

Appendices

Church, Kodi GRE/ER

From: Lisa Joyal [Lisa.Joyal@dnr.state.mn.us]
Sent: Thursday, December 07, 2006 3:39 PM
To: Church, Kodi GRE/ER
Subject: RE: Natural Heritage Data Requests



flyer.pdf (186 KB)



fact sheet.pdf (152 KB)

Kodi,

Please see my comments listed below each project heading.

EL Rebuild:

The assessment that you provided regarding the native plant community is adequate. For future reference, please note that you can determine the type/name of a native plant community by clicking on that feature using the Identify Cursor in ArcView. The particular community that you refer to is a Maple-Basswood Forest. It is often more useful to label and look at the Native Plant Community Polygons Layer (the one you mapped with blue dots within a blue outline), which gives you a better idea of the actual boundaries of the communities.

I would also add to the assessment that Blanding's Turtles may be encountered on the project site. Please refer to the attached Blanding's Turtle Fact Sheet and Flyer for recommendations to prevent harm to turtles during construction work. For future reviews, please keep in mind that we are not only concerned with rare features that "intersect" with project boundaries, but also rare species that have been documented in the vicinity of a project area and whether there is potential for those species to occur on the project site. Our standard is to consider all features within a 1-mile radius of a project boundary.

NO-WR Rebuild:

I concur with this assessment.

Thank you for sending in your assessments. You will not be charged for my review/concurrence of the assessments. If you have any further questions, please feel free to contact me.

