

DRAFT ENVIRONMENTAL ASSESSMENT (EA)

**Proposed Divestiture of the 5.25 acre Minnesota Department of Natural
Resources Ortonville Area Fisheries Headquarters AMA, Big Stone County, MN**

Submitted to:

United States Department of Interior
Fish and Wildlife Service Region 3
Wildlife and Sport Fish Restoration Program

October 31, 2017

Prepared by:

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PROJECT DESCRIPTION

In 1981, the Minnesota Department of Natural Resources (DNR) acquired the 5.25 acre parcel and office building to be used as the Ortonville Area Fisheries Headquarters. The acquisition was funded through a federal grant of Dingell – Johnson Sport Fish Restoration Program funds, grant F-2-L-42. In 1997 Ortonville Area Fisheries Headquarters was relocated to another site in the community due to flooding. The building was used for storage but due to mold infestation it deemed unsafe and was demolished in 2014. Since that time the property has sat vacant and does not serve any purpose. The DNR has determined that the costs of retaining the parcel outweighs its contribution to the DNR’s mission. As such we are seeking the approval to divest the federal interest from this unit and sell the property to a willing buyer. Revenue from the sale would be deposited into the DNR’s Fish and Wildlife Division land acquisition account for purchase of other high priority parcels for inclusion in the DNR’s Aquatic Management Area system.

Minnesota DNR records show that the parcel proposed for divestiture (Big Stone County, Ortonville Township, T121, R46, section 14, (NW ¼ NW ¼) was purchased in 1981 for \$44,700.00 from Boyd Anderson and Gayle Anderson. The surface and mineral rights to the parcel were acquired with Dingell – Johnson Sport Fish Restoration funds through Minnesota grant F-2-L, segment 42. The current ownership is listed at 5.25 acres.

1. Purpose and Need

1.1. Purpose

The proposed action is to divest 5.25 acres of land located in Big Stone County Minnesota. This land was acquired by the DNR with Dingell – Johnson Sport Fish Restoration funds. Divestiture of this land would allow resources to be redirected and focused on areas that are more likely to provide high quality aquatic habitat and recreational opportunities.

1.2. Need

In 2004, the DNR began implementation of a land consolidation strategy. Through this strategy, all dedicated project boundaries were reevaluated and updated. Parcels that fell outside of the updated boundaries were then reviewed to determine whether they contributed sufficiently to the DNR’s conservation and outdoor recreation mission. Through this process, the parcel proposed for disposal was determined by DNR staff to be surplus to the mission of the DNR. The main reason that this parcel was identified as surplus is because its purpose was to provide an office location that is no longer needed. The small size (5.25 acres) of the site makes it undesirable as a public recreational site. Future opportunities for connecting land acquisitions are unlikely. The costs associated with managing this isolated parcel have been determined to outweigh the conservation and outdoor recreation values that the land provides.

Because these parcels were acquired with federal funds, disposal of the property must comply with federal regulations associated with the source of federal funds. Federal regulation 50 CFR 80.137, states:

Sec. 80.137 What if real property is no longer useful or needed for its original purpose?

If the director of the State fish and wildlife agency and the Regional Director jointly decide that grant-funded real property is no longer useful or needed for its original purpose under the grant, the director of the agency must:

- (a) Propose another eligible purpose for the real property under the grant program and ask the Regional Director to approve this proposed purpose, or
- (b) Request disposition instructions for the real property under the process described at 43 CFR 12.71, "Administrative and Audit Requirements and Cost Principles for Assistance Programs."

1.3. Decisions that Need to be Made

Due to the use of federal funds through the Dingell-Johnson Sport Fish Restoration program (managed by the USFWS Wildlife and Sport Fish Restoration Program (WSFR)) to acquire the 5.25 acre parcel, approval by USFWS is required for divestiture of these parcels. This document serves to meet the USFWS's National Environmental Policy Act (NEPA) compliance requirements.

The U.S. Fish and Wildlife Service's Regional Director in Bloomington, Minnesota will select an alternative and will determine, based on the facts and recommendations contained in this document, whether this Environmental Assessment (EA) is adequate to support a Finding of No Significant Impact, or whether an Environmental Impact Statement (EIS) will need to be prepared.

