



Minnesota Department of Natural Resources

Division of Ecological and Water Resources, Box 25

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March 25, 2015

Correspondence # ERDB 20150230

Ms. Martha Minchak
MN DNR Duluth Area Fisheries
5351 North Shore Drive
Duluth, MN 55804

RE: Natural Heritage Review of the proposed Chambers Grove Restoration,
T48N R15W Section 7, St. Louis County

Dear Ms. Minchak,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, rare features have been documented within the search area (for details, see the enclosed database reports; please visit the Rare Species Guide at <http://www.dnr.state.mn.us/rsg/index.html> for more information on the biology, habitat use, and conservation measures of these rare species). Please note that the following **rare features may be adversely affected** by the proposed project:

Ecologically Significant Areas

- The proposed project is within an area that the Minnesota Biological Survey (MBS) has identified as a Site of High Biodiversity Significance. Sites of Biodiversity Significance have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Sites ranked as High contain very good quality occurrences of the rarest species, high quality examples of the rare native plant communities, and/or important functional landscapes. This particular Site is more than 2000 acres, but it does include the islands in the vicinity of the project where MBS identified the following rare native plant communities: Gravel/Cobble Beach (River), Estuary Marsh (Lake Superior), and Black Ash – Silver Maple Terrace Forest (see enclosed map).
- If the Wetland Conservation Act (WCA) is applicable to this project, please note that each of the native plant communities listed above may qualify as a “rare natural community” under this Act. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that modify a rare natural community must be denied if the local government unit determines that the proposed activities will permanently adversely affect the natural community. If you have any questions regarding this provision of the WCA, please contact Doug Norris, DNR Wetlands Program Coordinator, at 651-259-5125.

State-listed Species

- The following state-listed species of special concern have been documented in the St. Louis River in the vicinity of the proposed project: lake sturgeon (*Acipenser fulvescens*), eastern elliptio (*Elliptio complanata*), creek heelsplitter (*Lasmigona compressa*), and black sandshell (*Ligumia recta*). As all of these species are vulnerable to deterioration in water quality, especially increased siltation, it is important that effective erosion prevention and sediment control practices be implemented and maintained throughout the duration of this project.

Environmental Review and Permitting

- The Environmental Assessment Worksheet should address whether the proposed project has the potential to adversely affect the above rare features and, if so, it should identify specific measures that will be taken to avoid or minimize disturbance.
- Please include a copy of this letter in any DNR license or permit application.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. **If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.**

The enclosed results include an Index Report and a Detailed Report of records in the Rare Features Database, the main database of the NHIS. To control the release of specific location information, which might result in the destruction of a rare feature, both reports are copyrighted.

The Index Report provides rare feature locations only to the nearest section, and may be reprinted, unaltered, in an environmental review document (e.g., EAW or EIS), municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the index report for any other purpose, please contact me to request written permission. **The Detailed Report is for your personal use only as it may include specific location information that is considered nonpublic data under *Minnesota Statutes*, section 84.0872, subd. 2. If you wish to reprint or publish the Detailed Report for any purpose, please contact me to request written permission.**

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. To determine whether there are other natural resource concerns associated with the proposed project, please contact your DNR Regional Environmental Assessment Ecologist (contact information available at http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html). Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

Sincerely,



Lisa Joyal
Endangered Species Review Coordinator

enc. Rare Features Database: Index Report, Detailed Report, An Explanation of Fields Map

cc: Rian Reed, Kate Frantz

Links: MBS Sites of Biodiversity Significance
http://www.dnr.state.mn.us/eco/mcbs/biodiversity_guidelines.html
DNR Native Plant Communities
<http://www.dnr.state.mn.us/npc/index.html>

Minnesota Natural Heritage Information System
Index Report of records within 1 mile radius of:
Chamber Grove Restoration
T48N R15W Section 7
St. Louis County

Rare Features Database:

