



Connecticut Department of
Energy & Environmental Protection
Bureau of Natural Resources
Wildlife Division

Instructions for Completing a Request for Natural Diversity Data Base (NDDB) State Listed Species Review

Use these instructions if you are unable to use the [ezFile Portal](#) and need to complete the Request for Natural Diversity Data Base (NDDB) State Listed Species Review form DEEP-APP-007 and to prepare supporting documents.

Introduction

The Natural Diversity Data Base of the Department of Energy and Environmental Protection's (DEEP) Bureau of Natural Resources compiles information about the status and locations of the state's rare plants, animals and significant natural communities. The purpose of this program is to conserve, protect, restore and enhance state listed species populations and their habitats.

Section 26-310 (a) of the Connecticut General Statutes states that each state agency, in consultation with the DEEP commissioner, shall conserve endangered and threatened species and their essential habitats, and shall ensure that any activity authorized, funded or performed by such agency does not threaten the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat designated as essential to such species. The NDDB *Request for Review* is designed to assist in complying with the State Endangered Species Act and to provide information to parties interested in conserving state listed species. An NDDB Review is not a substitute for actual on-site surveys that may be required for a thorough environmental impact assessment, but can provide information on known locations of state listed species. For any questions you may have regarding NDDB review requirements see the DEEP webpage <https://portal.ct.gov/DEEP-NDDBRequest> or DEEP-INST-007

call the DEEP Wildlife Division at 860-424-3011. For more information on State Listed Species see the [DEEP Endangered Species](#) webpage .

How to Submit a Request for Review

Your request must include the following items:

- *Request for Natural Diversity Data Base (NDDB) Listed Species Review* (DEEP-APP-007)
- All applicable Attachments
- Any additional supporting documents

You must submit the above materials together as a complete package to:

NDDB, WILDLIFE DIVISION
DEPARTMENT OF ENERGY & ENVIRONMENTAL
PROTECTION
79 ELM STREET, 6TH FLOOR
HARTFORD, CT 06106-5127

Or save the request form and supplemental documents in PDF format and email the request to: deep.nddbrequest@ct.gov.

There is a 25 MB limit for email attachments. If the total uncompressed size of the email and attachments exceeds 25 MB, please provide the materials using a secure document sharing service or FTP.

Be sure to label your supporting documents as directed on the request form and always include, on each document, the requester's name, the site name and the date.

If you are filling out the Request for Review form electronically, the text boxes will expand to accommodate additional text. If you are submitting a hardcopy form and additional space is needed to answer a question, insert additional sheets into the form immediately following the page on which the question was asked. Label each sheet with the requester's name along with the corresponding part number and question number indicated on the form. You should retain a copy of all documents for your files.

Once the completed application is received, it will be entered in the ezFile portal and submitted to NDDDB staff for technical review. When the review is complete, we will send you a letter indicating whether there are species present that could be impacted by your project and how to avoid potential harm to the species. If we cannot make a determination based on the information provided you may be asked to have biological surveys conducted at the site. Surveys must be conducted by qualified biologists at the proper time of year using appropriate survey methods specific to each species. DEEP does not maintain a list of qualified biologists.

If a federally listed species is identified in the project area you may be required to contact the US Fish and Wildlife Service (USFWS). You will be provided with the appropriate contact information in our response to you. The USFWS will determine whether a formal consultation is required to decide whether adverse effects from the proposed activity are likely to jeopardize the continued existence of a federally listed species or result in a "take" of that species.

If your project has not been initiated within two years following this review, then you must

submit a new request. The NDDDB is constantly receiving new information and you will be required to address any new species found in the project area. Also, the regulatory list of state-listed species is updated by the DEEP every five years. Reviews will be based on the most current regulatory list. If your follow-up review occurs after a new list has been adopted, you will be required to address newly listed species found in the project area.