2. Alternatives, Including the Proposed Action

This section describes and compares the alternatives considered for determining the status of the 5.25 acre property. Included are descriptions of the two alternatives considered: Alternative (A): divest the 5.25 acres as it does not meet the purposes for which it was acquired; Alternative (B): the no action alternative.

2.1. Alternatives Carried Forward for Detailed Analysis

2.1.1. Alternative A - Proposed Action

The proposed action would allow the DNR to divest 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of federal interest and remove the land from the DNR management system. Proceeds from the divestiture will be used for purchase of other high priority parcels for inclusion in the DNR's Aquatic Management Area system.

2.1.2. Alternative B - No Action:

The no action alternative would leave 5.25 acres in the Ortonville Area Fisheries Headquarters AMA which no longer serves the purpose for which it was acquired.

3. Affected Environment

3.1. Physical Characteristics

The 5.25 acre parcel, parcel ID 11-0072-000. The north boundary of the property has approximately 330 feet of frontage on US Highway 12. This rectangular property extends roughly 680 feet south from the Highway adjoining. The portion of the property includes a wetland, and the eastern southern portions are upland prairie/gravel driveway. The property is bordered by wetland/prairie to the west and south, and cultivated cropland to the east (Figure 1).

3.2. Biological Environment

3.2.1. Habitat/vegetation

The cover is primarily brome grass on the upland and reed canary grass/narrowleaf cattail around the wetland. Some scattered trees are present including cottonwood, silver maple, Siberian elm, and red cedar (Figure 2-3).

3.2.2. Surrounding Area Vegetation

The surrounding vegetation is variable. The property to the west is very similar to the subject property with wetland, upland prairie and scattered trees. Cultivated cropland is present to the south and east. To the north is US Highway 12. Further north past the highway there is similar wetland property.

Figure 1. Geographic location of parcel proposed for divestiture.



Figure 2. Photo of proposed divestiture looking south from Highway 12.



Figure 3. Photo of proposed divestiture looking northwest from the southeast corner of the property.



3.2.3. *Listed, Proposed, and Candidate Species*

Federally Listed Species

The proposed divestiture is located in Big Stone County. According to the [USFWS's Minnesota County Distribution of Federally-Listed Threatened, Endangered, Proposed, and Proposed as Threatened Species list](#), only one federally listed species, northern long-eared bat (*Myotis septentrionalis*), has a range distribution in the county where the proposed land divestiture is located. While it is possible that the species is present on the property during the breeding season, it not expected that the proposed divestiture will result in adverse impacts to northern long-eared bat. Additionally, although the species' range distribution includes Big Stone County, there are no known roost trees or hibernacula in the County. The Phase I, Section 7 Evaluation is included as Attachment 1.

3.2.4. *Other Wildlife Species*

Game species likely to be present on the proposed divestiture parcel include raccoon, coyote, wild turkey, ringneck pheasant, white-tailed deer, and numerous species of waterfowl. Numerous additional species of wildlife, including grassland/wetland associated bird species likely use the property.

