



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

July 29, 2024

Cathy Kendall
Director, Office of Technical Services
Federal Highway Administration
3500 Financial Plaza, Suite 400
Tallahassee, Florida 32312

Re: State Specifications Office
Section: 7

Proposed Specification: **SP0070104-2 Legal Requirements and Responsibility to the Public – Laws to be Observed - Compliance with Federal Endangered Species Act and Other Wildlife Regulations (Bald Eagle)**

Dear Ms. Kendall:

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

The changes are proposed by Katasha Cornwell to show a nest location by lat/long in the plans to accommodate data needed in the newer 3D models.

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/dh

Attachment

cc: Florida Transportation Builders' Assoc.
State Construction Engineer

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – LAWS TO BE OBSERVED - COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER WILDLIFE REGULATIONS (BALD EAGLE).
(REV 6-16-17) (FA 6-28-17) (FY 2024-25)**

SUBARTICLE 7-1.4 is expanded by the following:

The following active bald eagle (*Haliaeetus leucocephalus*) nests are located within 660 feet of the project ~~as shown in the Plans:~~

Nest # (note which buffer zone nest falls within) at (provide latitude and longitude of nest location)

Nest # (note which buffer zone nest falls within) at (provide latitude and longitude of nest location)

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 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.

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

(REV 6-16-17) (FA 6-28-17) (FY 2024-25)

SUBARTICLE 7-1.4 is expanded by the following:

The following active bald eagle (*Haliaeetus leucocephalus*) nests are located within 660 feet of the project:

Nest # (note which buffer zone nest falls within) at (provide latitude and longitude of nest location)

Nest # (note which buffer zone nest falls within) at (provide latitude and longitude of nest location)

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 a nest may be conducted, at any time of year.

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