

April 20, 2015

Via Hand Delivery

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


Re: **Docket No. 456 – Application of Cellco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the Construction of a Wireless Telecommunications Facility at 33 Keegan Road, Plymouth, Connecticut**

Dear Ms. Bachman:

Enclosed please find fifteen (15) copies of a letter from All-Points Technology Corporation to the Connecticut Department of Energy & Environmental Protection regarding the above-referenced telecommunications facility. The applicant will seek to have this letter included as a full exhibits in the Docket No. 456 proceeding.

Thank you very much for your cooperation.

Sincerely,



Kenneth C. Baldwin

KCB/kmd
Enclosures



April 20, 2015

**Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127**

APT Project No.: CT1412300

**Attn: Dawn McKay
via EMail**

**Re: Proposed Telecommunications Facility
Plymouth West Relo.
33 Keegan Road
Plymouth, Litchfield County, Connecticut
Lat: 41° 39' 42.334" Long: 73° 2' 44.321"
Tower Type: Monopole Tower
Overall Height: 143-feet AGL
EnSite # 19735**

Dear Ms. McKay,

All-Points Technology Corporation, P.C. ("APT") had previously submitted a Natural Diversity Data Base ("NDDDB") State Listed Species Review request on behalf of Celco Partnership and its controlled affiliates doing business as Verizon Wireless ("Verizon Wireless") for a proposed wireless communications facility at 33 Keegan Road in Plymouth, Connecticut. APT understands that NDDDB records reveal Eastern Box Turtle (*Terrapene carolina carolina*), Wood Turtle (*Glyptemys insculpa*) and Whip-poor-will (*Caprimulgus vociferus*), all State Species of Special Concern, in the vicinity of the proposed project¹.

The proposed project will protect Whip-poor-will by imposing a seasonal restrictive period for construction during the nesting period May 1st through July 31st. A proposed turtle protection program will also be implemented consists of several components: isolation of the project perimeter; periodic inspection and maintenance of isolation structures; turtle sweeps; awareness training of all contractors and sub-contractors prior to initiation of work on the site; protective measures; and, reporting. An example of the caution turtle posters that would be posted at the construction site as part of the contractor awareness component is also enclosed. Verizon Wireless is committed to implementing these protective measures to avoid unintentional injury or mortality to Eastern Box Turtle, Wood Turtle and Whip-poor-will as a result of proposed construction activities for the referenced facility. The referenced and enclosed protective measures will be incorporated into the construction drawings (Development and Management Plans) should the project receive approval by the Connecticut Siting Council. With adherence to this protection program, the proposed development at this property would not have an adverse effect on these species.

¹ Dawn McKay email, April 14, 2015.

Please feel free to contact me by phone at (860) 663-1697 ext. 201 or via email at dgustafson@allpointstech.com with any questions or if additional information is required.

Sincerely,

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

Dean Gustafson
Senior Environmental Scientist

Enclosures

Eastern Box Turtle and Wood Turtle Protection Plan

ENVIRONMENTAL NOTES

Eastern Box Turtle and Wood Turtle Protection Program

Eastern Box Turtle and Wood Turtle, both State Special Concern species afforded protection under the Connecticut Endangered Species Act, are known to occur on or within the vicinity of the site. The following protective measures satisfy requirements from the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division and follow protocols developed from previous rare species consultations and state-approved protection plans. This protection plan is valid for one year from the date of CTDEEP's letter, at which point if construction has not been initiated, a new Natural Diversity Data Base review request from CTDEEP is required.

It is of the utmost importance that the Contractor complies with the requirement for the installation of protective measures and the education of its employees and subcontractors performing work on the project site if work will occur during the Eastern Box Turtle's and Wood Turtle's active period (April 1 to November 15). All-Points Technology Corporation, P.C. ("APT") will serve as the Environmental Monitor for this project to ensure that Eastern Box Turtle and Wood Turtle protection measures are implemented properly and will provide an education session on Eastern Box Turtle and Wood Turtle prior to the start of construction activities. The Contractor shall contact Dean Gustafson, Senior Environmental Scientist at APT, at least 5 business days prior to the pre-construction meeting. Mr. Gustafson can be reached by phone at (860) 984-9515 or via email at dgustafson@allpointstech.com.

The proposed Eastern Box Turtle and Wood Turtle species protection program consists of several components: isolation of the project perimeter; periodic inspection and maintenance of isolation structures; education of all contractors and sub-contractors prior to initiation of work on the site; protective measures; and, reporting.

