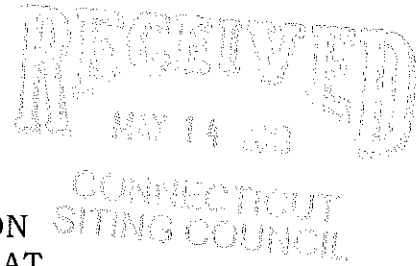


Inland Wetlands / Conservation Commission
Town of Canaan
Falls Village, CT

IN RE:

NEW CINGULAR PCS, LLC (AT&T) APPLICATION
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE AND OPERATION
OF A TELECOMMUNICATIONS TOWER FACILITY AT
8 BARNES ROAD IN THE TOWN OF CANAAN (FALLS VILLAGE),
CONNECTICUT.



ORIGINAL

MAY 14th, 2013
DOCKET #409A

IW/CC RESPONSES TO CT SITING COUNCIL PRE-HEARING
INTERROGATORIES

Q1. Does The Town of Canaan have emergency vehicles or access to vehicles than can respond to fire, medical or other emergency situations at the existing cabin at 8 Barnes Road? If so, please list the vehicle types.

A1. According to our Town Supervisor and Fire Chief, the Town has an antique (1965) $\frac{3}{4}$ ton brush truck, four-wheel drive pick-up that carries 100 gallons of water and is out of service during winter months. For greater need in case of fire, a neighboring town would be called—probably Norfolk, a half-hour away—for suitable equipment. For medical emergencies, help would be necessary from a neighboring town.

Q2. Are there any marked hiking trails open to the public that access the southern portions of Canaan Mountain? If so, please indicate the trailhead location and the entity that maintains the trail.

A2. From the Great Mountain Forest Web Site: Pedestrian use of the GMF is limited to main woods roads and designated trails unless special permission is granted by the Corporation. Bicycle use is limited to the main woods roads and those trails that are specifically designated for bicycle use.

The sole exception to the sign in/sign out requirement (which applies to the interior Great Mountain Forest acreage) relates to users of the Iron Trail who access the Iron Trail from public road or State Forest access points without traveling through the GMF on foot or by vehicle. The southern access point to the Iron Trail is on Canaan Mountain Road, while the northern GMF access point is on Steep Road. The Corporation provides parking areas for Iron Trail users at each of these access points. Users of the Iron Trail on the GMF are requested to remain on the trail and to minimize disturbance of the natural environment along the trail. Use of the trail is limited to the hours between sunrise and sunset. Iron Trail users are subject to these regulations while using those portions of the Iron Trail that are on the GMF. Given the access points, the trail would traverse across the southern portion of Canaan Mountain. Great Mountain Forest personnel maintain the trail.

Q3. In regards to the letter from David Gumbart of The Nature Conservancy, please list the species and habitat requirements of the rare species that are known to be present on the abutting Nature Conservancy parcel. Were these findings reported to the DEEP Natural Diversity Database? If so, please submit copies of the NDDB report sheets.

A3. Please see attached letter from TNC:

Q4. Does the Town of Canaan restrict the use of sand, salt, or chemical deicer on town and/or State maintained roads or from use on private properties surrounding Cobble Mountain or within the Hollenbeck River watershed? If so, Please specify the restriction and how it is enforced.

A4. The Town of Canaan does limit its use of salt to a one part salt to ten parts sand on all Town roads in winter and does not use chemical deicer. The Town has no restrictions on use of sand, salt or chemical deicer on State maintained roads or for use on private property surrounding Cobble Hill or within the Hollenbeck watershed.

Q5. In regards to Mr. Cooper's pre-filed testimony, is the Town presenting Town-owned property along Route 63 (Site A-5 on IWCC coverage plots) as an alternative tower site? If so, please specify the location available.

A5. The Town of Canaan is not providing this Town-owned property along Route 63 (Site A5 on IW/CC coverage plot) as an alternative tower site. This site was plotted to indicate that **Cobble Hill is in fact not the only location from which local service to this rural area can be made available.** Furthermore this indicates AT&T's material failure to find and provide alternative, *suitable* sites [CSC Local Rule 56(a)1 Statement, para. 26 following and 56(a)2 Statement, paras 16, 20, 21, 22, 36].

Q6. In regards to Mr. Cooper's coverage plots 5A-1, 5A-2, what are the coordinates and ground elevation of the hypothetical site? What frequency was used to generate the plots?

