

## Permit for the Take of Endangered or Threatened Species Incidental to a Development Project

An application for a permit for the take of endangered or threatened species incidental to a development project such as construction, mining, creation or repair of infrastructure (e.g., road, bridge, pipeline, and transmission line) will be considered only when the proposal provides convincing justification that all alternatives have been considered and rejected, and that take is unavoidable.

Permits must include compensatory mitigation that will result in a net benefit to the species, and must be approved by the Commissioner of the Department of Natural Resources.

### Permit Application

An application for a permit for the take of endangered or threatened species incidental to a development activity must include the following:

- Name, street address, phone number and email of the person/s submitting the application
- Name, title, affiliation, and street address of the person to which a permit would be issued. This person must be authorized to serve as a contractual representative of the entity to which the permit will be issued.
- Name of the development project
- Specifications of the proposed development project, including:
  - legal description (T/R/S) of the project's location
  - aerial photos depicting the location of the project and the specific area of impact to the species
  - a detailed description of the activities that will be conducted at the project location
  - anticipated bid date (if applicable), start date, and completion date of the project
  - the purpose and need of the project
  - alternatives to the project that have been considered and rejected, including a no action alternative, and why they were rejected
  - a review of information available on the presence of endangered or threatened species at the project location
- Specifications of the proposed taking, including:
  - endangered or threatened species proposed for taking
  - a review of the statewide distribution and status of the species, and the impact of the proposed taking on the distribution and status, with reference to the DNR's Natural Heritage Information System
  - a review of the direct and indirect, permanent and temporary impacts of the project on each endangered or threatened species

- a summary of efforts that are planned to avoid and/or minimize the take of endangered or threatened species
- number of specimens of each species that would be taken
- impact of the proposed taking on statewide status of species
- Proposed compensatory mitigation (see below)

## Compensatory Mitigation

If it is determined that there are no feasible alternatives to taking the endangered or threatened species in connection with a development project and that the issuance of a permit is warranted, the permit must include compensatory mitigation that will result in a net benefit to the species, as required by law.

The compensatory mitigation must reflect the impact of the proposed taking on the following:

- the local population of the species
- the statewide status of the species, and
- the statewide significance of the local population

Compensatory mitigation for past development projects has included:

- Funding state acquisition of a different site where the species being taken occurs and that is currently unprotected and vulnerable to destruction
- Funding to support survey, research, education, propagation, habitat restoration, and/or other management activities contributing to the recovery and eventual delisting of the species being taken
- The restitution value of the species being taken
- Funding equal to the cost of monitoring the fate of the population to be taken

## Submit Permit Application

Permit application may be submitted electronically or by mail.

### Electronically

Send to Richard Baker at [richard.baker@state.mn.us](mailto:richard.baker@state.mn.us).

### By mail

Minnesota Department of Natural Resources  
Division of Ecological and Water Resources  
Attn: Richard Baker  
500 Lafayette Road, Box 25  
St. Paul, MN 55155