Request Instructions

Read the request form and these instructions carefully. They have been designed to obtain specific information needed to conduct the review. Missing or unclear information will cause delays in the review process. If you believe that the information requested does not apply to your specific project, explain, in the space provided, why you believe that is the case. Do not respond with "NA" ("not available" or "not applicable"); your request will be considered insufficient and may be rejected. If a question or supporting document is only required for specific activities it will be noted on the form and in the instructions.

The following instructions correspond to each part of the request form.

Part I: Preliminary Screening & Request Type

DEEP has developed a set of maps to be used as a preliminary screening tool that depict approximate locations of state and federally listed species and significant natural communities. These maps can be viewed on-line at the [DEEP webpage](#) as PDF files organized by town, or on the [CTECO webpage](#) in the Map Catalog and the interactive Map Viewers. Maps can be accessed on-line using computers in the DEEP Public File Room at 79 Elm Street in Hartford. The maps are updated every six months, usually in June and December. You must use the most current version available.

To begin, download the appropriate town map or open the CTECO map viewer. To use the CTECO Simple Map Viewer, navigate to your

site using the “Find” options in the lower left corner of the screen or use the pan and zoom buttons located in the upper left portion of the map. Next Choose a Map Theme from the list in the Map Contents on the left side of the screen. Select the Natural Diversity Data Base Area theme and click the “Refresh Map” button. You should now see the hatched Natural Diversity Data Base Areas around your site. The data will only be visible if you are zoomed in to a scale closer than 1:200,000.

Next, locate your project including any areas beyond the immediate footprint of the project and beyond the property line that will be either directly or indirectly affected. Include areas such as equipment and materials staging areas, areas receiving discharge and dredge material disposal areas. Use the following criteria to compare the project site to the shaded NDDDB areas depicted on the map.

Screening Criteria

If your project and any additionally affected areas intersect or overlap with an NDDDB Area on the maps, then you are in an area of concern for state listed species and should proceed to fill-out the Request for Review form. Be sure to check any related permit applications and follow the instructions for the relevant permits.

If your project does *not* intersect an NDDDB Area, you do **NOT** need to submit the *Request for Connecticut Natural Diversity Data Base (NDDDB) State Listed Species Review* (DEP-APP-007). Bear in mind, however, that although there are no known locations of state listed species documented in the area, this does not preclude the possibility of their discovery should on-site surveys be conducted. If your project does not meet the above screening criteria but you still require a formal determination from the NDDDB, you must submit your project for a full review.

After the initial screening, choose the appropriate request type. The choices include

- New NDDDB Request
- Renewal or Extension of a NDDDB Request without modifications and within

two years of the issued NDDDB determination

- New Safe Harbor Determination associated with an application for GP for Discharge of Stormwater and Dewatering Wastewaters from Construction Activities
- Renewal/Extension of an existing Safe Harbor Determination (with or without modifications)

Safe Harbor Determinations are a new optional category of review and are only available to those seeking a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. If your project requires multiple DEEP permits in addition to your stormwater construction permit, you may describe the full extent of the project and all the required permits for consideration for inclusion in the Safe Harbor Determination. Any activities not described will require additional consultation with NDDDB.

Renewals and extensions are only available if the form is received before the previous determination has expired and you provide the previous request number. Renewals without modifications do not need to submit any attachments. You may only apply for one one-year extension of a Safe Harbor Determination.

After a Safe Harbor Determination has been extended once, you must apply for a new NDDDB Request if your project has not been initiated.

Additional Screening Questions

1. *Does your project utilize federal funds or require a federal permit?* Projects that use federal funding or require federal permits may be subject to Federal Endangered Species Act rules and US Fish and Wildlife consultation regarding Northern long-eared bats or other federally listed species. Information on Northern long-eared bats can be found at <https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

Information on other federally listed species and Section 7 consultations may be found at:

<https://www.fws.gov/service/esa-section-7-consultation>

<https://ipac.ecosphere.fws.gov/>

2. *Does your project utilize state funding, involve state agency actions, or relate to a Connecticut Environmental Policy Act (CEPA) evaluation?* State agencies are required to ensure that any activity authorized, funded or performed by the state does not threaten the continued existence of endangered or threatened species or their essential habitat. If you answer yes, you may be subject to species protection requirements.
3. *Does your project require state permits, licenses, registrations or authorizations?* Prior to submitting any related DEEP permit applications, you must have a final determination from NDDDB that states it may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations. If you answer “No” to this question, the result will not be submittible with your related permit application.

