

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 Northern leopard frog (*Lithobates pipiens*) formerly (*Rana pipiens*), is present within the Project limits. In Connecticut, Northern leopard frogs are restricted to seasonal wet meadows, forests associated with floodplains or large river systems and along lake edges. Northern leopard frogs often breed in depressions inundated by flood waters. These frogs hibernate below water in the winter and spend the winter buried in the mud on the bottom of well-oxygenated waterbodies. They emerge from hibernation in late winter or early spring.

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 CTDOT 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 Northern leopard frog's active period (March 1 to October 31), the CTDOT will require the following precautionary measures to protect the Northern leopard frog and Northern leopard frog habitat:

- a. All areas with the Project limits must be surveyed to verify the presence of any active Northern leopard frog activity prior to commencement of the initial clearing and grubbing activities.
- b. All construction personnel working within Northern leopard frog 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 Northern leopard frog 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. 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.
- 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 Northern leopard frog 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.

- g. All staging and storage areas within the vicinity of the Project limits of the Northern leopard frog habitat must be reviewed by and receive written approval from the OEP.
- h. The Contractor shall not park heavy machinery or vehicles within the Northern leopard frog habitat without written approval and authorization by the OEP.
- i. 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 during the Northern leopard frog inactive (hibernation) period (November 1 to April 31) with the following additional precautionary measure:

- a. Construction activities will be allowed in upland areas.
- b. Exclusionary fencing must be installed and the area inspected for frogs by the Engineer or Engineer's approved representative prior to October 31.
- c. Work is not allowed in wetland/watercourse areas unless these areas were in active construction prior to November 1, and additionally, do not contain any areas of Northern leopard frog habitat (no open water with mud bottom).

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 Northern leopard frog shall be posted in the Contractor's and Inspection field offices.

If any Northern leopard frog are observed in or around the Project area, the OEP must be notified at Andrew.Piraneo@ct.gov or at Marilyn.Gould@ct.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.

Fact Sheet for the Northern Leopard Frog:
[Northern Leopard Frog \(wildlifeofct.com\)](http://wildlifeofct.com)