MICHIGAN

DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

FOR

**EASTERN FOX SNAKE**

ENV:KLA 1 of 2 APPR:JDG:DWS:11-17-23

**a. Description.** Contractors are advised that a known population of Eastern Fox Snake is nearby or within the project area. This state threatened species is protected under Michigan’s Endangered Species Act ,1994 PA 451 Michigan Natural Resources and Environmental Protection Act, Part 365 Endangered Species Protection. This special provision addresses education, notification, and intentional take prohibitions to protect the Eastern Fox Snake as required by Part 365 and the Michigan Department of Natural Resources.

**b. Materials.** None specified.

**c. Construction.** Adhere to the following requirements:

1. Prior to the start of construction, all Contractor staff working onsite must read and understand the attached fact sheet (2 of 2). The purpose of the fact sheet is to provide all Contractor staff with easy identification tips and raise awareness regarding its required protection and legal status.

2. Immediately report any possible Eastern Fox Snake sightings to the Engineer who will relay this information to MDOT’s Wildlife Ecologist. Photo documentation of the snake is highly encouraged to help correctly identify the species later.

3. Intentional “take” of Eastern Fox Snake is prohibited. Under Part 365 “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.

**d. Measurement and Payment.** All costs associated with complying with this special provision will not be paid for separately but will be considered to have been included in other pay items in the contract.