If applicable, enter any enforcement action and permit analyst information.

Part II: Requester Information

When completing this part, use the following standards:

Company Name - Provide the full, legal company/firm name, State agency, municipality or tribal name. If the requester is a corporation, limited liability company, limited partnership, limited liability partnership or statutory trust, it must be registered with the Secretary of the State. If applicable the name shall be stated exactly as it is registered with the Secretary of State.

This information can be accessed at the Secretary of the State’s database CTData SOTS Portal.

(<https://service.ct.gov/business/s/onlinebusinesssearch>)

If the requester works for a state or federal agency or town, put the agency name or town name in the Company field and the individual’s name as Contact.

If the requester is identifying as an individual not affiliated with a company, leave Company blank and provide the legal name (include suffix) in the Contact Name field, using the following format: First Name; Middle Initial; Last Name; Suffix (Jr., Sr., II, III, etc.).

Contact Name – Provide the name of an individual whom the DEEP may contact in connection with this request.

Phone - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.

E-mail – By providing an email address you are agreeing to receive official correspondence from the department concerning this request. Please remember to check your security settings to be sure you can receive emails from “ct.gov” addresses. Also please notify the department if your email address changes.

- a) Choose the box that best describes the requester. If the requester is a business entity you must also complete i-iii.
- b) Choose the box that best describes the requester’s affiliation with this project.

Part III: Site Information

A separate request form must be filled out for each distinct site. A site should include all areas to be impacted by the project, including equipment and materials staging areas and areas receiving discharge.

Site Name and Location

If your project site has a *street address*, enter the full street address, *town* and *zip code*. If there is no street address, enter a *Location Description*. Describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge or a river.

Enter a *site, facility or project name* by which the site or project is commonly known and can be uniquely identified

Enter the approximate *size* of the project area in acres, or for linear projects the site dimensions may be more appropriate.

Provide the *latitude and longitude*, in decimal degrees, of the approximate center of the site. In addition, indicate the *method* used to determine the latitude and longitude coordinates. One method is to use the [CTECO Simple Map viewer](#). Navigate to your site using the “Find” choices in the lower left portion of the screen or the pan and zoom buttons on the map. Notice that latitude and longitude coordinates are displayed in the lower right part of the window as you move your mouse over the map. Place your mouse over the desired location and record the coordinates as they are given in decimal degrees. In Google Maps you can right click on a location to get a pop up with coordinates.

Describe the current land use and land cover of the site

In the space provided, describe the current land use and land cover of the site. (e.g., The site is a 10 acre active marina (commercial property) on a coastal bay with some forested area along the edge of the parcel. The surrounding area is predominantly residential).

Part IV: Project Information

A separate request form must be filled out for each project subtype.

1. Project Type

Choose a *project category, project type and project subtype* from the drop down lists.

Project category values are a broad categories used to narrow the remaining project type choices. Values in the drop down field are: Construction,Development; Natural Resource/Site Management; Stormwater (Industrial), Wastewater, Water Diversion, Solid Waste.

Select the most appropriate type and subtype. Use Other to explain if you cannot find a suitable match. If your project includes multiple activities, you may need to make additional submissions.

