



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Division of Natural Heritage
217 Governor Street
Richmond, Virginia 23219-2010
(804) 786-7951 FAX (804) 371-2674

May 17, 2010

Re: Telecommunication Projects in Virginia

Dear Interested Party:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has reviewed its current review process for telecommunications projects in Virginia. To streamline the review process for these projects, we have developed the following avoidance and minimization measures, no-effect criteria and procedures.

Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations. To avoid and minimize impacts to natural heritage resources from telecommunication projects, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. DCR also recommends voluntary implementation of USFWS 2000 Interim Guidelines for Communication Tower Siting, Construction, Operation, and Decommissioning

<http://www.fws.gov/northeast/virginiafield/pdf/endspecies/Cell%20Towers/Cell%20Guidance.PDF>.

DCR has determined that the following types of proposed communication tower project actions will have **no effect** on Virginia Natural Heritage Resources:

1. Co-location of new equipment, antennae, or any infrastructure improvements at an existing structure (tower, water tank, large building, etc.) where all ground disturbance occurs within existing cleared or regularly mowed areas, provided that it does not increase tower height, or result in the addition of guy wires or lights.
2. Routine maintenance or repair of existing towers or their sites.
3. Transfer of ownership of existing towers.

For projects that meet the above criteria, there is no need to contact this office for individual project review.

In addition, under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and

Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The communication tower project actions listed above will not have significant adverse impact on any documented state-listed plants or insects.

For telecommunication activities not meeting the above criteria, we will respond to individual requests within 30 calendar days of the project submittal. Please include a project description (existing site conditions, height of tower, recent photographs of the project area including access road, proposed ground disturbance, etc.), USGS topographic map identifying project area and access road and completed information services order form <http://www.dcr.virginia.gov/forms/DCR199-005.pdf>. Electronic requests should be sent to nhreview@dcr.virginia.gov.

DCR will annually review and update this letter, if required. If you have any questions regarding this issue, please contact S. René Hypes at (804) 371-2708, rene.hypes@dcr.virginia.gov , or at the letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Thomas L. Smith". The signature is written in a cursive style with a large, stylized "S" at the end.

Thomas L. Smith, Director
Virginia Natural Heritage Program