A6. As provided by Walter Cooper--The coordinates: N41-56-13.00; W73-17-34.7; the Site elevation: 833 Ft MSL; the Frequency: 850 MHz

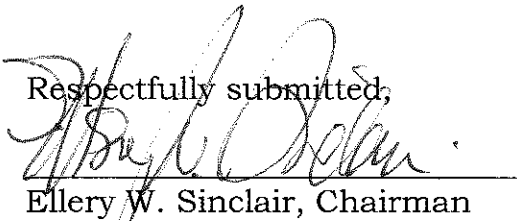
Q7. Provide a coverage plot from hypothetical site 5A in isolation (850MHz), without existing/approved AT&T sites.

A7. Please see attached map:

Q8. In regards to Mr. Cooper's test call results of April 19, 2013, please indicate what service provider was used and whether the calls were made outside, in a vehicle or inside a building.

A8. The April 19th, 2013 test calls were made by Commissioners Sinclair & Kelsey using an AT&T phone and service. Those calls were made by holding the phone outside the vehicle window but never from within the vehicle or within a building. The results were supplied to Walter Cooper for his information.

Respectfully submitted,



Ellery W. Sinclair, Chairman
Inland Wetlands/Conservation Commission
Town of Canaan (Falls Village)
201 Under Mountain Road
Falls Village, CT 06031
(860) 824-7454
WML61@comcast.net

May13th, 2013

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and fifteen copies of the foregoing was served on the Connecticut Siting Council by hand and copy of same was sent postage prepaid to:

Christopher B Fisher, Esq.
Lucia Chiocchio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Michele Briggs
AT&T
500 Enterprise Drive
Rocky Hill, CT 06067-3900

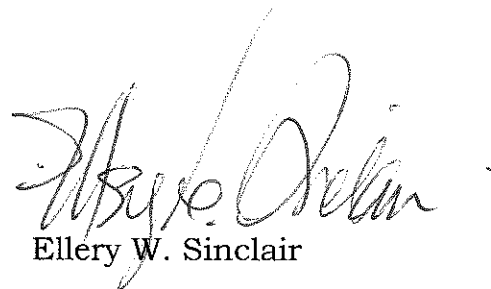
A copy was also delivered by hand to:

Patty and Guy Rovezzi
36 Barnes Road
Falls Village, CT 06031

Town of Canaan Planning & Zoning Commission
Town Hall, Main Street
Falls Village, CT 06031

Marc Rosen and Susan Pinsky
6 Barnes Road
Falls Village, CT 06031

Dated: May 13th, 2013



Ellery W. Sinclair

In response to a letter submitted by The Nature Conservancy (“TNC”) to the Connecticut Siting Council (“CSC”), dated April 23, 2013, regarding Docket 409(a), and including reference to rare species on TNC property, the CSC asked the following: “Please list the species and habitat requirements of the rare species that are known to be present on the abutting Nature Conservancy parcel. Were these findings reported to the DEEP Natural Diversity Database? If so, please submit copies of the NDDB report sheets.”

The Nature Conservancy is pleased to submit Section 6, Biology and Ecology of Selected Elements, of its June 1996 “Site Conservation and Management Plan for Wangum Lake Brook Preserve, Canaan, CT.” This section lists a natural community of interest, mapped by the State Department of Energy & Environmental Protection’s Natural Diversity Data Base (“NDDB”), 8 plants, and references one bird species of note.

Of those plants, 3 are recognized by the NDDB as rare in Connecticut. The bird species is also listed as rare. These 4 species are:

- **Sharp-lobed Hepatica (*Anemone acutiloba*; formerly classified taxonomically as *Hepatica nobilis var. acuta*), Special Concern;**
- **Spreading Globeflower (*Trollius laxus*), Threatened;**
- **Purple Cress (*Cardamine douglassii*), Special Concern;**
- **Golden-winged Warbler (*Vermivora chrysoptera*), Endangered.**

BEGIN, SECTION 6, Site Conservation and Management Plan for Wangum Lake Brook Preserve, Canaan, CT.

