

DEPARTMENT OF HOMELAND SECURITY  
SCIENCE AND TECHNOLOGY DIRECTORATE

**FINAL  
FINDING OF NO SIGNIFICANT IMPACT (FONSI) and  
FINDING OF NO PRACTICABLE ALTERNATIVE (FONPA) for  
The United States Department of Homeland Security Science  
and Technology Directorate's Undersea Cable Installation**

**PROPOSED ACTION**

The United States (U.S.) Department of Homeland Security (DHS) Science and Technology Directorate's (S&T) proposes to conduct activities relating to the abandonment in place of an existing undersea utility cable and the installation of a new undersea utility cable between Orient Point, New York (NY) and the Plum Island Animal Disease Center (PIADC) on Plum Island, NY.

**BACKGROUND AND DESCRIPTION OF PROPOSED ACTION**

DHS S&T has conducted an Environmental Assessment (EA) to assess the environmental impacts that may occur as a result of the Proposed Action pursuant to National Environmental Policy Act of 1969 (NEPA; 42 United States Code [USC] §§ 4321 et seq.); the White House Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, revision (rev.) 01, *Implementation of the NEPA*; and DHS Instruction 023-01-002-01 rev. 01, *Implementation of the NEPA*. The NEPA process also addresses requirements of the National Historic Preservation Act (54 USC § 300101 et seq.) and the Endangered Species Act (16 USC §§1531-1544).

PIADC is located on Plum Island, an 840-acre island owned by DHS and located 1.5 miles northeast of Orient Point in Suffolk County, New York within Long Island Sound. DHS S&T currently operates PIADC in cooperation with the U.S. Department of Agriculture. PIADC is comprised of numerous buildings including administrative and laboratory, industrial facilities and equipment, roadways, utilities, and specialized facilities. Additional assets on Plum Island include natural undeveloped land, the Plum Island Lighthouse complex constructed in 1869, a working harbor, as well as buildings and structures associated with the former United States Army's Coastal Artillery Corp's Fort Terry.

DHS S&T also owns and operates the Orient Point facility at Orient Point, NY, to support Plum Island. The Orient Point facility consists of two parcels: a 9.5-acre harbor facility, which is comprised of various buildings, warehouses, and ferry docking facilities; and a 0.5-acre parcel of land within Orient Point County Park that houses the utility vault, which supports the underground cabling and utilities on Plum Island.

Plum Island currently receives electrical service and fiber optic communications capabilities through two existing undersea cables connecting Orient Point and Plum Island, referred to as the M1 and M2 cables. An inspection of the cables' condition in 2022 revealed that the older cable, M1, has exceeded its 25-year lifespan and is degrading to such an extent that it is at risk of failing. Additionally, the island lacks redundant fiber optic communication measures. Because of this, DHS proposes to conduct activities related to the abandonment in-place of one of the existing undersea utility cables (M1 or M2) and the installation of a new undersea utility cable.

A new utility cable would be connected within the existing cable vaults located on Orient Point and Plum Island and would be installed underground from the shore to below the water line and then would be bottom laid through Plum Gut via a cable laying barge. The new cable would be installed between or immediately adjacent to the existing M1 and M2 cables. The Proposed Action is necessary as any potential loss of electrical or communications capabilities would significantly constrain PIADC's operational

capabilities, including its mission as well as ongoing and planned closure activities, should the cable fail in the near-term.

**ALTERNATIVES**

DHS S&T did not identify any reasonable alternatives to the Proposed Action. Under the Preferred Alternative, DHS would implement the Proposed Action, which includes conducting the activities related to the abandonment in place of an existing undersea utility cable and the installation of a new undersea utility cable between Orient Point and Plum Island, as described above. DHS S&T did consider the No Action Alternative, under which PIADC would continue to rely on the M1 and M2 cables for electrical and communications capabilities. The M1 cable would remain in danger of failing, which could significantly constrain PIADC’s operational capabilities and closure activities. While the No Action Alternative would not meet the Proposed Action’s purpose and need, it was analyzed in this EA to provide a comparative baseline for the Preferred Alternative. Additionally, DHS S&T considered four alternatives dismissed from further analysis for the Proposed Action, including, an alternative cable corridor, alternative source of electrical power, salvaging the abandoned cable, and an expedited installation schedule. These alternatives did not meet additional screening criteria; therefore, each was eliminated from further analysis. The Preferred Alternative would have equal to or less impacts than the four alternatives eliminated from further consideration.

**ANTICIPATED ENVIRONMENTAL IMPACTS**

According to the analysis in the accompanying EA, referenced herein in its entirety, implementation of the Proposed Action would result in no significant environmental impacts of an adverse nature in any resource category, in particular: air quality, biological resources, climate change, cultural and historic resources, earth resources, hazardous and toxic materials and waste, health & safety, infrastructure, noise, recreation, socioeconomics and environmental justice, water resources or cumulative impacts. Additionally, the following two resources were dismissed from analysis as there would be no potential for impacts under the Proposed Action: land use and visual resources/aesthetics.

