

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR CERTIFICATES OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF TWO TELECOMMUNICATIONS TOWER FACILITIES LOCATED OFF OF HAYWARDVILLE ROAD AND ED WILLIAMS ROAD BOTH IN THE TOWN OF EAST HADDAM, CONNECTICUT

DOCKET NO. 395

MARCH 23, 2010

NEW CINGULAR WIRELESS
RESPONSE TO SITING COUNCIL INTERROGATORIES SET II

Devil's Hopyard North (East Haddam Fish & Game Club Property Site)

Q1. The proposed roadway and tower compound are proposed within close proximity to inland wetlands and watercourses, approximately 6' and 62', respectively from the flagged wetland limits (as shown on sheet #C02 of the application). With a host property of approximately 102 acres, please explain why the facility was located essentially in a very narrow and steep sliver of upland surrounded closely by wetland.

A1. Several reasons warrant the location of the tower and access driveway as proposed.

- A. The existing 102 acre parcel has an existing curb cut and woods road that are proposed to be used by AT&T for access to the tower facility thereby substantially minimizing environmental effects of the facility.
- B. The parcel has no other improved access points from a public road.
- C. The grades in this area are 4 to 11.5% which are moderate in nature.
- D. The wetlands and watercourses are largely drainage channels and no adverse impacts from the communications facility project, which is limited to upland areas, was identified as set forth in the April 6, 2009 wetlands report by BL Companies which is behind Tab 3A of the Application.
- E. Other parcels owned by the East Haddam Fish & Game Club west of the site and at higher elevations were rejected by AT&T due to concerns over visibility

of a tower from the nearby Millington Green which is on the National Register of Historic Places. A study was completed by The Ottery Group as part of the NEPA review for the site as proposed and is included in the Application behind Tab 3B (subattachments 8-10). Because no visibility was documented as identified in the visual analysis behind Tab 3C of the Application, SHPO noted in its April 15, 2009 correspondence behind Tab 3B of the Application that the project would have no adverse effect on these historic resources. The same would not hold true for other properties of the East Haddam Fish & Game Club where a tower might be visible from the Millington Green. The landowner also preferred the proposed property and location based on usage of its other properties.

Q2. A 4/6/09 letter from BL Company's wetland scientists (found behind the first Tab A of the application) identifies a risk of soil movement to surface waters and wetlands during construction. The wetland experts recommend that appropriate best management practices (BMP's) be implemented and maintained throughout construction. Please identify the specific BMP's that would be utilized and who will design, install, inspect and maintain these measures.

A2. The BL Company's report recommended, as is customary, that soil erosion and sedimentation control measures be incorporated to reduce the risk of soil movement during construction. This statement was not a conclusion that the project as proposed presented a significant risk of such movement of soils into wetlands or watercourses. Best management practices are listed in the BL report as diversion swales along the access drive, level spreaders, hay bales and silt fencing during construction and seeding thereafter. These are typical and would be designed by AT&T's professional engineers at CHA and incorporated into any D&M Plan as noted in CHA's correspondence dated March 16, 2010 attached hereto in Exhibit A. During construction, AT&T's contractors will be responsible for installation, inspection and maintenance. Long term responsibility for any inspection and maintenance will remain AT&T's and be incorporated into its overall site maintenance.

Q3. Based on the steep topography, local drainage pattern and length of roadway, will any stormwater drainage features, such as swales, culverts, energy dissipaters, etc... , be necessary to construct? And if so, to what standard will they be designed and installed?

A3. Swales and level spreaders will be utilized as noted in the BL Company's recommendations to the project engineers in their April 2009 report and noted in the CHA correspondence in Exhibit A. As testified at the public hearing by CHA representatives, the standards would be DEP's Stormwater Design manual and DOT Drainage Manual standards for roads even though the access drive will be private and of limited use.

Q4. Post-construction of the facility, what will width of the permanent vegetated buffers to the nearby wetlands be? And do you consider these buffer widths protective of the wetland's long-term functions and values?

A4. The permanent vegetated buffers would vary and are listed on page 25 of the Application and the exhibit behind Tab 3 as 62' from edge of compound grading, 26' from access drive grading and down to 6' at the existing curb cut on Haywardville Road where an existing culvert is located. As an unmanned facility with no water or sanitary facilities and a pervious gravel access drive, the communications tower project would be a very low impact use. As set forth in the CHA correspondence in Exhibit A, wetlands will be protected given grades and swales to be incorporated into the drainage design.

Q5. What is the width of the road crossing the culvert? Would the culvert support use by construction equipment? Describe soil stabilization on both ends of the culvert.

A5. Approximately 12'. A temporary steel plate will be used for protection during construction as referenced in the attached CHA correspondence in Exhibit A. The drawing CO2 behind Tab 3 of the Application identifies the culvert as an 18" HDPE which will remain and some modest rip rap will be added to the culvert inlet and outlet to prevent soil erosion.

Q6. In the application Tab 3/Tab B, the Archeological Assessment for the East Haddam Fish and Game Club site prepared by the Ottery Group dated March 27, 2009, Tower Evaluation Form No. 20 states "The planned undertaking will not involve construction of an access road." Clarify this statement.

A6. As part of federal NEPA consultation with the CT SHPO, The Ottery Group was asked to conduct an archeological assessment which is not always required by CT SHPO. In this case an 8 page report was prepared and as noted therein, both the literature review and in-field investigations revealed no archeological resources and no further investigation was required. A copy of this report was provided to the Siting Council as part of the overall NEPA report and includes reference to the site plan relied on by The Ottery Group at the time of its report which is the same as that presented to the Siting Council in drawing C02 behind Tab 3 of the Application. The report notes that the proposed access drive follows the existing road in part.

The form referenced in the question above and included in the overall NEPA report and which is physically located just after the March 27, 2009 Archeological Report is not actually a part of the Archeological Assessment itself. That form is an undated non-regulatory "tower site evaluation form" used by AT&T and The Ottery Group. The additional information section of the form under part 20 generally describes the facility at the time The Ottery Group is engaged by AT&T early on in the siting process. In this case, at the time of that form's initial preparation in this matter, the plan was to not build any new access drive and utilize the existing woods road. The plan subsequently changed once it was determined that wetlands crossed the existing access driveway and the tower location was shifted to avoid any new wetlands crossings as testified at the public hearing. This internal form that is included in the overall NEPA report does not however have any effect on the NEPA conclusions. The

NEPA report notes throughout that the project involves construction of a new access drive in part and no federal environmental impacts will result from same.

Q7. In the application Tab 3/Tab B, numerous letters to consulting parties dated April 8, 2009, described the East Haddam Fish and Game Club property site would use a generator and LP fuel tank. When did AT&T decide to use diesel fuel? Describe advantages and disadvantages to using diesel fuel and liquid propane fuel. Would AT&T object if the Council ordered LP fuel?

A7. Letters behind Tab 3B of the Application are all part of AT&T/The Ottery Group's federal NEPA consultation and unrelated to consultation pursuant to Section 16-501 of the Connecticut General Statutes. AT&T nevertheless shares this correspondence with the Siting Council given that many State and local agencies are consulted as part of NEPA and FCC rules and regulations. The Ottery Group's NEPA letters which reference a LP tank to support a generator could have noted diesel or LP as the fuel source, but the distinction is not material for federal NEPA purposes.