Thank you,

Lisa

~~~~~

Lisa Joyal  
Environmental Review Technician  
Natural Heritage and Nongame Research Program  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155

phone: 651-259-5109  
fax: 651-296-1811  
lisa.joyal@dnr.state.mn.us

>>> "Church, Kodi GRE/ER" <kchurch@GREnergy.com> 12/4/2006 12:16 PM

>>>

Lisa,

I am requesting concurrence from the DNR on our interpretations of the project impacts. Please see our thoughts below

and let me know if you need any additional information.

**EL Rebuild:**

According to the Rare Features map for the EL Line Rebuild our potential for impact is located in Section 32, T34N, R26W. The map indicates that the feature of concern in this location is that of an undetermined class of native plant communities. In order to avoid potential impact in this area of concern our work will be within the existing right of way for the line. Most of the work through this section will be done in the winter to minimize impacts on vegetation. Once construction is completed for the line all vegetation will be restored where necessary.

**NO-WR Rebuild:**

According to the Rare Features map for the NO-WR Line Rebuild, we will not be working in any areas of particular concern for rare features or protected species. However, preventative measures will be taken in wet areas or areas of potential sensitivity. Much of the construction for this line will be performed during the winter months to greatly decrease our potential for impacting vegetation. Also, any vegetation that is disturbed during construction will be restored when the project is complete.

If you have any additional questions, please don't hesitate to contact me.

Thank you,  
Kodi Jean Church

Kodi Jean Church, EIT | Environmental Transmission Coordinator  
Great River Energy  
17845 East Highway 10 | Elk River, MN 55330

P: 763.241.5666 | F: 763.241.6203 | C: 612.803.2760  
E: kchurch@greenergy.com | www.greatriverenergy.com

-----Original Message-----

From: Lisa Joyal [mailto:Lisa.Joyal@dnr.state.mn.us]  
Sent: Tuesday, November 28, 2006 12:23 PM  
To: Church, Kodi GRE/ER  
Subject: Natural Heritage Data Requests

We received your two requests regarding the proposed NO-WR 69 kV and EL 69 kV Transmission Line Rebuilds. It appears from your cover letters that instead of seeking concurrence from us, you would like us to proceed with our standard review process. If this is the case, you will need to complete a Minnesota Natural Heritage Information System Data Request Form for each project. Please note that you will also be charged for these requests.

If you are only seeking concurrence from us, you will need to provide an assessment of the potential effects that the projects may have on rare features and native plant communities. If impacts are possible, the requests should indicate what avoidance or mitigation measures are proposed. If we concur with your assessment then there is no charge for the review. However, if we come to a different conclusion or need to spend time advising on mitigation measures/permitting, then our standard base review fee of \$60.00 and the interpretation fee of \$6.00/feature requiring comment will apply.

I hope this clarifies the process. Please send the forms if you want us to proceed with our standard review. Otherwise, please send impact assessments for our review/concurrence.

Thank you,

Lisa

-----  
Lisa Joyal  
Environmental Review Technician  
Natural Heritage and Nongame Research Program  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155

phone: 651-259-5109

fax: 651-296-1811  
lisa.joyal@dnr.state.mn.us



Barr Engineering Company  
 4700 West 77th Street • Minneapolis, MN 55435-4803  
 Phone: 952-832-2600 • Fax: 952-832-2601 • [www.barr.com](http://www.barr.com) An EEO Employer

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO

January 24, 2007

Sarah Wren  
 Natural Heritage and Nongame Research Program  
 Minnesota Department of Natural Resources  
 500 Lafayette Road, Box 25  
 St. Paul, MN 55155

**Via Email:** [Sarah.wren@dnr.state.mn.us](mailto:Sarah.wren@dnr.state.mn.us)

Dear Ms. Wren:

Great River Energy (GRE) is proposing to construct a nominal 170-megawatt natural gas-fired combustion turbine at its existing Elk River Campus located at 17845 East Hwy 10, Elk River, Sherburne County, Minnesota. In addition to construction of the combustion turbine, the project will require rebuilding existing transmission lines to accommodate the output from the new turbine in Sherburne and Anoka Counties.

This project may require federal environmental review (for the Rural Utilities Service, GRE's potential funding agency) and a Site Permit from the Minnesota Public Utilities Commission. GRE has retained Barr Engineering to assist with preparation of the Environmental Assessment and permit applications. Both the federal and state processes require that we compile information on known natural heritage resources that may be affected by the project.

GRE would like to request a Natural Heritage Information System database search for the project site and transmission lines. Township, range and section numbers for the plant site, the adjoining buffer area, and the transmission line corridors are listed below. Attached is a map of the project and transmission line corridors for your reference.

**Elk River Peaking Station (ERPS) Unit 11 and Transmission Upgrades  
 Sherburne, Anoka, and Isanti Counties**

Township(N),Range(W),Sections

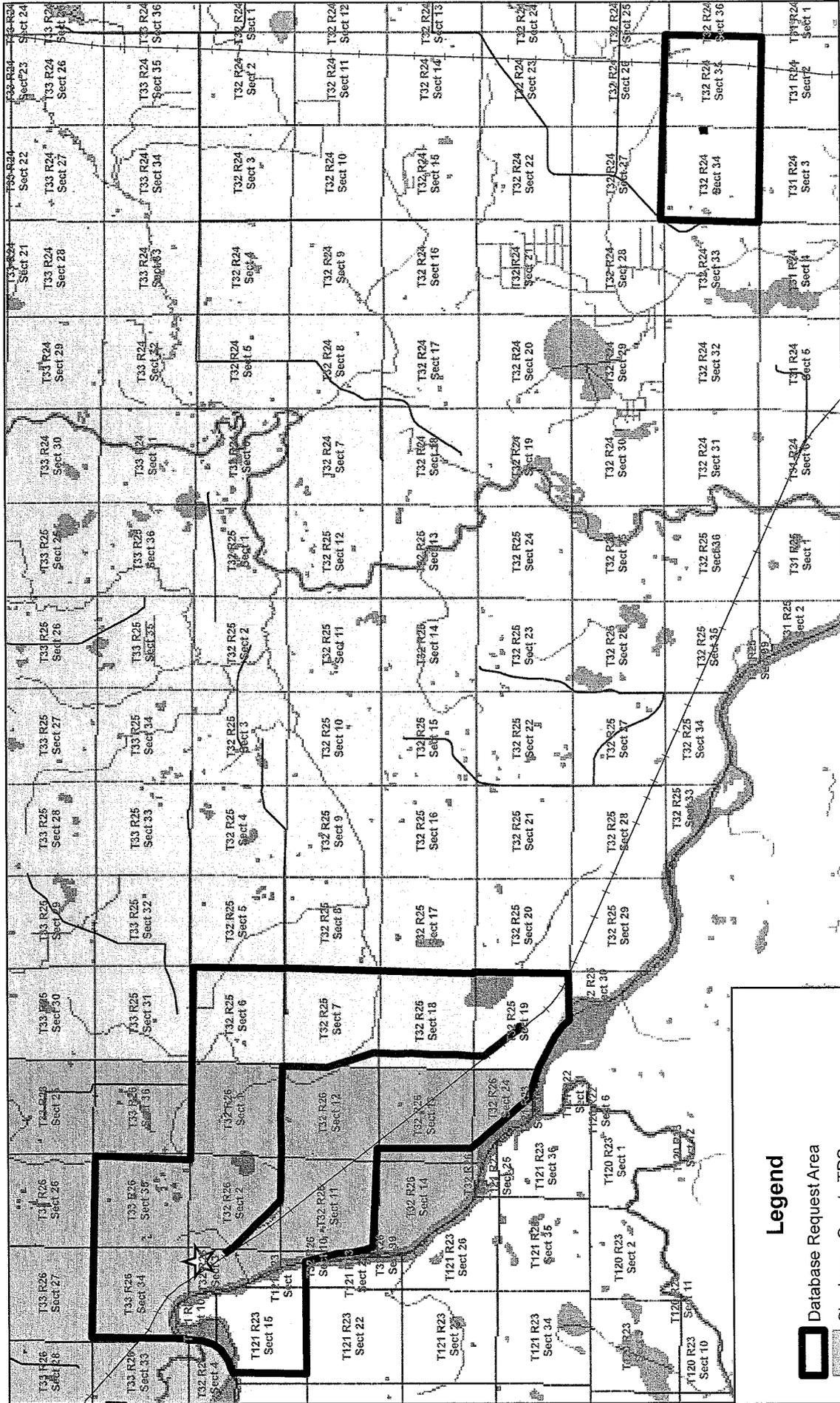
- 32,24,34,35
- 32,25,6,7,18,19
- 32,26,1-3,10-13,24
- 33,26,34,35
- 121,23,10,14,15

If any of the data generated by this request are sent electronically, we ask that you copy those who are copied on this e-mail.

Thank you for your assistance on this project. If you have any questions about the data request or the project in general, please feel free to contact me at 952/832-2904.

