

FDOT Contractor Requirements for Unanticipated Interaction with Protected Species

These requirements are included as part of all projects and must be followed by contractors for transportation projects where interaction with protected species is not anticipated and the following conditions exist: A no effect determination has been made, no commitments have been made (as described in FDOT Procedure # 700-011-035), and/or no permit conditions exist.

These requirements address common protected species that may be encountered on FDOT projects. These Requirements DO NOT address all protected species found in Florida. These species are protected under the Endangered Species Act or state regulations. Do not kill or harass (scare off, feed, capture, harm, etc.) these species, there are civil and criminal penalties associated with harming, harassing or killing them. In the event that a protected species is encountered during construction activities, immediately contact the Construction Project Administrator (CPA) who will coordinate with the District environmental staff.



Bald Eagle

Adult bald eagles (*Haliaeetus leucocephalus*) are identified by their black body with white head and tail. If a bald eagle(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

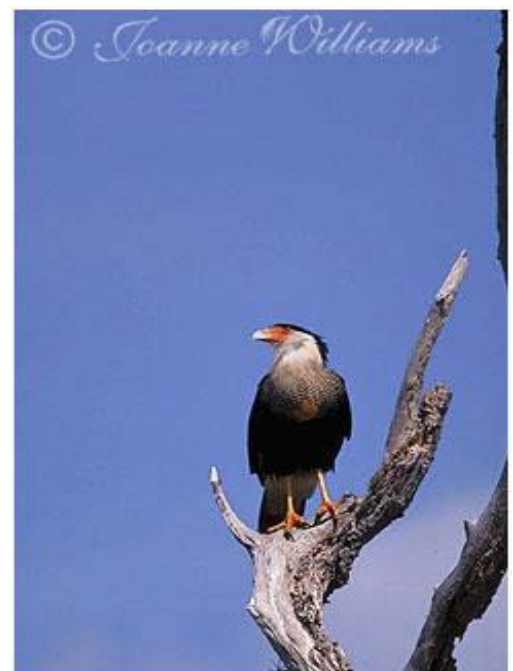
Report the sighting immediately to the CPA who will coordinate with the District environmental staff to determine follow up activities. Bald eagles typically nest from October- June. Bald eagle nests are very large and typically found at the top of tall trees. If a nest is identified within 660 feet of the active work area, the Contractor must stop work and report the sighting to the CPA. The CPA will coordinate with the District environmental staff which will determine if it is a bald eagle nest, and as appropriate, the District will consult with US Fish and Wildlife Service (USFWS) and inform the Contractor of any changes to the project. The Contractor shall not resume project activities within the affected areas until additional direction is provided by the CPA.

Audubon's Crested Caracara

Audubon's crested caracara (*Polyborus plancus audubonii*) are large birds of prey with a large head with a black cap and crest. If an Audubon's crested caracara(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with the District environmental staff which will determine follow up activities.

If a nest is identified within the construction area the District environmental staff will consult with FWC and USFWS. The CPA will inform the Contractor of any changes to the project.





Florida Burrowing Owl

Florida burrowing owls (*Athene cunicularia floridana*) are small ground dwelling owls with long legs, white chin stripe, boldly spotted, brown and white stripes, round head, and stubby tail. If a Florida burrowing owl(s) is observed within 50 feet of the active work area do not disturb it, cease all work in the area, and allow it to leave the area on its own.

Report the sighting(s) immediately to the CPA who will coordinate with District environmental staff which will determine if a nesting burrow is within 50 feet of the active work area. If a nesting burrow is found, the Department will consult with FWC as required and inform the Contractor of any changes to the project.

Red-Cockaded Woodpecker

Red-cockaded woodpeckers (*Picoides borealis*) are small birds with a barred, black and white back and wings, black cap and nape, and white cheek patches on each

side of the head. If a red-cockaded woodpecker(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff to determine if a nest cavity is within the construction area. If a nest is found, the Department will consult with USFWS as required and inform the Contractor of any changes to the project.



Florida Scrub Jay

The Florida scrub jay (*Aphelocoma coerulescens*) is similar in size and shape to a familiar blue jay, however it does not have a head crest or white spotting on the wings and tail that are characteristic of the blue jay. If a Florida scrub jay(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with the District environmental staff to determine if a nest is within the construction area. If a nest is found, the Department will consult with USFWS as required and inform the Contractor of any changes to the project.

Everglade Snail Kite

Everglade snail kites (*Rostrhamus sociabilis plumbeus*) are medium sized birds of prey with a slate gray or buff colored body, white tail patch, and a distinct slender, very curved beak. If an Everglade snail kite(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff to determine if a nest is within the construction area. If a nest is found, the Department will consult with USFWS as required and inform the Contractor of any changes to the project.