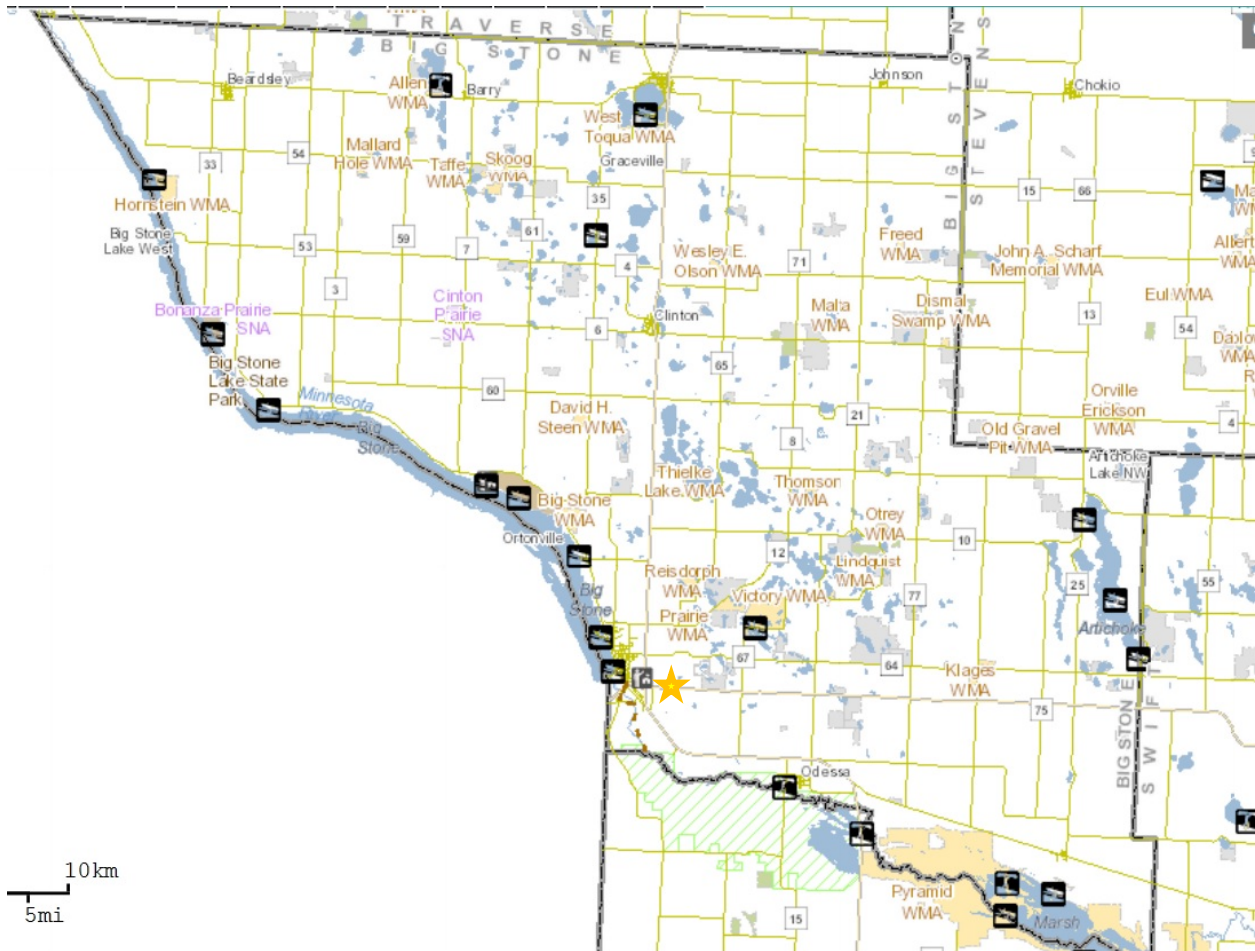
3.3. Land Use

Big Stone County is largely agricultural with a population density of 10 people/square mile. The county seat, Ortonville, (pop. 1,800) is the largest town in the county and is the nearest town, located only 1.5 miles west of the property (Figure 4).

3.4. Cultural/Paleontological Resources

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their actions on historic properties. There are no known historically significant structures present on the parcel proposed for divestiture, and no concerns resulted from the cultural review that occurred prior to this land being declared surplus. In compliance with the NHPA, the DNR requested a Section 106 review from The DNR State Historic Preservation Officer and received a written response that "no historic properties are affected within the area of potential effects of this undertaking" (Attachment 2).

Figure 4. Road map of Big Stone County, Minnesota.



★ Approximate location of proposed divestiture.

3.5. Local Socioeconomic Conditions

Minnesota has a population of 5,528,630 (2016 census). The economy of Minnesota was estimated at \$328 billion of gross domestic product in (2015). Median household income in Big Stone County is \$47,794. Percent of the population below poverty level in the county is 11.5%. Surrounding land cover is primarily agriculture interspersed with wetlands, rivers, wooded riparian areas, and small woodlots.

4. Environmental Consequences

4.1. Alternative A - Proposed Action:

Alternative A (Proposed Action) is to divest federal interest on 5.25 acres in the Ortonville Area Fisheries Headquarters AMA. The property would then be disposed of through sale, and the proceeds would be used to fund future Aquatic Management Area acquisitions within the DNR's land management system.

4.1.1. Habitat impacts

There is no current habitat management of this property. The action of divesting and disposing of the property in and of itself will create no adverse impact. If in the future the land is used for agriculture or development there could be a reduction in habitat availability.

4.1.2. Biological impacts

The action of divesting and disposing of the property in and of itself will create no impact. The surrounding area is primarily agricultural land. If in the future the land is used for agriculture or development there could be minor biological impacts.

