



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New England Field Office  
70 Commercial Street, Suite 300  
Concord, New Hampshire 03301-5087



February 23, 2007

Reference: See attached sheet for a list of projects covered by this letter

Steven Reuter, David Akerblom,  
Brian Lever, Linda Mackey,  
Trevelyn Potter, Maureen Taylor,  
Joel Dukes  
EBI Consulting  
Four A Street  
Burlington, MA 01803

Ladies and Gentlemen:

This responds to your recent correspondence requesting information on the presence of federally-listed and/or proposed endangered or threatened species in relation to the proposed activity(ies) referenced above.

Based on information currently available to us, no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required.

This concludes our review of listed species and critical habitat in the project location(s) and environs referenced above. No further Endangered Species Act coordination of this type is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your coordination. Please contact us at 603-223-2541 if we can be of further assistance.

Sincerely yours,

Anthony P. Tur  
Endangered Species Specialist  
New England Field Office

Attachment

<u>Project</u>	<u>Location</u>	<u>Project #</u>
Tower	Tuftonboro, NH	61070324
Tower	Londonderry, NH	61070038
Tower	Agawam, MA	61064331
Tower	Mt. Tabor, VT	61063811
Tower	Framingham, MA	61066371
Tower	Watertown, CT	61067209
Tower	Hooksett, NH	61065058
Tower	Milton, MA	61066890
Tower	Milton, MA	61066888
Tower	Milton, MA	61066885
Tower	New Milford, CT	61063809
Tower	Salisbury, MA	61064069
Tower	Hyde Park, MA	61066411



December 5, 2007

Ref: 41240.20

*Vanasse Hangen Brustlin, Inc.*

Ms. Julie Victoria, Wildlife Biologist  
Connecticut Department of Environmental Protection  
Franklin Wildlife Management Area  
391 Route 32  
North Franklin, CT 06232

Re: Sharp-shinned Hawk and Golden-winged Warbler Habitat Assessment  
NDDDB# 15098  
Proposed Wireless Telecommunication Facility  
359 Litchfield Road, New Milford, Connecticut

Dear Ms. Victoria:

Vanasse Hangen Brustlin, Inc. (VHB) conducted a habitat evaluation at the location of a proposed Verizon Wireless telecommunications facility at 359 Litchfield Road in New Milford, Connecticut (see USGS Topographic Map). The evaluation was performed in response to Natural Diversity Data Base records of the occurrence of two state endangered species, Sharp-shinned hawk (*Accipiter stratus*) and Golden-winged Warbler (*Vermivora chrysoptera*), located to the south of the project site. There are no known extant populations of these species on the subject property. Copies of a February 14, 2007 and February 22, 2007 CTDEP correspondence are enclosed for reference.

#### Site Description

The subject property is located at the southwest corner Litchfield Road (State Route 202) and Big Bear Hill Road in the northeastern portion of New Milford known as Northville. The property consists of approximately 3.85 acres of land and is currently occupied by the Northville Volunteer Fire Department. The property is improved with a fire station and associated paved parking and access from Litchfield Road and Big Bear Hill Road, which occupies the southern portion of the site. A small lawn area (0.9± acre) adjoins the fire station parking lot to the west while an upland forest dominates the western side of the subject property. Refer to color and black and white Aerial Photograph figures. The forested area is characterized as a mixed hardwood mesic forest. Dominant species include sugar maple, black birch, red oak, black oak, and yellow birch. This forested area is dominated by seedling/sapling sized trees along with areas of pole timber and saw timber sized trees (10 to 16 inches DBH). A small seasonal intermittent watercourse, identified by wetland flag numbers WF 1 to 10 on the enclosed site plans, flows west to east along the north property boundary before it enters a culvert under Big Bear Hill Road. Photographs of the subject area are enclosed.

Land use within the general vicinity of the proposed facility and host property consists of small-scale roadside commercial development along the Route 202 traffic corridor; low-density residential development to the north, east and west; and large tracts of undeveloped woodlands located just beyond the nearby areas of commercial and residential development.

