

ORIGINATION FORM

Proposed Revisions to the Specifications

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

Date:

Office:

Originator:

Specification Section:

Telephone:

Article/Subarticle:

email:

Associated Section(s) Revisions:

Will the proposed revision require changes to:

Publication	Yes	No	Office Staff 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			

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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KEVIN J. THIBAUT, P.E.
SECRETARY

MEMORANDUM

DATE: November 18, 2021
TO: Specification Review Distribution List
FROM: Daniel Strickland, P.E., State Specifications Engineer
SUBJECT: Proposed Specification: **SP0070104-6 Legal Requirements and Responsibility to the Public - Laws to be Observed - Compliance with Federal Endangered Species Act and Other Wildlife Regulations (Sea Turtle).**

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

This change was proposed by Katasha Cornwell from the State Environmental Management Office to remove an unnecessary pre-construction meeting item and to clarify when to operate at "Idle Speed/No Wake.

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 **December 16, 2021**, may not be considered. Your input is encouraged.

DS/vc

Attachment

Use when called for by the District Environmental Permit Office (Sea Turtle).

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

(REV 10-21-21)

SUBARTICLE 7-1.4 is expanded by the following:

The Department has determined that the project occurs within the known habitat of sea turtles (*Caretta caretta*, *Chelonia mydas*, *Dermochelys coriacea*, *Lepidochelys kempfi*, *Eretmochelys imbricate*).

The Department will provide instruction at a pre-construction meeting regarding:

1. The presence of species and limits of critical habitat.
2. The appearance, habits and biology 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.~~

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

Advise all work crews of this information.

Provide sediment and turbidity barriers constructed of material in which a sea turtle cannot become entangled. Secure and monitor the sediment and turbidity barriers to avoid protected species entrapment. Sediment and turbidity barriers may not block sea turtle entry to or exit from designated critical habitat without prior approval of the Engineer and concurrence from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

Operate all vessels at the minimum safe speed when transiting and maintain vigilant watch for sea turtles to avoid striking them. Operate at "Idle Speed/No Wake" at all times speeds while in the construction area ~~and while~~ in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom, and in all depths after sea turtles have been observed and recently departed the area. Follow marked channels or routes of deep water whenever possible. Maintain a distance of 150 feet or greater between sea turtles and the vessel. When visibility is limited, assign a designated individual to observe for sea turtles and limit vessel operation to only daylight hours.

All on-site project personnel are responsible for observing water-related activities for the presence of sea turtles. -When sea turtles are observed, follow the sea turtle species guidelines posted in the URL address in 7-1.4.