In Connecticut, AT&T utilizes principally diesel fuel generators which are self-contained units as set forth in its applications to the Siting Council (see pg. 16). AT&T prefers diesel to LP for unit longevity and operating costs and avoidance of a large LP tank in the compound. AT&T does note also that the containment systems and low volume of diesel fuel proposed for backup power generation by AT&T are sufficiently protective of the environment. AT&T would not object to using LP if required by the Council.

Devil's Hopyard South (Tarpill Property Site)

Q8. West of the proposed access roadway, in the vicinity of wetland flags B10 through B20, BL Company's wetland scientists identified on a sketch map #WD-1 (found behind the second Tab A) two potential vernal pools. Has the applicant conducted any additional studies on these potential vernal pools? If so, provide documentation.

A8. The BL Company report dated September 14, 2009 did not recommend any further study of these potential vernal pools given the proposed access road's distance east thereof. Nevertheless, in response to this interrogatory, AT&T asked BL Company and CHA to rereview their conclusions. Attached in Exhibit B is their further report which notes that there are no significant impacts from the project as originally proposed and that a revised access road as studied by AT&T in response to interrogatory 12 below could be beneficial.

Q9. How far is the proposed roadway edge from the limits of the two potential vernal pools? If these areas were indeed vernal pools providing obligate amphibian breeding habitat, does the project provide an adequate buffer and level of development to protect this critical function.

A9. Approximately 150'. Yes, adequate buffers will exist post development of the project. See BL Report in Exhibit B and also response to question 10 below.

Q10. Would the project be consistent with the guidance in the following document: Calhoun, A.J.K. and M.W. Klemens. 2002. Best development practices for pool-breeding amphibians in commercial and residential developments. *Wildlife Conservation Society Technical Paper #5*. Rye, New York.

A10. Yes, the project as originally proposed involves no disturbance within 100' of these potential vernal pools and less than 25% of the acreage within 750' thereof will be disturbed by the AT&T project. Additionally, the access drive is a pervious surface with no curbing which will not limit obligate species that may use the potential vernal pools for breeding. AT&T asked CHA and BL Companies to assess an alternative access route which is incorporated into BL Companies' responses included in Exhibit B and an alternative access plan also included in Exhibit B. This alternative would provide a greater distance from the potential vernal pools.

Q11. How far is the proposed tower site from Burnham Brook, a tributary to the Eightmile River? What impact, if any, will the project have on Burnham Brook and its associated wetlands?

A11. Burnham Brook is over 1/4 of a mile from the project. No impacts are anticipated. See CHA correspondence attached in Exhibit A.

Q12. Describe the advantages and disadvantages to using the existing unimproved woods road as identified on Tab 4/Tab B Map LE-1?

A12. As testified at the public hearing and shown on the drawings, a large portion of the existing unimproved woods road is located on an adjacent parcel and is not benefited by an easement. As such, use of that portion for access and utilities has legal constraints. However, the existing road straddles the property line and as such, AT&T has prepared an alternative access drive for that portion of the facility as shown in the attached drawing in Exhibit B. This alternative access would widen the existing road as needed on the host parcel for access and utilities and have the advantage of less tree removal and further distance from wetlands and potential vernal pools.

Q13. In the application Tab 4/Tab A, the BL Company letter dated September 14, 2009 page 2, Wetland Description states:

- a. Wetland A is approximately 150 feet south of the proposed tower. Clarify discrepancy with Tab 4 Site Plan CO2B indicating 160 feet southwest of the proposed tower as marked by the tower radius.
- b. Wetland A is described in the paragraph for Wetland B. Should Wetland "A" actually read "B".

A13. The BL Company report which states that wetland A is approximately 150' south of the proposed tower facility is generally consistent with the surveyed dimension on CO2B showing the tower 160' from wetland flag A4. For purposes of the application, it was noted on page 25 that the nearest compound edge is 122' away which is beyond the locally regulated upland review area. Page 2 of the BL Company September 14, 2009 report, second paragraph second sentence should be corrected as noted from "A" to "B". See also CHA letter in Exhibit A.

Q14. In application Tab 5, numerous letters to consulting parties dated October 1, 2009 did not include a generator in the description of the Tarpill property site. Did AT&T contemplate using a generator? Does omission of a proposed generator in the site description affect the standing of the application before the Council?

A14. A generator pad is shown on the plans behind Tab 4 of the application and is specifically referenced on page 15 of the Application itself. As noted above in response to interrogatory 7, The Ottery Group letters (also included behind Tab 5) are sent as part of AT&T/The Ottery Group's federal NEPA consultation for the project (in this case pursuant to Section 106 and historic consultation). These letters are legally unrelated to consultation pursuant to Section 16-501 of the Connecticut General Statutes and the standing of this application. AT&T nevertheless shares this correspondence with the Siting Council given that many State and local agencies are consulted as part of NEPA and FCC rules and regulations as a general matter so the Council is aware of the extent of other consultations pursuant to federal law that date back well in advance of the filing of an Application with the Siting Council. Of note, references to a generator, or lack thereof, in a federal Section 106 consultation are not material for federal NEPA purposes and historic consultation and do not affect same.

Q15. Response to Council interrogatory no. 3, identifies 875 cubic yards of material would be removed to install the access road and compound area and no fill is required at the Tarpill property site. Identify where the excavated material from both sites would be deposited? How many truck loads would be needed to move the material? What is the capacity in cubic yards of the truck?

A15. See CHA correspondence annexed hereto in Exhibit A.

Devil's Hopyard North and Devil's Hopyard South

Q16. Would AT&T agree the geology in proximity to both sites is extremely rocky with exposed boulders? Describe the construction process to install the utilities underground and tower foundation.

A16. See CHA correspondence in Exhibit A. Upland geology and soils are described in the Application Site Evaluation Reports behind Tabs 3 and 4 and the BL Company Reports which not same as predominantly loams and glacial tills. Underground

utility trenches and foundation preparation may involve a longer construction duration to remove boulders and prepare a foundation which is typically a 6' to 8' pier and pad. No significant concerns or difficulties are noted with construction at these sites and any unique construction techniques would be addressed in a D&M Plan once geotechnical reports and foundation designs are prepared.

Q17. How is the cleared timber managed? Does the property owner(s) retain ownership of the timber or value thereof? If not, explain.

A17. Cleared timber and any lumber value are not addressed by AT&T in its transactions with property owners for tower leases. As such, any consideration of timber would be on a site by site basis addressed during construction.

Q18. Propagation coverage plots attached to Council interrogatory no. 18 identifies coverage for the proposed Devil's Hopyard North (East Haddam Fish and Game Club property) and Devil's Hopyard South site (Tarpill property) sites at 160 feet and 150 feet, respectively. Identify the distance along Salem Road at signal level -82 to -92 dBm located approximately 1.5 miles east-northeast from the Devil's Hopyard North site? Would calls be dropped or not initiated at a signal level between -82 and -92? Identify parameters that would cause inability to use the signal level in this range.

A18. This area to the east along Haywardville Road is a quarter mile or less as shown on the plot referenced above. In vehicle calls falling below -82 dBm would have an increased potential of becoming a dropped call and initiation could be difficult close to -92 dBm. A signal at -82 on the outside of the vehicle falls to -90 inside the vehicle and at -92 outside the vehicle it would fall to a -100 inside the vehicle which is close to the receiver sensitivity. Given that and other variables, such as reflections and noise floor, there is an increased possibility that calls would be dropped and would be difficult to initiate and handoff in the network.