### Proposed Facility

The proposed facility would be located in the northern corner of the subject property in the forested area, roughly 400 feet to the northwest of the existing fire department building. Access to the proposed facility would be from Big Bear Hill Road at the northern end of the lawn area and through a small portion of the forested area. Approximately 24 trees (> 6 inches DBH) would be removed for development of the proposed Facility.

### Habitat Evaluation

**Sharp-shinned Hawk** - The Sharp-shinned Hawk establishes territories in remote and extensive forest, often with adjacent fields or forest openings<sup>1</sup>. The hawk's nests are usually constructed of evergreen sticks and twigs 10 to 15 feet high in dense stands of conifers including mixed stands of hemlock, spruce, or white pine and less frequently in mixed stands of white pine and oak.

A thorough field inspection of the subject property, particularly the forested portion and area of the proposed facility, was conducted to determine if a Sharp-shinned Hawk nest exists. No such nest was observed on or adjoining the subject property. As previously described, the forest occupying the property is primarily deciduous absent of any mature conifers. In addition, due to the high level of human activity on the property (i.e., fire station, adjoins a state highway) it is unlikely this species would tolerate the level of activity and establish a nest on or near the subject property. Therefore, the subject property is not considered to provide suitable habitat for Sharp-shinned Hawk and the proposed wireless communications facility development will not result in a potential impact to this bird species.

**Golden-winged Warbler** - The Golden-winged Warbler's habitat consists primarily of abandoned farmland that have scattered trees and shrubs (old field habitat) bordered by second growth deciduous forest<sup>2</sup>. This warbler typically breeds in open, grassy areas with few trees and common early successional plants of 10 or more acres.

The habitats supported by the subject property include a small (0.9± acre) maintained lawn area adjacent to the fire station and a mixed hardwood mesic forest. No old field habitat exists on or adjacent to the subject property. Therefore, the subject property is not considered to provide suitable habitat for Golden-winged Warbler and the proposed wireless communications facility development will not result in a potential impact to this bird species.

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<sup>1</sup> *The Atlas of Breeding Birds of Connecticut*. Louis R. Bevier, Editor. State Geological and Natural History Survey of Connecticut Bulletin 113. Pg. 94.

<sup>2</sup> *The Atlas of Breeding Birds of Connecticut*. Louis R. Bevier, Editor. State Geological and Natural History Survey of Connecticut Bulletin 113. Pg. 296.



Ms. Julie Victoria  
Project No.: 41240.20  
December 5, 2007  
Page 3

Please feel free to contact me at (860) 632-1500 ext. 2339 with any questions or if you require additional information.

Very truly yours,



Dean Gustafson  
Senior Environmental Scientist

Enclosures

cc: Alexandria Carter  
Kenneth C. Baldwin, Esq.

Verizon Wireless  
Robinson & Cole LLP





STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Natural Resources  
Division of Wildlife  
79 Elm Street, 6<sup>th</sup> Floor  
Hartford, CT 06106  
Natural Diversity Data Base

February 14, 2007

Ms. Nicole Dentamaro  
Vanasse Hangen Brustlin, Inc.  
54 Tuttle Place  
Middletown, CT 06457-1847

re: "Verizon Wireless" Wireless  
Telecommunication Facility (New Milford  
Northeast) at 359 Litchfield Road in New  
Milford, Connecticut

Dear Ms. Dentamaro:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed wireless telecommunications facility (New Milford Northeast) at 359 Litchfield Road in New Milford, Connecticut. According to our information, there are no known extant populations of Federal or State Listed Species that occur within the project boundaries. However, we do have two state-listed bird species that are known to utilize habitat to the south of this project site. I have sent your letter to Julie Victoria (DEP-Wildlife; 860-642-7239) for further review. She will write to you directly with her comments if she believes this project has the potential to impact these bird species.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Natural Resources Center's Geological and Natural History Survey and cooperating units of DEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at 424-3592. Thank you for consulting the Natural Diversity Data Base. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEP for the proposed site.

