DEPARTMENT OF NATURAL RESOURCES

Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

December 9, 2025

Tyler Conley
Barr Engineering Company

RE: Natural Heritage Review of the proposed **Northshore Mile Post 7 Railroad Relocation and Dam Extension Project: Clone Of 2022-00465**,

County	Township	Range	Section
Lake	55N	8W	4, 6, 9
Lake	56N	7W	31
Lake	56N	8W	20-22, 27-32, 36

Dear Tyler Conley,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2022-00465-02** in the email subject line.

As requested, the Minnesota Natural Heritage Information System has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

Ecologically Significant Areas

- The Minnesota Biological Survey (MBS) has identified several Sites of Biodiversity Significance (MBS Sites) within or adjacent to the proposed project boundary. MBS Sites have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape. As currently proposed, the following MBS Sites have been delineated in the direct vicinity of the proposed project:
    - **Lower Beaver - Fault Line Ridges** – *Outstanding* MBS Site – Sites ranked as *Outstanding* contain the best occurrences of the rarest species, the most outstanding examples of the rarest native plant communities, and/or the largest, most intact functional landscapes present in the state.
    - **Silver Bay SW - Mile Post 7 Ridges** – *High* MBS Site – 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.

- **East Branch Beaver River** – *Moderate* MBS Site – Sites ranked as Moderate contain occurrences of rare species and/or moderately disturbed native plant communities, and/or landscapes that have a strong potential for recovery.

Several DNR Native Plant Communities (NPC) are within the vicinity of the proposed project. NPCs are given a rank that reflects the relative rarity and endangerment of the community type in Minnesota. Ranks range from *critically imperiled* (S1) to *secure, common, widespread, and abundant* (S5). NPCs with a rank of S1, S2, or S3 are considered rare within Minnesota. As currently proposed, the following DNR NPCs have been delineated in the direct vicinity of the proposed project:

- BW_CX: Beaver Wetland Complex- *imperiled* (S2)
- FDn43c: Upland White Cedar Forest - *vulnerable to extirpation* (S3)
- FDn43b1: Aspen - Birch Forest, Balsam Fir Subtype - *secure and abundant* (S5)
- FPn73a: Alder - (Maple - Loosestrife) Swamp - *secure and abundant* (S5)

The DNR recommends that the project be designed to avoid impacts to these ecologically significant areas. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:

- As much as possible, operate within already-disturbed areas.
- Avoid MBS Sites and rare NPCs (ranked S1-S3).
- Retain a buffer between proposed activities and MBS Sites and rare NPCs (ranked S1-S3).
- Minimize vehicular disturbance in ecologically significant areas (allow only vehicles/equipment necessary for construction activities).
- Do not park equipment or stockpile supplies in ecologically significant areas.
- Do not place spoil in ecologically significant areas.
- If possible, conduct the work under frozen ground conditions.
- Use effective erosion prevention and sediment control measures.
- Inspect and clean equipment prior to operation and follow recommendations to prevent the spread of invasive species.
- Revegetate disturbed soil with native species suitable to the local habitat as soon after construction as possible.
- Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.

Ecologically Significant Areas can be viewed using the Explore page in Minnesota Conservation Explorer (MCE) or their GIS shapefiles can be downloaded from the MN Geospatial Commons. Reference the MBS Site Biodiversity Significance and Native Plant Community websites for information on interpreting the data. To receive a list of Ecologically Significant Areas in the vicinity of your project, create a Conservation Planning Report using the Explore page in MCE.

- If the Wetland Conservation Act (WCA) is applicable to this project, please note that native plant communities with a Conservation Status Rank of S1 through S3 or wetlands within *High* or *Outstanding* MBS Sites of Biodiversity Significance may qualify as Rare Natural Communities (RNC) under WCA. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that

modify a RNC must be denied if the local government unit determines the proposed activities will permanently adversely affect the RNC. If the proposed project includes a wetland replacement plan under WCA, please contact your DNR Regional Ecologist for further evaluation. Please visit WCA Program Guidance and Information for additional information, including the RNC Technical Guidance.

State-listed Species

- Rock firmoss (*Huperzia porophila*) and alpine woodsia (*Woodsia alpina*), both state-listed as threatened plant species, have been documented in the vicinity of the propose project. These species are typically found growing in moist, shaded crevices and ledges along cliffs. Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of endangered or threatened plants or animals, including their parts or seeds, without a permit. **To demonstrate avoidance, a qualified surveyor will need to determine if suitable habitat exists within the activity impact area and, if so, conduct a survey prior to any project activities.**

  Surveys must be conducted by a qualified surveyor and follow the standards contained in the Rare Species Survey Process and Rare Plant Guidance. Visit the Natural Heritage Review page for a list of certified surveyors and more information on this process. Survey proposals should be submitted to Reports.NHIS@state.mn.us prior to initiating survey work. Project planning should take into account that any botanical survey needs to be conducted during the appropriate time of the year, which may be limited. Please consult Review.NHIS@state.mn.us if you have any questions regarding this process.

- A rare plant survey was conducted during the summer of 2015 by Barr Engineering Co. No federally or stated threatened or endangered plant species were found. Two state-listed special concern species were identified: neat spikerush (*Eleocharis nitida*) and twig rush (*Cladium mariscoides*). Although not required by Minnesota's Endangered Species Statute, **we recommend that the project avoid or minimize impacts to species of special concern.**

- Smoky shrew (*Sorex fumeus*) has been found in the vicinity of the proposed project. Moist habitats are important; the preferred microhabitat includes a cool, damp forest floor with a thick litter layer, mossy covered rocks, and decaying debris. They prefer larger and older forest blocks. Given the potential presence of these rare species, **the DNR recommends that the use of erosion control mesh, if any, be limited to wildlife-friendly materials**. The use of erosion control blanket shall be limited to 'bio-netting' or 'naturalnetting' types, and specifically not products containing plastic mesh netting or other plastic components. Also, be aware that hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. These loose fibers could potentially re-suspend and make their way into Public Waters.

- Please visit the DNR Rare Species Guide for more information on the habitat use of state-listed species and recommended measures to avoid or minimize impacts.

- Please report incidental sightings of state-listed species via the DNR Plant and Animal Observation Form.

Federally Protected Species

- Canada lynx (*Lynx canadensis*), federally listed as threatened and a state-listed species of special concern, has been documented in the vicinity of the proposed project. This species is found in large tracts of boreal and mixed conifer-hardwood forest where they are highly dependent on snowshoe hare for prey. For additional information on this species, review the USFWS Canada Lynx Species Page.

- To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online Information for Planning and Consultation (IPaC) tool.

Environmental Review and Permitting

- The Environmental Assessment Worksheet (EAW) 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. Sufficient information should be provided so the DNR can determine whether a permit to take will be needed for any of the above protected species.

- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

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 native plant communities, rare species, and other rare features. However, the NHIS is not an exhaustive inventory and does not contain the locations of all rare features in 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.

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 and project description provided with the request. **If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.** Resubmit by selecting *Clone Project as Draft* on the project page in MCE.

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit Natural Heritage Review for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, please contact your DNR Regional Environmental Assessment Ecologist.

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

Sincerely,

Molly Barrett

Digitally signed by Molly Barrett
Date: 2025.12.09 12:21:35 -06'00'

Natural Heritage Review Specialist
molly.barrett@state.mn.us

Cc: Jessica Parson, Regional Environmental Assessment Ecologist, Northeast (Region 2)
Cc: Sophia Musiak, Assistant Regional Environmental Assessment Ecologist, Northeast (Region 2)
Cc: Karen Updegraff, Regional Plant Ecologist, Northeast (Region 2)
Cc: Ryan T. Anderson, Assistant Plant Ecologist, Northeast (Region 2)

For more project details, see the MCE-generated Final Project Report, available on the MCE project page.