

RESOURCE REPORT NO. 3
FISH, WILDLIFE AND VEGETATION



Resource Report No. 3
Fish, Wildlife and Vegetation

Northern Lights 2025 Expansion Project
FERC Docket No. CP24- -000

February 2024

RESOURCE REPORT 3 – FISH, WILDLIFE, AND VEGETATION

SUMMARY OF FILING INFORMATION

	Found in Section
1. Classify the fishery type of each surface waterbody that would be crossed, including fisheries of special concern. (18 CFR § 380.12(e)(1))	Sections 3.1.1 and 3.1.2 and Tables 3.1-1 and 3.1-2
<ul style="list-style-type: none"> This includes commercial and sport fisheries as well as cold water and warm- water fishery designations and associated significant habitat. 	
2. Describe terrestrial and wetland wildlife and habitats that would be affected by the project. (§ 380.12(e)(2))	Section 3.2.1
<ul style="list-style-type: none"> Describe typical species with commercial, recreational or aesthetic value. 	
3. Describe the major vegetative cover types that would be crossed and provide the acreage of each vegetative cover type that would be affected by construction. (§ 380.12(e)(3))	Sections 3.3.1 and 3.3.2 and Tables 3.3-1, 3.3-2, and 3.4-1
<ul style="list-style-type: none"> Include unique species or individuals and species of special concern. Include near shore habitats of concern. 	
4. Describe the effects of construction and operation procedures on the fishery resources and proposed mitigation measures. (§ 380.12(e)(4))	Sections 3.1.2 and 3.1.3, Tables 3.1-2 and 3.4-1
<ul style="list-style-type: none"> Be sure to include offshore effects, as needed. 	
5. Evaluate the potential for short-term, long-term, and permanent impact on the wildlife resources and state-listed endangered or threatened species caused by construction and operation of the project and proposed mitigation measures. (§ 380.12(e)(4))	Sections 3.2.2 and 3.4.2
6. Identify all federally listed or proposed endangered or threatened species that potentially occur in the vicinity of the project and discuss the results of the consultations with other agencies. Include survey reports as specified in (§ 380.12(e)(5)).	Sections 3.4.1 and 3.4.2, Appendix 3B
<ul style="list-style-type: none"> See § 380.13(b) for consultation requirements. Any surveys required through § 380.13(b)(5)(i) must have been conducted and the results included in the application. 	
7. Identify all federally listed essential fish habitat (EFH) that potentially occurs in the vicinity of the project and the results of abbreviated consultations with NMFS, and any resulting EFH assessment. (§ 380.12(e)(6))	Not applicable
8. Describe any significant biological resources that would be affected. Describe impact and any mitigation proposed to avoid or minimize that impact. (§ 380.12(e)(4)&(7))	Sections 3.2.1, 3.2.2, 3.3.1, 3.3.2, 3.4.1 and 3.4.2
<ul style="list-style-type: none"> For offshore species, be sure to include effects of sedimentation, changes to substrate, effects of blasting, etc. This information is needed on a mile-by-mile basis and will require completion of geophysical and other surveys before filing. 	
Additional Information Often Missing and Resulting in Data Requests	
<ul style="list-style-type: none"> Provide copies of correspondence from federal and state fish and wildlife agencies along with responses to their recommendations to avoid or limit impact on wildlife, fisheries, and vegetation. 	Appendix 3B
<ul style="list-style-type: none"> Provide a list of significant wildlife habitats crossed by the project. Specify locations by milepost and include length and width of crossing at each significant wildlife habitat. 	Sections 3.2.1 and 3.3.1

Contents

3.0 FISH, WILDLIFE AND VEGETATION.....	3-1
3.1 FISHERIES.....	3-1
3.1.1 Fishery Classification	3-1
3.1.2 Fisheries of Special Concern	3-3
3.1.3 Construction and Operation Impacts	3-3
3.2 WILDLIFE.....	3-5
3.2.1 Existing Resources	3-6
3.2.2 Construction and Operation Impact	3-6
3.3 VEGETATION	3-7
3.3.1 Existing Resources	3-7
3.3.2 Construction and Operation Impacts	3-13
3.4 T&E SPECIES	3-15
3.4.1 Existing Resources	3-15
3.4.2 Construction and Operation Impacts	3-41
3.4.3 Agency Consultation	3-44
REFERENCES.....	3-45

List of Tables

Table 3.1-1 Surface Water Locations

Table 3.1-2 Representative Game and Commercial Fish Species Known to Occur in the Vicinity of the Project Area

Table 3.3-1 Noxious Weed Species Observed

Table 3.3-2 Estimated Disturbance of Vegetation Cover Types

Table 3.4-1 Federally and State-listed Species Potentially Occurring in the Vicinity

List of Appendices

Appendix 3A Noxious Weed Control Plan

Appendix 3B Agency Correspondence

Appendix 3C Habitat Assessment Reports

Appendix 3D Native Seed Mix for Pollinators

Appendix 3E Migratory Bird Species with the Potential to Occur within the Project Area

Abbreviations and Acronyms

Agreement	Habitat Conservation Plan Agreement
BCC	Birds of Conservation Concern
BCR	Bird Conservation Region
BMP	best management practice
CFR	Code of Federal Regulations
DOT	Department of Transportation
EAB	Emerald ash borer
EFH	Essential Fish Habitats
EI	environmental inspector
ER Review	Wisconsin Endangered Resources Review
ESA	Endangered Species Act
ESB	environmental survey boundary
ETWS	extra temporary workspace(s)
FERC	Federal Energy Regulatory Commission
HDD	Horizontal directional drill
HDD Plan	HDD Monitoring, Inadvertent Return Response, and Contingency Plan
HPR	high potential range
HPZ	high potential zone
IBA	Important Bird Areas
IPaC	Information, Planning and Consultation System
KBB	Karner blue butterfly
MBTA	Migratory Bird Treaty Act
MDA	Minnesota Department of Agriculture
MDNR	Minnesota Department of Natural Resources
MP	milepost

NABCI	Northern American Bird Conservation Initiative
NHD	National Hydrography Dataset
NHIS	Natural Heritage Information System
NLEB	Northern long-eared bat
Northern	Northern Natural Gas
NWI	National Wetlands Inventory
NWR	National Wildlife Refuge
ORVW	Outstanding Resource Value Waters
PEM	palustrine emergent
PFO	palustrine forested
Plan	FERC’s Upland Erosion Control, Revegetation and Maintenance Plan
Procedures	Northern’s Wetland and Waterbody Construction and Mitigation Procedures
Project	Northern Lights 2025 Expansion Project
PWI	Public Waters Inventory
ROW	right of way
RPBB	Rusty patched bumble bee
RSEA	Regionally Significant Ecological Areas
SWPPP	Stormwater Pollution Prevention Plan
T&E	Threatened and Endangered
TWS	Temporary workspace
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WDNR	Wisconsin Department of Natural Resources
WWI	Wisconsin Wetland Inventory

3.0 FISH, WILDLIFE AND VEGETATION

Resource Report 3 presents a description of the fish, wildlife and vegetation resources present within the proposed Project area. The report identifies potential impacts on these resources and methods to mitigate potential adverse impacts.

Northern owns and operates an approximately 14,300-mile-long natural gas transmission pipeline system and associated aboveground facilities, including pipeline and facilities in Minnesota and Wisconsin. Northern is proposing to construct the Project, which will consist of (1) a 3.00-mile extension of its 36-inch-diameter Lake Mills to Albert Lea E-line; (2) a 2.43-mile extension of its 30-inch-diameter Elk River 3rd branch line; (3) a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line; (4) a 1.28-mile extension of its 8-inch-diameter Tomah branch line loop; (5) minor modifications to its existing La Crescent compressor station; and (6) aboveground facilities including a launcher, receiver and tie-in valve settings. All Project components are located in various counties in Minnesota and Wisconsin.