Sincerely,

Dawn M. McKay  
Biologist/Environmental Analyst

Cc: Julie Victoria, NDDB # 15098





STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
FRANKLIN WILDLIFE MANAGEMENT AREA



391 ROUTE 32  
NORTH FRANKLIN, CT 06254  
TELEPHONE: (860) 642-7239

February 22, 2007

Ms. Nicole Dentamaro  
Vanasse Hangen Brustlin, Inc.  
54 Tuttle Place  
Middletown, CT 06457-1847

re: Verizon telecommunication facility, 359 Litchfield Road, New Milford

Dear Ms. Dentamaro:

Your request was forwarded to me on 2/21/07 by Dawn McKay of the Department of Environmental Protection's (DEP) Natural Diversity Data Base. Their records indicate that just south of your project site two state endangered species, Sharp-shinned hawk (*Accipiter stratus*) and Golden-winged warbler (*Vermivora chrysoptera*) occur.

Our data on Sharp-shinned hawk distribution and abundance in Connecticut is poorly documented. Sharp-shinned hawks build a large platform nest almost 2 feet across on the low side-limbs of an evergreen, only 12-14 feet from the ground. This species raises 6-8 young, the most of any raptor. I don't have a radius figure, but sharp-shinned hawks are vicious in defense of their nests. Only their small size prevents them from being dangerous to humans, for they make hard contact when they strike. They usually build a new nest in the same area year after year. They arrive in Connecticut at the end of March and leave in September. Sharp-shinned hawks are 10-14 inches long with a wingspan of 20-27 inches. The body is long and slender, legs are bright yellow, and the wings are rounded. In the adults the upperpart is blue-gray and the underparts are white, heavily cross-banded with red-brown except the throat which is finely streaked. The tail end is square or slightly forked. The tail is cross-banded with three or four narrow bands of black.

In Connecticut, the golden-winged warbler breeds in old-field habitat of 10 or more acres in the northwestern part of the state. Its breeding season is approximately from May through July and during this time it is most susceptible to disturbances in its feeding and nesting habitat. Minimizing impacts to the above-mentioned habitat during this time period will likewise minimize impacts to this species, however alteration of habitat utilized by this species for nesting can have profound impacts.

If this work will be conducted in any sharp-shinned hawk or golden-winged warbler habitat, the Wildlife Division recommends that an ornithologist familiar with the habitat requirements of these species conduct surveys. A report summarizing the results of such surveys should include habitat descriptions, species list and a statement/resume giving the ornithologist's qualifications. The DEP doesn't maintain a list of qualified ornithologists. A DEP Wildlife Division permit may be required by the ornithologist to conduct survey work, you should ask if your biologist has one. The results of this investigation can be forwarded to the Wildlife Division and, after evaluation, recommendations for additional surveys, if any, will be made.

The Wildlife Division has not been provided with details or a timetable of the work to be done. Consultation with the Wildlife Division should not be substituted for site-specific surveys that may be required for environmental assessments. Please be advised that should state permits be required or should state involvement occur in some other fashion, specific restrictions or conditions relating to the species discussed above may apply. In this situation, additional evaluation of the proposal by the DEP Wildlife Division should be requested. If you have any additional questions, please feel free to contact Jenny Dickson regarding golden-winged warblers (860-675-8130) or me (860-642-7239). Thank you for the opportunity to comment.

Sincerely,

Julie Victoria, Wildlife Biologist  
Franklin Swamp Wildlife Management Area  
391 Route 32  
N. Franklin, CT 06254

cc: NDDB -15098  
J. Dickson





STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Natural Resources  
Division of Wildlife  
79 Elm Street, 6<sup>th</sup> Floor  
Hartford, CT 06106  
Natural Diversity Data Base

February 14, 2007

Ms. Nicole Dentamaro  
Vanasse Hangen Brustlin, Inc.  
54 Tuttle Place  
Middletown, CT 06457-1847

re: "Verizon Wireless" Wireless  
Telecommunication Facility (New Milford  
Northeast) at 359 Litchfield Road in New  
Milford, Connecticut

Dear Ms. Dentamaro:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed wireless telecommunications facility (New Milford Northeast) at 359 Litchfield Road in New Milford, Connecticut. According to our information, there are no known extant populations of Federal or State Listed Species that occur within the project boundaries. However, we do have two state-listed bird species that are known to utilize habitat to the south of this project site. I have sent your letter to Julie Victoria (DEP-Wildlife; 860-642-7239) for further review. She will write to you directly with her comments if she believes this project has the potential to impact these bird species.

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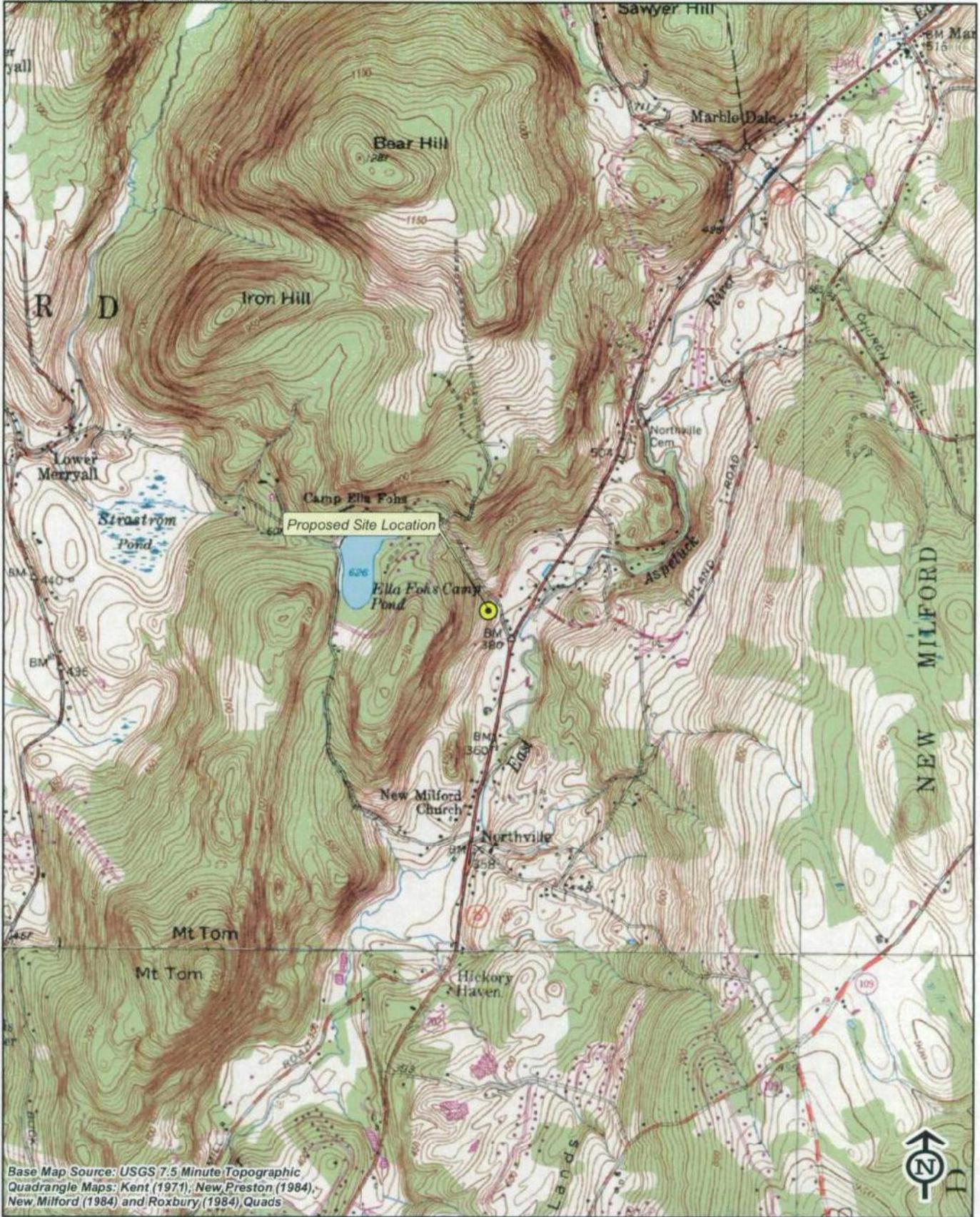
Please contact me if you have further questions at 424-3592. Thank you for consulting the Natural Diversity Data Base. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEP for the proposed site.

