

APPENDIX 3

DEP Natural Resources Letter



STATE OF CONNECTICUT
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 FRANKLIN WILDLIFE MANAGEMENT AREA
 391 ROUTE 32
 NORTH FRANKLIN, CT 06254
 TELEPHONE: (860) 642-7239



June 18, 2010

Mr Kevin Magee
 Town of Guilford, Environmental Planner
 50 Boston Post Road
 Guilford, CT 06437

re: proposed management plan for 583 East River Preserve, Guilford

Dear Mr. Magee:

Your request was forwarded to me on 6/16/10 from Dawn McKay of the Department of Environmental Protection (DEP) Natural Diversity Data Base. Their records indicate that a state species of special concern, Eastern Box Turtle (*Terrapene carolina*) occurs in the vicinity of this project.

Past practices at this site do not preclude the existence of Eastern Box Turtles. Eastern Box Turtles require old field and deciduous forest habitats, which can include power lines and logged woodlands. They are often found near small streams and ponds, the adults are completely terrestrial but the young may be semiaquatic, and hibernate on land by digging down in the soil from October to April. They have an extremely small home range and can usually be found in the same area year after year. This species is dormant from November 1 to April 1. It has been negatively impacted by the loss of suitable habitat.

The DEP Wildlife Division has not been provided with details or a timetable of any work that the Town may anticipate to do. Ground disturbing work done during the dormant period, November 1 to April 1, will avoid impacts to this species. The DEP Wildlife Division recommends that if work must be done in Box Turtle habitat during the turtle's active period (April 1 to November 1) that the following precautionary measures be implemented to protect the turtles:

1. the construction crew be apprised of the species description and possible presence and that the area be searched for turtles each day prior to construction.
2. any turtles encountered during construction be moved out of the way, just outside of the work area.
3. all precautions should be taken to avoid degradation to wetland habitats including any wet meadows and seasonal pools
4. that work conducted in these habitats during the early morning and evening hours should occur with special care not to harm basking or foraging individuals.
5. that no heavy machinery or vehicles be parked in any turtle habitat.

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 these 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 12 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 or write. Thank you for the opportunity to comment.

Sincerely,

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

cc: NDDB - 17733
 D. Kozak - DEP-OLISP

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**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



Bureau of Natural Resources
Division of Wildlife
79 Elm Street, 6th Floor
Hartford, CT 06106
Natural Diversity Data Base

June 14, 2010

Mr. Kevin Magee
Town of Guilford
Environmental Planning
50 Boston Post Road
Guilford, CT 06437

re: Management Plan for 583 Acre East River
Preserve in Guilford, Connecticut

Dear Mr. Magee:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed management plan for the 583 acre East River Preserve in Guilford, Connecticut. According to our information, there are records for State Special Concern *Terrapene carolina carolina* (eastern box turtle) from the vicinity of this property. I have sent your letter to Julie Victoria (DEP-Wildlife; 860-642-7239) for further review. She will write to you directly with her comments.

We also have records of two State Special Concern plants, *Limosella subulata* (mudwort) and *Scirpus cylindricus* (Saltmarsh bulrush) from the fresh water tidal marsh along the East River. However, the new update to the State Endangered, Threatened and Special Concern list is expected to be approved within the next month. The new list will not include the Saltmarsh bulrush; it is being delisted because field surveys have determined that is more common. Fresh water tidal marsh habitat is an important habitat type in Connecticut. Please ensure that any proposed activities are designed and constructed using effective erosion and siltation control methods to ensure that the species is not negatively affected. We work to conserve State Special Concern Species with the goal of preventing them from becoming threatened or endangered. If you have any questions concerning the plant species please contact our program botanist, Ms. Nancy Murray (DEP-Inland Fisheries; 860-424-3589, nancy.murray@ct.gov).

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Environmental Protection's Geological and Natural History Survey and cooperating units of DEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at 860-424-3592 or dawn.mckay@ct.gov. Thank you for consulting the Natural Diversity Data Base. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEP for the proposed site.

Sincerely,


Dawn M. McKay

Biologist/Environmental Analyst

CC: Julie Victoria, NDIW # 17733

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