

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

**RE: APPLICATION OF SBA TOWERS II, LLC  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED FOR  
THE CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A TELECOMMUNICATIONS  
FACILITY AT ONE OF TWO ALTERNATE SITES  
AT RABBIT HILL ROAD, WARREN, CONNECTICUT**

**DOCKET NO. 378**

**Date: May 14, 2009**

**APPLICANT'S RESPONSES TO FIRST SET OF INTERROGATORIES  
FROM THE TOWN OF WASHINGTON CONSERVATION COMMISSION**

Applicant SBA Towers II, LLC ("SBA") hereby submits the following responses to the Washington Conservation Commission's first set of pre-hearing interrogatories dated May 5, 2009.

**Q1. Are there any threatened or endangered species' habitats, nests or feeding areas within the proposed coverage area of either tower site? If so, please provide descriptions and identify the species and locations.**

A1. As noted in the application materials, the Department of the Interior, Fish and Wildlife Service has identified bald eagle, the bog turtle and the small whorled pagonia in Litchfield County. In addition, the State of Connecticut, Department of Environmental Protection's ("DEP") Natural Diversity Database ("NDDB") shows that the listed species, wood turtle, the sedge skipper butterfly and the bronze copper butterfly, have been observed and documented at locations greater than ½ mile from the proposed sites.

SBA has conducted a habitat evaluation and determined that due to the small footprint of the proposed project, as well as the already disturbed state of the proposed sites, the project will have little to no impact to wildlife or the surrounding ecological communities.

See the Habitat Evaluation (dated May 13, 2009) included with the pre-filed testimony of Benjamin Rieger for a more detailed presentation of these findings.

SBA has not conducted a habitat evaluation of the surrounding areas as it not warranted does not have access to private properties. It is SBA's opinion, based upon the habitat analysis and other

information included in this docket, that the proposed construction and operation of a telecommunications facility would have no impact upon any of these species on the Property or in the surrounding areas.

**Q2. Are there any bald or golden eagles' habitats, nests or feeding areas within the proposed coverage area of either tower site? If so, please provide descriptions and identify the species and locations.**

A2. As noted in the application materials, the Department of the Interior, Fish and Wildlife Service has identified bald eagle in Litchfield County. SBA has conducted a habitat evaluation and determined that feeding or nesting of bald eagles at either proposed site is unlikely. Bald eagles typically nest proximate to significant water bodies and feed in the same type of water bodies. Such water bodies do not exist on or in close proximity to the proposed sites.

Golden eagles are uncommon in the northeast. They do inhabit the northeast United States in the winter. It is possible that a golden eagle might feed in this area during the winter. The northeast United States is not an area typically used for nesting or breeding. Based on the small footprint of the proposed sites, impact to the potential for use of the area for feeding is unlikely.

See Habitat Evaluation included with the pre-filed testimony of Benjamin Rieger. SBA has not conducted a habitat analysis of the surrounding areas as it is not warranted nor does SBA have access to private properties. In addition, it is SBA's opinion that the proposed construction and operation of a telecommunications facility would have no impact upon these species.

**Q3. Are there any wood turtles' habitats, nests or feeding areas within the proposed coverage area of either tower site? If so, please provide descriptions and identify species and locations.**

A3. As noted in the application materials and the materials submitted by the Washington Conservation Commission, the Connecticut DEP has indicated the presence of wood turtles at a location greater than ½ mile from the sites. SBA has conducted a habitat analysis and determined that there is no habitat present on the Property that would support wood turtle over wintering or breeding. It is possible that wood turtle use the area in a transient manner, based on the small footprint of the proposed sites, impact to the potential transient use is unlikely.

See Habitat Evaluation included with the pre-filed testimony of Benjamin Rieger. SBA has not conducted a habitat analysis of the surrounding areas as it is not warranted nor does SBA have access to private properties. In addition, it is SBA's opinion that the proposed construction and

operation of a telecommunications facility would have no impact upon any wood turtle habitat, nests or feeding areas.

**Q4. Are there any small whorled pagonias within the proposed coverage area of either tower site? If so, please describe and provide locations.**

A4. As noted in the application materials, the Department of the Interior, Fish and Wildlife Service has identified Litchfield County as having habitat to support the small whorled pagonia.

No small whorled pagonia were identified in the area. See Habitat Evaluation included with the pre-filed testimony of Benjamin Rieger. SBA has not conducted a habitat analysis of the surrounding areas as it is not warranted nor does SBA have access to private properties. In addition, it is SBA's opinion that the proposed construction and operation of a telecommunications facility would have no impact upon any of this species.

**Q5. Apart from Federally endangered species, are there any state listed endangered, threatened or special concern species' habitats, nests or feeding areas within the proposed coverage area of either tower site? If so, please provide descriptions and identify species and locations.**

A5. SBA refers to the NDDB mapping information, correspondence from the Connecticut DEP and United States Department of the Interior, Fish and Wildlife Service that has already produced in this docket.

**Q6. Are there any Migratory Bird Treaty Act protected birds or their habitats, nests or feeding areas within the proposed coverage area of either tower site? If so, please identify species and provide descriptions and locations.**

A6. While SBA has not conducted a specific bird inventory but, given the number of species of birds identified in the Migratory Bird Treaty Act ("MBTA"), it is not surprising that some species identified in the MBTA have been identified in the general area. However, as demonstrated in the habitat analysis included in the pre-filed testimony of Benjamin Rieger, the proposed Facility at either Site will have little if any impact on bird habitat in the area. In addition, the Facility at either Site has been designed to meet the United States Department of the Interior, Fish and Wildlife Service standards to avoid bird strikes. Therefore, it is SBA's opinion that the proposed Facility at either Site will have no impact on bird habitat on the Property.