4.1.3. Listed, proposed, and candidate Species

No listed, proposed, or candidate species are expected to be present on the property. Therefore, no adverse impacts are expected.

4.1.4. Cultural resources

The DNR requested a National Historic Preservation Act Section 106 review from the DNR Historic Preservation Officer and received a written response that "no historic properties are affected within the area of potential effects of this undertaking." Therefore, no impacts from the proposed action are expected.

4.1.5. Environmental justice

The proposed action is not likely to have an adverse effect on minorities or low income populations and communities. No other issues related to environmental justice are anticipated.

4.1.6. Cumulative impacts

Due to existing impacts of the surrounding agricultural land uses, the effects from any future projects in the area would have limited cumulative impact.

4.2. Alternative B - No Action:

4.2.1. Habitat impacts

The “No Action” alternative would result in no change in current habitat management of 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of the AMA system.

4.2.2. Biological impacts

The “No Action” alternative would result in no change in current habitat management of 5.25 acres in the Ortonville Area Fisheries Headquarters AMA, and therefore, no change in biological impacts.

4.2.3. Listed, proposed, and candidate species

The “No Action” alternative would result in no change in current habitat management of 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of the AMA system, and therefore, no change in impacts to listed, proposed, and candidate species.

4.2.4. Cultural resources

The “No Action” alternative would result in no change for 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of the AMA system.

4.2.5. Environmental justice

The “No Action” alternative would result in no change for 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of the AMA system.

4.2.6. Cumulative impacts

The “No Action” alternative would result in no change for 5.25 acres in the Ortonville Area Fisheries Headquarters AMA of the AMA system.

4.3. Summary of Environmental Consequences by Alternative

Attribute	Alternative A	Alternative B
Habitat impacts	In and of itself, divestiture will result in little change.	No change
Biological impacts	In and of itself, divestiture will result in little change.	No change
Listed species	Little or no change, as there are no known listed species present on the parcels proposed for divestiture.	No change
Cultural resources	No change	No change
Environmental justice	No Change	No change
Cumulative impacts	There are no expected impacts, given existing conditions in the surrounding land.	No change

5. List of Preparers

This draft document was prepared by:

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6. Public Comment

The Land Consolidation public review of the parcels proposed for divestiture generated no comments or concerns. The parcel was approved as DNR surplus in 2007, meaning it had gone out for normal public comment at that time with no opposition. In addition, the property was last listed for auction during July of 2000 and went through normal auction advertisement (e.g., newspaper listings, press releases, and online content) without opposition.

ATTACHMENTS

Attachment 1. Phase I, Section 7 Evaluation Form

Attachment 2. DNR Historic Preservation Officer Letter

REGION 3 FEDERAL ASSISTANCE SECTION 7 EVALUATION FORM

PHASE 1: COMPLETED BY STATE

(See Phase 1 Instructions for completing this form)

State: *Minnesota*
Restoration

Grantee: *Natural Resources*

Grant Program(s): *Sport Fish*

Grant Title and Number (add amendment no.): *Statewide Fisheries Land Acquisition F16AF00211 (F-2-L-65)-Ortonville Area Headquarters AMA - Minnesota Department of Natural Resources*

I. Location:

A. List counties where grant activities will occur: *Big Stone*

B. Describe the action area: *That part of the NWNW T121, R46, S14, Big Stone County. Said parcel contains 5.25 acres.*

II. Species/Critical Habitat:

A. Species Information

1. Using the FWS website (<http://www.fws.gov/midwest/Endangered/>), list any listed, candidate, or proposed species that may be present in the county(ies) listed in I.A.:

Northern long-eared bat (Myotis Septentrionalis)

2. Of the species listed above, list those that are not in the action area, and explain why:

None

- B. Critical Habitat Information. Using the FWS website, list any designated or proposed critical habitat that is present within the action area:

None

(NOTE: If II.A. and II.B. identify no species or critical habitat, skip to Section V.)

III. Description of Proposed Action: Describe the action(s) in sufficient detail so that the potential effects of the action can be identified and fully evaluated:

The Minnesota Department of Natural Resources is proposing the sale of the 5.25 acre former site of the Ortonville Area Fisheries Headquarters. The site is no longer serving its purpose as the Ortonville Headquarters has been relocated to another site in the community.

