



Florida Department of Transportation

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GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

October 23, 2023

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: **SP0070104 Legal Requirements and Responsibility To The Public – Laws To Be Observed – Compliance With Federal Endangered Species Act And Other Wildlife Regulations (FDOT Installed Bat Exclusion).**

Dear Mr. Nguyen:

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

The changes are proposed by Denise Rach to reflect new procedures in the Bat Exclusion Handbook.

Please review and transmit your comments, if any, within two weeks (10 business days). Comments should be sent via email daniel.strickland@dot.state.fl.us.

If you have any questions relating to this specification change, please call me at (850) 414-4130.

Sincerely,

Signature on file

Daniel Strickland, P.E.
State Specifications Engineer

DS/jb

Attachment

cc: Florida Transportation Builders' Assoc.
State Construction Engineer

Usage Note: Used when the Contractor will be responsible for maintaining bat exclusions in occupied structures installed by FDOT

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – LAWS TO BE OBSERVED – COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER WILDLIFE REGULATIONS (FDOT INSTALLED BAT EXCLUSION).
(REV 7-11-23)**

SUBARTICLE 7-1.4 is expanded by the following:

~~Maintain~~ Provide a biologist, experienced in performing bat exclusions, to maintain the previously installed bat exclusion devices to prevent ~~future bat roosting~~ bats from reestablishing roosts during construction on Bridge No(s) [REDACTED] and/or culvert No(s) ~~XXX XXX~~. Refer to the FDOT Guidance on Bat Exclusion Practices, Section 3, and Section 6, which can be found at the following URL:
https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/protected-species/final-bat-exclusion-handbook-and-appendices-aug-3-2023.pdf?sfvrsn=372e576c_2.

Immediately repair damaged or altered exclusion devices that ~~become torn or damaged. Repairs must be conducted by a qualified specialty contractor or experienced biologist. Remove the exclusion devices upon completion~~ could allow reentry of ~~construction~~ bats. Inspect structure and confirm no evidence of bats prior to these repairs.

Notify the Engineer if bats, bat remains of bats, or new evidence of roosting is found. The Engineer will notify the District Environmental Management Office that additional exclusion is needed. FDOT will perform the exclusion for a minimum of four consecutive days/nights when the low temperature is forecasted by the U.S. National Weather Service <https://www.weather.gov/> to remain above 50°F. Bat exclusion devices cannot be used during bat maternity season from April 15th through August 15th.

Remove the exclusion devices within 7 days of completing the work on the specified structures. Use non-shrink grout per Standard Specification 934 to fill and seal holes on the structure where mechanical methods were used to secure exclusion devices. Repair damage caused by removal of exclusion devices in accordance with Standard Specification 930.

Usage Note: Used when the Contractor will be responsible for maintaining bat exclusions in occupied structures installed by FDOT

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