



## Minnesota Department of Natural Resources

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November 4, 2010

**Correspondence # ERDB 20030179-0003**

Diane Anderson  
MN DNR Parks and Trails Division  
500 Lafayette Road  
St. Paul, MN 55155

RE: Natural Heritage information in the vicinity of the proposed Matthew Lourey Trail – ATV/OHM Designation; Pine and Carlton Counties

Dear Ms. Anderson,

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 trail designation. Based on this query, rare species have been documented within the search area (for details, see the enclosed database reports; please visit the DNR 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). Item 11b of the EAW should discuss whether the following species have the potential to be negatively impacted by the proposed trail designation and, if so, any mitigation measures that will be implemented:

### Birds

- Three state-listed birds of special concern have been documented within the search radius. Bald eagles (*Haliaeetus leucocephalus*) have been documented nesting in the area, but there are no known occurrences of nests within a ¼ mile of the existing trail. Although there are no known nests near the trail, both bald eagles and red-shouldered hawks (*Buteo lineatus*) have the potential to nest near the trail and could be impacted if increased vehicle traffic causes disturbance or abandonment during the nesting season. If there will be any tree removal associated with the designation or maintenance of the trail, the trees should be inspected for nests prior to being cut down.

Bald eagles 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. More information regarding bald eagles and their legal protection can be found at the following USFWS website: <http://www.fws.gov/midwest/eagle/index.html>. USFWS Guidelines to Avoid Disturbing Bald Eagles are found at <http://www.fws.gov/midwest/eagle/guidelines/index.html>. The USFWS does issue permits for unintentional disturbance and for the taking of a tree. For more information regarding this permitting process, please contact Margaret Rheude at 612-725-3548 ext. 2202 or [Margaret\\_Rheude@fws.gov](mailto:Margaret_Rheude@fws.gov).

### Reptiles and Amphibians

- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, and four-toed salamanders (*Hemidactylium scutatum*), a state-listed species of special concern, have been reported in the vicinity of the existing trail and may be encountered on the trail. Maintenance crews and trail

monitors should be aware of this possibility and should know that state law and rules prohibit the destruction of threatened or endangered species, except under certain prescribed conditions. If turtles or salamanders are in imminent danger they should be moved by hand out of harm's way, otherwise they should be left undisturbed.

Potential impacts to these species include collision fatalities and habitat degradation. The turtles may be found on land from March to November, but overland movements peak in June and July and again in September and October. Salamanders are most active during spring and fall months. Although salamander movements often occur at night, they may also move through the forest floor on rainy days. If portions of the trail become "hotspots" for fatalities, temporary trail closures during peak movements may be warranted. Habitat degradation can occur through surface run-off to wetlands and streams. Effective erosion prevention and sediment control practices, and the avoidance of herbicides for trail maintenance, will help to minimize this impact. For additional recommendations that may be applicable, please see the enclosed Blanding's Turtle Fact Sheet and the enclosed Forest Management Guidelines for the Protection of Four-toed and Spotted Salamander Populations. Although the Forest Management Guidelines were written for DNR Forestry staff, they include recommendations that pertain to ATV trail placement and maintenance.

### Mussels

- The mucket (*Actinonaias ligamentina*) and the elktoe (*Alasmidonta marginata*), both state-listed threatened mussels, have been documented in the Lower Tamarack River at the existing crossing. Mussels are particularly vulnerable to deterioration in water quality, especially increased siltation. As such, any measures taken to implement effective erosion prevention and sediment control practices at this crossing will help to minimize disturbance to mussels. Please contact me if plans change and there will be any disturbance to the riverbed, as a mussel survey will likely be required.

### Plants

- Several state-listed plants, including blunt-lobed grapefern (*Botrychium oneidense*), a state-listed endangered plant, and triangle moonwort (*Botrychium lanceolatum*), a state-listed threatened plant, have been documented within the search radius; however, with the exception noted below, there are no known occurrences of rare plants in the immediate vicinity of the existing trail. Given that this is an existing trail, impacts to state-listed plants are not anticipated.

In 1993, triangle moonwort was documented adjacent to the existing trail in a second growth sugar maple stand. Please contact me if there will be any trail widening or other ground disturbance outside of the existing trail in the NW ¼ SW ¼ of T42N R17W Section 22, as a botanical survey may be required.

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.

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

Sincerely,

A handwritten signature in black ink that reads "Lisa Joyal". The signature is written in a cursive, flowing style.

Lisa Joyal  
Natural Heritage Review Coordinator

enc.    Index and Detailed Database Reports  
          Explanation of Fields  
          Blanding's Turtle Fact Sheet and Flyer  
          Forest Management Guidelines for Salamanders

Minnesota Natural Heritage Information System  
Index Report of records within 1 mile radius of:  
ERDB #20030179-0003 - Matthew Lourey Trail-ATV/OHM  
Multiple TRS  
Pine County

Rare Features Database:

Element Name and Occurrence Number	Federal Status	MN Status	State Rank	Global Rank	Last Observed Date	EO ID #
<b>Vertebrate Animal</b>						
<u>Buteo lineatus</u> (Red-shouldered Hawk) #430 T42N R17W S23; Pine County		SPC	S3B,SNRN	G5	2000-06-05	27003
<u>Emydoidea blandingii</u> (Blanding's Turtle) #230 T42N R17W S17, T42N R17W S21, T42N R17W S20, T42N R17W S16; Pine County		THR	S2	G4	2001-06-19	7398
<u>Emydoidea blandingii</u> (Blanding's Turtle) #992 T42N R17W S36, T41N R17W S2, T41N R17W S1, T42N R17W S35; Pine County		THR	S2	G4	2001-06-15	29050
<u>Haliaeetus leucocephalus</u> (Bald Eagle) #115 T42N R17W S36, T42N R17W S25, T42N R17W S35; Pine County		SPC	S3B,S3N	G5	2005-03-28	2080
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #14 T42N R17W S22, T42N R17W S26, T42N R17W S23, T42N R17W S27; Pine County		SPC	S3	G5	2005-06-04	26250
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #18 T44N R16W S18, T44N R17W S13; Pine County		SPC	S3	G5	2000-06-06	27848
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #19 T44N R16W S19, T44N R16W S17, T44N R16W S20, T44N R16W S18; Pine County		SPC	S3	G5	2000-06-06	27861
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #21 T44N R16W S8, T44N R16W S5; Pine County		SPC	S3	G5	2000-06-06	27863
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #62 T45N R16W S10, T45N R16W S3, T45N R16W S8, T45N R16W S4; Pine County		SPC	S3	G5	2005-05-10	32767
<u>Hemidactylium scutatum</u> (Four-toed Salamander) #63 T44N R16W S32, T43N R16W S6; Pine County		SPC	S3	G5	2005-05-11	32887
<u>Ichthyomyzon gagei</u> (Southern Brook Lamprey) #7 T42N R17W S36, T41N R16W S18, T42N R17W S25; Pine County		SPC	S3	G5	1993-10-23	6361
<u>Seiurus motacilla</u> (Louisiana Waterthrush) #110 T42N R17W S34, T42N R17W S33, T42N R17W S27, T42N R17W S28; Pine County		SPC	S3B	G5	2000-05-02	26945

**Invertebrate Animal**

Printed October 2010  
Data valid for one year

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Pine County

**Rare Features Database:**

Element Name and Occurrence Number	Federal Status	MN Status	State Rank	Global Rank	Last Observed Date	EO ID #
<b>Invertebrate Animal</b>						
<u>Actinonaias ligamentina</u> (Mucket) #250 T42N R17W S26, T42N R16W S32, T42N R16W S30, T42N R17W S25, T [...]; Pine County		THR	S2	G5	2000-06-15	31777
<u>Alasmidonta marginata</u> (Elktoe) #121 T42N R17W S36, T42N R17W S26, T42N R17W S25, T42N R17W S27; Pine County		THR	S2	G4	2000-06-15	31520
<u>Lasmigona costata</u> (Fluted-shell) #188 T42N R17W S36, T42N R17W S21, T43N R17W S32, T42N R17W S17, T [...]; Pine County		SPC	S3	G5	2000-06-15	33623
<b>Animal Assemblage</b>						
<u>Colonial Waterbird Nesting Area</u> (Colonial Waterbird Nesting Site) #767 T44N R17W S23, T44N R17W S13, T44N R17W S24, T44N R17W S14; Pine County		N/A	SNR	GNR	1990-05-03	10926
<u>Colonial Waterbird Nesting Area</u> (Colonial Waterbird Nesting Site) #965 T42N R17W S35, T42N R17W S27, T42N R17W S26, T42N R17W S34; Pine County		N/A	SNR	GNR	1996	6568
<b>Vascular Plant</b>						
<u>Botrychium lanceolatum</u> (Triangle Moonwort) #7 T45N R16W S30; Pine County		THR	S2	G5	1993-07-23	17589
<u>Botrychium lanceolatum</u> (Triangle Moonwort) #11 T44N R17W S13; Pine County		THR	S2	G5	1993-09-15	17537
<u>Botrychium lanceolatum</u> (Triangle Moonwort) #12 T42N R17W S22; Pine County		THR	S2	G5	1993-07-15	17889
<u>Botrychium lanceolatum</u> (Triangle Moonwort) #32 T44N R17W S35; Pine County		THR	S2	G5	1996-08-28	9642
<u>Botrychium lanceolatum</u> (Triangle Moonwort) #61 T43N R16W S6; Pine County		THR	S2	G5	1998-09-02	23831
<u>Botrychium oneidense</u> (Blunt-lobed Grapefern) #18 T44N R17W S35; Pine County		END	S1	G4Q	1996-08-28	9641
<u>Botrychium simplex</u> (Least Moonwort) #6 T44N R17W S1, T44N R17W S11, T44N R17W S12; Pine County		SPC	S3	G5	1993-07-19	6168

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<b>Vascular Plant</b>						
<u>Botrychium simplex</u> (Least Moonwort) #19 T44N R16W S18, T44N R17W S13, T44N R17W S12, T44N R16W S7; Pine County		SPC	S3	G5	1993-09-15	22855
<u>Malaxis monophyllos var. brachypoda</u> (White Adder's-mouth) #15 T45N R16W S30; Pine County		SPC	S3	G5T4Q	1993-08-31	17903
<u>Malaxis monophyllos var. brachypoda</u> (White Adder's-mouth) #16 T44N R16W S5; Pine County		SPC	S3	G5T4Q	1993-08-04	17904
<u>Najas gracillima</u> (Thread-like Naiad) #109 T42N R17W S36, T41N R17W S1, T42N R17W S35; Pine County		SPC	S3	G5?	1998-07-27	23479
<u>Panax quinquefolius</u> (American Ginseng) #175 T42N R17W S34, T41N R17W S4, T42N R17W S33; Pine County		SPC	S3	G3G4	1994-08-05	14450
<u>Potamogeton vaseyi</u> (Vasey's Pondweed) #65 T45N R17W S12, T45N R17W S1; Pine County		SPC	S3	G4	1998-07-23	23455
<u>Potamogeton vaseyi</u> (Vasey's Pondweed) #67 T41N R17W S3, T41N R17W S2; Pine County		SPC	S3	G4	1998-07-28	23482
<u>Potamogeton vaseyi</u> (Vasey's Pondweed) #69 T42N R17W S36, T41N R17W S1, T42N R17W S35; Pine County		SPC	S3	G4	1998-07-27	23480
<u>Tsuga canadensis</u> (Eastern Hemlock) #1 T45N R16W S29, T45N R16W S30; Pine County		SPC	S3	G4G5	1974-09-19	5799
<u>Tsuga canadensis</u> (Eastern Hemlock) #13 T41N R17W S9, T41N R17W S10, T41N R17W S5, T41N R17W S3, T [...]; Pine County		SPC	S3	G4G5	1994-Pre	5811

Records Printed = 34

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.