

RECEIVED
FEB - 3 2011
CONNECTICUT
SITING COUNCIL

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

In Re:

APPLICATION OF CINGULAR WIRELESS PSC, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE,
AND OPERATION OF A TELECOMMUNICATIONS FACILITY
AT 8 BARNES ROAD, FALLS VILLAGE, CONNECTICUT

DOCKET: 409

February 2, 2011

**Falls Village Inland Wetlands and Conservation Commission's
First Set of Interrogatories to Applicant**

Effect on Inland Wetlands and Watercourses

1. Please provide the materials used, evidence utilized and the criteria applied to support the assertion at tab 4 page 1 of "no effect on any watercourses or waterbodies."

2. Please (a) provide an explanation of the basis for the statement made by Dean Gustafson of VHB, tab 4, page 6: (regarding the presence of Hollis and Chatfield outcrop complex) that "Hollis and Chatfield soils consist respectively of somewhat excessively drained, shallow (10 to 20 inches to bedrock) glacial till soils derived from gneiss, granite and schist. Therefore, the proposed development will not directly or indirectly affect wetlands or watercourses." (b) and please relate the explanation to the steepness of the slope.

3. In light of the assertion by Dean Gustafson of VHB, tab 4, page 6 that "The nearest wetland/watercourse is located on an adjoining property across Barnes Road to the north approximately 200 feet from the proposed access drive entrance onto Barnes Road," (a) please address the potential for run-off and the applicant's proposed measures to avoid run-off at the upper reaches of the proposed access road directly above and in close proximity (as shown on the "Natural Resources Conservation Service Soil Map" Tab 4, page 8) to the Hollenbeck River running parallel to the access road; (b) Please indicate where this proximity and watershed of the facility to the Hollenbeck River is addressed in the application; (c) Please explain the significance of the proximity of a wetland to the access drive in the assertion by Dean Gustafson of VHB, tab 4, page 6 that "The nearest wetland/watercourse is located on an adjoining property across Barnes Road to the north approximately 200 feet..." in light of, and in contrast to watershed impact on the Hollenbeck river, running parallel and below the tower site and proposed access road.

Site Development

4. Page 6 of the application narrative states: "Utilities to serve the proposed facility would extend underground from pole number 2942 on Barnes Road and generally follow the existing

access drive to be improved up to the tower compound location." Please provide specifications for the placement, accommodation and routing of said utilities and all hydrologic analyses of the effects from ground disturbance for their installation.

5. Please explain (a) how the "existing access drive" (Application page 13) is existing in light of map CO2A. And (b) please describe the construction steps required for installing the access road, including removal of material (amount of material); as well as the amount of fill to be brought in; and the removal of natural features; excavation required; and all mechanical equipment required and how this equipment will be accommodated.

6. Please state if the property deed says that this logging trail is a public highway. If so, please describe the steps that will be taken to comply with the Town's zoning regulations relating to "public highways."

7. Will any blasting be necessary for (a) site development? (b) access road development? (c) drainage development? If so, please provide details of where blasting will take place and any analysis of potential harm to surrounding areas and steps to be taken to mitigate such harm.

8. Please identify all existing seeps, springs, fissures and caves at or near the proposed construction sites, including the access road and the drainage system, that will be affected by the described construction and clearing.

9. Please describe all measures proposed to prevent damage or closure of all existing seeps, springs, fissures and caves that would be affected by any blasting on the site.

10. Please describe (a) the precise location and construction details of the two proposed dams and the assurance that they will contain the anticipated maximum flow, and (b) the process by which accumulated soil/sedimentation will be removed.

11. To the extent that once-a-month site visits occur during winter and snowy weather, what road treatments will be used on the access road?

12. What snow and ice removal equipment would be used on the access road?

13. Please provide the name, contact information and qualifications of the person certifying the statement at page 14 of the Application that "Design of all proposed drainage improvements, including the access drive drainage, complies with the Conn DOT Drainage Manual and meets all requirements specified therein."

14. Please provide the name, contact information and qualifications of the person certifying the statement at page 14 of the Application that "The proposed Facility will have no impact on water flow, water quality, or air quality."