**IMPACT MINIMIZATION MEASURES**

To avoid or minimize adverse environmental impacts to the extent practicable, DHS S&T identified best management practices (BMPs) in the EA (included herein in **Table 1**) that would be applied, as applicable, to all closure activities to ensure the avoidance of significant impacts on resources. These BMPs are considered part of the Proposed Action. If DHS S&T in coordination with USACE identifies additional BMPs as part of the jurisdictional wetland determination, DHS S&T may update its list of standard BMPs below.

**Table 1: Standard Best Management Practices for PIADC Undersea Cable Replacement Activities**

Resource	Best Management Practice
Infrastructure	<ul style="list-style-type: none"> <li>• Provide advance notice to all stakeholders (PIADC staff, utility provider, contractors, etc.) of any outages or potential service interruptions that may result from the Proposed Action.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Schedule noise-producing construction activities, such as earth moving, to occur between 7:00 a.m. and 6:00 p.m.</li> <li>• Turn off equipment when not in use.</li> <li>• Prohibiting unnecessary idling of internal combustion engines.</li> <li>• Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> </ul>

Resource	Best Management Practice
Socioeconomics and Environmental Justice	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Recreation	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Air Quality and Greenhouse Gases	<ul style="list-style-type: none"> <li>• Wet ground during excavation or grading activities to minimize dust, as needed.</li> <li>• Ensure stockpiled debris and soil are covered.</li> <li>• Ensure truckloads are covered.</li> <li>• Require a speed of less than 15 miles per hour for heavy equipment on unpaved surfaces.</li> <li>• Whenever possible, use electricity from established electrical power sources instead of generators.</li> <li>• Regularly repair and service heavy equipment to prevent excess emissions.</li> <li>• Shut down heavy equipment when not needed.</li> <li>• Clean excess soil from heavy equipment and trucks leaving the work area to prevent off-site transport of soil.</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Water Resources	<ul style="list-style-type: none"> <li>• Obtain and adhere to the National Pollutant Discharge Elimination System (NPDES) General Permit and PIADC Stormwater Pollution Prevention Plan (SWPPP) to manage erosion and stormwater discharges.</li> <li>• Obtain and adhere to all necessary water resources permits from USACE and NYSDEC to ensure the requirements of applicable regulations (e.g., CWA Sections 401 and 404) are met.</li> <li>• Conduct routine inspections of equipment and heavy machinery.</li> <li>• Maintain spill containment materials on-site.</li> </ul>
Hazardous and Toxic Materials and Waste	<ul style="list-style-type: none"> <li>• Establish containment structures for sediment removed and stored during trenching.</li> <li>• Adhere to the Spill Pollution Control and Countermeasure Plan (SPCCP).</li> <li>• Ensure spill containment materials are contained on-site and require vessels to maintain spill containment and spill response kits.</li> <li>• Develop a Vessel Response Plan to respond to and address inadvertent releases.</li> <li>• Adhere to standard protocols for refueling at marine refueling stations.</li> </ul>

Resource	Best Management Practice
Biological Resources	<ul style="list-style-type: none"> <li>• Inspect and thoroughly clean heavy machinery to remove rhizomes and seeds to minimize the potential distribution of invasive species.</li> <li>• Avoid maritime dunes during onshore cable installation activities to the maximum extent practicable.</li> <li>• Conduct a red knot survey not more than seven days prior to beginning onshore construction to identify potential species presence. If red knots are identified, maintain a 500-foot buffer, and notify USFWS.</li> <li>• Inspect areas within 660 feet (200 meters) of onshore cable replacement activities involving heavy machinery and where loud and intrusive noise may be created for special status species. If any special status species or migratory nesting birds are observed, modify project activities (e.g., scheduling and phasing) to ensure no adverse impacts to these species.</li> <li>• Adhere to time-of-year-restrictions for piping plover and roseate tern for onshore construction work between April 1 and September 1.</li> <li>• If bald eagle nests are discovered, coordinate with USFWS and implement measures included in the USFWS's National Bald Eagle Management Guidelines (i.e., establishing buffers around nesting sites or observing seasonal restrictions).</li> <li>• Vessels would travel at a slow, safe speed (i.e., approximately 6 knots) when in the proximity and/or path of a marine mammal and leave the area, if possible, to avoid potential vessel collisions.</li> <li>• Provide NMFS with a copy of the deliverables created following the pre-installation survey, including but not limited to, revised site plans, methods, best management practices, and any additional measures to avoid and minimize impacts to the aquatic environment, at least 30 days prior to the installation and laying of the cable.</li> <li>• DHS S&amp;T will reinitiate consultation with NMFS should the anticipated project disturbances be greater than anticipated, if complex bottom habitat may be disturbed, or if any boulders are identified that will need to be moved prior to placing the cable.</li> </ul>
Cultural Resources	<ul style="list-style-type: none"> <li>• If unanticipated and previously unidentified archaeological resources are discovered, pause all ground-disturbing work and notify the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officers (THPOs) to coordinate a path forward.</li> </ul>

