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To: [MN_NHIS_Review \(DNR\)](#)
Cc: [Britta Bergland](#); [Kristin Lenz](#)
Subject: Avoidance for MCE-2023-00935
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Attachments: [image001.png](#)

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Molly,

Thank you for the official MCE review of the Dairyland Wabasha Relocation Project (MCE-2023-00935). The response, dated April 2, 2024, included a number of requirements to avoid take of state-threatened or endangered species. This email serves as documentation that the project will implement the described avoidance measures. Those measures include the following:

Blanding's and Wood Turtles

- Avoid wetland and aquatic impacts during hibernation season, between September 15th and April 15th, if the area is suitable for hibernation.
- Limit erosion and sediment control to wildlife friendly erosion control to avoid the inadvertent take of Blanding's turtles.
- Hydro-mulch products should not contain any materials with synthetic (plastic) fiber additives, as the fibers can re-suspend and flow into waterbodies.
- Construction areas, especially aquatic or wetland areas, should be thoroughly checked for turtles before the use of heavy equipment or any ground disturbance.
- Check any holes that have been left unattended for prolonged periods for turtles before being filled.
- Provide the Blanding's turtle flyer to all contractors working in the area. Illegal collection is a concern with wood turtles; therefore, please do not post any signs that would bring attention to the presence of wood turtles.
- Monitor for turtles during construction. Report any sightings to Reports.NHIS@state.mn.us; please include date, observer, location, and photograph of the turtle.
- Move turtles if they are in imminent danger, by hand out of harm's way, otherwise they are to be left undisturbed. Please see Helping Turtles Across the Road for guidelines on how to move turtles safely out of danger.
- Contact Review.NHIS@state.mn.us with subject line Avoidance for MCE-2023-00935 to confirm if the described avoidance measures will be implemented.
- Refer to the Blanding's turtle fact sheet, which provides two lists of

recommendations for avoiding and minimizing impacts to turtles.

Timber rattlesnake

- Crews working in the area should be advised that if they encounter any snakes, the snakes should not be disturbed.
- Limit erosion and sediment control to wildlife friendly erosion control to avoid the inadvertent take of timber rattlesnakes.
- Contact Review.NHIS@state.mn.us with subject line Avoidance for MCE-2023-00935 to confirm if the described avoidance measures will be implemented.

State-Listed Plants (Seaside three-awn (*Aristida tuberculosa*), clasping milkweed (*Asclepias amplexicaulis*), beach heather (*Hudsonia tomentosa*), and Davis' sedge (*Carex davisii*)

- Avoid all potential habitats. If this is not feasible, a qualified surveyor will need to determine if suitable habitat exists within the activity impact area and, if so, conduct a survey prior to any project activities.
- Contact Review.NHIS@state.mn.us with subject line Avoidance for MCE-2023-00935 to confirm if the described avoidance measures will be implemented.

We understand that if the Project has not occurred within a year of the DNR's response, a new MCE review will be required.

Thank you for your assistance with this project.

Mandy

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