

Hottonia inflata,

## Federal Endangered Species Act, 1973

Responsibility of US Fish and Wildlife Service and the National Marine Fisheries Service

No federal mandate for states to create endangered species regulations.

Connecticut Endangered Species Act, 1989

Administered by the Dept. of Environmental Protection

Since you have been learning about regulations both federal and state, we thought we would open with something about the Federal Act established in 1973. There was no mandate to state, but many states have adopted state regulations. Money in the form of grants is provided to states and individuals for the conservation of threatened and endangered species. All 50 states have regulatory protection for T/E animals, but only some have protection for plants (like CT).

# Federal Endangered Species Act



**Delisted 2007** 

http://www.fws.gov/endangered/

- Protect and restore imperiled species and their habitats
- Applicable to federal agency actions and federally authorized or funded projects
- Rarity defined on a national scale species in danger of extinction throughout/significant portion of the species range

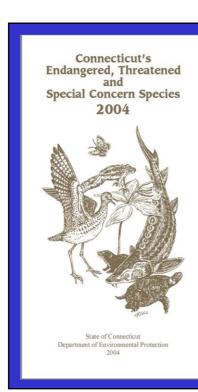
Compare state/fed.

# State Endangered Species Act

#### Connecticut General Statutes

Title 26, Chapter 495, Section 26-303 to Section 26-315

- Applicable to state agencies and any actions authorized, funded or performed by state agencies
- Rarity defined on a statewide scale
- Prohibits the taking, selling
- Includes option to designate essential habitat



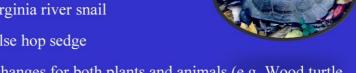
- Updated every five years
- Taxonomic Advisory Committees
- Currently waiting for final approval of the most recent proposed changes

# **Endangered Species List**

Examples of proposed changes include:

- Yellow lampmussel upgraded to Endangered status
- Adding Smooth green snake as Special Concern
- Adding Bridled shiners as Special Concern
- Delisting 4 species of mayflies
- Delisting Virginia river snail
- Delisting False hop sedge





Many taxonomy changes this time around.

# Examples of State Listed Freshwater Wetland Species

## Northern leopard frog

Indicator of high quality wetlands. Restricted to open, grassy habitats either along floodplain of a large stream or river, in wetlands around the margins of large lakes, or in meadows adjoining tidal wetlands (both fresh and brackish water).



Photo by Peter Picon

Image by Peter Picone.



#### Jefferson salamander

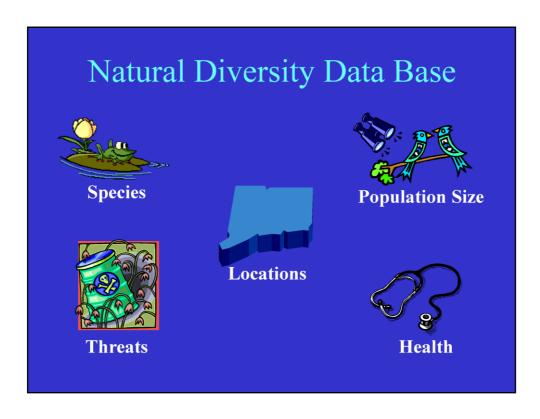
Vernal pool obligate, breeds in wetlands and transition to upland. Need to maintain natural buffer of vegetation around vernal pools with canopy cover, snags, etc.



## Rails and bitterns

secretive wetland birds,
easily disturbed during
nesting season.
Vulnerable to habitat
loss – loss of cover,
changes in water level,
and contaminants.

King rail.



## **Data Sources**

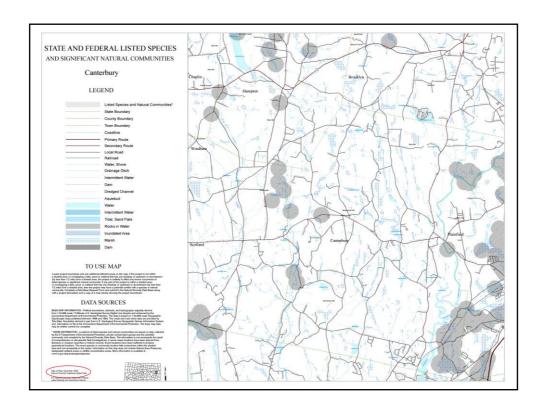
- State Geological and Natural History Survey
- DEP employees
- Conservation groups, including the New England Wildflower Society, CT Botanical Society, and CT Ornithological Association
- Landowners
- Universities and the scientific community
- Museum records, literature, and specimens

Rely heavily on outside supporters who submit data.

# NDDB Maps: A Pre-screening Tool

- Maps indicate generalized locations of state and federally listed species and significant natural communities
- Now available on the internet as PDF files and as GIS data
- Maps are updated every six months (June and December)

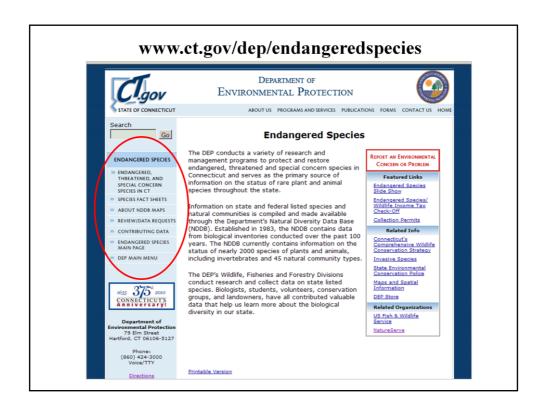
In order to help state agencies, residents... comply with ESA, developed maps as a prescreening tool. Important to use the most recent version. Always check back.



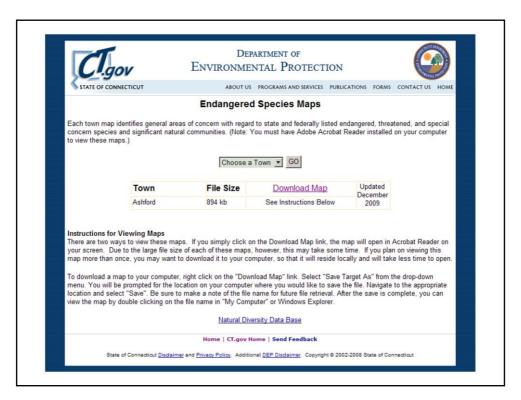
Clipped version of NDDB Map. Listed Species and natural communities in shaded areas (blobs). Instructions in the "To use Map" section. Notice the Map Date circled in Red.

# Where to Find NDDB Maps

- www.ct.gov/dep/endangeredspecies
- www.cteco.uconn.edu



Check out all the links on the left. See the link for the MAPS (next slide).





Interactive viewer and data download pages. Encourage everyone to take advantage of this.

# What should we do with NDDB maps?

- We no longer mail maps to the towns
- Use maps for preliminary screening for development and conservation projects submit environmental review for more info
- Use with other natural resources data in a plan of conservation and development

## Who needs an NDDB review?

#### Required

- Activities that require State Permits
- Projects that use State funding
- Activities performed by the State

#### Recommended

• Towns are encouraged to check the maps as they review local projects to help make more informed decisions.

Nancy take over.

# Environmental review process for State funded or authorized projects

#### **Applicant Responsibilities:**

- Use the NDDB maps to review the area of impact
- Criteria If the site is in a shaded area,
  - Upstream or downstream within ½ mile of shaded area,
  - Overlaps a waterbody with any shading
- Then, a potential conflict is present, you should submit a review form and map of the impacted area

# Environmental review process for State funded or authorized projects

#### **CTDEP Responsibilities:**

- NDDB staff will review the project to determine conflict
- Return a letter either stating no conflict was found or a letter with recommended changes to avoid impacts
- If more information is needed, the applicant may be asked to conduct biological surveys or provide alternatives
- In the rare event that no alternatives are available, and species populations will be impacted, additional agency authorization is required

## Alternatives

- Often project modifications can be made to avoid impacts
- Incidental Take authorized taking that will not adversely affect the entire population of an endangered or threatened species
- Exemptions to date all impacts have been addressed through Incidental Takes and not Exemptions
- These are complex processes, requiring DEP and OPM coordination, and mitigation actions

# Relevance to Municipal Inland Wetlands Agency

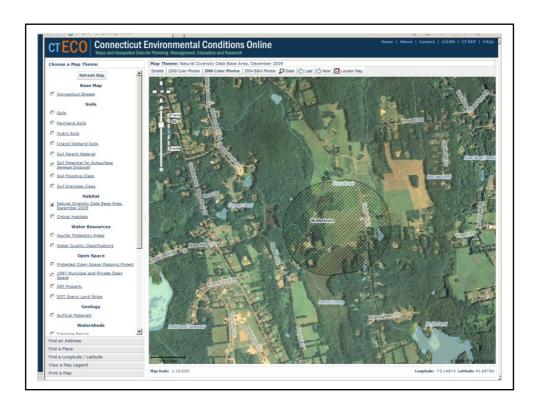
- Connecticut Endangered Species Act does <u>NOT</u> apply to the jurisdiction or actions of municipal IWA
- Under the Connecticut Inland Wetlands and Watercourses Act NDDB information may be relevant
  - Factors for Consideration Sec. 22a-41
    - Subsection (c): Directly in wetland/watercourse can consider <u>ANY</u> aquatic, plant or animal life and habitats – endangered or not
  - Subsection (d): Outside of wetland/watercourse make physical connection first, then can consider information endangered or not

Darcy will explain the last two bullets.

