

# EXPECTED IMPLEMENTATION JANUARY 2018

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

(REV 5-25-17) (FA 6-13-17) (1-18)

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

### **7-1.4.1 Additional Requirements for Smalltooth Sawfish (*Pristis pectinata*):**

The Department has determined that the project occurs within the known habitat of smalltooth sawfish.

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 smalltooth sawfish cannot become entangled. Secure and monitor the sediment and turbidity barriers to avoid protected species entrapment. Sediment and turbidity barriers may not block smalltooth sawfish 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 "Idle Speed/No Wake" at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. Follow marked channels or routes of deep water whenever possible.

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