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FEB 28 2000

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SITING COUNCIL

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Fax 860-275-8299

Kenneth C. Baldwin
860-275-8345
kbaldwin@rc.com

February 25, 2000

Via Federal Express

Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Crown Atlantic Company LLC Towers in East Lyme, Enfield, Haddam and Higganum

Dear Mr. Rinebold:

Crown Atlantic Company LLC ("Crown") holds the Siting Council certificates for the existing telecommunications towers and related facilities in East Lyme (Docket No. 116), Haddam (Docket No. 58), Higganum (Docket No. 170), and Enfield (Docket No. 139) by virtue of a certificate transfer from Bell Atlantic Mobile ("BAM"), approved by the Council on March 24, 1999. Please accept this letter as notification, pursuant to R.C.S.A. § 16-50j-73, of activity that constitutes an exempt modification pursuant to R.C.S.A. § 16-50j-72(b)(2). In accordance with R.C.S.A. § 16-50j-73, a copy of this letter is being sent to the East Lyme First Selectman, Wayne Fraser, Haddam First Selectman A. J. Bondi, and Enfield Town Manager, Scott Shanley.

As you and the Council may already know, the triangular antenna platform installed on certain telecommunications towers have proven to be attractive nesting sites to certain species of birds. These occurrences are usually restricted to towers located in coastal areas and areas proximate to inland water bodies (e.g. rivers and lakes). These nests, and the birds that inhabit them, can and do interfere with the normal operation and maintenance of these facilities. In some unique circumstances, when nests are constructed and inhabited by certain endangered and otherwise protected species (e.g. ospreys), the tower can be rendered unusable. Recently, for example, the U.S. Fish and Wildlife Service restricted access of a major wireless carrier to their antennas after an osprey built a nest on the antenna platform and would not permit the nest to be removed.

To date, Crown has not experienced any problems with birds nesting on any of its towers in Connecticut. However, in an effort to avoid such problems in the future, Crown, together with Bell Atlantic Mobile, has undertaken a program to deter birds from nesting on certain of its

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Joel M. Rinebold
February 25, 2000
Page 2

towers located along the Connecticut shoreline and proximate to the Connecticut River. BAM and Crown consultants have determined that the facility towers in East Lyme, Haddam, Higganum and Enfield are more likely than others, based on their location, to attract nesting birds. This program involves the installation of netting over the existing triangular antenna platforms. The netting is a safe and effective way to avoid these potential problems. This netting material is virtually invisible from the ground. Crown expects to commence the installation of the platform netting immediately.

The planned modifications to each of these facilities fall squarely within those activities explicitly provided for in R.C.S.A. § 16-50j-72(b)(2).

1. The proposed modifications will not increase the height of any of the above-referenced towers.
2. The proposed modifications will not require the expansion of the existing site compounds.
3. The proposed modification will not increase the noise levels at the existing facilities by six decibels or more.
4. The proposed modifications will not increase the total radio frequency (RF) power density, measured at the base of the tower, to a level at or above the applicable standard.

For the foregoing reasons, Crown respectfully submits that the proposed modification of its East Lyme, Haddam, Higganum and Enfield towers constitute an exempt modification under R.C.S.A. § 16-50j-72(b)(2).

If you or the Council members have any questions regarding this program please contact me. I have enclosed to this filing some information on the netting proposed to be used at each of the four facilities mentioned above and copies of photographs of the netting material on existing antenna platforms. (I apologize for the quality of the copies).


Finally, I have passed along your request for additional information with respect to Crown's efforts to make its facilities more "bird-friendly". I will respond to your request as soon as I receive that additional information from Crown.

Sincerely,



Kenneth C. Baldwin

KCB/kmd
Enclosure
cc: Jeffrey Barbadora

	Products & Services America's Leading Supplier of Bird Control Products ➔ 1-800-503-5444		
	▶ Home	▶ Damage & Disease	▶ Training & Support
	▶ Products & Services	▶ What's New	▶ Site Index
	▶ Bird Facts	▶ Questions	▶ Site Feedback

StealthNet (TM)

Product Overview

Where to use: Any enclosed or semi-enclosed area, opening or building configuration where pest birds are to be excluded

Target Bird: All species

Bird Pressure: Heavy

Material: Polyethylene plastic and steel installation hardware

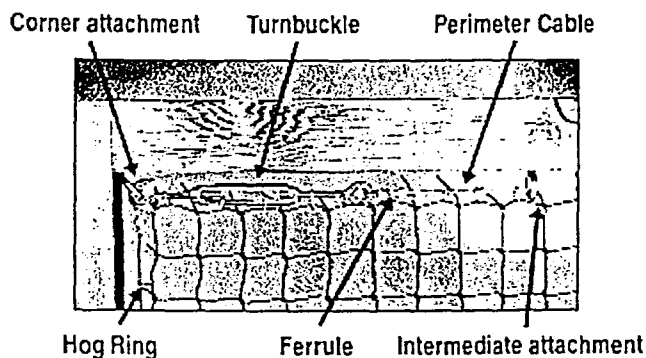
Installation: Netting attached to pre-installed cable system

Ease of Installation: Involved

Installation of StealthNet

StealthNet is attached to a sturdy perimeter cable which is attached to the structure. The cable is attached to the structure with a variety of fasteners which are specially designed to fasten to stone, concrete, wood or steel.

