



Minnesota Department of Natural Resources

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Attachment B. Radio Tower Bay Wetland Restoration Project EAW.

March 6, 2013

Correspondence # ERDB 20130222

Mr. John Lindgren
MN DNR Duluth Area Fisheries
5351 North Shore Drive
Duluth, MN 55804

RE: Natural Heritage Review of the proposed Radio Tower Bay Restoration,
T48N R15W Sections 10 & 11, St. Louis County

Dear Mr. Lindgren,

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:

- The proposed project is within an area that the Minnesota Biological Survey (MBS) identified as a Site of High Biodiversity Significance in 2000. 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. Within the proposed work area, this particular Site contains Estuary Marsh and Sedge Meadow native plant communities. The Estuary Marsh has a conservation rank of S1, indicating that this type of community is critically imperiled in Minnesota. The Sedge Meadow is not a rare type of native plant community. Neither of these communities was given a condition rank based on the field visit. While there will be temporary disturbances to this Site, the end result will presumably be a bay with improved habitat and biological function.
- There are historical records of two rare plants in the vicinity of the project, but the exact locations of these records are unknown. Neither of these two species is currently state-listed. However, when the state list is next revised (possibly this year), the status of the bur-marigold (*Bidens discoidea*) and the twoleaf waterweed (*Elodea bifoliata*) is proposed to change to special concern and endangered, respectively. Given that the project area may include potential habitat for these two species, it is possible, but not likely, that these two plants occur within the project area. A botanical survey for rare species is not required, but if one is conducted it should include these two plants in the list of target species.
- The Environmental Assessment Worksheet should address whether the proposed project has the potential to adversely affect the above rare features and, if so, any avoidance, minimization, or mitigation measures that will be implemented.

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 Natural Heritage letter and database reports are valid for one year; they 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 if an updated review is needed. 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
Rare Features Database: Detailed Report
Rare Features Database Reports: An Explanation of Fields
Map

cc: Rian Reed
Bruce Carlson
Adam Fulton
Patricia Fowler

Minnesota Natural Heritage Information System
Index Report of records within 1 mile radius of:
ERDB# 20130222 - Phase II: Radio Tower Bay Restoration
T48N R15W Sections 10 & 11
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) #35 T48N R15W S11, T48N R15W S2; St. Louis County		SPC	no chang	SGCN	S3	G3G4	1920	15689
<u>Acipenser fulvescens</u> (Lake Sturgeon) #124 T48N R15W S1, T48N R15W S2; St. Louis County		SPC	no chang	SGCN	S3	G3G4	2002-07-08	23181
<u>Acipenser fulvescens</u> (Lake Sturgeon) #125 T48N R15W S11, T48N R15W S2; St. Louis County		SPC	no chang	SGCN	S3	G3G4	2002-07-08	23182
<u>Acipenser fulvescens</u> (Lake Sturgeon) #126 T48N R15W S10, T48N R15W S11; St. Louis County		SPC	no chang	SGCN	S3	G3G4	2002-07-08	23183
<u>Acipenser fulvescens</u> (Lake Sturgeon) #127 T48N R15W S9; St. Louis County		SPC	no chang	SGCN	S3	G3G4	2002-07-08	23184
Invertebrate Animal								
<u>Actinonaias ligamentina</u> (Mucket) #226 T48N R15W S11; St. Louis County		THR	no chang	SGCN	S2	G5	2000-PRE	31753
<u>Lasmigona compressa</u> (Creek Heelsplitter) #239 T48N R15W S10, T48N R15W S11, T48N R15W S6, T48N R15W S8, T [...]; St. Louis County		SPC	no chang	SGCN	S3	G5	2000-08-01	33709
<u>Ligumia recta</u> (Black Sandshell) #422 T48N R15W S11, T48N R15W S6, T48N R16W S11; Carlton, St. Louis County		SPC	no chang	SGCN	S3	G4G5	2000-08-02	33868
Vascular Plant								
<u>Bidens discoidea</u> (Bur-marigold) #3 T48N R15W S10, T48N R15W S11, T48N R15W S2, T48N R15W S3; St. Louis County		NON	SPC		SNR	G5	1945-09-15	3793
<u>Bidens discoidea</u> (Bur-marigold) #5 T48N R15W S1, T48N R15W S10, T48N R15W S11, T48N R15W S2, T [...]; St. Louis County		NON	SPC		SNR	G5	1944-08-26	3795
<u>Elodea bifoliata</u> (Twoleaf Waterweed) #1 T48N R15W S10, T48N R15W S11, T48N R15W S2, T48N R15W S9; St. Louis County		NON	END		SNR	GNR	1949-08-20	35281

Minnesota Natural Heritage Information System
Index Report of records within 1 mile radius of:
ERDB# 20130222 - Phase II: Radio Tower Bay Restoration
T48N R15W Sections 10 & 11
St. Louis County

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 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 occurrence at a given location. Specifications for each species determine whether multiple observations should be considered

