

Outline of Testimony of Charles Storrow, Leonine Public Affairs, LLP  
On Behalf of AT&T  
House Committee on Natural Resources, Fish & Wildlife  
April 5, 2022

1. Wireless telecommunications facilities (a/k/a cell sites) are permitted by the Public Utilities Commission under 30 V.S.A. § 248a.
2. Subsection (c) of section 248a provides that in order to issue a Certificate of Public Good the PUC must find that “[t]he proposed facility will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment, and the public health and safety . . . with due consideration having been given to the relevant criteria specified in 10 V.S.A. §§ 1424a(d) and 6086(a)(1) through (8) and (9)(K).
3. Since section 8 of S.234 amends 10 V.S.A. §6086(a)(8) the amended version of that Act 250 sub-criterion would have to be given “due consideration” by the PUC if S.234 is enacted.
4. Due to the competing pressures of, among other variables: (1) maximizing the degree of cell service coverage provided by a cell site, (2) availability of a landowner who is willing to lease land, (3) community opposition, (4) proximity to residences, and (5) avoidance of aesthetic impacts there are instances where cell sites are proposed in forest blocks and/or connecting habitats.
5. The development of a cell site in a forested location requires clearing an area that is typically 50 feet by 50 feet, e.g., less than one eighth of an acre. The cell tower and an equipment shelter are then located within that area, which is typically fenced. In addition, an access road, often using existing logging roads, is created. Utility poles supporting an electric power line and fiber optic cable are installed along the access road.
6. Access to a cell site is generally for the purposes of maintenance or replacement of the equipment at the cell site and is therefore infrequent. A gate preventing the public from accessing the site by motorized means is typically installed at the beginning of the access road.
7. In sum, the development of a new cell site in a forested area generally has less of an impact on forest blocks and connecting habitat than development that results in sustained human activity, such as new residential dwellings.
8. Accordingly, the rules to be adopted by the Natural Resource Board pursuant to section 9 of S.234 should reflect this difference. Specifically, it is respectfully submitted that the rulemaking language in section 9 be revised to require the Natural Resources Board to establish standards differentiating the impacts to forest blocks and connecting habitats between low impact developments, such as cell sites, and higher impact development involving sustained human activity, such as new residential dwellings.