Heavy duty corner attachments are used in the corners or at the ends of the cables. The cable is tensioned using turnbuckles and the net is attached to the cable using hog rings. It is recommended that every square of the net be attached to the cable.



Bird Barrier's StealthNet is the strongest, most versatile and most sophisticated bird exclusion system in America. StealthNet can deny access to pest birds from literally any architectural configuration. Whether it's a courtyard, archway, warehouse roof or parking garage, StealthNet can keep it free from the problems caused by pest birds.

Almost Invisible

Thanks to the fact that StealthNet is made of very thin, ultra-strong, strands of colored polyethylene twine, it can always be installed so that it is very hard to see.

How to Install StealthNet

StealthNet can be installed using a variety of fastening devices created specifically for your building's needs. Whether it's stone, concrete, steel or wood, we offer a professional attachment system that will hold your system in place for years to come.

Long Lasting, 100% Solution

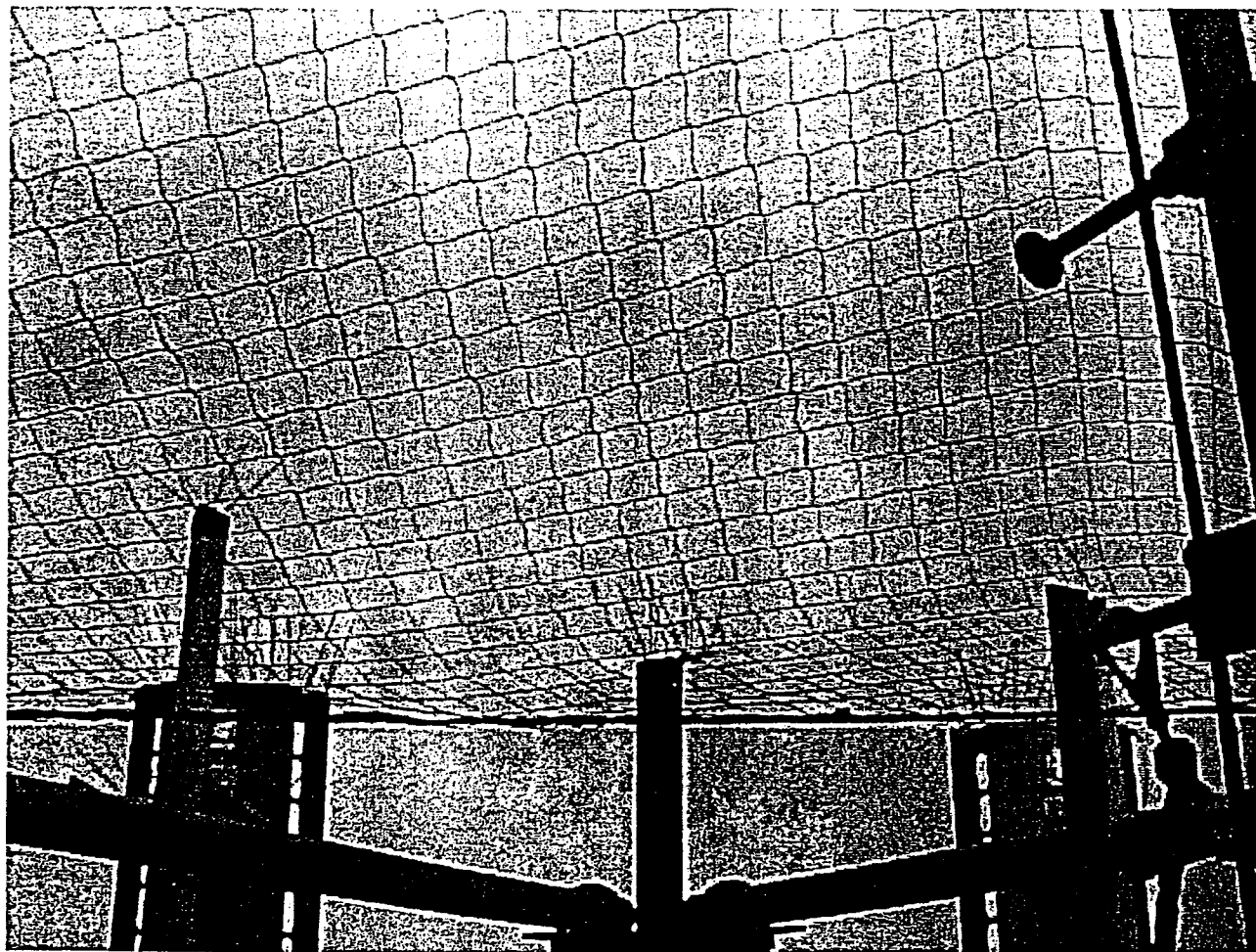
Unlike most nets which offer a one-year guarantee, StealthNet offers a full five-year guarantee against ultra-violet breakdown and defective workmanship. If you analyze your needs and install your system correctly, you will have a bird-free environment for many years to come. Guaranteed.

