



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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April 13, 2016

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **PETITION NO. 1112** - Cellco Partnership d/b/a Verizon Wireless declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement and extension of an existing telecommunications facility located off of St. Andrews Road, Bloomfield, Connecticut. **D&M Work Plan Revision.**

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) is in receipt of the vernal pool monitoring report and related request for modification of the Development and Management (D&M) Plan for the above-referenced site that was approved by the Council on September 4, 2014. The Council previously approved a D&M Plan revision on March 2, 2016 regarding construction work restrictions related to on-site vernal pools.

Pursuant to Regulations of Connecticut State Agencies §16-50j-77(b), your request to modify the seasonal vernal pool construction work restrictive period through the use of the protocols and additional protective measures contained within the April 11, 2016 Vernal Pool Monitoring Report prepared by All Points Technology Corporation is hereby approved.

This approval applies only to the D&M Plan revision contained within the April 11, 2016 Vernal Pool Monitoring Report. Any significant changes to the D&M Plan require advance Council notification and approval. Furthermore, the project developer is responsible for reporting requirements pursuant to Regulations of Connecticut State Agencies Section 16-50j-77.

Thank you for your attention and cooperation.

Very truly yours,

Melanie A. Bachman  
Acting Executive Director

MB/RM

c: Council Members  
The Honorable Joan Gamble, Mayor, Town of Bloomfield  
Philip K. Schenck, Jr., Town Manager, Town of Bloomfield  
Jose Giner, Director of Planning, Town of Bloomfield  
The Honorable Lisa L. Heavner, First Selectman, Town of Simsbury  
Michael Glidden, Assistant Town Planner, Town of Simsbury  
Kathleen M. Shanley, Eversource Energy  
Dean Gustafson, APT

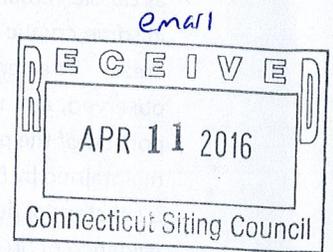


## VERNAL POOL MONITORING

**April 11, 2016**

**Melanie A. Bachman  
Acting Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051**

**APT Project No.: CT1412210**



**Re: Petition No. 1112  
Tariffville Relo Facility  
Request for Minor Modification  
St. Andrews Road, Bloomfield, CT**

Dear Ms. Bachman,

On behalf of Cellco Partnership, d/b/a. Verizon Wireless, All-Points Technology Corporation, P.C. ("APT") is pleased to provide results of vernal pool monitoring performed at the referenced Tariffville Relo Facility off St. Andrews Road in Bloomfield, Connecticut (the "Site"). Vernal pool monitoring was conducted in accordance with recommendations contained in our previously submitted March 1, 2016 Request for Minor Modification letter to your office.

### Vernal Pool Monitoring

March 1<sup>st</sup> to May 15<sup>th</sup> is considered a conservative seasonal restrictive period with respect to avoiding mortality to migrating amphibians. It is understood that a large percentage of the total amphibian migratory movements occurs over several short discrete windows of time where certain conditions are met. However, depending upon thermal and precipitation conditions which play a pivotal role in the timing of these migratory events, those few movements could be compressed into a week's time or over a month. APT has been monitoring weather conditions and amphibian movements at the Site during the month of March, the results of which are discussed below.

Days in March which experienced average temperatures at 40°F or greater and included either fog, mist or precipitation, considered optimal conditions for amphibian migration, included the following: March 9, 10, 11, 14, 15, 16, 17, 18, 21, 23, 24, and 25<sup>1</sup>. There were widespread reports throughout central Connecticut of amphibian migration and breeding between March 6<sup>th</sup> and March 8<sup>th</sup>, including observations made directly by APT. Based on these thermal and precipitation conditions and amphibian migrations in other parts of the state, APT performed inspections of the three vernal pools located at the Site starting on March 10<sup>th</sup> with subsequent inspections performed on March 16<sup>th</sup> and 22<sup>st</sup>. APT employed standard vernal pool survey techniques including pool surveys using waders, dip netting, use of polarized sunglasses for surveying the water column and cover searches of terrestrial areas immediately surrounding the pools. Evidence of herpetofauna migration and breeding was recorded for each of the three inspection dates, with observations of breeding (e.g., chorusing/amplexus adults, egg masses, etc.) progressively increasing with each subsequent inspection. A summary of those inspections is provided below. Tables detailing observations of vernal pool amphibians and other wildlife collected during the three

<sup>1</sup> National Oceanic and Atmospheric Administration's Preliminary Local Climatological Data (WS Form: F-6) for Bradley International Weather Station, March 2016 (accessed March 28, 2016) augmented by first-hand accounts.

monitoring events are provided in Attachment 1. Photodocumentation of observations collected during the three vernal pool inspections are provided in Attachment 2.

