

February 18, 2020

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NDDB DETERMINATION NUMBER: 202001416

Project: Subdivision of existing parcel into four residential lots; Stanislaw Oleksenko property, 11 Cone Road in East Hampton, CT

Expiration: February 18, 2022

I have reviewed Natural Diversity Data Base (NDDB) maps and files regarding this project. According to our records, there are State-listed species (RCSA Sec. 26-306) documented within the proposed project area.

Eastern box turtle (*Terrapene carolina carolina*)- State Special Concern

In Connecticut, this terrestrial turtle inhabits a variety of habitats, including woodlands, field edges, thickets, marshes, bogs, and stream banks. Typically, however, box turtles are found in well-drained forest bottomlands and a matrix of open deciduous forests, early successional habitat, fields, gravel pits, and or powerlines. The greatest threat to this species is habitat loss, fragmentation, and degradation due to development. This species is very sensitive to adult mortality because of late maturity (10 years old) and long life span (50-100years). Vehicular traffic, heavy equipment used for farming, and ATV use in natural areas are implicated specifically in adult mortality through collisions. Illegal collection by the pet trade and unknowing public for home pets exacerbates mortality rates and removes important individuals from the population. Predation rates are also unnaturally high because of increased predator populations (e.g. skunks, foxes, raccoons, and crows) that surround developed areas.

Land disturbance activities that will crush adult turtles or unearth hibernating turtles or turtle nests need to consider local habitat features and apply fencing and/or time of year restrictions as appropriate. We recommend you consult with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site.

If land disturbance will occur in forested habitat you will need to take precautions to avoid crushing hibernating adults. This can be achieved by using either of the 2 recommendations:

- Restrict your land disturbance activities in forested habitat to the turtle active season (conduct land disturbance activities between April 1- November 1).
- Before November 1: Install Exclusionary fencing and conduct a turtle sweep to remove any adults and to prevent turtles from accessing and hibernating in forested habitat that will be disturbed.

In general, between April 1- November 1:

- Exclusionary practices will be used to prevent any turtle access into disturbance areas. These measures will need to be installed at the limits of disturbance as shown on the plans.

- Exclusionary fencing be at least 20 in tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through.
- All staging and storage areas, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed to remove individuals and exclude them from re-entry.
- All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species.
 - You can find information on Eastern Box Turtle here:
 - <http://www.ct.gov/deep/cwp/view.asp?a=2723&q=416520>
- The Contractor search the work area each morning prior to any work being done.
- Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and fencing should be inspected to identify and remove access point. This animal is protected by law and should not be relocated off-site.
- In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable and disturbance is finished to allow for reptile and amphibian passage to resume.

Please submit an updated NDDB Request for Review if the scope of the proposed work changes.

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 Energy and Environmental Protection's Bureau of Natural Resources and cooperating units of DEEP, independent conservation groups, and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the NDDB should not be substituted 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 in the NDDB as it becomes available.

Please contact me if you have any questions (shannon.kearney@ct.gov). Thank you for consulting with the Natural Diversity Data Base and continuing to work with us to protect State-listed species.

Sincerely,

/s/ Shannon B. Kearney
Wildlife Biologist