2. *Provide a schedule for all phases of the project including year, the month that the proposed activity will be initiated and the duration of the activities.* The time of year can be an important factor for some activities in avoiding negative impacts to animals and plants.
3. *Is the subject activity limited to the maintenance, repair, or improvement of an existing structure within the existing footprint?* If the answer is “No,” check “No” and move on to the detailed description in #4. If yes, explain. It is unlikely that this type of project will impact listed species and your explanation will help make this determination.
4. *Detailed project description-* It is important to give a full and detailed description of the proposed project activities including any land clearing, vegetation disturbance, chemical applications, water diversions or discharges, size and description of new structures or impervious surface to be added, or structures to be removed, etc. Describe the methods and equipment that will be used, e.g. whether heavy equipment will be used or the activities will be done

by hand with a more targeted approach. If you are applying pesticides or herbicides, indicate the target species and the method and the chemicals that will be used and indicate any potential outflows. If you are applying for a discharge permit be sure to include the receiving waters. If your project is a dredge then include the dredge spoil disposal site. If the request is for a preliminary site assessment, give as much detail as possible and explain the purpose of the request. If you are aware of the presence of listed species or critical habitat, include a description of steps that will be taken to minimize impacts to those species. If this is a renewal and you already received recommendations regarding listed species, describe how you will incorporate those recommendations into your project.

5. *Safe Harbor Renewal*: If the request regards a renewal of a Safe Harbor determination *with* modifications, explain what about the project has changed.

Part V: Supporting Documents

Attachments A and B are required for all new requests and Safe Harbor renewals/extensions with modifications. Renewals with no modifications do not need to submit any attachments. Attachment C is required if you checked any of the boxes in Group 2, under Part V. Attachment C is included as an additional page in the form, (DEEP-APP-007C).

Attachment D is required for a Safe Harbor Determination. Attachment D outlines the requirements for your Safe Harbor Report and is included as an additional page at the end of the form (DEEP-APP-007D). Check the appropriate box next to each attachment being submitted as verification that all required attachments have been submitted. Label all attachments, being sure to include the name of the requester, site name and date.

Part VI: Requester Certification

After the request has been completed it must be reviewed and signed by both the requester and the individual who actually prepared the request. By their signature, they certify that to

the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete. If you are submitting this form electronically and do not have the ability to provide a digital or scanned signature, you may type your name in the signature box and it will substitute for a handwritten signature.

Instructions for Attachments:

Attachment A: *Overview Map*. Submit an 8 ½ x 11” color print or copy of the relevant portion of a USGS Topographic Quadrangle Map, at a scale between 1:24,000 and 1:12,000 that is clearly labeled and indicates the exact location of the site. Be sure to include relevant landmarks in the map to assist NDDDB staff in locating the site. Outline the parcel of land upon which the proposed project will be located. If the size of the parcel is so small that outlining its boundaries is impractical, simply pinpoint the approximate center of the parcel. If the parcel is too big to fit on an 8 ½ x 11” page, a larger page size may be used or multiple maps may be submitted. The map should include the quadrangle name, year, north arrow and scale bar. Topographic maps can be viewed and printed or saved to a variety of formats from the [USGS topoView](http://www.usgs.gov/topoview) website. To submit maps electronically, create either a JPEG or PDF file of reasonable file size and quality. If you are unable to obtain a topographic map, a street map or parcel map with sufficient land marks may serve as a suitable substitute.

Attachment B: *Detailed Site Map*. Submit a map showing the detailed site boundaries and the area of work at a scale between 1:12,000 and 1:6,000, using a current aerial photo base. Streets, water bodies and other relevant landmarks should be labeled. Outline the parcel of land upon which the proposed project will be located and outline and label the proposed area of work, including any staging and access areas. This map should include the site name, town, north arrow and scale bar. Detailed maps can be created using an application like Google Earth, which allows you to draw on an aerial photo base and print or save it as a JPEG. To submit maps electronically, create either a JPEG of

PDF file of reasonable size and quality. A GIS file in ArcView shapefile format in NAD83, State Plane (feet) can be substituted for the detailed site map. If you are submitting a GIS shapefile, calculate the polygon centroid and add the X and Y coordinates to the attribute table. For large projects covering several towns, GIS data is preferred.