**Vernal Pool 1** Located at the western end of the Site near the tower relocation project, much of this pool is classified as classic vernal pool habitat with some hummock/hollow topography within southern portions of the pool resulting in some cryptic style habitat (abundant attachment sites present within both cryptic and classic vernal pool habitat areas). The central portion of the pool maintains deep (>5 feet) permanent open water. Although no fish were observed, due to the deep water conditions and underlying deep organic soils, it was not possible to survey this portion of the pool. Areas surrounding Vernal Pool 1 consist of largely intact core forest blocks beyond those areas maintained by Eversource Energy. The surrounding upland areas are prolific with downed coarse woody debris and a substantial duff layer providing good cover habitat for herpetofauna along with other species. Generally, little evidence of breeding by wood frogs (*Rana sylvatica*), spotted salamander (*Ambystoma maculatum*) or other vernal pool amphibians was observed on March 10<sup>th</sup>. Chorusing by numerous northern spring peepers (*Pseudacris c. crucifer*) was heard during each of the inspection dates; no wood frog chorusing was observed. Numerous adult eastern newts (aquatic adult life stage; *Notophthalmus viridescens*) were observed throughout the entire pool. A predated marble salamander (*Ambystoma opacum*) and a swimming painted turtle (*Chrysemys picta ssp.*) were observed during the March 16<sup>th</sup> inspection. The March 22<sup>nd</sup> inspection revealed numerous spotted salamander (*Ambystoma maculatum*) egg masses along the woody vegetated margins of the deep pool. In addition, several green frog (*Rana clamitans*) tadpoles, which had overwintered, were observed along the pool edge.

**Vernal Pool 2** This is centrally located on the Site within a generally level area primarily located at the edge of the transmission corridor in a scrub-shrub/forested habitat. Hydrology is received from the surrounding upland areas, as well as a culvert that conveys water from the northern end of Wetland 1 under an existing gravel utility maintenance road into Vernal Pool 2. This vernal pool resource is classified as cryptic style vernal pool habitat with numerous tussock sedge (*Carex stricta*), red maple (*Acer rubrum*) and highbush blueberry (*Vaccinium corymbosum*) hummocks. Northern spring peepers and a few wood frogs were heard chorusing during the March 10<sup>th</sup> inspection along with capture of eastern newts, fairy shrimp (*Eubranchipus vernalis*) and two marbled salamander larvae during dip netting of the pool. Several spotted salamander egg masses and spermatophores were observed along the eastern side of the pool during the March 16<sup>th</sup> inspection. Numerous spotted salamander egg masses were observed during the March 22<sup>nd</sup> inspection along with blue-spotted salamander complex (*Ambystoma laterale complex*). The blue-spotted complex is a State-listed Species of Special Concern. APT recommends that this record of blue-spotted salamander complex be reported to CTDEEP Natural Diversity Data Base ("NDDDB") with submission of a NDDDB Special Animal Survey Form. APT will coordinate with Eversource Energy, the owner of the property, on the Special Animal Survey Form submission.

**Vernal Pool 3** Pool 3 is a classic style vernal pool habitat located in the eastern portion of the Site along the north side of the existing paved access drive. The limits of this wetland and vernal pool habitat are quite broad, extending more than 500 linear feet north of the access drive. This vernal pool receives a significant portion of its hydrology from the surrounding forested uplands, but also has an intermittent stream/hillside seep wetland system that provides hydrology from the north. The existing access drive appears to result in artificial impoundment of this vernal pool, resulting in sustained inundation within the depression of this wetland system. This vernal pool and wetland area appears to slowly drain to the south under the existing paved access drive either via the road's subbase fill or possibly a blocked culvert. During the March 10<sup>th</sup> inspection, numerous northern spring peepers and wood frogs were heard chorusing. Numerous adult wood frogs, mainly males, were observed within the pool on March 10<sup>th</sup> with only one pair in amplexus (mating behavior); dip netting revealed a few eastern newts and numerous fairy shrimp. A large wood frog egg mass mat was observed in the central portion of the pool along with a few spotted salamander egg masses at the pool bottom and spermatophores were observed mostly along the western side of the pool during the March 16<sup>th</sup> inspection. Additional wood frog egg masses and numerous spotted salamander egg masses were observed during the March 22<sup>nd</sup> inspection along with blue-spotted salamander

complex (*Ambystoma laterale* complex) egg masses. APT provides the same recommendations regarding this State-listed species as noted in the Vernal Pool 2 section.