Q19. Would the applicant agree that coverage along State Highway 11 and East Haddam Turnpike are similar at the proposed tower heights and at a height ten feet lower than proposed? If not, describe the differences. Identify the tower height required at both sites to eliminate the gaps of coverage on State Highway 11 and East Haddam Turnpike?

A19. Yes. Coverage from the proposed sites is not intended to address coverage along the Route 11 corridor. Along East Haddam Turnpike, the coverage modeling is similar for a 150' and 160' tower at the Devils Hopyard South location. However, the coverage model shows improved coverage near Hopyard Road (SR 434) indicating to AT&T that 160' at the proposed location is the minimum height needed to get service down into the valley which SR 434 traverses. As such, AT&T has stated in response to prior CSC Interrogatory Set I, #17 that 160' is the minimum height required. To actually provide service on Route 11 and enhance the coverage on East Haddam Turnpike, the tower would have to be 350' in height given surrounding terrain.

Connecticut Siting Council Alternative Locations

Q20. Describe the advantages and disadvantages to shortening the road at the Devil's Hopyard North site? Could AT&T locate the site approximately 210 feet from the road at elevation 485 feet above mean sea level?

A20. Shortening the road would reduce the amount of clearing and disturbances and be less expensive for AT&T to build. See CHA correspondence in Exhibit A. This would, however, result in increased localized visibility of the facility along Haywardville Road. Rural character and visibility were the principal environmental objectives identified during local consultations and as such AT&T proposed the original location deeper in the woods so the facility would be further removed from Haywardville Road which is also technically more effective for AT&T. The elevation decrease of approximately 28' added to AT&T's minimum height of 170' at the proposed location would result in a 198' tower closer to Haywardville Road. Such a tower site could be constructed by AT&T if required by the Council though it does not provide the same coverage (slightly less due to shadowing).

Q21. Describe the advantages and disadvantages to shortening the road at the Devil's Hopyard South site? Could AT&T locate the site approximately 570 feet from the road adjacent to the stone walls at elevation 490 feet above mean sea level?

A21. Shortening the road would reduce the amount of clearing and disturbances and be less expensive for AT&T to build. See CHA correspondence in Exhibit A. However, such a location would be closer to open fields and the neighboring properties to the north and east thereby increasing localized visibility to abutters. AT&T's radiofrequency engineers evaluated this general location and, as noted at the hearing, it would have some signal blocking from the higher elevations to the west that are part of Devil's Hopyard State Park. In fact, despite the higher ground elevation and consideration of even a 190' height (30' higher than proposed), the alternative location does not perform as well as the proposed location at 160' AGL with the coverage objectives sought to the south and west. As such, it was not accepted by AT&T as a technical alternative in this case despite the relative proximity to the proposed location in the Application.

As noted in the Application and at the hearing, the Tarpill property was a compromise for AT&T's radiofrequency engineers which preferred a tower being built in the scenic view of Devil's Hopyard State Park and points south and west. Indeed, the original candidate on the Bochain Family Trust property was proposed at 150' and had limited clearing and site work. Nevertheless, that site was universally opposed by the Town and Eight Mile Watershed Committee because it would have impacted a documented state scenic view which is an approval criteria in Section 16-50p of the Connecticut General Statutes. As such, AT&T's radiofrequency engineers compromised in this case by approving the Tarpill property subject to the tower being located southwest on the parcel with line of sight to Hopyard Road (SR 434) to the southwest. Given same, AT&T's representatives agreed to move forward with the

Tarpill site which has no such impacts to scenic views from the State Park and which was a Town offered preference pursuant to Section 16-50gg of the Connecticut General Statutes.

Q22. If the roads were shortened identify the number of trees six-inches in diameter at breast height to be cleared for the Devil's Hopyard North site? At the Devil's Hopyard South site?

A22. See CHA correspondence in Exhibit A.

Q23. If the roads were shortened identify the cut and fill to construct the Devil's Hopyard North site? At the Devil's Hopyard South site?

A23. See CHA correspondence in Exhibit A.

Q24. If the roads were shortened identify the nearest wetland/watercourse to the access road and to the compound of the Devil's Hopyard North site? At the Devil's Hopyard South site?

A24. See CHA correspondence in Exhibit A.

Q25. If the roads were shortened identify the nearest residence and number of residences within 1,000 feet of the proposed tower at the Devil's Hopyard North site? At the Devils' Hopyard South site?

A25. See CHA correspondence in Exhibit A.

Q26. If the roads are shortened identify the minimum tower height and provide radio frequency propagation plot of the tower for the Devil's Hopyard North site? At the Devils' Hopyard South site?

A26. Neither alternative is as effective as the proposed locations at heights up to 200'. AT&T has determined that the North alternative identified by the Council would need to be a minimum of 198' in height based on terrain. A plot at 190' is included in Exhibit C which shows these relative deficiencies compared to the proposed location. AT&T has determined that the South alternative identified by the Council would need to be at 200' or more in height to provide comparable coverage given localized terrain blocking to the west that is associated with the Devil's Hopyard overlook. This is demonstrated in the progression of plots from 160' through 190' for this alternative which are included in Exhibit C.

Q27. If the roads are shortened describe changes to the visual analysis for the Devil's Hopyard North site? At the Devil's Hopyard South site?

A27. More localized visibility for both sites can be expected along with greater visual impacts on abutting residential properties for the Devil's Hopyard South site. See CHA letter in Exhibit A.

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and twenty (20) copies of the foregoing and attached was served on the Connecticut Siting Council by overnight delivery with copy also sent via electronic mail.

Dated: March 23, 2010

A handwritten signature in black ink, appearing to read 'CBF', is written over a horizontal line.

Christopher B. Fisher, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Attorneys for AT&T

cc: Michele Briggs, AT&T

A



March 22, 2010

Christopher B. Fisher
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Tel 914.761.1300 Fax 914.761.5372

The following are CHA's responses to the interrogatories for the telecommunications sites located in East Haddam, CT:

Q2. A 4/6/09 letter from BL Company's wetland scientists (found behind the first Tab A of the application) identifies a risk of soil movement to surface waters and wetlands during construction. The wetland experts recommend that appropriate best management practices (BMP's) be to implemented and maintained throughout construction. Please identify the specific BMP's that would be utilized and who will design, install, inspect and maintain these measures.

The entire limit of construction and soil stockpile areas will be surrounded with silt fencing and hay bales to prevent soil movement from entering the adjacent wetlands. All disturbed slopes outside the limits of the access road and compound will be seeded and stabilized with erosion control blankets immediately after completion of final site grading. The road and compound will be surfaced with ½" to ¾" crushed rock to provide the most resistance to erosion while allowing surface water to drain through the road surface. Permanent water diversion swales are planned along either side of the access road. The swales will be installed in the early stages of construction to help control water flow and divert sediment filled water away from the wetlands. The swales will discharge into scour holes and will be temporarily surround with hay bales and silt fencing to remove sediment from the water. All of the above best management practices will be designed by CHA, installed and maintained by the contractor, and inspected by CHA.