Resource	Best Management Practice
Health and Safety	<ul style="list-style-type: none"> <li>• Ensure all watercraft operators have the proper licenses, are aware of safety procedures and emergency protocols, and that all equipment is regularly inspected and maintained in good working order, including safety gear, navigational lights, and communication devices.</li> <li>• Keep close watch of weather conditions and pause all operations in the event of severe weather.</li> <li>• Adhere to the Safety Zone Determination identified in consultation with USCG.</li> <li>• Prepare an emergency response plan for cable installation and abandonment activities and ensure personnel are informed of the plan.</li> <li>• Use proper storage and handling procedures for Hazardous Toxic Materials and Waste (HTMW).</li> <li>• Operate machinery according to standard protocols.</li> <li>• Comply with all applicable federal, state, and local regulations regarding health and safety.</li> <li>• Comply with applicable design and construction standards to minimize electrical hazards during and after cable laying activities.</li> <li>• Use fencing or marking to identify the construction site within Orient Point County Park as off-limits to the public.</li> </ul>
Earth Resources	<ul style="list-style-type: none"> <li>• Implement erosion and sediment control measures specified in the SWPPP and NPDES General Permit (e.g., silt fences, check dams, etc.).</li> <li>• Implement pollution prevention activities identified in the SWPPP.</li> <li>• Adhere to the SPCCP.</li> </ul>

### STAKEHOLDERS, ELECTED OFFICIALS, AND PUBLIC INVOLVEMENT

The EA has been coordinated with appropriate stakeholders, including federal, state, and local agencies, non-governmental organizations, and Native American Tribes having an interest in the Proposed Action. An early public notice was published in the *Suffolk Times* and *Riverhead News Review*, on September 28, 2023, seeking advanced public comment on the Proposed Action regarding its potential impacts. The public comment period for this early notice ended on October 28, 2023, and comments were received from two government agencies and 1 non-governmental organization. Comments were summarized in a Scoping Report included in **Appendix A** of the EA and addressed as appropriate in the EA.

Additionally, a Notice of Availability was published on January 25, 2024, in the *Suffolk Times* and *Riverhead News Review* newspapers to announce the availability of the Draft EA and Draft FONSI/FONPA and initiate the public review period, which concluded 30 days later on February 24, 2024. The 30-day public review period provided an opportunity to comment on the Proposed Action. The Draft EA and Draft FONSI/FONPA were made available on the DHS website at: <https://www.dhs.gov/dhs-compliance-national-environmental-policy-act> and printed copies of the Draft EA and Draft FONSI/FONPA were made available in hard copy at the Floyd Memorial Library at 539 1st Street, Greenport, New York 11944 and the Southold Free Library at 53705 Main Road, Southold, New York 11971 for public review. DHS S&T received comments on the Draft EA from the New York State Historic Preservation Office and Save the Sound. These comments have been addressed and incorporated into the Final EA, as appropriate.

**FINDING OF NO PRACTICABLE ALTERNATIVE**

Tasks to facilitate the Preferred Alternative would occur within the Federal Emergency Management Agency’s (FEMA) 100-year floodplain, and potentially within wetlands. These tasks include cable abandonment, upland and in-water trenching along the coastlines of Plum Island and Orient Point, and cable laying. No impacts to the long-term function of the 100-year floodplain have been identified, nor is there an increased potential for flooding either on-site or off-site. Proposed work is necessary in these coastal areas; therefore, there is no practicable alternative to working in the floodplain.

Pursuant to Executive Orders 11988, *Floodplain Management* and 11990, *Protection of Wetlands*, and information presented in the Draft EA, there is no practicable alternative to the Preferred Alternative, and the Proposed Action includes all practicable measures to minimize harm to the environment. This finding fulfills the requirements of the referenced Executive Orders for a FONPA.

**FINDING OF NO SIGNIFICANT IMPACT**

The EA for this project was prepared according to NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, DHS Directive 023-01 rev 01, and DHS Instruction 023-01-002-01 rev. 01, and other pertinent environmental statutes, regulations, executive orders, and compliance requirements. The analyses described in the EA demonstrate that the Proposed Action would result in no significant impact on the environment. As a result, no additional analysis or documentation (i.e., Environmental Impact Statement) is required under NEPA or CEQ’s Regulations Implementing the Procedural Provisions of NEPA. DHS would continue to utilize all practical means to minimize or avoid the potential for adverse impacts to the human and natural environment.

**CONCLUSION**

Based on the information presented in the EA, the undersigned find that the Proposed Federal Action is consistent with the existing national environmental policies and objectives as set forth in NEPA, and that it will not significantly affect the quality of the human environment.



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