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7/18/2025

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Subject: Ellington West
Filing # 129708
NDDDB – New Determination Number: 202505360
13 School House Rd
Ellington

Expiration Date: 7/18/2027

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 Energy and Utility Production Facilities and Distribution Infrastructure/Solar Energy, Ellington West.

American kestrel (*Falco sparverius*)

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	American kestrel
Scientific Name	<i>Falco sparverius</i>
Taxa	bird
Status ¹	SC
General Ecology	Habitat for this bird consists of open grassy or shrubby areas with short vegetation and natural tree cavities or nest boxes for nesting. This bird returns to breed in March - July. This bird is limited by habitat in Connecticut. It can benefit from active nest box monitoring and management to decrease competition by starlings. Availability of early successional habitat benefits this species during the post fledgeling period and during migration.
Best Management Practice	Land disturbance activities including digging, ground clearing, heavy machinery driving staging, or trampling that will occur more than 100 feet into or cut across in a way that fragments large parcels of grassland or shrubland habitat should be done when birds are not breeding. Breeding primarily takes place between March 1- July 30. Conducting land disturbance activities outside of the breeding season will avoid impact to the individuals. Additionally, Do not introduce new traffic or construction noise within a 200m buffer of an active nest or nest box.

<p>https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-op</p>	<p>To reduce the potential for collision, towers and antennas should meet USFWS guidelines with regard to height, guy wires, lighting, and maintenance:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Visit American Bird Conservancy website for more guidance: https://abcbirds.org/program/glass-collisions/</p>
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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 7/18/2027.
- 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 Ellington West at 13 School House Rd, Ellington, as described in the submitted information and summarized at the end of this document is valid until 7/18/2027. 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 7/18/2027.

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:

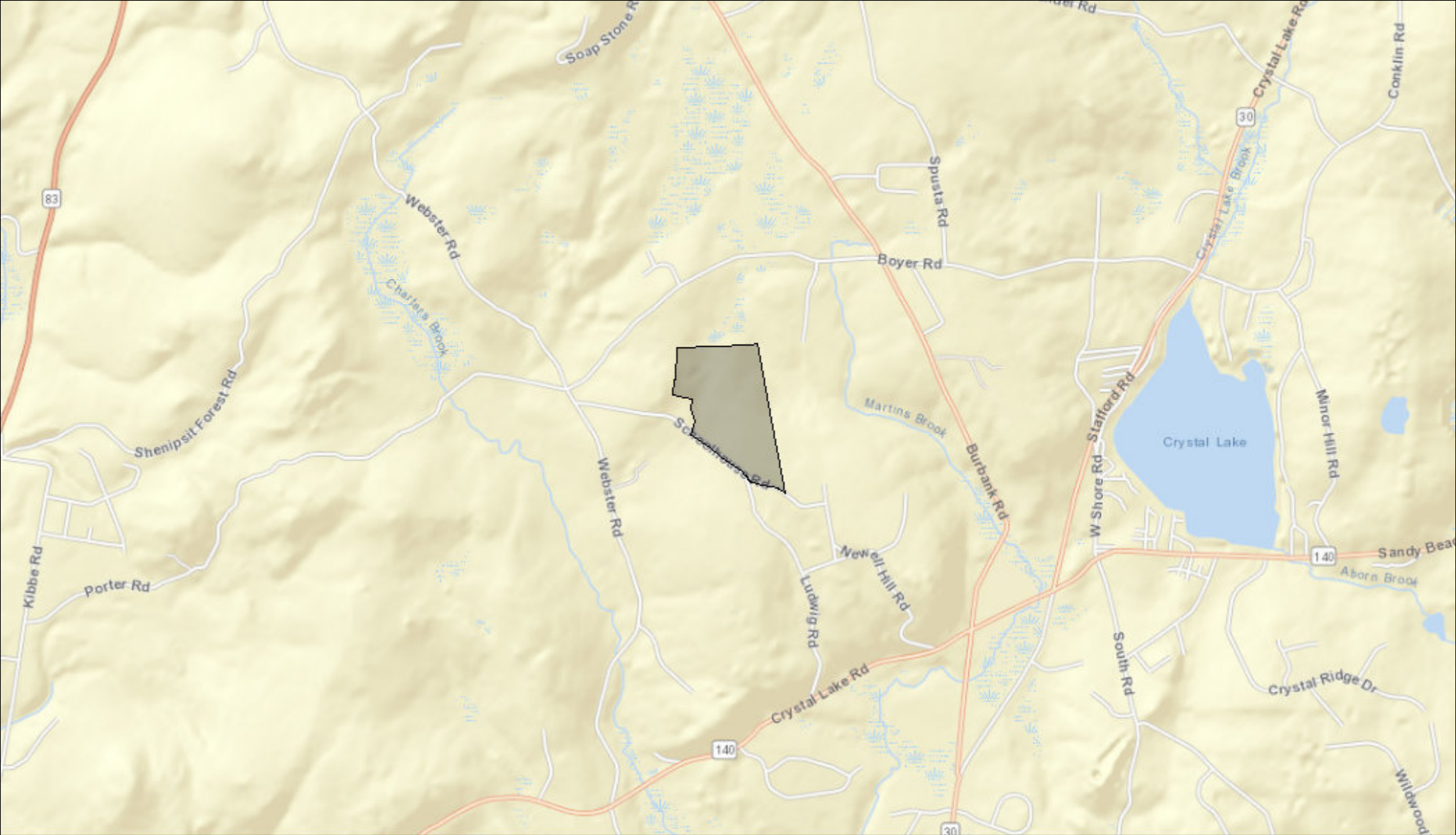
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database, 6th floor
79 Elm Street,
Hartford, CT 06106-5127
(860) 424-3011
deep.nddbrequest@ct.gov

