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Subject: Rock Regrading
Filing # 104229
NDDDB – New Determination Number: 202308990
1761 ROUTE 12
GALES FERRY

Expiration Date: 11/28/2025

Current data maintained by the Natural Diversity Database (NDDDB) and housed in the DEEP ezFile portal indicates that populations of the following State Endangered, Threatened, or Special Concern species (RCA Sec. 26-306) have been documented within the project area or in close proximity to the proposed Soil Staging/Stockpiling, Soil Borings/Soil Staging/Stockpiling, Soil Borings, Rock Regrading.

- Shortnose sturgeon (*Acipenser brevirostrum*)
- Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)
- Blueback herring (*Alosa aestivalis*)

In accordance with the project information provided in your request submittal, implementation of the following Best Management Practices will avoid negative impacts to listed species:

Common Name	Shortnose sturgeon
Scientific Name	<i>Acipenser brevirostrum</i>
Taxa	fish
Status ¹	FE
General Ecology	This species is both Federally and State listed as Endangered. Contact a DEEP Fisheries Biologist for more information. Do not contact NDDDB with questions regarding fish species. The presence of a Federally endangered species, may require consultation with the National Marine Fisheries Service in order to be in compliance with the Federal Endangered Species Act if the proposed project requires federal permits or uses federal funds.
Best Management Practice	Impact from this project can be minimized if you follow all Industry Best Practices, minimize impact to and loss of preferred habitat, and include any protection measures in Species General Ecology that relate to your project activities before, during, and after completion.

Common Name	Atlantic sturgeon
Scientific Name	<i>Acipenser oxyrinchus oxyrinchus</i>
Taxa	fish
Status ¹	FE
General Ecology	This species is both Federally and State listed as Endangered. Contact a DEEP Fisheries Biologist for more information. Do not contact NDDDB with questions regarding fish species. The presence of a Federally endangered species, may require consultation with the National Marine Fisheries Service in order to be in compliance with the Federal Endangered Species Act if the proposed project requires federal permits or uses federal funds.
Best Management Practice	Impact from this project can be minimized if you follow all Industry Best Practices, minimize impact to and loss of preferred habitat, and include any protection measures in Species General Ecology that relate to your project activities before, during, and after completion.
Common Name	Blueback herring
Scientific Name	<i>Alosa aestivalis</i>
Taxa	fish
Status ¹	SC
General Ecology	Contact a DEEP Fisheries Biologist for more information. Do not contact NDDDB with questions regarding fish species.
Best Management Practice	DEEP Fisheries Biologists review permit applications submitted to DEEP regulatory programs to determine whether projects might adversely affect listed species. DEEP Fisheries Biologists are routinely involved in pre-application consultations with regulatory staff and applicants in order to identify potential fisheries issues, and to work with applicants to mitigate negative effects, including those to listed species. If you have not already spoken with a Fisheries Biologist about your project, contact the Permit Analyst assigned to your application to obtain the contact information of the Fisheries Biologist assigned to review your application.

¹E = State Endangered, T = State Threatened, SC = State Special Concern, FE = Federally Endangered, FT = Federally Threatened, NA = Not applicable.

Your submission information indicates that your project requires a state permit, license, registration, or authorization, or utilizes state funding or involves state agency action. This NDDDB – New determination may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations.

Please be aware of the following limitations and conditions:

Natural Diversity Database information includes all information regarding listed species available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, land owners, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. 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 Database and accessed through the ezFile portal as it becomes available. New information may result in additional review, and new or modified restrictions or conditions may be necessary to remain in compliance with certain state permits.

- During your work listed species may be encountered on site. A report must be submitted by the observer to the Natural Diversity Database promptly and additional review and restrictions or

conditions may be necessary to remain in compliance with certain state permits. Please fill out the [appropriate survey form](#) and follow the instructions for submittal.

- Your project involves the state permit application process or other state involvement, including state funding or state agency actions; please note that consultations with your permit analyst or the agency may result in modifications or additional requirements. In this situation, additional evaluation of the proposal by the DEEP Wildlife Division may be necessary and additional information, including but not limited to species-specific site surveys, may be required.
- If your project involves preparing an Environmental Impact Assessment, this NDDDB consultation and determination should not be substituted for conducting biological field surveys assessing on-site habitat and species presence.
- This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 11/28/2025.
- If biological surveys have been conducted in accordance with Best Management Practices provided, please forward a copy of the results to the address listed at the end of this letter. Include the Project Name and Determination Number on all correspondence.

The NDDDB – New determination for the Rock Regrading at 1761 ROUTE 12, GALES FERRY, as described in the submitted information and summarized at the end of this document is valid until 11/28/2025. This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 11/28/2025.