Attachment C: Supplement Information, Group 2 requirement (DEEP-APP-007C)

If you checked one of the boxes in Part V, Group 2, then you must complete Attachment C, (DEEP-APP-007C), which can be found at the end of the request form.

Section i: Supplemental Site Information

1. **Existing Conditions.** This section should describe the existing conditions of the site, and include all natural and man-made features such as wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. If you are filling out the form electronically, the text boxes will expand to accommodate additional text. If additional space is needed attach additional sheets and label each sheet with the requester's name, along with the corresponding part number and question number indicated on the form.

Photographs of the site may be helpful to NDDDB staff as they review the site. Attach and label photos if available. If you are submitting photographs electronically, they should be in JPEG or PDF format and of reasonable size and quality- no larger than 2MB.

The site description must be accompanied by a site plan or sketch of existing conditions. Label all items mentioned in the description. Include an arrow indicating the direction of flow for streams and rivers.

Acceptable formats include engineering site plans, detailed hand-drawn sketches, or a copy of the detailed site map from Attachment B, provided the aerial imagery

reflects current site conditions, and pertinent features are labeled. Site plans/sketches should contain a title block that indicates who prepared the plan, and the date the plan was prepared. If you are submitting plans electronically, they should be in JPEG or PDF format, and of reasonable size and quality.

2. **Biological Surveys.** Indicate whether a consulting biologist has visited the site and conducted biological surveys to determine the presence of any endangered, threatened or special concern species. Attach all reports of consulting biologists' surveys and the biologists' qualifications. Surveys must be conducted by a biologist with experience surveying in New England for the target species. DEEP does not maintain a list of qualified biologists. Reports must include maps of the search area, descriptions of species and habitat targets, detailed methods, level of effort, timing, and results.

Include [NDDDB Survey forms](#) for all listed species observations, using the forms on the DEEP webpage. If non-biologist personnel have observed listed species on site or in the immediate area, or they have observed signs indicating the likely presence of a listed species, document these observations using the NDDDB Survey forms.

Section ii: Supplemental Project Information

6. Provide a schedule for all phases of the project including the year, the month and/or season that the proposed activity will be initiated and the duration of the activity. The time of year can be an important factor for some activities in avoiding negative impacts to animals and plants.
7. In Part IV, #2, you gave a detailed description of the project activity. In this section, describe and quantify specific impacts and changes to the site that will result from the proposed activity. Identify and describe any on-site impacts such as clearing land, building access roads, staging areas, or installing fencing). Also,

identify and describe any off-site impacts resulting from discharge, erosion, run-off or other disturbance that will affect the surrounding environment. You must attach an annotated site plan showing the areas of impact. Label all items mentioned in the description. This site plan should be similar in appearance and scale to the Section i, #1 site plan of existing conditions, so that they may be easily compared. Acceptable formats include engineering site plans, detailed hand-drawn sketches, or a copy of the detailed site map from Attachment B, with pertinent features outlined and labeled. Site plans/sketches should contain a title block that indicates who prepared the plan, and a date. If you are applying for a state permit, plans must be the same as those submitted for the permit application so that permit analysts can verify that the correct plan was reviewed. Any changes to the project plan that will result in changes to the areas of impact must be submitted for re-review. Revision dates should be clearly and prominently marked on the site plans.

Attachment D: Safe Harbor Report Requirements, Group 3 requirement (DEEP-APP-007D)

In order to get a Safe Harbor determination you must submit a report that synthesizes and analyzes the information listed in Attachment D.

1. Habitat Description and Maps. Provide a comprehensive habitat description of the site including maps, drawings or GIS layers indicating where each element occurs. GIS layers should be current and at a scale appropriate to distinguish features on the site. This section should include information on the location and description of the following features if they occur on the site: any vernal pools and wetlands; description and mapped locations of plant community types, including the scientific names of the dominant plant species in each strata; location and description of any prominent geological features, topography,

soils, bedrock geology, floodplains, land use and management history, waterbodies and their depth and seasonal variation, direction of flow, water chemistry and water quality classifications/criteria. Describe any seasonal or diurnal variations in site conditions due to flooding, tidal activity, etc.