3.1 FISHERIES

Game and non-game fish species in Minnesota and Wisconsin are regulated and protected by the USFWS, the MDNR and the WDNR. Regulations such as the USFWS Conservation Act of 1980 (16 USC §§ 2901-2911), the ESA and the USFWS Conservation Coordination Act of 1958. The MDNR Division of Fish and Wildlife, Section of Fisheries, manages a wide range of fishery resources throughout the state. Minnesota game fisheries are regulated by Minnesota Statutes Chapter 97A and Minnesota Rules Parts 6216 and 6254 through 6260. Minnesota R. 6264.0050, subpart 4, identifies waterbodies designated by the state as trout streams. Fisheries in Wisconsin are managed through the WDNR through several regulatory rules including Wisconsin Administrative Code NR 19, 20, 25, and 26, and additionally the WDNR manages state fishing areas and trout streams. Trout streams are classified as either Class 1 (high-quality, natural production of wild trout), Class 2 (some natural production, but are supplemented by stocking efforts), or Class 3 (marginal quality, with little to no natural production; require annual stocking).

3.1.1 Fishery Classification

An assessment of surface water resources was completed through field reconnaissance and review of USGS topographic maps (1:24,000 scale) and NHD, NWI, PWI, and WWI data. The ESB, which includes the Project area and a buffer around the Project area, was assessed for the presence of special waters including springs, National Wild and Scenic Rivers, ORVWs, PWIs, trout streams and other special state and local waterbody designations as described in Section 2.2, Resource Report 2. Wetland and waterbody field surveys were conducted for the Project area intermittently between August and November 2023. Northern completed biological field surveys on 100% of the parcels within the Project ESB.

Construction of the Project will cross three waterbody features; one intermittent stream (ERT-S02) at MP 1.70 and one perennial stream (ERT-S01) between MP 2.74 and 2.75 on the Elk River 3rd branch line, and one intermittent stream (TBL-S01) at MP 3.50 on the Tomah branch line loop. No waterways are crossed by the Lake Mills to Albert Lea E-line or Farmington to Hugo C-line. Field surveys did not identify any waterways or other water features within the La Crescent compressor station. One designated cold water trout stream (La Crosse River) is located within one mile of the

Project, southeast of the Tomah branch line loop. The La Crosse River is listed as a Class II Trout Stream by the WDNR, meaning it allows limited natural reproduction and requires stocking.

No MDNR or WDNR managed state fisheries are located within the Project area.

Construction of the Project will cross all waterbodies, including those with potential fish habitat, via HDD; Northern does not plan to open cut any waterbodies as a part of this Project. Waterbody construction methods and mitigation procedures are discussed in Section 2.2.14 of Resource Report 2. The MP locations of the waterbody crossings along with the state fisheries classifications are listed in Table 3.1-1. As discussed above, no waterbodies were crossed by the Lake Mills to Albert Lea E-line or Farmington to Hugo C-line and no waterbodies were identified at the La Crescent compressor station; therefore, these facilities are not included in Table 3.1-1.

Table 3.1-1 Surface Water Locations

Facility/Surface Waterbody	MP	State Fisheries Classification
Elk River 3rd branch line		
ERT-S03	1.67	N/A (Intermittent Stream)
ERT-MS-S01	2.74-2.75	2B Warmwater Fishery
Tomah branch line loop		
TBL-S01	3.47	N/A (Intermittent Stream)

Northern has determined the known occurrence of fish species through analysis of publicly available agency data, independent literature review and agency consultation. Representative game and commercial fish species that may occur in the Project area are listed in Table 3.1-2. The fish species are primarily located in waterbodies classified as warm water fisheries, which are small perennial or intermittent headwater streams. Fish species present within the Project area are classified by MDNR fishing regulations as rough or sport fish and not commercial. No cold-water fisheries are crossed by the Project.

Table 3.1-2 Representative Game Fish Species Known to Occur in the Vicinity of the Project Area¹

Name	Species	Type	Suitable Habitat Present	Project Component	Waterbody/MP
Brown bullhead	<i>Ameiurus nebulosus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Yellow bullhead	<i>Ameiurus natalis</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Black crappie	<i>Pomoxis nigromaculatus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Bluegill	<i>Lepomis macrochirus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Channel catfish	<i>Ictalurus punctatus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Common carp	<i>Cyprinus carpio</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75

Name	Species	Type	Suitable Habitat Present	Project Component	Waterbody/MP
Green sunfish	<i>Lepomis cyanellus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Hybrid sunfish	<i>Lepomis hybrid</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Largemouth bass	<i>Micropterus salmoides</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Pumpkinseed	<i>Lepomis gibbosus</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Yellow perch	<i>Perca flavescens</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
White sucker	<i>Catostomus commersonii</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75
Northern Pike	<i>Esox lucius</i>	Warm water	Yes	Elk River 3rd branch line	ERT-MS-S01/MP 2.74-2.75

¹ Federal- and state-listed T&E species are not included in Table 3.1-2; they are discussed in Section 3.4.

3.1.2 Fisheries of Special Concern

Surface waters within the Project area were evaluated to determine the presence of fisheries of exceptional recreational value, such as waters that support cold-water fisheries through natural reproduction, provide habitat for protected species, are assigned special state fishery management regulations, or are designated as EFH. Other special-concern fisheries evaluated include those where economic investments have been implemented, such as clean-up or stocking programs, or those that support commercial or tribal harvests.

Sensitive fish distribution data were obtained from the USFWS IPaC system, the MDNR NHIS database and the WDNR ER Review. Determinations for potential impacts were made based on field observations and review of available literature. A review of the three databases revealed that no federally listed or state-listed threatened or endangered or special concern fish species are known to occur near the Project area, and no cold-water fisheries or trout streams will be crossed by the Project.

3.1.3 Construction and Operation Impacts

Pipeline installation at waterbody crossings can alter river and stream channels, which may cause detrimental effects to fish species and aquatic ecosystems that support them. Potential impacts on fish species may include degradation of in-stream habitat from equipment operation, pipeline trenching or excavation, or inadvertent release of drilling mud during HDD operations.

Riparian vegetation contributes to the shading of rivers and their tributaries. The vegetation controls the amount of solar radiation that reaches the water surface, which in turn controls the input of heat into the stream system. Because Northern will use HDD to cross the waterbodies with potential fish habitat, no vegetation removal will occur at waterbody crossings; therefore, an increase in water temperature is not expected to occur as a result of construction of the Project.

In order to minimize impacts on aquatic habitat, Northern will complete all waterbody crossings via HDD. No open-cut crossings of waterbodies are proposed. The secondary method for crossing waterways is realignment and re-drilling the HDD until successful. In addition to using the HDD

method of crossing waterbodies, Northern will follow the Plan and its Procedures, which include BMPs intended to reduce ground disturbance, minimize erosion and sediment run off and promote revegetation within the construction area. Construction stormwater will not be discharged to streams in or adjacent to the Project area. This will allow Northern to avoid potential sedimentation and turbidity impacts on fisheries associated with Project construction.

The primary impact on aquatic habitat that could occur from HDD activities is an inadvertent release of drilling mud directly or indirectly into a waterbody. Drilling mud from an HDD may leak through previously unidentified fractures in the material underlying the riverbed, in the area of the mud pits, or along the path of the drill, due to unfavorable ground conditions. Although drilling mud consists of naturally occurring nontoxic material, such as bentonite clay, water and other inert additives, in larger quantities the release of drilling mud into a waterbody could affect fisheries or other aquatic organisms by settling and temporarily inundating the habitats used by these species.

An increase in turbidity due to an inadvertent release of drilling mud can affect aquatic organisms both directly by burial, abrasion and reduced visibility and indirectly by behavior alterations of prey and predators or food chain effects. Turbidity would reduce water clarity and have a short-term effect to algae and aquatic vegetation growth due to the reduction in sunlight. Increased turbidity in high concentrations also could physically damage fish gills. Fish near the inadvertent release could experience turbidity high enough to damage gills, cause stress or result in death. Turbidity also could affect fish behavior, including their ability to hunt or avoid predators. A decrease in water quality due to turbidity would be a short-term effect that may last hours to days before drilling mud settles. Additionally, bentonite clay from a possible inadvertent release could settle in the interstitial spaces between large substrate particles. These interstitial spaces are important for invertebrates and the egg and fry life stages of fish; fine grain sediment could smother organisms living in these habitats.