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Data valid for one year

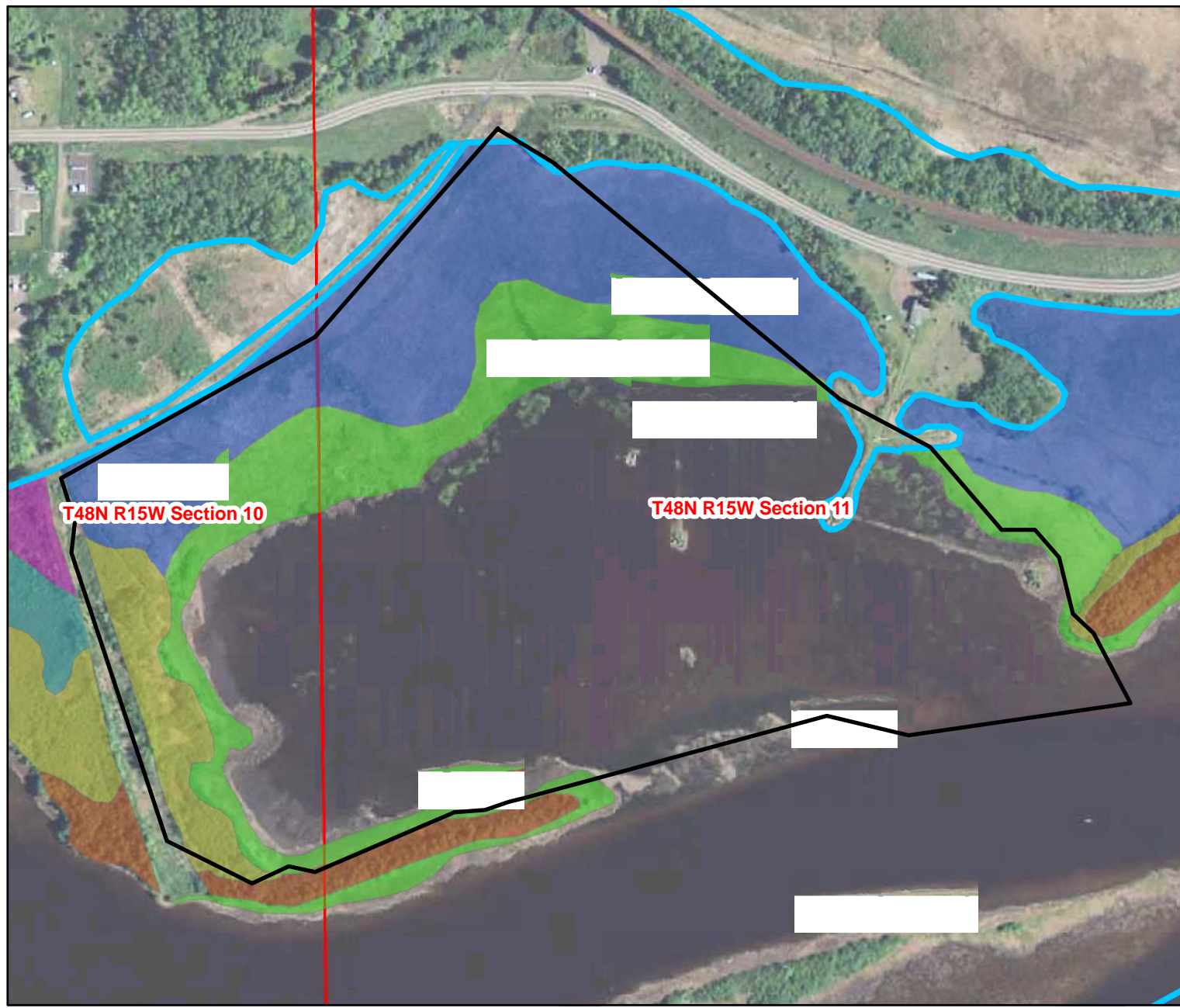
Minnesota Natural Heritage Information System
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1 Element Occurrence or 2, based on minimum separation distance and barriers to movement.

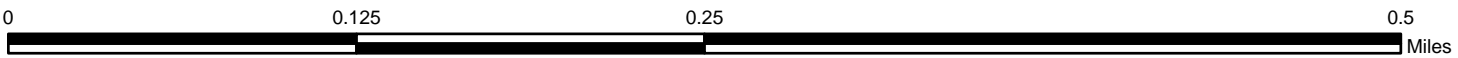
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GIS shapefiles of MBS Sites of Biodiversity Significance and MBS Native Plant Communities can be downloaded from the DNR Data Deli at <http://deli.dnr.state.mn.us>.



Legend

- 20130222
- MBS Sites of Biodiversity**
- Outstanding
- High
- Moderate
- Below
- MBS Native Plant Community**
- Alder - (Maple - Loosestrife) Swamp
- Aspen - Birch - Red Maple Forest
- Black Ash - Silver Maple Terrace Forest
- Estuary Marsh (Lake Superior)
- Sedge Meadow
- Willow - Dogwood Shrub Swamp
- PLS Sections



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 Rare Feature, Prairie Railroad Survey, Native Plant Community, and Sites of Biodiversity Significance data are from the Natural Heritage Information System. The absence of rare features for a particular location should not be construed to mean that the DNR is confident rare features are absent from that location.