IV. Description of Effects: On the following pages describe the effects, including beneficial, of the project actions on any species (including those species' habitats) and/or critical habitats identified in II.A. and II.B. For species or habitats that may be affected by the proposed action, describe strategies that will avoid or minimize adverse effects.

V. Recommended Determination(s) of Effect(s): For all species and critical habitat identified in Section II, mark (X) the appropriate determination(s) on this and the following pages.

A. Listed, Proposed and Candidate Species

a) "No Effect"

On the following page, indicate those species for which this recommendation is applicable.

b) "May Affect, but is Not Likely to Adversely Affect"

On the following page, indicate those species for which this recommendation is applicable.

c) "May Affect, and is Likely to Adversely Affect"

On the following page, indicate those species for which this recommendation is applicable.

B. Designated and Proposed Critical Habitat

a) "No Effect" to Critical Habitat

On the following page, indicate those species for which this recommendation is applicable.

b) "May Affect, but is not likely to Adversely Affect"

On the following page, indicate those species for which this recommendation is applicable.

c) "May Affect, and is Likely to Adversely Affect"

On the following page, indicate those species for which this recommendation is applicable.

State Signatures:

Prepared by:

Name/Title Heather Kieweg, Federal Assistance Coordinator

Signature: Heather C. Kieweg Date: 2/24/17
Telephone No. 651-259-5214 email: heather.kieweg@state.mn.us

Reviewed by:

Name/Title: Richard Baker, Minnesota Endangered Species Coordinator

Signature: Richard A Baker Date: 2/24/17
Telephone No. 651-259-5073 email: richard.baker@state.mn.us

Summary of Minnesota's recommendations for Minnesota Grant # F16AF00211 Ortonville Area Headquarters AMA

<u>Species</u>	<u>Status*</u>	<u>Minnesota's Section 7 Recommendation**</u>
Northern Long-Eared Bat (<i>Myotis septentrionalis</i>)	T	May Affect, but is not likely to Adversely Affect

* E: endangered T: threatened CH: critical habitat designated CHP: critical habitat proposed C: candidate P: proposed for listing

** For each species on this page, and in associated the "Recommendation" section on the following pages, replace XXX with one of the following:
 No Effect May Affect, but is not likely to Adversely Affect May Affect, and is likely to Adversely Affect

***Myotis septentrionalis* - Northern Long-Eared Bat (T)**

The northern long-eared bat spends the winter hibernating primarily in tight crevices of caves and mines with constant temperatures and high humidity. During the summer, the species roosts singly or in colonies beneath bark, in cavities, and in crevices of both living and dead trees. Summer maternity colonies may be occupied from late May through late July, and may comprise as many as 60 or more females and young within a small area. Entry into winter hibernacula is preceded by a period of swarming in wooded areas outside of hibernacula entrances. During spring, summer, and fall, northern long-eared bats forage at night on flying or perching insects in the understory of forested hillsides and ridges. The northern long-eared bat is known from throughout Minnesota.

Recommendation: May Affect, but is not likely to Adversely Affect

Strategy: *This action is a sale of an AMA. There will be no landscape alterations as part of this action. No trees will be disturbed. The action area is in an area dominated by wetland, gravel driveway/parking area, and prairie. There are no known roost trees or hibernacula in Big Stone County. Therefore, the action may affect, but is unlikely to adversely affect Northern long-eared bat.*

STATE HISTORIC PRESERVATION OFFICE

October 31, 2016

Mike Magner
DNR Forestry/ Fish & Wildlife Archaeologist
DNR Forestry Resource Assessment Office
483 Peterson Road
Grand Rapids, MN 55744

RE: Divestiture of the DNR Area Headquarters AMA
T121 R46 S14 NW
Ortonville Twp., Big Stone County
SHPO Number: 2017-0126

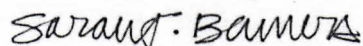
Dear Mr. Magner:

Thank you for the opportunity to comment on the above project. It has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800, and pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

We have reviewed the cultural resources survey report that was prepared for this project. Based on the results of the survey, we conclude that no historic properties listed in the State Register of Historic Places or listed in or eligible for the National Register of Historic Places will be affected by the proposed project.

Please contact our Compliance Section at (651) 259-3455 if you have any questions on our review of this project.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance