

Appendix J Correspondence Related to Rare and Unique Resources

U.S. Fish and Wildlife Service



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:
Project Code: 2024-0000788
Project Name: Pilot Knob

October 03, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
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3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0000788

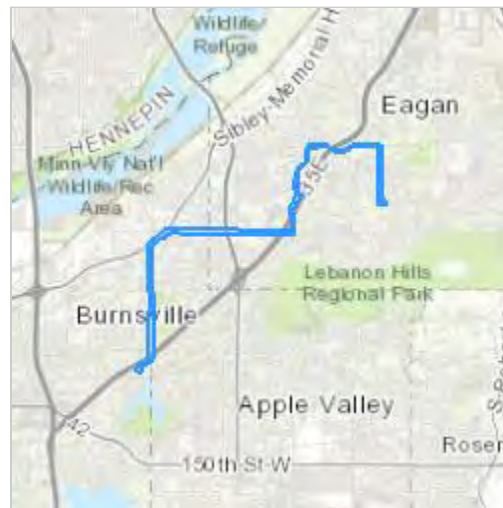
Project Name: Pilot Knob

Project Type: Transmission Line - Maintenance/Modification - Above Ground

Project Description: Electric Transmission

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.78448245,-93.24817121266635,14z>



Counties: Dakota County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

| NAME | STATUS |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045 | Endangered |
| Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515 | Proposed Endangered |

BIRDS

| NAME | STATUS |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758 | Experimental Population, Non- Essential |

CLAMS

| NAME | STATUS |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428 | Endangered |

INSECTS

| NAME | STATUS |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743 | Candidate |
| Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/J4TMPEEKHRFCODK3NDJP7WC4PU/documents/generated/5967.pdf | Endangered |

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

| NAME | BREEDING SEASON |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. | Breeds Dec 1 to Aug 31 |
| Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680 | Breeds elsewhere |

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read the supplemental information and specifically the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

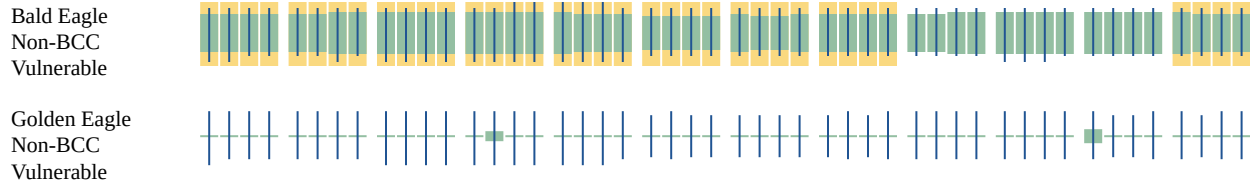
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

| NAME | BREEDING SEASON |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds elsewhere |

| NAME | BREEDING SEASON |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. | Breeds Dec 1 to Aug 31 |
| Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093 | Breeds May 15 to Aug 20 |
| Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399 | Breeds May 15 to Oct 10 |
| Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds May 20 to Jul 31 |
| Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds May 20 to Aug 10 |
| Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974 | Breeds Apr 22 to Jul 20 |
| Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds Mar 15 to Aug 25 |
| Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds May 1 to Aug 20 |
| Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680 | Breeds elsewhere |
| Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745 | Breeds May 1 to Jul 20 |
| Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941 | Breeds May 1 to Aug 31 |

| NAME | BREEDING SEASON |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679 | Breeds elsewhere |
| Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631 | Breeds Mar 1 to Jul 15 |
| Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481 | Breeds May 1 to Jul 31 |
| Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds May 10 to Sep 10 |
| Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA | Breeds elsewhere |
| Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA | Breeds elsewhere |
| Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480 | Breeds elsewhere |
| Western Grebe <i>aechmophorus occidentalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743 | Breeds Jun 1 to Aug 31 |
| Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. | Breeds May 10 to Aug 31 |

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read the supplemental information and specifically the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

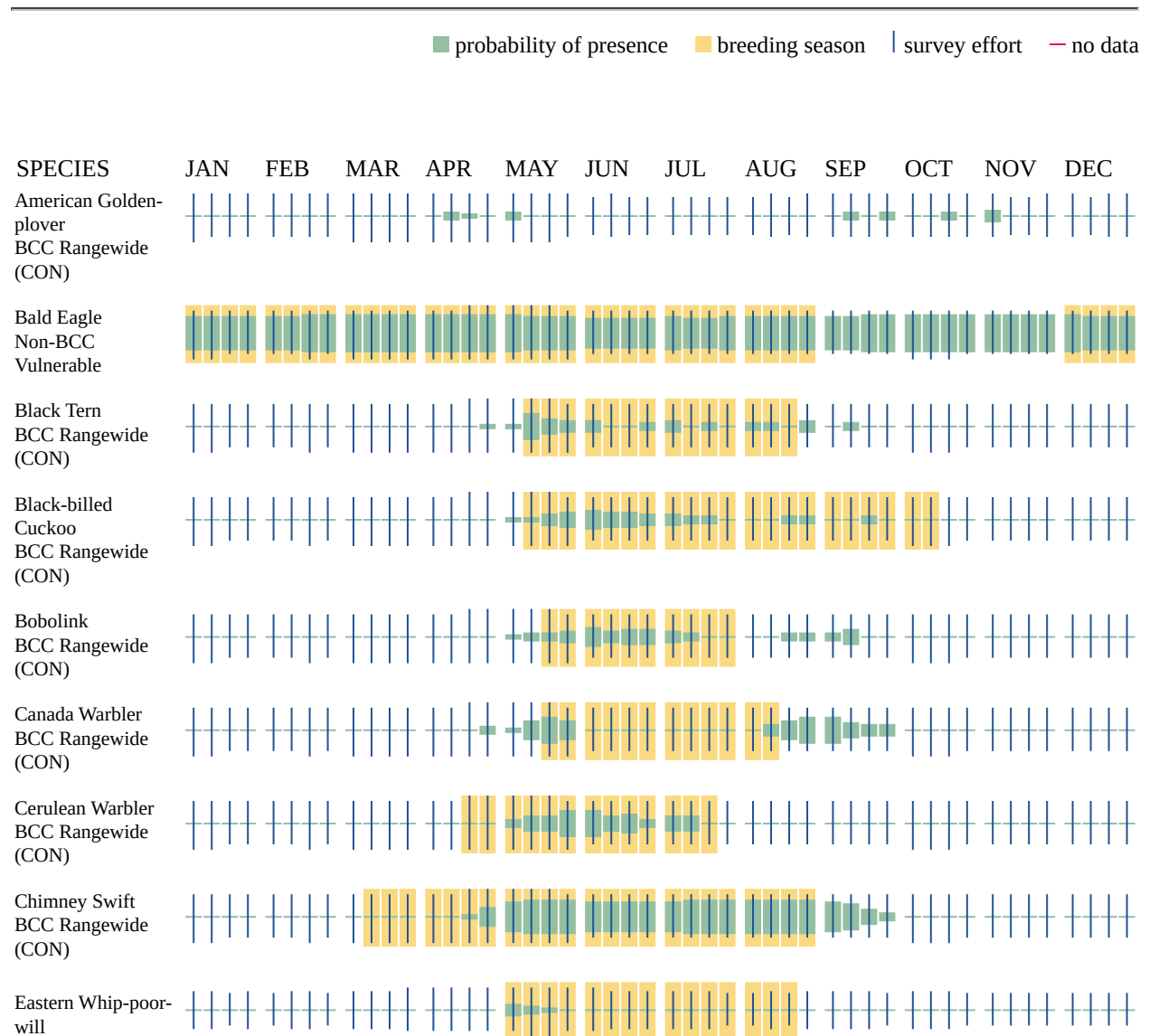
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

