STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

IN RE:
APPLICATION OF NEW CINGULAR, WIRELESS PCS, LLC FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELECOMMUNICATIONS FACILITY AT 95 BALANCE ROCK ROAD, HARTLAND, CONNECTICUT

DOCKET NO. 408

January 27, 2011

PRE-FILED TESTIMONY OF
MICHAEL LIBERTINE, LEP

Q.1. Please summarize your professional background and experience.

A. I am a Licensed Environmental Professional and the Director of Environmental Services and a Principal at Vanasse Hangen Brustlin (VHB). I have 25 years of professional experience, including 18 years of engineering consulting in the environmental field. My experience includes site assessment and field investigations for property transfers, land use and regulatory permitting, remedial strategy development, environmental due diligence, environmental assessment for NEPA compliance, RI/FS investigations, Brownfields redevelopment projects and remedial investigations of RCRA facilities, state and federally recognized hazardous waste sites, and Manufactured Gas Plant (MGP) sites. I am Program Manager for environmental due diligence and permitting services in support of various telecommunications clients throughout New England and have appeared as an expert witness before the Connecticut Siting Council in several proceedings. My resume is attached which details my qualifications and experience.

Q.2. What is the purpose of your testimony?

A. The purpose of my testimony is to provide information regarding AT&T's proposed wireless telecommunications facility in Hartland. Specifically, I am providing information regarding the visual assessment of AT&T's proposed facility. I have also reviewed the NEPA (National Environmental Policy Act) compliance and Phase II reports prepared for Site A (by others) and can provide information regarding those documents. VHB is responsible for securing NEPA compliance for Site B.

Q.3. Please summarize the methodology used to assess the visibility of Site A and Site B.

A. To represent the visibility of a wireless telecommunications facility at either Site A or Site B, VHB used a two-step approach incorporating both a predictive computer model and in-field analysis. The predictive model was used to assess potential visibility throughout a 2-mile radius

study area, including private property and/or areas inaccessible for field verification. A balloon float and study area drive-through reconnaissance area was also conducted to obtain locational and height representations, back-check the initial computer model results and provide documentation from publicly accessible areas. Results of both activities were analyzed and incorporated into the visual assessment analysis.

AT&T's Exhibit 7 includes the Comparative Visual Resource Evaluation Report which further details the visual assessment methodology.

Q.4. Please describe the balloon float and study area drive-through reconnaissance conducted for the assessment of Site A and Site B.

A. A balloon float was conducted on December 30, 2010. A red, four-foot diameter balloon was raised to a height of 190 feet at Site A. A black, four-foot diameter balloon was raised to a height of 190 feet at Site B. After the Site A and Site B balloons were secured, VHB staff conducted a drive-by reconnaissance along the roads within the study area to evaluate the visibility of the balloons. The field evaluation also included hiking along portions of the Tunxis Trail and the Falls Brook Trail.

During the in-field reconnaissance, VHB field personnel were also invited to obtain photographs from several private properties along Balance Rock Road. These views were incorporated into the visibility assessment and are depicted in Views 2 through 7 in the Comparative Visual Resource Evaluation Report.

Q.5 Please summarize the results of the Comparative Visual Resource Evaluation for year-round visibility for Site A and Site B.

A. The analysis demonstrates that the areas where the proposed 190-foot tall facility would be visible above the tree canopy comprise approximately 26 acres for Site A and 4 acres for Site B within the 8,042 acre study area. The viewshed map included in the Comparative Visual Resource Evaluation report shows that most of the anticipated year-round visibility associated with either site location would occur over open water on the west side of the Barkhamsted Reservoir and portions of the subject site. A brief view of either site is anticipated from an elevated portion of Route 20, west of the reservoir, approximately 1.5 miles away. Year-round views of Site A would extend to two nearby residential properties located at 72 and 88 Balance Rock Road. Year-round views of Site B are not anticipated from any residential properties located within the study area. Overall, potential year-round views will be limited as indicated by a combination of the intervening topography and vegetation found within the study area.

The Comparative Visual Resource Evaluation Report in AT&T's Exhibit 7 includes the full visual assessment, comparative viewshed map, and photosimulations.

Q.5 Please summarize the results of the Comparative Visual Resource Evaluation for seasonal or "leaf-off" visibility for Site A and Site B.

A. The areas where the proposed 190-foot tall facility would be seasonally visible comprise approximately 21 acres for Site A and 7 acres for Site B within the 8,042 acre study area. The viewshed map included in the Comparative Visual Resource Evaluation report shows that most of the anticipated seasonal visibility associated with either site location includes select portions of Balance Rock Road within the immediate vicinity of the subject site and a small stretch of Route 20 located approximately 1.6 miles to the northwest of the proposed sites. Seasonal views of Site A would extend to one residential property on Balance Rock Road (number 64). Potential seasonal views of Site B may extend to two residential properties located off Balance Rock Road (numbers 72 and 88). Existing evergreen vegetation located within this area will provide significant screening, even in leaf-off conditions.

The Comparative Visual Resource Evaluation Report in AT&T's Exhibit 7 includes the full visual assessment, comparative viewshed map, and photosimulations.

Q.6. Please summarize the results of the Comparative Visual Resource Evaluation for potential visibility from the Tunxis Trail and Falls Brook Trail.

A. The visual assessment shows that there may be some seasonal visibility associated with Site A at the existing road in the woods to the Ski Cabin in Tunxis State Forest where it intersects with the Tunxis Trail. Site B will not be visible from this location. Seasonal views of Site A are anticipated from the existing road in the woods leading to the ski cabin. Site B will not be visible from the existing road in the woods leading to the ski cabin. From the Ski Cabin, neither site will be visible. No other visibility from the Tunxis Trail for either site is anticipated.

Visibility of either site is not anticipated from the Falls Brook Trail Vista.

Q.7. Please comment on the evaluations of Site A and Site B with respect to the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA").

A. I have reviewed the data and evaluation materials and reports prepared in conjunction with the evaluation of Site A in accordance with the FCC's regulations implementing NEPA. The evaluation of Site A demonstrates that it is categorically excluded from environmental processing by the FCC under NEPA.

Preliminary evaluations performed by VHB suggest that the same conclusion will be drawn for site B. The two potential sites are not physically separated a substantial distance and from an environmental impact perspective, do not appear to possess any unique characteristics that would create an adverse impact. We are currently in consultations with the State Historic Preservation Office and Connecticut Department of Environmental Protection to confirm this information. Based on the evaluations conducted to date, we anticipate that Site B will also be categorically excluded from environmental processing by the FCC under NEPA.

Q.8. Please comment on the results of the Phase II report conducted for evaluation of the impact, if any, of the shooting range and the applicability of those results on Site A and Site B.

A. The Phase II Environmental Assessment Report included in Attachment 4 of AT&T's Application demonstrates that the lead levels in the soil are well below the Connecticut Remediation Standard Regulation for lead in soils.

Indeed, the analysis determined that low levels, ranging from 8 to 56 parts per million of lead in soil were detected at the three locations including two areas within or immediately adjacent to the shooting range. For non-residential site uses, the soil cleanup criteria in Connecticut is 1000 parts per million. The detected values are substantially below that value and could represent naturally-occurring background conditions.

Given these results and that Site B is further removed from the shooting range area within a woodland that appears unaffected by club activities (i.e., neither cleared or otherwise disturbed), additional sampling in this area is not warranted.

Therefore, in my opinion as a Licensed Environmental Professional, the areas of Site A and Site B have not been adversely impacted by the presence of the shooting range on the subject site.

The statements above are true and accurate to the best of my knowledge.

1/27/11
Date

Michael Libertine

CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of the foregoing was submitted electronically and by overnight mail to the Connecticut Siting Council and to:

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Dated: January 27, 2011

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Michael Libertine, LEP

Director, Environmental Services

Mr. Libertine is Director of Environmental Services for VHB's Middletown, CT office. A Licensed Environmental Professional, Mike has over 25 years of professional experience, including nineteen years of consulting in the environmental field. His primary responsibilities involve coordination and oversight of environmental science and engineering projects in the company's Connecticut office, including environmental regulatory permitting, environmental site assessments for property transfers, and due diligence and permitting in support of development projects.

Mr. Libertine is a Licensed Environmental Professional in Connecticut. His primary responsibilities at VHB are managing and overseeing the environmental science and engineering practice in our Middletown, Connecticut office. His experience includes regulatory compliance and permitting, site assessments and field investigations for property transfers, remedial strategy development, environmental due diligence, environmental assessments for NEPA compliance, RI/FS investigations, Brownfields redevelopment projects, and remedial investigations at RCRA facilities, state and federally recognized hazardous waste sites, and Manufactured Gas Plant (MGP) sites. Mike has been Project Manager on over 1600 environmental site assessments (ESAs) and field investigations for property transfers in Connecticut, Rhode Island, New Hampshire, Massachusetts, Vermont, New Jersey, New York, Washington, D.C., Florida, Kansas, and Canada. Representative projects are summarized below.

On-Call Services, Northeast Utilities
Program Manager in support of various Connecticut projects, including assessment and permitting of bulk power substations, transmission lines/structures, transition stations, warehouse facilities, peak generation plants, and underground utility installations. Services include conducting land acquisition searches, civil engineering feasibility studies, pre-acquisition environmental due diligence evaluations, natural resources inventories of existing flora and fauna, habitat evaluations, wetland delineations, noise analysis, visual analyses, hazardous waste investigations, remedial strategy planning and implementation, site survey, layout and design drawings, landscape architecture, preparation of technical documents, coordination with State and local agencies, regulatory permitting, public outreach, and expert witness testimony. Projects have included securing Certificates of Environmental Compatibility and Public Need through the Connecticut Siting Council (CSC) on numerous bulk power substations in the Towns of Killingly, Windsor, South Windsor, Guilford, Waterford and Westport. These projects required extensive coordination of numerous team members, including client's in-house discipline managers and engineers, outside consultants, legal counsel, VHB staff, and subcontractors. Mike was responsible for overseeing Site data collection and analysis, site/civil layout, and drafting of municipal documents and the Applications to the CSC.. His team has also provided environmental monitoring for adherence to the CTDEP's General Permit for Construction Activities and environmental requirements set forth in the Client's contract documents and specifications.

Various Services, New England East West Solution (NEEWS) Projects, Connecticut
Project Manager in support of environmental permitting services for the New England East West Solution (NEEWS) Projects, including Greater Springfield Reliability Project, Interstate Reliability Project., and Central Connecticut Reliability Project. Services included securing Location Review approvals for the expansions of several existing substations and environmental and constructability evaluations of a proposed 35+ mile long transmission corridor associated with the Central Connecticut Reliability Project. VHB was responsible for developing Location Review documents for submission to the local wetlands/conservation and planning commissions. Services included public outreach, coordination with municipal staff, and representation at hearings. VHB also inventoried existing environmental conditions along the 35+ mile primary route and multiple alternative routes, delineating and mapping wetland resources, wildlife habitat, and other resources proximate to proposed construction areas.

Regulatory Permitting, Barbour Hill Substation Modifications, South Windsor, Connecticut
Project Manager responsible for the preparation of a Petition to the Connecticut Siting Council for a determination that no Certificate of Environmental Compatibility and Public Need was required for the proposed modifications to the Barbour Hill Substation in South Windsor,

Connecticut. The project included the replacement and expansion of an existing facility and the modification of line interconnections. Responsibilities included conducting natural resource inventories, wetland delineation, noise study, soil and groundwater sampling, property survey, preparation of site/civil design drawings, supporting graphics, photo-simulations, and local and state permit documents and representation. Under Mr. Libertine's supervision, VHB also supported CL&P during its contractor selection process and developed a site-wide soil and water management plan for implementation during construction activities.

Environmental Services for Wireless Telecommunications Clients, New England
Program Manager for environmental due diligence and permitting services in support of various telecommunications clients throughout New England and New York. Mr. Libertine has worked directly with the major licensed PCS carriers and tower builders since 1997. Project management includes coordination and oversight of preliminary site screenings, compliance documentation and environmental assessments to fulfill NEPA requirements, land use evaluations, Phase I ESAs, Phase II field investigations, remedial planning and oversight, wetland assessments, vegetative/biological surveys, noise analyses, visual resource analyses, graphic support, preparation of regulatory applications and permitting support. Mr. Libertine has represented his Clients on over 500 telecommunications projects (including providing expert witness testimony at municipalities and Connecticut Siting Council hearings).