Q3. Based on the steep topography, local drainage pattern and length of roadway, will any stormwater drainage features, such as swales, culverts, energy dissipaters, etc... , be necessary to construct? And if so, to what standard will they be designed and installed?

Swales are planned along either side of the roadway to collect and divert road surface and adjacent cut slope water runoff. The swales will be stabilized with rip rap and will empty into rip rap lined scour holes. The swales will have check dams installed periodically along the swale length to slow water flow in the steeper slope areas. Culverts will be used to pass the water below the road so it can be directed to a down slope area away from the wetlands. All features will be designed and installed in accordance with the Connecticut Department of Transportation Drainage Manual.

Q4. Post-construction of the facility, what will width of the permanent vegetated buffers to the nearby wetlands be? And do you consider these buffer widths protective of the wetland's long-term functions and values?

The width of the vegetated buffer will vary from 6' to 140'. The smallest buffer widths occur near wetland flags C17 and A22 as well as at the existing culvert crossing near wetland flags B4 and A34. The narrowest crossing occurs at the existing culvert where the buffer width is an existing condition that will not be altered. In the vicinity of the second narrowest vegetated buffer near flags C17 and A22, the grade pitches away from the wetlands and the road will have swales on either side which will provide adequate wetland protection.

Q5. What is the width of the road crossing the culvert? Would the culvert support use by construction equipment? Describe soil stabilization on both ends of the culvert.

The width of the road crossing the culvert is approximately 12' and there is approximately 7" of soil cover over the culvert. The 7" of cover is going to be increased to 12" when the crushed rock is placed over the culvert for the road surfacing. The 12" cover is adequate for typical traffic to the site. However, this cover is inadequate for construction traffic. To protect the culvert, a steel plate will be placed over the culvert during construction. This will be adequate to protect the culvert from the heavier construction loading. Rip rap will be placed around the culvert inlet and outlet to prevent soil erosion around the culvert and erosion of the road surface above the culvert.

Q11. How far is the proposed tower site from Burnham Brook, a tributary to the Eightmile River? What impact, if any, will the project have on Burnham Brook and its associated wetlands?

Based on aerial photos and available mapping, Burnham Brook is approximately 1,800' south of the proposed tower site. Also, the grade in the vicinity of the tower site pitches downward to the west. Due to the distance from the river and the direction of water runoff, no impact will be made on Burnham brook or its associated wetlands.

Q12. Describe the advantages and disadvantages to using the existing unimproved woods road as identified on Tab 4/Tab B Map LE-1?

Reduced tree clearing, reduced undeveloped land disturbance, and an increased buffer from the adjacent wetlands and potential vernal pools would be the advantages. However, the precise location of the existing road in reference to the property line is unknown. Available preliminary information, such as tax maps and discussions with the land owner, revealed the property is on or partially on the abutting parcel. If this is the case, easements would need to be obtained from the abutting landowner granting AT&T access rights and the utility companies rights across their property. Alternatively, the existing road can be expanded westerly as needed to provide sufficient access on to the subject parcel eliminating the need to obtain an easement from the adjacent land owner. Expanding the road westerly as needed would offer the same benefits of reduced tree clearing, reduced undeveloped land disturbance, and an increased buffer from the adjacent wetlands and suspected vernal pools. A survey for the road expansion would be incorporated into a D&M Plan for this alternate access and utility route.

Q13. In the application Tab 4/Tab A, the BL Company letter dated September 14, 2009 page 2, Wetland Description states:

- a. Wetland A is approximately 150 feet south of the proposed tower. Clarify discrepancy with Tab 4 Site Plan CO2B indicating 160 feet southwest of the proposed tower as marked by the tower radius.**
- b. Wetland A is described in the paragraph for Wetland B. Should Wetland "A" actually read "B"?**

a. The distances provided in the BL letter are based on field observations and preliminary mapping and were estimated before completion of the site survey. Therefore, the distance is approximate as noted. The 160' distance shown on sheet CO2B is based on a site survey and is the most accurate.

b. Yes, wetland "A" should read wetland "B".

Q15. Response to Council interrogatory no. 3, identifies 875 cubic yards of material would be removed to install the access road and compound area and no fill is required at the Tarpill property site. Identify where the excavated material from both sites would be deposited? How many truck loads would be needed to move the material? What is the capacity in cubic yards of the truck?



The excavated material becomes the property of the contractor. It is the contractor's responsibility to lawfully dispose of the excavated material on or off the site and to determine where the material will be deposited. Fifty-five truck loads would be required to haul the excavated material off site. The typical dump truck is capable of carrying 16 cubic yards of material.

Q16. Would AT&T agree the geology in proximity to both sites is extremely rocky with exposed boulders? Describe the construction process to install the utilities underground and tower foundation.

No. Only the North site was rocky with exposed boulders. Typical excavation practices will be utilized to install the underground utilities and tower foundation. If rock is encountered during excavation, mechanical methods will be utilized to remove the rock. Blasting will not be permitted.

Q20. Describe the advantages and disadvantages to shortening the road at the Devil's Hopyard North site? Could AT&T locate the site approximately 210 feet from the road at elevation 485 feet above mean sea level?

A shorter road would be advantageous by reducing tree removal, reducing land disturbance, reducing the utility routing length, reducing the amount of temporary and permanent disturbance near the wetlands, and reducing construction costs. On the other hand, the shorter road length would put us at a ground elevation that is 28' lower than the current location and will put us closer to the road. The lower ground elevation will have to be accounted for with a 28' increase in tower height and the move closer to the road will decrease the vegetated visual buffer between the tower and Haywardville Road.

Q21. Describe the advantages and disadvantages to shortening the road at the Devil's Hopyard South site? Could AT&T locate the site approximately 570 feet from the road adjacent to the stone walls at elevation 490 feet above mean sea level?

A shorter road would be advantageous by reducing tree removal, reducing land disturbance, reducing the utility routing length, reducing construction costs, and increasing the ground elevation by 14'. On the other hand, the shorter road length would put us closer to the abutting open field reducing the amount of vegetated visual buffer between the tower and the adjacent parcel.

Q22. If the roads were shortened identify the number of trees six-inches in diameter at breast height to be cleared for the Devil's Hopyard North site? At the Devil's Hopyard South site?

Approximately twelve trees 6" or larger would need to be removed from the North site. Approximately thirty-one trees 6" or larger would need to be removed from the South site.

Q23. If the roads were shortened identify the cut and fill to construct the Devil's Hopyard North site? At the Devil's Hopyard South site?

The North site would require approximately 415 CY of cutting and 312 CY of fill. The site grade is steep in the area of the suggested site location so half the compound needs to be cut and the other half needs to be filled in order to level the compound area. The remaining cut is required to skim the access road for installation of the crushed rock surface. For the South site, approximately 492 CY of cutting is required to skim the road and compound for installation of the crushed stone surface.



Q24. If the roads were shortened identify the nearest wetland/watercourse to the access road and to the compound of the Devil's Hopyard North site? At the Devil's Hopyard South site?

For the north site, the compound would be 35' from flag C8 and the road would be 6' from flag B4 and A35. For the South site, the compound would be 40' to flag B17 and the road would be 60' to flag B13.

Q25. If the roads were shortened identify the nearest residence and number of residences within 1,000 feet of the proposed tower at the Devil's Hopyard North site? At the Devils's Hopyard South site?