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.

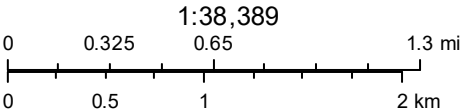
Application Details:

Project involves federal funds or federal permit:	No
Project involves state funds, state agency action, or relates to CEPA request:	Yes
Project requires state permit, license, registration, or authorization:	Yes
DEEP enforcement action related to project:	
Project Type:	Energy and Utility Production Facilities and Distribution Infrastructure
Project Sub-type:	Solar Energy
Project Name:	Ellington West
Project Description:	

Ellington West Map



July 16, 2025



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



May 28, 2026

Matt Goff
Senior Consultant
Verdantas
8306 Laurel Fair Circle, Suite 120
Tampa, FL 33610

RE: *American Kestrel Survey Results*
13 Schoolhouse Road, Ellington

Mr. Goff,

Eric Davison, a biologist with Davison Environmental, conducted an American kestrel (*Falco sparverius*) survey at 13 Schoolhouse Lane in Ellington in accordance with Connecticut Department of Energy and Environmental Protection (CTDEEP) Natural Diversity Database Determination No. 202505360, dated July 18, 2025. The survey results are summarized below.

Introduction and Survey Methods

The survey location is illustrated on attached Figure 1 – *Topographic Location Map* and Figure 2 – *Aerial Site Map*. Site visits were conducted on April 13, May 1, and May 12, 2026. Conditions during each visit included light winds or calm weather (Beaufort scale 3 or less) and partly to mostly sunny skies between 7:00 a.m. and 11:00 a.m. Surveys were completed on foot across all accessible suitable habitat. During each visit, the tree line was examined for perched kestrels and potential nest trees.

Habitat Characteristics – Nesting Season

According to Smallwood, J. A. and D. M. Bird (2020), the CTDEEP State-listed Species Fact Sheets, and our field observations of kestrel nesting sites throughout the State over the past 30 years, the kestrel utilizes a wide variety of open to semi-open habitats, including meadows, grasslands, early old field successional communities, open parkland, agricultural fields, and both urban and suburban areas; regardless of dominant vegetation form present. Breeding territories are characterized by either large or small patches covered by short ground vegetation, with taller

woody vegetation either sparsely distributed or lacking altogether. Suitable nest trees and perches required. Typical breeding habitat consists of large (>25 ha) habitat patches, and the species commonly takes to nest boxes.

Site Conditions

The site is an active apple orchard bordered by mixed hardwood forest, scattered white pine stands, forested wetlands, and the Martins Brook stream corridor. In total, the open non-forested habitat totals approximately 65-acres. On the eastern side of the orchard, an approximately 5-acre old field borders the mixed hardwood forest.

The orchard is well maintained, with tree rows regularly mowed to limit rodent damage. Small patches of cropland, most recently planted in corn, border portions of the orchard. The site generally slopes gently to moderately to the north, and the surficial geology consists of glacial till.

Survey Results

No nesting kestrels were observed. Bird species observed are listed in Table 1.

American crow	Northern flicker
American goldfinch	Osprey
American kestrel	Red tailed hawk
American robin	Savannah sparrow
Black capped chickadee	Song sparrow
Blue jay	Starling
Brown headed cowbird	Tree swallow
Cardinal	Tree swallow
Chipping sparrow	Tufted titmouse
Eastern bluebird	Turkey vulture
Eastern phoebe	White throated sparrow
Eastern towhee	Wild turkey
Field sparrow	Yellow warbler

A single kestrel was observed on May 1st. The bird flew from east to west across the orchard, exiting into the tree line by the small pond in the southwest corner of the Site. It did not land or spend time within the field and was not observed during the other two survey visits.

A single kestrel nest box is located on the eastern side of the orchard, along a fence line that separates the orchard from the five-acre old field habitat. The kestrel nest box location is illustrated on Figure 2. In speaking with the farmer, who coordinates the nest box monitoring, nest box is monitored and maintained by Tom Sayers, the coordinator of the Northeast Connecticut Kestrel Project. The farmer indicated that the nest box was not currently occupied but has been

utilized by kestrel in years past. During my observation period, the nest box was not utilized by kestrel.

The bordering forest is of low quality with respect to nesting sites. It is dominated by pole timber (less than 14 inches d.b.h.) trees, as opposed to mature sawtimber or wolf trees where suitable tree cavities most often develop. This likely prompted the installation of the nesting box.

A second State-listed species, the savannah sparrow (*Passerculus sandwichensis*) was observed in the orchard on May 1st. It was in a flock of other sparrows, with possibly one other Savannah sparrow. Due to the timing of the observation and the lack of suitable meadow habitat for nesting, it was considered to be migrating through the area.

Recommendations

The kestrel breeding season generally extends from March 1st to July 30th. Because the site includes an actively managed nest box, nesting could still occur later in the 2026 season or in future seasons if the box continues to be maintained, as the farmer indicated. If construction is to occur outside of the nesting season, this will prevent impact to nesting kestrel, if present. If work does occur during the breeding season, the nest box should be monitored for activity prior to the start of work or coordinated with Mr. Sayers (860-729-9952). If an active nest is present, construction should remain at least 200 m from the nest box. Alternatively, the nest box could be removed after the 2026 nesting season, and re-installed after construction is complete to prevent potential conflict with nesting kestrel.

If you have any questions regarding these findings, please feel free to contact me.

Respectfully submitted,



Eric Davison
Wildlife Biologist
eric@davisonenvironmental.com
www.davisonenvironmental.com

Attachments:

- 1: Site Photographs
- 2: Mapping - Location Map, Aerial Site Map

References:

Smallwood, J. A. and D. M. Bird (2020). American Kestrel (*Falco sparverius*), version 1.0. In Birds of the World (A. F. Poole and F. B. Gill, Editors). Cornell Lab of Ornithology, Ithaca, NY, USA.

Connecticut Department of Energy and Environmental Protection, Wildlife Division, State-listed Species Fact Sheets: <https://portal.ct.gov/DEEP/Wildlife/Fact-Sheets/American-Kestrel>

SITE PHOTOGRAPHS



Photo 1: View of central orchard, looking north.



Photo 2: View of western orchard, looking north.



Photo 3: View of central orchard near cornfield patch, looking east.



Photo 4: View of northern end of orchard, looking east.



Photo 5: View of typical mixed hardwood forest treeline.



Photo 6: View of kestrel box with bordering meadow, looking northeast.

MAPPING




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Figure 1
Topographic Location Map
 13 Schoolhouse Road
 Ellington, CT


Map Description:
 The location and extent of features is approximate only. The map is intended for illustrative purposes only. It contains no authoritative data.

Legend

 Site Boundary

Scale

0 800 Feet



Davison Environmental, LLC
 10 Maple Street
 Chester, CT
 860-803-0938



DAVISON ENVIRONMENTAL



**Figure 2
Aerial Site Map**

13 Schoolhouse Road
Ellington, CT

Map Description:
The location and extent of features is approximate only. The map is intended for illustrative purposes only. It contains no authoritative data.

Legend
— Site Boundary

Scale
0 500 Feet
N

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