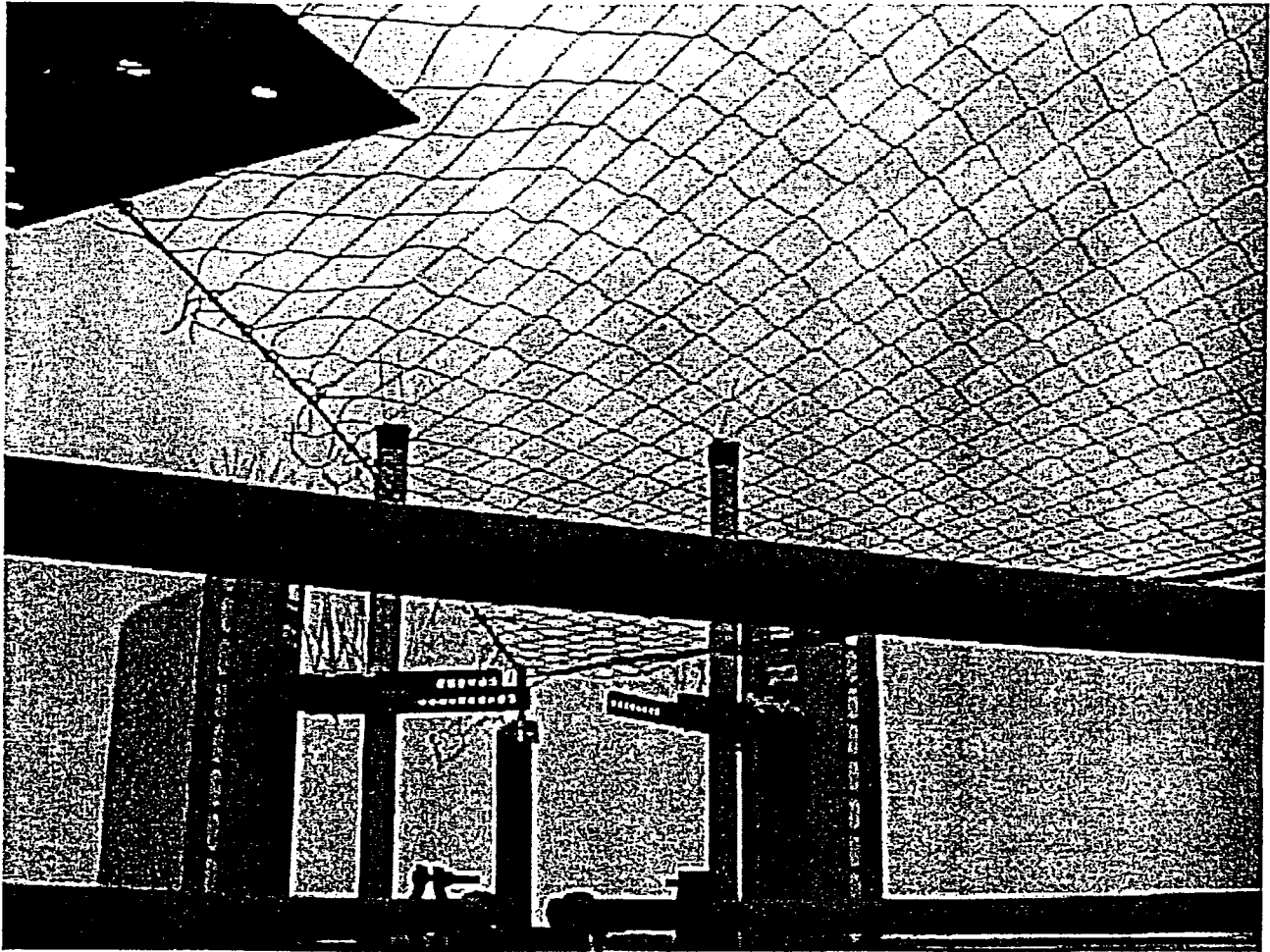
Humane

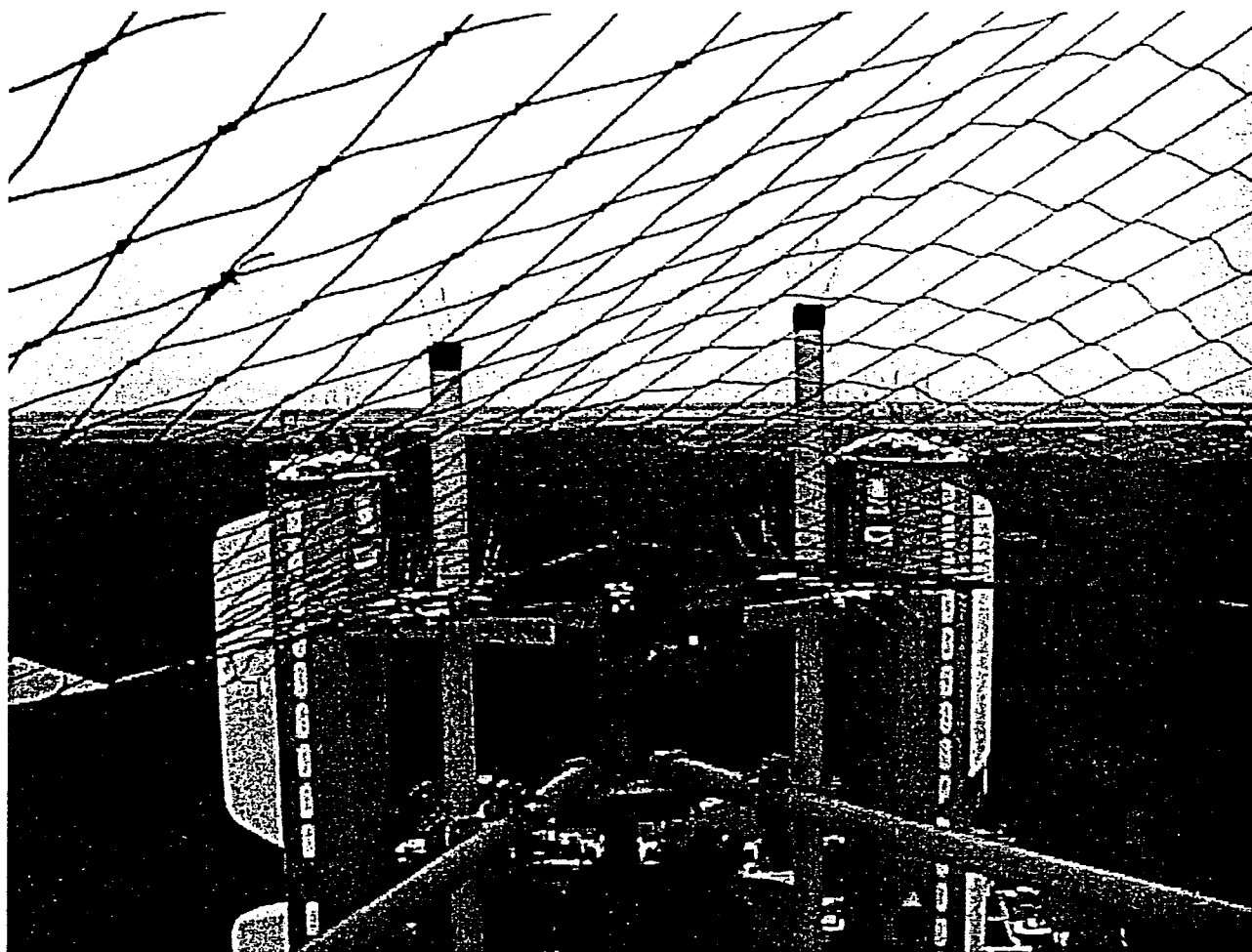
Assuming the species is correctly identified, and the mesh size is chosen accordingly, it is not possible for birds to become entangled in the netting.