1. Isolation Measures & Erosion and Sedimentation Controls

- a. Plastic netting used in a variety of erosion control products (i.e., erosion control blankets, fiber rolls [wattles], reinforced silt fence) has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. No permanent erosion control products or reinforced silt fence will be used on the Verizon Wireless project. Temporary Erosion control products will use either erosion control blankets and fiber rolls composed of processed fibers mechanically bound together to form a continuous matrix (net less) or netting composed of planar woven natural biodegradable fiber to avoid/minimize wildlife entanglement.
- b. Installation of erosion and sedimentation controls (i.e., silt fencing), required for erosion control compliance and creation of a barrier to possible migrating/dispersing herpetofauna, shall be performed by the Contractor following clearing activities and prior to any earthwork. The Environmental Monitor will inspect the work zone area prior to and following erosion control barrier installation to ensure the area is free of to ensure the area is free of eastern box turtles and wood turtles and satisfactorily installed. The intent of the barrier is to segregate the majority of the work zone from foraging/migrating/dispersing turtles. Oftentimes complete isolation of a work zone is not feasible due to accessibility needs and locations of staging/material storage areas, etc. In those circumstances, the barriers will be positioned to deflect migrating/dispersal routes away from the work zone to minimize potential encounters with turtles.
- c. The fencing will consist of non-reinforced conventional erosion control woven fabric, installed approximately six inches below surface grade and staked at seven to ten-foot intervals using four-foot oak stakes or approved equivalent. In addition to

required daily inspection by the Contractor, the fencing will be inspected for tears or breeches in the fabric following installation and at either on a weekly or biweekly inspection frequency by APT. If inspections are performed on a biweekly basis, such inspections will also include inspections following storm events of 0.25 inch or greater. Inspections will be conducted by APT throughout the course of the construction project.

- d. The extent of the barrier fencing will be as shown on the site plans. The Contractor shall have additional barrier fencing should field conditions warrant extending the fencing as directed by APT.
- e. No equipment, vehicles or construction materials shall be stored outside of barrier fencing.
- f. All silt fencing shall be removed within 30 days of completion of work and permanent stabilization of site soils so that reptile and amphibian movement between uplands and wetlands is not restricted.

2. Contractor Education

- a. Prior to work on site, the Contractor shall attend an educational session at the pre-construction meeting with APT. This orientation and educational session will consist of an introductory meeting with APT providing photos of eastern box turtles and wood turtles and emphasizing the non-aggressive nature of these turtles, the absence of need to destroy animals that might be encountered and the need to follow Protective Measures as described in Section 4 below. Workers will also be provided information regarding the identification of other turtle species that could be encountered.
- b. The education session will also focus on means to discriminate between the species of concern and other native species to avoid unnecessary "false alarms". Encounters with any species of turtles will be documented.
- c. The Contractor will be provided with cell phone and email contacts for APT personnel to immediately report any encounters with eastern box turtle, wood turtle or other turtle species. Educational poster materials will be provided by APT and displayed on the job site to maintain worker awareness as the project progresses.

3. Petroleum Materials Storage and Spill Prevention

- a. Certain precautions are necessary to store petroleum materials, refuel and contain and properly clean up any inadvertent fuel or petroleum (i.e., oil, hydraulic fluid, etc.) spill due to the project's location in proximity to sensitive wetlands.
- b. A spill containment kit consisting of a sufficient supply of absorbent pads and absorbent material will be maintained by the Contractor at the construction site throughout the duration of the project. In addition, a waste drum will be kept on site to contain any used absorbent pads/material for proper and timely disposal off site in accordance with applicable local, state and federal laws.
- c. The following petroleum and hazardous materials storage and refueling restrictions and spill response procedures will be adhered to by the Contractor.
 - i. Petroleum and Hazardous Materials Storage and Refueling

1. Refueling of vehicles or machinery shall occur a minimum of 100 feet from wetlands or watercourses and shall take place on an impervious pad with secondary containment designed to contain fuels.
2. Any fuel or hazardous materials that must be kept on site shall be stored on an impervious surface utilizing secondary containment a minimum of 100 feet from wetlands or watercourses.

ii. Initial Spill Response Procedures

1. Stop operations and shut off equipment.
2. Remove any sources of spark or flame.
3. Contain the source of the spill.
4. Determine the approximate volume of the spill.
5. Identify the location of natural flow paths to prevent the release of the spill to sensitive nearby waterways or wetlands.
6. Ensure that fellow workers are notified of the spill.

iii. Spill Clean Up & Containment

1. Obtain spill response materials from the on-site spill response kit. Place absorbent materials directly on the release area.
2. Limit the spread of the spill by placing absorbent materials around the perimeter of the spill.
3. Isolate and eliminate the spill source.
4. Contact the appropriate local, state and/or federal agencies, as necessary.
5. Contact a disposal company to properly dispose of contaminated materials.

iv. Reporting

1. Complete an incident report.
2. Submit a completed incident report to the Connecticut Siting Council.

4. Turtle Protective Measures

- a. Prior to the start of construction each day, the Contractor shall search the entire work area for turtles.
- b. If a turtle is found, it shall be immediately moved, unharmed, by carefully grasped in both hands, one on each side of the shell, between the turtle's forelimbs and the hind limbs, and placed just outside of the isolation barrier in the approximate direction it was walking.

- c. Special care shall be taken by the Contractor during early morning and evening hours so that possible basking or foraging turtles are not harmed by construction activities.

5. Herbicide and Pesticide Restrictions

- a. The use of herbicides and pesticides at the proposed wireless telecommunications facility and along the proposed access drive are strictly prohibited.

6. Reporting

- a. Monthly inspection reports (brief narrative and applicable photos) will be submitted to the Connecticut Siting Council for compliance verification. Any observations of turtles will be included in the reports.
- b. Following completion of the construction project, APT will provide a summary report to CTDEEP documenting the monitoring and maintenance of the barrier fence and erosion control measures.
- c. Any observations of eastern box turtle or wood turtle will be reported to CTDEEP by APT, with photo-documentation (if possible) and with specific information on the location and disposition of the animal.

Eastern Box Turtle and Wood Turtle Posters

CAUTION

EASTERN BOX TURTLES ARE KNOWN TO INHABIT THIS AREA



Identification: Eastern Box Turtles (*Terrapene c. carolina*) are small, terrestrial turtles ranging from 4.5 to 6.6 inches in length. The shell (carapace) is readily distinguished by its high domed shaped. The color of the shell is brown or black with numerous irregular yellow, orange or reddish markings. The belly (plastron) typically has a light and dark variable pattern, but may be completely tan, brown or black. The head, neck and legs also vary in color but are generally dark with orange or yellow mottling. Box turtles are terrestrial and inhabit many types of habitats including deciduous forests, brushy fields, thickets, streams, ponds and wetlands.

What to do if you find a box turtle: Box turtles are protected by Connecticut's threatened and endangered species legislation and **cannot** be injured, killed, or retained as a pet. If you find a box turtle move the turtle to a safe location away from any construction activity in the direction that the turtle was heading. Carefully pick up the turtle by its shell (carapace) between the front and hind legs with both hands. Be sure to hold the turtle closer to their hind legs as they may reach over and bite if your hands are too close to the head. The turtle may hiss and should retract into its shell.

Who to contact: Please report any finds and relocation of Eastern Box Turtle immediately to **Dean Gustafson of All-Points Technology Corporation, P.C. at (860) 984-9515.**

CAUTION

WOOD TURTLES ARE KNOWN TO INHABIT THIS AREA



Identification: Wood turtles (*Glyptemys insculpta*) are terrestrial turtles that may reach 6 to 8 inches in length. Although they are most often associated with rivers and large streams, their foraging habitat covers extensive areas of pasture, woodlands and wetlands. The shell (carapace) is readily distinguished by its sculpted, rough, moderately-domed shaped. The color of the shell is brown or black with flared rear marginals (edge of the shell). The belly (plastron) is yellow with large black blotches or squares along the edges. The head and upper limbs are dark brown or black with yellow, orange or red wash on the under limbs. Large scales cover the forelimbs sometimes with red or orange highlights. olive, tan, or brown.

What to do if you find a wood turtle: Wood turtles are protected by Connecticut's threatened and endangered species legislation and **cannot** be injured, killed, or retained as a pet. If you find a wood turtle move the turtle to a safe location away from any construction activity in the direction that the turtle was heading. Pick up the turtle by its shell (carapace) between the front and hind legs. Be sure to hold the turtle closer to their hind legs as they can reach over and bite if your hands are too close to the head. The turtle may hiss and should retract into its shell.

Who to contact: Please report any finds and relocation of wood turtle immediately to **Dean Gustafson of All-Points Technology Corp., P.C. at (860) 984-9515.**