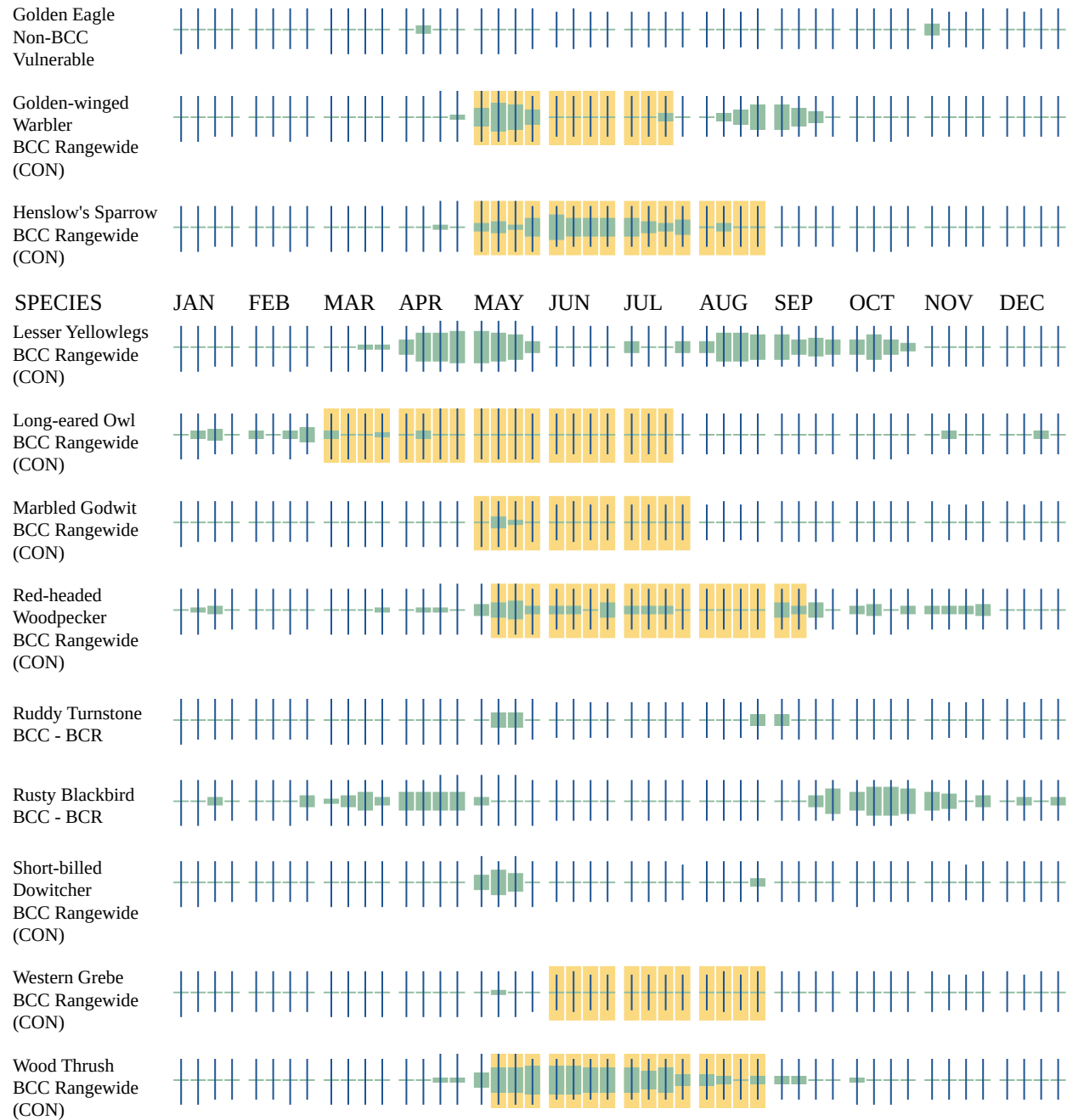
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



BCC Rangewide
(CON)



