b. What police or other public protection forces serve the project site?
Southampton Town Police Department

c. Which fire protection and emergency medical services serve the project site?
Hampton Bays Fire District and Hampton Bays Volunteer Ambulance

d. What parks serve the project site?
The Meschutt Beach, Sunset Ave Canal Fishing Area, and Shinnecock Marina are all located just north of the project site. South of the project site is the Prime Marina Southampton, Mariners Cove Marina, and Shinnecock Bay.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Utility (Battery Energy Storage System)

b. a. Total acreage of the site of the proposed action? 4.89 acres
b. Total acreage to be physically disturbed? 3.77 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.0 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 6 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

*See General Arrangement in Appendix B of EEA

i. Total number of structures See Gen. Arr

ii. Dimensions (in feet) of largest proposed structure: 7' 6" height; 12' 6" width; and 55' 10" length

iii. Approximate extent of building space to be heated or cooled: N/A square feet

**The are no buildings proposed, but the BESS cabinets will require HVAC units*

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? **Project may require water for fire protection only.* ☐Yes ☑No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. The existing project site is currently undeveloped and wooded. The wooded area would be cut, cleared, and leveled to allow for construction of the proposed energy storage facility and accompanying equipment.

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Uncompacted gravel and porous pavement will be utilized throughout the site and allow for infiltration.

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☑No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

**Project will not result in additional demand for electricty. The Project will draw and discharge electricty from/to the existing grid.*

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 AM to 6:00 PM
- Saturday: none planned*
- Sunday: none planned*
- Holidays: none planned*

ii. During Operations:

- Monday - Friday: 24 hours/day, 7 days/week
- Saturday: 24 hours/day, 7 days/week
- Sunday: 24 hours/day, 7 days/week
- Holidays: 24 hours/day, 7 days/week

**Unless special circumstances arise to support construction. Applicant would request approval from the Town in advance.*

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Construction noise will be temporary, localized, and limited to the hours of construction. During operation, the proposed project is not expected to exceed NYSDEC noise impact criteria.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: Tree clearing will be required for construction of the Project; however, supplemental landscaping will be planted following the completion of construction. The other wooded areas outside the Project Site will remain untouched and unaffected.

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Dark-sky compliant security fixtures will be installed and will only activate during an emergency or security threat.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☑ Yes ☐ No

Describe: Tree clearing will be required for construction of the Project; however, supplemental landscaping will be planted following the completion of construction. The other wooded areas outside the Project Site would remain untouched and unaffected.

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per _____ (unit of time)
- Operation : 0 (none expected) tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Solid waste will be generated during construction of the Project. All generated construction wastes will be managed in accordance with all regulatory requirements.
- Operation: Operation of the Project is not anticipated to generate solid waste.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: During construction, the Construction Contractor will be responsible for the proper management and disposal of any solid waste during construction. All construction-generated wastes will be managed in accordance with applicable regulatory requirements.
- Operation: Operation of the Project is not anticipated to generate solid waste. At the end of their useful life, batteries will be recycled at an appropriate licensed facility.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Transportation (highway and rail)

ii. If mix of uses, generally describe:

The Project Site is zoned as residential and has a main building with four accessory structures located on the premises. It is bound by a highway to the north, a road salt storage facility and railway to the south, and residential and commercial uses to the west. It is surrounded by wooded areas.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.72	1.24	0.53
• Forested	4.18	1.55	-2.62
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0.59	0.59
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Pervious Gravel	0	1.5	1.5

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:_____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 6.56 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Carver and Plymouth soils (CpC)	100 %
	%
	%

d. What is the average depth to the water table on the project site? Average: 6.56 feet

e. Drainage status of project site soils:

☑	Well Drained:	100 % of site
☐	Moderately Well Drained:	% of site
☐	Poorly Drained	% of site

f. Approximate proportion of proposed action site with slopes:

☑	0-10%:	100 % of site
☐	10-15%:	% of site
☐	15% or greater:	% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☑ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☑ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☑ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Sole Source Aquifer Names:Nassau-Suffolk SSA

m. Identify the predominant wildlife species that occupy or use the project site:
General wildlife