Based on the results of these inspections that document at least three (3) amphibian breeding migrations have occurred at the Site, APT recommends that limited construction activities may commence as early as April 1, 2016, per the following protocols and additional protective measures:

1. Prior to remobilization at the Site for limited construction activities, APT would hold an environmental awareness training session at the entrance gate to the access road to review the vernal pool protection plan with emphasis on making sure the road is clear of any amphibians.
2. Since vernal pool amphibians largely perform breeding migration movements during the night, all construction activities, including access into and leaving the site shall only be performed during the daytime hours.
3. No nighttime access shall be allowed during the March 1<sup>st</sup> to May 15<sup>th</sup> seasonal restriction period, except in the case of an emergency.
4. Limited construction activities would consist of access only by cell technicians and support personnel utilizing SUV and pickup truck type vehicles.
5. No heavy equipment access, site construction activities or tower dismantling shall occur until after May 15<sup>th</sup>.
6. If site stabilization activities or repair of erosion controls requires equipment support, such work will only be allowed to occur with assistance from APT to provide a spotter to walk necessary equipment up the access road to ensure the protection of vernal pool amphibians.

It is our opinion that this proposed modified seasonal vernal pool restrictive period is equally protective to vernal pool amphibians while preserving the intent of the March 1<sup>st</sup> to May 15<sup>th</sup> restrictive period originally conditioned by the Council. Provided the Siting Council authorizes this modification to allow limited construction activities to commence as previously discussed, APT will work with Verizon Wireless to implement the modified vernal pool protection program and coordinate with the contractor to ensure proper implementation of the proposed protocols.

Thank you for your consideration of this request and if you have any questions or require further information, please contact me by telephone at (860) 663-1697 ext. 201 or via email at [dgustafson@allpointstech.com](mailto:dgustafson@allpointstech.com).

Sincerely,



Dean Gustafson  
Senior Wetland Scientist

Enclosures

cc: Robert Hesselbach, Verizon Wireless  
Kate Shanley, Eversource Energy  
Bryon Morawski, Construction Manager, Verizon Wireless  
Kenneth C. Baldwin, Robinson & Cole LLP

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# Attachment 1

## Vernal Pool Monitoring Observations Tables

Table 1: Vernal Pool 1 Monitoring Observations

Species	Date	Adults	Spermatophores	# Egg Masses	Salamander Larvae/Frog tadpoles
Wood frog	3/10	<input checked="" type="checkbox"/> <sup>1,2,3</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>1,2</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>1,2</sup>		1-25	None
Spotted salamander	3/10	<input type="checkbox"/>	Yes	None	None
	3/16	<input type="checkbox"/>	Yes	1-25	None
	3/22	<input type="checkbox"/>	Yes	26-50	None
Blue-spotted salamander complex*	3/10	<input type="checkbox"/>	UNK	None	None
	3/16	<input type="checkbox"/>	Yes	None	None
	3/22	<input type="checkbox"/>	Yes	1-25	None
Marbled salamander	3/10	<input type="checkbox"/>	None	None	None
	3/16	<input type="checkbox"/>	None	None	None
	3/22	<input type="checkbox"/>	None	None	None
Spring peeper	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
Green frog	3/10	<input type="checkbox"/>		None	None
	3/16	<input type="checkbox"/>		None	None
	3/22	<input type="checkbox"/>		None	None
Gray treefrog	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
Eastern newt	3/10	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
Fairy shrimp	3/10	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>			
Other: Wood duck	3/10	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/16	<input type="checkbox"/>			
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>			

Notes: \* State-listed Special Concern Species

1. Adults observed
2. Chorusing adults
3. Pairs in amplexus
4. RS=*Rana sylvatica* (wood frog); RCM=*Rana clamitans melanota* (green frog); AM=*Ambystoma maculatum* (spotted salamander); AO=*Ambystoma opacum* (marbled salamander); ALC=*Ambystoma laterale* complex (blue-spotted salamander complex)

