

Working with Threatened and Endangered Species



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Talk Outline

- Bats
 - Update, Final 4(d) rule for NLEB
 - Review, Indiana Bat
 - New, MDOT/FWS Bridge Agreement
- Freshwater Mussels
- Bald Eagles

Final 4(d) Rule for NLEB



- Affected by WNS
- Migratory
- Tree roosting bat



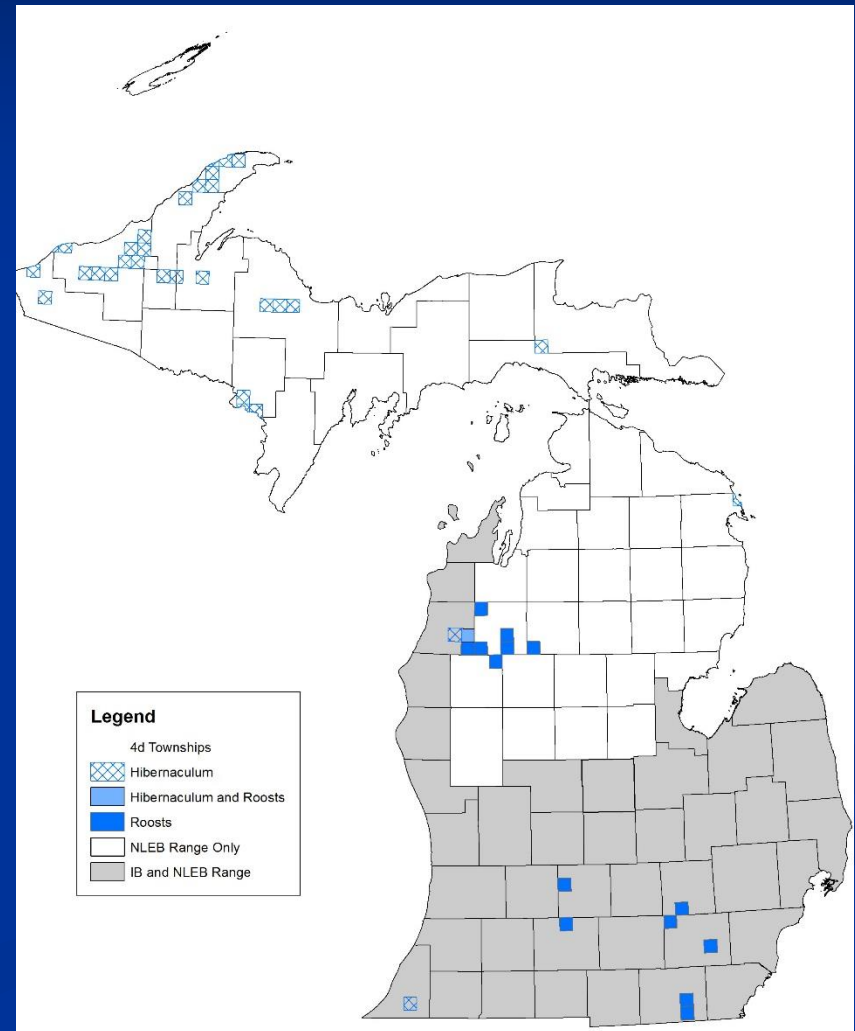
Final 4(d) Rule for NLEB



- Listed as threatened on April 2nd 2015 with interim 4d rule
- Final rule released on Jan 14th 2016
- Became active on Feb 16th 2016
- Changes tree removal regs

Final 4(d) Rule for NLEB

- Within NLEB range only, tree removals are allowed year-round except for:
 - 0.25 miles from a hibernaculum
 - 150ft of a known roost tree



Final 4(d) Rule for NLEB

- Federally funded jobs require consultation (there is a form)
- Non-federal jobs, no consultation
- Within a township with a known roost tree or hibernaculum, contact FWS
- Multi-year projects require annual consultation

Indiana Bat Review



Ibat roost tree

- Endangered species since 1967
- Winters in caves in Kentucky, Missouri, and Indiana
- Tree roosting bat species
- Summer habitat consists wet woods and river corridors

