

**KANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION TO THE
STANDARD SPECIFICATIONS, EDITION 2007**

ENVIRONMENTAL CONCERNS – MIGRATORY BIRD TREATY ACT

Attention is directed to the Migratory Bird Treaty Act (15 USC 703-711) 50 CFR Part 21 and 50 CFR Part 10 that protect migratory birds, their occupied nests, and their eggs from disturbance or destruction.

Activities that are most likely to result in disturbance or destruction of migratory birds include, but not limited to structure cleaning, painting, demolition or reconstruction where bird nests are present.

To protect migratory birds, do not conduct construction activities where active nests are present between the dates April 1 and July 15 inclusive or until the birds have fledged and left the structure. Remove all non-active; existing migratory birds nests and monitor weekly to prevent the establishment of active nests. If evidence of migratory bird nesting is discovered after, beginning work or in the event that migratory bird nests become established, immediately stop work and notify the Engineer.

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