Sincerely,

Jeffrey Lee  
Senior Ecological Planner  
Barr Engineering Company

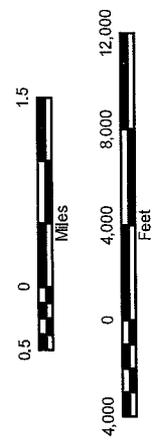


Request Area for Records  
 Natural Heritage Information System  
 Database  
 Elk River Peaking Station (ERPS) Unit 11  
 Transmission Line Upgrades

January 2007

**Legend**

- Database Request Area
- Sherburne County TRS
- Anoka County TRS
- Wright County TRS
- Lake/River
- Railroad
- Elk River Peaking Station (ERPS) Unit 11
- GREUpgradedLines



## Jeff Lee

---

**From:** Nick\_Rowse@fws.gov  
**Sent:** Wednesday, March 14, 2007 2:01 PM  
**To:** Jeff Lee  
**Subject:** Elk River Peaking Station (ERPS) Unit 11 and Transmission Upgrades

Mr. Jeffrey Lee  
Barr Engineering Company  
4700 West 77th Street  
Minneapolis, MN 55435

Dear Mr. Lee:

I have reviewed the information from your letter, dated Jan. 26, 2007, and found no federally listed species within the project site (Section 3 of T32N, R26W) in the City of Elk River. However, two bald eagles are documented to nest across the Mississippi River about 3,500-feet west of the proposed project. No federally listed mussels are documented in the Mississippi River at this site.

Sincerely  
Nick Rowse  
Fish and Wildlife Biologist  
Twin Cities ES Field Office  
U.S. Fish and Wildlife Service  
4101 American Blvd. E.  
Bloomington, MN 55425-1665  
612-725-3548 x210



Barr Engineering Company  
4700 West 77th Street • Minneapolis, MN 55435-4803  
Phone: 952-832-2600 • Fax: 952-832-2601 • [www.barr.com](http://www.barr.com) An EEO Employer

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO

January 26, 2007

Mr. Nick Rowse, Habitat Conservation Biologist  
United States Department of the Interior  
Twin Cities Field Office  
4101 East 80<sup>th</sup> Street  
Bloomington, MN 55425-1665

**RE: Elk River Peaking Station (ERPS) Unit 11 and Transmission Upgrades  
Sherburne and Anoka Counties**

Dear Mr. Rowse:

Great River Energy (GRE) is proposing to construct a nominal 160-megawatt natural gas-fired combustion turbine at its existing Elk River Campus located at 17845 East Hwy 10, Elk River, Sherburne County, Minnesota. In addition to construction of the combustion turbine, the project will require rebuilding approximately six miles of existing transmission lines in Sherburne and Anoka Counties to accommodate the output from the new facility. Demand for electric energy is continuously increasing in GRE's service area and the additional generating capacity provided by this project will help meet that demand.

This project may require federal environmental review (for the Rural Utilities Service, GRE's potential funding agency) and a Site Permit from the Minnesota Public Utilities Commission. GRE has retained Barr Engineering to assist with preparation of the Environmental Assessment and permit applications. Both the federal and state processes require that we compile information on known natural heritage resources that may be affected by the project.

GRE is requesting information on the possible effects of the proposed project on any listed or proposed threatened or endangered species, and designated or proposed critical habitat that may be present in the project area. A project fact sheet and map of the project and transmission line corridors is included for your reference. The proposed generating station will be located in the City of Elk River (Section 3 of T32N, R26W), on a site owned by GRE and adjacent to Great River Energy's corporate headquarters and the Elk River Station. The transmission line upgrades associated with this project will be completed on six miles of existing 69-kV transmission line within Anoka and Sherburne Counties. The voltage of these lines will remain the same, and the improvements will require no new corridors. Improvements may include changing the poles and upgrading the wire size to improve the overall operation and reliability of the Elk River area transmission system.

We would appreciate receiving written comments from your office on this project. If you have any questions about this data request or the project in general, please feel free to contact me at 952/832-2904 or at [jefflee@barr.com](mailto:jefflee@barr.com).

Thank you for your help and cooperation with this project.

Sincerely,

Jeffrey Lee  
Senior Ecological Planner  
Barr Engineering Company

Enclosures



**Jeff Lee**

---

**From:** Cinadr, Thomas [thomas.cinadr@mnhs.org]  
**Sent:** Tuesday, January 30, 2007 7:41 AM  
**To:** Jeff Lee  
**Subject:** RE: Historic and Architectural Inventory database search  
**Attachments:** Archaeology.doc; Historic.doc

**THIS EMAIL IS NOT A PROJECT CLEARANCE.**

**This message simply reports the results of the cultural resources database search you requested. The database search produced results for only previously known archaeological sites and historic properties. Please read the note below carefully.**

**For further information contact Kelly Gragg-Johnson by phone at 651-259-3455 or email at [kelly.gragg-johnson@mnhs.org](mailto:kelly.gragg-johnson@mnhs.org).**

Archaeological sites and historic properties were identified in a search of the Minnesota Archaeological Inventory and Historic Structures Inventory for the search area requested. Reports containing the results of the search are attached.

The result of this database search provides a listing of recorded archaeological sites and historic architectural properties that are included in the current SHPO databases. Because the majority of archaeological sites in the state and many historic architectural properties have not been recorded, important sites or structures may exist within the search area and may be affected by development projects within that area. Additional research, including field survey, may be necessary to adequately assess the area's potential to contain historic properties.