15. Please provide the name, contact information and qualifications of the person who prepared the "wetlands delineation report" and the person certifying the statement at page 14 of

the Application that "A wetlands delineation report indicates that there are no wetlands on the site." Please provide the report.

Permits

16. In light of the narrative statement at page 8, "With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 USC 332(e)(7)." Please describe the steps the applicant will take to comply with Conn. Gen. Stat. §22a-32. (Formerly Sec. 22-7I). "Regulated activity permit. Application. Hearing. Waiver of hearing." which provides in pertinent part, "No regulated activity shall be conducted upon any wetland without a permit."

"Critical Habitat"

17. Did the Applicant or any consultant on its behalf meet or communicate with any representative of the following agencies and entities concerning the issue of "critical habitat":

- (a) United States Fish and Wildlife Service
- (b) Connecticut Department of Environmental Protection
- (c) The Nature Conservancy
- (d) U.S. Environmental Protection Agency

If yes, please provide all inquiries, responses and materials obtained from each agency, especially as to each agency's definition of "critical habitat," as referred to on NEPA Screen Map, Tab 7, page 5.

18. Please explain the relevance of the US DOI 1/4/10 letter from Thomas R. Chapman to this application in light of Mr. Chapman's statement that:

Based on past experiences, we anticipate that there will be few, if any, projects that are likely to impact piping plovers, roseate terns, bog turtles, Jesup's milk-vetch or other such species that are found on coastal beaches, riverine habitats or in wetlands because communication towers typically are not located in these habitats.

19. The USFWS has a self-help determination web page for "Project Review for Projects with Federal Involvement" at http://www.fws.gov/newengland/EndangeredSpec-Consultation_Project_Review.htm a copy of which is attached hereto, and is referenced in both standard "To Whom it May Concern" letters attached to the Application at tab 7, pages 8, 9 and 10. There are six steps (A-F) required under "Step 1," and four steps (A-D) under "Step 2," and "Step 3" requires resolution between a required "habitat survey" and "a description of the

proposed project." All evidence of actions taken beyond Step 1 A appears to be missing from the Application. Please provide a description of the steps taken in fulfillment of the attached USFWS guidelines, including, but not limited to, the comparison of "habitat present within the proposed project action area with habitat that is suitable for the species." (USFWS Endangered Species Consultation Guide)

20. The species referred to are state species provided at a link under Step 1. B at the above mentioned web page (attached for reference). Please indicate where in the Application these State species are mentioned and addressed.

21. Please describe the steps taken by the applicant to ascertain the presence of State and Federal Endangered Species within the effective proposed coverage area, beyond the U.S. Fish and Wildlife Service's standardized do-it-yourself "guidelines to assist the public in determining whether a Section 7 consultation is needed and how to avoid or minimize effects for specific projects" (<http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm> (last visited 1/28/11) attached.).

Definition of Terms

Please provide specific definition (including square footage and coordinates) of the following terms appearing in the application and support documents:

22. At tab 4, page 2, II, Scenic, Natural, Historic & Recreational Values: "Site" per: "After review of a preliminary habitat evaluation, the Connecticut Department of Environmental Protection determined that there are no known extant populations of Federal or State endangered, threatened or special concern species occurring at the site."

23. At tab 7, page 10, "the project area(s)" per: "Based on the information currently available, no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service (Service) are known to occur in the project area(s)."

24. Narrative, page 9: "surrounding areas": per "Currently, gaps in reliable coverage exist in the eastern portion of Falls Village along Routes 7, 126 and 63 and surrounding areas. Please provide geographical details including precise location and extent or size of what is meant by the phrase "surrounding areas."

Coverage

25. Please describe and provide a map showing the outer limits of the projected maximum reliable coverage of operating frequency 880 MHz from the proposed site.

26. Please describe and provide a map showing the outer limits of the projected maximum reliable coverage of operating frequency 1900 MHz from the proposed site.

27. Tab 4, page 5: C Squared Systems Power Density Calculations. Please provide Cingular Wireless's plans for after-built monitoring for compliance with these projected power densities throughout the life of the facility.

Visibility

28. Definition of Terms: Please provide specific definition of the following term appearing in the application and support documents: At tab 4, page 2, II, Scenic, Natural, Historic & Recreational Values: "Effect" per "The Connecticut State Historic Preservation Officer ("SHPO") has determined that the proposed project will have no effect on historic, architectural or archeological resources."