# Example of Site Review

# Subdivision and replacement of culvert in Watertown

• Look up the project area on the NDDB map and check criteria



# Example of Project Review

# Subdivision and replacement of culvert in Watertown

- Project meets the criteria overlaps a shaded area
- Fill out an NDDB Review Request Form
- Include a copy of a USGS topographic map

Connecticut Natural Diversity Data Ba Review Request Form
ase complete this form only if you have conducted a review which determined that fivily is located in an area of concern.
ame:
ffiliation:
ddress:
ity: State: Zip: -
usiness Phone: ( ) ext. Fax: ( )
oject or Site Name:
oject Location own: USGS Quad:
ief Description of Proposed Activities:
ave you conducted a "State and Federal Listed Species and Natural Communities Map" r Yes No Date of Map:
as a field survey been previously conducted to determine the presence of any endangere
reatened or special concern species?  Yes  No
yes, provide the following information and submit a copy of the field survey with this form.
ologist's Name: dakess:
the project will require a permit, list type of permit, agency and date or proposed date of oplication:

Included in handouts.



Good overview site map with land marks and site labeled.



Savannah Sparrow (SC). Grassy fields with dense, low growing vegetation. Build nest close to ground in vegetation. Declining due to loss of grassland habitat to mowing, growth of forests, suburban development.

Swamp lousewort (T). Grows in moist fields, swamp edges, wet ground, wet meadows, open swamps, stream edges.

# Recommendations

- To minimize impacts on grassland breeding birds, time the project to avoid the nesting season (May -June).
- Flag plant population and document location on site plans to prevent impacts to the species. No heavy equipment should be allowed in this area.

# Limitations of NDDB

- Do not have comprehensive information on all towns nor on all species.
- Maps are a general representation of the data that we have compiled.
- Weigh benefits of sharing information with the need to protect species locations.

# NDDB Improvement Goals

- Improve efficiency and turn around time
- Improve response tracking and internal coordination with other DEP programs
- Improve quality of response
- Free up staff time to concentrate on data collection, site management and other conservation research and projects
- Changes new forms, new internal process, electronic submission

LEAN - New forms- require more info up front from requesters so that we can make better decisions.

# Summary

- Generalized maps and GIS data are available on-line
- Updated every six months (June and Dec.)
- Use maps as a first stop source for endangered species information
- Contact NDDB for site specific information

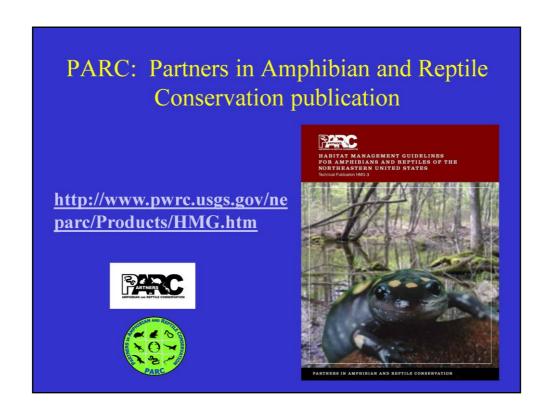
# Other Useful Information

# Critical Habitat Maps

- Statewide mapping project 2007-2009
- Developed based on work done for the Comprehensive Wildlife Conservation Strategy (CWCS)
- The information can be used as part of project planning, but is not required
- The mapping project does not include all critical habitat types and the data is incomplete
- Freshwater wetland habitats are included in the Palustrine category

# Critical Habitat Map Sample

Alluvial marsh, floodplain forest, Acidic Atlantic white Cedar Swamp, Poor Fen. Mapping mostly done by aerial photo interpretation.



Example of publication – Habitat management guidelines for amphibians and reptiles in the northeastern united states.

Recommendations from herpetologists and ecologists. Keep the common species common, restore/maintaining important habitats.

Organized by habitat type

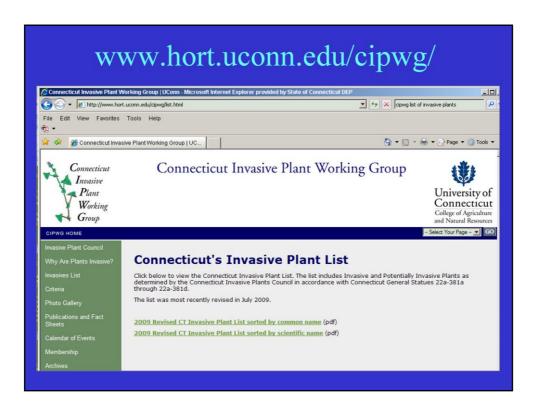
# **Invasive Species**

- Invasive plants and animals threaten species habitats
- Freshwater wetland examples – Phragmites, Purple loosestrife, Eurasian watermilfoil, Yellow floating heart





One of top threats





# Contact Us

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