Wood Stork

Wood storks (*Mycteria americana*) are very large, white birds with black in the wings and a short black tail. They are tall with long legs. They have featherless, scaly, dark-gray heads and necks and a long heavy bill. If a wood stork(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff to determine if a nest(s) is within the construction area. If a nest(s) is found, the Department will consult with USFWS as required and inform the Contractor of any changes to the project.

Florida Sandhill Crane

Adult Florida sandhill cranes (*Grus canadensis pratensis*) are easily identified by their large size, long neck, gray body and a patch of red on the top of their head. If a Florida sandhill crane is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff to determine if a nest is within the construction area. The Department will consult with FWC as required and inform the Contractor of any changes to the project.





Osprey

Ospreys (*Pandion haliaetus*) are large birds, with their head and undersides largely white. A dark brown streak extends through the eye and extends towards the back of the head. If an osprey is observed nesting in the active work area, do not disturb it and report the nest sighting immediately to the CPA who will coordinate with District environmental staff. If the nest is within the active work area, the Department will consult with FWC and/or USFWS as required and inform the Contractor of any changes to the project.

Eastern Indigo Snake

Eastern indigo snakes (*Drymarchon corais couperi*) are large, stout-bodied, iridescent bluish black snakes. If an eastern indigo snake(s) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the Construction Project Administrator who will coordinate with District environmental staff. The Department will consult with USFWS as required and inform the Contractor of any changes to the project.





Gopher Tortoise

Gopher Tortoises (*Gopherus polyphemus*) are land turtles with a brown shell that is relatively flat above, and are typically larger than box turtles. They are dark brown to black with scales on their broad flat legs. Young gopher tortoises are tan or yellow in color. If a gopher tortoise(s) is observed in the active work area, do not disturb it, cease all work in the area, and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with the District environmental staff to determine if a burrow is within 25 feet of the active work area. If a burrow is found, the Department will consult with FWC as required and inform the Contractor of any changes to the project.



Gopher tortoise burrows are distinguishable by having a lower, flatter profile than the more rounded burrows of armadillos. If a gopher tortoise burrow is observed within 25 feet of the active work area, cease all work in the area and contact the CPA who will coordinate with District environmental staff. If a burrow is confirmed, the Department will consult with FWC as required and inform the Contractor of any changes to the project. The contractor shall not resume project activities within 25 feet of a confirmed burrow location until additional direction is provided by the CPA.

Sea Turtle Species

Sea turtles have long front flippers and are larger in size than freshwater turtles. There are five species that occur in Florida:

- Loggerhead (*Caretta caretta*)
- Green Turtle (*Chelonia mydas*)
- Leatherback (*Dermochelys coriacea*)
- Kemp’s Ridley (*Lepidochelys kemp*)
- Hawksbill (*Eretmochelys imbricata*)

Sea turtles typically nest from March through October.

If a sea turtle(s) is observed within 300 feet of the active work area follow the precautions below:

All in-water activities, including vessel operation, must be shut down if a sea turtle(s) comes within 50 feet of the work area. Activities shall not resume until the sea turtle(s) has moved beyond a 50 foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Sea turtles must not be herded away or harassed into leaving.

Do not disturb marked sea turtle nests.

Record and report any sightings, interactions or involvement with sea turtles or their nests to the Engineer immediately. The Department will consult with the National Marine Fisheries Service as required and inform the Contractor of any changes to the project.

Any collision with and/or injury to a sea turtle or an encounter of an unmarked nest shall be reported immediately to the Engineer, the National Marine Fisheries Service’s Protected Resources Division (727-824- 5312) if interaction is in water and the Florida Fish and Wildlife Conservation Commission’s 24-hour Wildlife Alert Number at 1-888-404-FWCC (1-888-404-3922) if the interaction is on land.



<http://scubaemporium.blogspot.com/2011/04/loggerhead-sea-turtles-compass-of-sea.html>



<http://www.seaturtlenet.com/GreenSeaDefault.asp>



[http://www.virginiaherpetologicalsociety.com/reptiles/turtles/leatherback-sea-turtle/leatherback sea turtle.php](http://www.virginiaherpetologicalsociety.com/reptiles/turtles/leatherback-sea-turtle/leatherback_sea_turtle.php)



<http://www.worldwildlife.org/species/hawksbill-turtle>Jürgen Freund/WWF-

Photo: Kim Bassos-Hull, Mote Marine Laboratory

West Indian Manatee (*Trichechus manatus*)

Manatees are large, gray aquatic animals with a blunt whiskered snout and a torpedo-shaped body that tapers to a flat, paddle-shaped tail. If a manatee is observed within 300 feet of the active work area follow the precautions below:

All in-water activities, including vessel operation, must be shut down if a manatee(s) comes within 50 feet of the work area. Activities shall not resume until the manatee(s) has moved beyond a 50 foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Manatees must not be herded away or harassed into leaving.