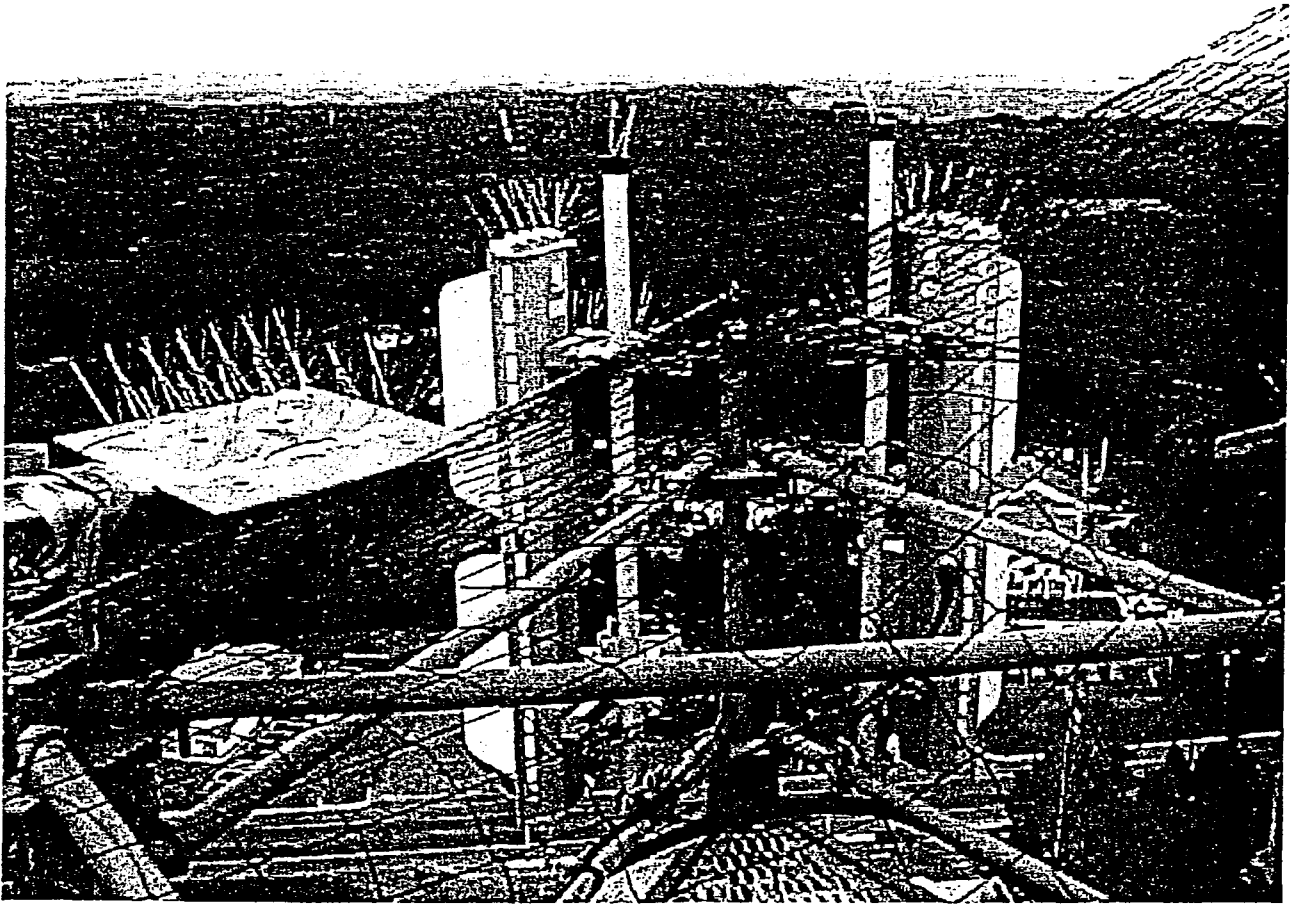
! [Home](#) ! [Stealth Net Overview](#) ! [Stealth Net Specs](#) ! [Stealth Net in Action](#) !