Element Name and Occurrence Number	Federal Status	MN Status	Draft Status	SGCN Status	State Rank	Global Rank	Last Obs Date	EO ID #
Vertebrate Animal								
<u>Acipenser fulvescens</u> (Lake Sturgeon) #223 T48N R15W S6; St. Louis County		SPC		SGCN	S3	G3G4	2011-06-17	36299
Invertebrate Animal								
<u>Lasmigona compressa</u> (Creek Heelsplitter) #239 T48N R15W S8, T49N R15W S36, T48N R15W S10, T48N R15W S9, T [...]; St. Louis County		SPC		SGCN	S3	G5	2000-08-01	33709
<u>Ligumia recta</u> (Black Sandshell) #422 T48N R16W S11, T48N R15W S6, T48N R15W S11; St. Louis, Carlton County		SPC		SGCN	S3	G4G5	2000-08-02	33868
Vascular Plant								
<u>Adoxa moschatellina</u> (Moschatel) #21 T49N R15W S30, T49N R15W S32, T49N R15W S31, T48N R15W S5, T [...]; St. Louis, Carlton County		N/A			S3	G5	1950-06-04	3336
<u>Adoxa moschatellina</u> (Moschatel) #143 T48N R15W S7; St. Louis County		N/A			S3	G5	2013-06-15	37083
<u>Calamagrostis lacustris</u> (Marsh Reedgrass) #3 T48N R15W S4, T48N R15W S8, T48N R15W S7, T48N R15W S5, T [...]; St. Louis County		SPC			S3	G3Q	1889	3888
<u>Carex ormostachya</u> (Necklace Spike Sedge) #15 T48N R15W S7; Carlton County		SPC			S3	G4	1996-07-31	9654
<u>Claytonia caroliniana</u> (Carolina Spring-beauty) #23 T49N R15W S30, T49N R15W S32, T49N R15W S31, T48N R15W S5, T [...]; St. Louis, Carlton County		N/A			S3	G5	1943-05-23	4238
<u>Claytonia caroliniana</u> (Carolina Spring-beauty) #24 T50N R15W S16, T50N R15W S17, T50N R15W S24, T50N R15W S23, T [...]; St. Louis, Carlton, Douglas County		N/A			S3	G5	1923-05-09	4239
<u>Pyrola minor</u> (Small Shinleaf) #24 T48N R15W S18, T48N R15W S7; Carlton County		SPC			S3	G5	2002-08-02	30883

Native Plant Community (This may not represent a complete list. Also see MCBS Native Plant Communities at <http://deli.dnr.state.mn.us>.)

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Rare Features Database:

Element Name and Occurrence Number	Federal Status	MN Status	Draft Status	SGCN Status	State Rank	Global Rank	Last Obs Date	EO ID #
Native Plant Community (This may not represent a complete list. Also see MCBS Native Plant Communities at http://deli.dnr.state.mn.us .)								
<u>White Pine - White Spruce - Paper Birch Forest Type</u> #1236 T48N R15W S7; Carlton County		(NPC Code: MHn44b)			N/A	S2	GNR	1996-07-31 9653

Records Printed = 11

Minnesota's endangered species law (*Minnesota Statutes*, section 84.0895) and associated rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the taking of threatened or endangered species without a permit. For plants, taking includes digging or destroying. For animals, taking includes pursuing, capturing, or killing.

An Explanation of Fields:

Element Name and Occurrence Number: The Element is the name of the rare feature. For plant and animal species records, this field holds the scientific name followed by the common name in parentheses; for all other elements it is solely the element name. Native plant community names correspond to Minnesota's Native Plant Community Classification (Version 2.0). The Occurrence Number, in combination with the Element Name, uniquely identifies each record.

Federal Status: The status of the species under the U.S. Endangered Species Act: LE = endangered; LT = threatened; LE,LT = listed endangered in part of its range, listed threatened in another part of its range; LT,PDL = listed threatened, proposed for delisting; C = candidate for listing. If null or 'No Status,' the species has no federal status.

MN Status: The legal status of the plant or animal species under the Minnesota Endangered Species Law: END = endangered; THR = threatened; SPC = special concern; NON = tracked, but no legal status. Native plant communities, geological features, and colonial waterbird nesting sites do not have any legal status under the Endangered Species Law and are represented by a N/A.

Draft Status: Proposed change to the legal status of the plant or animal species under the Minnesota Endangered Species Law: END = endangered; THR = threatened; SPC = special concern; Watchlist = tracked, but no legal status.

SGCN Status: SGCN = The species is a Species in Greatest Conservation Need as identified in Minnesota's State Wildlife Action Plan (<http://www.dnr.state.mn.us/cwcs/index.html>). This designation applies to animals only.

State Rank: Rank that best characterizes the relative rarity or endangerment of the taxon or plant community in Minnesota. The ranks do not represent a legal status. They are used by the Minnesota Department of Natural Resources to set priorities for research, inventory and conservation planning. The state ranks are updated as inventory information becomes available. S1 = Critically imperiled in Minnesota because of extreme rarity or because of some factor(s) making it especially vulnerable to extirpation from the state. S2 = Imperiled in Minnesota because of rarity or because of some factor(s) making it very vulnerable to extirpation from the state. S3 = Vulnerable in Minnesota either because rare or uncommon, or found in a restricted range, or because of other factors making it vulnerable to extirpation. S4 = Apparently secure in Minnesota, usually widespread. S5 = Demonstrably secure in Minnesota, essentially ineradicable under present conditions. SH = Of historical occurrence in the state, perhaps having not been verified in the past 20 years, but suspected to be still extant. An element would become SH without the 20-year delay if the only known occurrences in the state were destroyed or if it had been extensively and unsuccessfully looked for. SNR = Rank not yet assessed. SU = Unable to rank. SX = Presumed extinct in Minnesota. SNA = Rank not applicable. S#S# = Range Rank: a numeric range rank (e.g., S2S3) is used to indicate the range of uncertainty about the exact status of the element. S#B, S#N = Used only for migratory animals, whereby B refers to the breeding population of the element in Minnesota and N refers to the non-breeding population of the element in Minnesota.