29. Please describe (a) any site visit made by the SHPO or officer thereof; (b) provide the SHPO detailed explanation of the term "no effect."

30. Please describe all steps in the process by which a rubber stamp from the State Historic Preservation Office was caused to be placed upon the letter of opinion dated 8/17/10 of the applicant's consultant "VHB" appearing at tab 6, page 2.

31. Please provide the materials used, evidence utilized and the criteria applied to support the assertion at tab 4 page 2 that "The proposed facility will not be visible from the South Canaan Meeting House."

32. Please provide the materials used, evidence collected and utilized and the criteria applied to support the assertion at tab 6 page 2 that "The balloon was not visible from this property [South Canaan Congregational Church]."

33. Please (a) describe the basis, including any written and photographic materials for the statement at tab 4 page 2 that "The parcel on which the facility is located exhibits no unique scenic, natural, historic or recreational characteristics." (b) Please relate the foregoing to the requirements for maintaining a "scenic road" designation in the state of Connecticut.

34. At Tab 6, page 6, please describe the computation by which 513 acres was determined.

35. Please (a) define the term "view shed" as used throughout the application; (b) Please provide the formula by which "view shed" was determined; (c) Please provide the basis for the determination of 19 houses.

Environmental Resources

36. Please detail the "studies completed by AT&T" (described as meeting "the consistency of the proposed Facility with these guidelines [Section 9.2 of the Zoning Regulations of the Town of Canaan]" illustrated in the table on page 20 of the application under the heading "9.2.4.a Resource Protection Guidelines") as those studies relate to:

- (a) preserving environmentally sensitive areas;
- (b) preserving unique wildlife habitats;
- (c) preserving wetlands;
- (d) preserving historic and archaeological resources.

37. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to the Hollenbeck River.

38. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to the Wangum Lake Brook.

39. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to Robbins Swamp.

40. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to the closest wetland other than the foregoing (interrogatories 32, 33 and 34) and provide a description of same.

41. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any amphibian habitat, and provide a description and location of the habitat(s).

42. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any bog turtle habitat, and provide a description and location of the habitat(s).

43. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Eastern box turtle habitat, and provide a description and location of the habitat(s).

44. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any timber rattlesnake habitat, and provide a description and location of the habitat(s).

45. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any northern metalmark butterfly habitat, and provide a description and location of the habitat(s).

46. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any small whorl pogonia habitat, and provide a description and location of the habitat(s).

47. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Blue-spotted salamander habitat, and provide a description and location of the habitat(s).

48. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Northern spring salamander habitat, and provide a description and location of the habitat(s).

49. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Northern slimy salamander habitat, and provide a description and location of the habitat(s).

50. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any American bittern habitat, and provide a description and location of the habitat(s).

51. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Bald eagle habitat, and provide a description and location of the habitat(s).

52. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Burbot habitat, and provide a description and location of the habitat(s).

53. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any whippoorwill habitat, and provide a description and location of the habitat(s).

54. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any golden eagle habitat, and provide a description and location of the habitat(s).

55. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any ruffed grouse habitat, and provide a description and location of the habitat(s).

56. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any yellow ladies slipper habitat, and provide a description and location of the habitat(s).

57. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any showy ladies slipper habitat, and provide a description and location of the habitat(s).

58. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any northern leopard frog habitat, and provide a description and location of the habitat(s).

59. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any Scotts Spleenwort habitat, and provide a description and location of the habitat(s).

60. Please provide (in feet) the distances from the closest points of (a) the compound area; and (b) the access drive, to any "Limestone Erratics" – limestone boulders supporting sensitive ferns, including the "walking fern" and "Scotts Spleenwort" specific to limestone habitats, and provide a description and location of the habitat(s).

61. Attached hereto is a current Nature Conservancy description of environmental features and such species of the Northwest Highlands, including areas described as the Hollenbeck Preserve and Robbins Swamp. This description mentions the presence of more than 150 rare and endangered species. (a) Please describe all environmental features that occur in the tower's proposed reliable coverage area; (b) please describe or provide copies of any environmental assessment by the applicant or its consultants, of such environmental features within the proposed reliable coverage area; (c) please describe the power density and frequency levels of RF emissions from the proposed facility when operating at full capacity with Cingular Wireless' antennas in use, on such environmental features and species and their habitats within the proposed reliable coverage area; (d) please describe the power density and frequency levels of RF emissions from the proposed facility when operating at full capacity with all antennas of four co-located carriers in use on such environmental features and species and their habitats within the proposed reliable coverage area.

