



## NEW LOCAL ROAD AGENCY GUIDANCE

# Threatened rattlesnake species may affect road work and maintenance

Local road agencies must follow new guidelines when working in Eastern Massasauga Rattlesnake (EMR) habitat. Guidelines vary based on Tier 1 or Tier 2 habitat or Within the Known Range. These habitat locations are being defined by USFWS, and can be viewed at [ecos.fws.gov/ipac](https://ecos.fws.gov/ipac).

### Impact assessment

Whether Tier 1, Tier 2 or Within the Known Range, a local agency must identify whether a project site will impact EMR. Work in impacted areas *will not affect* the EMR when:

- There is no suitable EMR habitat in the project area and no potential impact off-site;
- The site is regularly-mowed grass (to a height of 6 inches or less), row crops, a graveled lot or within an existing building site or industrial site; or
- If a survey has been conducted by a qualified biologist in Tier 2 confirming absence. Contact USFWS for projects in Tier 1 and for survey guidance at (517)351-2555.



Eastern Massasauga Rattlesnake (EMR)

Even if there is a *potential* for impact at a work site, depending on the habitat, work may still not impact the EMR based on the information listed under Tier 1 Habitat, Tier 2 Habitat and Within the Known Range.

### Tier 1 Habitat

Work in Tier 1 habitat areas is considered to *not affect* EMR when:

- ▶ It will not make *any* changes to the habitat including hydrology vegetation maintenance;
- ▶ EMR will not be affected by the proposed changes; and
- ▶ Work will follow all "**General Best Management Practices**" (GBMP), detailed at [tinyurl.com/EMRGuidance](https://tinyurl.com/EMRGuidance).

If work will not affect EMR, no further action is required, but the process for this determination should be documented.

**If work is likely to affect EMR**, contact USFWS to determine next steps at (517)351-2555, or at [eastlansing@fws.gov](mailto:eastlansing@fws.gov).

### Tier 2 Habitat

Work in Tier 2 habitat areas is considered to *not affect* EMR when:

- ▶ It impacts 1 acre or less of wetland or hydrology, and follows all applicable "**Activity-Specific Best Management Practices**," and
- ▶ Work will be performed following all GBMP.

If no federal funds are used and work will not affect EMR, no further action is required, but the process for this determination should be documented.

If federal funds or permits are involved and projects may affect or will affect EMR, consultation with USFWS is required.

**If work is likely to impact EMR**, contact USFWS to determine next steps at (517)351-2555, or at [eastlansing@fws.gov](mailto:eastlansing@fws.gov).

### Within the Known Range

Work Within the Known Range of EMR throughout the lower peninsular is considered to *not affect* the EMR when:

- Work uses all GBMPs; and
- Requires filling less than 1 acre of wetland or converting less than 20 acres of uplands.

If GBMPs are followed, the process should be documented. Otherwise, contact USFWS to determine next steps.

More information on the EMR is at [tinyurl.com/EMRGuidance](https://tinyurl.com/EMRGuidance)

### For more information contact:

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