6. BIOLOGY AND ECOLOGY OF SELECTED ELEMENTS:

Element Occurrence Information:

Scientific Name	Common Name	G/S Rank	E0 Rank
<u>Cardamine douglassii</u>	Purple Cress	G5/S2	A
<u>Carex bushii</u>	A sedge	G4/S1	B
Circumneutral Seepage Swamp		?/S2S3	B/C
<u>Conioselinum chinense</u>	Hemlock Parsley	G5/S3S4	B
<u>Hepatica acutiloba</u>	Sharp-lobed Hepatica	G5T5/S1	
<u>Galeris spectabilis</u>	Showy Orchis	G5/S3S4	B
<u>Rhamnus alnifolia</u>	Alderleaf Buckthorn	G5/S4	B
<u>Scripus pendulus</u>	Pendulous Bulrush	G5/S3S4	B
<u>Trollius laxus</u>	Spreading Globe-flower	G4T3Q/S1	A

Ecology of Selected Elements

Rare Plants

As a result of the calcareous swamp there are a number of plants that are specifically adapted to such an environment.

The most prominent member of this habitat is the **spreading globe-flower** (*Trollius laxus*, **G4T3Q/S1**). Wangum Lake Brook is the home of the largest population of this species in New England (more than 200 plants have been documented). It requires a calcareous habitat with cold groundwater input and partially shaded to open light. *T. Laxus* has creamy yellow flowers that bloom in the opening of the canopy or sprout from sedge clumps. It is associated with limestone (alkaline) environments along the marble ridges of the Housatonic, and is sensitive to over-collection and water level fluctuations. It is at its eastern range limit in Connecticut extending through Michigan where it becomes more abundant. It was up for consideration as a threatened species in the Federal Register in 1980, and was last sighted in 1994 by Brumback.

Sharp-lobed hepatica (*Hepatica acutiloba*, **G5/S1**) also thrives in cool, rich, calcareous woods. In Connecticut, it is typically found in the northwest highland region along the northern Marble Valley, but extends from Maine to Alabama and west to Minnesota. Its rarity is most likely the result of human development. It was last observed by Kenneth Metzler in 1988.

Found south through Virginia and west to Wisconsin, **Purple Cress** (*Cardamine douglassii*, **G5/S2**) is at its northeast range limit in Connecticut making it relatively rare in the state. It prefers shaded woods and calcareous swamps, and was last seen in 1988 by Metzler in a localized area with a population exceeding 100.

The **Showy Orchis** (*Galearis spectabilis*, **G5/S3S4**) loves rich calcareous woods reaching Alabama and Kansas from Quebec. The **sedge** (*Carex bushii*, **G4/S1**) ranges from Massachusetts to Michigan and south to West Virginia and Texas. It persists in calcareous meadows and prairies.

Last seen in 1982 by Caren Caljouw **Hemlock parsley** (*Conioselinum chinense*, **G5/S3S4**) is at its southern limit in Connecticut. It extends from Ontario to Newfoundland and south to the upland regions of North Carolina. It thrives in the northwest



The Nature Conservancy in Connecticut
55 Church Street
New Haven, CT 06510

Tel: [203] 568-6270
Fax [203] 568-6271
nature.org/connecticut

highlands of Connecticut in wet, cool woods on open slopes and along calcareous river edges of the Housatonic River.

Alderleaf buckthorn (*Rhamnus alnifolia*, **G5/S4**) lives in calcareous swampy woods and meadows from Newfoundland to British Columbia and New Jersey to California. It was last observed in 1982 by Les Mehrhoff and Caljouw.

Rare Animals

Wangum Lake Brook is home to the **golden winged warbler** (*Vermivora chrysoptera*). They breed in openings of deciduous woodland swamps and overgrown pastures, and make their nests on or close to the ground. Referred to as the "fugitive species" its nickname is derived from how quickly they arrive and reproduce, and then get pushed out due to habitat destruction. They are fond of early successional habitats which change rather quickly unless there is some type of disturbance such as beaver flooding. These warblers extend east from the Rocky Mountains, and have historically only been in the northern half of the state.