Northern will minimize the potential impacts of an inadvertent release of drilling mud by implementing its HDD Plan included in Resource Report 1, Appendix 1A. Prior to the start of construction, Northern will review its HDD Plan with its contractors. During construction, Northern will ensure its contractors have sufficient spill containment material and supplies needed to contain an inadvertent release of drilling mud that occurs near a waterbody. These materials and supplies may include, but are not limited to, pumps and hoses, sandbags, straw bales, silt fence, small boats, and turbidity curtains. If the drill operator notes the loss of drilling mud or other indicators of a release, the HDD will be temporarily suspended to allow the contractor and/or Northern's EI time to locate the release. If the release is in or adjacent to a waterway, Northern will deploy BMPs that were previously staged by each waterbody to contain the drilling fluid. Northern will report any releases in the vicinity of a waterbody to the USACE, Minnesota Duty Officer, and WDNR Office of Energy Staff who in turn has responsibility to notify the appropriate state and local agencies. Northern will notify FERC. In cases where inadvertent releases of drilling mud occur along the banks of waterbodies, turbidity curtains will be used to contain the mud within the bank area.

As described above, the implementation of Northern's HDD Plan and installation of BMPs at the inadvertent release site will be adequate to minimize potential impacts on fish species. Due to Northern's proposed HDD crossings and implementation of the Plan and its Procedures, the Project will have minimal impacts on fishery resources.

The waterbody crossings on the Elk River 3rd branch line, ERT-S02 and ERT-S01, will be 19 and 47 feet below the bed of the waterbody, respectively, and the waterbody crossing on the Tomah branch line loop, TBL-S01, will be 26 feet below the bed of the waterbody. As described in the Horizontal Directional Drill Feasibility Report, hydro-fracture assessments were completed based

on comparing the modelled maximum formation limiting pressure with the minimum required drilling fluid annular pressure anticipated to maintain circulation of cuttings to surface. Factors of safety greater than 1.5 are considered to have a low risk for inadvertent releases with a competent standard of care. Factors of safety between 1.25 and 1.5 are considered to be medium risk, but manageable with attention to matching drilling production with fluid management. At ERT-S02, ERT-S01 and TBL-S01 the safety factors are 1.43, 1.55 and 1.70, respectively. Additional mitigations such as reducing pumping the portion of the pilot drill under the waterbody, relying on tripping of the drill rod and minimal mud circulation to clean the pilot hole prior to drilling under the waterbody; managing drilling fluids by maintaining drilling fluid density and sand content, and balancing flow rates and drilling speed; adjusting fluid composition with the use of approved additives for lost circulation, viscosifiers, flocculants or coagulants will be considered when drilling underneath the waterbodies and the hydro-fracture assessment will be monitored with the actual drilling annular pressures. Since ERT-S02 is near the exit pit, common drilling practice is to reduce or turn off the mud pump and for this HDD a deeper exit pit will be dug to further decrease the risk of an inadvertent release.

Prior to placing the Project into service, the pipeline segments and piping for the aboveground appurtenance facilities will be hydrostatically tested. The pipeline segments will be filled with water obtained from an off-site municipal source and brought onto the site. In Minnesota, hydrostatic test water will be transported offsite for disposal at public treatment facilities. After testing, hydrostatic test water for the Tomah branch line loop will be containerized, tested per state requirements and discharged on-site in upland areas in accordance with the applicable state and local permit requirements or will be transported and discharged into a municipal water treatment system. Hydrostatic test water for the Tomah branch line loop will not be discharged in the vicinity of waterbodies and will be directed away from waterbodies to minimize impacts on water flow and scour potential from large amounts of water. Further, hydrostatic test water will not be allowed to flow into any designated trout streams. Surface BMPs, which include diversion dikes, straw bales and channels, will be utilized to direct hydrostatic test water away from sensitive features, waterways, wetlands, or fens. No impacts on fisheries or special status fish species are anticipated as a result of discharging hydrostatic test water.

Refueling or lubricating of vehicles or equipment will be performed in accordance with Northern's Procedures and will occur no closer than 100 feet from a waterbody unless no feasible alternative exists (e.g., HDD equipment that cannot be moved for refueling), or a greater setback is stipulated by a permitting agency. The refueling buffers are depicted on the SWPPP maps in Appendix 7D of Resource Report 7. ETWS and temporary access roads will be located a minimum of 50 feet from waterbody boundaries. The Project will result in minimal impacts on fisheries and special status fish species due to the implementation of the Plan and Northern's Procedures, use of HDD to cross waterbodies and adherence to permit conditions.

3.2 WILDLIFE

Game and non-game wildlife species in Minnesota and Wisconsin are regulated and protected by USFWS, the MDNR and the WDNr. Regulations such as the ESA of 1973, the USFWS Conservation Act of 1980 and the USFWS Conservation Coordination Act of 1958 also regulate protected plant and animal species of concern. State regulations protect listed species in Minnesota and Wisconsin through the Minnesota's Endangered and Threatened Species Law (1971) and the Wisconsin State Statute 29.604 and Administrative Rule Chapter NR 27, respectively. Additional information on federal and state threatened species can be found in Section 3.4.

The Project area and surrounding vicinity is comprised of residential land, agriculture land, industrial/commercial land, open land, wetlands, and forests, which are common in Minnesota and Wisconsin. The existing conditions within the Project area are described further in Section 3.3.1. A review of pertinent literature and field observations were used to determine the spatial distribution, habitat requirements, and ecological status of wildlife species observed or known to occur in the Project area. The setting and anticipated effects to terrestrial wildlife are described in Sections 3.2.1 and 3.2.2.

3.2.1 Existing Resources

Some of the major wildlife species that are common in the Project area include white-tailed deer, gray fox, coyote, eastern cottontail rabbit, gray squirrel, red squirrel, field mice, skunk and chipmunk. Woodchuck, muskrat and beaver may occasionally be present, and less common animals in the area include otter and mink. House wrens, northern cardinals, American goldfinches, blue jays, song sparrows, chickadees and common yellowthroats are common in open land and residential areas. Woodland bird species that could be present include wood thrush, scarlet tanager and ovenbird. Game birds that could be present include Canada goose, ring-necked pheasant, wild turkey and gray partridge. Waterfowl such as wood ducks, mallards, blue-winged teal, ruddy duck, common loon and hooded mergansers are found in and around the wetlands and waterways within the Project area. Raptor species that could be present include bald eagles, red-tailed hawk, turkey vulture, sharp-shinned hawk, Cooper's hawk, broad-winged hawk and great horned owl.

Wildlife observations made during the 2023 field surveys included American crow, blue jay, American white pelican, American robin, American goldfinch, indigo bunting, house wren, killdeer, common yellowthroat, northern flicker, red-winged blackbird, turkey vulture, white-tail deer, wild turkeys, and red-tailed hawk.

To assess the potential for impact on raptors, Northern's field surveys conducted of the Project area intermittently between August and November 2023, included 0.5-mile line-of-sight raptor nest surveys from the edges of the ESB. Multiple red-tailed hawks were observed flying over Elk River 3rd branch line and a singular raptor species was observed flying over the Tomah branch line loop; however, associated nests were not observed. No other raptor, bald eagle or golden eagles or their nests were observed during these surveys.

3.2.2 Construction and Operation Impact

Construction of the Project will have minor impacts on wildlife habitat, causing localized impacts on wildlife populations. Construction of the Project will result in a temporary loss of vegetative cover. The areas of temporary impacts will be restored to pre-construction conditions pursuant to the provisions in the Plan and Northern's Procedures. Construction activities may result in mortality of less mobile forms of wildlife such as small rodents and reptiles. In addition, construction activities may cause the temporary loss of habitat and the displacement of wildlife from the immediate vicinity of the Project area. Northern will utilize HDD methods to cross under a majority of the wetlands and forested areas and all of the waterbodies within the Project area to minimize habitat disturbance and fragmentation. Mulch, if used, will not contain synthetic (plastic) fiber additives in areas that drain to a Minnesota public water. Erosion control mesh, if used, will be limited to bio-netting or natural netting, specifically Category 3N or 4N in the 2016 and 2018 Minnesota DOT standards.