Indiana Bat Review



Ibat pup (above), adult (below)



Indiana Bat cluster on a Southern Indiana cave wall

Indiana Bat Review



- Range includes southern Michigan and coastal Lake Michigan
- Still requires winter tree removal where habitat is present
- Clearance through assessments/surveys

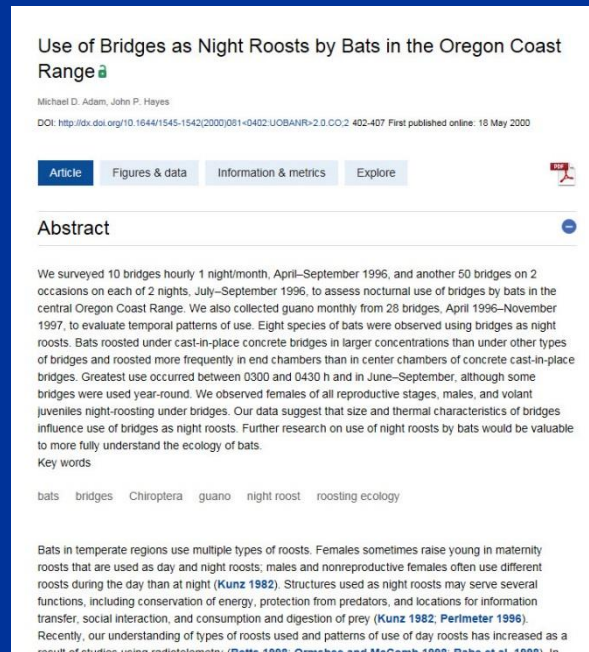
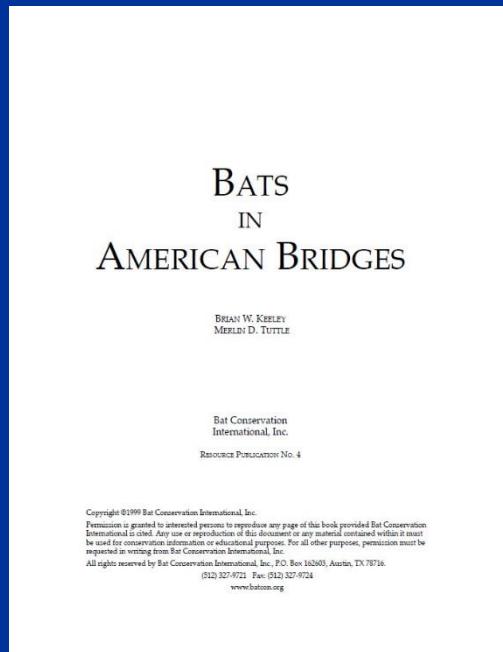
MDOT/FWS Bridge Agreement