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- [PABH](#)
- [PUBH](#)
- [PUBHx](#)
- [PUBF](#)

FRESHWATER EMERGENT WETLAND

- [PEM1F](#)
- [PEM1A](#)
- [PEM1C](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1A](#)
-

IPAC USER CONTACT INFORMATION

Agency: Merjent Inc.
Name: Mandy Bohnenblust
Address: 1 Main St SE, Suite 300
City: Minneapolis
State: MN
Zip: 55414
Email: mandy.bohnenblust@merjent.com
Phone: 6127463677

From: [Simpkins, Darin](#)
To: [Kristin Lenz](#)
Cc: [Strohfus, Mark GRE-MG](#); [Mandy Bohnenblust](#)
Subject: Re: [EXTERNAL] RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction
Date: Tuesday, August 29, 2023 3:25:37 PM
Attachments: [image001.png](#)

Hi Kristin -

You should first direct consultation requests toward IPaC to generate a species list and to use the D-Key to make determinations and follow the guidance automatically generated. If the guidance suggests that you contact the appropriate field office for further consultation guidance, and the transmission line project is within the boundaries of MN or WI, I will be your point of contact and you can direct your inquiry to me.

OK. So, if the project has a federal nexus, then consultation falls under section 7 of ESA. Section 7 consultation occurs with the agency that has the federal nexus. So, if the project is receiving USDA RUS funding, then consultation will need to be with them, or their official non-governmental representative. If the nexus is formed with USACE under a 404 permit, consultation would be with them or their official non-governmental representative. Representation authority is generally given in writing.

If the project has no federal nexus, then consultation falls under section 10 of the ESA, which is voluntary unless "TAKE" is expected. If take is expected, then the project proponent would need to either be part of an existing Habitat Conservation Plan Programmatic Agreement or would have to develop one themselves to acquire an Incidental Take Statement from the Service. This process is generally lengthy and takes some time in comparison to projects with a nexus.

Regarding site specific information to use in the D-keys, the Service does not maintain such records outside of the generalities outlined in IPaC that is used to generate Official Species Lists etc. Rather, those records are generally maintained by the state Department of Natural Resources. I would suggest consulting with them for site-specific information to determine the level of effort needed prior to conducting surveys. This information can then be used for your federal consultation with us.

Let me know if you have any questions,

Darin

From: Kristin Lenz <kristin.lenz@merjent.com>
Sent: Tuesday, August 29, 2023 2:54 PM
To: Simpkins, Darin <Darin_Simpkins@fws.gov>

Cc: Strohfus, Mark GRE-MG <MStrohfu@GREnergy.com>; Mandy Bohnenblust
<mandy.bohnenblust@merjent.com>

Subject: [EXTERNAL] RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon Darin,

Thank you for your response. For future reference, should we direct all transmission line projects to you?

The Project may require a U.S. Army Corps of Engineers (USACE) Section 404 Regional General Permit, but that is undetermined at this time – there are limited wetlands along the existing route that can likely be avoided. Great River Energy will not initiate federal and state permitting until the Minnesota Public Utilities Commission (MPUC) issues a Route Order and a final design is completed for permitting. The Project does qualify for the MN-WI D-key and we plan on running both that and the NLEB D-key. Currently, we are conducting habitat assessment surveys for both the NLEB and RPB in order to more accurately answer the D-key questions. Based on your data and understanding of this area, do you have any guidance for us as we complete the D-Keys?

Thank you!
Kristin

Kristin Lenz
Senior Project Manager
612.924.3962 direct
763.913.4740 mobile
kristin.lenz@merjent.com



1 Main Street SE, Suite 300
Minneapolis, MN 55414
612.746.3660
www.merjent.com

From: Simpkins, Darin <Darin_Simpkins@fws.gov>

Sent: Friday, August 25, 2023 11:43 AM

To: Kristin Lenz <kristin.lenz@merjent.com>

Subject: EXTERNAL: RE: [EXTERNAL] Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

CAUTION: This email originated from outside of Merjent.

Hi Kristin -

I am the POC for these kinds of projects. Before we get into the weeds too far, can you confirm that the project has a federal nexus and with what federal agency? USDA RUS? Does the project qualify to use the MN-WI d-key?

Thanks,

Darin

From: Kristin Lenz <kristin.lenz@merjent.com>

Sent: Friday, August 25, 2023 9:32 AM

To: Marquardt, Shauna R <Shauna_Marquardt@fws.gov>

Cc: Strohfus, Mark GRE-MG <MStrohfus@GREnergy.com>; Mandy Bohnenblust <mandy.bohnenblust@merjent.com>

Subject: [EXTERNAL] Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning,

Great River Energy is proposing to rebuild and upgrade approximately 8.75 miles of its existing electrical transmission system within the cities of Eagan and Burnsville in Dakota County, Minnesota (Project). The enclosed letter provides additional information on the Project, including a map of the Project area and proposed route. Great River Energy would appreciate any comments that you may have on the Project and the proposed route.

The Project will include rebuilding and upgrading three sections of transmission line: the line between the Pilot Knob and Deerwood Substations; the line between the Deerwood and River Hills Substations; and the line between the River Hills and Burnsville Substations. Great River Energy is proposing to construct the new 115-kV transmission line generally following the centerline of the existing 69-kV transmission line. The Project would involve removal of existing poles within the Great River Energy right-of-way, and replacement with new, 60- to 95-foot-high poles placed 350 to 400 feet apart, also within the Great River Energy right-of-way. Great River Energy is planning to submit a Route Permit Application to the Minnesota Public Utilities Commission in Fall 2023.

Please contact Mark Strohfus at 763-445-5210 or MStrohfus@GREnergy.com should you need

additional information.