**Q7. Please identify all vernal pools, wetlands and watercourses within the proposed coverage areas of each tower site, and provide locations and “Functions Assessments” for each.**

A7. SBA has not conducted a wetlands delineation or functions assessment beyond the Property itself in the vicinity of Site B. SBA has established that it will have no negative impact on the wetlands located on the Property in the vicinity of Site B, as shown in the application materials at Exhibit O, (the functions assessment for those wetlands). As indicated in that report, there are no wetlands within 500 feet of Site A. Therefore, it is SBA’s opinion that it will have no negative impact on any vernal pools, wetlands or watercourses on the Property and that no functions assessment on vernal pools, wetlands and watercourses off-Property is warranted.

**Q8. Please identify all wildlife habitats and fish and shellfish habitats in each such vernal pool, wetland and watercourse, and provide locations and identification of species for each.**

A8. See response to interrogatory #7. To the extent information is sought concerning the wetlands delineation and impact assessment that was conducted in the vicinity of Site B, please see the Application at Exhibit O and Habitat Analysis attached to the pre-filed testimony of Benjamin Rieger.

**Q9. Please provide cumulative worst-case power density calculations (assuming all channels working simultaneously at full power) and projected average power density calculations for each frequency at each location identified in response to each of the foregoing interrogatories.**

A9. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions. Subject to this objection and without waiving the same, SBA responds as follows: See responses to the foregoing interrogatories. SBA, along with intervenors AT&T and Verizon, have demonstrated that the proposed Facility is within FCC guidelines for radio frequency emissions. Such calculations are conducted at the Site itself. Notwithstanding, SBA has provided numerous, additional calculations for cumulative worst-case power density, attached to responses to CROWW’s interrogatories at Exhibit 1, which further demonstrate the proposed Facility’s compliance with FCC regulations.

**Q10. Please describe the structural ability and capacity of each proposed tower to be extended vertically by future modifications, and state the maximum height above ground level that can be reached for mounting additional antennas.**

A10. The tower, at either Site, will be designed to structurally support all of the proposed antennas and equipment as proposed in this application. In addition, the tower and foundation will be designed to be extendable, in the event required for future users.

**Q11. Please describe how the graphic displays on individual handheld cell phones indicate wireless service reliability and service gaps.**

A11. Graphic displays on individual cell phones are not a good indication of wireless reliability or service gaps. There is no one standard for the graphical displays that manufacturers adhere to. Additionally, the displays do not provide enough resolution needed to properly characterize a wireless network. Therefore, such displays are not useful in making a determination of service gaps.

**Q12. Please describe the results of any studies of density, frequency and occurrence of fog at the proposed tower sites.**

A12. SBA objects to this interrogatory to the extent that it is irrelevant. Subject to this objection and without waiving the same, SBA responds as follows: Neither fog nor rain effect signal loss at the frequencies and range of interest for the uses proposed at either Site.

**Q13. Please describe the frequency and length of electric power outages experienced on Rabbit Hill Road, and the anticipated need to provide emergency power generation at the selected site to maintain wireless service.**

A13. SBA has no information concerning the frequency or length of electric power outages experienced on Rabbit Hill Road. SBA would not provide emergency power generation at either Site. Rather, it would be up to each tenant on the tower to provide its own means of emergency power generation.

**Q14. Please describe the maximum noise level in decibels from operation of the emergency power generator. Please provide the same information at a distance of 1500 feet from each proposed tower site.**

A14. As stated in response to interrogatory #13, SBA would not provide emergency power generators at either Site. Rather, it would be the responsibility of each tenant to provide its own

means of emergency power generation. SBA would ensure, however, that any generators used were in compliance with DEP noise and air emission standards associated with any such use.

**Q15. Please describe the volume, composition and strength of all battery acids and other toxic fluids to be used at the selected tower site. And describe any precautions to prevent seepage into the watershed from accidental spillage.**

A15. SBA would not store and have any batteries or other toxic fluids at either Site. If any tenants have the need to store fuel and/or use battery back-up power at either Site, SBA would ensure that all such fuel and batteries are contained in the appropriate manner in accordance with all applicable state, local and federal regulations.

**Q16. Please describe the location of the Washington Montessori School in relation to each proposed tower site.**

A16. The Washington Montessori School is located at 240 Litchfield Turnpike, to the southeast of both sites. The School is approximately 4,300' to the SE from Site A and 4,900' to the SE from site B.

**Q17. Please provide an updated Section L site study showing the Washington Montessori School.**

A17. The School property is already depicted in the viewshed analysis contained in Exhibit L. As can be seen, neither Site will be visible from the school.

**Q18. Please provide cumulative worst-case power density calculations (assuming all channels working simultaneously at full power) and projected average power density calculations for each frequency at the Washington Montessori School.**

A18. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions. Subject to this objection and without waiving the same, SBA responds as follows: See spreadsheet attached to responses to CROWW's interrogatories at Exhibit 1. As discussed in response to CROWW's interrogatories, since the Facility at either Site will be compliant with FCC utilizing worst-case scenario calculations, average power

density calculations are not included but are expected to be approximately 1/3 of the worst-case scenario calculations.

**Q19. Please identify and describe the differences in projected coverage for each frequency from each proposed tower site.**

A19. SBA objects to this interrogatory. SBA does not represent AT&T or Verizon. Both AT&T and Verizon are intervenors in this docket and, as such, all interrogatories concerning AT&T and Verizon should be directed to those intervenors, through their legal representative in this docket.

