

MILE POST 7 WEST RIDGE RAILROAD RELOCATION, DAM EXTENSIONS, AND STREAM MITIGATION PROJECT EAW  
RECORD OF DECISION - ATTACHMENT A  
FINDING OF FACT 18 - UNIQUE EMAIL

**From:** Christopher Smith  
**To:** MN\_Review, Environmental (DNR)  
**Subject:** Smith — Mile Post 7 Stream EAW  
**Date:** Tuesday, April 18, 2023 3:58:21 PM

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To Whom It May Concern,

The EAW relies on outdated information as it references the northern long-eared bat (NLEB) 4(d) rule which was revoked on March 31, 2023 when the NLEB was reclassified as endangered under the federal Endangered Species Act.

In addition, the project proponent and RGU should use the Minnesota-Wisconsin Determination Key in IPaC to assist in the effect determinations for the gray wolf, Canada lynx, and other federally listed species and critical habitats.

Chris

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Christopher E. Smith, M.Sc., CWB®

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FieldEcology.com  
@FieldEcology