MDOT/FWS Bridge Agreement

■ Background

- Growing awareness internationally that bats roost in bridges



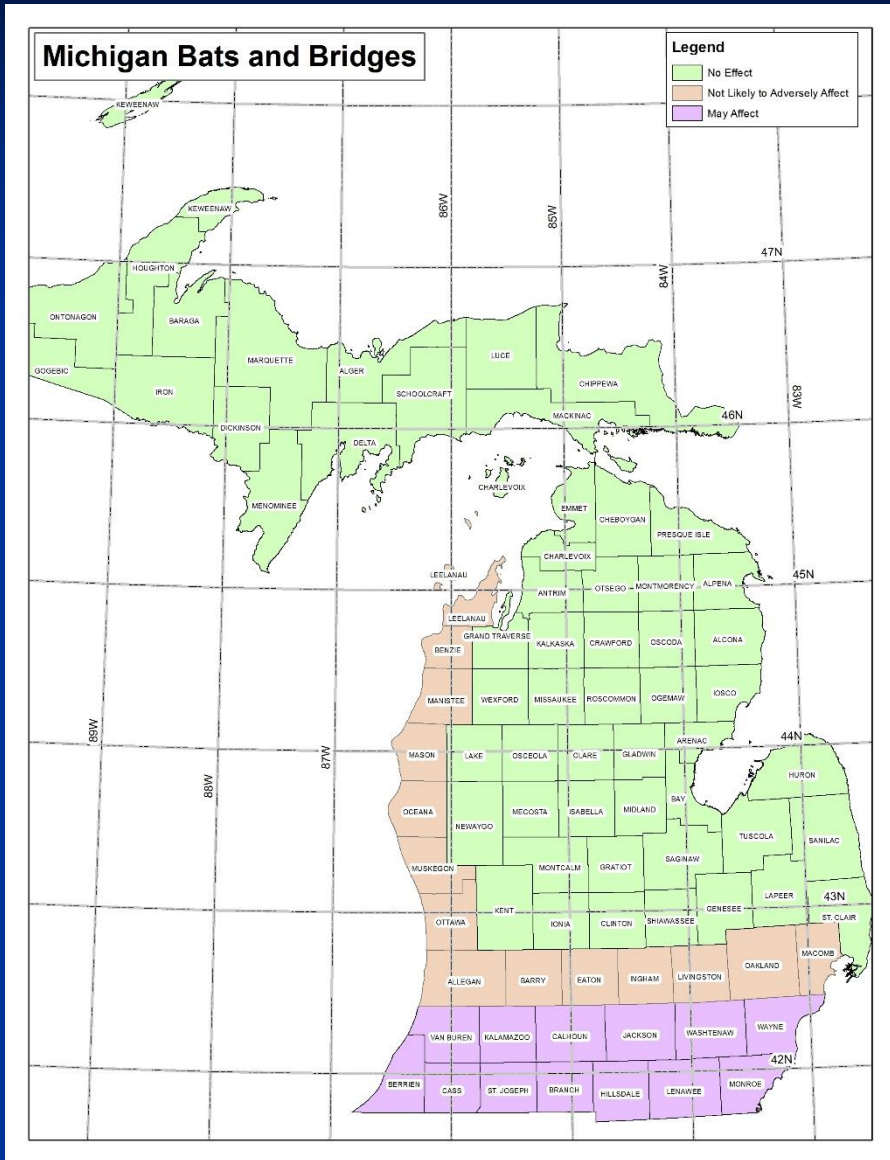
MDOT/FWS Bridge Agreement

- FWS approached MDOT in 2015 with concerns about bridges and listed bats
 - Activities that modify occupied roosting spaces
 - Day roosting vs. night roosting
 - Southern part of the state
 - Areas with contiguous, suitable habitat
 - Bridges with vertical clearance, sun exposure
 - Very little data in Michigan

MDOT/FWS Bridge Agreement

- In response to FWS, we collaboratively developed a programmatic agreement that-
 - “addresses regional differences in roosting behavior, streamlines consultation, and strategically focuses conservation activities”

MDOT/FWS Bridge Agreement



- 3 determinations:
 - May affect
 - NLAA
 - No effect
- Getting to NLAA
 - Urban land use
 - No habitat
 - Early/Late removal
 - Site inspection

