

ATTACHMENT 9



**PRELIMINARY HISTORIC
RESOURCES DETERMINATION**

December 6, 2021

**Homeland Towers
9 Harmony Street
Danbury, Connecticut 06810**

**Re: Proposed Telecommunications Facility
1837 Ponus Ridge Road
New Canaan, Connecticut**

On behalf of Homeland Towers, All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to the proposed Facility's potential effects on historic resources proximate to the referenced project site.

APT completed an independent review of the National Register of Historic Places ("NRHP") and SHPO files to determine if any listed sites, or sites eligible for listing, are located proximate to the Site. The results of our review revealed that no such resources are located within one-half mile of the site.¹ Further, no state-registered sites are located proximate to the project site. A cultural resource screening map is provided as an attachment to this memorandum.

As part of its obligations for compliance with the National Environmental Policy Act ("NEPA"), Homeland Towers will be submitting required documentation to the State Historic Preservation Office ("SHPO") for that agency's review and determination. The SHPO submission will be prepared by a qualified architectural historian that meets criteria developed by the Secretary of the Interior. That process has not yet been initiated.

Based on our research, it is APT's opinion that the proposed Facility would have no effect on historic properties listed or eligible for listing on the NRHP.

Sincerely,

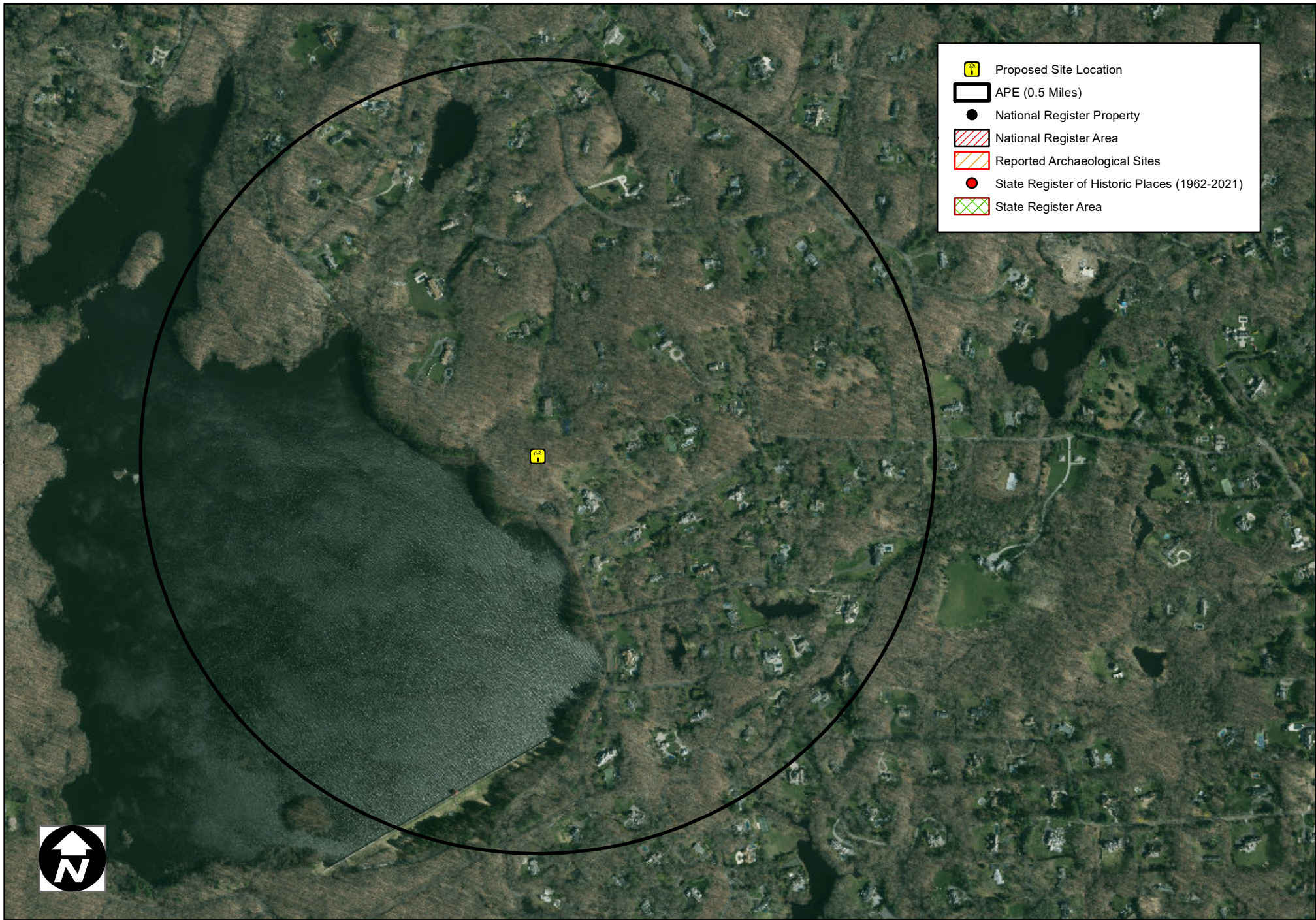
A handwritten signature in black ink that reads "Brian Gaudet".

