



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

April 10, 2024

Correspondence # MCE 2023-00951

Shaun McCoshum  
Westwood Professional Services, Inc.

RE: Natural Heritage Review of the proposed Bent Tree 2,

County	Township (N)	Range (W)	Sections
Freeborn	104	21	3-9, 16-18
Steele	105	21	31-34
Freeborn	104	22	1-18
Waseca	105	22	31-36
Freeborn	104	23	1, 12, 13, 24
Waseca	105	23	36

Dear Shaun McCoshum,

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*

- The Minnesota Biological Survey (MBS) has identified four Sites of *Moderate* Biodiversity Significance within the proposed project area, Hartland 21, Hartland ROW – N, Freeborn 3, and Hartland 24 West. 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 *Moderate* contain occurrences of rare species and/or moderately disturbed native plant communities, and/or landscapes that have a strong potential for recovery. Hartland 21 and Hartland ROW – N have mapped examples of native prairie, Mesic Prairie (Southern) (UPs23a), which has a state conservation rank of Imperiled (S2). Freeborn 3 and Hartland 24 West have

mapped examples of Sugar Maple – Basswood – (Bitternut Hickory) Forest (MHs39a) and Southern Mesic Oak-Basswood Forest (MHs38). These have state conservation ranks of Imperiled (S2) and Vulnerable to Extirpation (S3), respectively. We encourage you to consider project alternatives that would avoid or minimize disturbance to these ecologically significant areas. Actions to minimize disturbance may include, but are not limited to, the following recommendations:

- Minimize vehicular disturbance in MBS Sites (allow only vehicles/equipment necessary for construction activities).
- Do not park equipment or stockpile supplies in MBS Sites.
- Do not place spoil in MBS Sites or other sensitive areas.
- Retain a buffer between proposed activities and the MBS Site.
- If possible, conduct the work under frozen ground conditions.
- Use effective erosion prevention and sediment control measures.
- Inspect and clean all equipment prior to bringing it near the Sites to prevent the introduction and spread of invasive species.
- As much as possible, operate within already-disturbed areas.
- Revegetate disturbed soil with [native species suitable to the local habitat](#) as soon after construction as possible.
- Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.

MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be viewed using the Explore page in [Minnesota Conservation Explorer](#) or their GIS shapefiles can be downloaded from the [MN Geospatial Commons](#). Please contact the [NH Review Team](#) if you need assistance accessing the data. Reference the [MBS Site Biodiversity Significance](#) and [Native Plant Community](#) websites for information on interpreting the data. To receive a list of MBS Sites of Biodiversity Significance and DNR Native Plant Communities in the vicinity of your project, create a [Conservation Planning Report](#) using the Explore Tab in [Minnesota Conservation Explorer](#).

#### *State-listed Species*

- Tuberous Indian plantain (*Arnoglossum plantagineum*), Sullivan's milkweed (*Asclepias sullivantii*), edible valerian (*Valeriana edulis* var. *ciliata*), all state-listed as threatened, and small white lady's-slipper (*Cypripedium candidum*) and rattlesnake master (*Eryngium yuccifolium*), state-listed as species of special concern, have been documented in the proposed project area near the railroad line between New Richland and Hartland. 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 endangered or threatened plants or animals, including their parts or seeds, without a permit. **To avoid potential take of state-**

protected plants, the project impact area needs to avoid impacting railroad right-of-way or mapped native prairie (viewable in [MCE](#)). Alternatively, to demonstrate avoidance if these areas will be impacted, a qualified surveyor will need to conduct a botanical survey prior to any project activities.

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 [Review.NHIS@state.mn.us](mailto:Review.NHIS@state.mn.us) if you have any questions regarding this process.

**Please contact [Review.NHIS@state.mn.us](mailto:Review.NHIS@state.mn.us) to confirm that the above avoidance measures will be implemented or to inform us that they are not feasible.** If the measures are not feasible, a project-specific avoidance plan will likely be needed.

- Trumpeter swans (*Cygnus buccinator*), a state-listed species of special concern, have been documented nesting within the proposed project area. During the breeding season, trumpeter swans select small ponds and lakes with extensive beds of cattails, bulrush, sedges, and/or horsetail. Ideal habitat includes about 100 m of open water for take-off, stable levels of unpolluted water, emergent vegetation, low levels of human disturbance, and the presence of muskrat houses and American beaver lodges for use as nesting platforms. Construction activities that occur during the nesting season, late April through early June, could disrupt nesting swans, if present.

Please note, the NHIS does not track migrating birds. As such, additional state-listed species may be impacted by this project. Wind farms can affect birds due to collision fatality, displacement due to disturbance, habitat fragmentation, and habitat loss. Even if collision fatality rates are low, the additional fatalities may be significant for rare species. The DNR looks forward to receiving the results of any avian surveys and may have additional comments regarding state-listed birds at that time.

Actions to minimize impacts to state-listed birds include, but are not limited to, the following,

- place turbines away from wetland or grassland areas,
- feather turbine blades below cut-in speeds,
- increase cut-in speeds.
- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. All of Minnesota's bats, including the federally endangered northern long-eared bat (*Myotis septentrionalis*) and the tricolored bat (*Perimyotis subflavus*), big brown bat (*Eptesicus fuscus*), and little brown bat (*Myotis lucifugus*),

all of which are state-listed species of special concern, occur 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.**

Wind farms are known to cause bat fatalities due to collisions with turbines. Actions to minimize bat fatalities include, but are not limited to, the following recommendations:

- place turbines away from forested areas,
- feather turbine blades below cut-in speeds,
- increase cut-in speeds.

The DNR looks forward to receiving the results of the bat surveys and may have additional comments regarding state-listed bats at that time.

- 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.

#### *Federally Protected Species*

- 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*

- To further protect rare features, please incorporate the relevant guidance, including setbacks, within the [DNR's Guidance for Commercial Wind Energy Projects](#) when determining infrastructure location and throughout the operation of this proposed project.
- 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](mailto:James.F.Drake@state.mn.us)

Cc: Haley Byron, Cynthia Warzecha