Michigan’s Listed Animal Species

• 104 listed animal species in MI
  • Federal species = 23
  • State species = 81
• Special Concern = 194
• Listed animals are protected from “take”
• Other laws and species
What right-of-way areas are most likely to have listed animals?

- Creeks and rivers
- Forested wetlands
- Emergent wetlands
- Coastal Great Lakes
- Oak savannas

T&E animals – why are they important?

- Can affect the cost, design or schedule of MDOT jobs
  - Cost – surveys may be contracted out or alternative materials required
  - Design – changes to design to avoid, minimize, or mitigate impacts
  - Time – regulatory agency coordination, consultation, permitting, and survey
Which species are most likely to affect MDOT projects?

Three taxa represent 95% of issues with design and scheduling

- Indiana and Northern Long-Eared Bat
- Eastern Massasauga Rattlesnake
- Freshwater Mussels

T&E animals – Most common questions

- [Bats] Will there be tree removals?
  - Winter cutting (Oct 1 – Mar 31)?
  - Acreage?
- [EMR] Will there disturbance within these regulated areas?
  - Clearing/tree removals?
  - Culvert replacements?
  - Mulch blanket/slope restoration required?
- [Mussels] Will there be work below the OHWM?
Indiana and Northern Long-Eared Bat

- Winter removals (Oct 1 – Mar 31) may be required
- Bats and bridges – inspections may be required (May 15 –Aug 15)
- Can require contracting, which may add another 10 weeks (at least)
- Consultation (30 days)

Eastern Massasauga Rattlesnake

- Occurs throughout Lower Peninsula
- Requires more design info
- BMP driven species
  - Winter tree removals
  - Seasonal ditching or culvert restrictions
  - No traditional mulch blanket
  - Silt fence as barrier
  - Contractor notification
- Consultation
Freshwater Mussels

- Occur mainly in the LP
- Generally require survey and relocation (Jun 1 – Oct 15)
- May require contracting, which can add 10 weeks
- A one-year lead time for state listed species and two-year lead time for federally listed species is recommended.

Surveys

- Must account for design and constructability
- Each group has a protocol that dictates methods
- Positive surveys may result in delays due to permits, consultation, or additional surveys. For federal species the process can take 2 years.
How we avoid impacts to wildlife species

• Design and planning
  • Removing trees during the winter
  • Avoiding nesting periods
  • Survey/relocation

• Agency coordination

• PAs to streamline consultation process

• Even when impacts are minimal, jobs still require consultation

How we avoid impacts to wildlife species

• Special provisions
  • Frequently used
    • Tree Removal
  • Previously approved
    • Wildlife friendly erosion control
  • Environmental vicinity sheets
    • This is a separate plan sheet, used on projects with a high risk for impacts, that shows where restrictions occur within the project area.
Project Example JN 132528

- Wildlife friendly erosion control
- Silt fence to exclude EMR
- EMR FUSP included in project package

Questions?

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