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation):
Marine Back-barrier Lagoon, Marine Eelgrass Meadow

ii. Source(s) of description or evaluation: EAF Mapper

iii. Extent of community/habitat:

- Currently: 6411.3, 755.65 acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened):
Least Tern, Piping Plover

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No

If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name:

ii. Basis for designation:

iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

The Shinnecock Canal is potentially eligible for inclusion in the NRHP under Criterion A in Maritime History and Transportation for its association with boating in Hampton Bays and under Criterion C in Architecture and Engineering as an example of a late 19th century canal, with a period of significance of 1884-1892 as the canal's construction date

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Edward J. Warner Sr "Old" Ponquogue Bridge Marine State Park, Sears Bellows County Park, Hubbard County Park, Shinnecock Canal, Shinnecock Bay, and Meschutt Beach

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Canal Southampton Battery Storage, LLC Date May 18, 2022

Signature _____ Title Representative

PRINT FORM

EAF Mapper Summary Report

Thursday, October 21, 2021 10:05 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Sole Source Aquifer Names:Nassau-Suffolk SSA
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Marine Back-barrier Lagoon, Marine Eelgrass Meadow
E.2.n.i [Natural Communities - Acres]	6411.3, 755.65

E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Least Tern, Piping Plover
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Canal Southampton Battery Storage, LLC CS Battery Storage Project Summary of Anticipated Permits, Approvals and Consultations			
Agency		**Permit/Approval/Consultation**	**Agency Action**
Federal	U.S. Fish and Wildlife Service (USFWS)	Threatened and Endangered Species Review and Consultation *(required to support discretionary approvals)*	Determination if federally regulated species or their habitats are potentially present on-site.
	Federal Energy Regulatory Commission (FERC)	Exempt Wholesale Generator (EWG) Self Certification	Certification for owners or operators of eligible facilities selling electric energy at wholesale.
	U.S. Environmental Protection Agency (USEPA)	Spill Prevention, Control and Countermeasure (SPCC) Plan *(potential)*	An SPCC Plan is required for facilities having a total above ground oil storage capacity of 1,320 gallons, including any oil filled equipment having a storage capacity greater than 55 gallons.
New York State	New York State Independent System Operator (NYISO)	Large Facility Interconnect Approval	LIPA Transmission System Interconnection approval for BESS project greater than 20 MW
	New York State Public Service Commission (NYSPSC)	Public Service Law § 68 Certificate of Public Convenience and Necessity *(discretionary approval)*	BESS projects that have a capacity greater than 80 MW require a Section 68 CPCN. A Section 68 Petition for a CPCN is filed with the NYSPSC for their review and approval, prior to construction.
	New York State Department of Environmental Conservation (NYSDEC)	New York Natural Heritage Program (NYNHP), Threatened and Endangered Species Inventory Review Article 11, 6 NYCRR Part 182 *(required to support discretionary approvals)*	Consultation letter sent to the NYNHP to determine if the Project will impact any protected plant or animal species habitat.
		SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)	Required for land disturbances that exceed greater than one acre
	New York State Office of Parks, Recreation and Historic Preservation (OPRHP)	The New York State Historic Preservation Act of 1980 Review and Consultation – "Determination of No Effect" *(required to support discretionary approvals)*	Consultation letter sent to the OPRHP to determine if the Project will impact any cultural and/or historic resources.
	New York State Department of Transportation (NYSDOT)	Utility Crossing and Highway Work Permit	Approval required for the proposed interconnection connection to the Canal Substation via an underground crossing of the Sunrise Highway entry/exit ramps.