Brian Gaudet
Project Manager

Attachment

¹ For towers under 200 feet tall, the Area of Potential Effect ("APE") has been established at 0.5 mile. This distance represents the APE established cooperatively by the Federal Communications Commission, Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.

Cultural Resource Screening Map



Cultural Resources Screen

CT283860 New Cannan Nw 1837 Ponus Ridge Road, New Cannan CT

December 3, 2021 \ USGS QUAD: Pound Ridge



USFWS & NDDB COMPLIANCE

April 1, 2022

Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810

Re: CT050 New Canaan Northwest, 1837 Ponus Ridge Road, New Canaan, CT
APT Job No: CT283860

On behalf of Homeland Towers, LLC ("Homeland"), All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to possible federally- and state-listed, Endangered, Threatened, or Special Concern species in order to determine if the proposed referenced telecommunication facility ("Facility") would result in a potential adverse effect to listed species.

APT understands that Homeland Towers proposes to construct a wireless telecommunications facility within forested upland areas in the northeastern portion of 1837 Ponus Ridge Road in New Canaan, Connecticut ("Subject Property"). The proposed Facility and 12-foot wide gravel access consists of mature hardwood upland forest dominated by red, white, and black oak and sugar maple overstory.

USFWS

The federal rare species consultation was completed in accordance with Section 7 of the Endangered Species Act through the U.S. Fish and Wildlife Service's ("USFWS") Information, Planning, and Conservation System ("IPaC"). Based on the results of the IPaC review, two federally listed¹ threatened species are known to occur in the vicinity of the Subject Property documented as the northern long-eared bat ("NLEB"; *Myotis septentrionalis*²) and bog turtle (*Clemmys muhlenbergii*). As a result of this preliminary finding, APT performed an evaluation to determine if the proposed referenced Facility would result in a likely adverse effect to NLEB and bog turtle.

Northern Long-eared Bat

The proposed Facility and access drive would be located within a forested area requiring ±0.92 acre of tree clearing (trees provide potential NLEB habitat). A review of the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural Diversity Data Base ("NDDB") NLEB habitat map³ revealed that the proposed Facility is not within 150 feet of a known occupied NLEB maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed Facility is located ±6.1 miles to the southwest in Greenwich.

¹ Listing under the federal Endangered Species Act

² The U.S. Fish and Wildlife Service announced a proposal to reclassify the northern long-eared bat as endangered under the Endangered Species Act on March 22, 2022.

³ *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance map*. March 6, 2019.

APT submitted the effects determination using the NLEB key within the IPaC system for the proposed Facility (the "Action"). This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the USFWS's January 5, 2016, intra-Service Programmatic Biological Opinion ("PBO") on the Final 4(d) Rule for the NLEB for Section 7(a)(2) compliance.

Based upon the IPaC submission, the Action is consistent with activities analyzed in the PBO; please refer to the enclosed January 6, 2022 USFWS letter. The Action may affect NLEB; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). If the USFWS does not respond within 30 days from the date of the letter (February 5, 2022), one may presume that the IPaC-assisted determination was correct and that the PBO satisfies and concludes Homeland's responsibilities for this Action under ESA Section 7(a)(2) with respect to NLEB. No response was received from USFWS; therefore, the Action complies with ESA Section 7(a)(2) with respect to NLEB.

In addition, Homeland would consider the following additional USFWS voluntary conservation measures, where appropriate and as the project schedule allows, as encouraged in the April 29, 2016 FCC Public Notice⁴, to reduce the potential impacts of activities in NLEB.

- Conduct tree removal activities outside of the NLEB pup season (June 1-July 31) and active season (April 1-October 31) to minimize impacts to pups at roosts not yet identified.
- Avoid clearing suitable spring staging and fall swarming habitat within a five-mile radius of known or assumed NLEB hibernacula during the staging and swarming seasons (April 1-May 15 and August 15-November 14, respectively). *Not applicable.*
- Maintain dead trees (snags) and large trees when possible.
- Use herbicides and pesticides only if unavoidable. If necessary, spot treatment is preferred over aerial application.
- Minimize exterior night lighting, opting for down-shielded, motion-sensor security lights to keep light within the boundaries of the Subject Property, avoiding constant illumination lighting.

Bog Turtle

Bog turtle habitat consists of specific wetland habitat types comprised of wet meadows, pastures and fens that have developed in limestone (calcareous) derived soils. The "Bog Turtle (*Clemmys muhlenbergii*), Northern Population, Recovery Plan" (M.W. Klemens, compiler, May 15, 2001) and Amphibians and Reptiles of Connecticut and Adjacent Regions (M.W. Klemens, 1993) identifies bog turtle habitat as "*calcareous wet meadows, pastures, and fens, usually bordered by shrub and red-maple swamps... [that are] characterized by a continuous flow of water seeping through the saturated surface soil and [contain] an extremely diverse vegetational community*" and "*Bog Turtles inhabit small pockets of open-canopy habitat located within these diverse and dynamic wetland ecosystems.*"

