



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

May 14, 2020

Correspondence # ERDB 20200276

Mr. Mark Nemeth
MN DNR
1200 Warner Rd
St. Paul, MN 55106

RE: Natural Heritage Review of the proposed Vermillion River AMA Bank Stabilization,
T114N R18W Section 20; Dakota County

Dear Mr. Nemeth,

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, please visit the [Rare Species Guide Website](#) 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 Loggerhead Shrike (*Lanius ludovicianus*), a state-listed endangered bird, has been documented in the vicinity of the project site. Loggerhead Shrikes use grasslands that contain short grass and scattered perching sites such as hedgerows, shrubs, or small trees. They can be found in native prairie, pastures, shelterbelts, old fields or orchards, cemeteries, grassy roadsides, and farmyards. Shrikes frequently shift territories between years so it is not unusual for a particular nesting area to be vacant for several years before it is used again. Given the potential for this species to found in the vicinity of the project, avoid tree and shrub removal during the breeding season, typically April through July. To ensure this species is not impacted by the project, contact the Regional Nongame Specialist, Mike Worland (Michael.Worland@state.mn.us), if tree or shrub removal needs to be conducted during breeding season.
- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been recently documented using the Vermillion River system in the vicinity of the proposed project. Blanding's

turtles use wetlands, watercourses, and waterbodies as well as upland areas up to and over a mile distant from aquatic features. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Factors believed to contribute to the decline of this species include collisions with vehicles, wetland drainage and degradation, and the development of upland habitat. Any added mortality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels. For your information, I have attached a Blanding's turtle fact sheet that describes the habitat use and life history of this species.

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. The proposed project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to excavation, fill, and other construction activities associated with the project. As such, **the following avoidance measures are required:**

- Avoid wetland impacts during hibernation season, between October 15th and April 15th, unless the area is unsuitable for hibernation (less than 14 inches deep);
- 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. As such, please review mulch products and not allow any materials with synthetic (plastic) fiber additives in areas that drain to Public Waters.
 - Be cautious using instream erosion and sediment control practices as turtles are mobile in streams and may get trapped.
- The [Blanding's turtle flyer](#) must be given to all contractors working in the area.
- Monitor for turtles during construction and report any sightings to the DNR Nongame Specialist, Michael Worland.
- If turtles are encountered on site, please remember that state law and rules prohibit the destruction of threatened or endangered species, except under certain prescribed conditions. If turtles are in imminent danger they should be moved by hand out of harm's way, otherwise they should be left undisturbed.

If the above avoidance measures are not possible, please contact me as further action may be needed.

For additional information, see the [Blanding's turtle fact sheet](#), which describes the habitat use and life history of this species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare turtle. Please refer to the both lists of

recommendations for your project. For further assistance regarding the Blanding's turtle, please contact the DNR Regional Nongame Specialist, Michael Worland.

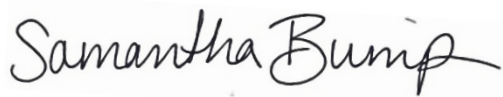
- Please include a copy of this letter in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

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 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.

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. If needed, please contact your [DNR Regional Environmental Assessment Ecologist](#) to determine whether there are other natural resource concerns associated with the proposed project. 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.

Sincerely,

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

Samantha Bump
Natural Heritage Review Specialist
Samantha.Bump@state.mn.us

Links: Rare Species Guide
<http://www.dnr.state.mn.us/rsg/index.html>
DNR Regional Environmental Assessment Ecologist Contact Info
http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html

Blanding's Turtle Fact Sheet

http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf

Blanding's Turtle Flyer

http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/flyer.pdf

Wildlife Friendly Erosion Control

<http://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>

Cc: Mike Worland
Melissa Collins
Leslie Parris