

Conservation Commission
Town of Washington
Bryan Plaza
Washington Depot CT 06794

RECEIVED
APR 22 2009

CONNECTICUT
SITING COUNCIL

The Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
April 21st, 2009

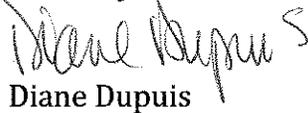
RE: DOCKET #378

Dear Council Members,

The Washington Conservation Commission has received a letter from the Department of Environmental Protection regarding Natural Diversity Data Base maps and files for the area delineated by the application on the above captioned docket for one of two sites on Rabbit Hill Road in Warren. This letter from the DEP notes that the state threatened butterfly Sedge Skipper and two species of special concern, the Bronze Copper butterfly and the Wood turtle occur in the vicinity of this application. The DEP's Wildlife Division recommends that a herpetologist and invertebrate biologist familiar with the habitat requirements of these species conduct surveys between April and September to see if they are present and a report be issued. Please see the attached letter for further details.

This letter serves as formal request that the Siting Council execute its responsibilities "to protect the environment and ecology of the state" and order an immediate environmental impact study on this environmentally sensitive area. We request a delay on the hearing date until such time as a full, and proper environmental review has been completed. Washington was not aware of the wetlands 50 feet off site B, which are headwaters to our Meeker Swamp, until we read the formal application to the Siting Council. This information was not included in the last minute application to town, in fact no site evaluation was included for site B. We formally requested of the Siting Council a 60 day municipal review under Connecticut General Statutes Section 16-50l, for what we consider a new site (site B) so that we might be able to conduct proper municipal review. To date we have not had all of the town commissions participate in a full review nor has the council told us why such a review period should not be granted. As information on this location unfolds we hope that there will not be a continued rush to hearing, but rather a steady and considered review of the site as mandated by Connecticut state statutes section 16-50l.

Sincerely,



Diane Dupuis
Conservation Commissioner



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
FRANKLIN WILDLIFE MANAGEMENT AREA



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

April 8, 2009

Ms. Elizabeth Corrigan
Town of Washington
Conservation Commission
Bryan Memorial Town Hall
Washington, CT 06793

re: proposed Rabbit Hill cell tower, Warren

Dear Ms. Corrigan:

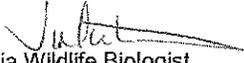
Your request was forwarded to me on 4/8/09 from Dawn McKay of the Department of Environmental Protection's (DEP) Natural Diversity Data Base. They have records of a state threatened butterfly; Sedge Skipper (*Euphyes dion*) and two species of special concern, the Bronze Copper butterfly (*Lycaena hyllus*) and the Wood turtle (*Glyptemys insculpta*) occurring in the vicinity of this project.

The Bronze Copper butterfly is associated with wetland habitats. If any wetland habitats are to be altered, it may affect this species. The Sedge Skipper is associated with open sunny marshes. If work will not affect any open sunny marsh area, it will not affect the Sedge skipper.

Wood turtles require riparian habitats bordered by floodplain, woodland or meadows. They hibernate in the banks of the river in submerged tree roots. Their summer habitat includes pastures, old fields, woodlands, powerline cuts and railroad beds bordering or adjacent to streams and rivers. This species has been negatively impacted by the loss of suitable habitat. Your application did not indicate how the clearing would be done nor the time of year.

If Wood turtle habitat exists on the proposed site and will be impacted by your project or wetland habitats will be altered, the Wildlife Division recommends that a herpetologist and invertebrate biologist familiar with the habitat requirements of these species conduct surveys between April and September to see if they are present. A report summarizing the results of such surveys should include habitat descriptions, invertebrate, reptile and amphibian species list and a statement/resume giving the biologist' qualifications. The DEP doesn't maintain a list of qualified biologists. A DEP Wildlife Division permit may be required by the biologist to conduct survey work, you should ask if your biologist has one. The results of this investigation can be forwarded to the Wildlife Division and, after evaluation, recommendations for additional surveys, if any, will be made.

Standard protocols for protection of wetlands should be followed and maintained during the course of the project. Additionally, all silt fencing should be removed after soils are stable so that reptile and amphibian movement between uplands and wetlands is not restricted. Please be advised that the Wildlife Division has not made a field inspection of the project nor have we seen detailed timetables for work to be done. Consultation with the Wildlife Division should not be substituted for site-specific surveys that may be required for environmental assessments. The time of year when this work will take place will affect this species if they are present on the site when the work is scheduled. Please be advised that should state permits be required or should state involvement occur in some other fashion, specific restrictions or conditions relating to the species discussed above may apply. In this situation, additional evaluation of the proposal by the DEP Wildlife Division should be requested. If the proposed project has not been initiated within 6 months of this review, contact the NDDB for an updated review. If you have any additional questions, please feel free to contact me at Julie.Victoria@ct.gov, please reference the NDDB # at the bottom of this letter when you e-mail. Thank you for the opportunity to comment.

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

cc: NDDB - 16848

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CERTIFICATE OF SERVICE

This is to certify that on this 22nd day of April, 2009, I hand delivered an original and 15 copies of the foregoing Letter of April 21, 2009 of the Conservation Commission of the Town of Washington to the Connecticut Siting Council at 10 Franklin Square, New Britain, CT, and that a copy was mailed by first class mail, postage prepaid, to the following:

Carrie L. Larson, Esq.
Pullman & Comley, LLC
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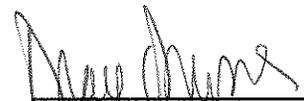
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Diane Dupuis