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Facsimile Transmission Sheet	SIDNEY STRICKLAND AND ASSOCIATES, PLLC 3050 K ST. N.W., SUITE 101 WASHINGTON, DC 20007-5108 TELEPHONE: 202-295-4024 FAX: 202-872-5399
To: Christa Dean Fax number: (202) 565-9000 Subject: AB-6 (Sub. No. 433X)	
Date: 3/24/2006	
From: Liz Waite Phone number: (202) 295-4672	
Comments: Attached is the MDNR letter sent to us in response to our request for Natural Heritage information form. Please contact me if you have any questions. Thank you. Liz Waite liz.waite@stricklandpllc.com	



Minnesota Department of Natural Resources

Natural Heritage and Nongame Research Program, Box 25
500 Lafayette Road

St. Paul, Minnesota 55155-40__

Phone: (651) 259-5107 Fax: (651) 296-1811 E-mail: sarah.hoffmann@dnr.state.mn.us

March 20, 2006

Mr. Sidney Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street NW, Suite 107
Washington, D.C. 20007-5108

Re: Request for Natural Heritage information for vicinity of proposed BNSF Railway Abandonment;
T142N R48W Sections 6, 7, 17-20, & 29 and T143N R48W Sections 30 & 31; Clay and Norman Counties
NHNRP Contact #: ERDB 20060703

Dear Mr. Strickland, Jr.,

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 area indicated on the map enclosed with your information request. Based on this review, there is 1 known occurrence of a rare species in the area searched (for details, see enclosed database printout and explanation of selected fields). However, based on the nature and location of the proposed project I do not believe it will affect the above rare feature.

- Please note, however, that wet and mesic prairie remnants have been identified in the right-of-way of the BNSF Railroad in the immediate vicinity of the entire length of the proposed project (see the enclosed map for details). The 1997 Minnesota State Legislature directed the DNR to conduct a field review of active railroad rights-of-way (ROW) to identify native prairie. The DNR surveyed 3240 miles of railroad ROW, of which 487 discontinuous miles of native prairie were identified. The prairie fragments were ranked *very good*, *good*, or *fair* based on the coverage of native prairie plant species, abundance of woody shrubs, and level of disturbance (such as herbicide use or equipment storage). In addition, the survey found 137 new locations of rare plant and animal species. Because 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, we feel that all prairie remnants merit protection. To protect the prairie, there should be no driving or parking vehicles, or stockpiling equipment/materials in prairie areas if at all possible. Runoff from the project area should be diverted away from the prairie, and immediately following construction, disturbed areas should be planted with prairie species native to Minnesota, or some other non-invasive cover, to decrease the opportunity for exotic species to invade the area.

The Natural Heritage database is maintained by the Natural Heritage and Nongame Research Program, a unit within the Division of Ecological Services, Department of Natural Resources. It 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. Its purpose is to foster better understanding and protection of these features.

Because our information is not based on a comprehensive inventory, there may be rare or otherwise significant natural features in the state that are not represented in the database. A county-by-county survey of
DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929



Minnesota Natural Heritage Database
Element Occurrence Records

TWP R40W 30
SECTION PRIMARY FED MW
STATUS STATUS

T142N R40W 30

SEC

LIGUMIA RECTA (BLACK SANDSHELL MUSSEL) #307

RECORDS PRINTED * 1

BNSF RAILWAY ABANDONMENT
T142N R40W MULTIPLE SECTIONS, CLAY COUNTY, T142N R40W SEC 30,31, NORMAN COUNTY
MNDNR, Natural Heritage and Nongame Research Program

S RANK ELEMENT and OCCURRENCE NUMBER

MANAGED AREA

10:57 Thursday, MARCH 16, 2006
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BNSF RAILWAY ABANDONMENT

Minnesota Natural Heritage Database T142N R48W MULTIPLE SECTIONS, CLAY COUNTY, T143N R48W SEC 30,31, NORMAN COUNTY 10:57 Thursday, MARCH 16, 2006
Element Occurrence Records MDNR, Natural Heritage and Nongame Research Program Copyright 2006 State of Minnesota DNR

T142N R48W 0S190N10 CLAY COUNTY, MN

Element: LIGULIA RECTA (BLACK SANDSHELL MUSSEL) #307

State Status: SPECIAL CONCERN

EO Size:

EO Rank:

Current Status:

Quad Map: GEORGETOWN (J02D)

Latitude: 47 5' 33" Long: 96 49' 0"

Precision: within 0.50 mile

Site: GEORGETOWN 30

Ownership: Owner unknown

Managed Area(s): not managed or no record

Source: CVANCARA, A.M. (MUSSELS OF THE RED RIVER VALLEY); DAWLEY, C. (AM MIDLAND NATURALIST); DAWLEY, C. (AM MIDLAND NATURALIST) Voucher: AL31 UNDDG Verification: verified
1848: OWEN REPORTED SPECIES IN RED RIVER BELOW MOUTH OF RED LAKE RIVER, 1875; DAWSON REPORTED SP IN RED RIVER, PRE-1944; DAWLEY REPORTED IN AM MIDLAND
NATURALIST VOL 38 THAT SPECIES HAD BEEN COLL IN RED RIVER. HER ARTICLE (DIST OF ACUTIC MOLLUSKS IN MN) WAS BASED PRIMARILY ON SPECIMENS FROM U OF MN ZOOLOGY
DRPT COLL 1874-1944. 1966: EMPTY SHELLS COLL BY CVANCARA 1.5 MI NW OF GEORGETOWN AT STATION 34. MUSSELS COLL BY HAND & CROMFOOT DREDGE IN SANDY, CLAYBY MUD.

Last Observed Date: 1966

DNR Region: 1

Wildlife Area: 135

Forestry District: 163

Rare Features Database Print-outs: An Explanation of Fields

The Rare Features database is part of the Natural Heritage Information System, and is maintained by the Natural Heritage and Nongame Research Program, a unit within the Division of Ecological Services, Minnesota Department of Natural Resources (DNR).

****Please note that the print-outs are copyrighted and may not be reproduced without permission****

Field Name: [Full (non-abbreviated) field name, if different]. Further explanation of field.

-C-

CBS Site: [County Biological Survey site number]. In each county, the numbering system begins with 1.

CLASS: A code which classifies features by broad taxonomic group: NC = natural community; SA = special animal; SP = special plant; GP = geologic process; GT = geologic time; OT = other (e.g. colonial waterbird colonies, bat hibernacula).

Cty: [County]. Minnesota counties (ordered alphabetically) are numbered from 1 (Aitkin) to 87 (Yellow Medicine).

CURRENT STATUS: Present protection status, from 0 (owner is not aware of record) to 9 (dedicated as a Scientific and Natural Area).

-D-

DNR Region: 1=NW, 2=NE, 3=E Central, 4=SW, 5=SE, 6= Minneapolis/St. Paul Metro.

DNR Quad: [DNR Quadrangle code]. DNR-assigned code of the U.S. Geologic Survey topographic map on which the rare feature occurs.

-E-

ELEMENT or **Element:** See **AELEMENT Name (Common Name)**@

Element Name (Common Name): The name of the rare feature. For plant and animal species records, this field holds the scientific name, followed by the common name in parentheses; for all other elements (such as plant communities, which have no scientific name) it is solely the element name.

EO RANK: [Element Occurrence Rank]. An evaluation of the quality and condition of natural communities from A (highest) to D (lowest).

EO Size: [Element Occurrence Size]. The size in acres (often estimated) of natural communities.

-F-

FED STATUS: [Federal Status]. Status of species under the Federal Endangered Species Law: LE=endangered, LT=threatened, C=species which have been proposed for federal listing.

Federal Status: See **AFED STATUS**@

Forestry District: The Minnesota DNR=s Division of Forestry district number.

-G-

GLOBAL RANK: The abundance of an element globally, from G1 (critically imperiled due to extreme rarity on a world-wide basis) to G5 (demonstrably secure, though perhaps rare in parts of its range). Global ranks are determined by the Conservation Science Division of The Nature Conservancy.

-I-

INTENDED STATUS: Desired protection status. See also **ACURRENT STATUS**@. If a complete list of protection status codes is needed, please contact the Natural Heritage Program.

-L-

LAST OBSERVED or **Last Observed Date** or **Last Observation:** Date of the most recent record of the element at the location.

Latitude: The location at which the occurrence is mapped on Natural Heritage Program maps. NOTE: There are various levels of precision in the original information, but this is not reflected in the latitude/longitude data. For some of the data, particularly historical records, it was not possible to determine exactly where the original observation was made (e.g. "Fort Snelling", or "the south shore of Lake Owasson"). Thus the latitude/longitude reflect the mapped location, and not necessarily the observation location.

Legal: Township, range and section numbers.

