

## **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 and forests associated with floodplains or large river systems. Few populations can also be found 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 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 northern leopard frog's active period (March 1 to October 31), the Department will require the following precautionary measures to protect the northern leopard frog and northern leopard frog habitat:

- a. All areas within the Project limits must be surveyed and cleared of any frogs immediately prior to the commencement of 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 frogs 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 northern leopard frogs 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 northern leopard frog 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 unapproved northern leopard frog habitat.
- i. 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.

During the northern leopard frog inactive (hibernation) period (November 1 to March 1):

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