



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT, P.E.
SECRETARY

July 6, 2020

Khoa Nguyen
Director, Office of Technical Services
Federal Highway Administration
3500 Financial Plaza, Suite 400
Tallahassee, Florida 32312

Re: State Specifications Office
Section:007
Proposed Specification: **SP0070401-12 LEGAL REQUIREMENTS AND
RESPONSIBILITY TO THE PUBLIC – LAWS TO BE OBSERVED -
COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER
WILDLIFE REGULATIONS (SCRUB-JAYS).** .

Dear Mr. Nguyen:

We are submitting, for your approval, two copies of the above referenced Special Provision.

The changes are proposed by Katasha Cornwell to include additional measures to protect scrub jays for projects adjacent to scrub habitat.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via email to daniel.strickland@dot.state.fl.us.

If you have any questions relating to this specification change, please call me at 414-4130.

Sincerely,

Signature on file

Daniel Strickland, P.E.
State Specifications Engineer

DS/jj

Attachment

cc: Florida Transportation Builders' Assoc.
State Construction Engineer

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – LAWS TO BE OBSERVED – COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER WILDLIFE REGULATIONS (SCRUB-JAYS).

(REV 5-14-20)

SUBARTICLE 7-1.4.1 is expanded by the following new Subarticle:

7-1.4.1 Additional Requirements for Florida Scrub-Jay (*Aphelocoma coerulescens*): The Department has determined that the project occurs within known habitat of scrub-jays.

The Department will provide instruction at a preconstruction meeting regarding:

1. The presence of the species.
2. The appearance, habits and biology of the species.
3. Their protected status.
4. The civil and criminal penalties for harming, harassing, or killing the species.

Advise all work crews of this information.

As depicted in the Plans, install an exclusion silt fence around scrub jay habitat. Install fence prior to initiation of ground-disturbing activities. Maintain fence throughout construction.

Avoid disturbing or clearing scrub jay habitat from within delineated areas.

Remove fence after construction is complete.

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