For the North site, there would be 3 residences within 1,000', the nearest residence would be 747' away, and it would be located at 36 Haywardville Road. For the South site, there would be 4 residences within 1,000', the nearest residence would be 612' away, and it would be located at 38 Ed Williams Road.

Q27. If the roads are shortened describe changes to the visual analysis for the Devil's Hopyard North site? At the Devil's Hopyard South site?

For the North site, it is anticipated the 360' tower relocation to the Northeast would have a minor impact on the visual limits. Since the visual impact to the surrounding area is very minimal, the entire radius is thickly vegetated, and the top of tower will maintain the same AMSL elevation, the 360' shift would make very little difference in visibility. It is anticipated there will be more seasonal visibility along Haywardville Road since the vegetation buffer between Haywardville Road and the tower would be reduced.

For the South site, it is anticipated the 820' tower relocation to the Northeast would have a significant impact on the adjacent residential properties to the North and East. The tower relocation would put use close to the open fields that are directly to the East which would significantly reduce the vegetative screening buffer and in turn increase the year round and seasonal visibility from the open fields and residences in this area.

If you have any questions or need additional information, please do not hesitate to contact me at (860) 257-4557.

Very Truly Yours,



Paul Lusitani

Project Engineer

B



March 19, 2010

Mr. Paul Lusitani
Clough Harbour & Associates. LLP
2139 Silas Deane Highway
Rocky Hill, CT 06067-2342

**RE: Response Letter for SR2293
Connecticut Siting Council Docket No. 395
Ed Williams Road (State Route 434), East Haddam, Connecticut
BL# 09L 1950**

Dear Mr. Lusitani,

BL Companies, Inc. (BL) recently reviewed the March 9, 2010 Connecticut Siting Council (Council) interrogatories (set two) for the proposed AT&T telecommunications facilities located off of Haywardville Road and Ed Williams Road in East Haddam, Connecticut. In addition, BL has reviewed the proposed alternative access road location on the Site Access Map-North Section prepared by Clough Harbour & Associates (CHA), dated March 19, 2010.

This response letter specially applies to questions numbers 8, 9 and 10 related to the Ed Williams Road location (Devil's Hopyard South (Tarpill Property Site)).

Background

The project site was originally investigated on August 11, 2009, in order to conduct a delineation of potential wetland and/or watercourse resources. Two on-site wetlands were delineated during the site visit. Wetland A consisted of a palustrine forested broad-leaved deciduous wetland system (NWI class: PFO1) that was delineated using sequentially numbered flags BL-1A through BL-9A with open ends on each end (see attached Wetland Delineation Sketch Map). Wetland A was estimated to be located approximately 150 feet directly south of the proposed tower location. The wetland was comprised of a small swale depression. Vegetation consisted predominantly of deciduous trees, with a moderate shrub and herbaceous layer.

Wetland B consisted of a palustrine forested broad-leaved deciduous wetland system (NWI class: PFO1) that was delineated using sequentially numbered flags BL-1B through BL-26B (see attached Wetland Delineation Sketch Map). Wetland B was estimated to be located approximately 100 feet directly west of the proposed access road at its closest point; it extends in a southwesterly direction onto adjacent private property. The wetland was comprised of a large depression of wetland soils. Vegetation consisted of deciduous trees, with a thick shrub layer of sweet pepperbush and a moderate herbaceous layer. Table 1 lists the dominant vegetation species on the site.

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SR2293-Ed Williams Road
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Questions 8, 9 & 10 from the Council's Interrogatories

Question #8: West of the proposed access roadway, in the vicinity of wetland flags B10 through B20, BL Company's wetland scientists identified on a sketch map #WD-1 (found behind the second Tab A) two potential vernal pools. Has the applicant conducted any additional studies on these potential vernal pools? If so, provide documentation.

Response: The site investigation was conducted in August. A confirmation of vernal pools (hereinafter referred to as "pools"), especially whether there is evidence of breeding populations, occurs during the spring when species are active, breeding, and egg masses present. Therefore, between August 2009 and March 19, 2010, there have been no additional studies related to this determination.

Question #9: How far is the proposed roadway edge from the limits of the two potential vernal pools? If these areas were indeed vernal pools providing obligate amphibian breeding habitat, does the project provide an adequate buffer and level of development to protect this critical function.

Response: The original driveway was over 100' away with no significant impacts anticipated. In order to reduce the potential for any adverse environmental impact to the wetlands and pools, AT&T has presented an alternative proposed access road that relies as much as possible on the existing road, which would be approximately 220 feet from the identified pools within Wetland B at closest point. This alternative layout is beneficial and environmentally sensible alternative that further protects the wetland and pools from any possible adverse impact.

Due to the potential pools not being confirmed during an appropriate assessment season, and given that it is still early in the season presently, we will make an assumption that these are viable breeding pools with obligate amphibian species occupying the pools during certain times of the year. In responding to the buffer area portion of this question, we refer to the Response for Question #10, as it directly relates to this issue.

Question #10: Would the project be consistent with the guidance in the following document: Calhoun, A.J.K. and M.W. Klemens. 2002. Best Development Practices for pool-breeding amphibians in commercial and residential developments. *Wildlife Conservation Society Technical Paper #5. Rye, New York.*

Response: As noted in Response #9 above, since the pools were not confirmed, due to the time of year constraints, we are making the assumption that these are viable pools with obligate amphibian species breeding during certain times of the year. The guidance document by Calhoun and Klemens (2002) noted above, has been a document that I have extensive knowledge and experience using. Through the years it has been a document I have referred to in making professional determinations as to buffer widths, pool types, habitat protection, and for conservation purposes.

Based upon the original and new alternate access road layout, the pools will now be located up to 220 feet from the proposed access road. The buffer between the access road and the pools consists primarily of a densely vegetated forested upland and wetland buffer. Only a minimal amount of trees will be released from the construction of the new alternate proposed access road near Wetland B.

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The assessment of impacts to areas such as vernal pools, are highly dependent on what specific activity may occur and how it can affect the resource. The specific activities proposed include the constructing of an access to road to a telecommunications (e.g. tower and compound) facility, the facility itself, and temporary work associated with the construction. The narrow access road corridor is the closest activity to the pools and would be an area infrequently used, therefore a low-impact use. The majority of possible impacts would occur from short-term noise and groundwork during construction. Longer term we do not expect any adverse impacts to potential breeding populations from the narrow infrequently used access road that will likely be in more of a "dormant" condition rather than "active" as it relates to ongoing use. This will pose little to no affect to the environmental resources.

The short-term construction phase poses the biggest risk to potential impacts. This can be easily managed through the implementation of appropriate Best Management Practices that avoid soil erosion or sedimentation from being transported through surface water runoff to the wetlands and pools. Silt fence and/or haybales should be installed along the limit of the proposed construction to manage and control the movement of soil and sediment. These controls should be maintained throughout the construction phases.

REFERENCES

Calhoun, A.J.K. and M.W. Klemens. 2002. Best Development Practices for pool-breeding amphibians in commercial and residential developments. *Wildlife Conservation Society Technical Paper #5. Rye, New York.*

Cowardin, L.M., V. Carter, F.C. Golet, E.T. LaRoe. 1979. *Classification of Wetland and Deepwater Habitats of the Untied States.* US Government Printing Office. Washington D.C. GPO 024-010-00524-6.103 pp.