Wildlife escape ramps and passages will be constructed to prevent wildlife entrapment in the excavated trenches. Northern will minimize the amount of time the trenches are open to minimize the chance of wildlife entrapment. Northern's EIs will extract wildlife from the trench on a daily

basis. If the species is identified as threatened or endangered, Northern will consult with the appropriate regional MDNR and/or WDNR non-game wildlife specialist prior to proceeding with removal of the species.

Northern will temporarily impact 0.83 acre of wetland during construction; the wetlands will be allowed to revegetate naturally; if seeding is required, Northern will utilize a pollinator friendly mix. The seed mix is detailed and included in the wetland restoration plan in Resource Report 2, Appendix 2C. The grass and flower mix also contains plants for pollinators, including Monarch butterflies. This seed mix is included in Resource Report 3, Appendix 3D.

Northern is committed to the restoration and preservation of pollinator habitat. Northern belongs to the WDNR Karner Blue Butterfly Habitat Conservation Plan Partnership as of July 16, 2020. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. Northern is currently working with the USFWS to join the Nationwide Conservation Benefit Agreement for the Bumblebees on Energy and Transportation Lands for the rusty-patched bumblebee and other bumblebee species. This agreement will include CCAA measures as well as a safe harbor for listed species (rusty-patched bumblebee). The plan is still in draft reviews and is anticipated to have USFWS approval by fall 2024. Northern will plant pollinator friendly species for the proposed receiver facility on the Tomah branch line loop. Northern also will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands disturbed by construction within the Project workspaces. Northern has successfully seeded public areas disturbed by construction creating a dense pollinator habitat within the following growing season.

Significant and sensitive wildlife habitats (e.g., large tracts of contiguous forest, migration routes, and protected federal, state or private wildlife management areas) are not present within the Project area; therefore, the Project will have no effects to significant or sensitive habitats. Refer to Section 3.4 for discussion of T&E species habitats.

3.3 VEGETATION

3.3.1 Existing Resources

The primary vegetation cover type affected by the Project is agriculture (cropland and pasture). The proposed Project consists of approximately 105.07 acres of agriculture, 3.52 acres of forested/woodland habitat, 0.83 acre of wetland, 51.63 acres of open land, 8.23 acres of residential land, and 7.94 acres of industrial/commercial land. No open water was recorded within the Project. Additional information on existing resources along with temporary and permanent impacts from construction and operation of the Project are presented in Table 3.3-2 and discussed below. Additional land use information is provided in Resource Report 8, Section 8.1.

There is no vegetative cover present at the La Crescent compressor station; the entire workspace is within a graveled and fenced facility; therefore, the La Crescent compressor station component is not discussed further below.

Agriculture (Cropland and Pasture)

The majority of the Project consists of active cropland and pasture. Cropland includes areas that are regularly cultivated and used to grow row crops, including winter wheat, corn and soybeans. Crops observed within the ESB during the field surveys included primarily corn, soybeans, and alfalfa on the Lake Mills to Albert Lea E-line and the eastern portion of the Tomah branch line loop. There

were minimal row crops observed on the Elk River 3rd branch line and the Farmington to Hugo C-line.

Forested/Woodland

This vegetation type encompasses upland forested areas, including hardwood forest, mixed hardwood-conifer forest, and planted pine forest communities. Forested upland areas within the Elk River 3rd branch line, Farmington to Hugo C-line and Tomah branch line loop were located adjacent to areas along waterbodies and wetland complexes, wooded lots segregating agricultural fields, and adjacent to residences/driveways. Common species in these areas included quaking aspen, northern pin oak, white pine, red pine, northern red oak, red maple, paper birch, white oak, non-native honeysuckle, and boxelder. Understories within immature upland forested communities consisted of invasive shrubs such as common buckthorn and brush honeysuckle, within non-native herbaceous species such as smooth brome and Kentucky bluegrass. No forest or wooded land is present within the Lake Mills to Albert Lea E-line or La Crescent compressor station. Northern also will not clear trees on the Farmington to Hugo C-line component.

Open Land

This vegetation type encompasses non-forested herbaceous uplands, rangeland, fallow land, scrub-shrub wetlands used for open space or pasture, grasslands, early successional old fields, areas that were being used to grow hay, non-agricultural fields and/or other herbaceous areas that are dominated by a mixture of mid-grass or short-grass species, introduced grass species, and annual species. Open land also includes mowed areas and areas of mixed weeds and grass along roadsides.

Open land within the Project ESBs consisted of hay fields, fallow land, and pastureland. Open land also includes mowed areas and areas of mixed weeds and grasses along roadsides. Common species observed included non-native grasses including Kentucky bluegrass, Canada goldenrod, common dandelion, smooth brome, reed canary grass, red clover, and orchard grass. No native prairie or conservation grassland habitats were recorded within the Project ESBs.

Residential

This vegetation type encompasses maintained non-native communities surrounding homes and communities that consist mostly of planted woody vegetation and turf grasses. Residential communities within the Project ESBs included species such as white pine, Kentucky bluegrass, fescue, white clover, and mix of managed native woody canopy trees and exotic landscape plants.

Wetland (Emergent, Forested, and Scrub-Shrub)

This vegetation type encompasses areas dominated by wetland vegetation and exhibiting hydric soils and wetland hydrology. The wetlands that will be crossed by the Project are classified as PEM (seasonally flooded basin, shallow marsh or wet meadow/disturbed wet meadow), PSS (shrub-carr) and PFO (coniferous bog and hardwood swamp). PEM wetlands were dominated by reed canary grass; hairy sedge, witchgrass; hybrid-cattail; and water smartweed with sparse woody species such as sandbar willow. PSS wetlands were dominated by deciduous shrubs such as red osier dogwood, quaking aspen, and sandbar willow, along with herbaceous plants such as reed canary grass, sedges and ferns. Deciduous and coniferous PFO wetlands were dominated by tamarack, black spruce and red osier dogwood. Hardwood PFO swamps were dominated by green ash and red maple tree species and herbaceous flowering plants such as giant goldenrod and common boneset.

Noxious Weeds

Lists of potential noxious and invasive weeds were obtained from federal and state sources prior to the field surveys. The federal list was obtained from the USDA's Introduced, Invasive and Noxious Plants database (USDA 2010). The state lists were obtained from the MDA (MDA 2023a) and the WDNR pursuant to Administrative Rule Chapter NR 40. None of the counties crossed by the Project maintain county-level lists for Minnesota or Wisconsin. Noxious weeds are opportunistic and are often non-indigenous plant species that readily invade disturbed areas, resulting in monocultures. Invasive species prevent native plants from establishing communities. Noxious weeds also degrade agricultural and natural resources, including water, wildlife habitat and recreational use.

Noxious and invasive weed surveys were conducted for the Project ESBs intermittently between August and November 2023. Noxious and invasive weeds identified within the construction ROW included spotted knapweed, Canada thistle and wild parsnip. Purple loosestrife listed on the Minnesota State-Control List was identified in shallow marsh wetland communities within the ESB for the Elk River 3rd branch line, outside of proposed workspaces. Details regarding noxious and invasive weeds within workspace areas of the Project are provided in Table 3.3-1; As part of the Noxious Weed Control Plan, Northern has developed a plan to mitigate, minimize and control the spread of invasive plant species in wetlands. A copy of the Noxious Weed Control Plan has been included in Resource Report 3, Appendix 3A.