With regard to Environmental Assessment Worksheets (EAW), a negative known site/structure response from the SHPO databases is not necessarily appropriate information on which to base a "No" response to EAW Question 25a. It is the Responsible Governmental Unit's (RGU) obligation to verify the accuracy of the information contained within the EAW. A "No" response to Question 25a without written justification should be carefully considered.

If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic architectural properties, you may need to hire a qualified archaeologist and/or historian. Please contact the SHPO by phone at 651-259-3450 or by email at [mnshpo@mnhs.org](mailto:mnshpo@mnhs.org) for current lists of professional consultants in these fields.

The Minnesota SHPO Survey Manuals and Database Metadata can be found at <http://www.mnhs.org/shpo/survey/inventories.htm>

*Tom Cinadr*  
Survey and Information Management Coordinator

6/13/2007

Minnesota State Historic Preservation Office  
Minnesota Historical Society  
345 Kellogg Blvd. West  
St. Paul, MN 55102

651-259-3453 (voice)

651-282-2374 (fax)

-----Original Message-----

**From:** Jeff Lee [mailto:jefflee@barr.com]  
**Sent:** Wednesday, January 24, 2007 2:19 PM  
**To:** Cinadr, Thomas  
**Cc:** Strohfus, Mark GRE/ER; Daniel W. Jones  
**Subject:** Historic and Architectural Inventory database search

Thomas:

We would like to request a Historic and Architectural Inventory database search for the project site and transmission lines. Township, range and section numbers for the plant site, the adjoining buffer area, and the transmission line corridors are listed in the attached letter and shown on the attached map

Thank you for your help with this and if you have any questions please call me.

<<Thomas Cinadr MHS.doc>> <<MHS\_data\_request.pdf>>

Jeffrey Lee

Senior Ecological Planner/Limnologist

Barr Engineering Company

4700 West 77th Street

Minneapolis, MN 55435-4803

phone: 952/832-2904

fax: 952/832-2601

email: [jefflee@barr.com](mailto:jefflee@barr.com)

---

"It's like you're stealing something from someone" -- Just another ski bum overheard while waiting in line for the first chairlift on yet another powder day.



Barr Engineering Company  
 4700 West 77th Street • Minneapolis, MN 55435-4803  
 Phone: 952-832-2600 • Fax: 952-832-2601 • [www.barr.com](http://www.barr.com) *An EEO Employer*

---

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO

January 24, 2007

Thomas Cinadr  
 Survey and Information Management Coordinator  
 Minnesota State Historic Preservation Office  
 Minnesota State Historical Society  
 345 Kellogg Boulevard, West  
 St. Paul, MN 55102

**Via Email:** [Thomas.Cinadr@mnhs.org](mailto:Thomas.Cinadr@mnhs.org)

Dear Mr. Cinadr:

Great River Energy (GRE) is proposing to construct a nominal 170-megawatt natural gas-fired combustion turbine at its existing Elk River Campus located at 17845 East Hwy 10, Elk River, Sherburne County, Minnesota. In addition to construction of the combustion turbine, the project will require rebuilding existing transmission lines to accommodate the output from the new turbine in Sherburne and Anoka Counties.

This project may require federal environmental review (for the Rural Utilities Service, GRE's potential funding agency) and a Site Permit from the Minnesota Public Utilities Commission. Both the federal and state processes require that we compile information on known historic resources that may be affected by the project.

GRE would like to request a Historic and Architectural Inventory database search for the project site and transmission lines. Township, range and section numbers for the plant site, the adjoining buffer area, and the transmission line corridors are listed below. Attached is a map of the project and transmission line corridors for your reference.

**Elk River Peaking Station (ERPS) Unit 11 and Transmission Upgrades  
 Sherburne, Anoka, and Isanti Counties**

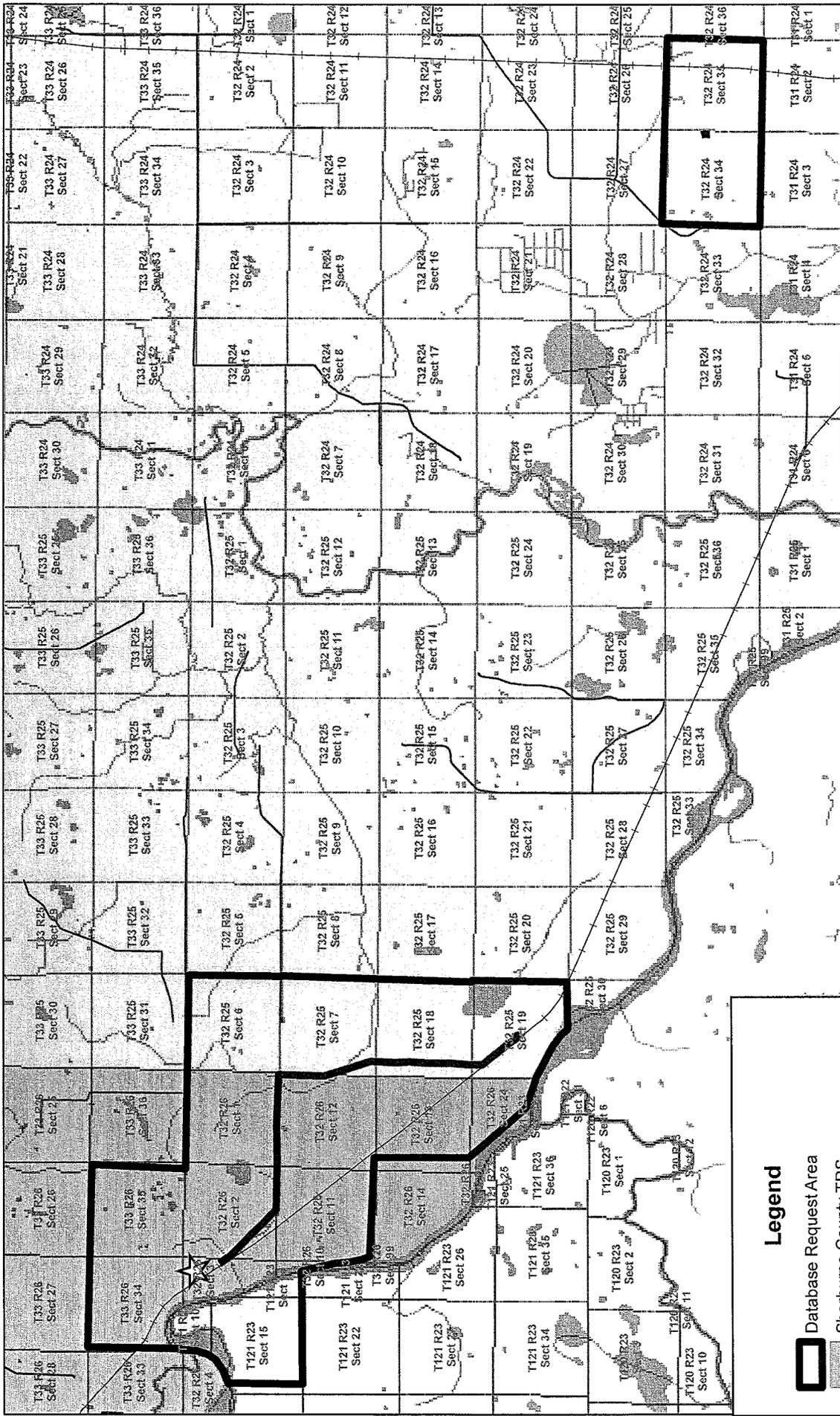
| Township(N) | Range(W) | Sections     |
|-------------|----------|--------------|
| 32          | 24       | 34-35        |
| 32          | 25       | 6-7,18-19    |
| 32          | 26       | 1-3,10-13,24 |
| 33          | 26       | 34-35        |
| 121         | 23       | 10,14-15     |

GRE has retained Barr Engineering to assist with preparation of the Environmental Assessment and permit applications. If any of the data generated by this request are sent electronically, we ask that you copy those who are copied on this e-mail.

Thank you for your assistance on this project. If you have any questions about the data request or the project in general, please feel free to contact me at 952/832-2904.

Sincerely,

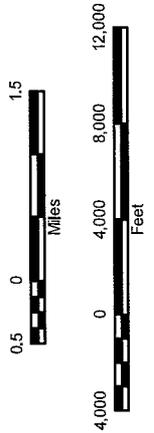
Jeffrey Lee  
Senior Ecological Planner  
Barr Engineering Company



Request Area for Records  
Historic and Architectural Inventory  
Database

Elk River Peaking Station (ERPS) Unit 11  
Transmission Line Upgrades

January 2007



**Legend**

- Database Request Area
- Sherburne County TRS
- Anoka County TRS
- Wright County TRS
- Lake/River
- Railroad
- Elk River Peaking Station (ERPS) Unit 11
- GRE Upgraded Lines



Minnesota Department of Transportation

Office of Aeronautics  
Mail Stop 410  
222 East Plato Boulevard  
St. Paul, MN 55107-1618

Phone: 651/296-8202  
Phone: 651/297-1600  
Fax: 651/297-5643  
Fax: 651/296-1828

February 23, 2007

651 296-2788

Mr. Jeffrey Lee  
Senior Ecological Planner  
Barr Engineering Company  
4700 West 77<sup>th</sup> Street  
Minneapolis, Minnesota 55435-4803

Subject: **Proposed Elk River Peaking Station (ERPS)  
and Transmission Upgrades  
Sherburne and Anoka Counties, Minnesota**

Dear Mr. Lee:

We have reviewed the proposal for the construction of the Elk River Peaking Station (ERPS) and the rebuilding of approximately six miles of existing transmission line. There is no public-use airport in the vicinity of the proposed project. We do not anticipate any effect on publicly-owned airports; therefore the Office of Aeronautics has no objection to the proposed project.

If you have any questions regarding this matter, please call me.

Sincerely,

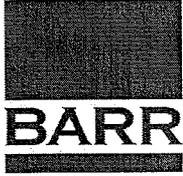
A handwritten signature in cursive script that reads "Gene R. Scott".

Gene R. Scott, P.E.  
Regional Airport Engineer

RECEIVED

FEB 28 2007

BARR  
ENGINEERING CO.



Barr Engineering Company  
4700 West 77th Street • Minneapolis, MN 55435-4803  
Phone: 952-832-2600 • Fax: 952-832-2601 • [www.barr.com](http://www.barr.com) An EEO Employer

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO

January 26, 2007

Mr. Harris Baker  
Office of Aeronautics  
Minnesota Department of Transportation  
222 East Plato Boulevard  
St. Paul, MN 55107-1618

**RE: Elk River Peaking Station (ERPS) Unit 11 and Transmission Upgrades  
Sherburne and Anoka Counties**

Dear Mr. Baker:

Great River Energy (GRE) is proposing to construct a nominal 160-megawatt natural gas-fired combustion turbine at its existing Elk River Campus located at 17845 East Hwy 10, Elk River, Sherburne County, Minnesota. In addition to construction of the combustion turbine, the project will require rebuilding approximately six miles of existing transmission lines in Sherburne and Anoka Counties to accommodate the output from the new facility. Demand for electric energy is continuously increasing in GRE's service area and the additional generating capacity provided by this project will help meet that demand.

This project may require federal environmental review (for the Rural Utilities Service, GRE's potential funding agency) and a Site Permit from the Minnesota Public Utilities Commission. GRE has retained Barr Engineering to assist with preparation of the Environmental Assessment and permit applications.

GRE is requesting information on the possible effects of the proposed project on airports or airstrips in the project area. A map of the project location and transmission line corridors is included for your reference. The proposed generating station will be located in the City of Elk River (Section 3 of T32N, R26W), on a site owned by GRE and adjacent to existing GRE facilities. The tallest structure at the new facility will be the stack at approximately 90 feet. The transmission line upgrades associated with this project will be completed on 6 miles of existing 69-kV transmission line within Anoka and Sherburne Counties. The voltage of these lines will remain the same, and the improvements will require no new corridors. Improvements may include changing the poles and upgrading the wire size to improve the overall operation and reliability of the Elk River area transmission system.

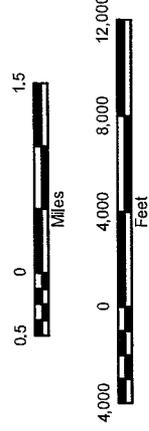
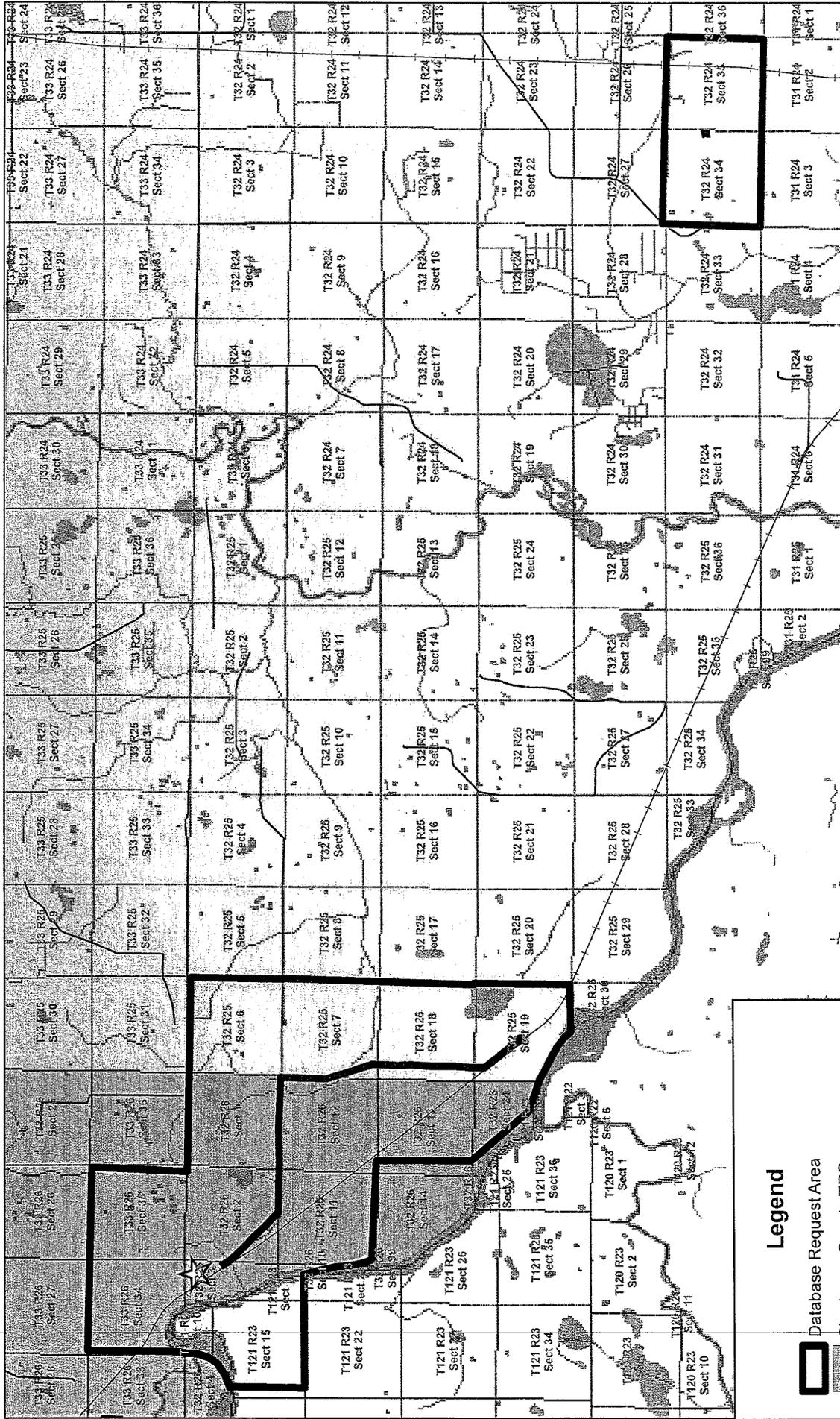
We would appreciate receiving written comments from your office on this project. If you have any questions about this request or the project in general, please feel free to contact me at 952/832-2904 or at [jefflee@barr.com](mailto:jefflee@barr.com).

Thank you for your help and cooperation with this project.

Sincerely,

Jeffrey Lee  
Senior Ecological Planner  
Barr Engineering Company

Enclosures



Request Area for Records  
 Natural Heritage Information System  
 Database

Elk River Peaking Station (ERPS) Unit 11  
 Transmission Line Upgrades

January 2007

**Legend**

- Database Request Area
- Sherburne County TRS
- Anoka County TRS
- Wright County TRS
- Lake/River
- Railroad
- Elk River Peaking Station (ERPS) Unit 11
- GRE Upgraded Lines

May 12, 2003



MINNESOTA HISTORICAL SOCIETY

Ms. Helen Dijkstra  
Barr Engineering  
4700 West 77<sup>th</sup> Street  
Minneapolis, MN 55435-4803

RECEIVED

MAY 14 2003

BARR  
ENGINEERING CO.

Re: Great River Energy CCCT Generating Station Project  
Dakota County  
SHPO Number: 2003-2010

Dear Ms. Dijkstra:

Thank you for the opportunity to review and comment on the above project. It has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and the Procedures of the Advisory Council on Historic Preservation (36CFR800).

As your letter indicates, we have previously reviewed this project at the request of Earth Tech, and have recommended that portions of the project area be surveyed. That earlier review included a number of changes in project scope. Your recent letter also includes changes in scope.

Rather than attempting to accurately track all the details of the several scope changes for the project area, we are simply recommending at this time that an archaeological survey of the project area be completed. The contract archaeologist should consult the inventory for pre-identified sites and should develop an appropriate strategy for surveying those areas with good potential. The archaeologist may consult with us regarding this strategy, but such consultation is usually not necessary for a phase one survey.

As recommended previously, the survey will also need to address standing resources.

Any properties that are identified in the area of potential effect should also be evaluated for National Register eligibility.

Your letter indicates that the project will be receiving federal funds, but it does not identify which federal agency. Technically, we cannot initiate the Section 106 review, including consultation about survey strategy, until the federal agency contacts our office. In addition, we cannot address any agency specific requirements without knowing which agency will be involved.

We look forward to reviewing the results of the survey. Contact us at 651-296-5462 with questions or concerns.