MDOT/FWS Bridge Agreement

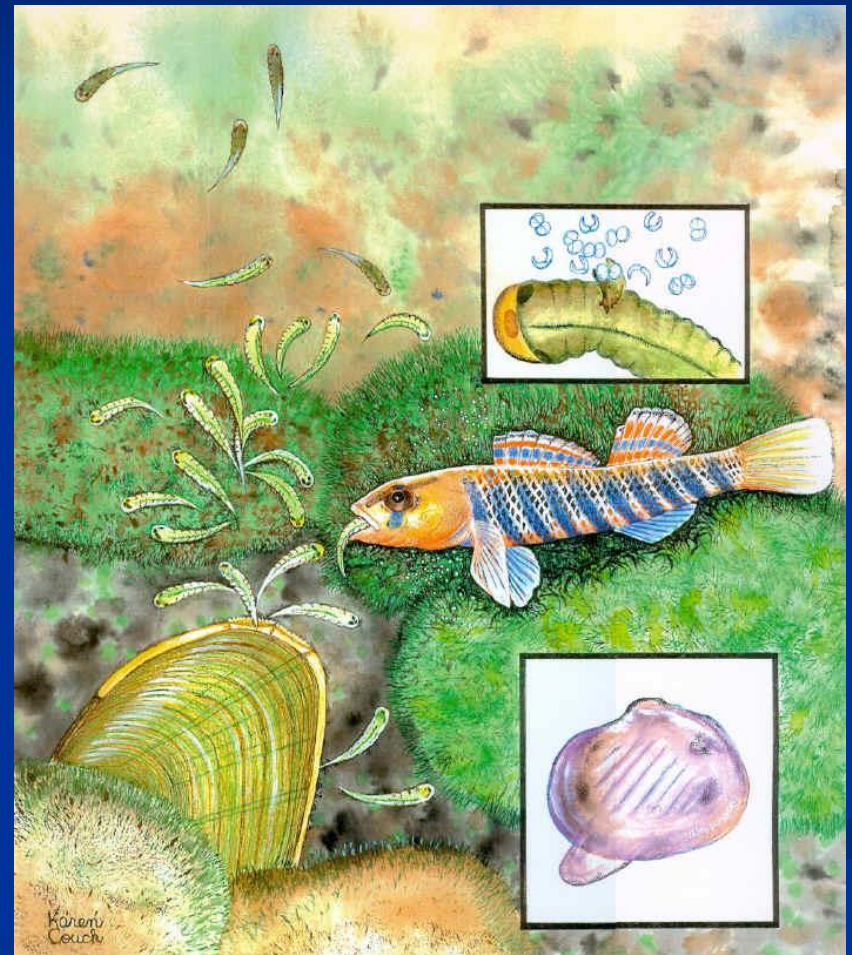
- Administratively-
 - Letter in narrative form that proposes a determination and seeks concurrence
 - Location
 - Scope of work
 - Determination (factors involved)
 - Mapping
 - Concurrence typically in 30 days

Freshwater Mussels



Freshwater Mussels

- Background
 - ~300 taxa in N. America
 - 78 species are federally listed, 21 extinct
 - 14 state listed species in Michigan
- Parasitic larval phase



Freshwater Mussels

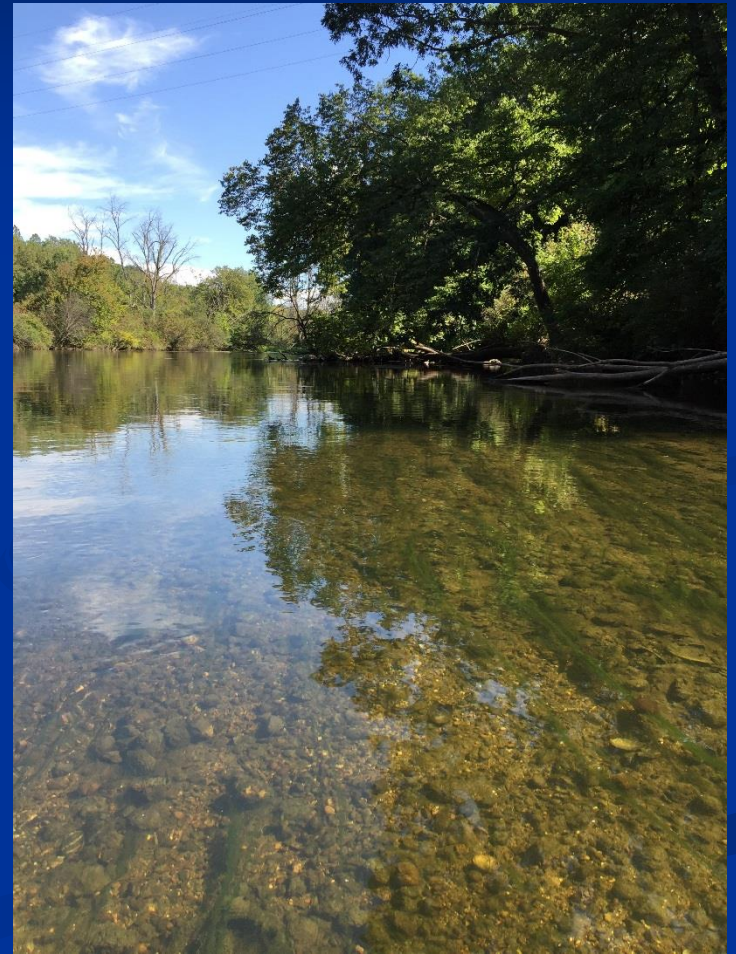
- Federally listed species found in MI:
 - Snuffbox, Clubshell, Rayed Bean, Northern Riffleshell
 - Gratiot, Ionia, Kent, Livingston, Oakland, St. Clair, Washtenaw, Oakland, St. Clair, Monroe, Sanilac, Wayne, Hillsdale
- State listed species
 - Widespread

