**SECTION 1.10 ENVIRONMENTAL COMPLIANCE**

**In Article 1.10.03-Water Pollution Control:**

**REQUIRED BEST MANAGEMENT PRACTICES**

*Add the following after Required Best Management Practice Number 13:*

 14. The Contractor is hereby notified that the State listed species of Special Concern Eastern box turtle (*Terrapene carolina carolina*), is present within the Project limits. In Connecticut, this terrestrial turtle lives in a variety of habitats, including woodlands, field edges, thickets, marshes, bogs, and stream banks. Typically, however, Eastern box turtles are found in well-drained forest bottomlands and open deciduous forests. They will use wetland areas at various times during the season. During the hottest part of a summer day, they will wander to find springs and seepages where they can burrow into the moist soil. Eastern box turtles overwinter in upland forest, typically covered by leaf litter or woody debris. As temperatures drop, the turtles burrow down into soft ground.

 All construction activities taking place within the Project limits will need to be coordinated with the Office of Environmental Planning (OEP) through the Engineer. At least 10 days prior to the commencement of any construction activities, the Contractor shall, through the Engineer, arrange for a CT DOT Environmental Inspector from the OEP or their authorized delegate to meet and discuss proper protocol for maintaining environmental commitments made for the protection of this species and habitat. OEP will provide oversight through the Engineer to ensure that the following protocols are followed and maintained during the course of the Project.

 For any work done during the Eastern box turtle’s active period (April 1to October 31) the Department willrequire the following precautionarymeasuresto protect the Eastern box turtle andEastern box turtle habitat:

* 1. All areas with the Project limits must be surveyed to verify the presence of any active Eastern box turtle activity prior to commencement of the initial clearing and grubbing activities.
	2. All construction personnel working within Eastern box turtle habitat must be apprised of the species description and the possible presence of this listed species.
	3. Exclusionary practices will be required in order to prevent any Eastern box turtle access to construction areas. These measures will need to be installed at the limits of disturbance as shown on the plans.
1. Exclusionary fencing shall be at least 20” tall and must be secured to and remain in contact with the ground. The Contractor shall regularly inspect and maintain the fencing to prevent any gaps or openings at ground level. Silt fence with netting shall not be used.
2. The Contractor must search the work area each morning for the presence of this listed species prior to any work being done.
3. Any Eastern box turtles encountered within the Project shall be carefully moved outside of the excluded work area and the Engineer shall be immediately informed in order to contact OEP with the location.

When a species is found, the OEP will be responsible for completing and submitting the Natural Diversity Data Base (NDDB) Vertebrate Sheet (<https://portal.ct.gov/DEEP/Endangered-Species/Contributing-Data>). This completed document allows CTDEEP to update their database.

1. All staging and storage areas within the vicinity of the Project limits of the Eastern box turtle habitat must be reviewed by and receive written approval from the OEP.
2. The Contractor shall not park heavy machinery or vehicles within the Eastern box turtle habitat without written approval and authorization by the OEP.
3. Exclusionary fencing shall be removed at the completion of the Project and when final stabilization has occurred to allow for reptile and amphibian passage to resume.

 Work may take place during the Eastern box turtle’s inactive (hibernation) period (November 1 to March 31) with the following additional precautionarymeasure:

1. Exclusionary fencing must be installed and the area inspected for turtles by the Engineer or Engineer’s approved representative prior to October 1.

 These practices will be applied to the entire Project unless a sketch is attached, which identifies specific areas of concern.

 This species is protected by State laws, which prohibit killing, harming, taking, or keeping them in your possession. Fact sheet of the Eastern box turtle shall be posted in the Contractor’s and Inspection field offices.

 If any Eastern box turtles are observed in or around the Project area the OEP must be notified at Andrew.Piraneo@ct.gov or at [Marilyn.Gould@ct.gov](file:///C%3A%5CUsers%5CPiraneoA%5CDesktop%5CMarilyn.Gould%40ct.gov). If OEP staff cannot be reached at either of the above referenced emails, the District environmental coordinator will need to be contacted to facilitate further coordination with OEP’s Water Resources Compliance Unit.

DEEP’s Fact Sheet for the Eastern Box Turtle:

<https://portal.ct.gov/-/media/DEEP/wildlife/pdf_files/outreach/fact_sheets/boxturtlepdf.pdf>