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

December 5, 2023
Correspondence # MCE 2023-00526

Aaron Suehring
Western EcoSystems Technology (WEST), Inc.

RE: Natural Heritage Review of the proposed Elm Creek II Wind Project,

County	Township (N)	Range (W)	Sections
Martin	104	33	32
Martin	103	33	5-8, 18-20, 30
Jackson	103	34	1-2, 11-12, 23-28, 33-36
Jackson	102	34	1-4, 9-11

Dear Aaron Suehring,

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 three Sites of *Moderate* Biodiversity Significance within or adjacent to the northern section of the proposed project along and near Elm Creek. 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. There are mapped examples of a rare native plant community, UPs13d – Dry Hill Prairie (Southern), with a state conservation rank of S2: Imperiled, and PWL_CX – Prairie Wetland Complex, which may rare contain native plant communities. More than 99% of the prairie 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 ecosystem. Therefore, we feel that all prairie remnants merit protection. We encourage you to consider project alternatives that would avoid or minimize disturbance to this ecologically significant area. We encourage you to consider project alternatives that would avoid or minimize disturbance to this ecologically significant area. Actions to minimize disturbance may include, but are not limited to, the following recommendations:

- 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 to the Site 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; and
- 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.

As mentioned above, less than one percent of prairie habitat remains in Minnesota. Many grassland bird species that depend on these remaining prairies are declining in number nationwide. Lake Johanna to the east is also an important staging area for migrating birds. Given the wind project's proximity to these ecologically significant sites and the potential for wind turbines to cause avian mortality, we strongly encourage avian monitoring. Any cumulative impact assessment should also address the issue of avian mortality.

MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be viewed using the 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.

- Arzt Wildlife Management Areas (WMA) is located within the project boundary. We recommend maintaining a minimum ¼ mile setback from all WMAs for all wind turbines. Please contact the Regional Area Wildlife Manager at 507-832-6025 to discuss any concerns they may have about turbines being operated near the WMA.

State-listed Species

- Sullivant's milkweed (*Asclepias sullivantii*), state-listed as threatened, has been documented near the proposed project. This plant is found in native prairie remnants. 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 species,

including their parts or seeds, without a permit. **Disturbance of native prairies must be avoided. If native prairies will be impacted, botanical surveys of the affected areas will need to be completed. Native prairie, as mapped by the DNR, can be can be viewed using the Minnesota Conservation Explorer or their GIS shapefiles can be downloaded from the MN Geospatial Commons.** 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.

- Two rare caddisflies, *Limnephilus secludens*, state-listed as endangered, and *Ironoquia punctatissima*, state-listed as threatened, have been documented near Elm Creek in T103N R33W Section 5. These species are vulnerable to disturbance within streams, springs, and surrounding uplands. **To minimize potential impact to these species, the *Moderate* MBS Site in that section should be treated as an avoidance area. If avoidance is not feasible, please contact me as surveys or a permit to take may be needed.**

- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Although there are no NHIS records for bats in the vicinity of the proposed project, all seven of Minnesota's bats can be found throughout Minnesota. The northern long-eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), big brown bat (*Eptesicus fuscus*), and little brown bat (*Myotis lucifugus*) are all state-listed species of special concern. Measures to minimize impacts should be considered. These may include, but are not limited to, increasing cut-in speeds and conducting post-construction fatality monitoring.

- 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

- 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.

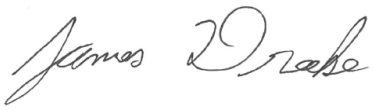
The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available,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



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Cc: Haley Byron, Cynthia Warzecha