Sincerely,

Dennis A. Gimmestad  
Government Programs & Compliance Officer



# Minnesota Department of Natural Resources

Natural Heritage and Nongame Research Program, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4000

Phone: (651) 296-7863 Fax: (651) 296-1811 E-mail: sarah.hoffmann@dnr.state.mn.us

April 17, 2003

Helen T. Dijkstra  
Barr Engineering Company  
4700 West 77<sup>th</sup> St.  
Minneapolis, MN 55435-4803

Re: Request for Natural Heritage information for vicinity of proposed CCCT Generating Station,  
T27N R22W Sec. 33-35, T115N R18W Sec. 16-21, 28-30, 32, 33 and T115N R19W Sec. 13, 24 & 25,  
Dakota County  
NHNRP Contact #: ERDB 20021069-002

Dear Ms. Dijkstra,

The Minnesota Natural Heritage database has been reviewed to determine if any rare plant or animal species or other significant natural features are known to occur within an approximate one-mile radius of the site location and current area of impact indicated on the map enclosed with your information request. Based on this review, there are 41 known occurrences of rare species or natural communities in the area searched (for details, see enclosed database printout and explanation of selected fields). Following are specific comments for **only those elements that may be impacted** by the proposed project. Rare feature occurrences not listed below are not anticipated to be affected by the proposed project.

- Loggerhead shrikes (*Lanius ludovicianus*), a Threatened species, have been documented at the site proposed for the generating station. Shrike habitat includes open country and dry upland prairie with hedgerows, shrubs, and small trees, as well as shelterbelts, old orchards, pastures, cemeteries, grassy roadsides, and farmsteads. The scattered trees, shrubs, and fencerows in these areas provide places shrikes need to hunt and nest. Red cedar, hawthorn, and plum trees are frequently used for nesting. Shrikes feed by perching on trees, shrubs, fences, or powerlines, and flying out to catch their prey (large insects, small mammals, birds, frogs etc.) in surrounding open grassy areas. Therefore, areas that are too open and have no trees or shrubs for nesting and perching are unsuitable, as are forested areas or dense brushland, which have no open areas in which to spot prey.

We do not know the size or the full extent of the Loggerhead Shrike population in the project vicinity, however breeding season observations and nesting sites have been located between Highway 55 to the north, Highway 52 to west, Highway 61 to the east, and Highway 50 to the south. It is not uncommon for a particular nesting area within a territory to be vacant for one to several years, and then used again by shrikes in later years. In order for Loggerhead Shrikes to be able to continue to use the project area, it is imperative that some habitat matching the description provided above be maintained or created within the site buffer area. Please refer to the enclosed fact sheet for additional information regarding habitat use, life history, and reasons for the species' decline, as well as recommendations for protecting and enhancing habitat for this rare bird. As we already know that Loggerhead Shrikes are present within the general project area, we do not feel that any further survey work is needed.

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929

An Equal Opportunity Employer  
Who Values Diversity



Printed on Recycled Paper Containing a  
Minimum of 10% Post-Consumer Waste

The enclosed results of the database search are provided in two formats: index and full record. To control the release of locational information which might result in the damage or destruction of a rare element, both printout formats are copyrighted.

The index provides rare feature locations only to the nearest section, and may be reprinted, unaltered, in an Environmental Assessment Worksheet, municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the index for any other purpose, please contact me to request written permission. Copyright notice for the index should include the following disclaimer:

“Copyright (year) State of Minnesota, Department of Natural Resources. This index may be reprinted, unaltered, in Environmental Assessment Worksheets, municipal natural resource plans, and internal reports. For any other use, written permission is required.”

The full-record printout includes more detailed locational information, and is for your personal use only. If you wish to reprint the full-record printouts for any purpose, please contact me to request written permission.

Please be aware that review by the Natural Heritage and Nongame Research Program focuses only on *rare natural features*. It does not constitute review or approval by the Department of Natural Resources as a whole. If you require further information on the environmental review process for other wildlife-related issues, you may contact your Regional Environmental Assessment Ecologist, Wayne Barstad, at (651)772-7940.

An invoice for the work completed is enclosed. You are being billed for map and database search and staff scientist review. Please forward this invoice to your Accounts Payable Department. Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

Sincerely,



Sarah D. Hoffmann  
Endangered Species Environmental Review Coordinator

encl: Database search results  
Rare Feature Database Print-Outs: An Explanation of Fields  
Fact sheets: Loggerhead Shrike, Bald Eagle, James' Polansia, permitting  
Natural Communities and Rare Species Map:  
Invoice

DEPARTMENT: Natural Resources - DNR Waters

## Office Memorandum

DATE: April 30, 2003

TO: Helen Dijkstra  
Barr EngineeringFROM: Sandy Fecht  
Critical Area/MNRRRA HydrologistCONNECTIONS: Phone 651-297-2401; fax 651-296-5939; e-mail: sandy.fecht@dnr.state.mn.us  