Regards,

Kristin Lenz on behalf of Mark Strohfus, Great River Energy

Kristin Lenz

Senior Project Manager

612.924.3962 direct

763.913.4740 mobile

kristin.lenz@merjent.com



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Minnesota Department of Natural Resources

From: [Hoaglund, Erica \(She/Her/Hers\) \(DNR\)](#)
To: [Wilder, Erika \(COMM\)](#)
Subject: RE: GRE Pilot Knob Transmission Project - Blanding's turtle protections
Date: Tuesday, July 30, 2024 2:07:01 PM
Attachments: [image001.png](#)

Good afternoon, Erika,

We are actually having folks report observations during a project to our new online report form here: [QUICK Species Observation Form \(office.com\)](#). If you wouldn't mind indicating that is the new preference

-Erica

Erica Hoaglund

Region 3 Nongame Wildlife Specialist
MN DNR - Ecological and Water Resources
1200 Warner Road
St. Paul, MN 55106

Office: 651-259-5772

E-mail: Erica.Hoaglund@state.mn.us

From: Wilder, Erika (COMM) <erika.wilder@state.mn.us>
Sent: Tuesday, July 30, 2024 1:52 PM
To: Hoaglund, Erica (She/Her/Hers) (DNR) <erica.hoaglund@state.mn.us>
Subject: GRE Pilot Knob Transmission Project - Blanding's turtle protections

Hi Erica, I'm writing the environmental document for GRE's Pilot Knob transmission project in northern Dakota County. MDNR had included some provisions for Blanding's turtle (attached) that I was going to include in the document. I wanted to confirm that you were still the contact for any Blanding's turtle sightings during construction.

Feel free to call if you have questions.

Thanks,
Erika

Erika Wilder
Energy Environmental Review and Analysis
+1 651-539-1009
mn.gov/commerce/energyfacilities
Minnesota Department of Commerce
85 7th Place East, Suite 280 | Saint Paul, MN 55101





**Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road
St. Paul, MN 55155-4040**

March 6, 2024

Richard Davis
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101

**RE: In the Matter of the Application of Great River Energy for a Route Permit for the 115-kV Pilot Knob to Burnsville Rebuild and Upgrade Project in Dakota County
PUC Docket Number: ET-2/TL-23-410**

Dear Mr. Davis,

The Minnesota Department of Natural Resources (DNR) has reviewed the route permit application for the 115-kV Pilot Knob to Burnsville Rebuild and Upgrade Project in Dakota County. Our agency offers the following comments regarding the potential environmental impacts that should be considered in the environmental assessment (EA).

Blanding's Turtles

The EA should address measures to avoid impacts to Blanding's turtles. Blanding's turtles, a state-listed threatened species, have been documented in the vicinity of the proposed project. 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. This 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. Minnesota's Endangered Species Statute and associated Rules prohibit the take of threatened or endangered species without a permit. Refer to the attached Natural Heritage review letter for required avoidance measures.

Tree Removal

Section 1.6 of the permit application states that project may require 9.5 acres of permanent tree removal. In areas where a wider project corridor is requested, our agency recommends that the EA evaluate measures to minimize tree removal.

Facility Lighting

The EA should discuss measures to mitigate lighting impacts associated with the substation upgrade. Section 3.2 of the permit application states that upgrades at the Burnsville Substation are needed to connect the project to the substation when it will be operated at 115 kV. Animals depend on the daily cycle of light and dark for behaviors such as hunting, migrating, sleeping, and protection from predators. In addition to the undesirable effects of upward facing lighting, the hue of lights can also affect wildlife. LED lighting has become increasingly popular due to its efficiency and long lifespan. However, these bright lights tend to emit blue light, which can be harmful to birds, insects, and fish. The DNR recommends that any projects using LED luminaries follow the MnDOT Approved Products for luminaries, which limits the Uplight rating to 0. A nominal color temperature below 2700K is preferable for wildlife, and so we recommend choosing products that have the lowest number for backlight and glare.

Dust Control

The EA should address dust control. The permit application acknowledges that fugitive dust from right-of-way clearing and construction are expected to occur. The application further states that dust control measures will be implemented, including water or other non-chloride-containing dust suppression applications as needed. Our agency advises that products containing calcium chloride or magnesium chloride are often used for dust control. Chloride products that are released into the environment do not break down, and instead accumulate to levels that are toxic to plants and wildlife. Hence, our agency appreciates that the applicant plans to avoid using dust control products containing chlorides.

Wildlife-Friendly Erosion Control

The EA should discuss the use of wildlife-friendly erosion control. Due to entanglement issues with small animals, the DNR recommends that erosion control blankets be limited to “bio-netting” or “natural netting” types, and specifically not products containing plastic mesh netting or other plastic components. 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 waterways.

The DNR appreciates the opportunity to comment on the Pilot Knob to Burnsville Rebuild and Upgrade Project. If you have questions about our agency’s comments, I may be reached at 651-259-5078 or cynthia.warzecha@state.mn.us.

Sincerely,

/s/ Cynthia Warzecha

Energy Projects Planner

Attachment: Natural Heritage Review Letter (September 20, 2023)

EC: Trevor Culbertson, Minnesota Public Utilities Commission
Melissa Collins, Minnesota Department of Natural Resources

Equal Opportunity Employer



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

September 20, 2023

Correspondence # MCE 2023-00454

Mandy Bohnenblust
Merjent, Inc.

RE: Natural Heritage Review of the proposed Pilot Knob Transmission Line,
T115N R20W Sects 17, 20, T27N R24W Sects 25, 36, T27N R23W Sects 20-22, 27, 29; Dakota County

Dear Mandy Bohnenblust,

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

- A calcareous fen (*Kelleher Park, ID# 41531*) has been documented in the vicinity of the proposed project area. Sterile sedge (*Carex sterilis*) and stream parsnip (*Berula erecta*), state-listed threatened plants, have been documented within the fen. A calcareous fen is a rare and distinctive peat-accumulating wetland that is legally protected in Minnesota. The Wetlands Conservation Act, authorized by *Minnesota Statutes*, section 103G.223, states that calcareous fens may not be filled, drained, or otherwise degraded, wholly or partially, by any activity, except as provided for in a management plan approved by the commissioner of the Department of Natural Resources. Many of the unique characteristics of calcareous fens result from the upwelling of groundwater through calcareous substrates. Because of this dependence on groundwater hydrology, calcareous fens can be affected by nearby activities or even those several miles away. For more information regarding calcareous fens, please see the [Calcareous Fen Fact Sheet](#). To minimize stormwater impacts, please refer to the Minnesota Pollution Control Agency's [General Principles for Erosion Prevention and Sediment Control](#) in the Minnesota Stormwater Manual. Please note that calcareous fens are "Special Waters" and a [buffer zone](#) may be required.

Calcareous fens may be impacted by activities within the fen, activities that affect surface water flows (e.g., stormwater flow, erosion), or activities that affect groundwater hydrology (e.g., groundwater pumping, contamination, or discharge). To ensure compliance with WCA, please contact the Calcareous Fen Program Coordinator, Keylor Andrews (Keylor.Andrews@state.mn.us). **If it is determined the project will impact the fen in any way, including indirect impacts through the alteration of hydrological conditions, a botanical survey is required.** 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. 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 with the NH Review Team at Reports.NHIS@state.mn.us if you have any questions regarding this process.

State-listed Species

- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been documented in the vicinity of the proposed project. Blanding's turtles use upland areas up to and over a mile distant from wetlands, waterbodies, and watercourses. 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.

This 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. 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 threatened or endangered species without a permit. As such, **the following avoidance measures are required:**

- Avoid wetland and aquatic impacts during hibernation season, between September 15th and April 15th, if the area is suitable for hibernation.
- The use of [erosion control](#) blanket shall be limited to 'bio-netting' or 'natural-netting' 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 their matrix strength. These loose fibers could potentially re-suspend and make their way into wetlands and other waters. As such, please review mulch products and do not allow any materials with synthetic (plastic) fiber additives in areas that drain into water bodies.

- Construction areas, especially aquatic or wetland areas, should be thoroughly checked for turtles before the use of heavy equipment or any ground disturbance. Any holes or trenches that are left unattended for prolonged periods should be checked before filling.
 - 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](#), Erica Hoaglund (Erica.Hoaglund@state.mn.us).
 - If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise, they are to be left undisturbed.

If following the above avoidance measures is not possible, please contact NHIS.Review@state.mn.us 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 both lists of recommendations and apply those that are relevant to your project.** For further assistance regarding the Blanding's turtle, please contact the DNR Regional Nongame Specialist, Erica Hoaglund.

- The Bell's vireo (*Vireo bellii*), a state-listed bird species of special concern, has been documented in the vicinity of the project. In Minnesota, Bell's vireo prefers shrub thickets within or bordering open habitats such as grasslands or wetlands. This bird suspends its nests from forks of low branches of small trees or shrubs. If feasible, avoid tree & shrub removal from May 15th through August 15th to avoid disturbance of nesting birds.
- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed nearby, all seven of Minnesota's bats, including the federally endangered northern long-eared bat ([Myotis septentrionalis](#)), can be found throughout Minnesota. During the active season (approximately April-November) bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, the DNR recommends that tree removal be avoided from June 1 through August 15.
- Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts. For further assistance with these species, please contact the appropriate [DNR Regional Nongame Specialist](#) or [Regional Ecologist](#).

Federally Protected Species

- The area of interest overlaps with a U.S Fish and Wildlife Service (USFWS) Rusty Patched Bumble Bee [High Potential Zone](#). The [rusty patched bumble bee](#) (*Bombus affinis*) is federally listed as endangered and is likely to be present in suitable habitat within High Potential Zones. From April through October this species uses underground nests in upland grasslands, shrublands, and forest edges, and forages where nectar and pollen are available. From October through April the species overwinters under tree litter in upland forests and woodlands. The rusty patched bumble bee may be impacted by a variety of land management activities including, but not limited to, prescribed fire, tree-removal, haying, grazing, herbicide use, pesticide use, land-clearing, soil disturbance or compaction, or use of non-native bees. If applicable, the DNR recommends reseeding disturbed soils with native species of grasses and forbs using [BWSR Seed Mixes](#) or [MnDOT Seed Mixes](#).

To ensure compliance with federal law, please conduct a federal regulatory review using the U.S. Fish and Wildlife Service's online [Information for Planning and Consultation \(IPaC\) tool](#). Please note that all projects, regardless of whether there is a federal nexus, are subject to federal take prohibitions. The IPaC review will determine if prohibited take is likely to occur and, if not, will generate an automated letter. The [USFWS RPBB guidance](#) provides guidance on avoiding impacts to rusty patched bumble bee and a key for determining if actions are likely to affect the species; the determination key can be found in the appendix.

- 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

- 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.

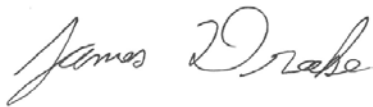
The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's 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 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.

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 the [Natural Heritage Review website](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, you may 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,

A handwritten signature in cursive script that reads "James Drake".

James Drake
Natural Heritage Review Specialist
James.F.Drake@state.mn.us

Cc: Melissa Collins, Keylor Andrews



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Pilot Knob Transmission Line

Project Proposer: Great River Energy

Project Type: Utilities, Transmission (electric, cable, phone)

Project Type Activities: Tree Removal; Structure Removal or Bridge Removal; Wetland impacts (e.g., dewatering, discharge, excavation, fill, runoff, sedimentation)

TRS: T115 R20 S17, T115 R20 S20, T115 R20 S8, T27 R23 S20, T27 R23 S21, T27 R23 S22, T27 R23 S27, T27 R23 S29, T27 R23 S30, T27 R24 S25, T27 R24 S36

County(s): Dakota

DNR Admin Region(s): Central

Reason Requested: PUC Site or Route Application

Project Description: Transmission line rebuild. Timing and construction methods are TBD but work will occur within existing ROW to the extent possible.