62. Please provide full citations to any environmental or scientific studies consulted by the applicant and its consultants relating to the environmental assessment of the RF emissions from the proposed facility on each of the environmental features and species referred to above in interrogatories 61 a, b, c and d.

63. Please identify and provide copies of any submissions by the applicant to the federal communications Commission pursuant to 47 C.F.R. §1.1307(3) relating to the subjects of interrogatories 61 a, b, c and d.

64. Please describe the boundaries of the "site" submitted to (a) the U.S. Fish and Wildlife Service, and (b) Connecticut D.E.P. for determination of the extant populations of any Federal or State endangered, threatened or special concern species relating to this application.

65. Please identify all endangered, threatened or special concern species located anywhere in the reliable coverage area for the proposed facility, describing the location of their habitats in relation thereto.

66. Please provide the date and title of the most recent field study of state endangered, threatened or special concern species conducted by the Connecticut DEP relied upon in any part of the application.

67. Please provide the date and title of the most recent field study of federally listed, threatened or endangered species conducted by any Federal agency relied upon in any part of the application.

Coverage

68. Please describe the broadband capabilities of the proposed facility and its projected reliable coverage area.

69. Regarding the suggested alternative site at the Century Aggregate property (site 13, on the Site Search Summary), please describe and provide a map of the projected reliable coverage area from this site together with a description and map of "the area where coverage is needed" as described on page 24 of the application, in relation to (a) the 880 MHz signal; and (b) the 1900 MHz signal.

70. Please describe and provide a map of the complete existing reliable coverage area from AT&T Site 1134 in relation to (a) the 880 MHz signal; and (b) the 1900 MHz signal.

71. At page 6 of the narrative, the application states "The company's member corporation is licensed by the Federal Communications Commission ("FCC") to construct and operate a personal wireless services system, which has been interpreted as a 'cellular system', within the meaning of CGS Section 16-50i(a)(6)."

(a) Please describe all services that the proposed facility will support.

(b) Please list all communities the proposed signals will serve.

(c) Please detail/explain why 9-1-1 services cannot be accomplished through booster antennas.

(d) Please detail/explain what determines that high-tension power line tower supports running from southeast to west to north will not serve the proposed coverage.

72. Please explain (a) what is meant by "worst case calculation of power density" (Tab 4, at E)? and (b) how is that different from power density output with four co-located carriers on the proposed tower when the tower is operational? (c) what provision is there for independent after-built monitoring of the power output by the applicant?

De-Forestation and Drainage

73. Tab 4, page 4, "Tree Inventory" by CHA states that a total of 127 trees will be removed "within the area of the proposed access road and compound which need to be removed for construction of the facility." Please describe how many trees will be removed to accommodate the proposed drainage systems for the site, and please state the site total tree removal for the entire project, not just the access road and facility construction.

74. Tab 5, page 3 refers to "Hydrologic Evaluation." Please provide all hydrologic engineering studies of the changes to the watershed to be caused by the proposed facility including access road, tower, compound and power shed.

75. Tab 5, page 3 states "Aerial photos of the watershed show that the primary terrain cover is comprised of forested area with pockets of exposed rock outcrops." (a) Please provide hydrologic studies based upon the proposed removal of 127 trees; (b) and please provide hydrologic studies based upon removal of the additional trees necessary to accommodate the drainage systems proposed (see interrogatory number 60).

76. Tab 5, page 4 states "Depth to bedrock is shallow, ranging from 0 to 20 inches. These soils are situated on steep slopes, which can create excessive drainage." Tab 5, page 3 states that "The steepness of the terrain subjects the gravel access road alignment to sheet flow and high velocity shallow concentrated flows that will concentrate on adjacent sides of the road subjecting it to erosion." Please explain and reconcile this statement with the statement in the "Environmental Assessment Statement" (Tab 4, page 1, 1. Physical Impact, A. Water Flow and Quality") that "No water flow and/or water quality changes are anticipated as a result of the construction or operation of the proposed facility."

