



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

June 4, 2024

Ethan Muller
Westwood Professional Services, Inc

RE: Natural Heritage Review of the proposed **Midwater BESS Project**,
T101N R20W Sections 7, 8, & 17; Freeborn County

Dear Ethan Muller,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2024-00353** 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 **Shell Rock Hwy. 65 ROW** (right-of-way) as a Site of *Moderate* Biodiversity Significance in the vicinity of 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 *Moderate* contain occurrences of rare species and/or moderately disturbed native plant communities, and/or landscapes that have a strong potential for recovery. This MBS Site contains **Mesic Prairie (Southern)** (UPs23a) native plant community which is considered **imperiled** (S2) within Minnesota.

The DNR recommends that the project be designed to avoid impacts to these ecologically significant areas. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:

- As much as possible, operate within already-disturbed areas.
- Avoid MBS Sites and native plant communities ranked S1, S2, or S3.

- Retain a buffer between proposed activities and the MBS Site.
 - Prevent herbicide drift into ecologically sensitive areas.
- If working in an MBS Site:
 - Minimize vehicular disturbance in the MBS Site (allow only vehicles/equipment necessary for construction activities).
 - Do not park equipment or stockpile supplies in the MBS Site.
 - Do not place spoil in the MBS Site or other sensitive areas.
- 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.

The Minnesota Biological Survey (MBS) considered the area across from the proposed project for a Site of Biodiversity Significance. **Shell Rock 17** was determined to be *Below* the minimum biodiversity threshold for statewide significance. This area, however, may have conservation value at the local level as habitat for native plants and animals, corridors for animal movements, buffers surrounding higher quality natural areas, or as areas with high potential for restoration of native habitat. **As such, indirect impacts from surface runoff or the spread of invasive species should be considered during project design and implementation.**

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

- [Edible valerian](#) (*Valeriana edulis* var. *ciliata*), a state-listed threatened plant species, has been documented within the vicinity of the proposed project. Edible valerian favors a moist, sunny, calcareous habitat, including calcareous fens, wet meadows, and moist prairies. Many of these habitats are found along highway and railroad right-of-ways. 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.

If project activities are limited to agriculture fields, we do not anticipate any impacts to this rare species. **Please contact Review.NHIS@state.mn.us to confirm that project activities will be limited to the existing agriculture fields.** If project activities will not be confined to agriculture fields, a botanical survey will likely be needed.

- [Suckermouth minnow](#) (*Phenacobius mirabilis*), a state-listed species of special concern, was recently documented in the Shell Rock River within the vicinity of the proposed project. This species' reproductive history isn't well known, but it is thought to spawn multiple times from late May through August. **If feasible, avoid work within the river from May through August.**
- 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

- 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,

Molly Barrett Digitally signed by Molly Barrett
Date: 2024.06.04 15:46:55 -05'00'

Molly Barrett
Natural Heritage Review Specialist
Molly.Barrett@state.mn.us

Cc: [Haley Byron](#), Regional Environmental Assessment Ecologist, South (Region 4)