**Q20. Please provide same-scale maps of the foregoing for visual comparison purposes.**

A20. SBA objects to this interrogatory. SBA does not represent AT&T or Verizon. Both AT&T and Verizon are intervenors in this docket and, as such, all interrogatories concerning AT&T and Verizon should be directed to those intervenors, through their legal representatives in this docket.

**Q21. Please describe and provide copies of all documents supplied to the State Historic Preservation Officer.**

A21. SBA submitted a package to the State Historic Preservation Office ("SHPO") for each of the proposed alternate sites. Each package is approximately 80 pages in length and contained the following information:

- 1) Cover letter
- 2) New tower submission package and FCC form 620. The new tower submission package including :
  - a) description of the project
  - b) photographs and maps of the project site
  - c) proposed plans for the tower sites and towers
  - d) documentation of correspondence with Town of Warren and Indian Tribes
  - e) proof of publication of public notice in the newspaper
  - f) the archeological report (attached hereto)

Due to the size of these documents and the redundancy of much of the material, SBA has not reproduced these reports. If specifically requested, SBA can provide an electronic copy to any individual party or intervenor. As can be seen from the application at Exhibit P, the SHPO has

determined that the proposed Facility at either Site will have no effect on historic, architectural or archeological resources listed or eligible for the National Register of Historic Places.

**Q22. Please describe and provide copies of all documents supplied to the Washington Historical Society. Describe any response.**

A22. Since neither Site is located in the Town of Washington, no documents were specifically provided to the Washington Historical Society. As part of its NEPA compliance documentation, legal notices were published in local newspapers requesting comment and correspondence was sent to the Warren Historical Society. No comment was received from the Warren Historical Society. As can be seen from the application at Exhibit P, the SHPO has determined that the proposed Facility at either Site will have no effect on historic, architectural or archeological resources listed or eligible for the National Register of Historic Places.

**Q23. Please describe or provide a copy of the “preliminary archeological assessment” made by Heritage Consultants LLC.**

A23. See preliminary archeological report attached hereto as Exhibit 1.

**Q24. Please state whether the applicant or any consultant reviewed the Yale University School of Forestry and Environmental Studies’ Management Plan for the Steep Rock Association’s Maricostas Preserve in the relation to native American habitation and archeological evidence, and supply a copy of the results of any such consideration.**

A24. This management plan was not specifically reviewed. Standard data sources for historical information were reviewed and Native American use of the area was considered in the evaluation of potential impacts. Data available from the SHPO indicate that a single documented archeological site does exist approximately one half mile from the proposed tower sites, Site 150-20, as documented in the preliminary archeological reports for both Site A and Site B. See Exhibit 2. As can be seen from the determinations received and attached to the Application at Exhibit P, the SHPO has determined that the development of the proposed Facility at either site will have no effect on this archeological site.

**Q25. Please provide a copy of the certified soil scientist’s report of the land capability on-site assessment and soil delineation of the project site for Site A performed by a certified soil scientist.**

A25. As discussed in the Application, SBA is of the opinion that, given the small amount of the Property impacted by the construction of Site A (.23 acres), there will be no material



decrease in the acreage or productivity of arable land on the 106 acre parcel since this is only .2% of the entire parcel. The .23 acres is calculated irrespective of whether that land is arable. The Applicant's land capability class assessment for Site A is included in the application at Exhibit M. As noted in that report, the report was compiled based upon the Natural Resource Web Soil Survey and Connecticut DEP mapping. As can be seen from that assessment no prime farmland is disturbed as part of the propose Site A development, disturbance is limited to sub prime soil types. Nonetheless, SBA has committed to creating an additional 3,430 square feet of pasture land. Therefore, it is undisputed that the construction and operation of Site A will actually result in a net increase of pasture land on the Property. As noted in Exhibit M, an in field verification is recommended. Should Site A be approved, SBA is committed to providing such verification to the Siting Council in the D&M phase.

**Q26. Please provide a copy of the certified soil scientist's report of the land capability on-site assessment and soil delineation of the project site for Site B performed by a certified soil scientist.**

A26. As noted in the application, Site B is located outside the area of the Property that is subject to the Conn. Gen. Stat. § 22-26cc. Therefore, no land capability assessment was performed nor is such a report warranted. However, as noted in response to CROWW's interrogatories, the mapped land capability of Site B is 6s.

**Q27. Please state whether the flagged wetland and watercourse boundaries identified by consultant Kleinfelder have been verified by local, state or federal agencies. If so, please identify the agency and provide relevant documentation.**

A27. The flagged wetland boundaries have not been verified by local, state or federal agencies nor is SBA required to have such information verified. SBA is not required to file a local application with the Town of Warren inland wetlands commission as the Connecticut Siting Council has exclusive jurisdiction over the siting and approval of the proposed facility. Therefore, there would be no reason for the Town of Warren to verify the wetland mapping nor is SBA required to have any other local or state agency verify the wetlands mapping. Since there are no proposed wetland impacts on the Property, there is no requirement that any wetlands mapping be verified by any federal agency. If any local, state or federal agency seeks to verify the wetlands mapping performed at the Property, SBA would be willing to accommodate such a request, with the cooperation of the Property owner.

**Q28. Please provide an updated threatened and endangered species review based on the DEP December 2008 NDDB map.**

A28. See NDDB maps attached to SBA's responses to the Connecticut Siting Council's interrogatories, Set II as Exhibit 2. As discussed in those responses, the review conducted for Site B included in the most recent NDDB map and therefore an updated review is not warranted.

**Q29. Please provide a revised evaluation of the environmental impact of the proposed tower sites on known occurrences of state listed species and significant natural communities based on the DEP December 2008 NDDB map.**

A29. See response to interrogatory #28.