Alternative Locations

77. In light of the application statement that the "proposed Facility on Cobble Hill will be visible from various vantage points in the community," please list all the criteria upon which the Industrial Zoned Century Aggregate property site was rejected

78. At page 9, the narrative states "The Facility proposed in this Application is an integral component of AT&T's network in its FCC licensed areas throughout the state." Please provide descriptions, maps, specifications and documents regarding AT&T's (a) existing and (b) planned network in the Town of Canaan, Connecticut and its contiguous neighboring towns, including complete existing reliable coverage areas for the (c) 880 MHz signal; and (d) for the 1900 MHz signal.

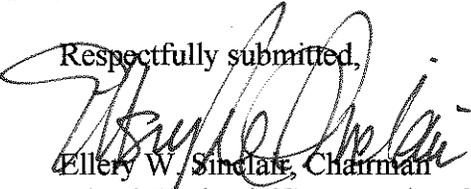
79. In light of the statement on page 11 of the application that "Other tall structures in and around the search ring included CL&P 115kv transmission line support structures that were also rejected by AT&T based on their relatively low ground elevation, relative heights and location south of the intervening terrain Cobble Hill Blocking potential coverage to the north." Please explain how (a) the CL&P transmission line support structures are "relatively low ground elevation" or "relative heights" in relation to Cobble Hill; and (b) how "blocking potential coverage to the north" is a criterion for filling "gaps in reliable coverage exist[ing] in the eastern

portion of Falls Village along Routes 7, 126 and 63 and surrounding areas." (Application, page 9) and (c) how the existing boosters on Beebe Hill and Sand Road are currently utilized in the existing AT&T network; and (d) how the existing boosters on Beebe Hill and Sand Road do not satisfy the proposed coverage.

80. Please compare the altitude of the "higher relative terrain" of the proposed tower site (Application page 12) to the height of the CL&P 115kv transmission line support structures mentioned at page 11 of the Application.

81. Please list all alternatives considered by the applicant in order to comply with the Siting Council's mandate to encourage co-location on existing towers, to avoid tower proliferation, in keeping with the Town's Plan of Conservation and Development.

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

With two attachments

CERTIFICATE OF SERVICE

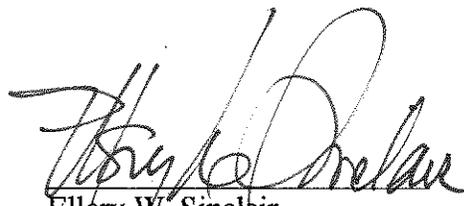
I hereby certify that on this day, an original and twenty copies of the foregoing with attachments was served on the Connecticut Siting Council by first class mail and copy of same was sent postage prepaid to:

Christopher B Fisher, Esq.
Lucia Chiochio, 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

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

Dated: February 2, 2011


Ellery W. Sinclair

Northwest Highlands

Rugged forests, sparkling streams and globally rare plants and animals



In the rolling foothills of Connecticut's northwestern corner, some of our state's last untouched natural areas remain. A unique geography of limestone forests, ridges and wetlands runs from the Massachusetts border down to the center of Connecticut. This vast chain of intact forests and waterways teems with more than 150 rare and endangered species, a spectacular concentration of plants and animals rivaled no where else in the state.

The Northwest Highlands feature rugged uplands like Canaan Mountain, an eight mile range rising steeply to a series of summits, one as high as 1,962 feet. Rocky ledges, diverse vegetation and dense woodlands mark this natural area including 2,000 acres of forest that have been protected from indiscriminate logging for the past 50 years. Today, almost 7,000 acres are protected on Canaan Mountain.

Adjacent to Canaan Mountain is the Hollenbeck River and its watershed, which includes Robbins Swamp, Connecticut's largest inland wetland. Robbins Swamp represents one of the region's most significant natural areas: the region's second largest calcareous wetland. Formed from limestone karsts—jagged broken rock formed from an ancient seabed—the bedrock of these open wetlands makes them alkaline, unlike most New England wetlands, which are acidic. Nearby Wangum Lake Brook, which drains into the Hollenbeck River, is also part of this calcareous wetland complex.