- 2. Photographs.** Include photographs of the site, both those taken on the ground and including all reasonably available aerial or satellite photographs and an analysis of such photographs. Ground-based photos should be taken of each plant community type and should show pertinent seasonal changes such as flooding, temporary vernal pools, or diurnal changes such as high/low tide. All photographs should have pertinent features labeled, including existing structures or infrastructure and notable habitat features.
- 3. Inspection.** A visual inspection of the site must be conducted, preferable when the ground is visible. The report should include a summary of the site walk and visual inspection(s). Observations may include verification of remotely sensed data and information from secondary reports presented in items 1 and 4; any differences from conditions reported by other sources; notes on the condition of various elements on site, the quality of habitats, and the degree or extent of disturbance on site or degree of naturalness; notes on the surrounding context of the site – if it is part of a larger intact tract of habitat or if it is noticeably different from its surroundings.
- 4. Biological Surveys.** The report should include all biological surveys of the site where construction activity will take place that are reasonably available to the registrant. A registrant shall notify the Department's Wildlife Division of any known biological surveys that are not reasonably available to the registrant.

Biological reports should minimally include:

- survey methods used
- effort noted (survey dates and survey duration)
- complete set of raw data (including weather conditions during and timing

of surveys, species observations/detections and habitat descriptions)

- specimen photos, if any (required for state listed plants)
- maps of study site (boundaries should be clearly shown, GPS coordinates of species detections should be in WGS83, decimal degrees)
- Résumé or curriculum vitae of survey contractor and a summary of applicable taxonomic field experience, including a list of surveys/projects in which the contractor has participated.

description of vehicular use; include equipment used during construction and the predicted vehicular use resulting from the site improvements. Provide a schedule for all phases of the project including the year, the month and/or season that the proposed activity will be initiated and the duration of the activity. The time of year can be an important factor for some activities in avoiding negative impacts to animals and plants.

A DEEP scientific collector's permit is required for all activities that involve the capture, marking, salvage, release or disturbance of protected wildlife species or for collecting state listed plants. You should inquire whether your contractor has a current permit. If not, a permit should be secured in advance of on-site survey work. For a plant or wildlife scientific collector's permit application form go to <https://portal.ct.gov/DEEP/NDDDB/Contribute-Data-to-the-NDDDB>

5. Natural Resource Inventory

Based on items 1-4, create a Natural Resource Inventory report of the site. Include plant and animal species lists, with special note of rare and invasive species. This inventory should also include a review of reasonably available scientific literature and any recommendations for minimizing adverse impacts from the proposed construction activity on listed species or their associated habitat.

6. **Other Information.** To the extent the following information is available the report should include site plans with descriptions and drawings of the size and location of proposed site disturbance, and the size and location of proposed permanent site alteration, including alteration of drainage patterns. Provide a

Available Resources:

Below is a list of possible resources for specific information required for this application. Be sure to also check the DEEP website, <https://portal.ct.gov/deep> and your local town hall or library for maps and other reference materials.

Both the DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For general assistance regarding the subject permit application contact DEEP Wildlife Division at 860-424-3011.

- For the subject application form, instructions and other required documents visit the DEEP website at:
<https://portal.ct.gov/DEEP-NDDDBRequest>
- State and federal statutes and regulations are available for review at various locations: On the web:
 - State Statutes
www.cga.ct.gov/lco/statutes-index.asp
 - DEEP website for Statutes and Regulations:
<https://portal.ct.gov/deep/laws/Laws-and-Regulations>
 - US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy Guidance and Legislation:
<https://www.epa.gov/laws-regulations>

Book Format:

- State Library (Hartford)
- University Law Schools (UCONN-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)
- Town Halls and Libraries (statutes)

Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). Please contact us at (860) 418-5910 or deep.accommodations@ct.gov if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint.