



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

September 21, 2025

Nick Alex
Burns & McDonnell Engineering Company, Inc.

RE: Natural Heritage Review of the proposed Blue Lake BESS - 04022025,
T115N R22W Section 2, 11; Scott County

Dear Nick Alex,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2025-00330** in the email subject line.

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 a Site of *High* Biodiversity Significance that overlaps the proposed project. 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 *High* contain very good quality occurrences of the rarest species, high quality examples of the rare native plant communities, and/or important functional landscapes. There is a mapped native plant community covering most of the project area, also. This is Dry Barrens Oak Savanna (Southern), Oak Subtype (UPs14a2), which has a state conservation rank of Critically Imperiled (S1). More than 99% of the prairie/savanna that was present in the state before settlement has been destroyed, and more than one-third of Minnesota's endangered, threatened, and special concern species are now dependent on the remaining small fragments of Minnesota's prairie/savanna ecosystem. Therefore, we feel that all prairie/savanna remnants merit protection. We encourage you to consider project alternatives that would avoid or minimize disturbance to this ecologically significant area. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:
 - As much as possible, operate within already-disturbed areas.
 - Minimize vehicular disturbance in the MBS Site (allow only vehicles/equipment necessary for construction activities).
 - If possible, conduct the work under frozen ground conditions.

- Use effective erosion prevention and sediment control measures.
- Inspect and clean equipment prior to operation and follow recommendations to [prevent the spread of invasive species](#).
- 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](#) (MCE) or their GIS shapefiles can be downloaded from the [MN Geospatial Commons](#). 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 page in MCE.

- If the Wetland Conservation Act (WCA) is applicable to this project, please note that native plant communities with a Conservation Status Rank of S1 through S3 or wetlands within *High* or *Outstanding* MBS Sites of Biodiversity Significance may qualify as Rare Natural Communities (RNC) under WCA. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that modify a RNC must be denied if the local government unit determines the proposed activities will permanently adversely affect the RNC. If the proposed project includes a wetland replacement plan under WCA, please contact your [DNR Regional Ecologist](#) for further evaluation. Please visit [WCA Program Guidance and Information](#) for additional information, including the [RNC Technical Guidance](#).

State-listed Species

- Louisiana broomrape (*Orobanche ludoviciana*), state-listed as threatened, and rhombic evening primrose (*Oenothera rhombipetala*), state-listed as a species of special concern, have been documented in the vicinity of the proposed project. These plants are found on dry prairies and savannas, most commonly those with sandy or gravelly soil. 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 demonstrate avoidance, 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.** 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. Survey proposals should be submitted to Reports.NHIS@state.mn.us prior to initiating survey work. 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 Review.NHIS@state.mn.us if you have any questions regarding this process.

- Gophersnake (*Pituophis catenifer*), plains hog-nosed snake (*Heterodon nasicus*), plains pocket mouse (*Perognathus flavescens*), all state-listed species of special concern, have been documented near the proposed project. These animals prefer grassy areas with sandy and gravelly soils. **Given the presence of these rare snakes, the DNR recommends that the use of erosion control mesh, if any, be limited to [wildlife-friendly materials](#).**
- Lark sparrow (*Chondestes grammacus*), a state-listed bird species of special concern, has been documented in the vicinity of the project. This bird species is found in open, dry grassland areas with scattered trees and shrubs. They build their nest on the ground, in a shrub or a small tree. **If feasible, avoid initial disturbance to grassland areas and tree/shrub removal from May 15 through August 15 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 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.

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.

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 native plant communities, rare species, and other rare features. However, the NHIS is not an exhaustive inventory and does not contain the locations of all rare features in 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.** Resubmit by selecting *Clone Project as Draft* on the project page in MCE.

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

James Drake

Natural Heritage Review Specialist

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Cc: Melissa Collins, Amanda Weise, Jennie Skancke, Martin Donovan