



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

June 10, 2022

Order No.: All
Project: All
FHWA: All
District: All
County: All
Route: All
Bids: All

To Holders of Bid Proposals:

Please make the following changes in your copy of any bid proposal currently advertised as of today's date.

BID PROPOSAL

Please find the attached **Tree Removal Time of Year Restriction** note and updated Special Provision **SP522-000130-02 Tree Removal Time of Year Restriction for Roosting Bat Habitat**. The updates will be reflected in the final executed contract.

Special Note: The updated Special Provision will be effective December 22, 2022.

James L Swanson
2022.06.10 14:29:25-04'00'

James L. Swanson, PE for
David B. Coaker, PE, CCM
State Contract Engineer
Construction Division

Enclosures

TREE REMOVAL TIME OF YEAR RESTRICTION - If this contract includes SP522-000130-01, Special Provision for Tree Removal Time of Year Restriction for Roosting Bat Habitat dated 3-27-18, it will only be effective until December 21, 2022.

SP522-000130-02, Special Provision for Tree Removal Time of Year Restriction for Roosting Bat Habitat dated 6-6-22 will be effective December 22, 2022.

6-8-22 (SPCN)

SP522-000130-02

VIRGINIA DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION FOR
TREE REMOVAL TIME OF YEAR RESTRICTION FOR ROOSTING BAT HABITAT

June 6, 2022

I. Background

This project is in an environmentally sensitive area for bat species protected under the Endangered Species Act (16 USC 1531 et seq., hereinafter “the Act”) and the Virginia Endangered Species Act (29.1-563 et seq.). The removal of trees greater than or equal to 3 inches diameter at breast height (DBH) is restricted, as it may result in adverse impacts to bat species by removing roosting habitat during summer months, and is prohibited during the Time of Year Restriction period.

Tree removal activities associated with this project shall conform to Section 107.01 of the Specifications, the Act, and this Special Provision.

II. Requirements

1. **Time of Year Restriction.** No trees greater than or equal to 3 inches DBH shall be removed from April 1 to November 14 unless otherwise allowed by the Engineer as approved by the District Environmental Manager.
2. Unless other restrictions exist in the Contract prohibiting tree removal, the Contractor is allowed to proceed with tree removal operations outside of the Time of Year Restriction in accordance with Section 601 of the Specifications and within the established clearing limits as shown on the plans, and as directed by the Engineer.

3. Notification and Cessation of Work

If the Contractor does not comply with this requirement, the work may be suspended and administered in accordance with Section 108 of the Specifications.

III. Measurement and Payment

The cost of complying with this Specification shall be included in the contract unit price of other items.