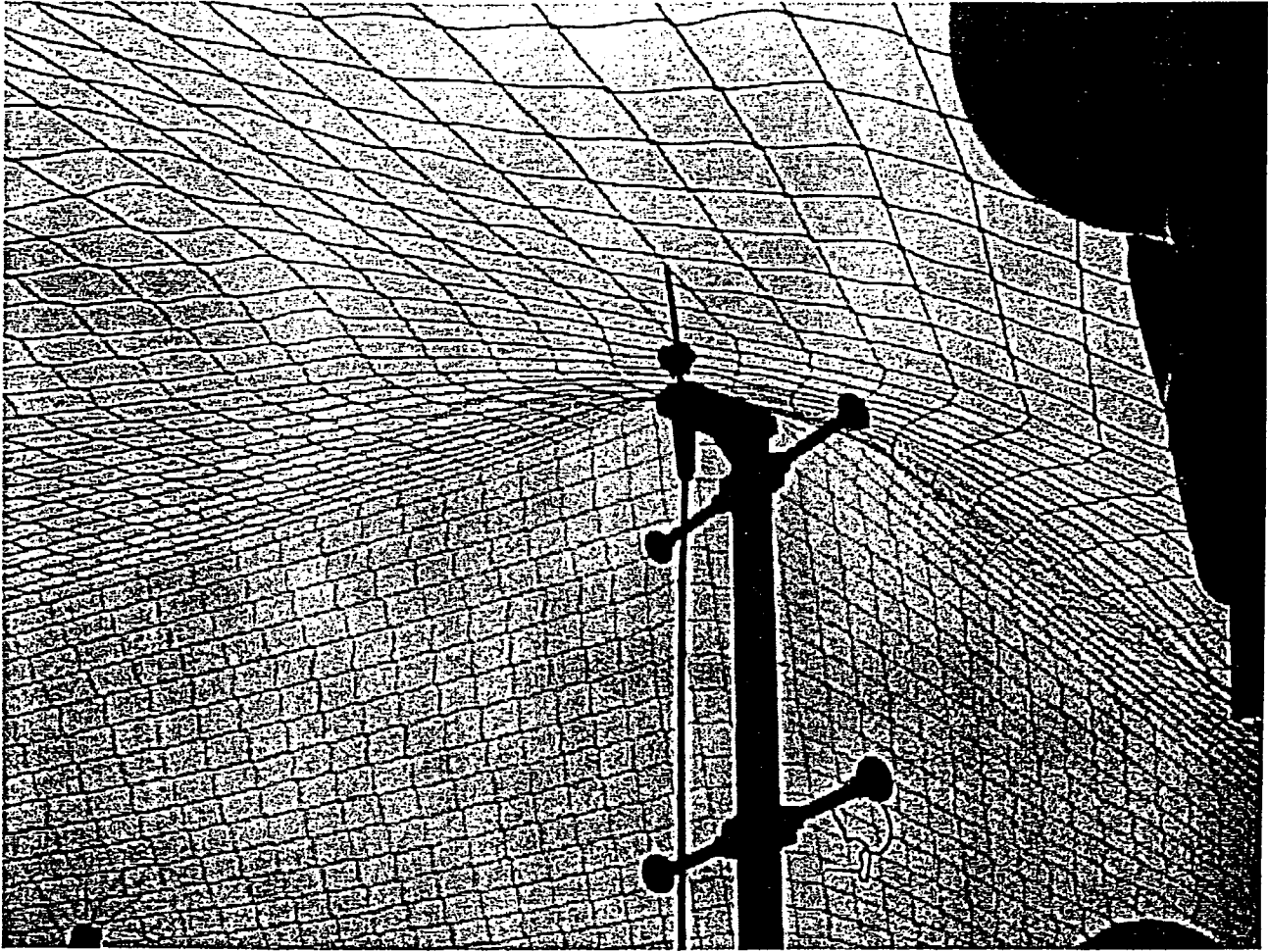
Copyright 1999 Bird Barrier











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MAR 21 2000

CONNECTICUT
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March 21, 2000

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Via Facsimile and U.S. Mail

Mr. Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: EM-Crown-045-000228, EM-Crown-049-000228, EM-Crown-061-000228 and EM-Crown-057-000228

Dear Mr. Rinebold:

I am writing to follow-up on your request for additional information regarding the above-referenced notices of exempt modification filed with the Council on February 28, 2000, to permit the installation of netting on four existing Crown towers to deter nesting of raptors. As we discussed, Crown is currently exploring ways in which it may participate in on-going raptor nesting and/or raptor education programs offered by State-wide environmental organizations, including but not limited to the Connecticut Audubon Society. I will contact you as soon as Crown's participation in a particular program is confirmed.

More recently, I spoke with Bob Erling regarding your concern for the impact the proposed netting may have on raptors and other species. To follow-up on your request for additional information I contacted Crown's consultant, Mr. Jack Wagner of Bird Barrier America, Inc. Mr. Wagner informed me that the netting he intends to use on the Crown towers would have openings of two inches, based on the raptor species Crown intends to deter. The goal here is to size the netting to effectively deter nesting, and avoid the potential for the raptors becoming entangled. The loosely attached netting will present raptors with an unstable surface atop the antenna platform. Mr. Wagner is confident that this instability will effectively deter raptors from attempting to nest at these sites. Mr. Wagner was also confident that the two-inch openings in the proposed netting would have no adverse affect on smaller species, which could pass through the larger openings.

If you need any additional information please feel free to contact me. Mr. Wagner is forwarding to me information on the materials proposed to be used, however I do not believe it

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Joel M. Rinebold
March 21, 2000
Page 2

will be available to me prior to the Council's March 22, 2000 meeting. Please call if you have any additional questions.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

cc: Jeffrey Barbadora

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May 3, 2000

Via Facsimile and U.S. Mail

Mr. Robert Erling
Senior Siting Analyst
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

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MAY - 4 2000

CONNECTICUT
SITING COUNCIL

**Re: Crown Atlantic Company LLC Exempt Modification
Raptor Deterrence**

Dear Mr. Erling:

Thank you for providing me with a copy of the Audubon Society letter regarding our proposed exempt modification. On behalf of Crown Atlantic Company LLC, we concur with the comments of the Executive Director, Thomas R. Baptist and would agree to monitor the netting at the four tower sites for a two-year period following Council acknowledgement. Crown also remains committed to making a contribution to the Connecticut Audubon Society to assist them with their raptor education program.

After you and I spoke this morning, I finally got in touch with Julie Victoria at the Department of Environmental Protection – Wildlife Bureau. Ms. Victoria stated that she is still working on comments and will get them back to the Council as soon as possible. She did mention that she had some concerns. Regardless of the DEP's position on the proposed netting, I would respectfully recommend that the Council acknowledge Crown's proposed exempt modifications of the designated towers in Enfield, Haddam, Higganum and East Lyme with a condition that Crown monitor each site to determine if the netting is effective and if it is adversely impacting raptors and other bird species.