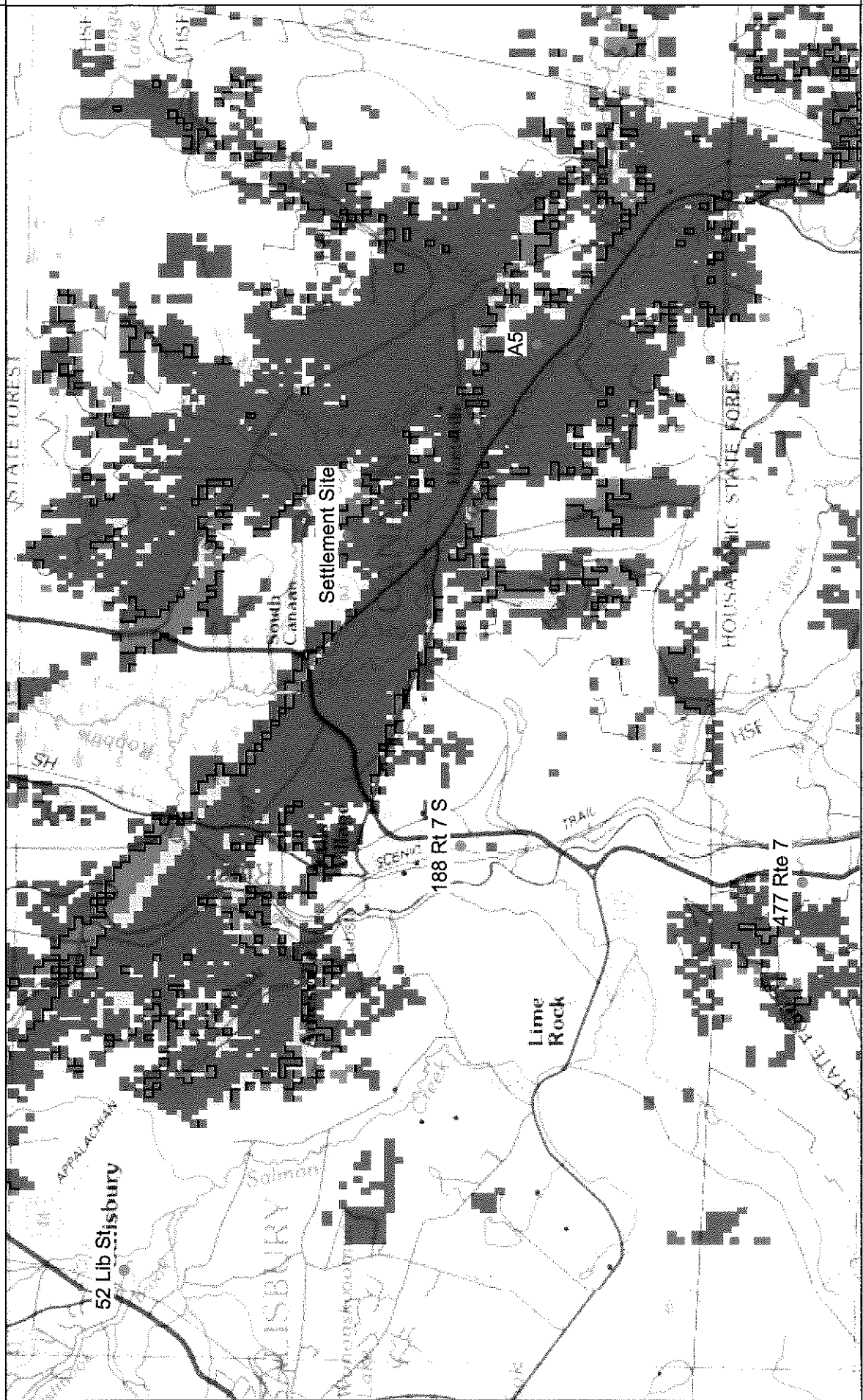
END, SECTION 6, Site Conservation and Management Plan for Wangum Lake Brook Preserve, Canaan, CT.

All plant, animal and natural community information contained in this communication, above, is information shared by and between The Nature Conservancy and the Natural Diversity Data Base and is taken from records already on file with the NDDB at the time of the June 1996 TNC plan for its Wangum Lake Brook Preserve.

Respectfully submitted,

David Gumbart,
Assistant Director of Land Management
The Nature Conservancy

May 10, 2013

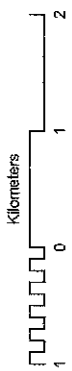


Prop levels:

- 74.00 dBmW
- 82.00 dBmW
- 92.00 dBmW
- 105.00 dBmW

Plot A5-3 Potential Coverage from Hypothetical Site A5
 at 850 MHz without Existing/Approved AT&T sites
 Prepared May9, 2013 by Walter A. Cooper

Kilometers



Miles



Map scale: 1:62,500
 Rasterized at: 1:100,000