

Attachment M5 – CTDEEP NDDB Determination



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

May 23, 2019

Mr. Christopher Samorajczyk
State of Connecticut Department of Transportation
2800 Berlin Turnpike
P.O. Box 317546
Newington, CT 06131
Christopher.samorajczyk@ct.gov

Project: CTDOT 301-176, Construction of a Movable Vertical Lift Bridge to Replace Existing Movable Bridge for the New Haven Line RR Bridge Crossing the Norwalk River in Norwalk, Connecticut
NDDB Determination No.: 201906405

Dear Christopher Samorajczyk,

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map provided for CTDOT 301-176, Construction of a Movable Vertical Lift Bridge to Replace Existing Movable Bridge for the New Haven Line RR Bridge Crossing the Norwalk River in Norwalk, Connecticut. I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDB and your application materials. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Thank you for including in you NDDB application materials that CTDOT-OEP has coordinated extensively with the National Marine Fisheries Service as well as CTDEEP-Fisheries Division to protect blueback herring, diadromous species, sturgeon and shellfish. The coordination has resulted in no unconfined in-water work will occur between February 1st through November 30th. Although no confirmed nesting has occurred by State Threatened *Falco peregrinus* (peregrine falcon) since 2015 in the immediate vicinity of this project, these birds may move back to the area. If this occurs and peregrine falcon are observed in the direct work area, please implement the CTDOT-OEP best management practices for peregrine falcon and report the observations to our NDDB Program. Thank you for letting us know that coordinated discussions with the Maritime Aquarium scientists have led to CTDOT-OEP designing an extensive mitigation package that includes a State Special Concern Diamondback terrapin nesting berm. Please provide a copy of this proposed diamondback terrapin mitigation measure for inclusion our CTDEEP NDDB maps and files.

This determination is good for two years. Please re-submit an NDDB Request for Review if the scope of work changes or if work has not begun on this project by May 23, 2021.

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 Natural History Survey and cooperating units of DEEP, 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. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

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.

Sincerely,

Dawn M. McKay
Environmental Analyst 3