**Q30. Attached is a copy of a letter from the Connecticut DEP dated April 6, 2009. Please describe (a) the effects of RF emissions at the frequencies at which the proposed tower will be operating on insects such as the Bronze Copper and the Sedge Skipper, and (b) the effects of such emissions on amphibians such as the wood turtle.**

A30 – SBA objects to this interrogatory on the basis that there is no attachment to the received interrogatories. SBA further objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions.

**Q31. Please describe and supply copies of any scientific studies on which the foregoing responses are based.**

A31. See objection to interrogatory #30.

**Q32. Please provide cumulative worst-case power density calculations (assuming all channels working simultaneously at full power) and projected average power density calculations for each frequency on insects such as the Bronze Cooper and the Sedge Skipper.**

A32. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions.

**Q33. Please provide cumulative worst-case power density calculations (assuming all channels working simultaneously at full power) and projected average power density calculations for each frequency on amphibians such as the wood turtle.**

A33. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions.

**Q34. Please provide cumulative worst-case power density calculations (assuming all channels working simultaneously at full power) and projected average power density calculations for each frequency on the following amphibians identified in the Yale Macricostas Management Plan section on vernal pools:**

**Jefferson's salamanders  
Spotted salamanders  
Green frogs  
Wood frogs  
Marbled salamanders**

A34. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions.

**Q35. Please describe all amphibians identified by consultant Kleinfelder at the ground water discharge pond located southeast of Site B.**

A35. An amphibian survey was not specifically conducted for the groundwater discharge pond because the pond is located more than 100 feet cross gradient from Site B. Based on the distance and land use between Site B and this wetland no impacts to this wetland nor amphibian species breeding within the wetland are anticipated. In addition, as shown in the Habitat Evaluation included in the pre-filed testimony of Benjamin Rieger, no amphibians were observed in the vicinity of the groundwater discharge pond.

**Q36. Please state the maximum number of co-locators that can be accommodated on the tower proposed for each site.**

A36. As currently designed, the tower is capable of supporting the antennas and equipment of four wireless carriers and emergency services equipment. However, as discussed above, the foundation of the tower will be designed so that it is capable of expanding the tower in the future, if necessary.

**Q37. Please describe the technologies that can be accommodated on the tower proposed for each site.**

A37. SBA objects to this interrogatory on the basis that it is vague. SBA further objects to this interrogatory on the basis that SBA does not represent AT&T or Verizon. Both AT&T and Verizon are intervenors in this docket and, as such, all interrogatories concerning AT&T and Verizon should be directed to them through their legal representatives in this docket. Subject to this objection and without waiving the same, SBA responds as follows: as discussed in response to interrogatory #36, the tower will be designed to support the antennas and equipment of four wireless carriers and emergency services equipment and will be designed to be expandable, if needed. As shown in the submittals thus far by both AT&T and Verizon, most wireless carriers utilize more than one technology in deploying wireless service. Therefore, the tower is capable of supporting numerous "technologies."


**Q38. Please identify the maximum power demand for all co-locators and additional technologies, and state how such power will be provided.**

A38. SBA objects to this interrogatory on the basis that SBA does not represent AT&T or Verizon. Both AT&T and Verizon are intervenors in this docket and, as such, all interrogatories concerning AT&T and Verizon should be directed to them through their legal representatives in this docket. Subject to this objection and without waiving the same, SBA responds as follows: In connection with the installation of the tower at either Site, SBA will install utilities from existing service on Rabbit Hill Road via underground conduit. Sufficient power will be supplied to run the equipment of all potential co-locators on the Facility.

**Q39. Please describe and provide copies of any projection of the frequency of lightning strikes at each site, and describe the protection to be provided for each tower against lightning strikes.**

A39. The tower is designed with a 4' lightning rod on top. The tower is ground at its base with four ground leads attached to the bottom tower plate which extend into the ground 36" minimum and tie into a ground ring system consisting of copper ground rods and #2 copper ground wires. A lightning strike would be taken by the lightning rod, transmitted through the steel tower, and put into the ground through the ground leads and ground ring. Therefore, the tower is fully protected from any lightning strikes.

Respectfully Submitted,

By:   
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Certification

This is to certify that a copy of the foregoing has been mailed this date to all parties and intervenors of record.

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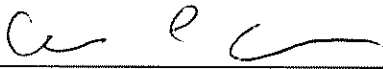
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Carrie L. Larson

Hartford/72517.5/CLARSON/369186v1

# **EXHIBIT 1**





## *INTEGRATED HISTORIC PRESERVATION PLANNING*

December 2, 2008

Ashley Hawes  
Kleinfelder, Inc.  
99 Lambertson Road  
Windsor, CT 06095

**RE: Preliminary Archeological Assessment of a the Revised Location of Proposed Cellular Communications Tower CT-999-052 Located at 131 Rabbit Hill Road in Warren, Connecticut**

Ms. Hawes:

Heritage Consultants, LLC, is pleased to have this opportunity to provide Kleinfelder, Inc., with the following revised archeological assessment of proposed telecommunications facility CT-999-052 located at 131 Rabbit Hill Road in Warren, Connecticut (Figure 1). The current project entailed completion of an existing conditions cultural resources summary based on the examination of GIS data obtained from the Connecticut State Historic Preservation Office, as well as historic maps, aerial photographs, and topographic quadrangles maintained by Heritage Consultants, LLC. This investigation did not consider the effects of the proposed construction upon built resources, and it is based upon project location information provided to Heritage Consultants, LLC by Kleinfelder, Inc. The objectives of this study were: 1) to gather and present data regarding previously identified cultural resources situated within the vicinity of the Areas of Potential Effect; 2) to investigate the proposed project parcel in terms of its natural and historical characteristics; and 3) to evaluate the need for completing additional cultural resources investigations.