Existing Land Uses: urban/residential

Landcover / Habitat Impacted: urban/residential

Waterbodies Affected: waterbodies will be spanned by the project.

Groundwater Resources Affected: N/A

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

| Category | Results | Response By Category |
|-----------------------------------------------|----------------------|-----------------------------------------------------------|
| Project Details | No Comments | No Further Review Required |
| Ecologically Significant Area | Comments | Protected Wetlands: Calcareous Fens |
| State-Listed Endangered or Threatened Species | Needs Further Review | State-protected Species in Vicinity |
| State-Listed Species of Special Concern | Comments | Recommendations |
| Federally Listed Species | Comments | Visit IPaC for Federal Review RPBB High Potential Zone |



June 14, 2023

Project Name: Pilot Knob Transmission Line
Project Proposer: Great River Energy
Project Type: Utilities, Transmission (electric, cable, phone)
Project ID: MCE #2023-00454

AUTOMATED RESULTS: FURTHER REVIEW IS NEEDED

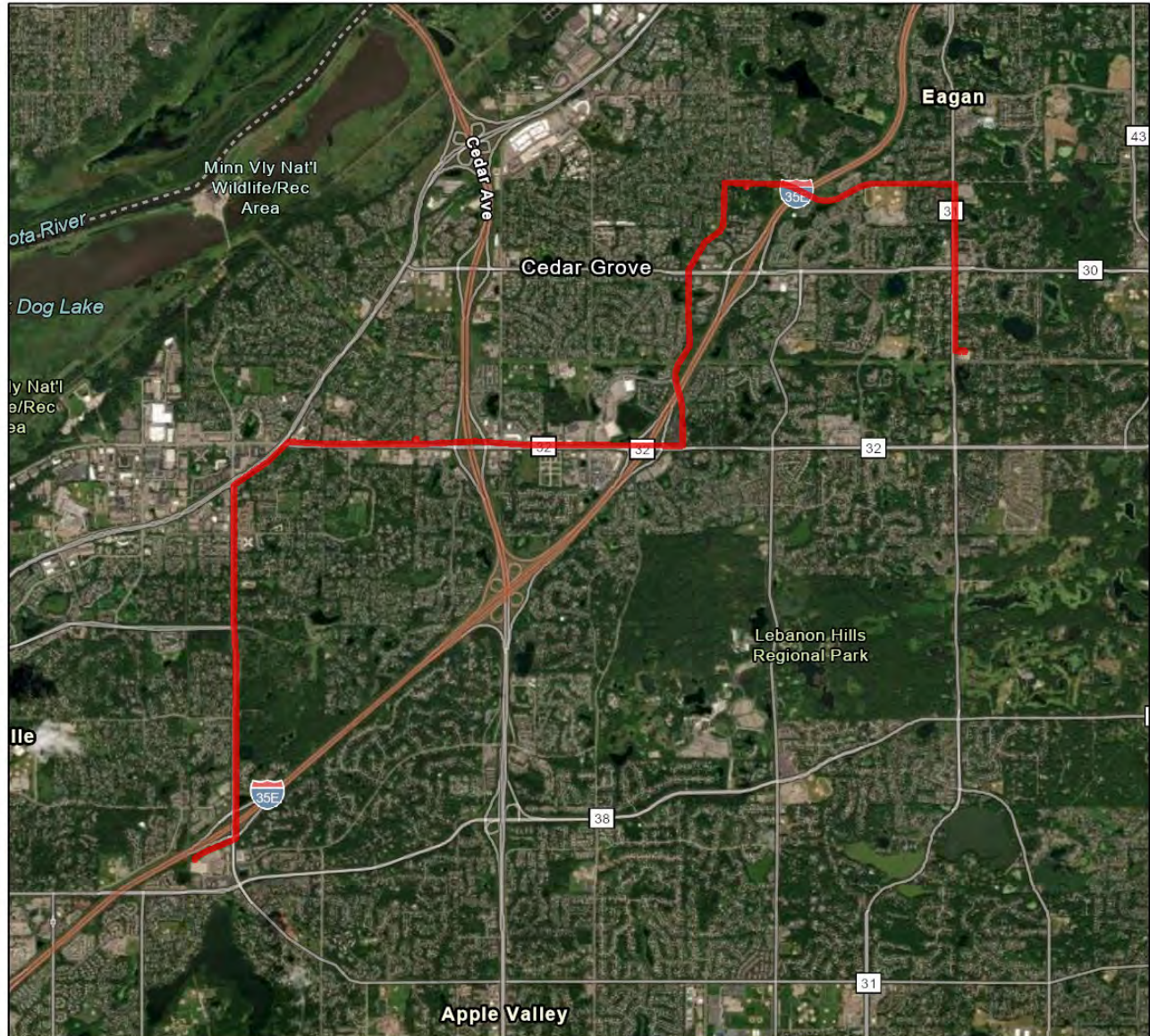
As requested, the above project has undergone an automated review for potential impacts to rare features. Based on this review, one or more rare features may be impacted by the proposed project and further review by the Natural Heritage Review Team is needed. You will receive a separate notification email when the review process is complete and the Natural Heritage Review letter has been posted.

Please refer to the table on the cover page of this report for a summary of potential impacts to rare features. For additional information or planning purposes, use the Explore Page in Minnesota Conservation Explorer to view the potentially impacted rare features or to create a Conservation Planning Report for the proposed project.

If you have additional information to help resolve the potential impacts listed in the summary results, please attach related project documentation in the Edit Details tab of the Project page. Relevant information includes, but is not limited to, additional project details, completed habitat assessments, or survey results. This additional information will be considered during the project review.