This letter is computer generated and carries no signature. If however, any clarification is needed, or, if you have further questions, please contact the following:

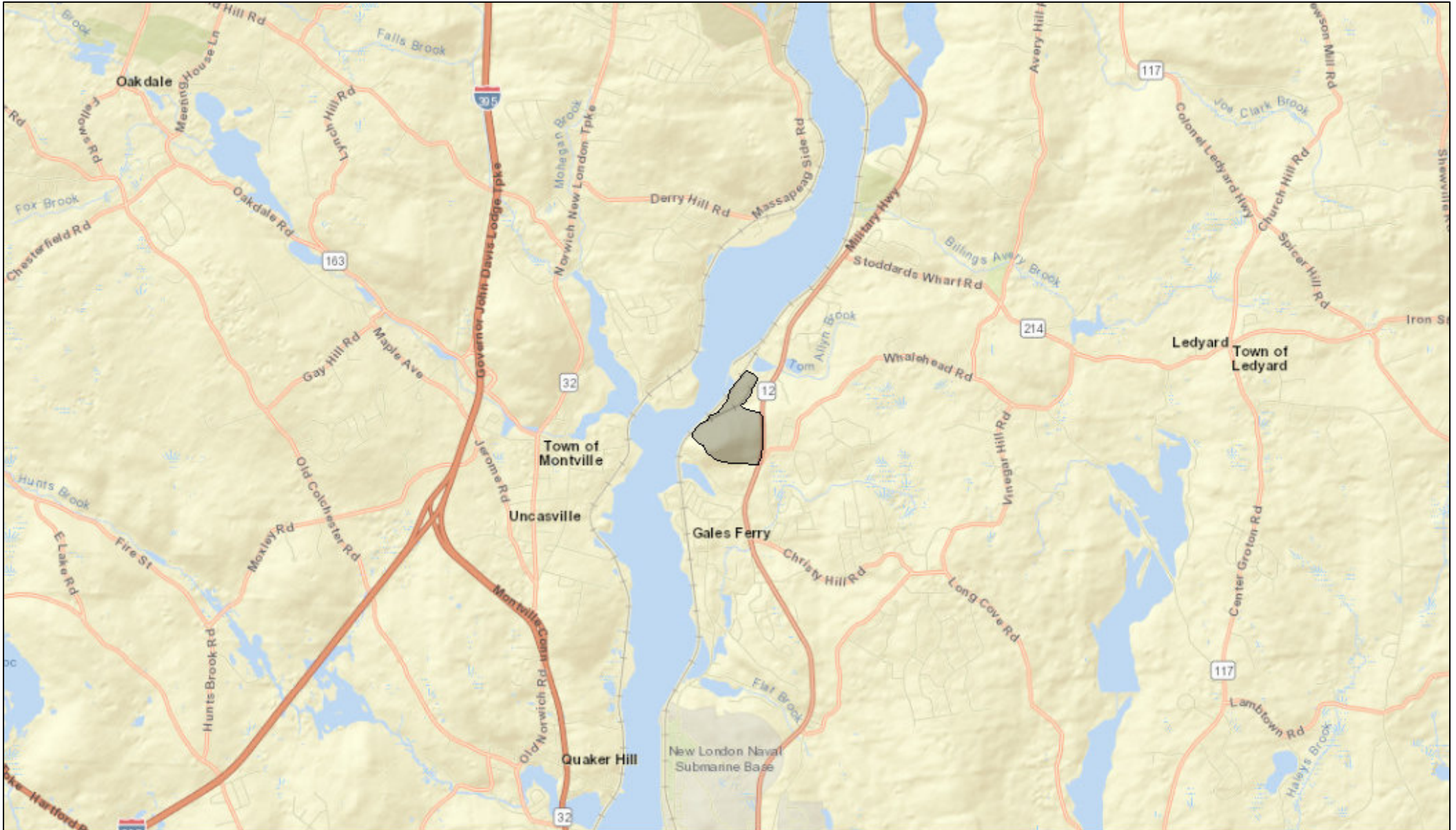
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database, 6th floor
79 Elm Street,
Hartford, CT 06106-5127
(860) 424-3011
deep.nddbrequest@ct.gov

Please reference the Determination Number provided in this letter when you e-mail or write. Thank you for submitting your project through DEEP's ezFile portal for Natural Diversity Database reviews.

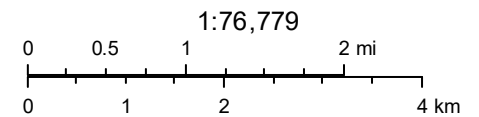
Application Details:

Project involves federal funds or federal permit:	No
Project involves state funds, state agency action, or relates to CEPA request:	No
Project requires state permit, license, registration, or authorization:	Yes
DEEP enforcement action related to project:	
Project Type:	Soil Staging/Stockpiling, Soil Borings
Project Sub-type:	Soil Staging/Stockpiling, Soil Borings
Project Name:	Rock Regrading
Project Description:	

Rock Regrading Map



November 28, 2023



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community