



Preliminary USFWS, Migratory Birds & NDDB Compliance Determination

February 8, 2018

**Verizon Wireless
20 Alexander Drive
Wallingford, CT 06492**

APT Project No.: CT1416710

**Re: Proposed Cromwell North 2 CT Facility
667 Main Street
Cromwell, Connecticut**

On behalf of Cellco Partnership and its controlled affiliates doing business as Verizon Wireless ("Cellco"), All-Points Technology Corporation, P.C. ("APT") performed a preliminary evaluation with respect to possible federally- and state-listed, threatened or endangered species as well as migratory bird species in order to determine if the proposed referenced communications facility ("Facility") would result in a potential adverse effect to listed species and species of concern.

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-listed¹ 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 is located within a cleared gravel and dirt area currently used as a storage yard for various concrete products that would require minimal tree clearing. The proposed access would generally follow along the south and west property boundaries within developed areas of the subject property also used for the storage of concrete products. The Facility would include a proposed 120-foot tall (123 feet overall height with antennas) monopole tower and equipment located within a 50-foot by 50-foot fenced, gravel compound. The proposed outdoor equipment cabinets, 20 kW diesel fueled generator on a 9-foot 4-inch by 16-foot prefabricated steel platform on concrete piers with steel a canopy. Consultation with the Connecticut Department of Energy & Environmental Protection ("DEEP") Wildlife Division Natural Diversity Data Base ("NDDB") revealed that the proposed Facility is not within 150 feet of a known occupied maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed activity is located in North Branford ±18 miles to the southwest. Therefore, the proposed project would not adversely affect NLEB.

APT has submitted the USFWS's NLEB final 4(d) rule Streamlined Consultation Form under the consultation framework that allows federal agencies to rely upon the USFWS January 5, 2016, intra-Service Programmatic Biological Opinion ("BO") on the Final 4(d) Rule for the NLEB for section 7(a)(2) compliance. If the USFWS does not respond within 30 days from submittal of this form (March 8, 2018), one may presume that USFWS determination is informed by the best available information and that Cellco's project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS' BO.

¹ Listing under the federal Endangered Species Act

Cellco would consider following additional recommended measures for NLEB conservation, noted below, as encouraged in the April 29, 2016 FCC Public Notice², as the project schedule allows.

- 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 and large trees when possible.
- Use herbicides and pesticides only if unavoidable.
- Minimize exterior lighting, opting for down-shielded, motion-sensor security lights under towers instead of constant illumination.

Migratory Birds In August 2016, the USFWS prepared its *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning*. These suggested best practices were developed to assist tower companies in developing their communication systems in a way which minimizes the risk to migratory birds and threatened and endangered species.

The proposed Facility would comply with the USFWS' recommended guidelines for reducing impacts to migratory birds as follows. The proposed Facility would consist of a 120-foot monopole structure (123 feet overall height) which requires neither guy wires nor lighting and is therefore consistent with USFWS' suggested tower design criteria: tower height is less than 200 feet above ground level; would not contain guy wires; would not require tower lighting and on-ground security lighting would be down-shielded and motion-sensored. In addition, placement of the Facility avoids wetlands, known bird concentration areas (closest Important Bird Area is \pm 2.5 miles away to the north – Great Meadows in Rocky Hill), rare species or critical habitat (site is not located within a DEEP NDDB buffer area or a Connecticut Critical Habitat) and ridgelines, thereby minimizing environmental impacts that could affect migratory birds.

Cellco would consider following the USFWS' construction recommendations, noted below, as the project schedule allows.

- If construction activities should occur during the peak nesting period of April 15 through July 15³, efforts would be taken to complete tree clearing work prior to April 15.
- If tree clearing has not been completed by April 15, an avian survey may be conducted to determine if breeding birds would be disturbed.
- If the avian survey concludes that breeding birds would be disturbed, tree clearing activities may be restricted from the April 15 through July 15 peak nesting period (or a modified time frame based on the specific findings of the survey).

By observing these guidelines, the proposed Facility construction activities are not anticipated to result in significant disturbance to breeding birds protected by the Migratory Bird Treaty Act ("MBTA").

² 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.

³ USFWS identifies the peak avian nesting season as April 15 through July 15 and recommends clearing activities be performed before this period in order to comply with the Migratory Bird Treaty Act, personal communication with Maria Tur, USFWS New England Field Office, February 27, 2014.

NDDB No known areas of state-listed species are currently depicted on the most recent DEEP NDDB Maps in the location of the proposed Verizon Wireless development. Please refer to the enclosed NDDB Map. Although no impacts to state-listed species are anticipated with the proposed Facility, APT has consulted with the DEEP to confirm that no documented occurrences of State Listed Endangered, Threatened, and Special Concern species occur in the vicinity of the proposed Facility. A response from the DEEP is forthcoming and will be provided to Cellco and the Connecticut Siting Council upon receipt.

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

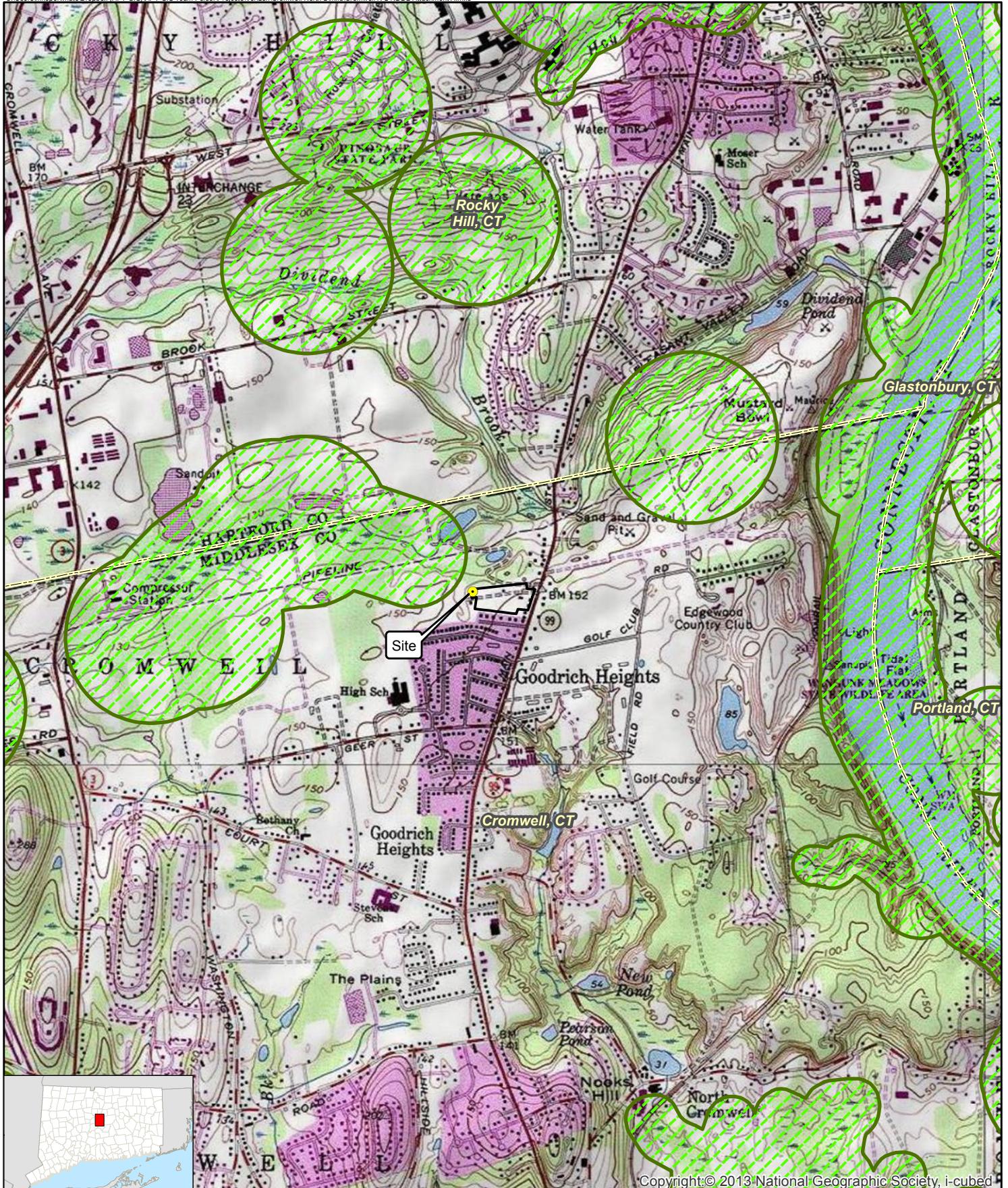
Sincerely,



Dean Gustafson
Senior Environmental Scientist

Enclosure

NDDB Map



Legend

- Proposed Monopole Tower
- Subject Property
- Natural Diversity Database (updated December 2017)
- Municipal Boundary

Map Notes:
 Base Map Source: USGS 7.5 Minute Topographic Quadrangle Map, Hartford South, CT (1992)
 Map Scale: 1:24,000
 Map Date: January 2018



1,000 500 0 1,000
Feet

Attachment A: Overview Map

Proposed Wireless
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verizon

ALL-POINTS
TECHNOLOGY CORPORATION