Sincerely,

Dawn M. McKay  
Biologist/Environmental Analyst

Cc: Julie Victoria, NDDB # 15098





Base Map Source: USGS 7.5 Minute Topographic  
 Quadrangle Maps: Kent (1971), New Preston (1984),  
 New Milford (1984) and Roxbury (1984) Quads



Quadrangle Location

**Vanasse Hangen Brustlin, Inc.**

USGS Topographic Map  
 Proposed Verizon Wireless  
 Telecommunications Facility

New Milford Northeast  
 359 Litchfield Road  
 New Milford, Connecticut

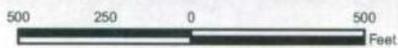




Base Map Source: 2006 Color Aerial Photograph with 1 foot Resolution

**Legend**

-  Site
-  Approximate Property Boundary

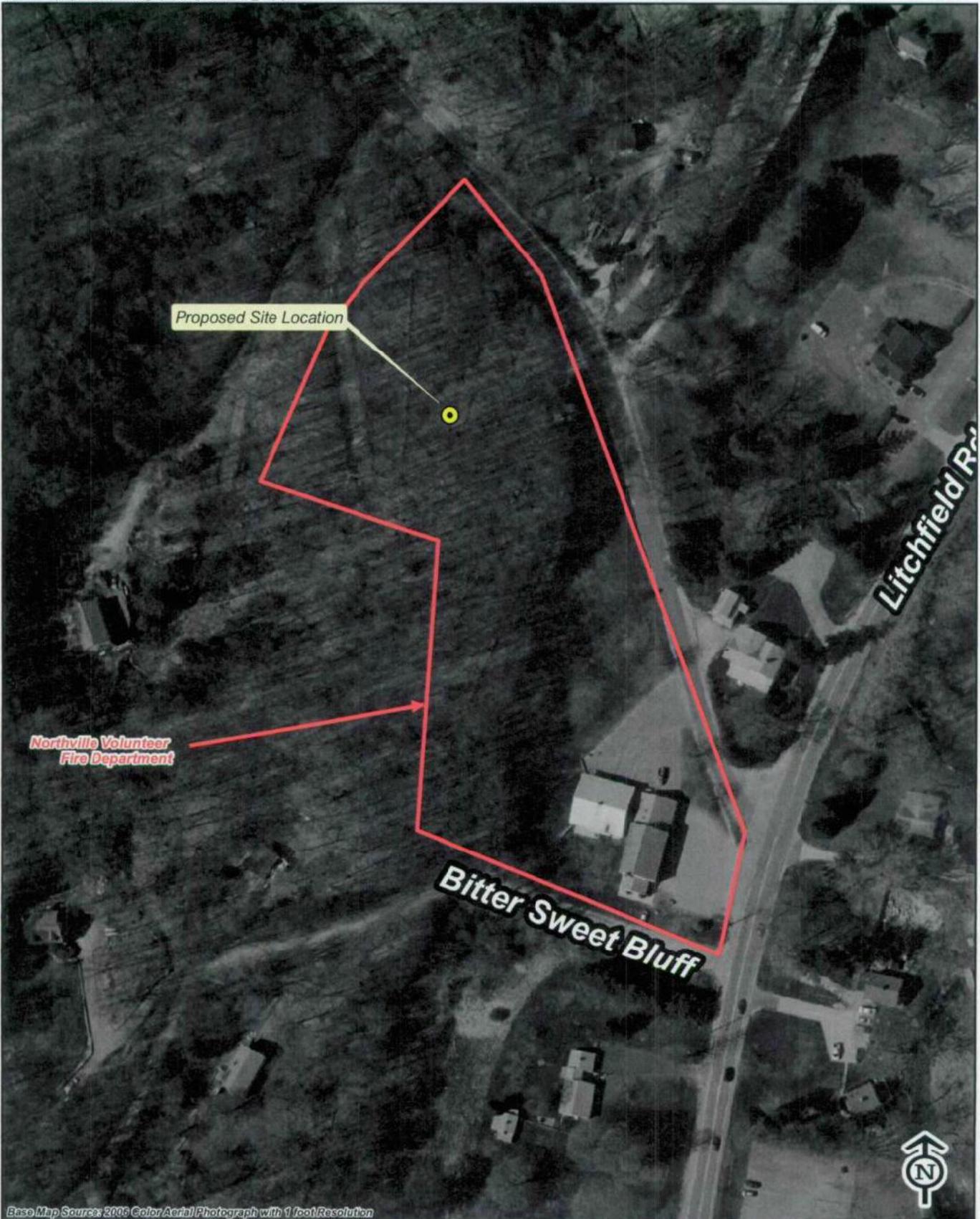


**Vanasse Hangen Brustlin, Inc.**

Aerial Photograph  
Proposed Verizon Wireless  
Telecommunications Facility

New Milford Northeast  
359 Litchfield Road  
New Milford, Connecticut





Base Map Source: 2008 Color Aerial Photograph with 1 foot Resolution

**Legend**

-  Site
-  Approximate Property Boundary



**Vanasse Hangen Brustlin, Inc.**

Aerial Photograph  
Proposed Verizon Wireless  
Telecommunications Facility

New Milford Northeast  
359 Litchfield Road  
New Milford, Connecticut



**Vanasse Hangen Brustlin, Inc.**  
**PHOTOLOG DOCUMENTATION**  
Proposed Verizon Wireless Facility  
359 Litchfield Road, New Milford, Connecticut  
November 8, 2007



Photo 1: View of proposed wireless communications facility in forest behind lawn area, looking northwest from fire station parking lot. Big Bear Hill Road visible to the right.



Photo 2: View of proposed wireless communications facility in forest behind lawn area, looking northwest from fire station parking lot.

**Vanasse Hangen Brustlin, Inc.**  
**PHOTOLOG DOCUMENTATION**  
Proposed Verizon Wireless Facility  
359 Litchfield Road, New Milford, Connecticut  
November 8, 2007



Photo 3: View of proposed wireless communications facility location, looking south from near northwest property corner.

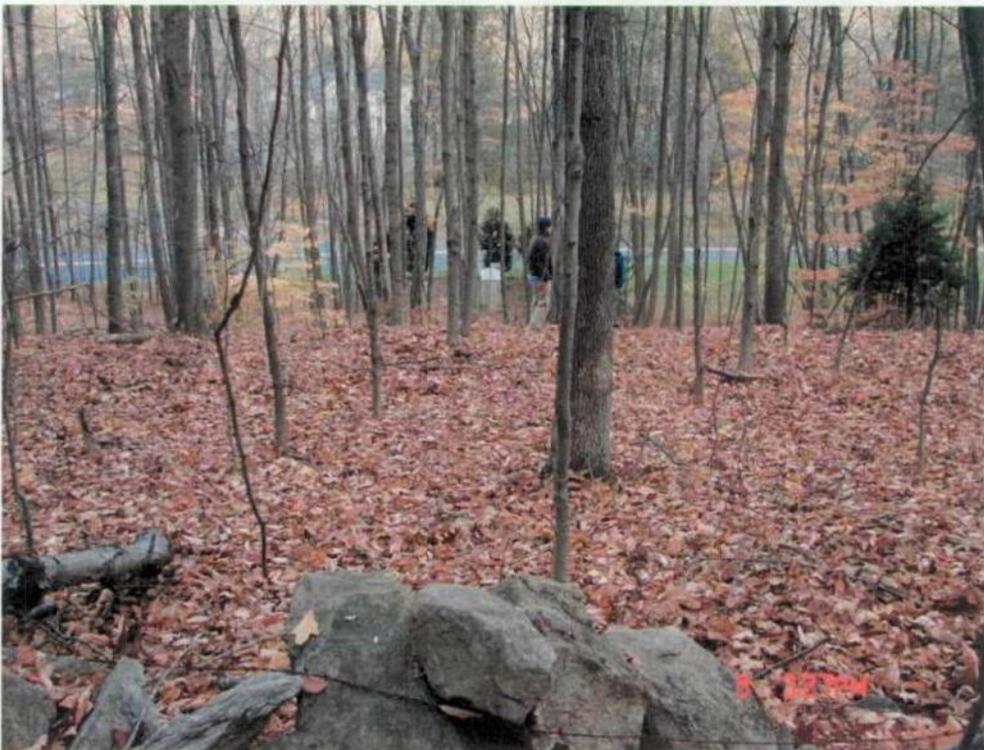


Photo 4: View of proposed wireless communications facility location, looking east from west property boundary (stone wall). Big Bear Hill Road visible in background.





REVISIONS	
NO.	DESCRIPTION

Calico Partnership  
d.b.a. **verizon wireless**

**NATCOMM**  
P.O. BOX 488  
NEW MILFORD, CT 06455  
TEL: 860.388.8887  
WWW.NATCOMM.COM

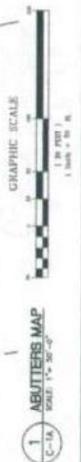
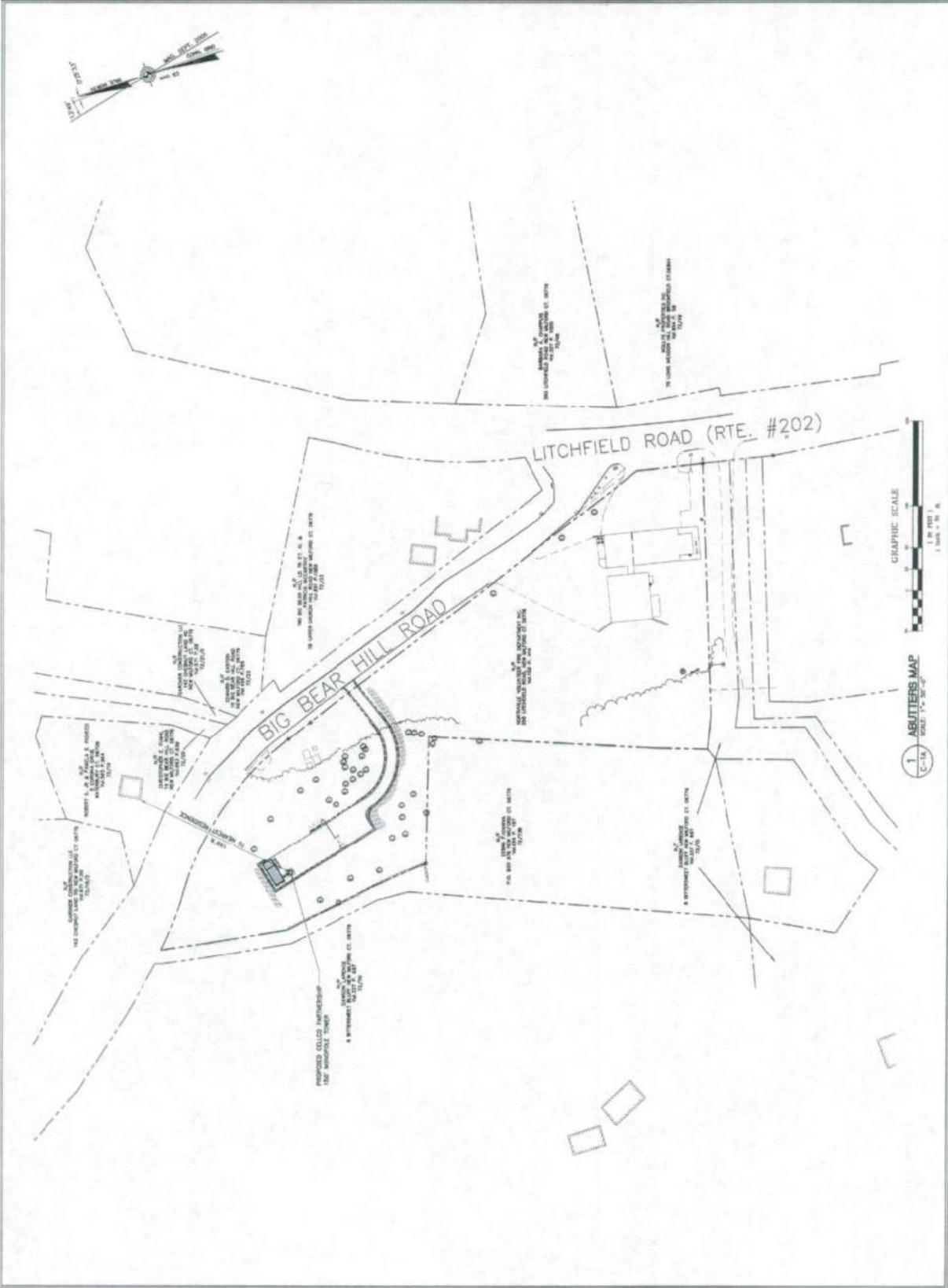


**NEW MILFORD  
NORTHEAST**  
505 LITCHFIELD RD.  
NEW MILFORD, CT 06455

PROJECT NO.	06106
DRAWN BY	DWD
CHECKED BY	DFC
SCALE	AS NOTED
DATE	01/24/07

**ABUTTERS MAP**

**C-1A**  
DWG. 1 OF 8













November 7, 2007

Ms. Rachel Mayo

Verizon Wireless  
c/o Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103

Subject: CTDEP Natural Diversity Database (NDDB)  
New Milford NE  
355 Litchfield Road  
New Milford, Connecticut  
EBI Project # 61063809

Dear Ms. Mayo:

According to the Connecticut Department of Environmental Protection's (CTDEP) "Instructions for Completing a Connecticut Natural Diversity Data Base Review Request Form" dated March 2, 2007 there is no conflict "if the project is not (1) within a shaded area; or (2) overlapping a water body that has any shading; or (3) upstream or downstream (by less than 1/2 mile) from a shaded area the project will not impact any known occurrence of listed species or significant natural community... You do not need to complete and submit the CT NDDB Review Request Form (DEP-APP-007)."

Based on EBI's desktop review of information currently available online at ([www.ct.gov/dep/endorangeredspecies](http://www.ct.gov/dep/endorangeredspecies)), the above referenced project is not located within a shaded area (NDDB Polygon); or overlapping a water body that has any shading; or upstream or downstream (by less than 1/2 mile) from a shaded area. Based on this review and according to CTDEP's instructions the project will not impact any known occurrence of listed species or significant natural community and no submission to the CTDEP NDDB is required.

Should you have any questions or require additional information, please contact me at (860) 352-2237 or [rhelfrich@ebiconsulting.com](mailto:rhelfrich@ebiconsulting.com).

Respectfully Submitted,



Mr. Robert Helfrich  
Program Manager





Connecticut Commission on Culture & Tourism

March 23, 2007

Historic Preservation  
& Museum Division

Ms. Trevelyn Potter  
EBI Consulting  
21 B Street  
Burlington, MA 01803

59 South Prospect Street  
Hartford, Connecticut  
06106

(v) 860.566.3005  
(f) 860.566.5078

Subject: Telecommunications Facilities  
355 Litchfield Road  
New Milford, CT  
EBI #61063809, 05106/New Milford

Dear Ms. Potter:

The State Historic Preservation Office has reviewed the above-named project. This office notes that the potential project-related viewshed includes the Hine-Buckingham Farms, which is listed on the National Register of Historic Places. However, we concur with EBI Consulting's assessment that the proposed undertaking will have no adverse effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

This office appreciates the opportunity to have reviewed and commented upon the proposed undertaking.

This comment is provided in accordance with the National Historic Preservation Act and the Connecticut Environmental Policy Act.

For further information, please contact Dr. David A. Poirier, Staff Archaeologist.

Sincerely,

Karen Senich  
Deputy State Historic Preservation Officer