Table 2: Vernal Pool 2 Monitoring Observations

Species	Date	Chorusing/courting Adults	Spermatophores	# Egg Masses	Salamander Larvae/Frog tadpoles
Wood frog	3/10	<input checked="" type="checkbox"/> <sup>1,2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input type="checkbox"/>		1-25	None
Spotted salamander	3/10	<input type="checkbox"/>	Yes	None	None
	3/16	<input type="checkbox"/>	Yes	1-25	None
	3/22	<input type="checkbox"/>	Yes	1-25	None
Blue-spotted salamander complex*	3/10	<input type="checkbox"/>	None	None	None
	3/16	<input type="checkbox"/>	UNK	None	None
	3/22	<input type="checkbox"/>	Yes	1-25	None
Marbled salamander	3/10	<input type="checkbox"/>	None	None	Yes (2)
	3/16	<input type="checkbox"/>	None	None	Yes
	3/22	<input type="checkbox"/>	None	None	Yes
Spring peeper	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
Green frog	3/10	<input type="checkbox"/>		None	None
	3/16	<input type="checkbox"/>		None	None
	3/22	<input type="checkbox"/>		None	None
Gray treefrog	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input type="checkbox"/>		None	None
	3/22	<input type="checkbox"/>		None	None
Eastern newt	3/10	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
Fairy shrimp	3/10	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>			
Other: Wood duck	3/10	<input type="checkbox"/>			
	3/16	<input type="checkbox"/>			
	3/22	<input type="checkbox"/>			

Notes: \* State-listed Special Concern Species

1. Adults observed
2. Chorusing adults
3. Pairs in amplexus
4. RS=Rana sylvatica (wood frog); RCM=Rana clamitans melanota (green frog); AM=Ambystoma maculatum (spotted salamander); AO=Ambystoma opacum (marbled salamander); ALC=Ambystoma laterale complex (blue-spotted salamander complex)

Table 3: Vernal Pool 3 Monitoring Observations

Species	Date	Chorusing/courting Adults	Spermatophores	# Egg Masses	Salamander Larvae/Frog tadpoles
Wood frog	3/10	<input checked="" type="checkbox"/> <sup>1,2,3</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		101-150	None
	3/22	<input type="checkbox"/>		>200	None
Spotted salamander	3/10	<input type="checkbox"/>	Yes	None	None
	3/16	<input type="checkbox"/>	Yes	1-25	None
	3/22	<input type="checkbox"/>	Yes	101-150	None
Blue-spotted salamander complex*	3/10	<input type="checkbox"/>	None	None	None
	3/16	<input type="checkbox"/>	UNK	None	None
	3/22	<input type="checkbox"/>	Yes	51-100	None
Marbled salamander	3/10	<input type="checkbox"/>	None	None	None
	3/16	<input type="checkbox"/>	None	None	None
	3/22	<input type="checkbox"/>	None	None	None
Spring peeper	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
Green frog	3/10	<input type="checkbox"/>		None	None
	3/16	<input type="checkbox"/>		None	None
	3/22	<input type="checkbox"/>		None	None
Gray treefrog	3/10	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>2</sup>		None	None
	3/22	<input type="checkbox"/>		None	None
Eastern newt	3/10	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>		None	None
Fairy shrimp	3/10	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>			
Other: Wood duck	3/10	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/16	<input checked="" type="checkbox"/> <sup>1</sup>			
	3/22	<input checked="" type="checkbox"/> <sup>1</sup>			

Notes: \* State-listed Special Concern Species

1. Adults observed
2. Chorusing adults
3. Pairs in amplexus
4. RS=Rana sylvatica (wood frog); RCM=Rana clamitans melanota (green frog); AM=Ambystoma maculatum (spotted salamander); AO=Ambystoma opacum (marbled salamander); ALC=Ambystoma laterale complex (blue-spotted salamander complex)

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**Attachment 2**  
**Photodocumentation**



Photo 1: View of Vernal Pool 1 looking north, photo taken on March 10, 2016.



Photo 2: View of eastern newt in Vernal Pool 1, photo taken on March 10, 2016.



Photo 3: View of Vernal Pool 2 looking east, photo taken on March 10, 2016.



Photo 4: View of marbled salamander larvae in Vernal Pool 2, photo taken on March 10, 2016.



Photo 5: View of Vernal Pool 3 looking north, photo taken on March 10, 2016.



Photo 6: View of wood frogs in amplexus in Vernal Pool 3, photo taken on March 10, 2016.



Photo 7: View of fairy shrimp in Vernal Pool 3, photo taken on March 10, 2016.



Photo 8: View of spotted salamander egg mass in Vernal Pool 2, photo taken on March 16, 2016.



Photo 9: View of spotted salamander egg mass in Vernal Pool 2, photo taken on March 16, 2016.

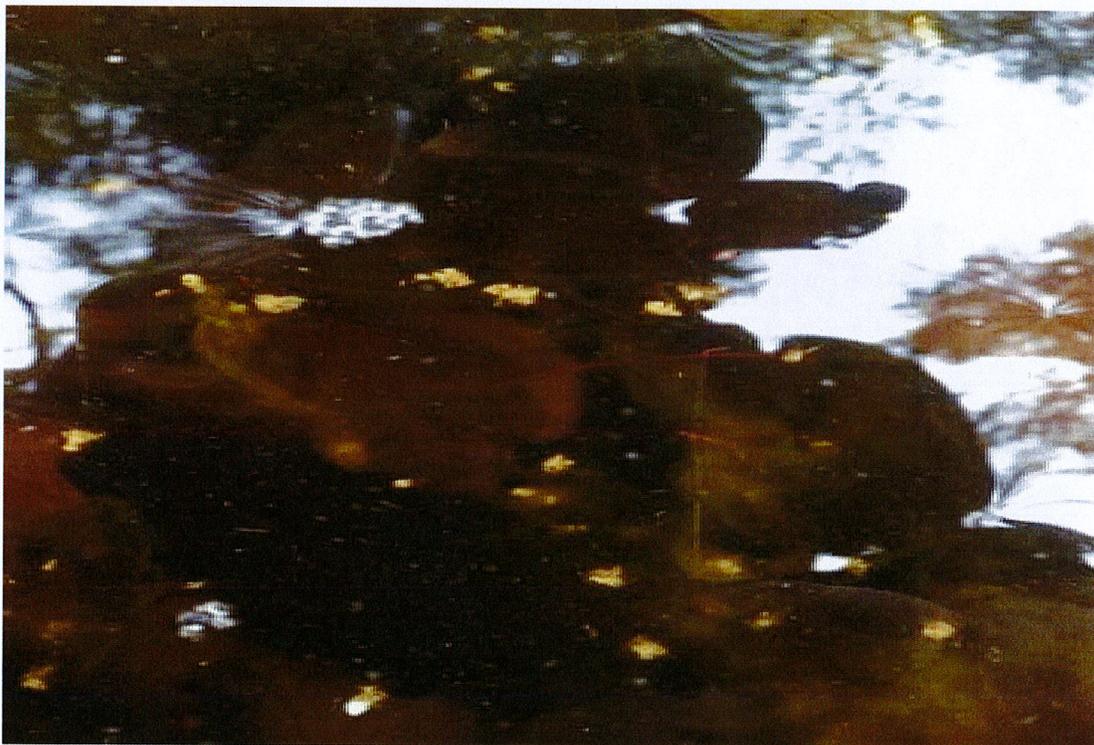


Photo 10: View of salamander spermatophores in Vernal Pool 2, photo taken on March 16, 2016.



Photo 11: View of spotted salamander egg masses in Vernal Pool 3, photo taken on March 16, 2016.



Photo 12: View of spotted salamander egg masses in Vernal Pool 3, photo taken on March 16, 2016.



Photo 13: View of salamander spermatophores in Vernal Pool 3, photo taken on March 16, 2016.

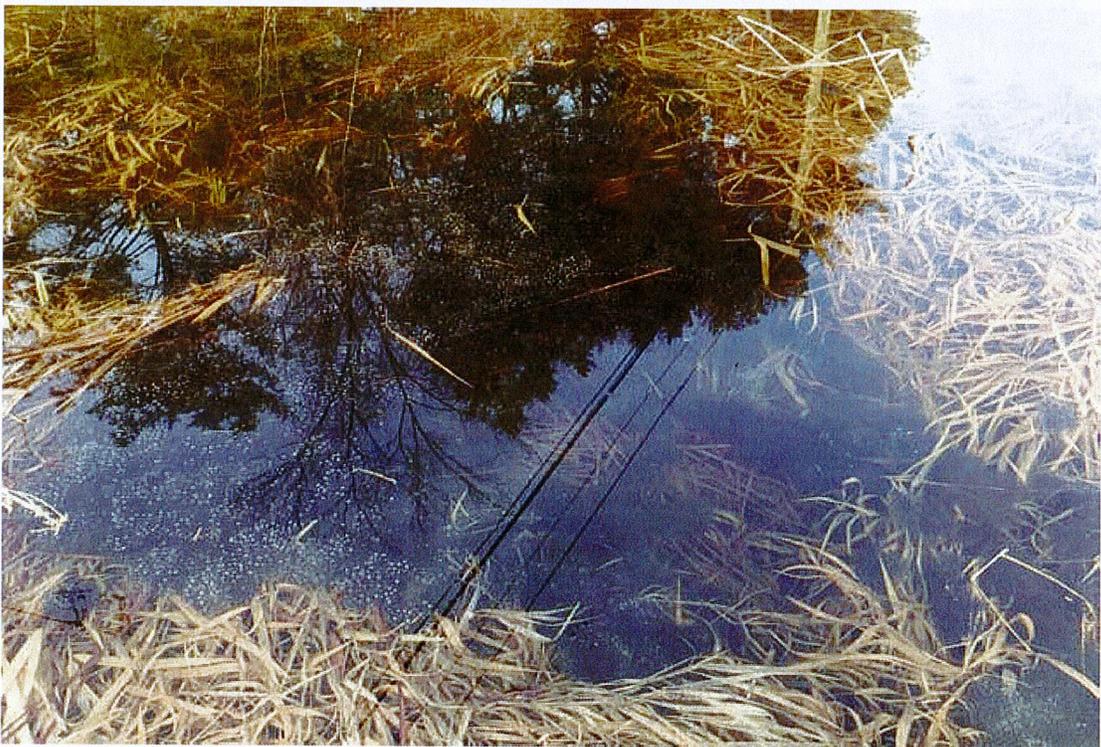


Photo 14: View of large wood frog egg mass mat in Vernal Pool 3,  
photo taken on March 16, 2016.



Photo 15: View of wood frog egg mass in Vernal Pool 3,  
photo taken on March 16, 2016.



Photo 16: View of Vernal Pool 1 looking south, photo taken on March 22, 2016.



Photo 17: View of spotted salamander egg mass in Vernal Pool 1, photo taken on March 22, 2016.



Photo 18: View of Vernal Pool 2 looking south, photo taken on March 22, 2016.



Photo 19: View of spotted salamander and blue-spotted salamander complex egg masses in Vernal Pool 2, photo taken on March 22, 2016.



Photo 20: View of Vernal Pool 3 looking north, photo taken on March 22, 2016.



Photo 21: View of infertile blue-spotted salamander complex egg mass, photo taken on March 22, 2016.



Photo 22: View of spotted salamander egg masses in Vernal Pool 3, photo taken on March 22, 2016.

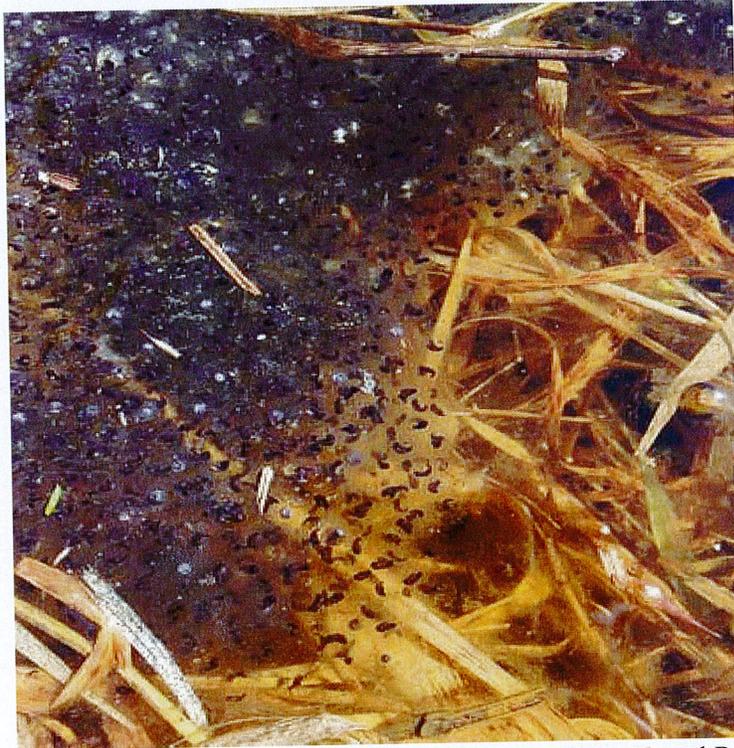


Photo 23: View of developing wood frog egg masses from Vernal Pool 3,  
photo taken on March 22, 2016.