One wetland area was delineated in proximity to the proposed Facility, consisting of hillside seep, closed-canopy, forested wetland system associated with an interior diffuse intermittent watercourse the flows to the south/southwest into nearby Laurel Reservoir located across Ponus Ridge Road. Numerous seep outbreaks were observed along the delineated wetland edge of this resource. This wetland area is formed in acidic glacial till deposits classified as Charlton-Chatfield complex and Canton and Charlton soils and underlain by schist bedrock known as the Trap Falls Formation. Trap Falls

⁴ Federal Communications Commission. *Tower Construction Guidance for Protection of Northern Long-Eared Bat Under the Endangered Species Act*. Public Notice DA 16-476. April 29, 2016

Formation is described as a gray to silvery, partly rusty weathering, medium-grained generally well layered schist, composed of quartz, sodic plagioclase, biotite, muscovite, and garnet, locally with sillimanite or kyanite, interlayered with two-mica gneiss and granulite and with amphibolite. Limestone (calcareous) influenced soils and bedrock do not occur on or adjacent to the Subject Property.

Based on this assessment of potential suitable habitat for bog turtle, it was determined that preferred habitat of bog turtles is not supported by the Subject Property wetland. In further support of this conclusion, consultation with the CTDEEP Natural Diversity Data Base (discussed in the following section) did not reveal the potential presence of bog turtle in the vicinity of the Subject Property. Therefore, no effect to bog turtle, a wetland dependent species, would result from the proposed Facility.

APT submitted the bog turtle effects determination using the biological assessment key within the IPaC system for the proposed Facility (the "Action"). A USFWS Biological Assessment dated March 31, 2022 was completed through the IPaC system documenting the Facility would have no effect on bog turtle; please refer to the enclosed Biological Assessment.

NDDB

According to the most recent DEEP NDDB maps, the proposed Facility is located within a shaded NDDB buffer area and therefore could potentially conflict with listed rare species. Please refer to the enclosed NDDB Map. APT submitted a NDDB review request with DEEP to identify State-listed Endangered, Threatened, and Special Concern species occurring in the vicinity of the proposed Facility and if the proposed activity could potentially conflict with listed species.

DEEP issued a January 7, 2022 Determination letter (No. 202112676) indicating three State-listed species may be influenced by activities within the proposed project area: little brown bat (*Myotis lucifugus*; Endangered), eastern box turtle (*Terrapene carolina carolina*; Special Concern), and red bat (*Lasiurus borealis*; Special Concern). Please refer to the attached NDDB Determination letter for further details.

Construction-phase protection measures and time of year restrictions for eastern box turtle, little brown bat, and red bat are identified in the January 7th NDDB letter. APT understands that Homeland will implement the recommended protection measures during construction and adhere to the time of year restrictions to protect state-listed species. Details of those protection measures will be included in the Connecticut Siting Council's Development and Management Plan, provided the Council approves of the Facility.

Therefore, with implementation of the DEEP recommended protection measures, the proposed Facility is not anticipated to adversely impact any Federal or State threatened, endangered or species of special concern.

Sincerely,
All-Points Technology Corporation, P.C.



Dean Gustafson
Senior Biologist

Enclosures

USFWS NLEB Letter



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

IPaC Record Locator: 202-108691872

January 06, 2022

Subject: Consistency letter for the 'Homeland Towers -New Canaan NW' project indicating that any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Dear Deborah Gustafson:

The U.S. Fish and Wildlife Service (Service) received on January 06, 2022 your effects determination for the 'Homeland Towers -New Canaan NW' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. You indicated that no Federal agencies are involved in funding or authorizing this Action. This IPaC key assists users in determining whether a non-Federal action may cause “take”^[1] of the northern long-eared bat that is prohibited under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Please report to our office any changes to the information about the Action that you entered into IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation.

If your Action proceeds as described and no additional information about the Action’s effects on species protected under the ESA becomes available, no further coordination with the Service is required with respect to the northern long-eared bat.

The IPaC-assisted determination for the northern long-eared bat **does not** apply to the following ESA-protected species that also may occur in your Action area:

- Bog Turtle *Clemmys muhlenbergii* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Homeland Towers -New Canaan NW

2. Description

The following description was provided for the project 'Homeland Towers -New Canaan NW':

All-Points Technology Corp., P.C. (“APT”) understands that Homeland Towers proposes to construct a wireless telecommunications facility (“Facility”) located within forested upland areas in the northeastern portion of the subject property located at 1837 Ponus Ridge Road in New Canaan, Connecticut. The location of the facility consists of mature hardwood upland forest dominated by red, white, and black oak and sugar maple overstory.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.171758499999996,-73.54379131778789,14z>



Determination Key Result

This non-Federal Action may affect the northern long-eared bat; however, any take of this species that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on **May 15, 2017**. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for non-Federal actions is to assist determinations as to whether proposed actions are excepted from take prohibitions under the northern long-eared bat 4(d) rule.

If a non-Federal action may cause prohibited take of northern long-eared bats or other ESA-listed animal species, we recommend that you coordinate with the Service.

Determination Key Result

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

No

2. Will your activity purposefully **Take** northern long-eared bats?

No

3. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered

No

4. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

Yes

5. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

6. Will the action involve Tree Removal?

Yes

7. Will the action only remove hazardous trees for the protection of human life or property?

No

8. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

9. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0.9

2. If known, estimated acres of forest conversion from April 1 to October 31

0.9

3. If known, estimated acres of forest conversion from June 1 to July 31

0.9

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

USFWS Biological Assessment

Homeland Towers -New Canaan NW

Biological Assessment

Prepared using IPaC

Generated by Deborah Gustafson (dleonardo@allpointstech.com)

March 31, 2022

The purpose of this Biological Assessment (BA) is to assess the effects of the proposed project and determine whether the project may affect any Federally threatened, endangered, proposed or candidate species. This BA is prepared in accordance with legal requirements set forth under [Section 7 of the Endangered Species Act \(16 U.S.C. 1536 \(c\)\)](#).

In this document, any data provided by U.S. Fish and Wildlife Service is based on data as of March 31, 2022.

Prepared using IPaC version 6.72.3-rc7

Homeland Towers -New Canaan NW Biological Assessment

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1 Description Of The Action

1.1 Project Name

Homeland Towers -New Canaan NW

1.2 Executive Summary

Homeland Towers proposes to construct a wireless telecommunications facility located within forested upland areas in the northeastern portion of the subject property located at 1837 Ponus Ridge Road in New Canaan, Connecticut ("Subject Property") to improve wireless communication and emergency services to the northwestern portion of New Canaan and the northeastern part of Stamford.

Bog turtle habitat consists of specific wetland habitat types comprised of calcareous wet meadows, pastures and fens. No such wetland habitat occurs on or immediately adjacent to the Subject Property. ction.

[Effect determination summary](#)

1.3 Project Description

1.3.1 Location



LOCATION

Fairfield County, Connecticut

1.3.2 Description of project habitat

Homeland Towers proposes to construct a wireless telecommunications facility located within forested upland areas in the northeastern portion of the subject property located at 1837 Ponus Ridge Road in New Canaan, Connecticut (“Subject Property”). The location of the facility consists of mature hardwood upland forest dominated by red, white, and black oak and sugar maple overstory.

One wetland area (Wetland 1) was identified along the subject property’s western property boundary. Wetland 1 consists of a closed canopy forested broad hillside seep system formed in dense glacial till with an interior diffuse intermittent watercourse the flows to the south/southwest into nearby Laural Reservoir located across Ponus Ridge Road. Numerous seep outbreaks were observed along the delineated wetland edge of this resource.

Soils on and in the vicinity of the Subject Property include Charlton-Chatfield complex and Canton and Charlton soils derived from glacial till parent material. Charlton-Chatfield complex are well-drained coarse-loamy melt-out till soils derived from granite, gneiss, and/or schist parent material. Canton and Charlton soils are well drained, loamy soils formed in ablation till derived mostly from gneiss, schist, and granite parent material. Bedrock geology underlying the Host Property is identified as Trap Falls Formation. Trap Falls Formation is described as a gray to silvery, partly rusty weathering, medium-grained generally well layered schist, composed of quartz, sodic plagioclase, biotite, muscovite, and garnet, locally with sillimanite or kyanite, interlayered with two-mica gneiss and granulite and with amphibolite. Limestone (calcareous) influenced soils and bedrock do not occur on or adjacent to the Subject Property.

Relevant documentation

- [CT050 New Canaan NW Wtl Delin Rpt 09.27.21-signed](#)

1.3.3 Project proponent information

Provide information regarding who is proposing to conduct the project, and their contact information. Please provide details on whether there is a Federal nexus.

Requesting Agency

All-Points Technology Corporation, P.C.

FULL NAME

Deborah Gustafson

STREET ADDRESS

567 Vauxhall Street Extension

Suite 311

CITY

Waterford

STATE

CT

ZIP

06235

PHONE NUMBER

8609849514

E-MAIL ADDRESS

dleonardo@allpointstech.com

Lead agency

Federal Communications Commission

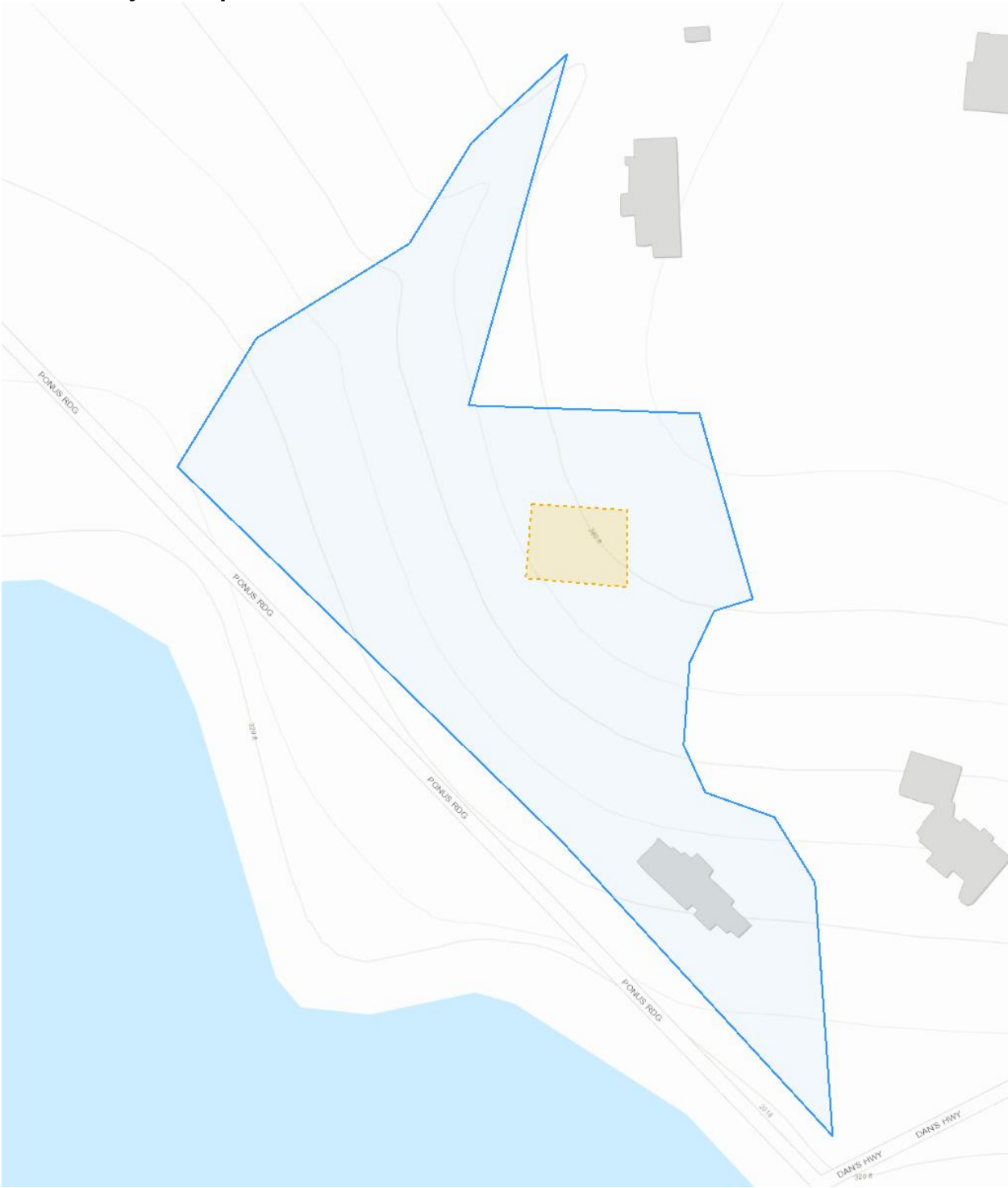
1.3.4 Project purpose

The proposed tower Facility will provide reliable wireless communications services to the northwestern portion of New Canaan and the northeastern part of Stamford. The facility is needed by AT&T, Verizon Wireless, and Town of New Canaan for emergency communications to provide reliable services to the public that are not currently provided in these parts of New Canaan and Stamford. In addition to providing reliable wireless service to these areas, AT&T will also provide FirstNet services, which is the first broadband network dedicated to America's police, firefighters and emergency medical services (EMS). The proposed tower facility will bring the required coverage to significant portions of Ponus Ridge Road, Dan's Highway, High Ridge Road (Route 137) as well as other roads and areas near the proposed tower location.

1.3.5 Project type and deconstruction

This project is a wireless communications tower project.

1.3.5.1 Project map



LEGEND



Project footprint



Wireless Communications Tower: Wireless telecommunications tower (structure)

1.3.5.2 wireless telecommunications tower

Structure completion date

December 31, 2022

Removal/decommission date (if applicable)

Not applicable

Stressors

This activity is not expected to have any impact on the environment.

Description

Since no habitat for bog turtle exists on or immediately adjacent to the Subject Property, the proposed action would not result in a stressor to bog turtle.

1.3.6 Anticipated environmental stressors

Describe the anticipated effects of your proposed project on the aspects of the land, air and water that will occur due to the activities above. These should be based on the activity deconstructions done in the previous section and will be used to inform the action area.

1.4 Action Area



1.5 Conservation Measures

Describe any proposed measures being implemented as part of the project that are designed to reduce the impacts to the environment and their resulting effects to listed species. To avoid extra verbiage, don't list measures that have no relevance to the species being analyzed.

No conservation measures have been selected for this project.

1.6 Prior Consultation History

IPaC consultations:

NLEB - January 06, 2022

IPaC - Official Species List - January 01, 2022

1.7 Other Agency Partners And Interested Parties

State of Connecticut Siting Council

Connecticut Department of Energy and Environmental Protection

1.8 Other Reports And Helpful Information

N/A

2 Species Effects Analysis

This section describes, species by species, the effects of the proposed action on listed, proposed, and candidate species, and the habitat on which they depend. In this document, effects are broken down as direct interactions (something happening directly to the species) or indirect interactions (something happening to the environment on which a species depends that could then result in effects to the species).

These interactions encompass effects that occur both during project construction and those which could be ongoing after the project is finished. All effects, however, should be considered, including effects from direct and indirect interactions and cumulative effects.

2.1 Bog Turtle

This species has been excluded from analysis in this environmental review document.

Relevant documentation

- [Determination Letter 202112676-New Canaan Cell tower Ponus Ridge](#)

Homeland Towers proposes to construct a wireless telecommunications facility located within forested upland areas in the northeastern portion of the subject property located at 1837 Ponus Ridge Road in New Canaan, Connecticut (“Subject Property”). The location of the facility consists of mature hardwood upland forest dominated by red, white, and black oak and sugar maple overstory.

One wetland area (Wetland 1) was identified along the subject property’s western property boundary. Wetland 1 consists of a closed canopy forested broad hillside seep system formed in dense glacial till with an interior diffuse intermittent watercourse the flows to the south/southwest into nearby Laural Reservoir located across Ponus Ridge Road. Numerous seep outbreaks were observed along the delineated wetland edge of this resource.

Soils on and in the vicinity of the Subject Property include Charlton-Chatfield complex and Canton and Charlton soils derived from glacial till parent material. Charlton-Chatfield complex are well-drained coarse-loamy melt-out till soils derived from granite, gneiss, and/or schist parent material. Canton and Charlton soils are well drained, loamy soils formed in ablation till derived mostly from gneiss, schist, and granite parent material. Bedrock geology underlying the Host Property is identified as Trap Falls Formation. Trap Falls Formation is described as a gray to silvery, partly rusty weathering, medium-grained generally well layered schist, composed of quartz, sodic plagioclase, biotite, muscovite, and garnet, locally with sillimanite or kyanite, interlayered with two-mica gneiss and granulite and with amphibolite. Limestone (calcareous) influenced soils and bedrock do not occur on or adjacent to the Subject Property.

Bog turtle habitat consists of specific wetland habitat types comprised of calcareous wet meadows, pastures and fens. No such wetland habitat occurs on or immediately adjacent to the Subject Property. In addition, consultation with the CTDEEP Natural Diversity Data Base did not reveal the potential presence of bog turtle in the vicinity of the Subject Property. Please refer to the attached January 7, 2022 NDDDB Determination Letter (No. 202112676). Therefore, no effect to bog turtle, a wetland dependent species, would result from the proposed project action.

Justification for exclusion

Since no habitat for bog turtle occurs on or immediately adjacent to the Subject Property, no further consideration of potential effects is warranted.

2.2 Monarch Butterfly

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

Since Monarch Butterfly is a Candidate Species, no effects analysis is required.

2.3 Northern Long-Eared Bat

This species has been excluded from analysis in this environmental review document.

Relevant documentation

- [MA Documentation Letter Northern Long-Eared Bat NLEB Consultation and 4d Rule Consistency 2022-01-06](#)

NLEB 4d Rule Consistency consultation was completed. Based upon the IPaC submission, the Action is consistent with activities analyzed in the PBO; please refer to the enclosed January 6, 2022, USFWS letter.

Justification for exclusion

NLEB 4d Rule Consistency consultation was completed. Based upon the IPaC submission, the Action is consistent with activities analyzed in the PBO; please refer to the enclosed January 6, 2022, USFWS letter.

3 Critical Habitat Effects Analysis

No critical habitats intersect with the project action area.

4 Summary Discussion, Conclusion, And Effect Determinations

4.1 Effect Determination Summary

SPECIES (COMMON NAME)	SCIENTIFIC NAME	LISTING STATUS	PRESENT IN ACTION AREA	EFFECT DETERMINATION
Bog Turtle	Glyptemys muhlenbergii	Threatened	No	NE
Monarch Butterfly	Danaus plexippus	Candidate	Excluded from analysis	Excluded from analysis
Northern Long-eared Bat	Myotis septentrionalis	Threatened	No	NE

4.2 Summary Discussion

Homeland Towers proposes to construct a wireless telecommunications facility located within forested upland areas in the northeastern portion of the subject property located at 1837 Ponus Ridge Road in New Canaan, Connecticut (“Subject Property”).

The proposed tower Facility will provide reliable wireless communications services to the northwestern portion of New Canaan and the northeastern part of Stamford. The facility is needed by AT&T, Verizon Wireless, and Town of New Canaan for emergency communications to provide reliable services to the public that are not currently provided in these parts of New Canaan and Stamford. The proposed tower facility will bring the required coverage to significant portions of Ponus Ridge Road, Dan’s Highway, High Ridge Road (Route 137) as well as other roads and areas near the proposed tower location to provide reliable wireless communication services as well as emergency communication services.

The location of the facility consists of mature hardwood upland forest dominated by red, white, and black oak and sugar maple overstory. One wetland area (Wetland 1) was identified along the subject property’s western property boundary. Wetland 1 consists of a closed canopy forested broad hillside seep system formed in dense glacial till with an interior diffuse intermittent watercourse the flows to the south/southwest into nearby Laural Reservoir located across Ponus Ridge Road. Numerous seep outbreaks were observed along the delineated wetland edge of this resource.

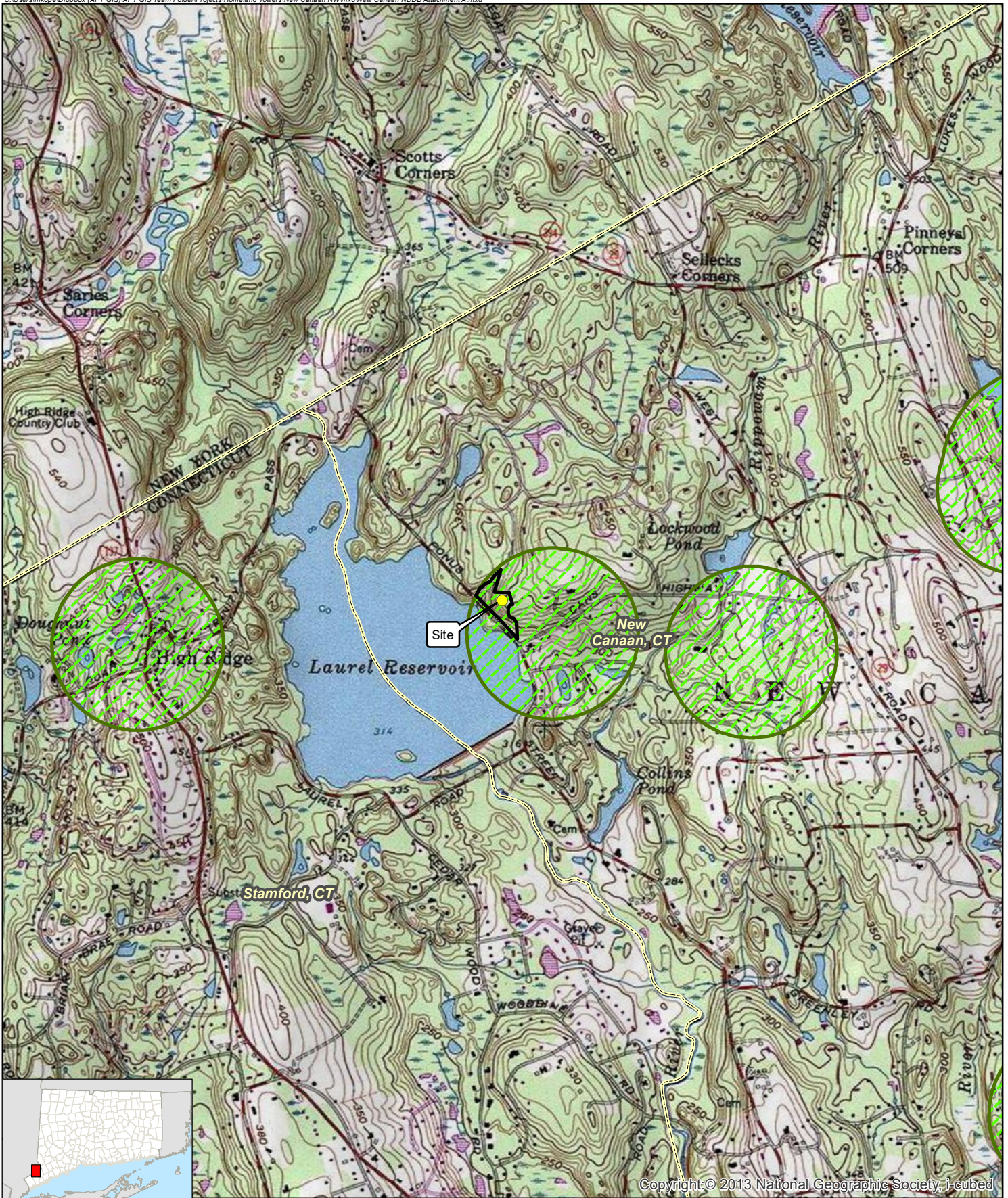
Soils on and in the vicinity of the Subject Property include Charlton-Chatfield complex and Canton and Charlton soils derived from glacial till parent material. Charlton-Chatfield complex are well-drained coarse-loamy melt-out till soils derived from granite, gneiss, and/or schist parent material. Canton and Charlton soils are well drained, loamy soils formed in ablation till derived mostly from gneiss, schist, and granite parent material. Bedrock geology underlying the Host Property is identified as Trap Falls Formation. Trap Falls Formation is described as a gray to silvery, partly rusty weathering, medium-grained generally well layered schist, composed of quartz, sodic plagioclase, biotite, muscovite, and garnet, locally with sillimanite or kyanite, interlayered with two-mica gneiss and granulite and with amphibolite. Limestone (calcareous) influenced soils and bedrock do not occur on or adjacent to the Subject Property.

Bog turtle habitat consists of specific wetland habitat types comprised of calcareous wet meadows, pastures and fens. No such wetland habitat occurs on or immediately adjacent to the Subject Property. In addition, consultation with the CTDEEP Natural Diversity Data Base did not reveal the potential presence of bog turtle in the vicinity of the Subject Property. Please refer to the attached January 7, 2022 NDDB Determination Letter (No. 202112676). Therefore, no effect to bog turtle, a wetland dependent species, would result from the proposed project action.

4.3 Conclusion


Bog turtle habitat consists of specific wetland habitat types comprised of calcareous wet meadows, pastures and fens. No such wetland habitat occurs on or immediately adjacent to the Subject Property. Therefore, no effect to bog turtle, a wetland dependent species, would result from the proposed project action.

NDDDB Map

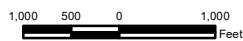


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Legend

-  Proposed Tower
-  Subject Property
-  Natural Diversity Database (updated December 2021)
-  Municipal Boundary

Map Notes:
 Base Map Source: USGS 7.5 Minute Topographic
 Quadrangle Maps, Pound Ridge, NY-CT (1971)
 Map Scale: 1:24,000
 Map Date: October 2021



NDBB Map

Proposed Wireless
 Telecommunications Facility
 CT050 - New Canaan Northwest
 1837 Ponus Ridge Road
 New Canaan, Connecticut



NDDB Determination Letter

January 7, 2022

Dean Gustafson
All-Points Technology Corporation, P.C.
567 Vauxhall Street Ext, Suite 311
Waterford, CT 06385
dgustafson@allpointstech.com

NDDB DETERMINATION NUMBER: 202112676

Project: Installation of cell tower communications facility and access road; CT050-NEW CANAAN NORTHWEST, 1837 PONUS RIDGE RD., NEW CANAAN, CT

Expiration: January 7, 2024

I have reviewed Natural Diversity Database (NDDDB) maps and files regarding this project. According to our records, there are State-listed species (RCSA Sec. 26-306) that may be influenced by activities withing the proposed project area.

Little brown bat (*Myotis lucifugus*)- State Endangered
Red bat (*Lasiurus borealis*)- State Special Concern
Eastern box turtle (*Terrapene carolina carolina*)- State Special Concern

Bats

Little brown bat populations, once one of the most common bat species in Connecticut, have declined over 90% as a result of White Nose Syndrome. During summer, they will roost in buildings, trees, under rocks, and in piles of wood. Foraging is focused at edges of forested habitat along bodies of water. Maternity roosts occur in trees or buildings with a southwesterly exposure. During the winter season, Little brown bats will seek refuge in “hibernation roosts,” typically caves, rock fissures, or abandoned mines.

Red bats are a migratory “tree bat” species that is found throughout Connecticut between April-October in a variety of forested habitats. They roost out in the foliage of deciduous and coniferous trees, camouflaged as dead leaves or cones. Red bats are primarily solitary roosters. They can be found roosting and feeding around forest edges and clearings. Typically, larger diameter trees (12-inch DBH and larger) are more valuable to these bats. Additionally, trees with loose, rough bark such as maples, hickories, and oaks are more desirable than other tree species due to the increased cover that the loose bark provides. Large trees with cavities are also utilized by this species. Forested areas of Connecticut’s coastal towns may also serve as important migratory habitat for red bats. Numbers of bats utilizing these areas can increase dramatically as bats from other northeast locations pass through Connecticut during spring and autumn migration.

The following activities will benefit bats:

- Preserve natural roosting resources (safety permitting) including snags, trees with cavities, cracks or crevices, trees with exfoliating bark (e.g. shagbark hickory), coniferous trees (e.g. tamarack, hemlock, white pine) as well as preserving talus slopes
- Identify and protect summer roosts in man-made structures, such as barns

- Provide artificial roost structures (i.e., bat houses) and promote their use in the surrounding community
- Minimize erosion and maintaining clean and open water resources free of siltation
- Protect native vegetation which promotes insect availability and diversity
- Avoid the use of pesticides that will affect their invertebrate food source
- Preserve open, edge of forest habitat corridors to allow bats to freely move among roosting, watering and foraging areas
- Limit interior and exterior night lighting. Lighting, temporary or permanent should not be directed towards suitable bat habitats. Security lighting should always be down-shielded to keep light within the boundaries of the site.

Eastern Box turtle

In Connecticut, these turtles are found in well-drained forest bottomlands and a matrix of open deciduous forests, early successional habitat, fields, gravel pits, and or powerlines. Turtles are dormant between November 1 and April 1 and hibernate in only a few inches from the surface in forested habitat.

Land disturbance activities that will crush adult turtles or unearth hibernating turtles or turtle nests need to consider local habitat features and apply fencing and/or time of year restrictions as appropriate. We recommend you consult with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site.

For land disturbance that will occur in forested habitat you will need to take precautions to avoid crushing hibernating adults.

To minimize impacts to these state listed species:

Between May 1- August 31:

- Do not clear trees.

Between Sept 1-October 31:

- Ensure exclusionary fencing is installed and begin to clear trees incorporating protection measures for turtles below.
 - Exclusionary practices will be used to prevent any turtle access into disturbance areas. These measures will need to be installed at the limits of disturbance as shown on the plans.
 - Exclusionary fencing be at least 20 in tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through.
 - All staging and storage areas, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed to remove individuals and exclude them from re-entry.
 - All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species.

- The Contractor search the work area each morning prior to any work being done.
- Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and fencing should be inspected to identify and remove access point. This animal is protected by law and should not be relocated off-site.
- In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable and disturbance is finished to allow for reptile and amphibian passage to resume.

Between November 1- April 31:

- Work including tree clearing/ground work may continue if area has been fenced and swept of turtles before October 15.

Natural Diversity Database information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Bureau of Natural Resources and cooperating units of DEEP, independent conservation groups, and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the NDDB should not be substituted for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated in the NDDB as it becomes available.

Please contact me if you have any questions (shannon.kearney@ct.gov). Thank you for consulting with the Natural Diversity Database and continuing to work with us to protect State-listed species.

Sincerely,

/s/ Shannon B. Kearney
Wildlife Biologist