



NEW YORK STATE SENATOR

Kenneth P. LaValle

# **LaValle/Thiele LIPA/PSEG Notification Bill Approved**

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June 26, 2018



STATE LEGISLATURE GIVES FINAL PASSAGE TO LEGISLATION REQUIRING PUBLIC NOTICE FOR ALL ABOVE GROUND TRANSMISSION LINE PROJECTS BY LIPA/PSEG-LI

June 26, 2018 — New York State Senator Ken LaValle and New York State Assemblyman Fred Thiele today announced that the State Legislature has given final passage to legislation they sponsored requiring LIPA/PSEG-LI to give detailed public notice of any proposed above ground transmission line project to the affected community, including elected officials, local governments, and residents. Such notice would have to be provided before a determination of environmental significance is made under the State Environmental Quality Review Act (SEQRA).

The legislation shall apply to all new above ground transmission facilities constructed within the LIPA Service area. Notice shall be provided by first class mail to (a) each municipality in which any portion of such facility is to be located, both as primarily proposed and in the alternative locations listed. Notice to a municipality shall be addressed to the chief executive officer; (b) each member of the legislature through whose district the facility or any alternate proposed in the application would pass; and (c) each utility customer within 500 feet of the transmission facility.

The public notice shall be provided by LIPA before the environmental significance of the project is determined by the authority, pursuant to SEQRA.

LIPA would not be permitted to construct any transmission facility without first providing public notice.

The public notice shall provide the following information:

- (a) the location of the site or right-of-way;
- (b) a description of the transmission facility to be built thereon;
- (c) the environmental assessment or environmental impact statement prepared for the action, pursuant to article eight of the environmental conservation law;
- (d) a summary of any studies which have been made of the environmental impact of the project, and a description of such studies;
- (e) a statement explaining the need for the facility;
- (f) a description of any reasonable alternate location or locations for the proposed facility;

(g) a description of the comparative merits and detriments of each location submitted; and

(h) a statement of the reasons why the primary proposed location is best suited for the facility.

Copies of the environmental assessment form, environmental impact statement and studies referred to in the notice shall be filed with LIPA and shall be available for public inspection.

Assemblyman Fred Thiele stated, "Recent electric transmission projects initiated by LIPA and PSEG-LI have failed to provide for adequate public notice or community involvement. The lack of public involvement has resulted in controversy and costly litigation. In both East Hampton and Eastport, projects have been undertaken in rural, historic, and residential neighborhoods creating adverse environmental impacts to visual resources and community character. The spirit of the State Environmental Quality Review Act (SEQRA) has been repeatedly violated. This legislation amends the Public Authorities Law to remedy this situation. This legislation provides local governments, elected officials and residents with the opportunity to participate early in the review process and make LIPA aware of community and environmental concerns when considering the construction of a utility transmission facility. The result will be better decisions that reflect the concerns of the community."

Senator Ken LaValle said, "It's critically important that communities are made aware of the proposed plans or changes to the electric transmission in their area. Local governments and elected officials should receive adequate information in advance, as well. The goal of the legislation is for complete transparency in the process and to allow communities to voice their concerns."

This legislation now goes to Governor for final approval.