Environmental Impact Evaluation for Great Path Academy , Manchester, CT
Project Manager of an Environmental Impact Evaluation (EIE) for expansion of a middle-college magnet high school serving eight member communities and operating within existing infrastructure at Manchester Community College (MCC). The proposed action included a new free-standing facility on the campus to house the school and expand parking to accommodate 500 additional vehicles to enable enrollment to increase from 75 to 300 students. Services included the preparation of the EIE in accordance with the Connecticut Environmental Policy Act to evaluate the project's associated potential environmental, social and economic impacts. Mike and his staff produced a comprehensive document, distributed for public review and comment, that assessed multiple potential sites for parking and building facilities within the MCC campus, as well as "no action" alternatives for parameters including: hydrology, traffic, visual impact on the surrounding community, energy consumption, and impacts to wildlife and habitat, potential historic and archaeological resources, forested areas, and a State-designated Greenway bike path. The result of the process was securing a Finding of No Significant Impact. The project required extensive coordination with the CTDPW, Board of Technical-Community Colleges, and MCC representatives.

EA/FONSI for State Routes 7 & 15 in Norwalk and Wilton, CT
Project Manager of Final Environmental Assessment/Section 4(f) Evaluation (EA) for Finding of No Significant Impact (FONSI) on two state projects along Routes 7 and 15 in Norwalk and Wilton, Connecticut (1998-1999). These projects, completed for ConnDOT, involved the evaluation of seven different build/no build alternatives involving two interchanges and a proposed freeway extension. The evaluation included assessments of current conditions, potential impacts of alternatives, analysis of impacts associated with proposed actions, and development of mitigation techniques to be employed during design and construction. The Final EA document was submitted to the Federal Highway Administration, which provided a determination of FONSI in March 2000.

On-Call Services for Connecticut Department of Transportation
Task Manager for ConnDOT On-Call Environmental Services contract (1993-1997). Project task management included coordination and oversight of corridor land use evaluations, preliminary site evaluations, surficial and exploratory site investigations, and emergency response procedures. Representative projects included identification and characterization of hazardous materials, chemicals, and oils within ConnDOT highway project areas.

Continued, p. 3

Environmental Review and Redevelopment Planning, Stratford, CT
Project Manager supporting the Town of Stratford in assessing the feasibility of redeveloping the Stratford Army Engine Plant, which was closed under the Military Base Closure Act of 1997. The facility included over 2 million sq. ft. of space in approximately 40 buildings on a 50-acre site along the Housatonic River waterfront. This project required close coordination with the Client, VHB Planners and a socioeconomic sub-consultant to assist the town with the required steps to redevelop this industrial/military site The planning process included the assessment of existing buildings, environmental and regulatory constraints associated with industrial site redevelopment, and an analysis of alternative reuse options for community benefits and impacts. A preferred redevelopment approach was created which included significant building demolition, site cleanup, and infrastructure upgrades. VHB completed preliminary plans and remediation cost scenarios for the decontamination/demolition of site structures, schematic waterfront park layout in consideration of environmental compliance issues, roadway and drainage design, and utility modification. A green space and waterfront park, providing recreational opportunities and access to Long Island Sound for town residents, was completed in 2001.

RCRA facility investigation, Kansas
Field Team Leader for a RCRA facility investigation at a cement factory in Kansas that burns hazardous waste-derived fuels. This project includes investigation on the extent and degree of contamination due to releases of hazardous constituents at eight solid waste management units. These include three landfills, waste treatment ponds, fuel storage areas, and miscellaneous waster transfer systems. Responsibilities also include the preparation of the Phase I Field Investigation technical report, the Phase II Work Plan for EPA review, and the Phase II Field Investigation technical report.

MGP Sites, New York
Performed groundwater, surface and subsurface soils sampling activities for Remedial Investigation/Feasibility Studies (RI/FS) at over 10 MGP sites in New York State, Pennsylvania, and Vermont. The majority of these programs were conducted under State regulatory overview while another was conducted under EPA Region II overview.

Installation/Restoration Study, Naval Submarine Base, Groton, CT
Field investigator for an Installation/Restoration Study at the Naval Submarine Base in Groton, Connecticut for the U.S. Navy. Work on this Superfund site included RI/FS investigations at former waste disposal/release sites.

Publications
The Newly Adopted Connecticut Remediation Standard Regulations Coincide with Brownfields Legislation, February 1996, Brogie, Martin and Libertine, Michael.

Education	University of Connecticut, B.S. Natural Resources Management, December 1990 Stonehill College, B.A. Marketing, May 1981
Certifications/ Licenses	Licensed Environmental Professional, State of Connecticut, LEP No. 345 OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Training (29 CFR 1910.120)