

April 2014

**Broad Incidental Take Permit/Authorization for Common Activities
for:**

**Stream Crossing
and
Blanchard's Cricket Frog (*Acris crepitans*)**

Note

If carrying out a given protocol is not feasible, or multiple listed species in a given management area pose conflicts, contact the Bureau of Natural Heritage Conservation at 608-264-6057. Staff in BNHC will work with Science Services staff, species experts and managers to establish an acceptable protocol for a given site that will allow for incidental take without further legal consultation or public notice

Protocol For Permitted/Authorized Incidental Take

1. The following restrictions will apply for any and all activities taking place within 75 feet of waterway where a stream crossing is being installed AND any wetlands found on site:
 - a. Construction is permitted to take place from 4/8 – 5/19 and 8/16 – 10/15 to avoid overwintering and breeding seasons of cricket frogs.
 - b. Before any disturbance/construction takes place on site, the vegetation within the disturbance area must be cut by a non-suction mower (flail mower, sickle bar mower, manual reel mower, electric/gas weed trimmer), by hand (hand sickle, hand clippers), or grazed according to the following specifications:
 - i. Ground and shoreline vegetation must be cut to a height of 3 inches or less initially and maintained at 3-6 inches until all project related disturbance has been completed.
 - ii. Any in-stream vegetation (emergent, submergent or floating) within 1 foot of the water's surface and within 1 foot of the disturbance area must be cut so that the tops of the plants are more than 1 foot below the surface. The vegetation must then be maintained at least 1 foot below the water's surface until disturbance has been completed.
 - c. All rock riprap above the OHWM will be top-dressed with 6" of soil and seeded to the following Bureau of Natural Heritage Conservation (BNHC) approved mixture. The seed mix listed below is a commonly used mix that is recommended, changes can be made to this seed mix if the maximum height of the species is 2-3 feet or less AND if approved in

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advance by the Endangered Resources Review Program
(DNRRERReview@wisconsin.gov):

Creeping Red Fescue	5.0lbs/ac
Side Oats Gramma	1.0 lbs/ac
Black Eye Susan	1.0 oz/ac
Purple Prairie Clover	1.0 oz/ac
Bergamot	0.5 oz/ac
Companion Crop of Oats	0.5 bu/ac.

- d. Blanchard's Cricket Frog removals will be conducted in the disturbance footprint by a qualified biologist prior to each work day/restoration activity. All Blanchard's Cricket Frogs (and preferably other amphibians and reptiles) found will be immediately removed from the disturbance area and relocated to suitable habitat at least 100 meters downstream from the project site. If Blanchard's Cricket Frogs are found on the first walk-through of the area, a second walk-through will be conducted. This process should continue until the biologist feels confident he/she has removed as many Blanchard's Cricket Frogs as possible from the disturbance area. All Blanchard's Cricket Frogs removed will be recorded (total number removed per walk-through, i.e., 2 Blanchard's Cricket Frogs removed on first walk-through, 1 Blanchard's Cricket Frog removed on second walk-through and 0 Blanchard's Cricket Frogs removed on third walk-through) and reported to BNHC (DNRRERReview@wisconsin.gov) on a weekly basis. See Appendix B for a sample data sheet that can be used for reporting.
2. All dead amphibians and reptiles found onsite will be recorded (species, approximate age, possible cause of death), photographed, and reported to BNHC (DNRRERReview@wisconsin.gov) at the conclusion of the project. See Appendix B for a sample data sheet that can be used for reporting.
3. If erosion matting (also known as an erosion control blanket, erosion mat or erosion mesh netting) will be used, the following matting (or something similar) must be installed: North American Green S75BN, S150BN, SC150BN or C125BN. These models are comprised of netting that contains biodegradable thread with the "leno" or "gauze" weave (contains strands that are able to move independently), which has the least impact on wildlife. Plastic netting without independent movement of strands can easily entrap wildlife.