Freshwater Mussels (Planning)

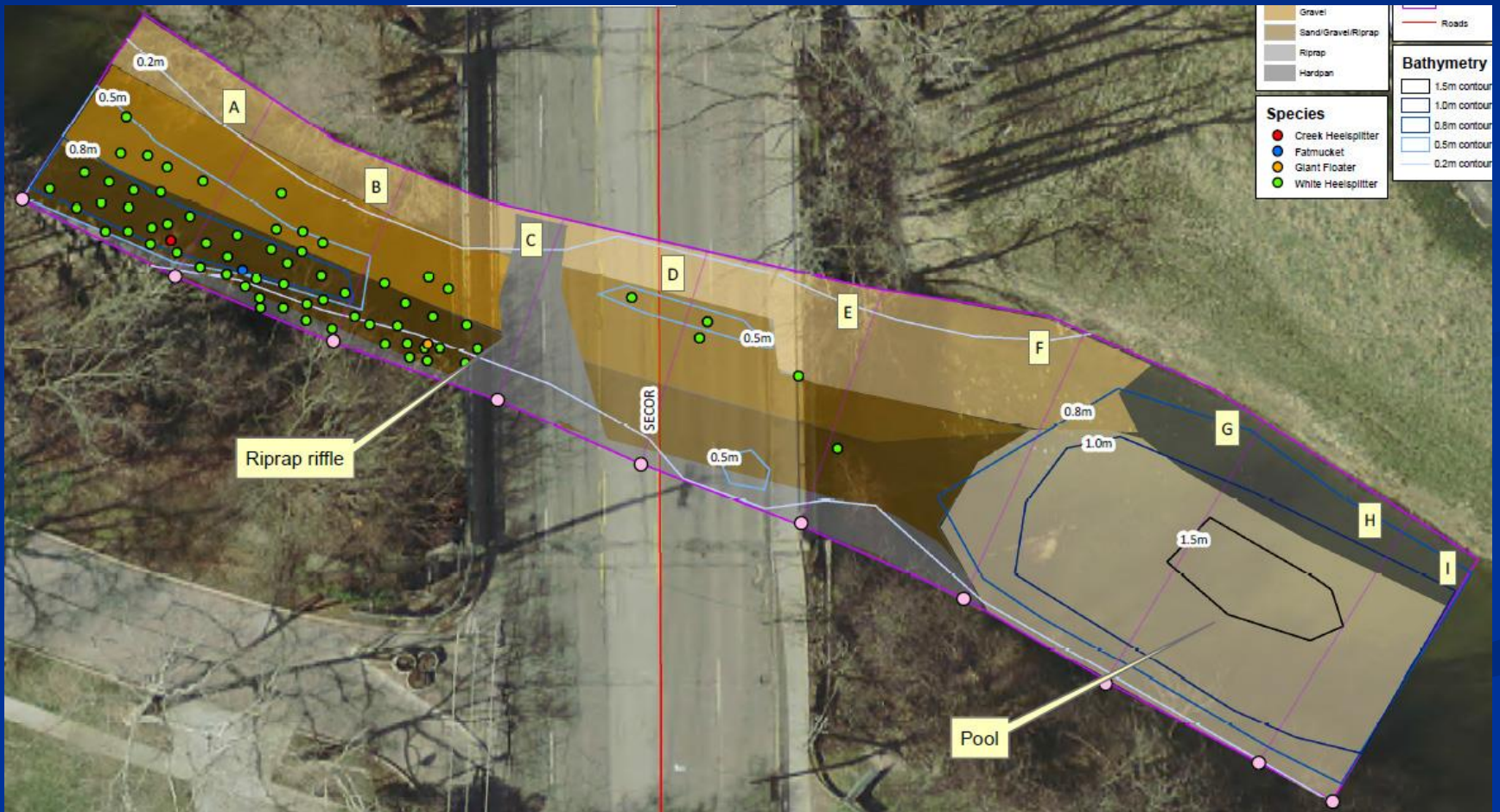
- State of Michigan will soon (maybe) be releasing a new protocol
- Section 7 and federally listed mussels
- State listed mussels
- Coordinate, consult, and/or permit prior to letting