Pilot Knob Transmission Line

Aerial Imagery With Locator Map



0 0.35 0.7 1.4 2.1 2.8 Miles

 Project Boundary

Project Type: Utilities, Transmission (electric, cable, phone)

Project Size (acres): 76.72

County(s): Dakota

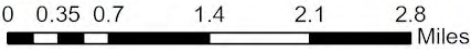
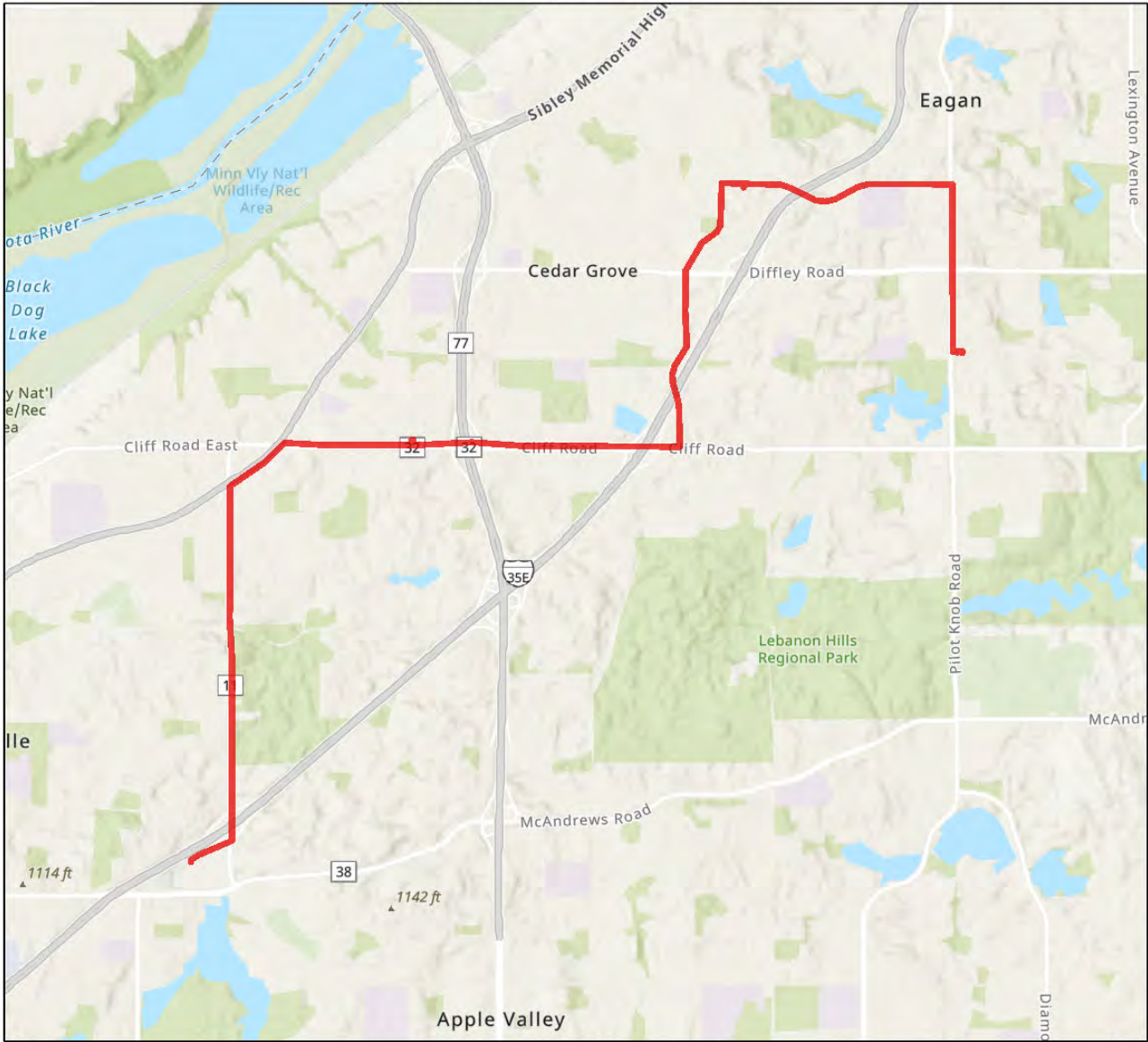
TRS: T115 R20 S17, T115 R20 S20, T115 R20 S8, T27 R23 S20, T27 R23 S21 +

County of Dakota, Metropolitan Council, MetroGIS, Three Rivers Park District, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA



Pilot Knob Transmission Line

USA Topo Basemap With Locator Map



 Project Boundary

Project Type: Utilities, Transmission (electric, cable, phone)
Project Size (acres): 76.72
County(s): Dakota
TRS: T115 R20 S17, T115 R20 S20, T115 R20 S8, T27 R23 S20, T27 R23 S21 +

County of Dakota, Metropolitan Council, MetroGIS, Three Rivers Park District,
Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,
EPA, NPS, USDA



From: [Kristin Lenz](#)
To: ["Vickery, Martha L \(DNR\)"](#)
Cc: [Strohfus, Mark GRE-MG](#); [Mandy Bohnenblust](#)
Subject: RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction
Date: Tuesday, August 29, 2023 3:29:00 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good afternoon Martha,

Thank you for your response. Great River has not identified any state land or public waters that are crossed by the existing or proposed alignment at this time.

Thank you,
Kristin

Kristin Lenz
Senior Project Manager
612.924.3962 direct
763.913.4740 mobile
kristin.lenz@merjent.com



1 Main Street SE, Suite 300
Minneapolis, MN 55414
612.746.3660
www.merjent.com

From: Vickery, Martha L (DNR) <martha.vickery@state.mn.us>
Sent: Friday, August 25, 2023 9:50 AM
To: Kristin Lenz <kristin.lenz@merjent.com>
Subject: EXTERNAL: RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

CAUTION: This email originated from outside of Merjent.