CLOSING

The project with an alternate access road is proposed to be approximately 220 feet, at closest point, to potential vernal pools. The activities will be low-impact and infrequently used. There is a considerable protective buffer between the proposed access road and the pools consisting of a densely vegetated upland and wetland. With the appropriate soil erosion and sedimentation controls in place and maintained, there would be no anticipated negative construction-related impacts to the wetlands or pools as a result of the project.

Thank for the opportunity to work with you on this project. Please contact me at 800-301-3077 Ext. 2552 if you have any questions or require additional assistance.

Very truly yours,

BL COMPANIES



Jeffrey R. Shamas, PSS, PWS, CE
N.E. Regional Manager/Environmental Resources Group



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CHA PROJECT NO:
16021 - 1031 - 1001

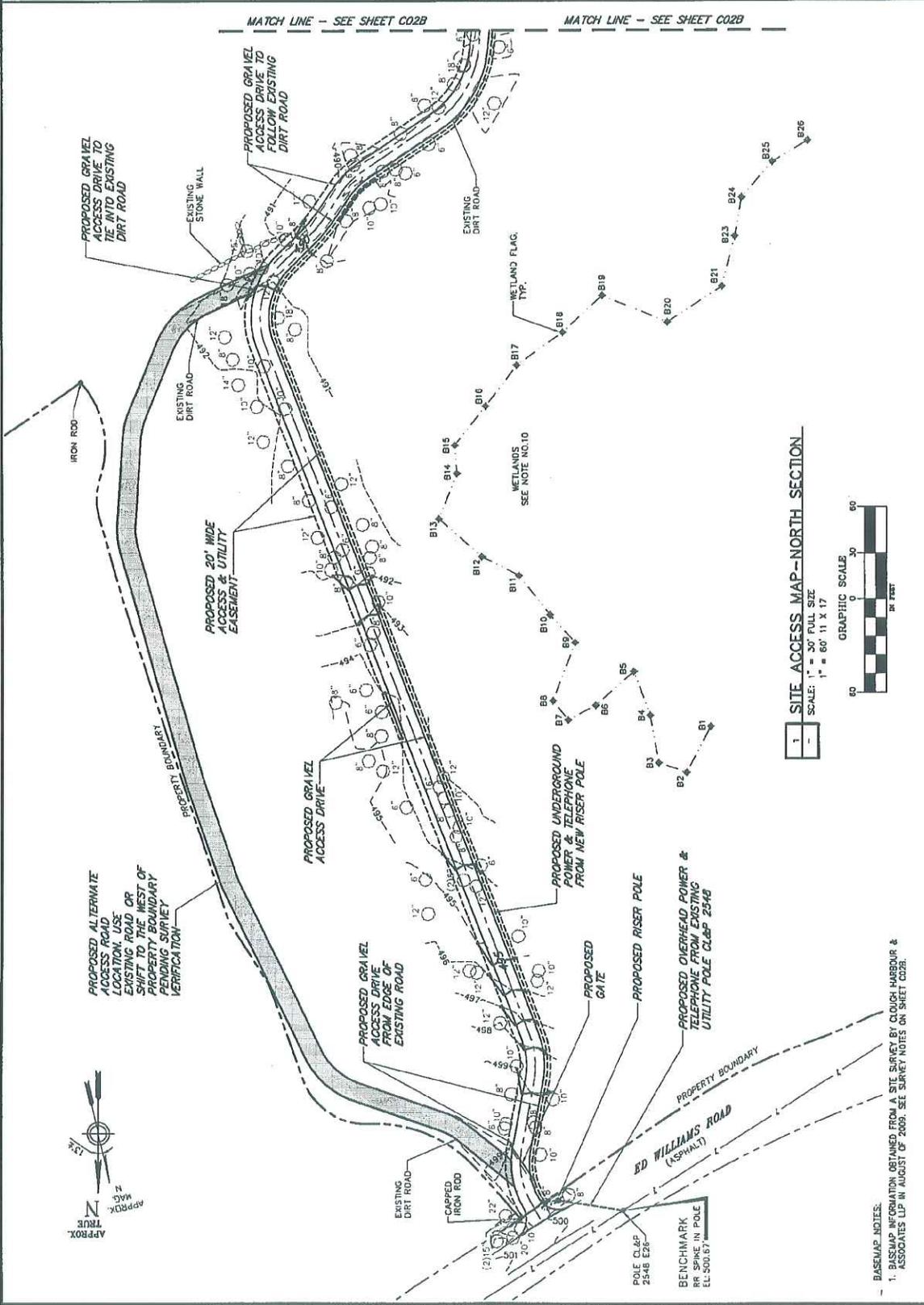
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8	07/14/09	ISSUED FOR PERMITS
9	07/14/09	ISSUED FOR PERMITS
10	07/14/09	ISSUED FOR PERMITS

IT IS A RECOGNITION OF THE FACT THAT THE DESIGNER HAS NOT BEEN LICENSED IN THE STATE OF CONNECTICUT AND THEREFORE THE DESIGNER IS NOT PROVIDING PROFESSIONAL ENGINEERING SERVICES. THE DESIGNER IS PROVIDING DESIGN SERVICES ONLY.