Freshwater Mussels (Planning)

- Guidance for PMs
 - Jun 1 – Oct 15
 - Weather
 - Consultants require sampling permits
 - Results good for 5 years
 - Communication



Freshwater Mussels (Planning)



Freshwater Mussels (Planning)

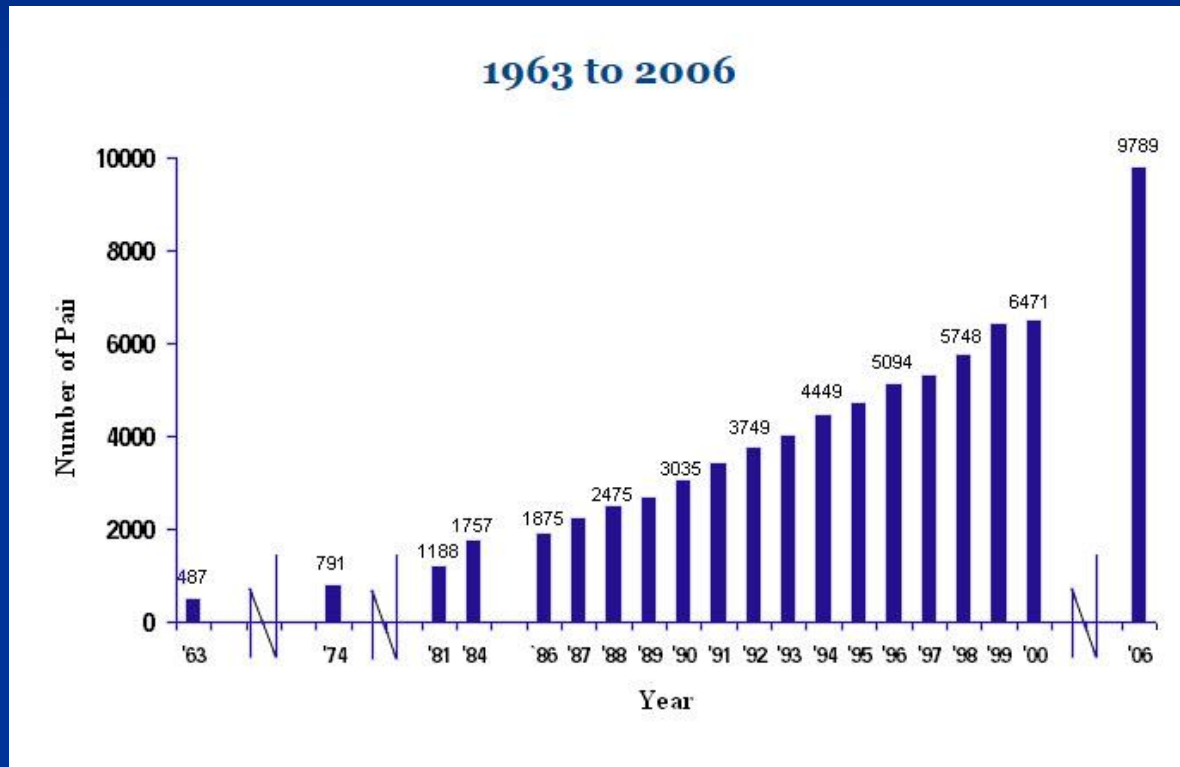
- When do I need a survey/relocation?
 - Where impacts to state/federally listed species might be expected
 - Where hydrology lends itself to support mussel populations (10 mi²)
 - Where there is suitable habitat
 - Where records of listed species are nearby
 - Feedback from FWS or MDNR