Table 3.3-1 Noxious Weed Species Observed

Facility	MP/General Location	Noxious Species Observed
Lake Mills to Albert Lea E-line	SA01; ETWS02	Wild parsnip
	Within ESB but outside workspace areas on north side of 135th Street (MP 31.19)	Wild parsnip
	Within ESB but outside workspace areas on south side of 140th Street (MP 31.94)	Wild parsnip
Elk River 3rd branch line	Within ESB but outside of workspace areas south of MP 1.15	Spotted knapweed
	Within ESB but outside of workspaces south of MP 2.42	Canada thistle
	Within ESB but outside workspace areas – wetlands ERT-W34 and ERT-W10 (south of MP 2.90).	Purple loosestrife
Farmington to Hugo C-line	Within ESB but outside workspace areas, west of MP 0.00	Spotted knapweed
	within or adjacent to existing access road PD05 that will be used (MP 1.90)	Spotted knapweed
Tomah branch line loop	MP 3.50; ETSW58	Canada thistle
La Crescent compressor station	Within ESB but north of workspace	Canada thistle

Northern will implement the following measures during construction to minimize the spread of noxious weeds:

- A pre-construction meeting(s) will be held to provide Project contractors with information and training regarding noxious weed identification and management. Contractors will be provided information about measures to be taken to prevent the spread of noxious weeds in uncontaminated areas and about controlling the proliferation/spread of noxious weed populations already present in the Project area. Qualified EIs will be used to conduct on-site monitoring before and during construction.
- Noxious weed control measures will be implemented in accordance with existing regulations and jurisdictional land management agencies or landowner agreements. Treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to water, wetlands, riparian areas or agricultural areas) and time of year. All noxious weed areas within the workspace must be addressed by one or a combination of the following options: avoidance, personnel control, chemical treatment, or mechanical controls. If Northern's contractor proposes an alternate method, Northern's EI and construction team must approve the method prior to use.
- Silt fence will be installed around noxious weed areas in the proposed construction footprint, which will initially limit construction access to these areas. Noxious weed signs will be installed by Northern's EIs.
- The construction contractor will stockpile cleared noxious weeds and salvaged topsoil adjacent to the area from which they were stripped to prevent the transport of noxious weed seeds, roots or rhizomes with the soil. Stockpiled soil from noxious weed areas will be marked with signage and will be returned to the areas from which they were stripped. Soil and vegetation from noxious weed areas will not be moved outside of the identified and marked noxious weed infestation areas.

- In areas where full topsoil stripping cannot occur (e.g., wetlands), Northern will install a layer of geotextile fabric, or a functional equivalent, at the boundaries of areas containing noxious weeds. Then, a layer of construction mats will be installed. The contractor will utilize the mat road to traverse the noxious weed area, limiting direct contact with the area. The mats and fabric will be removed as part of final clean up. The mats will be sprayed and the fabric will be disposed of at a landfill.
- Northern will HDD wetlands and streams where noxious weeds were observed. If the HDD travel lane will traverse a noxious weed area, Northern's EIs will establish a cleaning area for the pedestrian traffic that traverses the noxious weed areas. Any equipment that enters a noxious weed area due to an inadvertent release of drilling mud will follow the procedures below. A typical drawing of the boot cleaning station is provided as Figure 3 of the Noxious Weed Control Plan provided in Appendix 3A.
- Northern also will place cleaning stations along the Project route, as needed, to best minimize the spread of noxious weeds. Construction equipment and vehicles that are used to move vegetation and topsoil during clearing and restoration phases of the Project that come into contact with vegetation or disturbed soil in areas where noxious weeds have been identified will be cleaned before being allowed to work in non-noxious weed areas of the site. Equipment traveling out of noxious weed areas will be cleaned free of soil and plant debris prior to proceeding into an area without invasive plants. Water from the cleaning stations will be collected and transported off-site to an appropriate disposal facility. A typical drawing of the equipment cleaning station is provided as Figure 2 of the Noxious Weed Control Plan provided in Appendix 3A.
- All equipment entering or leaving the noxious weed areas will be logged with the date and time of entry, exit and confirmation that it was cleaned.
- All ground disturbing equipment will be clean and free of soil or plant debris prior to arriving on-site. The on-site EI will inspect all equipment upon arrival and maintain a log of such inspections. In the event that equipment arrives in a manner not consistent with the above requirement(s), the EI will direct the contractor to clean the equipment at an off-site location prior to its use on the Project.
- Access roads, the construction ROW or TWS, ETWS, and staging areas that contain noxious weeds may be mowed prior to equipment access. The mower will be cleaned prior to leaving the noxious weed area. As an additional measure, Northern may treat the noxious weed areas with an herbicide. Northern will not utilize herbicides within 100 feet of a wetland or waterbody. Northern will obtain landowner approval and use a licensed herbicide applicator to conduct the spraying.
- Prior to excavation activities within wetlands with noxious weeds, a row of silt fencing will be installed at the boundaries of areas containing noxious weeds, and the fencing will be removed upon establishment of permanent vegetative cover in accordance with the Plan and Northern's Procedures.

Following construction, Northern's contractor will restore the Project area per landowner or land managing agency requirements using native seeding and mulching, as applicable. Northern's contractor will use proper specifications for mulch and seed to ensure noxious weeds are not brought in through contaminated mulch or seed. Certified weed free mulch and seed will be applied where practicable or required. Restoration-specific BMPs include the following:

- Revegetate disturbed areas as soon as possible. Revegetation includes topsoil replacement, planting, seeding, fertilizing, and weed-free mulching as necessary. Seeding will be conducted on disturbed areas that have reached final grade or that will remain undisturbed for 30 days or more.
- Use seed and other plant materials that have been certified as weed free. Seed mixes will be selected in consultation with the USDA NRCS.
- Use native materials where appropriate and feasible.
- Treat weeds adjacent to newly seeded areas prior to planting seed mixes and treat planted areas for weeds during the first growing season.
- Non-residual herbicide such as glyphosate will be used; no herbicide will be used within 100 feet of any wetland/waterbody area.

Northern does not propose any eradication measures within the identified areas. Northern will monitor the construction corridor in accordance with the Plan and its Procedures to ensure that the noxious weeds do not spread outside of the areas where they have been documented during pre-construction surveys.

Unique, Sensitive, or Protected Vegetation

Data was obtained from the Minnesota Geospatial Commons website to determine the presence or absence of known native plant communities within the Project area. This includes an evaluation of RSEAs, which are natural areas or ecologically significant terrestrial, or wetland areas identified by the MDNR. RSEAs are given a score by the MDNR of 1, 2 or 3, with 3 as the highest possible score and 1 as the lowest possible score. Scores are based on how well continuous natural areas meet standards for size, shape, connectivity, adjacent land use, and species diversity. Three RSEAs were mapped for the Project; one within the Elk River 3rd branch line (ecological score 3) that is crossed three times; and two RSEAs within the Farmington to Hugo C-line (ecological scores of 3 and 1). A score of '1' is used for areas that are smaller in size; may have less diversity of vegetation cover types; may have more adjacent cover types or land uses that could adversely affect the area; or may be an isolated native plant community mapped and given a score of moderate biodiversity significance by the Minnesota County Biological Survey. A score of '3' is used for areas that are larger, have greater connectivity, have diverse vegetation and native plant communities, and can provide habitat for game and non-game, including threatened, endangered, and special concern animals.

Tree clearing will occur in Washington County, Minnesota, which is listed as a quarantine county for EAB. Freeborn and Houston counties in Minnesota are also listed as counties with a quarantine for EAB; however, no tree clearing will take place within Project components of those counties, which reduces the risk of spreading EAB infestation (MDA 2023b). The EAB quarantine is further discussed in Section 3.3.2.

The MDNR tracks oak wilt in Minnesota, which is caused by an invasive fungus that may affect and kill all species of oak trees (MDNR 2023a). The MDNR maintains a map of the county distribution of oak wilt in Minnesota. According to the mapping, all of the Minnesota components of the Project are within the oak-wilt infected area. The high-risk time when oaks are most susceptible to infection is from April 1 through July 15. If the spring is unusually warm, the risk of oak wilt can occur before April. If the daily high temperature is about 60 degrees Fahrenheit or higher for six consecutive days, there may be a risk of oak wilt. Northern will clear trees only on the Elk River 3rd branch line and

Tomah branch line loop in February and March 2025, which is outside of the high-risk time when oak species are most susceptible to infection. Tree clearing will not occur on the other components, which reduces the risk of spreading oak-wilt infections. This is discussed further in Section 3.3.2.

