



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

MIKE DEW  
SECRETARY

June 16, 2017

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: **SP0070104-2 Legal Requirements and Responsibility to the Public – Compliance with Federal Endangered Species Act and other Wildlife Regulations.**

Dear Mr. Nguyen:

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

The changes are proposed by Katasha Cornwell of the Office of Environmental Management to expand the existing requirements when it is known that bald eagle involvement exists within the project limits. This will also eliminate the need for modified special provisions.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via email to [dan.hurtado@dot.state.fl.us](mailto:dan.hurtado@dot.state.fl.us).

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

Sincerely,

Signature on File

Dan Hurtado, P.E.  
State Specifications Engineer

DH/rf

Attachment

cc: Florida Transportation Builders' Assoc.  
State Construction Engineer

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC –  
COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER  
WILDLIFE REGULATIONS.**

**(REV 6-16-17)**

SUBARTICLE 7-1.4 is being expanded by the following new Sub article:

**7-1.4.1 Additional Requirements for Bald Eagles (*Haliaeetus leucocephalus*):**

The following active bald eagle nest(s) are located within 660 feet of the project as shown on the Plans:

\_\_\_\_\_ Nest # (note which buffer zone nest falls within)

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No construction activities can occur, including staging of equipment, within 330 feet of any active bald eagle nest during nesting season (October 1 – May 15, or until all nestlings fledge).

Conduct construction activities occurring between 330 feet and 660 feet from an active bald eagle nest during nesting season as directed by the Engineer, who will act in coordination with the nest Monitor provided by the Department. Stop work when directed by the Engineer and do not resume work within the monitoring area until approval is received from the Engineer.

Construction activities more than 660 feet from of a nest may be conducted, at any time of year, with no coordination required with the USFWS or FWC.

When new or alternate nests are observed, follow the bald eagle species guidelines posted in the URL address in 7-1.4

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