Global Rank: The global (i.e., range-wide) assessment of the relative rarity or imperilment of the species or community. Ranges from G1 (critically imperiled due to extreme rarity on a world-wide

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basis) to G5 (demonstrably secure, though perhaps rare in parts of its range). Global ranks are determined by NatureServe, an international network of natural heritage programs and conservation data centers.

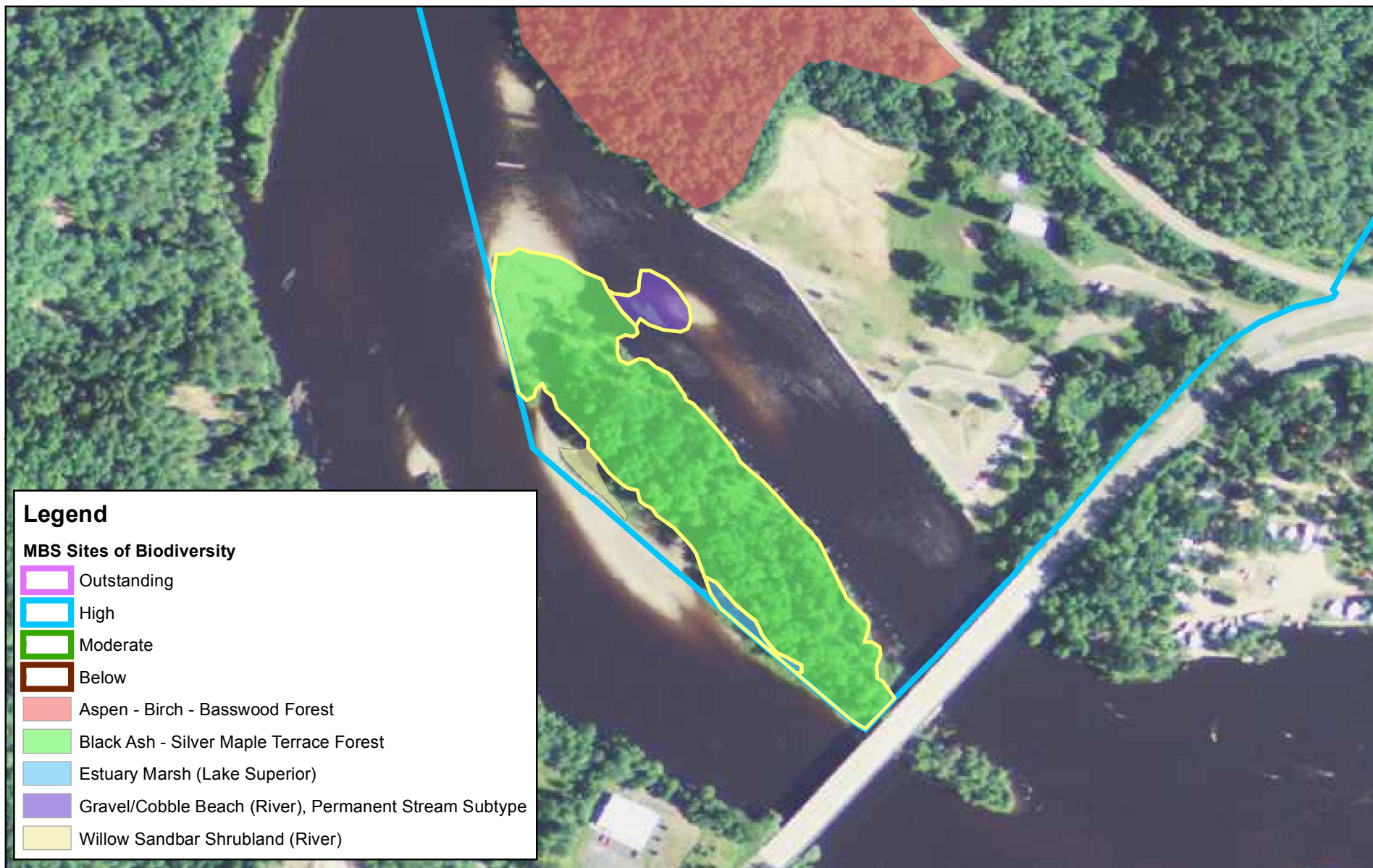
Last Observed Date: Date that the Element Occurrence was last observed to be extant at the site in format YYYY-MM-DD.

EO ID #: Unique identifier for each Element Occurrence record.

Element Occurrence: An area of land and/or water in which an Element (i.e., a rare species or community) is, or was, present, and which has practical conservation value for the Element as evidenced by potential continued (or historical) presence and/or regular recurrence at a given location. Specifications for each species determine whether multiple observations should be considered 1 Element Occurrence or 2, based on minimum separation distance and barriers to movement.

Chamber's Grove Restoration

GIS data of MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be downloaded from the MN Geospatial Commons at <https://gisdata.mn.gov/>.



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Natural Heritage Information System (NHIS) Data provided by the DNR Division of Ecological and Water Resources current as of 3/25/2015. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present.