Long: [Longitude]. See NOTE under **ALatitude**@

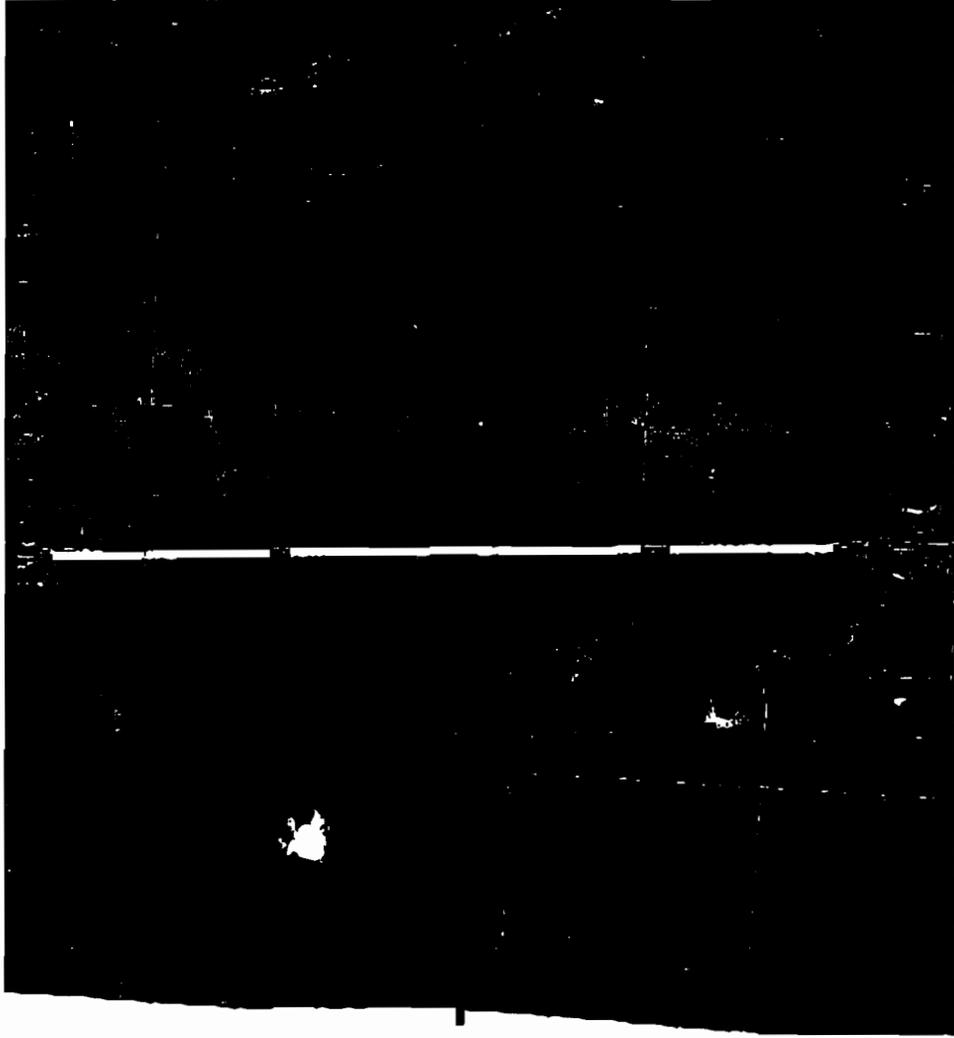
-M-

MANAGED AREA or **Managed Area(s):** Name of the federally, state, locally, or privately managed park, forest, preserve, etc., containing the occurrence, if any. If this field is blank, the element probably occurs on private land. If "(STATUTORY BOUNDARY)" occurs after the name of a managed area, the location may be a private inholding within the statutory boundary of a state forest or park.

Map Sym: [Map Symbol].

MN STATUS: [Minnesota Status]. Legal status of plant and animal species under the Minnesota endangered species law:

BNSF Railway Abandonment T142N R48W Sections 6, 7, 17-20, & 29; Clay County T143N R48W Sections 30 & 31; Norman County



Prairie Railroad Survey
Very Good
Good
Fair
● Populated Places
□ PLS Sections



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Rare Feature, Prairie Railroad Survey, Native Plant Community,
and Sites of Biodiversity Significance data are from the
National Heritage and Nongame Research Program's (NHNRP)
National Heritage Information System. The absence of rare features
for a particular location should not be construed to mean that the
NHNRP is confident rare features are absent from that location.