The unique geology of Canaan Mountain and Robbins Swamp gives rise to a rich collection of plants, animals and natural communities, some of which are found nowhere else on Earth. The endangered timber rattlesnake and northern metalmark butterfly are found here as well as three rare bird species and 23 rare species of plants, including a variety of trees, flowering plants, grasses and sedges.

For five decades, The Nature Conservancy has been active here establishing its first preserve in the state at Beckley Bog in Norfolk in 1957. Today, the Conservancy is addressing threats including inappropriate development and invasive species. Through science-based conservation, land acquisition and cooperative projects with local landowners and partners, we're working to preserve this important mosaic of lands and waters and actively manage the Northwest Highlands to protect rare species and natural communities.

Nature knows no boundaries, and in recognition of this fact, we're collaborating with our colleagues in the Conservancy's Massachusetts-based Berkshire-Taconic Landscape Program (BTL). The BTL program helps coordinate



Get Involved

JOIN GREAT PLACES

You can learn more and explore new places when you [join the Conservancy's online community](#) and build your own *personalized* nature page.



Go Deeper

Places to Visit

[Berkshire Taconic Landscape](#)
[Cathedral Pines Preserve](#)
[Hollenbeck Preserve](#)
[Iron Mountain Preserve](#)
[Sunny Valley Preserve](#)

the Conservancy's efforts to protect the spectacular wildlife and rich lands and waters where Connecticut, Massachusetts and New York converge.

(Top to bottom, left to right): © Alden Warner (Lakeville Reservoir, View Northwest); © Anne Day (Timber rattlesnake in Connecticut); © Alden Warner (Winterberry, Milton).

RSS     ShareThis

Join The Nature Conservancy on

[Facebook](#)

[Flickr](#)

[Twitter](#)

[Green Holiday Gifts](#) | [Carbon Calculator](#) | [Site Map](#) | [Contact Us](#) | [Help/FAQs](#) | [Careers](#) | [Privacy](#) | [Governance](#) | [Financials](#) | [Legal Disclosure](#)

Copyright 2010 The Nature Conservancy



Tuesday,
February 01, 2011

Endangered Species Reviews/Consultations

ENDANGERED SPECIES

Overview
Consultation
N.E. Listed Species
Species Under Review
Recovery Activities
Habitat Conservation
Images
Biological Opinions

PARTNERS FOR FISH & WILDLIFE

Overview
Restoration Initiatives
Species & Habitats of
Special Concern
Accomplishments
How to Participate
Habitat Restoration
Links

ENVIRONMENTAL CONTAMINANTS

Overview
BTAG
NRDAR
Special Studies
Oil Spills

FEDERAL ACTIVITIES

Overview
Federal Projects &
Permits
Wetland Permits
FERC_ Hydropower
Projects
River Flow Protection
Wind Energy Projects

OUTREACH

NH Envirothon
Kids Corner
Let's Go Outside

Staff Directory

Our Location

HOME

BOOKMARK

Endangered Species Consultation

Project Review for Projects with Federal Involvement (authorizing, funding or carrying out the project)

The following information is designed to assist applicants or project sponsors in determining whether a federally-listed, proposed and/or candidate species may occur within the proposed project area and whether it is appropriate to contact our office for additional coordination or consultation. We encourage you to print out all materials used in the analyses of effects on listed, proposed or candidate species for your records or submission to the appropriate federal agency or our office.

Step 1. - Determine whether any listed, proposed, or candidate species (T/E species) are likely to occur within the proposed project action area based on location of the proposed project:

0. Choose your state list below and review for Towns in which federally-listed species occur:

Connecticut - 12 species (29 KB)
Massachusetts - 14 species (41 KB)
New Hampshire - 13 species (31 KB)
Rhode Island - 8 species (22 KB)
Vermont - 10 species (25 KB)

- A. You should contact your state Natural Heritage Program or Endangered Species Program (see list below) for additional information on federally and state-listed species:

Rhode Island Natural Heritage Program
Connecticut Endangered Species Program
Massachusetts Natural Heritage and Endangered Species Program
Vermont Non-Game and Natural Heritage
New Hampshire Fish and Game's Non-game and Endangered Wildlife Program
New Hampshire Natural Heritage Bureau's Home Page

Please note that these agencies provide information on known occurrences; this information does not replace field surveys, especially for plants, as most project sites have not been previously surveyed specifically for listed species.

- B. If the project falls within a Town where the endangered dwarf wedgemussel is known to occur, check the appropriate map to determine whether your project is in the vicinity of its known range.

Massachusetts - Connecticut River Watershed (912 KB)
New Hampshire/Vermont - Connecticut River Watershed
Upper Connecticut River (872 KB)
Middle Connecticut River (1.07 MB)
Lower Connecticut River (1.56 MB)
New Hampshire - Ashuelot River Watershed (886 KB)
Connecticut - Connecticut River Watershed (2.04 MB)

- C. If the project falls within a Town where the endangered northern red-bellied cooter is known to occur, or if the project occurs in Plymouth County, Massachusetts, check the map to determine whether your project is in the vicinity of its known range or critical habitat. NRBC_MAP (59 KB)

- D. If a proposed project occurs in a Town with no known listed, proposed or candidate species present, no further coordination with the Service is needed. You may download a "no species present" letter (156 KB) stating "no species are known to occur in the project area".

- E. If the proposed project occurs in a Town with known occurrences of T/E species, proceed to Step 2.

Step 2. - Determine whether any listed or proposed New England Species are likely to occur within the proposed project area by comparing the habitat present within the proposed project action area with habitat that is suitable for the species.

0. Review the information we have provided on the species list information from the appropriate state agency, and any other sources of information available to you to determine types of habitat the species use. A description of suitable habitat for New England's federally-listed species may be found in New England Species' profiles and fact sheets.
- A. Determine whether your proposed project action area has any potential for listed species habitat (e.g., are suitable roost trees present? - Indiana bats; are wetlands present? - bog turtles or Northeastern bulrush; will project affect a waterway? - dwarf wedgemussel). After this initial coarse review, determine whether any more detailed surveys may be appropriate (e.g., survey for dwarf wedgemussels).
- B. If your state Natural Heritage Program or Endangered Species Program does not identify any listed species for the proposed project AND there is no potential habitat for any listed species within the action area, no further

coordination with the Service is required. You may download a "no species present" letter (158 KB) stating "no species are known to occur in the project area".

- C. If you have identified that potential listed species habitat is present although the species has not been documented from that specific location, further coordination with our office is recommended. Please send the results of your assessment including any habitat surveys to:

Supervisor
U.S. Fish and Wildlife Service
70 Commercial St., Suite 300
Concord, NH 03301

Include in your letter:

A detailed description of the proposed project, including approximate proposed project construction schedule and project activities (e.g., land clearing, utilities, stormwater management). Site plans are often helpful in our evaluation process.

- A description of the natural characteristics of the property and surrounding area (e.g., forested areas, freshwater wetlands, open waters, and soils). Photographs are often helpful in assessing the habitat. Additionally, please include a description of surrounding land use (residential, agricultural, or commercial).
- The location of the above referenced property and extent of any project related activities or discharges clearly indicated on a copy of a USGS 7.5 Minute Topographic Quadrangle (Quad) with the name of the Quad(s) and latitude/longitude clearly labeled.
- A description of conservation measures to avoid or minimize impacts to listed species.

Why does this matter?- In a case where no habitat is present, a quick and easy determination can be made that further coordination is not necessary. In a case where habitat is present, but you believe that the project activities will not impact listed species, it is important to coordinate with us to ensure that all project activities and all potential effects (direct and indirect) have been considered.

(Please allow 30 days following our receipt of your request for processing.)

Step 3. - Based on the results of the habitat survey and a description of the proposed project (including information as to whether any potential habitat may be directly or indirectly affected), the involved Federal agency may determine:

- The proposed project will result in no effect to any T/E species and no further coordination or consultation with the Service is required;
- Additional information (e.g., surveys) is required to determine whether any T/E species are likely to occur within the proposed project area; or
- The proposed project "may affect" a T/E species and consultation with the Service is required.

Files in PDF format will require Acrobat Reader to access the content. If you do not have a copy, please select the link [or click the image] to take you to the Adobe website where you can download a free copy. Get Adobe Acrobat Reader