**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 diamondback terrapin (*Malaclemys t. terrapin*), is present within the Project limits. Northern diamondback terrapins are the only species of turtle in North America that spends its life in brackish water (water that is less salty than sea water). They are most abundant in tidal estuaries and will also be found in salt marshes and tidal creeks. Northern diamondback terrapins nest on the sandy borders of these habitats from June to July. Northern diamondback terrapins hibernate during the winter submerged in the mud of tidal creeks. They enter hibernation as early as November and emerge as early as April through the end of May depending on water temperature.

 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 physical construction activities, the Contractor shall, through the Engineer, arrange for a CTDOT OEP Environmental Inspector, 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 terrapin’s dormant period (November 1 to May 31):

* Once the areas within the Project limits have been inspected and cleared of any nest sites, construction activities will be allowed in upland areas.
* Work is not allowed in wetland/watercourse and sandy border areas unless these areas were in active construction prior to November 1, and additionally, do not contain any areas of terrapin habitat.

 For any work done during the terrapin’s active period, which includes the nesting and hatching period, (April 1to October 31), the CTDOT willrequire the following precautionarymeasuresto protect the terrapin andterrapin habitat:

* 1. All construction personnel working within Northern diamondback terrapin habitat must be apprised of the species description and the possible presence of this listed species.
1. Exclusionary practices will be required in order to prevent any Northern diamondback terrapin access to construction areas. These measures will need to be installed at the limits of disturbance as shown on the plans.
2. Exclusionary fencing shall be at least 20 inches 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. Standard silt fence is adequate; fencing with netting shall not be used.
3. The Contractor must search the work area each morning for the presence of this listed species prior to any work being done.
4. Any Northern diamondback terrapins 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 to contact OEP with the location.
5. All staging and storage areas in the vicinity of Northern diamondback terrapin habitat, outside of previously paved locations, regardless of the duration of time they will be used, must be reviewed by and receive written approval from OEP through the Engineer.
6. No heavy machinery or vehicles may be parked in any identified Northern diamondback terrapin habitat.
7. 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.

i. If a safety boat or barge is required for this Project, the Contractor must use special caution when navigating within tidal creeks. Terrapins tend to congregate close to the surface during their active period. Maintaining slow speeds will ensure the turtles’ safety.

 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 diamondback terrapin shall be posted in the Contractor’s and CTDOT field offices (species ID sheet will be provided by OEP).