We remain hopeful that the Council will be in a position to make a decision on this matter at their May 10, 2000 meeting.

Sincerely,

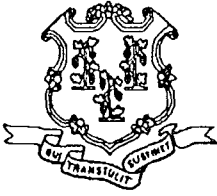


Kenneth C. Baldwin

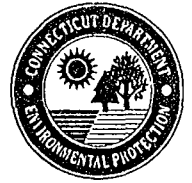
KCB/kmd

cc: Jeffrey Barbadora

HART1-866345-1



STATE OF CONNECTICUT
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 FRANKLIN WILDLIFE MANAGEMENT AREA
 391 ROUTE 32
 NORTH FRANKLIN, CT 06254
 TELEPHONE: (860) 642-7239



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MAY 10 2000

CONNECTICUT
 SITING COUNCIL

May 9, 2000

Mr. Bob Erling
 Connecticut Siting Council
 10 Franklin Square
 New Britain, CT 06051

re: Crown Atlantic proposal regarding bird netting on existing cellular communication towers

Dear Mr. Erling:

Thank you for forwarding the information to me on 4/7/00 concerning the Crown Atlantic proposal regarding bird netting on existing cellular communication towers. I have shared this information with Jenny Dickson, the Nonharvested Wildlife Biologist who handles passerine birds and bats.

Jenny and I have real concerns about this netting which is described as being "invisible from the ground". This netting would also be invisible from the air, would be up year-round and while the 2" size loosely attached netting may be good for deterring raptors – it would pose a big entanglement problem for smaller nesting birds. Songbirds could be entangled during migration. And bats foraging in the area during the summer could get entangled as well.

In Mr. Baldwin's letter to Mr. Rinebold, he indicates that Mr. Wagner is confident that the 2" opening would have no affect on smaller species. This is assuming that the smaller birds can see the netting and that the birds are hopping through this netting, because 2" is not big enough to accommodate their wingspans.

Crown Atlantic hasn't experienced any problems with nesting raptors in Connecticut to date. If ospreys are the target raptor species, only East Lyme out of the four towns (East Lyme, Haddam, Higganum and Enfield) has a significant osprey population. We feel that the proposed solution is more of a concern than the problem. Deterring raptors from nesting can be done by repeated removal of the nesting material. While this method requires more labor, it is species specific and harmless. Another option would be to install rigid crossbars or metal strips at intervals to prevent ospreys from nesting on the tower.

If you need more information please feel free to contact me. I would be happy to review other options for osprey exclusion.

Sincerely,

Julie Victoria
 Wildlife Biologist

cc: J. Dickson



Audubon Society of Greenwich

National Audubon Society's Community-based Environmental Projects and Programs

613 Riversville Rd., Greenwich, CT 06831 (203)869-5272 phone (203)869-4437 fax
email greenwich_center@audubon.org web <http://greenwich.ccntr.audubon.org/>

April 7, 2000

By Fax: (860) 827-2950

Mr. Bob Erling
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

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APR -7 2000

CONNECTICUT
SITING COUNCIL

RE: Crown Atlantic Co. LLC Proposed Bird Netting on Four Communications Towers

Dear Mr. Erling:

Thank you very much for the opportunity to comment on the above-referenced matter. I have reviewed the February 25, 2000 and March 21, 2000 letters from Kenneth Baldwin and the manufacturer's literature provided therein. I have also conferred with National Audubon Society's chief ornithologist. I respectfully offer the following comments.

The proposed solution set forth in Mr. Baldwin's letters sounds positive and the two-inch size of the mesh netting is probably appropriate. I recommend, however, that Crown Atlantic Company be required by your agency to monitor the netting for a period of two years, for two reasons.

First, it would be interesting to the conservation and regulatory communities to learn whether this technique actually works to discourage nesting raptors. If so, its application elsewhere may have significant benefits. Second, this technique may be relevant to the problem of accidental bird collisions with communications towers. Mortality of migrating birds caused by collisions with towers has been shown to be significant, and the proposed technique may conceivably reduce such mortality by providing a softer surface to deflect night-time collisions. Importantly, a possible drawback might be that, depending on mesh size, migrant songbirds could be caught in the netting and killed by entanglement. The netting should therefore be monitored to ensure that such entanglement or other mortality does not occur.

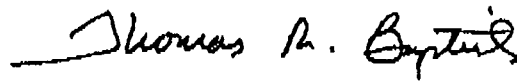
Mr. Bob Erling

April 6, 2000_

National Audubon Society would be interested in learning whether the proposed netting successfully discourages nesting raptors or reduces mortality caused by collisions. I would therefore deeply appreciate being kept informed about the actions taken by your agency relating to this matter.

Again, thank you for sharing this issue with me. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,



Thomas R. Baptist
Executive Director

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August 28, 2001

*Via Facsimile*Mr. Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051**Re: East Lyme**

Dear Mr. Rinebold:

Just a quick note to let you know that I spoke with David Funke, the Financial Director for the Town of East Lyme regarding the Crown Atlantic Company LLC tower at the Town landfill. He was somewhat familiar with the issues related to the Town's radio equipment. He and I discussed the status of the proposed lease amendment. We left at that he was going to talk to the First Selectman and get back to me.

I took the liberty of informing him that the Council preferred not to get involved, in any way, in private contractual relationships between parties. I will keep you updated on our progress in resolving these issues with the Town of East Lyme.

Sincerely,

Kenneth C. Baldwin

KCB/kmd

cc: Robert W. Leonard III

Town of

P.O. Drawer 529

Wayne Fraser
First Selectman



East Lyme

108 Pennsylvania Ave.
Niantic, Connecticut 06357

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Executive Director Joel M. Rinebold
CT Siting Council
Ten Franklin Square
New Britain, CT 06051

Dear Mr. Rinebold:

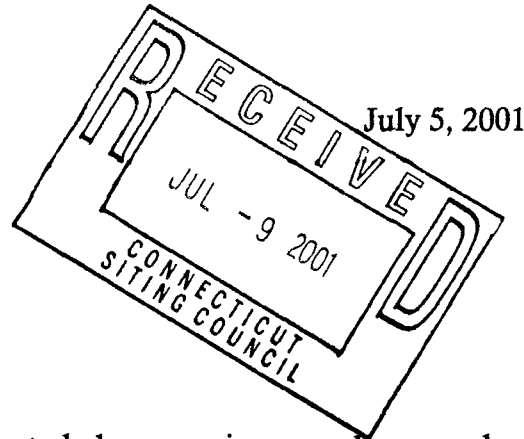
I am requesting your assistance to help us receive agreed upon enhancements from Crown Castle. In 1999, an agreement was made between the Town of East Lyme and Crown Castle in reference to the communications tower that is located on town property in East Lyme. I am enclosing our latest communication regarding this matter, which offers background information. Anything you can do to facilitate the situation will be appreciated. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Wayne".

Wayne Fraser
First Selectman

enc



Town of

P.O. Drawer 519

Wayne Fraser
First Selectman



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

(860) 739-6931
Fax (860) 691-0773

June 15, 2001

Mr. Robert Leonard
500 West Cummings Park
Suite 6500
Woburn, MA. 01807

REF: Crown Castle / Bell Atlantic Mobile / East Lyme NLN136 Revised Agreement

Dear Mr. Leonard:

I am writing to request a meeting with you to discuss agreements that were made with the Town of East Lyme by Crown Castle in reference to the communications tower that is located on town property at the landfill site on Roxbury Road here in East Lyme.

To provide some background, when the last property lease agreement between the Town and Crown Castle was signed in early 1999, Crown Castle agreed that in exchange for adding additional land to construct a future tower replacement and other modifications to the lease terms for the Roxbury Road site, your company would:

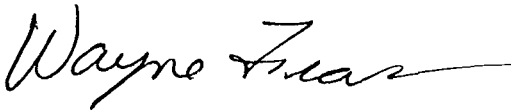
1. Assist us financially with purchasing and installing public safety radio equipment for the town at the tower site on Roxbury Road.
2. Allow installation of antennas and use of space for public safety radios on the existing and the proposed replacement tower.
3. Make arrangements to provide 120 volt A/C generator power in case of line power failure to the room currently used by the town through a previous agreement.

Since then we have been dealing with Mr. Joseph Pereira at TerraSearch as the contracted manager for this site. As of this date after many letters, phone calls, and meetings, antennas were installed but no radio equipment or funding for same has been provided. Generator power from the on site generator has also not been run to the equipment room. In a letter dated June 14th 2001 (copy enclosed) Mr. Pereira informs me he is no longer representing Crown in this matter and referred me to you.

Mr. Robert Heal, the East Lyme Public Safety Director, has been the towns project coordinator since 1996 dealing with representatives from Bell Atlantic Mobile, Crown, and other companies, trying to get a public safety radio site on this tower to provide much needed communication improvements for the town. To date he has had little cooperation. Use of the tower space for this purpose was included as an agreement in records prior to construction.

We worked rapidly to assist with granting Crown Castle's last request for changes to the property lease terms and as of today they have not fully lived up to their part of the agreement. I am writing to you as the latest representative for the Roxbury Road tower to set up a meeting to hopefully finalize these loose ends with our agreement. I would like to maintain a cooperative working relationship with Crown Castle as we both have mutually favorable property in town. I look forward to hearing from you by the end of this month to set a meeting to resolve this issue. Please feel free to contact me at (860) 739 - 6931. Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Fraser". The signature is written in black ink and is positioned above the typed name.

Wayne Fraser

First Selectman

WF/rph

CC: Attny. O'Connell - Town Counsel

R. Heal - Public Safety Director

F. Thumm - Public Works Director