

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 environmental 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 and 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 District Environmental Coordinator (DEC) and 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 a meeting with the DEC and CTDOT Environmental Inspector from the OEP (or their authorized delegate) to discuss proper protocol for maintaining environmental commitments made for the protection of this species and habitat. OEP will provide oversight through the DEC and Engineer to ensure that the following protocols are followed and maintained during the Project.

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

- Construction activities will be allowed in upland areas.
- 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 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 CTDOT 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 to verify the presence of any active spotted turtle activity prior to commencement of the 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 to access 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 spotted 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 DEC and OEP with the location.

When a species is found, the OEP is 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 spotted turtle habitat must be submitted to the DEC and Engineer and receive written approval from the OEP.
- h. The Contractor shall not park heavy machinery or vehicles within the spotted turtle habitat without submitting to the DEC and Engineer and receiving written approval from 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.
- j. When felling trees adjacent to watercourses, they shall be cut to fall away from the waterway and not dragged across the waterway. Stumps shall be left in waterway banks where possible.

These practices will be applied to the entire project unless a specified location is identified within the Project plans, which denotes specific areas of concern.

If any spotted turtles are observed in or around the Project area, the Engineer will notify the DEC to facilitate further coordination with OEP’s Environmental Resource Compliance Unit. If the DEC is unable to be reached, notify OEP at Andrew.Piraneo@ct.gov or at Marilyn.Gould@ct.gov.

This species is protected by State laws, which prohibit killing, harming, taking, or keeping them in your possession. A CTDEEP’s fact sheet of the spotted turtle shall be posted in the Contractor’s and Inspection field offices and can be downloaded at the link below.

CTDEEP’s Fact Sheet for the Spotted Turtle:
[Spotted Turtle Fact Sheet](#)