Canal Southampton Battery Storage, LLC CS Battery Storage Project Summary of Anticipated Permits, Approvals and Consultations			
Agency		**Permit/Approval/Consultation**	**Agency Action**
Suffolk County	Suffolk County Water Authority (SCWA), New Construction Service	New Fire Protection Service Line Construction/Backflow Prevention Device approval *(potential)*	Approval for expansion of existing service line and fire loop to serve the new facility.
	Suffolk County Planning Commission	Site Plan Advisory Review	Site Plan Application advisory review comments to Town Planning Board
	Suffolk County Department of Public Works, Division of Planning and Permits	Highway Work Permit (Curb Cut Permit) *(potential)*	Approval for new curb cut from North Road (Suffolk County Route 39B)
Town of Southampton	Planning Board	Special Exception Use Approval (*discretionary* approval)	Approval of a special exception is required for energy storage project in R-60 Zoning District
		Site Plan Approval *(discretionary approval)*	Review and approval of Project Site Plan Application to demonstrate compliance with Town requirements and performance standards
		State Environmental Quality Review Act (SEQRA) *(required to support discretionary approvals)*	Conduct coordinated SEQRA review and issue SEQRA Determination to support Project development
		MS4 Stormwater Pollution Prevention Plan (SWPPP) review	Town Stormwater Management Officer approval of SWPPP required under Chapter 285 of Town Code
	Architectural Review Board	Architectural Review *(potential)*	Required for any application for Site Plan Approval to confirm conformance of building structures exterior with Town Codes
	Building & Zoning Division	Building Permit(s)	Permits to construct BESS structures per New York State Uniform Fire Prevention and Building Code and Energy Conservation Construction Code and other applicable Town requirements, including permits for temporary construction site trailers, in accordance with Town Code Chapter 123.
		Certificate of Occupancy	Required prior to occupancy and issued upon inspection by Building Inspector (Town Code § 250-44)

