

## **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 spotted turtle (*Clemmys gutata*), is present within the Project limits. Spotted turtles are semi-aquatic in nature, which means they live both on terrestrial land and in water environments. This species lives in several types of habitats including bogs, swamps, fens, woodland streams, wet pastures, and marshes. They sometimes also inhabit brackish streams influenced by tides. These reptiles always live in areas with slow moving water and soft soil. Spotted turtles hibernate in shallow waters, burrows and lodges. This species has been found to hibernate in groups of 5 to 12 individuals.

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.

During the spotted turtle's dormant period (November 1 to March 31):

- Construction activities will be allowed in upland areas only.
- Work that is in active construction prior to November 1 is allowed in wetland/watercourse areas which do not contain any areas of turtle habitat (no stream edge vegetation, stumps, or roots).

For any work done during the spotted turtle's active period (April 1 to October 31), the Department will require the following precautionary measures to protect the spotted turtle and spotted turtle habitat:

- a. All areas within the Project limits must be surveyed and cleared of any turtles immediately prior to the commencement of initial clearing and grubbing activities.
- b. All construction personnel working within spotted turtle habitat must be apprised of the species description and the possible presence of this listed species.
- c. Exclusionary practices will be required in order to prevent any spotted turtle access to construction areas. These measures will need to be installed at the limits of disturbance as shown on the plans.

- d. Exclusionary fencing shall be at least 20" tall and must be secured to and remain in contact with the ground. It shall be regularly inspected / maintained to prevent any gaps or openings at ground level. Standard silt fence is adequate; fencing with netting shall not be used.
- e. The Contractor must search the work area each morning for the presence of this listed species prior to any work being done.
- f. Any spotted turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and the Engineer shall be immediately informed in order to contact OEP with the location.
- g. All staging and storage areas in the vicinity of turtle habitat, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed by and receive written approval from OEP through the Engineer.
- h. No heavy machinery or vehicles may be parked in any identified spotted turtle habitat.
- i. When felling trees adjacent to watercourses, they shall be cut to fall away from the waterway and not dragged across the waterway. Stumps should be left in waterway banks where possible.
- j. Exclusionary fencing shall be removed when it is no longer needed, and silt fence shall be removed as soon as the area is stable to allow for reptile and amphibian passage to resume.

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. Photographs and the laws protecting spotted turtles shall be posted in the Contractor's and DOT field offices (species ID sheets will be provided by OEP).