The MDA also recognizes Dutch elm disease as a fungus that can kill elm trees and other species (MDA 2023c). The MDA does not have regulations or quarantine zones for Dutch elm disease but recommends limiting removal and disposal of elm trees. This is discussed further in Section 3.3.2.

There are no other unique, sensitive or protected vegetation types identified in the Project.

3.3.2 Construction and Operation Impacts

The Elk River 3rd branch line and Farmington to Hugo C-line cross through three RSEAs. The Elk River 3rd branch line crosses through an RSEA on private land from MP 1.20 to MP 1.27, MP 1.38 to MP 2.79 and from MP 3.30 MP 3.43. The pipeline through the RSEA will be installed via HDD and open cut methods; typically, agricultural and open lands are open cut; and the wetland and waterway areas will be crossed by HDD. The exception is located between MP 1.38 and MP 1.39, where wetland ERT-W15 will be open cut to avoid residential areas. The Farmington to Hugo C-line crosses two RSEAs on private land; between MP 0.03 and 0.24, the pipeline will be installed via open cut and HDD methods and between MP 0.02 and MP 0.86, the pipeline will be installed via HDD. Impacts on the RSEAs outside of the HDD areas will be to herbaceous pastures, agricultural fields, and residential areas and will be of short duration. Northern will restore its workspaces to pre-construction condition; therefore, the impacts on the RSEAs would be temporary and limited to one construction season. No long-term permanent impacts would occur. Northern will coordinate with the MDNR regarding these areas to determine if any specialized restoration will be required.

During construction of the Lake Mills to Albert Lea E-line, Elk River 3rd branch line, Farmington to Hugo C-line, La Crescent compressor station, and Tomah branch line loop, Northern will comply with the MDA and WDA EAB quarantine regulations and will not transport ash trees (limbs, branches, stumps, or chips) outside of the quarantine zone. Northern typically cuts trees and hauls them off for disposal within the applicable county; however, if requested by the landowner, Northern will leave cut trees on the landowner's property for beneficial reuse. If a landowner requests that Northern remove cut trees, Northern will find a disposal location within each EAB quarantine area to prevent transportation of potentially infected wood outside of the quarantine area. In Wisconsin per a letter release dated March 21, 2018, from the WDA; the entire state is under quarantine for EAB, so minimal restrictions on moving wood from county to county apply. As mentioned above, the Lake Mills to Albert Lea E-line and the La Crescent compressor station do not contain any wooded areas and Northern will not clear trees on the Farmington to Hugo C-line. Additionally, Northern will clear trees on the Elk River 3rd branch line and Tomah branch line loop in February and March 2025.

The high-risk time when oaks are most susceptible to oak wilt infection is April 1 through July 15. Northern will attempt to limit disturbance to oak stands during this time; however, avoidance of all oak removal may not be possible. If Northern removes oaks between April 1 and July 15, Northern will comply with MDNR recommendations to apply water-soluble paint or shellac within 10 minutes to the cuts. The outer three growth rings and bark will be totally covered with the paint or shellac. As mentioned above, the Lake Mills to Albert Lea E-line and the La Crescent compressor station do not contain any wooded areas and Northern will not clear trees on the Farmington to Hugo C-line. Additionally, Northern will clear trees on the Elk River 3rd branch line and Tomah branch line loop in February and March 2025. If an infected oak tree is cut, Northern will not remove it from the

property but instead tarp the infected tree to prevent the spread of the disease. After July 15, Northern will chip or bark infected oak trees.

Northern will not transport cut elm trees outside of the counties where they originated. Further, if a tree is suspected to be infected with Dutch elm disease, Northern will follow MDNR recommendations and chip or bury the tree.

During Project design, Northern also reduced its standard construction footprint on the Tomah branch line loop to minimize tree clearing by removing ETWS at the point of inflection at MP 2.41. Between MP 2.28 and MP 2.51 on the Tomah branch line loop, Northern will utilize the entire 50 foot existing ROW that is cleared of trees by placing mats over its existing pipeline and working over the top of its existing line. This reduced the amount of tree clearing to 25 feet of extra temporary workspace. Other ETWS areas were located in open lands to minimize tree removal to the extent practicable. In total, Northern reduced the potential additional tree clearing on the Tomah branch line loop by 1.62 acres.

The primary impact on vegetation will be a temporary loss of vegetative cover associated with construction of the Project. The areas of proposed disturbance consist of the four vegetation cover types described in Section 3.3.1, along with proposed avoidance and mitigation measures. The potential acreage of temporary and permanent impacts by existing vegetation cover types are summarized in Table 3.3-2.

There is no vegetative cover present at the La Crescent compressor station; the entire workspace is within a graveled and fenced facility. Therefore, the La Crescent compressor station component is not discussed further in Table 3.3-2.

Table 3.3-2 Estimated Disturbance of Vegetation Cover Types⁵

Facility		Agricultural		Forest/ Woodland		Wetland		Open Land	
	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	
Lake Mills to Albert Lea E-line									
Pipeline ROW ^{1,2}		36.34	18.12	0.00	0.00	0.02	0.00	0.00	0.00
ETWS		7.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Staging Area ³		23.82	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Access Roads		1.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Aboveground Appurtenances ⁴		0.04	0.04	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Aboveground Appurtenances		0.85	0.85	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal		70.44	19.01	0.00	0.00	0.02	0.00	0.00	0.00
Elk River 3rd branch line									
Pipeline ROW ^{1,2}		5.11	2.56	0.63	0.10	0.66	0.11	6.49	3.18
ETWS		5.7	0.00	0.24	0.00	0.00	0.00	4.85	0.00
Staging Area		3.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Access Roads ³		0.46	0.00	0.01	0.00	0.00	0.00	0.21	0.00
Existing Aboveground Facilities ⁴		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Aboveground Appurtenances		0.15	0.15	0.00	0.00	0.00	0.00	0.00	0.00

Facility		Agricultural		Forest/ Woodland		Wetland		Open Land	
	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	Const (acres)	Oper (acres)	
Subtotal		14.57	2.71	0.88	0.10	0.66	0.11	11.55	3.18
Farmington to Hugo C-line									
Pipeline ROW ^{1,2}		1.37	0.72	0.33	0.00	0.12	0.00	12.76	6.33
ETWS		3.16	0.00	0.00	0.00	0.00	0.00	11.99	0.00
Staging Area ³		0.00	0.00	0.00	0.00	0.00	0.00	9.82	0.00
Access Roads		0.00	0.00	0.05	0.00	0.00	0.00	0.24	0.00
Existing Aboveground appurtenances ⁴		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Aboveground Appurtenances		0.23	0.00	0.00	0.00	0.00	0.00	1.02	1.02
Subtotal		4.53	0.72	0.38	0.00	0.12	0.00	35.83	7.35
Tomah branch line loop									
Pipeline ROW ^{1,2}		3.90	2.67	2.21	0.99	0.03	0.00	3.74	2.90
ETWS		1.69	0.00	0.05	0.00	0.00	0.00	0.51	0.00
Staging Area ³		8.1	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Access Roads		1.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Existing Aboveground Appurtenances ⁴		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Aboveground Appurtenances		0.60	0.60	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal		15.53	3.27	2.26	0.99	0.03	0.00	4.25	2.90
Project Within Existing Easement		19.46	11.24	0.26	0.13	0.00	0.00	11.72	7.32
Project Outside of Existing Easement		85.61	14.47	3.26	0.96	0.83	0.11	39.91	6.11
PROJECT TOTAL		105.07	25.71	3.52	1.09	0.83	0.11	51.63	13.43

¹ Construction ROW is based on 100-foot-wide, 90-foot-wide, or 75-foot-wide corridors in uplands and a 75-foot-wide corridor in wetlands, with the exception of a 100-foot-wide corridor in wetland ERT-W15 on the Elk River 3rd branch line. Operational ROW is based on 50-foot-wide corridor in uplands and 10-foot-wide corridor in wetlands.

² Northern also included impacts for a 6-foot-wide or two 3-foot-wide parallel travel lanes between HDD entry and exit points in the pipeline ROW calculations.

³ Outside existing easement.

⁴ Within existing easement.

⁵ Residential, industrial/commercial land and open water land use types are excluded from this table as they typically do not contain vegetation.

3.4 T&E SPECIES

3.4.1 Existing Resources

The USFWS IPaC Environmental Conservation Online System was accessed to obtain a list of federally listed T&E, proposed and candidate species and federally designated critical habitat that may be present within the Project. The list is provided in the Habitat Assessment Reports in Appendix 3C. Species listed within the obtained USFWS IPaC official species list were further assessed through the USFWS IPaC determination keys (determination keys) to generate consistency and concurrence letters for individual species that may be affected by the Project. Northern completed the determination keys for the Elk River 3rd branch line, Farmington to Hugo C-line, La Crescent compressor station, Lake Mills to Albert Lea E-line, and Tomah branch line loop between January 24 and February 7, 2024. Northern also reviewed the MDNR NHIS database for state-listed

species within Minnesota Project components and completed a WDNR Endangered Resources Review Verification for state-listed T&E species with the potential to occur within the Tomah branch line loop. Species identified from the IPaC Environmental Conservation Online System, determination keys, and the MDNR NHIS database and the WDNR Endangered Resources Review are presented in Table 3.4-1.

Available data describing the life history, critical habitat and conservation measures associated with each species was used to help determine if the Project may have an adverse effect to listed species. Data was retrieved from sources including the USFWS Region 3 website (USFWS 2021), NatureServe Explorer Online Encyclopedia of Life (NatureServe 2022), MDNR T&E species information available online (MDNR 2022b), and relevant scientific journals and publications referenced below.

Field surveys to identify habitat were conducted for the Project intermittently between August and November 2023. Federally and state-listed species that potentially occur within the vicinity of the Project, along with the Project component and county where they may occur, their habitat description and anticipated Project impacts, are presented in Table 3.4-1 and discussed below. Northern began initial informal consultation with the USFWS December 2023, and the MDNR NHIS and WDNR ER Review Programs December 2023 and January 2024, respectively; records of agency correspondence are located in Appendix 3B.

During Project design, Northern also reduced its standard construction footprint on the Tomah branch line loop to minimize tree clearing by removing ETWS at the point of inflection at MP 2.41. Between MP 2.28 and MP 2.51 on the Tomah branch line loop, Northern will utilize the entire 50 foot existing ROW that is cleared of trees by placing mats over its existing pipeline and working over the top of its existing line. This reduced the amount of tree clearing to 25 feet of extra temporary workspace. Other ETWS areas were located in open lands to minimize tree removal to the extent practicable. In total, Northern reduced the potential additional tree clearing on the Tomah branch line loop by 1.62 acres.

Additionally, Northern will clear trees on the Elk River 3rd branch line and Tomah branch line loop in February and March 2025 to reduce potential impacts to protected species. Northern will not remove trees from the Farmington to Hugo C-line and no wooded areas are present within the Lake Mills to Albert Lea E-Line and La Crescent compressor station.

Table 3.4-1 Federally and State-listed Species Potentially Occurring in the Vicinity of the Project

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Reptiles/Amphibians							
Blanding's turtle	<i>Emydoidea blandingii</i>	None	Threatened	Washington	Elk River 3rd branch line	Blanding's turtles are semi-aquatic, living mostly in shallow wetland habitats where aquatic vegetation is abundant. These reptiles will specifically live in ephemeral wetlands in attempts to keep away from predators that are more prevalent in permanent wetlands.	<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. Northern will implement mitigation measures during construction, through their Project's plan and procedures, to minimize impacts on this species. Additionally, majority of aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD.</p> <p><i>Not likely to adversely affect</i></p>
				Washington	Farmington to Hugo C-line		<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed via HDD methods.</p> <p><i>Not likely to adversely affect</i></p>
			Special Concern	Monroe	Tomah branch line loop		<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							via HDD methods. <i>Not likely to adversely affect</i>
Timber rattlesnake	<i>Crotalus horridus</i>	None	Threatened	Houston	LaCrescent compressor station	Forested bluffs with south-facing rock outcrops and bluff prairies along the Mississippi River valley.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Wood turtle	<i>Glyptemys insculpta</i>	Species of Concern (Federal Status from WDNR ER)	Threatened	Monroe	Tomah branch line loop	Rivers and streams with adjacent riparian wetlands and upland deciduous forests.	<i>May occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. Furthermore, aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD methods. <i>Not likely to adversely affect</i>
Mammals							
NLEB	<i>Myotis septentrionalis</i>	Endangered	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices.	<i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing will occur. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but not likely to adversely affect</i>
				Washington	Elk River 3rd branch line	Overwinter hibernacula: large caves and mines with large passages and entrances.	<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A concurrence letter was obtained from the USFWS through the determination

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							key results dated February 7, 2024. <i>May affect, but is not likely to adversely affect</i>
				Washington	Farmington to Hugo C-line		<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern will not clear trees on this component. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>
				Houston	La Crescent compressor station		<i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>No effect</i>
			Threatened	Monroe	Tomah branch line loop		<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Tricolored bat	<i>(Perimyotis subflavus)</i>	Proposed endangered	Special concern	Freeborn	Lake Mills to Albert Lea E-Line	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	<i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing. However, due to the species listing status, and no official guidance from USFWS regarding impact determinations for this species. Northern assumes a may affect, but not likely to adversely affect determination. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>
				Washington	Elk River 3rd branch line		<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>May affect, but is not likely to adversely affect</i>
				Washington	Farmington to Hugo C-line		<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern will not clear trees on this component. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
				Houston	La Crescent compressor station		<p><i>Unlikely to occur.</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing is anticipated. Due to all work proposed being within an existing facility no effect to this species is anticipated. A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024.</p> <p><i>No effect</i></p>
			Threatened	Monroe	Tomah branch line loop		<p><i>May occur</i></p> <p>Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect, but is not likely to adversely affect</i></p>
Gray wolf	Canis lupus	Endangered	None	Monroe	Tomah branch line loop	Forests, mountains, tundra, taiga, grasslands, and deserts.	<p><i>Unlikely to occur</i></p> <p>Project area is within species known range, and due to the mobility of the species all habitats within its range are considered as potentially suitable. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect, but is not likely to adversely affect</i></p>
Birds							
Purple martin	<i>Progne subis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Cities, towns, parks, open fields, streams and rivers, and open water habitats including wetlands, marshes and lakes.	<p><i>May occur</i></p> <p>Project area is within species known range and contains or is adjacent to suitable habitat. However, no purple martin nesting structures</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
						Nearly all nesting occurs in man-made structures around human settlements.	were recorded within the project area and Northern does not anticipate any man-made nesting structures will be impacted by the project. <i>Not likely to adversely affect</i>
Trumpeter swan	<i>Cynus buccinator</i>	None	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Unpolluted small ponds and lakes or bays on larger water bodies with extensive beds of emergent vegetation. Ideal habitat includes about 100 meters of open water for take-off with suitable nesting platforms such as muskrat houses or beaver lodges.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Common gallinule	<i>Gallinula galeata</i>	None	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Freshwater cattail marshes and prairies.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Whooping crane	<i>Grus americana</i>	Experimental Population, Non-Essential	None	Freeborn	Lake Mills to Albert Lea E-Line	Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	<i>Unlikely to occur</i> The Project is within the species known range. However, the Project area does not include suitable nesting or breeding habitat (large wetlands). A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>No effect</i>
				Washington	Elk River 3rd branch line		<i>Unlikely to occur</i> The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							typically migrate through the Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>No effect</i>
				Washington	Farmington to Hugo C-line		<i>Unlikely to occur</i> The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>No effect</i>
				Houston	La Crescent compressor station		<i>Unlikely to occur</i> The Project is within the species known range. However, the Project area does not include suitable nesting or breeding habitat (large wetlands). A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024. <i>No effect</i>
				Monroe	Tomah branch line loop		<i>Unlikely to occur</i> The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) or large wetlands. Additionally, the wild population