Appendix B

Project Conceptual Drawings

CANAL-SOUTHAMPTON BESS PROJECT

SITE DRAWINGS

24 N SHORE ROAD

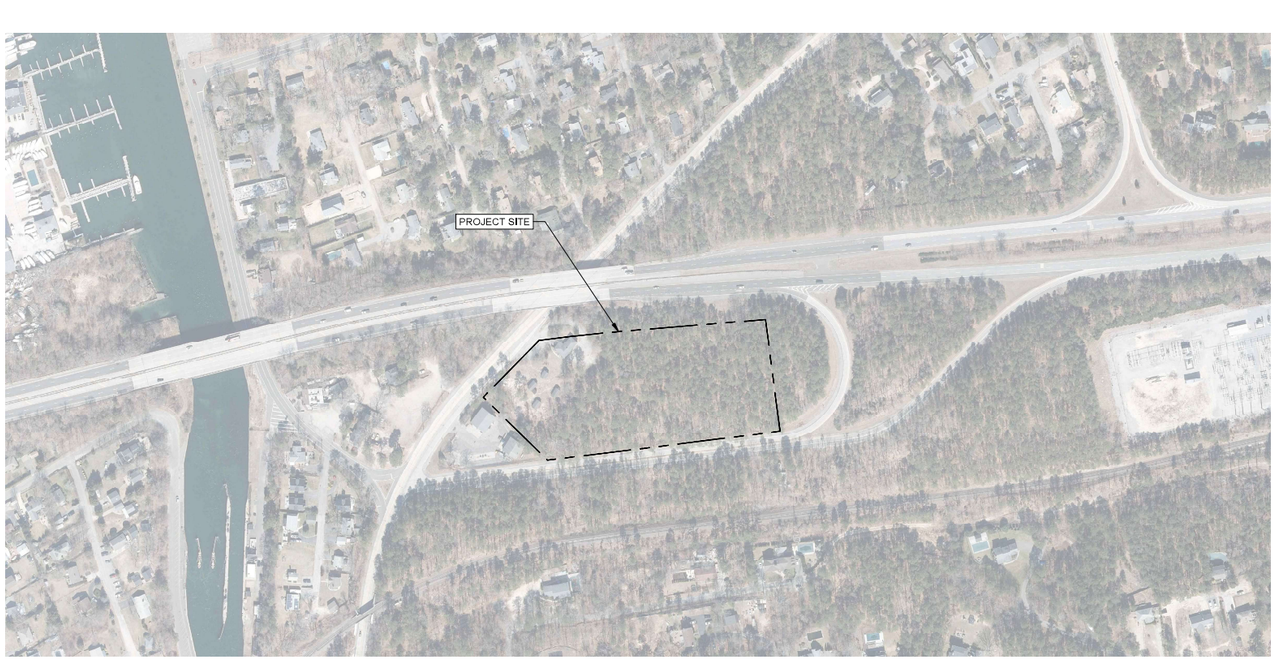
HAMPTON BAYS, NY 11968

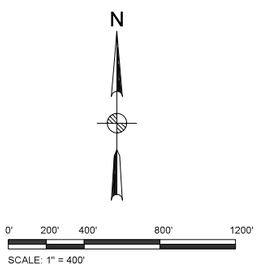
Civil					
Dwg. No.	Drawing Title	Date	Rev.	Date	Rev.
RHYN-CS-C-001	Cover Sheet	05/09/22	C		
RHYN-CS-C-101	Existing Conditions and Demolition Plan	05/09/22	C		
RHYN-CS-C-201	Erosion and Sediment Control Plan	05/09/22	C		
RHYN-CS-C-301	Site Plan/Grading and Drainage Plan	05/09/22	C		
RHYN-CS-C-302	Fire Marshal Plan	05/09/22	A		
RHYN-CS-C-401	General Notes	05/09/22	C		
RHYN-CS-C-402	Civil Details	05/09/22	C		
RHYN-CS-C-403	Civil Details	12/15/21	B		
RHYN-CS-C-404	Civil Details	12/15/21	B		
RHYN-CS-C-405	Road Details	12/15/21	B		

** THESE DESIGN DRAWINGS HAVE BEEN CREATED AT THE DIRECTION OF A PROFESSIONAL ENGINEER LISENCED IN THE STATE OF NEW YORK.

Electrical							
Dwg. No.	Drawing Title	Date	Rev.	Date	Rev.	Date	Rev.
RHYN-CS-E-201	Canal - Southampton BESS Project Single Line Diagram	12/06/21	B	12/17/21	C	01/25/22	D
RHYN-CS-E-210	Canal - Southampton BESS Project General Arrangement - Electrical Site Plan	11/10/21	A	12/06/21	B	12/17/21	C
RHYN-CS-E-211-01	Canal - Southampton BESS Project PCS And Bess Detail	11/10/21	A	12/06/21	B	12/17/21	C
RHYN-CS-E-211-02	Canal - Southampton BESS Project MV Switchgear - Elevation Views	11/10/21	A	12/06/21	B	12/17/21	C
RHYN-CS-E-211-03	Canal - Southampton BESS Project HV Substation Longitudinal Elevation View	11/10/21	A	12/06/21	B	12/17/21	C
RHYN-CS-E-211-04	Canal - Southampton BESS Project Typical Auxilliary Power Station Plan and Elev.	11/10/21	A	12/06/21	B	12/17/21	C
RHYN-CS-E-216	Canal - Southampton BESS Project Lighting Plan	12/06/21	A	12/17/21	B		
RHYN-CS-E-502-01	Canal - Southampton BESS Project Trench Details	12/06/21	A	12/17/21	B		
RHYN-CS-E-502-02	Canal - Southampton BESS Project Auxiliary Trench Details	12/06/21	A	12/17/21	B		

** THESE DESIGN DRAWINGS HAVE BEEN CREATED AT THE DIRECTION OF A PROFESSIONAL ENGINEER LISENCED IN THE STATE OF NEW YORK.





SCALE: 1" = 400'

APPLICANT
CANAL SOUTHAMPTON
BATTERY STORAGE, LLC
1209 ORANGE STREET
WILMINGTON, DE 19801

ENGINEER
MOTT MACDONALD NY, INC.
111 WOOD AVENUE SOUTH
ISELIN, NJ 08830-4112

I HEREBY GRANT APPROVAL TO THIS PLAN

SIGNATURE: _____ DATE: _____

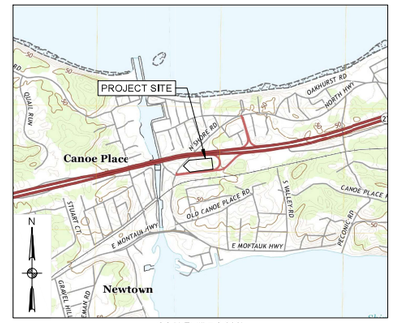
OWNER: _____

APPROVED BY THE PLANNING BOARD
TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, N.Y.

DATE: _____ MEMBER: _____

MEMBER: _____

Vicinity Map



SCALE: 1" = 2,000'

Site Data

PARCEL GRID #
SCTM 900-208-1-2

PROPERTY OWNER
N.R.O. CORP

SITE ADDRESS
24 N SHORE ROAD
HAMPTON BAYS, NY 11968

JURISDICTION
TOWN OF SOUTHAMPTON

ZONING
RESIDENTIAL (R-60)

ACRES
4.9

CAPACITY (AC)
100 MW

ENERGY
200 MWh

Rev	Date	Drawn	Description	Ch'k'd	App'd
C	05/09/22	DW	ISSUED FOR PERMIT	MC	MH
B	12/15/21	DW	ISSUED FOR PERMIT	MC	MH
A	11/18/21	DW	ISSUED FOR REVIEW	MC	MH

MOTT MACDONALD

Mott MacDonald NY Inc,
111 Wood Avenue South
Iselin, NJ 08830-4112
United States
T +1 (973) 379-3400
F +1 (973) 376-1072
W www.mottmac.com

Client

RHYNLAND

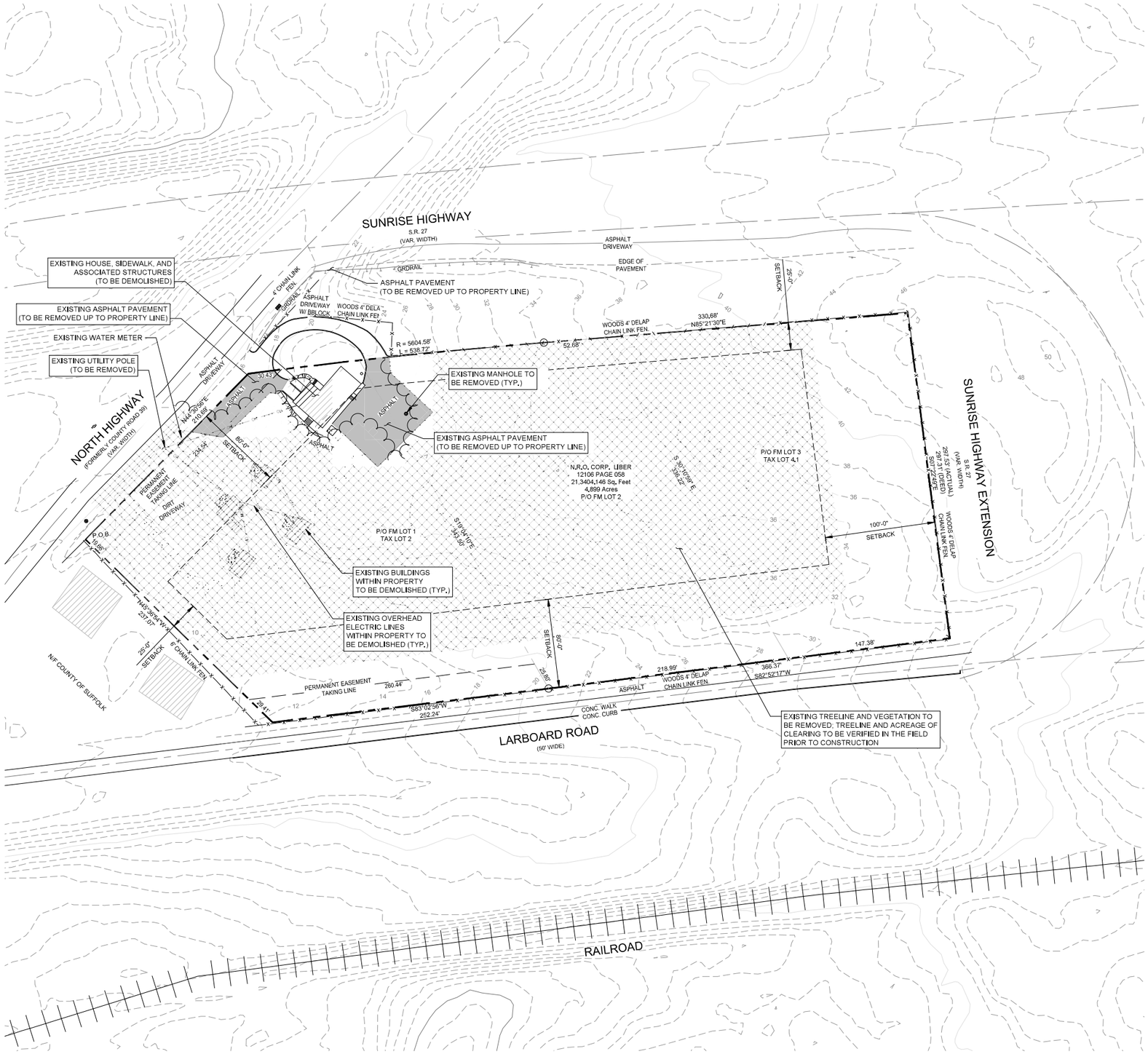
Title

CANAL - SOUTHAMPTON
BESS PROJECT
COVER SHEET

STATE OF NEW YORK
WILLIAM MICHAEL CLARK
LICENSED PROFESSIONAL ENGINEER
5/9/2022

Designed	JR	Check	MC
Drawn	DW	Approved	MH
Scale at ANSI D	AS SHOWN	Date	05/09/2022
Rev	C		

Drawing Number
RHYN-CS-C-001



TREE CLEARING NOTES:

1. APPROXIMATELY 3.58 ACRES OF TREES TO BE REMOVED BY THIS PROJECT. ACREAGE OF TREE CLEARING TO BE VERIFIED PRIOR TO CONSTRUCTION.
2. ALL TREES OUTSIDE OF TREE REMOVAL LIMITS SHALL REMAIN IN PLACE, SUBJECT TO INPUT FROM THE SOUTHAMPTON CHIEF ENVIRONMENTAL ANALYST WITH REGARDS TO SOUTHERN PINE BEETLE MANAGEMENT.

ALTA SURVEY PROVIDED BY

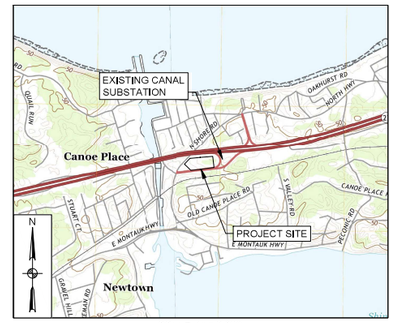
SCALICE LAND SURVEYING, PC
1 S. Bay Avenue
Islip, NY 11751
631-957-2400

N

0' 25' 50' 100' 150'

SCALE: 1" = 50'

Vicinity Map



SCALE: 1" = 2,000'

Site Data

PARCEL GRID # SCTM 900-208-1-2	PROPERTY OWNER N.R.O. CORP	SITE ADDRESS 24 N SHORE ROAD HAMPTON BAYS, NY 11968
JURISDICTION TOWN OF SOUTHAMPTON	ZONING RESIDENTIAL (R-60)	ACRES 4.9
CAPACITY (AC) 100 MW	ENERGY 200 MWh	

Legend

- PROPERTY BOUNDARY
- PROPERTY (ADJOINER)
- MAJOR CONTOUR (10' INTERVAL TYP.)
- MINOR CONTOUR (2' INTERVAL TYP.)
- EXISTING TREELINE/ VEGETATION
- TREE REMOVAL

Rev	Date	Drawn	Description	Ch'k'd	App'd
C	05/09/22	DW	ISSUED FOR PERMIT	MC	MH
B	12/15/21	DW	ISSUED FOR PERMIT	MC	MH
A	11/18/21	DW	ISSUED FOR REVIEW	MC	MH

MOTT MACDONALD

Mott MacDonald NY Inc.
111 Wood Avenue South
Iselin, NJ 08830-4112
United States
T +1 (973) 379-3400
F +1 (973) 376-1072
W www.mottmac.com

Client

RHYNLAND

Title

CANAL - SOUTHAMPTON BESS PROJECT EXISTING CONDITIONS AND DEMOLITION PLAN

STATE OF NEW YORK
WILLIAM MICHAEL CLARK
No. 096414
LICENSED PROFESSIONAL ENGINEER
5/9/2022

Designed	JR	Check	MC
Drawn	DW	Approved	MH
Scale at ANSI D 1" = 50'		Date 05/09/2022	Rev C

Drawing Number RHYN-CS-C-101