

ORINATION FORM

Proposed Revisions to the Specifications

(Please provide all information - incomplete forms will be returned)

Date:

Office:

Originator:

Specification Section:

Telephone:

Article/Subarticle:

email:

****Will the proposed revision require changes to:**

Publication	Yes	No	Office Staff Contacted and date contacted
Standard Plans Index			
Traffic Engineering Manual			
FDOT Design Manual			
Construction Project Administration Manual			
Basis of Estimate/Pay Items			
Structures Design Guidelines			
Approved Product List			
Materials Manual			

**This section must be completed prior to processing proposed revisions.

Will this revision necessitate any of the following:

Design Bulletin

Construction Bulletin

Estimates Bulletin

Materials Bulletin

Are all references to external publications current?

Yes

No

If not, what references need to be updated? (Please include changes in the redline document.)

Why does the existing language need to be changed?

Summary of the changes:

Are these changes applicable to all Department jobs?

Yes

No

If not, what are the restrictions?

Contact the State Specifications Office for assistance in completing this form.

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M E M O R A N D U M

DATE: June 25, 2020
TO: Specification Review Distribution List
FROM: Daniel Strickland, P.E., State Specifications Engineer
SUBJECT: Proposed Specification: **SP0070104-8 Legal Requirements and Responsibility to the Public – Laws to be Observed – Compliance with Federal Endangered Species Act and other Wildlife Regulations (Sturgeon).**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

This change was proposed by Katasha Cornwell by the Environmental Management Office to address all three species of sturgeon that may be encountered on transportation projects.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or online at <http://fdotewp1.dot.state.fl.us/programmanagement/development/industryreview.aspx> . Comments received after **July 23, 2020**, may not be considered. Your input is encouraged.

DS/rf

Attachment

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

(REV 6-24-20)

SUBARTICLE 7-1.4 is expanded by the following new Subarticle:

7-1.4.1 Requirements for Atlantic Sturgeon, Gulf and Shortnose Sturgeon , ~~Gulf subspecies (*Acipenser oxyrinchus desotoi*)~~: The Department has determined that the project occurs within the habitat of Atlantic, ~~G~~Gulf or Shortnose sturgeon.

The Department will provide instruction at a preconstruction meeting regarding:

1. The presence of the species.
2. The appearance, habits, biology, migratory patterns and preservation of the species.

3. Their protected status.
4. The need to avoid collisions with these species.
~~5. The need to avoid any actions that would jeopardize the existence of these species.~~

56. The civil and criminal penalties for harming, harassing, or killing these species.

~~7. The times of year when the spotter will be required.~~
Provide a spotter for the following: ~~at appropriate times of the year during in-water construction activities~~

Projects with Gulf sturgeon in estuarine/marine habitats from Tampa Bay Northward to Pensacola from November 1st through April 30th.

Projects with Gulf sturgeon in riverine habitats from March 1st through October 31st.

Projects with Atlantic and Shortnose sturgeon in all habitat types, from Cape Canaveral Northward to Jacksonville, year-round. During required timeframe, spotter ~~to~~will maintain constant surveillance for the species; during in water work activities, which include pile driving, vessel operations, both motorized, and non-motorized, and extending equipment or material in the water, and assure adherence to the requirements posted in the URL address in Spec 7-1.4.; ~~and assure that uninhibited passage for these fish is provided.~~

Do not restrict passage for these fish.

Post signs on site warning of the presence of sturgeon and their federal protection.

Use floating turbidity barriers made of material which sturgeon cannot become entangled or entrapped ~~of appropriate dimension to restrict sturgeon access to or entrapment in the work area.~~ Properly secure, regularly monitor and maintain all deployed sediment and turbidity barriers ~~to prevent entanglement and entrapment.~~ Immediately free sturgeon trapped in sediment or turbidity barriers.

Do not dredge the river bottom for barge access.

Lower all equipment or material to the mudline in a controlled descent. Do not allow freefall of any equipment or material below the water surface.