500 Lafayette Road; St. Paul, MN 55155-4032SUBJECT: Great River Energy 300 - 600 mgw combined cycle power plant/ water pipelines  
Mississippi River Critical Area Corridor/Mississippi National River and Recreation Area  
Rosemount, MN

Thank you for the opportunity to provide preliminary comments and background information regarding the Critical Area program and activities affecting lands within the state Mississippi River Critical Area Corridor and federal Mississippi National River and Recreation Area. Specific construction and location details about the project or potential water pipelines to the river, as well as EAW details, may prompt additional Critical Area comments and environmental concerns.

Under authority of the Critical Areas Act of 1973, the Mississippi River and its adjacent Corridor was designated a State Critical Area on October 18, 1976 by Governor Anderson through Executive Order No. 130; affirmed by Governor Quie on March 27, 1979 through Executive Order 79-19; and made permanently a Critical Area by action of the Metropolitan Council on July 12, 1979. The state-designated Mississippi River Critical Area Corridor and the federal Mississippi National River and Recreation Area (MNRRRA) extends from the northern borders of the cities of Dayton and Ramsey to the southern boundary of Dakota County on the west/south side of the river and the boundary with the Lower St. Croix National Scenic Riverway on the east/north side of the river. All portions of the proposed project that are riverward of the center line of Minnesota Highway 55 are within the Corridor. Legal descriptions of the Corridor boundary may be found at our web site: [http://files.dnr.state.mn.us/waters/watermgmt\\_section/critical\\_area/legdeswb.pdf](http://files.dnr.state.mn.us/waters/watermgmt_section/critical_area/legdeswb.pdf).

The purposes of designating the Mississippi River as a Critical Area include:

- a) protecting and preserving a unique and valuable state and regional resource for the benefit of the health, safety and welfare of the citizens for the state, region, and nation;
- b) preventing and mitigating irreversible damage to this resource;
- c) preserving and enhancing its natural, aesthetic, cultural, and historical value for public use;
- d) protecting and preserving the river as an essential element in the national, state and regional transportation, sewer and water and recreational systems; and
- e) protecting and preserving the biological and ecological functions of the corridor.

Under the Critical Area program, Minnesota Rules, part 4410.9700, subpart 1 requires a state agency shall allow development affecting any portion of the area only as specified in the Executive Order (see [http://files.dnr.state.mn.us/waters/watermgmt\\_section/critical\\_area/execord.pdf](http://files.dnr.state.mn.us/waters/watermgmt_section/critical_area/execord.pdf) and below). The Executive Order 79-19 requires that the Standards and Guidelines provided in the Executive Order shall be followed by state and regional agencies for permit regulation and in developing plans within their jurisdiction. The Critical Area program has been mandatory, not voluntary, since 1976.

Executive Order 79-19 Critical Area Standards and Guidelines mandates that appear to be preliminarily applicable to your proposal are listed below on the attachment. All other location alternatives to avoid the Critical Area Corridor/MNRRRA should be explored. In determining potential development, construction methods, or proposed routing, we would particularly emphasize compliance with the purposes and mandates for Urban Diversified guidelines; protection of all slopes greater than 18%, and ensuring they remain in their natural state; minimization of site alteration; minimization of runoff, retention of existing vegetation; wetland protection; erosion control; site plan approval criteria; and minimization of adverse effects. All other applicable state and federal laws shall be complied with.

State agencies, regional agencies, and local units of government shall notify the DNR Critical Area program staff of all developments requiring discretionary actions or public hearing at least 30 days before taking action, and notify DNR Critical Area program staff of the final action. Early coordination is strongly encouraged.

In addition, state agencies, regional agencies, and local units of government shall develop capital improvement program or public facilities programs, which specify the sequence of actions to be undertaken within the Corridor. All capital improvement or public facilities actions of local units of government, regional agencies, and state agencies which affect lands within the Corridor are required to be consistent with the standards and guidelines in the Executive Order 79-19, Section B. and C. Executive Order 79-19 (Ex. Ord.) requires that the Standards and Guidelines provided in the Executive Order shall be followed by local units of government when preparing plans and regulations. Once plans and regulations have been approved by EQB/DNR, local units of government shall permit development only in accordance with those adopted plans and regulations and approval. Management of the Mississippi River Critical Area Corridor was transferred from the Environmental Quality Board to the Department of Natural Resources in 1995.

In 1988, Congress passed Public Law 100-696 establishing the Mississippi National River and Recreation Area (MNRRA) as a unit of the National Park System to preserve, protect, and enhance the nationally significant historical, recreational, scenic, cultural, natural, economic, and scientific resources of the Mississippi River Corridor in the Twin Cities metro area. In 1995, a Comprehensive Management Plan (CMP) for the MNRRA was approved by the Secretary of the Interior. The CMP provides a management framework to assist the state of Minnesota and units of local government in the implementation of integrated resource management programs and to ensure orderly public and private development in the area. The CMP incorporates the state

Critical Area program and other state land use management programs by reference as the foundation for compliance with the CMP, and encourages voluntary state and local compliance with additional, more restrictive policies to protect and enhance the river corridor. The Mississippi River Critical Area Corridor and MNRRA are geographically identical. In 1991, the Minnesota Legislature designated the federal MNRRA as a state Critical Area by the enactment of Minn. Stat. 116G.15.

Federal Law 16 U.S.C. § 460zz-3(b) (1) requires the National Park Service to review any Federal facility or undertaking, any project requiring Federal permits or licenses, and state or local projects in the area receiving Federal assistance. The NPS reviews proposed facilities and undertakings to assess their compatibility with the MNRRA's Comprehensive Management Plan (CMP). Additional information and a summary of MNRRA policies that are particularly applicable to utility projects may be obtained from National Park Service staff at 651-290-3030.

*Attachment: Mississippi River Critical Area Standards and Guidelines Mandates  
from Executive Order 79-19 - excerpts preliminarily applicable to GRE proposal*

[http://files.dnr.state.mn.us/waters/watermgmt\\_section/critical\\_area/execord.pdf](http://files.dnr.state.mn.us/waters/watermgmt_section/critical_area/execord.pdf)

- Purposes of designation. [Ex. Or. A.]  
*including ensuring that the biological integrity and ecological functions of the river, Spring Lake, and the backwaters are protected and not impaired.*
- Standards and Guidelines shall be followed by state agencies for permit regulation. [Ex. Or. A. 2.]
- General guidelines. [Ex. Or. B. 1.]
- Management of the corridor consistent with the guidelines established for each of the four corridor districts, including preservation or protection of the scenic, natural, and environmental resources: The lands and waters within the Urban Diversified District shall be used and developed to maintain the present diversity of commercial, industrial, residential, and public uses of the lands, including the existing transportation use of the river; to protect historical sites and areas, natural scenic and environmental resources; and to expand public access to and enjoyment of the river. New commercial, industrial, residential, and other uses may be permitted if they are compatible with these goals. [Ex. Or. B. 2.]
- Compliance with applicable state and federal laws. [Ex. Or. B. 3]  
*including Floodplain Management, Public Waters Permits, Appropriations Permits, Shoreland Management, Wetlands, etc.*
- Protect wetlands. [Ex. Or. C. 1. a. (2)]
- Protect bluffs greater than 18%. [Ex. Or. C. 1. a. (4)]
- Provide conditions for the development of bluffs between 18% and 12% slopes. [Ex. Or. C. 1. a. (4)]
- Minimize runoff. [Ex. Or. C. 1. a. (5)]  
*A large number of low-impact stormwater management tools and Best Management Practices are available to achieve both minimization and improvement.*
- Improve the quality of runoff. [Ex. Or. C. 1. a. (5)]
- Minimize site alteration. [Ex. Or. C. 1. a. (6)]
- Erosion control. [Ex. Or. C. 1. a. (6)]
- Management of vegetation cutting. [Ex. Or. C. 1. a. (7)]
- Site plans required for all development for which a permit is required, except single-family residential structures. [Ex. Or. C. 2. a.]
  - New development and expansion permitted only after the approval of site plans which adequately assess and minimize adverse effects and maximize beneficial effects.
  - Site plans shall include submission of adequate and detailed description of the project; submission of activities undertaken to ensure consistency with the objectives of the Designation Order; submission of maps which specify soil types, topography, and the expected physical changes in the site; and measures which address adverse environmental effects.
  - Site plans shall include standards to ensure that structures, roads, screening, landscaping, construction placement, maintenance, and storm water runoff are compatible with the character and use of corridor in that district.
  - Site plans shall contain specific conditions with regard to buffering, landscaping, and revegetation.

- Structure site and location shall be regulated to ensure riverbanks, bluffs and scenic overlooks remain in their natural state. [Ex. Or. C. 2. b.]
- Structure site and location shall be regulated to minimize interference with views of and from the river, except for specific uses requiring river access. [Ex. Or. C. 2. b.]
- The clustering of structures and the use of designs which will reduce public facility costs and improve scenic quality shall be encouraged.
  
- Retention of existing vegetation and landscaping. [Ex. Or. C. 2. e. (1)]
  
- River crossings shall be minimized and concentrated at existing crossings where possible [Ex. Or. C. 7. a.].
- The Corridor shall not be used as a convenient right-of-way. [Ex. Or. C. 7. b.]
- New or modified utility facilities shall complement the planned land and water uses. [Ex. Or. C. 7. b.]
- New or modified utility facilities shall not stimulate incompatible development. [Ex. Or. C. 7. b.]
  
- Capital improvement programs or public facilities programs shall be consistent with the standards and guidelines in Ex. Ord. Section B. and C. [Ex. Or. C. 8.]
  
- Local units of government, state and regional agencies shall notify the DNR of all developments requiring discretionary actions or public hearing at least 30 days before taking action, and notify DNR of the final action. [Ex. Or. G. 1.].