SITE NO:
SR2293
SITE NAME:
EAST HADDAM - ROUTE 434
OWNER:
ED WILLIAMS ROAD
EAST HADDAM, CT
06423
MIDDLESEX COUNTY

SHEET TITLE
SITE ACCESS MAP -
NORTH SECTION

SHEET NUMBER
CO2A



1 SITE ACCESS MAP - NORTH SECTION

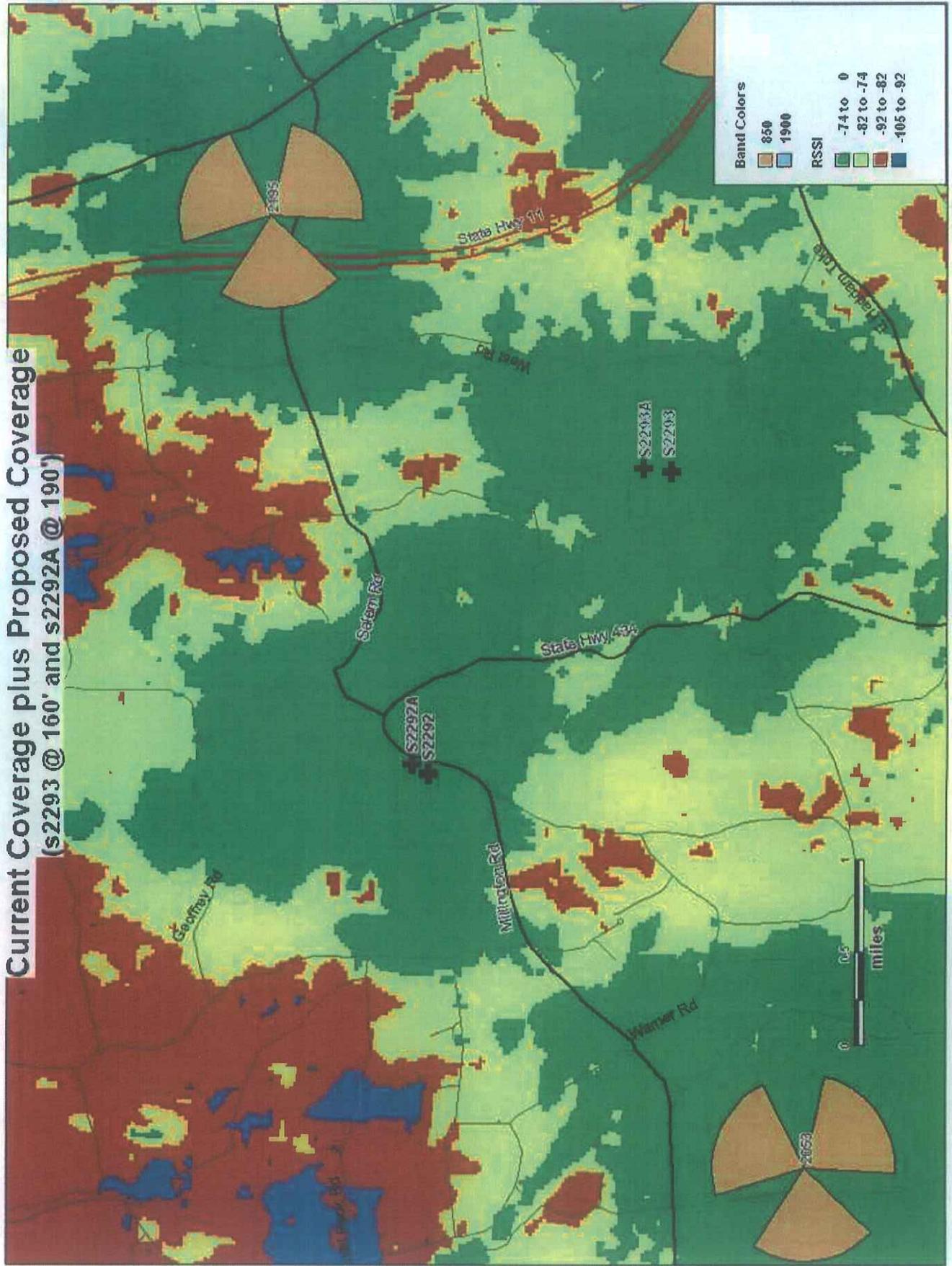
SCALE: 1" = 30' FULL SIZE
1" = 60' 11" X 17'



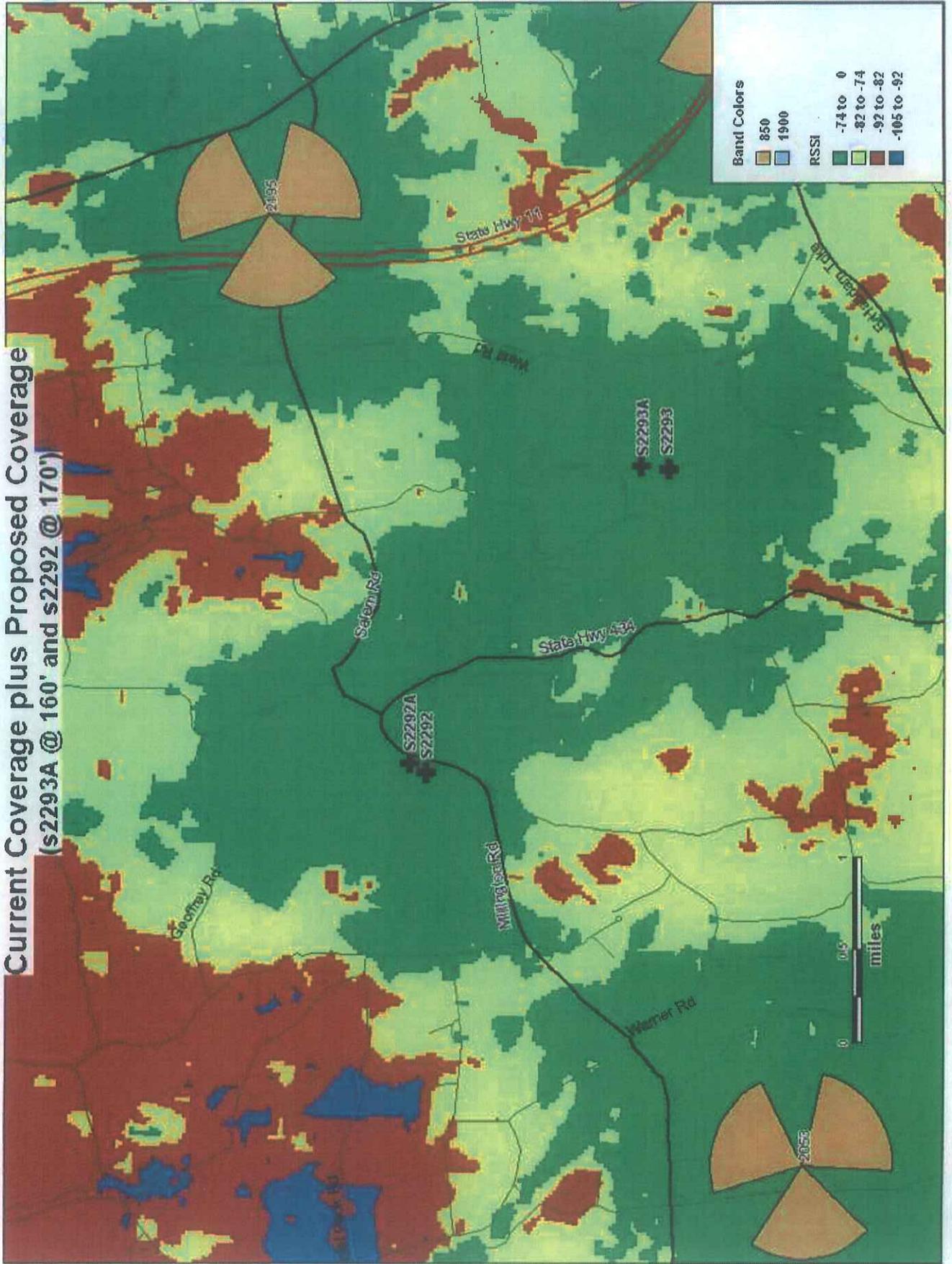
BASEMAP NOTES:
1. BASEMAP INFORMATION OBTAINED FROM A SITE SURVEY BY CLOUGH HARRIBOUR & ASSOCIATES LLP IN AUGUST OF 2009. SEE SURVEY NOTES ON SHEET CO2B.