Bald Eagles

- Background
 - Originally listed under ES preservation act 1966
 - Down-listed to threatened in 1995
 - Removed from ESA in 2007
 - Still protected under the Bald and Golden Eagle Protection Act



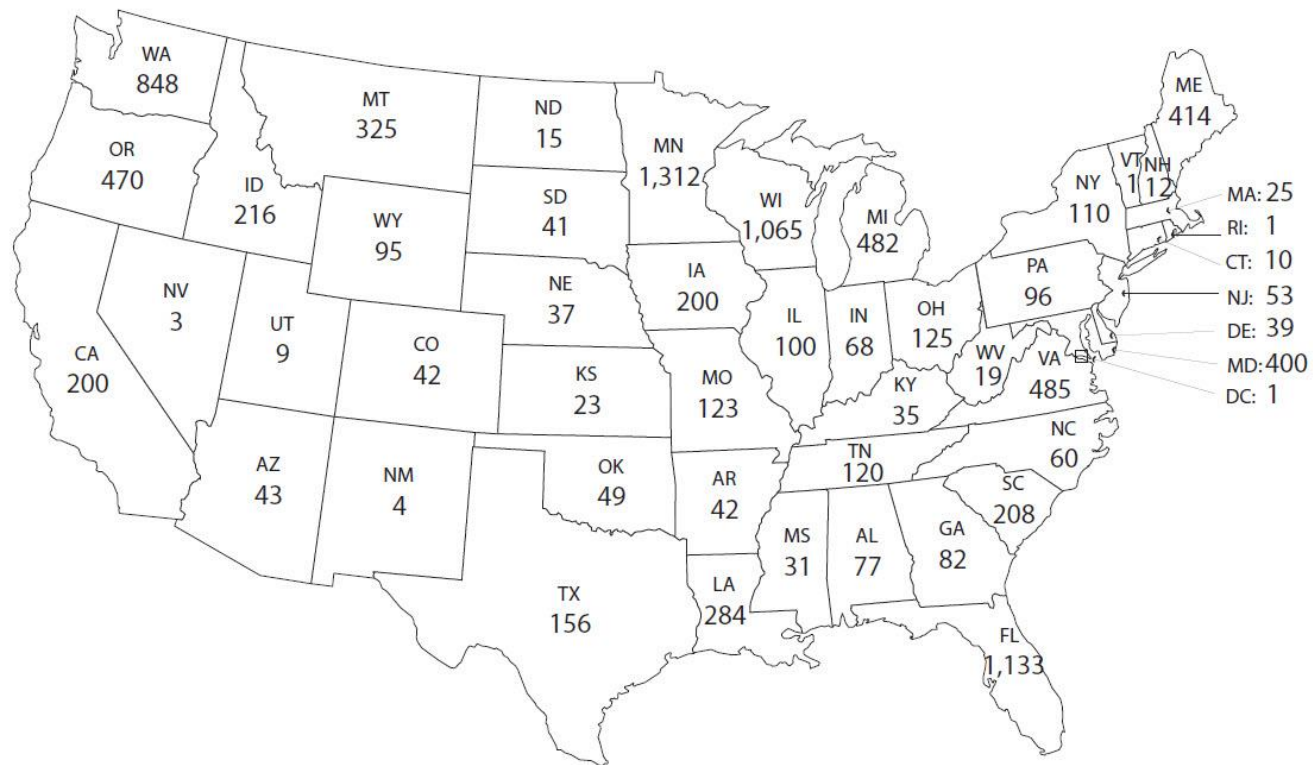
Bald Eagles



Bald Eagles

U.S. Fish & Wildlife Service

*Estimated Number of Bald Eagle Breeding Pairs (by State)**



Bald Eagles

- Regulations
 - The Act restricts disturbing nests during reproductive periods (includes noise)
 - Varies on location (Feb – Sep)
 - 330', 660' rule
 - Permitting process
 - Consultation w/ FWS

Questions

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