

This Section shall be amended as follows:

5.23.3 Rare Species Habitats

Rare, threatened, endangered and species of special concern can be found on the City's Natural Areas, higher quality native forest fragment Woodlands, especially on Wetlands, Floodplains, and near Water courses. When Rare Species are found on a Site, careful assessment must be made of the species, and of the area which is its habitat. These organisms may be intolerant of changes in their habitat, even if the organism is not directly disturbed. Earth Changes and Grading can be troublesome if they cause Hydrological Change on a Site. Those changes can occur some distance from the Habitat.

A. Identification

Within Ann Arbor, the areas likely to contain Rare Species are sandy, wet bottom lands and Wetlands along the Huron River, along its tributaries, and in the many small pocket Wetlands in native forest fragments. These areas can be small. Rare and unusual endangered species (of ferns, bryophytes, orchids, grasses, etc.) may also be found on disturbed ground, including along shorelines and streambanks, flooded areas, old, farmed fields, Borrow Pits, eroding slopes, burned areas, embankments along railroads and roads, in cemeteries, old settlement areas and farmsteads.

Grasslands, old fields, prairies, and meadows can provide habitat for rare birds, bees, butterflies, and other species. Areas that may be undergoing ecosystem restoration or native plantings can also attract Rare Species.

The current list of these species for Washtenaw County can be found on the Michigan Natural Features Inventory website: <https://mnfi.anr.msu.edu/resources/county-element-data>

B. Protection Priorities

The protection of endangered species and their habitats are regulated by the State of Michigan Department of Natural Resources (MDNR), in cooperation with the US Fish and Wildlife Service (FWS) and the [Michigan Natural Features Inventory](#) (MNFI). The City will work in coordination with these agencies to identify the best protection approach, based on the specific characteristics of the species habitats involved. In general, these species and their habitats must be excluded from Development and protected from the impact of Development.

C. Protection Measures

1. The City will make certain that the stipulations of the State issued permit protection measures are undertaken, and are observed throughout construction activity.
2. Barrier Fencing shall be installed around all Rare Species Habitats prior to the commencement of Grading or Earth Changes on a Site, in accordance with an approved Site Plan or Grading permit. Barrier Fencing around Rare Species Habitats shall remain in place in good condition until authorized to be removed by the Site Management Official. No filling, excavating or storage of materials, Debris, or equipment shall take place within the fenced area. Earth Changes on a Site must not occur within or cause Hydraulic

changes within a Rare Species Habitat. It shall be the responsibility of the Site Development Official to monitor work on the Site to make certain permit protection requirements are met.

D. Mitigation

Rare Species Habitats shall be mitigated in accordance with an MDNR and FWS issued permit. Disturbed areas to be reestablished shall be planted with species native to Michigan and characteristic of the plant communities of the habitat before disturbance. The density and coverage of vegetation in the Restored area (except trees) shall be such that it will approximate the density before disturbance, within three years of planting. It is very important not to intrude into or disturb Rare Species Habitats.