

# Attachment A - Natural Heritage Information System Query Response



## Minnesota Department of Natural Resources

Division of Ecological and Water Resources, Box 25

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January 16, 2015

Correspondence # ERDB 20150013-0005

Ms. Alicia Dowdy  
Wenck Associates, Inc.  
PO Box 249  
Maple Plain, MN 55359

RE: Natural Heritage Review of the proposed Canisteo Mine Pit Temporary Dewatering;  
T56N R24W Sections 21, 28, 32, & 33 and T55N R24W Sections 4, 9 & 22; Itasca County

Dear Ms. Dowdy,

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:

- When last surveyed in 2005, there were three active bald eagle (*Haliaeetus leucocephalus*) nests along the shores of Trout Lake. Although bald eagles are no longer a state-listed species, they are federally protected under the Migratory Bird Treaty Act and under the Bald and Golden Eagle Protection Act. Both acts prohibit killing, selling, or otherwise harming eagles, their nests, or eggs. If there will be any tree removal associated with the proposed project, the trees should be inspected for nests prior to being cut down. The USFWS does issue permits for unintentional disturbance and for the taking of a tree. Please visit the USFWS website at <http://www.fws.gov/midwest/eagle/> for more information regarding conservation measures, management guidelines, and permitting.
- The creek heelsplitter (*Lasmigona compressa*) and black sandshell (*Ligumia recta*), both state-listed mussels of special concern, have been documented in the Swan River. Potential effects include destruction due to riverbed disturbance, changes in water flow, and changes in water quality, including siltation.
- There are no known occurrences of rare plants in the vicinity of the proposed primary route.
- Tubercled rein-orchid (*Platanthera flava* var. *herbiola*) and Case's ladies' tresses (*Spiranthes casei* var. *casei*), both state-listed threatened plants, have been documented in taconite tailings basins more than ¾ mile distant from the proposed alternate route. Typical habitat for the tubercled rein-orchid includes wet prairies and meadows, or sandy or peaty habitats along the edges of marshes, swamps, or lakeshores. In Minnesota, Case's ladies' tresses have only been documented in tailings basins. Outside of Minnesota, this species is found in various habitats such as rocky hills, outcrops, meadows, pine barrens, and open woodlands. The EAW should assess whether there is any suitable habitat for these species within the proposed project footprint. If so, a botanical survey may be requested.

- Prairie moonwort (*Botrychium campestre*), St. Lawrence grapefern (*Botrychium rugulosum*), and least moonwort (*Botrychium simplex*), all state-listed plants of special concern (see enclosed report) have also been documented in the vicinity of the proposed alternate route. If suitable habitat (see DNR Rare Species Guide) exists within the project footprint, these species may also occur within the footprint. Although state-listed species of special concern are not protected under the state endangered species law, they are important rare resources meriting consideration.
- 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 any measures that will be implemented 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](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. An invoice will be mailed to you under separate cover.

Sincerely,



Lisa Joyal  
Endangered Species Review Coordinator

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

cc: Rian Reed, Bruce Carlson, Cynthia Warzecha