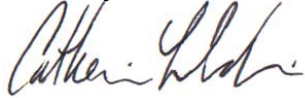
A review of previously recorded cultural resources on file with the Connecticut State Historic Preservation Office demonstrates that a single prehistoric archaeological site (150-20) is situated within 0.8 km (0.5 mi) of the proposed Area of Potential Effect (Figure 2). This site, which consists of a campsite dating from an unknown prehistoric time period, is located to the south of the proposed tower location. Figures 3 and 4 (historic maps dating from 1859 and 1869, respectively) depict the Area of Potential Effect located in what was a rural area in the mid to late nineteenth century. At that time, generally the project region contained several roadways and residential structures; however, none of these cultural features are depicted within or immediately adjacent to the proposed tower location. Figures 5 through 9 confirm that the Area of Potential Effect is situated within what was a relatively undeveloped rural area throughout the twentieth century. Further, Figures 5 through 9 also demonstrate that the Area of Potential Effect itself was cleared of vegetation throughout the twentieth century and that it was used for agricultural purposes. Such repeated plowing and use for grazing livestock undoubtedly has had a significant impact on the depositional integrity of the soils encompassing the Area of Potential Effect.

Based on the available map and cultural resources data, as well as relevant aerial imagery, it appears that the area encompassing the revised proposed cellular tower location has been impacted repeatedly by historic and modern occupation and agricultural land use. Given the type of use of the area and the

propensity for soils in these environmental settings to be prone to erosion, it is unlikely that intact cultural deposits remain within the Area of Potential Effect. As a result, it is the professional opinion of Heritage Consultants, LLC that no additional archaeological investigation of the proposed tower location is warranted.

If you have any questions regarding this Technical Memorandum, or if we may be of additional assistance with this or any other projects you may have, please do not hesitate to call us at 860-667-3001 or email us [info@heritage-consultants.com](mailto:info@heritage-consultants.com). We are at your service.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Labadia".

Catherine M. Labadia, M.A.  
President & Principal Investigator

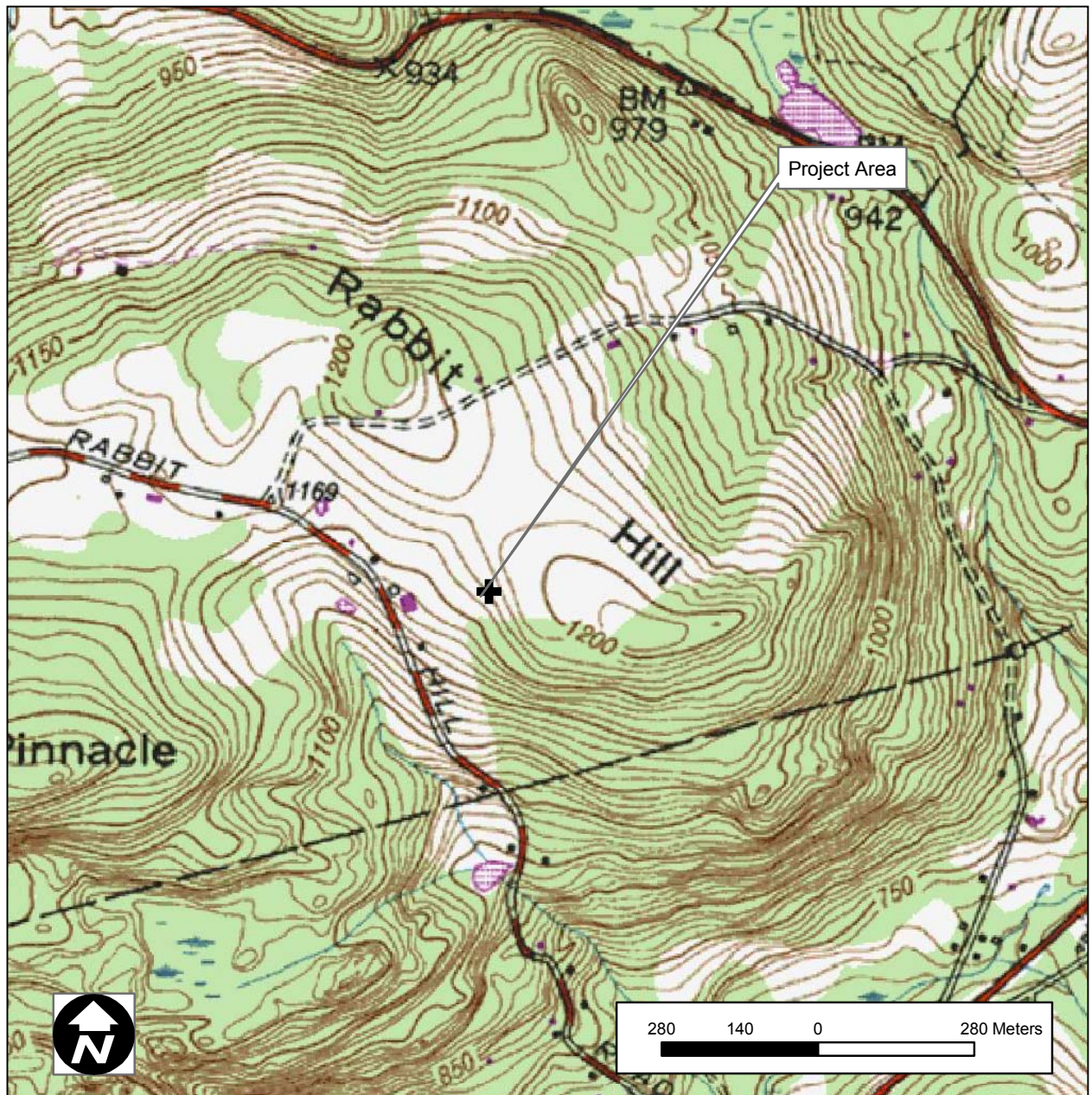


Figure 1. Excerpt from a recent USGS topographical quadrangle depicting the Area of Potential Effect in Warren, Connecticut.

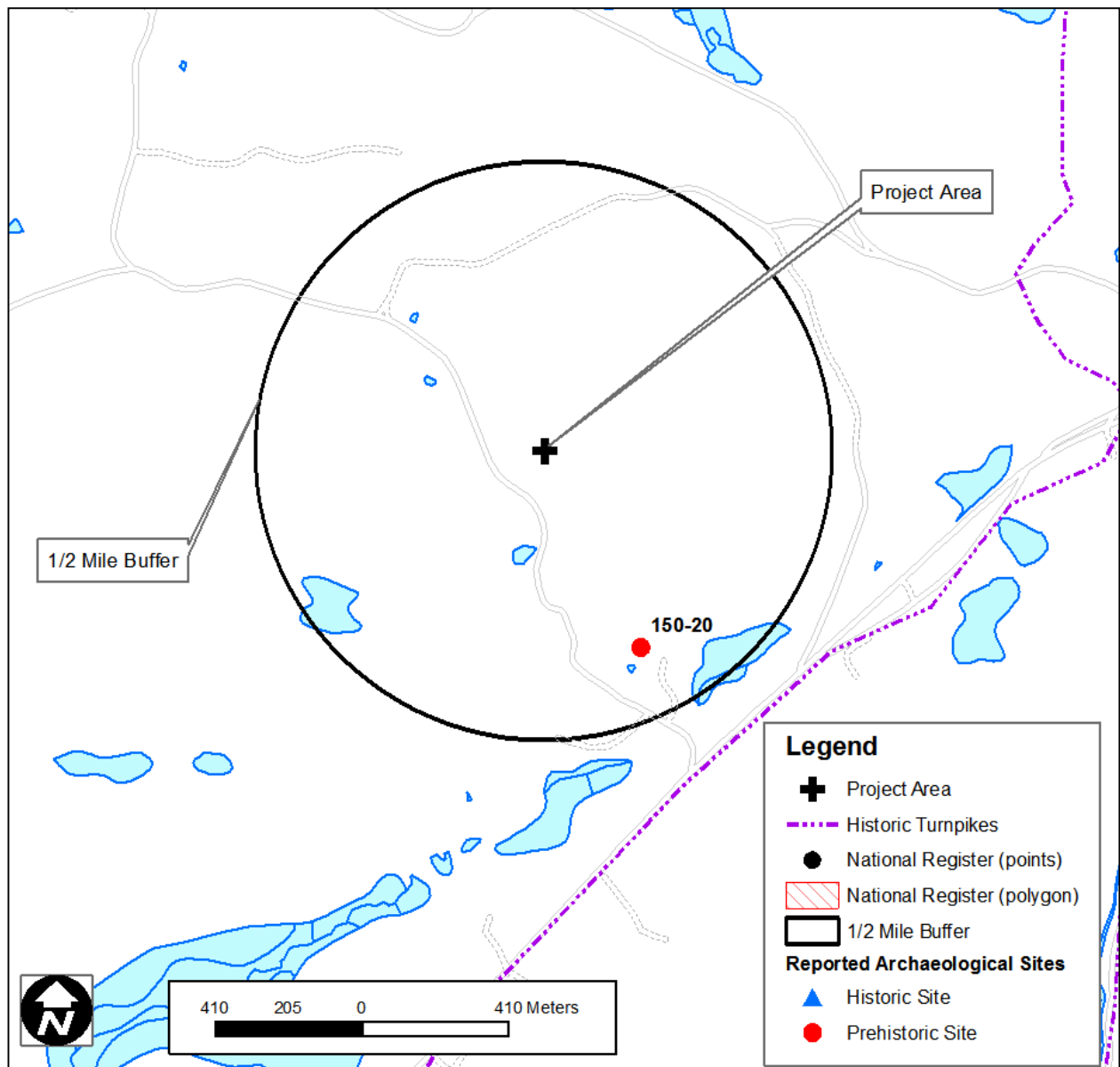


Figure 2. Map of properties listed on the National Register of Historic Places and previously recorded archeological sites situated in the vicinity of the proposed cellular tower in Warren, Connecticut.



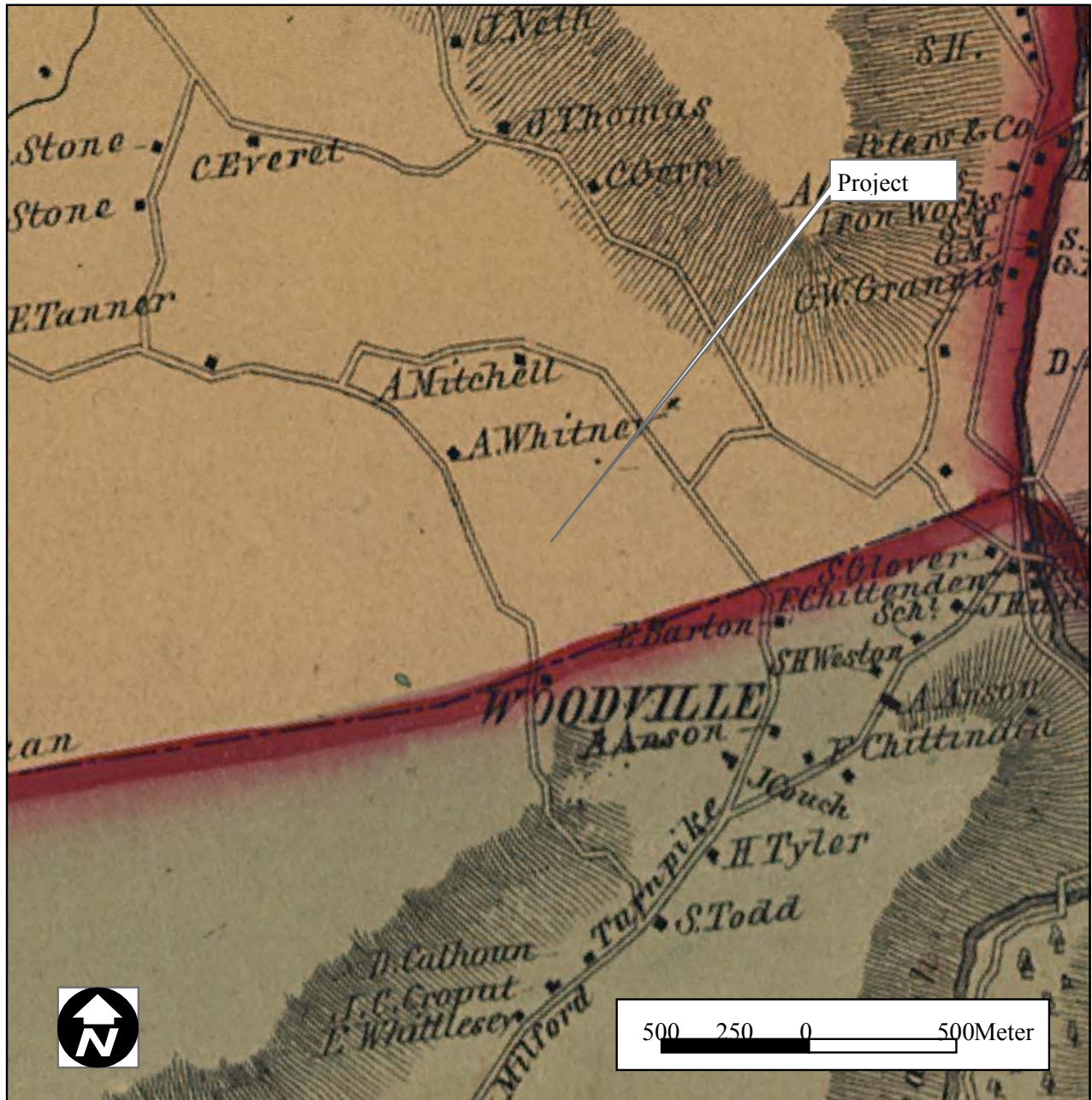


Figure 3. Excerpt from an 1859 map depicting the Area of Potential Effect in Warren, Connecticut.

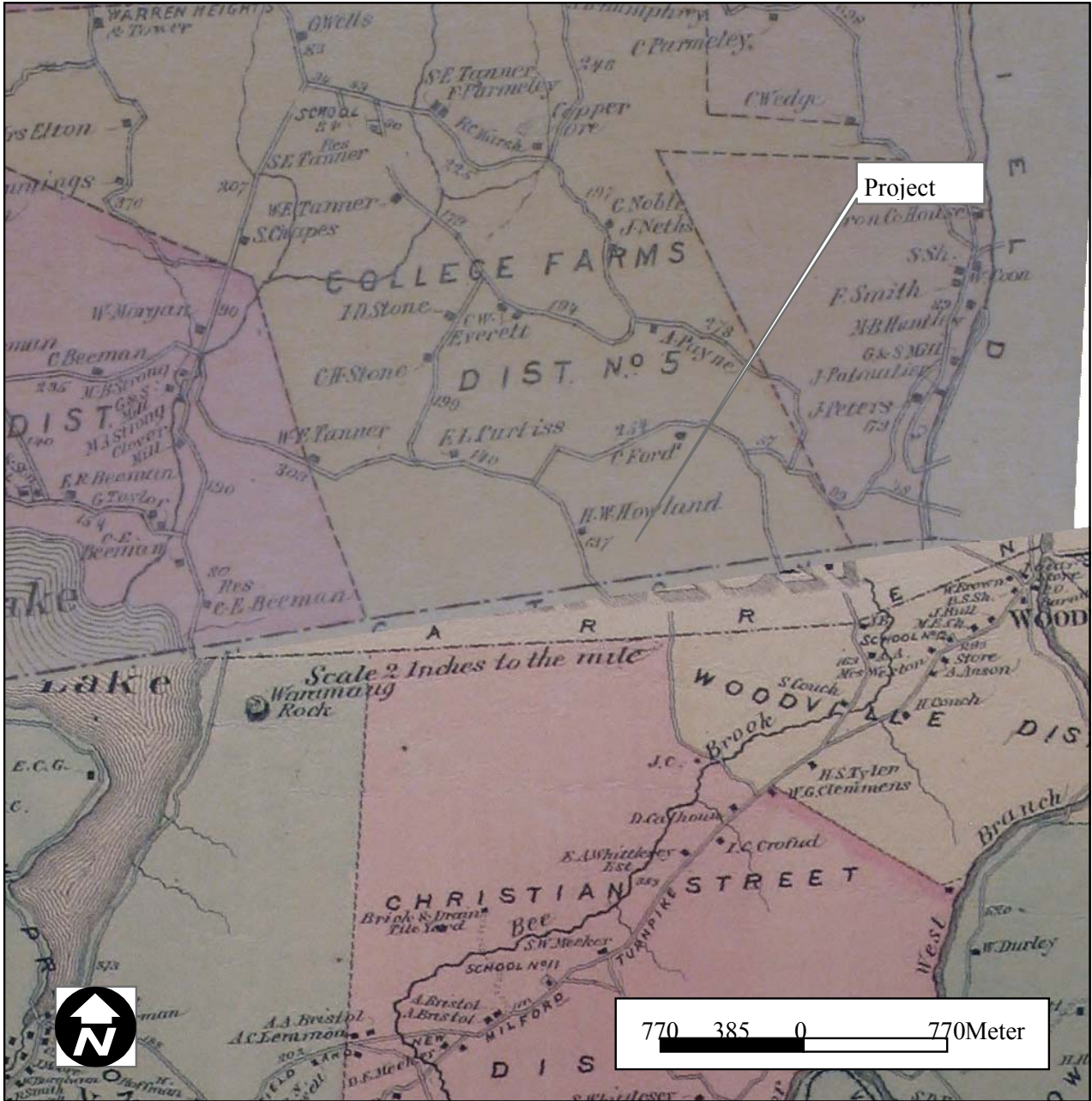


Figure 4. Excerpt from an 1869 map depicting the Area of Potential Effect in Warren, Connecticut.



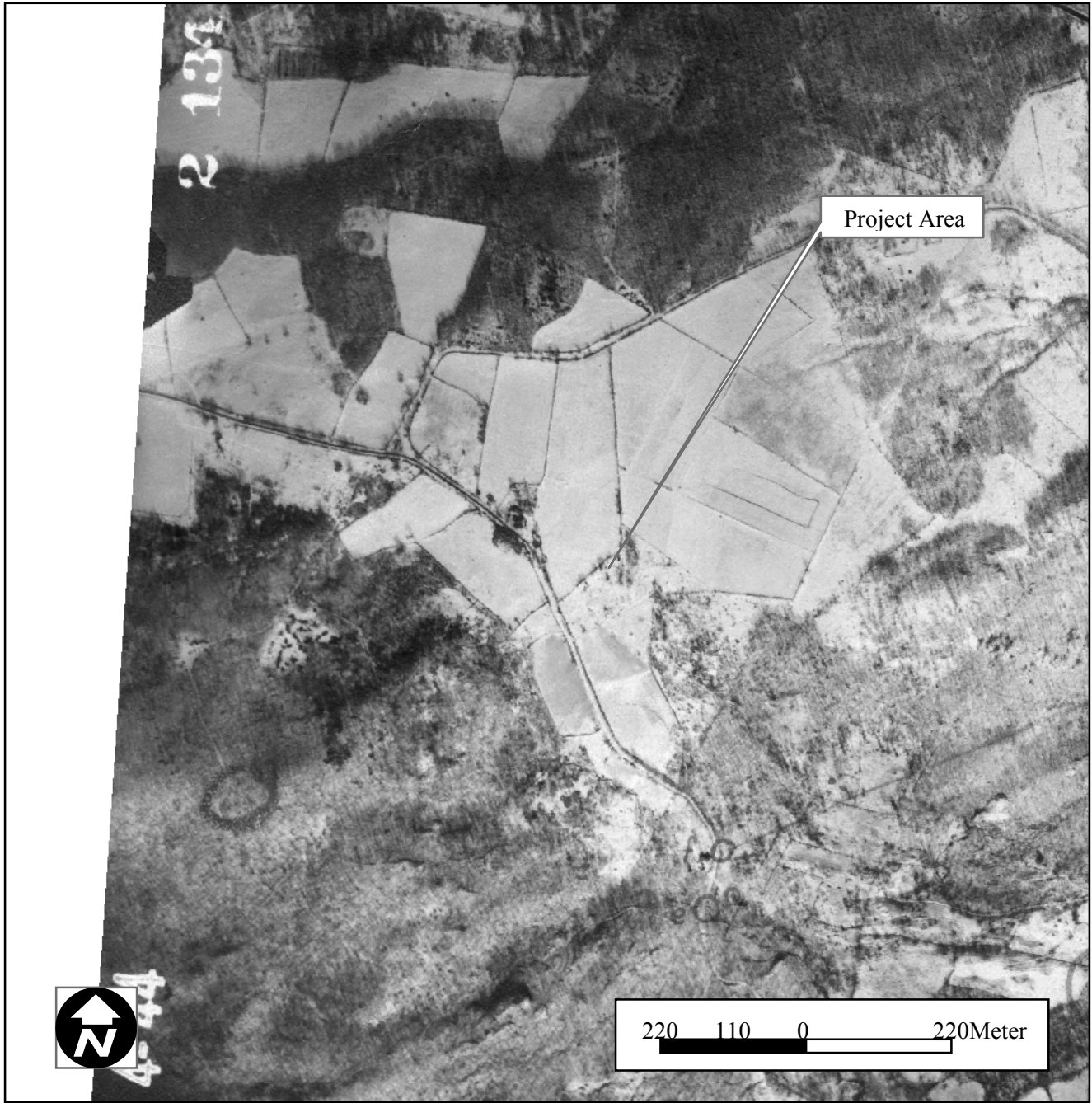


Figure 5. A 1944 aerial image depicting the location of the Area of Potential Effect in Warren, Connecticut.



Figure 6. A 1951 aerial image depicting the location of the Area of Potential Effect in Warren, Connecticut.





Figure 7. A 1986 aerial image depicting the location of the Area of Potential Effect in Warren, Connecticut.



Figure 8. A 1995 aerial image depicting the location of the Area of Potential Effect in Warren, Connecticut



Figure 9. A 2004 aerial image depicting the location of the Area of Potential Effect in Warren, Connecticut.