Record and report any sightings, interactions or involvement with manatees to the Engineer immediately. The Department will consult with the US Fish and Wildlife Service as required and inform the Contractor of any changes to the project.

Any collision with or injury to a manatee shall be reported immediately to the Engineer; the Florida Fish and Wildlife Conservation Commission (FWC Hotline) at 1-888-404-3922 and by email at ImperiledSpecies@myFWC.com; and to the U.S. Fish and Wildlife Service's North Florida Ecological Services Office at 1-904-731-3336 for projects in north Florida or the South Florida Ecological Services Field Office at 1-772-562-3909 for projects in south Florida.



Florida Black Bear

Florida black bears (*Ursus americanus floridanus*) are the only bears naturally occurring in Florida. If a Florida black bear is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff. The Department will consult with FWC as required and inform the Contractor of any changes to the project.





Florida Panther

Florida panthers (*Puma concolor coryi*) are very large cats (75-130 lbs) with a long tail, broad head, and round ears. If a Florida panther is observed in the active work area, do not disturb it, cease all work and allow it to leave the area on its own. Only resume work when the panther has left the active work area.

Report the sighting immediately to the CPA who will coordinate with the District environmental staff. The Department will consult with USFWS and FWC as required and inform the Contractor of any changes to the project.



Sherman's Fox Squirrel and Big Cypress Fox Squirrel

Fox squirrels are easily distinguishable from common gray squirrels by their larger size (22-28 in.), variable coloration from black to silver, and a black head. If a Sherman's fox squirrel(s) (*Sciurus niger shermani*) or a Big Cypress fox squirrel(s) (*Sciurus niger avicennia*) is observed in the active work area, do not disturb it and allow it to leave the area on its own.

Report the sighting immediately to the CPA who will coordinate with District environmental staff. The Department will consult with FWC as required and inform the Contractor of any changes to the project.

All Bat Species

When working on bridges and similar structures report sightings of bat species immediately to the CPA who will coordinate with District environmental staff. The Department will consult with FWC and/or USFWS as required and inform the Contractor of any changes to the project.



Bridge stained with bat guano



Smalltooth Sawfish (*Pristis pectinata*)

Sawfish may look somewhat like sharks, but with wide pectoral fins and flatter bodies. Sawfish have a distinctive long tooth-fringed snout. Sawfish grow to 18 feet on average and prefer bays, estuaries and rivers but may be found in deep water and freshwater as well. If a sawfish is observed within 300 feet of the active work area follow the precautions below:

All in-water activities, including vessel operation, must be shut down if a sawfish comes within 50 feet of the work area. Activities shall not resume until the sawfish has moved beyond a 50 foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Sawfish must not be herded away or harassed into leaving.

Record and report any sightings, interactions or involvement with sawfish to the Engineer immediately. The Department will consult with the National Marine Fisheries Service as required and inform the Contractor of any changes to the project.

Any collision with and/or injury to a sawfish shall be reported immediately to the Engineer and the National Marine Fisheries Service's Protected Resources Division (727-824- 5312).

<http://www.nmfs.noaa.gov/pr/species/fish/smalltooth-sawfish.html>

Photo: Florida Fish and Wildlife
Conservation Commission

Sturgeon

Sturgeon are primitive looking fish having a round body imbedded with bony plates, a tail similar to sharks and a long snout. Sturgeon grow to 6 to 14 feet long depending on the species. They occur in bays, estuaries and rivers. Sturgeon can often be seen jumping with their whole body out of the water. There are 3 sturgeon species that occur in Florida and it is difficult to distinguish one from the other:

Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*)

Atlantic Sturgeon, Gulf Subspecies (*Acipenser oxyrinchus desotoi*)

Short Nosed Sturgeon (*Acipenser brevirostrum*)

If a sturgeon is observed within 300 feet of the active work area follow the precautions below:

All in-water activities, including vessel operation, must be shut down if a sturgeon comes within 50 feet of the work area. Activities shall not resume until the sturgeon has moved beyond a 50 foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Sturgeon must not be herded away or harassed into leaving.

Record and report any sightings, interactions or involvement with sturgeon to the Engineer immediately. The Department will consult with the National Marine Fisheries Service or US Fish and Wildlife Service as required and inform the Contractor of any changes to the project.

Any collision with and/or injury to a sturgeon shall be reported immediately to the Engineer, the National Marine Fisheries Service's Protected Resources Division (727-824- 5312) and the US Fish and Wildlife Service in Panama City at 1-850-769-0552 for projects in Northwest Florida, Jacksonville at 1-904-731-333 for projects in north Florida or in Vero at 1-772-562-3909 for projects in south Florida. Secure any sturgeon carcass on site or hold in a freezer until an agency representative arranges for its transport for analysis.



<http://www.arkive.org/gulf-sturgeon/acipenser-oxyrinchus/image-G104291.html>