



## USFWS & NDDDB Compliance Determination

May 20, 2020

Verizon Wireless  
20 Alexander Drive  
Wallingford, CT 06492

Re: Plattsville Relo CT, 5151 Park Avenue, Fairfield, CT  
APT Job No: CT14110580

On behalf of Verizon Wireless, All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to possible federally- and state-listed, threatened, endangered or special concern species in order to determine if the proposed referenced communications facility ("Facility") would result in a potential adverse effect to listed species.

APT understands that Verizon Wireless proposes the construction of a telecommunication facility in the northwestern corner of the Sacred Heart University campus off Jefferson Street and just north of the Scholars Commons housing ("Subject Property").

### **USFWS**

The federal consultation was completed in accordance with Federal Communications Commission ("FCC") rules implementing the National Environmental Policy Act ("NEPA") and 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, one federally listed<sup>1</sup> threatened species is known to occur in the vicinity of the subject property documented as the northern long-eared bat ("NLEB"; *Myotis septentrionalis*). 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.

The proposed Facility would be located within a previously cleared and developed area that will require minimal tree clearing; trees could potentially support NLEB habitat. A review of the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural Diversity Data Base ("NDDDB") NLEB habitat map<sup>2</sup> 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 ±21 miles to the southwest in Greenwich.

---

<sup>1</sup> Listing under the federal Endangered Species Act

<sup>2</sup> *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance* map. February 1, 2016.

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 May 18, 2020 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 (June 17, 2020), one may presume that the IPaC-assisted determination was correct and that the PBO satisfies and concludes Verizon's responsibilities for this Action under ESA Section 7(a)(2) with respect to NLEB. Based on the lack of NLEB habitat associated with the proposed Action and the significant distance from the nearest NLEB hibernacula, APT does not anticipate a response from USFWS and therefore the Action would comply with ESA Section 7(a)(2) with respect to NLEB. Any response received from USFWS will be forwarded upon receipt.

In addition, Verizon Wireless would consider the following additional USFWS voluntary conservation measures, as encouraged in the April 29, 2016 FCC Public Notice<sup>3</sup>, where appropriate and as the project schedule allows, to reduce the potential impacts of activities on 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: site is located > 5 miles from the nearest hibernacula.*
- 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 lighting, opting for down-shielded, motion-sensor security lights instead of constant illumination.

### **NDDB**

No known areas of state-listed species are currently depicted on the most recent CTDEEP NDDB Maps in the location of the proposed Verizon Wireless Facility or within a 0.25 mile to the proposed development. Please refer to the enclosed NDDB Map which depicts the nearest NDDB buffer ±0.44 mile southwest of the Facility. Since the proposed Facility is not located within a NDDB buffer area, consultation with DEEP is not required in accordance with their review policy. Also, since the NDDB buffer area is located more than a 0.25-mile away, consultation with DEEP is not required in accordance with the Connecticut Siting Council's review policy.

---

<sup>3</sup> 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.

Therefore, the proposed Verizon Wireless development is not anticipated to adversely impact any federal or state threatened, endangered species or species of special concern.

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

A handwritten signature in cursive script that reads "Dean Gustafson".

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: 834-21791989

May 18, 2020

Subject: Consistency letter for the 'VZW Plattsville Relo' 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 May 18, 2020 your effects determination for the 'VZW Plattsville Relo' (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"<sup>[1]</sup> 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.

---

[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**

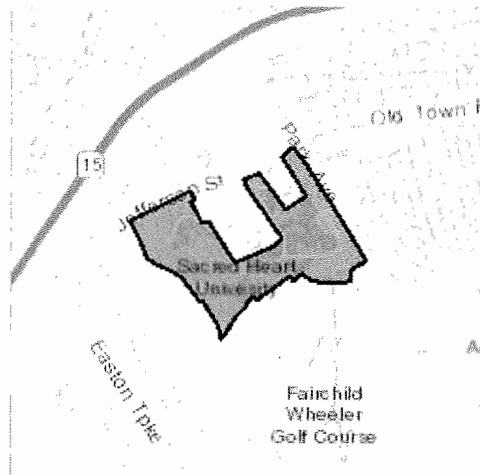
VZW Plattsville Relo

**2. Description**

The following description was provided for the project 'VZW Plattsville Relo':

Verizon Wireless is proposing to construct a wireless telecommunications facility at the Sacred Heart University campus in Fairfield, Connecticut in the northwestern corner of the subject property within an existing cleared and disturbed area. Access to this proposed location would be from an existing paved access road located off Jefferson Street.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.22113969595023N73.24758807892948W>

**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. 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](http://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:

0.2

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

0.2

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

0.2

**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.**

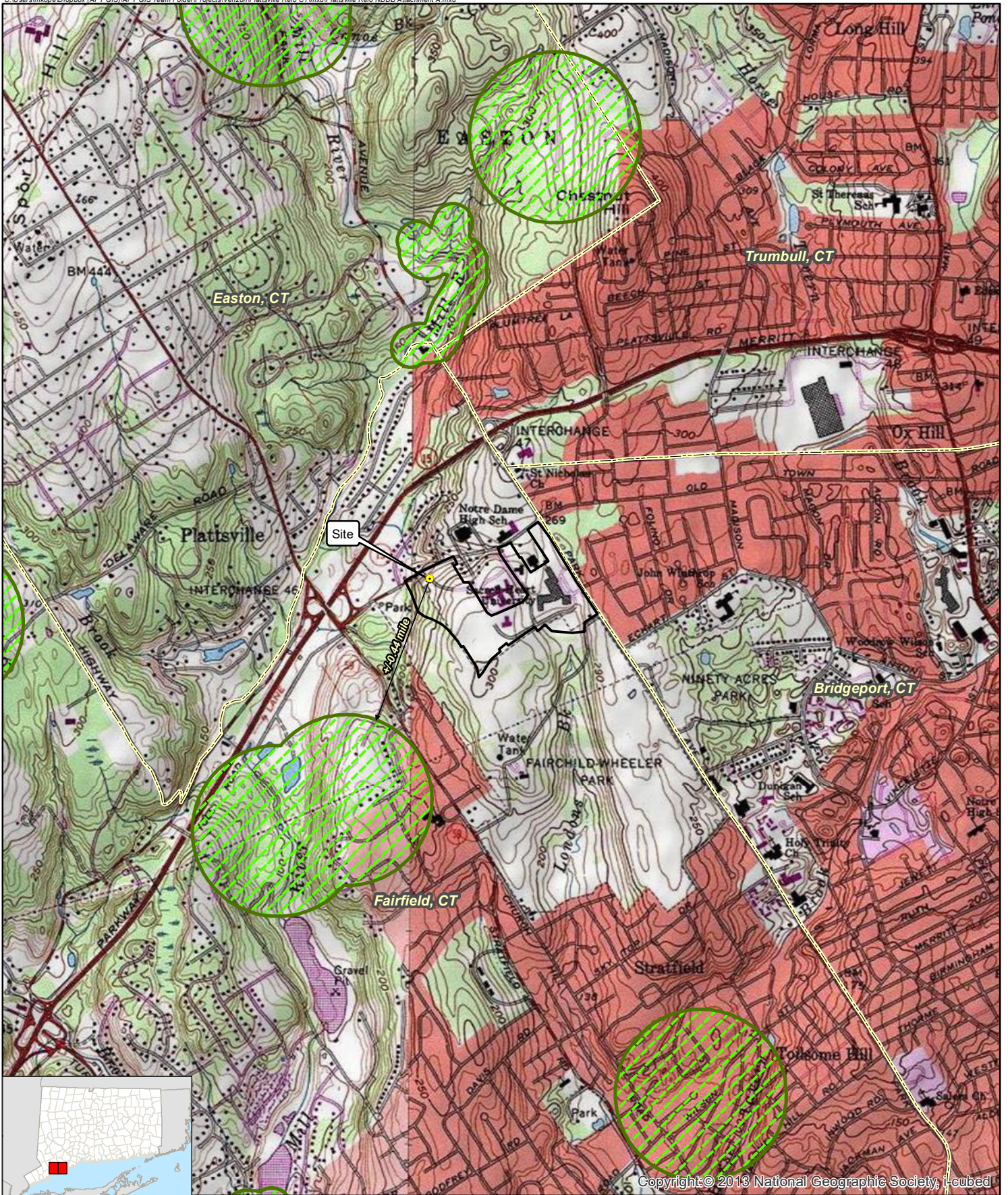
10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

# NDDDB Map





---



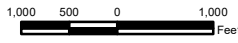


Copyright © 2013 National Geographic Society, I-cubed

**Legend**

-  Proposed Monopole Tower
-  Subject Property
-  Natural Diversity Database (updated December 2019)
-  Municipal Boundary

**Map Notes:**  
 Base Map Source: USGS 7.5 Minute Topographic  
 Quadrangle Maps, Bridgeport, CT (1984) and Westport, CT (1975)  
 Map Scale: 1:50,000  
 Map Date: May 2020



**NDBB Map**

Proposed Wireless  
 Telecommunications Facility  
 Plattsville Relo CT  
 5151 Park Avenue  
 Fairfield, Connecticut