Hi Kristin:

As a first step, please provide documentation of your land rights for any crossings of state land or public waters in this rebuild route. If there are easement rights, I will need to read the easement for what construction activities are allowed.

If your company has existing utility licenses from DNR, please provide them. The allowed activities vary by the era in which the license was issued.

If there are state land crossings, that crossing will need to be reviewed for any federal aid concerns. Happy to chat about all this.

Martha Vickery

Central Region Operations Coordinator | Lands and Minerals Division

Minnesota Department of Natural Resources

1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5792

Fax: 651-772-7977

Email: martha.vickery@state.mn.us

mndnr.gov



From: Kristin Lenz <kristin.lenz@merjent.com>

Sent: Friday, August 25, 2023 9:23 AM

To: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>

Cc: Vickery, Martha L (DNR) <martha.vickery@state.mn.us>; Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>; Drake, James F (DNR) <James.F.Drake@state.mn.us>; Strohfus, Mark GRE-MG <MStrohfu@GREnergy.com>; Mandy Bohnenblust <mandy.bohnenblust@merjent.com>

Subject: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

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Good morning,

Great River Energy is proposing to rebuild and upgrade approximately 8.75 miles of its existing electrical transmission system within the cities of Eagan and Burnsville in Dakota County, Minnesota (Project). The enclosed letter provides additional information on the Project, including a map of the Project area and proposed route. Great River Energy would appreciate any comments that you may have on the Project and the proposed route.

The Project will include rebuilding and upgrading three sections of transmission line: the line between the Pilot Knob and Deerwood Substations; the line between the Deerwood and River Hills Substations; and the line between the River Hills and Burnsville Substations. Great River Energy is proposing to construct the new 115-kV transmission line generally following the centerline of the

existing 69-kV transmission line. The Project would involve removal of existing poles within the Great River Energy right-of-way, and replacement with new, 60- to 95-foot-high poles placed 350 to 400 feet apart, also within the Great River Energy right-of-way. Great River Energy is planning to submit a Route Permit Application to the Minnesota Public Utilities Commission in Fall 2023.

Please contact Mark Strohfus at 763-445-5210 or MStrohfus@GREnergy.com should you need additional information.

Regards,

Kristin Lenz on behalf of Mark Strohfus, Great River Energy

Kristin Lenz

Senior Project Manager

612.924.3962 direct

763.913.4740 mobile

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From: [Kristin Lenz](#)
To: [Collins, Melissa \(DNR\)](#)
Cc: [Vickery, Martha L \(DNR\)](#); [Drake, James F \(DNR\)](#); [Mandy Bohnenblust](#); [Warzecha, Cynthia \(DNR\)](#); [Strohfus, Mark GRE-MG](#)
Subject: RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction
Date: Wednesday, August 30, 2023 11:58:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Good morning Melissa,

Thank you for your response and clarification on the points of contact. The size and depth of footings would be approximately 5-7 feet in diameter and 20-30 feet deep; however, additional work is needed to finalize these dimensions. The Proposed Route will follow an existing 69-kV transmission line that was built in the late 1970s to mid-1980s and will be located primarily within existing ROW (approximately 70 feet wide – 35 feet on either side of the centerline). Limited geotechnical borings may have been conducted for the original installation; nevertheless, Great River Energy plans to conduct geotechnical borings after the Route Permit is approved by the Minnesota Public Utilities Commission to inform the final alignment and pole locations. Great River Energy will coordinate with the Minnesota Department of Natural Resources regarding pole placement and calcareous fen considerations at that time.

Great River Energy has also initiated coordination with the U.S. Fish and Wildlife Service.

Thank you,
Kristin

Kristin Lenz
Senior Project Manager
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From: Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>
Sent: Friday, August 25, 2023 9:48 AM
To: Kristin Lenz <kristin.lenz@merjent.com>; Strohfus, Mark GRE-MG <MStrohfu@GREnergy.com>
Cc: Vickery, Martha L (DNR) <martha.vickery@state.mn.us>; Drake, James F (DNR) <James.F.Drake@state.mn.us>; Mandy Bohnenblust <mandy.bohnenblust@merjent.com>; Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>
Subject: EXTERNAL: RE: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

CAUTION: This email originated from outside of Merjent.

Hi Kristin and Mark,

Thank you for making us aware of this project. I would be the DNR point of contact during early coordination until the route permit application is submitted to PUC. From that point on, Cynthia would be the point of contact, but please cc her on all communications.

Can you please tell me the size and depth of the footings for the pole structures and if any geotechnical reports have been conducted for the project? It appears that two calcareous fens are in close proximity to the project, and we would want to insure that groundwater hydrology is not impacted.

Will the ROW need to be expanded or will the project be entirely within the existing ROW?

The project is located entirely within a High Potential Zone for the federally-endangered, rusty-patched bumble bee. We recommend coordination with U.S. Fish and Wildlife Service if you have not already initiated that process.

Thank you,

Melissa Collins

Regional Environmental Assessment Ecologist | Ecological and Water Resources

Pronouns: She/her/hers

Minnesota Department of Natural Resources

1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5755

Email: melissa.collins@state.mn.us

mndnr.gov



From: Kristin Lenz <kristin.lenz@merjent.com>

Sent: Friday, August 25, 2023 9:23 AM

To: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>

Cc: Vickery, Martha L (DNR) <martha.vickery@state.mn.us>; Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>; Drake, James F (DNR) <James.F.Drake@state.mn.us>; Strohfus, Mark GRE-MG <MStrohfus@GREnergy.com>; Mandy Bohnenblust <mandy.bohnenblust@merjent.com>

Subject: Great River Energy Pilot Knob Rebuild and Upgrade Project, Dakota County, MN - Project Introduction

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Regards,

Kristin Lenz on behalf of Mark Strohfus, Great River Energy

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