C

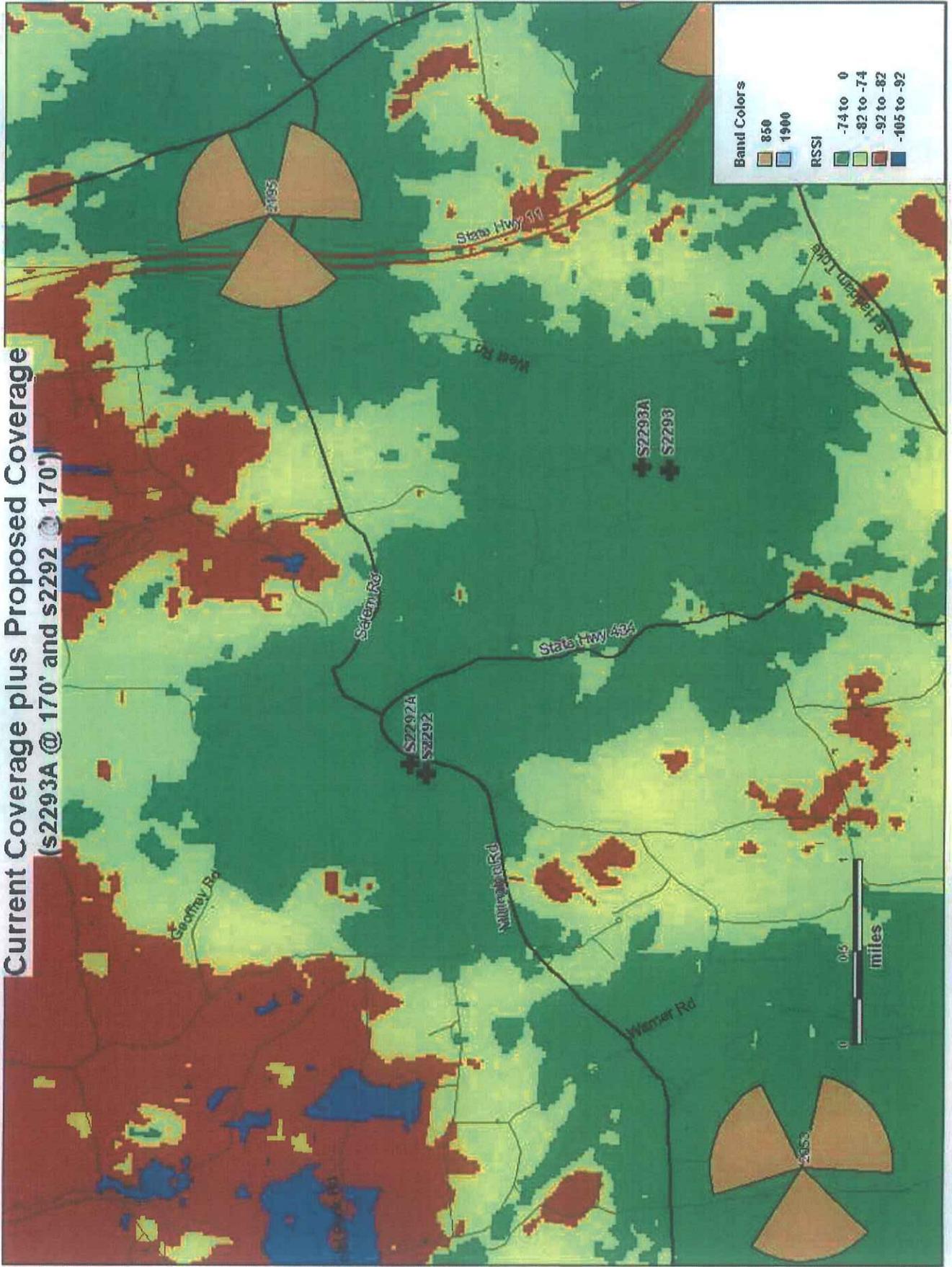
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(s2293 @ 160' and s2292A @ 190')**



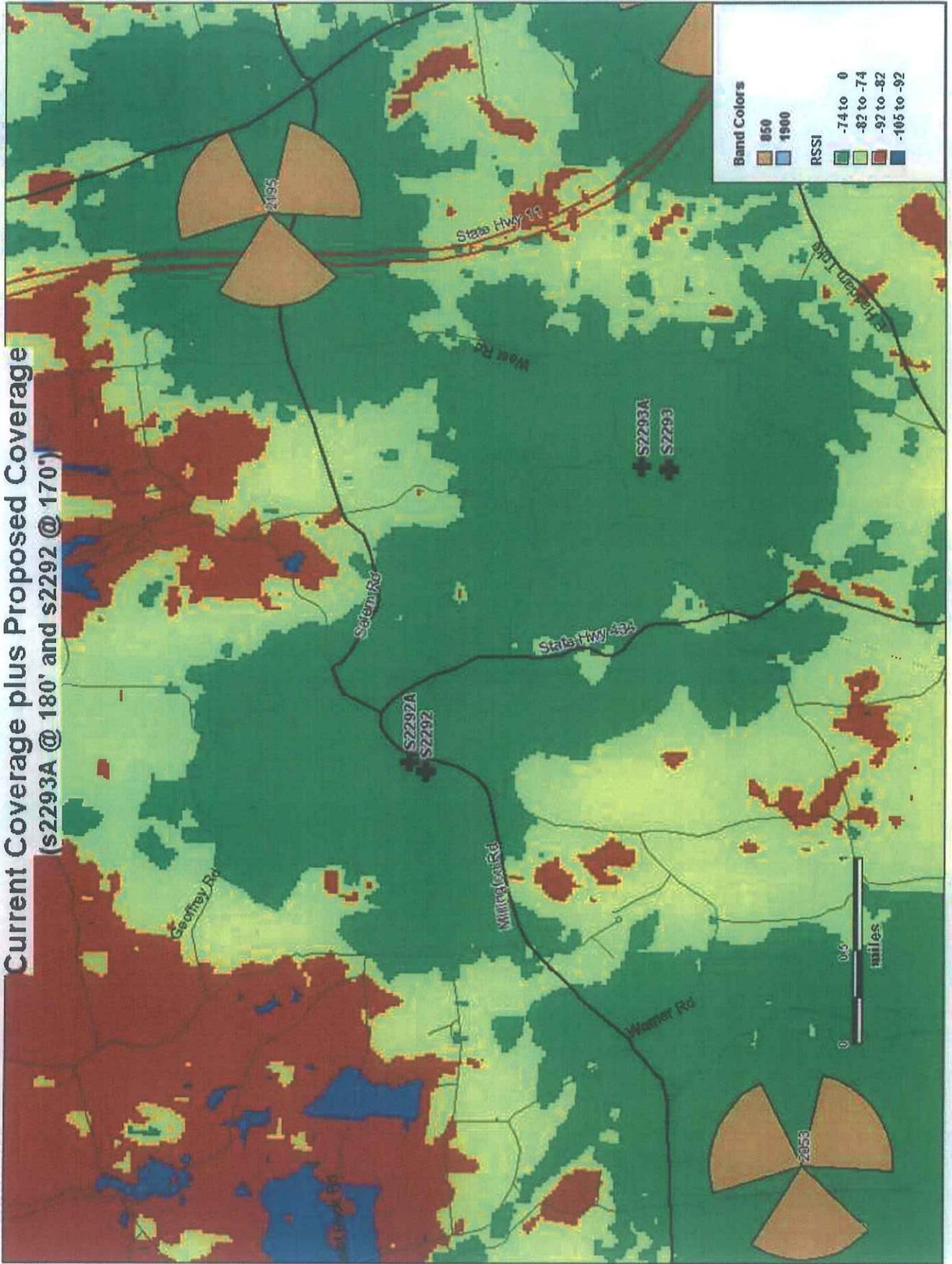
**Current Coverage plus Proposed Coverage
(s2293A @ 160' and s2292 @ 170')**



**Current Coverage plus Proposed Coverage
(s2293A @ 170' and s2292 @ 170')**



**Current Coverage plus Proposed Coverage
(s2293A @ 180' and s2292 @ 170')**



**Current Coverage plus Proposed Coverage
(s2293A @ 190' and s2292 @ 170')**

