Connecticut
Department of Energy &
Environmental Protection

portal.ct.gov/DEEP

4/25/2025

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Subject: Silver Falls Subdivision
Filing #: 127041
NDDB - New Determination Number: 202503297

Expiration Date: 4/25/2027

Location: ~16 acres off of Silver Falls Road, Montville, CT

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

Northern long-eared bat (*Myotis septentrionalis*)- State, Federally Endangered

Tri-colored bat (*Perimyotis subflavus*)- State Endangered, Proposed Federally Endangered

Little brown bat (*Myotis lucifugus*)- State Endangered

Whip-poor-will (*Caprimulgus vociferus*)- State Special Concern

Eastern ribbon snake *(Thamnophis sauritus*)- State Special Concern

- You are within 3 miles from breeding season records for Northern Long-eared Bat and other bat species.

The Northern long-eared bat is one of the species most impacted by White Nose Syndrome. Populations in Connecticut have declined by over 90%, and it has been Federally listed as Endangered. During the summer northern long-eared bats roost singly or in maternal colonies underneath bark, in cavities or in crevices of both live trees and snags (dead trees). Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. This bat has also been found rarely roosting in structures, like barns and sheds. Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula.

Populations of Tri-colored bats have declined over 90% as a result of White Nose Syndrome. This bat is associated with forested edges and open forested landscapes with water features. Maternity colonies will form in tree cavities of mature trees, they will occasionally roost on man-made structures. They are among the most sensitive bats to cold temperatures and in winter they hibernate in caves and abandoned mines where temperatures and humidity levels are stable.

Little brown bat populations, once one of the most common bat species in Connecticut, have declined over 90% as a result of White Nose Syndrome. During summer, they will roost in buildings, trees, under rocks, and in piles of wood. Foraging is focused at edges of forested habitat along bodies of water. Maternity roosts occur in trees or buildings with a southwesterly exposure. During the winter season, Little brown bats will seek refuge in "hibernation roosts," typically caves, rock fissures, or abandoned mines.

The presence of northern long-eared bat (*Myotis septentrionalis*), a federally endangered and state endangered species, may require consultation with the US Fish and Wildlife Service Ecological Field Office in order to be in compliance with the Federal Endangered Species Act if the proposed project requires federal permits or uses federal funds. For more information on federal requirements visit: http://www.fws.gov/midwest/endangered/mammals/nleb/

The whip-poor-will is a bird that nests in forest habitat with an open understory, often adjacent to areas of shrubby or herbaceous habitat. They are ground-nesting birds that breed between April 20- July 30. They consume aerial invertebrates, especially Lepidoptera and Coleoptera.

Protections for birds and bats:

- Do not conduct **tree cutting** between May 15 – August 15
- On cold mornings < 40 degree F overnight temp (particularly if operations occur in late spring/early summer or in late Fall), use soft start techniques to allow torpid bats to rouse and escape.
    - Heavy equipment activity shall be introduced with a short initial representative action, the activity should then pause for 3-5 min to allow animals to leave the area before activity resumes. Repeat this soft start cycle for at least 20 mins.
- Target non-snag trees first, allow for bats to recognize the area as disturbed so that they will vacate trees if in use

The following activities will benefit bats:

- Preserve natural roosting resources (safety permitting) including snags, trees with cavities, cracks or crevices, trees with exfoliating bark (e.g. shagbark hickory), coniferous trees (e.g. tamarack, hemlock, white pine) as well as preserving talus slopes
- Provide artificial roost structures (i.e., bat houses) and promote their use in the surrounding community
- Minimize erosion and maintaining clean and open water resources free of siltation
- Protect native vegetation which promotes insect availability and diversity
- Avoid the use of pesticides that will affect their invertebrate food source
- Preserve open, edge of forest habitat corridors to allow bats to freely move among roosting, watering

and foraging areas

Avoid creating collision hazards for Birds and Bats:

- Glass collisions including residential windows indiscriminately kill 1 billion birds a year. Develop or renovate your building façade and site design strategy to make the building and site structures visible barriers to birds. Bat collisions are less well understood, but smooth vertical surfaces affect bats' abilities to avoid collisions.
- Limit interior and exterior night lighting. Lighting, temporary or permanent should not be directed towards suitable bat habitats. Security lighting should always be down-shielded to keep light within the boundaries of the site.
- Take steps necessary to assure that construction is designed, built, and operated in accordance with the standards and requirements of the LEED Green Building Rating System Pilot Credit #55. The USGBC releases revised versions of the LEED Building Rating System on a regular basis, and you should refer to the most current version when beginning a new building or construction project or renovation.
- Visit American Bird Conservancy website for more guidance: https://abcbirds.org/program/glass-collisions/

Eastern ribbon snakes inhabit areas with shallow water, grassy or shrubby areas bordering streams and wooded swamps. They also prefer sunny areas with low dense vegetation near shallow water areas. Their diet consists of insects, fish, frogs, salamanders and toads.

They are dormant between Oct 15- March 31.

Protection for Eastern Ribbon Snake:

- Conservation practices to protect this snake include the protection of high quality wetlands by leaving 100 foot buffers around wet meadows or wetlands;
- And conducting **ground disturbance** work when they are less active during the fall and winter months.

If you must conduct ground disturbance work when these snakes may be more active (April 1 through October 15th) then implement the following best management practices:

- Exclusionary practices will be required to prevent any herp access into construction areas. These measures will need to be installed at the limits of disturbance as shown on the plans, or be specifically designated by a qualified herpetologist.
- Exclusionary fencing be at least 20 inches 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 animals pass through.
- Prior to construction, all turtles occurring within fencing work area will be relocated to suitable habitat outside disturbance area. This should be performed by a qualified professional familiar with habitat requirements and behavior of the species.
- The Contractor must search the work area each morning prior to any work being done.
- All construction personnel working should be apprised of the species description and the possible presence of a listed species.
- Any herps 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.

Your submission information indicates that your project does not require a state permit, license, registration, or authorization and does not utilize state funding or involve state agency action. Therefore, this NDDB - New determination **MAY NOT** be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations. If, at a later date, it is determined that the project will require a state permit, license, registration, or authorization, or, your project now utilizes state funding or includes state agency action, you will need to re-submit a Request for Review and answer "Yes" to the appropriate question.

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.
- If your project involves preparing an Environmental Impact Assessment, this NDDB consultation and determination should not be substituted for biological field surveys assessing on-site habitat and species presence.
- The NDDB - New determination for the Silver Falls Subdivision as described in the submitted information and summarized at the end of this document is valid until 4/25/2027. 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 4/25/2027.

If you have further questions, please contact me at the following:

Shannon Kearney
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database
79 Elm Street
Hartford, CT 06106-5127
(860) 424-3170
Shannon.Kearney@ct.gov

Please reference the Determination Number 202503297 when you e-mail or write. Thank you for consulting the Natural Diversity Data Base.

Shannon Kearney
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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:	No
DEEP enforcement action related to project:	
Project Type:	Building and Infrastructure Development (including stormwater discharge associate with construction)
Project Sub-type:	New Residential - subdivision
Project Name:	Silver Falls Subdivision
Project Description:	