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							of whooping crane does not typically migrate through Wisconsin and any occurrences would likely be a result of the experimental population located in the state. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. No effect
Plants							
Autumn fimbry	<i>Fimbristylis autumnalis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Autumn fimbry grows along the margins of shallow lakes and ponds with a sandy substrate particularly in the Anoka Sand Plain Region of Minnesota. These habitats fluctuate with seasonal ground water tables.	May occur. The Project area is within the species' known range, and suitable habitat was identified within the Project area. However, no direct impacts on lakes or ponds are proposed, and aquatic habitats crossed by the Project will be crossed via HDD. Not likely to adversely affect
Narrow-leaved water plantain	<i>Alisma gramineum</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Narrow-leaved water plantain have been observed to prefer habitat in shallow water that is less than 1 one meter deep in sandy substrate of larger wind-swept lakes.	Does not occur The species does not occur within the Project area. No effect
Rattlebox	<i>Crotalaria sagittalis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Dry, sandy soils within prairies or along gravelly railroads.	Unlikely to occur Project area is within species known range, but no suitable habitat was identified within the Project area. No effect
Fernleaf false foxglove	<i>Aureolaria pedicularia</i>	None	Threatened	Washington	Farmington to Hugo C-line	Restricted to dry sand savanna and dry, open, oak woods with acidic soils.	Unlikely to occur Project area is within species known range, but no suitable habitat was identified within the Project area. No effect

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Lance-leaf violet	<i>Viola lanceolata</i>	None	Threatened	Washington	Elk River 3rd branch line	Low, moist meadows with a sandy substrate, moist swales in sand dunes and savannas, and occasionally on sandy lakeshores	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
American ginseng	<i>Panax quinquefolius</i>	None	Special Concern	Washington	Elk River 3rd branch line	Rich, cool, moist hardwood forest.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Mussels							
Higgins eye pearlymussel	<i>Lampsilis higginsii</i>	Endangered	Endangered	Washington	Farmington to Hugo C-Line	Higgins eye pearlymussels are found in larger rivers in deep water with moderate currents. They bury themselves in sand and gravel river bottoms.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>No effect</i>
				Houston	La Crescent compressor station		<i>Does not occur</i> The Project area does not include any waterways. A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024. <i>No effect</i>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Winged mapleleaf	<i>Quadrula fragosa</i>	Endangered	Endangered	Washington	Farmington to Hugo C-Line	They are known to live in large rivers that includes riffles with clean gravel, sand, rubble bottoms in clear high quality water.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>No effect</i>
Salamander mussel	<i>Simpsonaias ambigua</i>	Proposed Endangered	Endangered	Washington	Elk River 3rd branch line	Under large flat stones in swift current in medium to large rivers and lakes.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
				Washington	Farmington to Hugo C-Line		<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Fish							
Least darter	<i>Etheostoma microperca</i>	None	Special Concern	Washington	Farmington to Hugo C-Line	Habitat includes crystal clear freshwater lakes and streams with dense submergent aquatic vegetation. In Minnesota least darters are usually found in low-velocity streams that are connected to a lake or stream system.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Redfin shiner	<i>Lythrurus umbratilis</i>	None	Threatened	Monroe	Tomah branch line loop	Turbid waters of pools in low-gradient streams over substrates of boulders, sand, silt, or detritus	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							the Project area. <i>No effect</i>
Invertebrate							
RPBB	<i>Bombus affinis</i>	Endangered	None	Washington	Elk River 3rd branch line	Habitat generalist; can be found in grasslands, shrublands, and forested areas, as well as tall grass prairies, sedge meadows, and unplowed calcareous prairies/fens.	<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>
			None	Monroe	Tomah branch line loop		<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
KBB	<i>Lycaeides melissa samuelis</i>	Endangered	None	Monroe	Tomah branch line loop	Pine barrens and oak savanna in close association with its larval hostplant lupine. In Wisconsin, also found along utility and road right of ways, abandoned agricultural fields, and managed forests.	<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat may be present within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>
Monarch butterfly	<i>Danaus plexippus</i>	Candidate	None	Freeborn	Lake Mills to Albert Lea E-Line	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	<p><i>May occur</i></p> <p>Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>No effect.</i></p>
				Washington	Elk River 3rd branch line		<p><i>May occur</i></p> <p>Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>No effect.</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
				Washington	Farmington to Hugo C-line		<p><i>May occur</i> Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>No effect.</i></p>
				Houston	La Crescent compressor station		<p><i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area. A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024.</p> <p><i>No effect.</i></p>
				Monroe	Tomah branch line loop		<p><i>May occur</i> Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>No effect.</i></p>

Federal Special Status Species Occurring in the Vicinity of the Project

The federally listed species that are known to occur or potentially occur within the Project area are the NLEB; tricolored bat; gray wolf; whooping crane; Higgins eye pearlymussel; winged mapleleaf; salamander mussel; RPBB; monarch butterfly; KBB; and monarch butterfly. No federally listed T&E or special concern fish species are known to occur near the Project. These species and their habitats are described below.

Lake Mills to Albert Lea E-line (Freeborn County, Minnesota)

- NLEB
- Tricolored bat
- Monarch butterfly

Elk River 3rd branch line (Washington County, Minnesota)

- NLEB
- Tricolored bat
- Whooping crane
- Salamander mussel
- Monarch butterfly
- RPBB

Farmington to Hugo C-line (Washington County, Minnesota)

- NLEB
- Tricolored bat
- Whooping crane
- Higgins eye pearlymussel
- Salamander mussel
- Winged mapleleaf
- Monarch butterfly

Tomah branch line loop (Monroe County, Wisconsin)

- Gray wolf
- NLEB
- Tricolored bat
- Whooping crane
- KBB
- Monarch butterfly
- RPBB

La Crescent compressor station (Houston County, Minnesota)

- NLEB
- Tricolored bat
- Whooping crane
- Higgins eye pearlymussel
- Monarch butterfly

These species and their habitats are described below.

Northern long-eared bat

During winter, NLEBs use large caves and mines that have large passages and entrances, constant temperatures and high humidity with no air currents; however, large caves and mines are not present in the Project area (MDNR 2023). Portions of all Project components ESBs may contain suitable summer habitat for the NLEB. Potential impacts on individual bats may occur if clearing or construction takes place when the species is breeding, foraging, or raising pups in its summer habitat. Bats may be injured or killed if occupied trees are cleared during this active window, and the species may be disturbed during clearing or construction activities due to noise or human presence.

Freeborn County (Lake Mills to Albert Lea E-line) is not listed as a county with documented white-nose syndrome according to the white-nose Syndrome Response Team web map (White-nose Syndrome Response Team 2023). No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied maternity roost trees (MDNR and USFWS 2023). Monroe County (Tomah branch line loop) is currently listed as a county with documented white-nose syndrome positive test according to the white-nose Syndrome Response Team web map (White-nose Syndrome Response Team 2023). However, the WDNR ER Review Verification did not note any known hibernacula or roost resources.

Washington County (Elk River 3rd branch line and Farmington to Hugo C-line) is listed as a county with documented occurrences of white-nose syndrome (White-nose Syndrome Response Team 2021); however, no known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of known, occupied maternity roost trees (MDNR and USFWS 2023).

Northern plans to perform winter tree clearing on the Elk River 3rd branch line and the Tomah branch line loop (between February and March 2025) to minimize effects to the NLEB that may use wooded habitats for summer roosting and foraging activities. Northern will not complete tree clearing for the Farmington to Hugo C-line, the Lake Mills to Albert Lea E-line, and the La Crescent compressor station. In the event that isolated trees/copse of trees need to be removed, Northern will consult with the appropriate agencies prior to any removal. Tree clearing outside of the allotted winter months will require summer mist net surveys and/or acoustic surveys to determine presence/potential absence of the NLEB with the Project areas, prior to initiation of work. Northern will continue to coordinate with the FERC and the USFWS to minimize potential Project impacts on the NLEB. Therefore, the Project may affect but is not likely to adversely affect the NLEB and will not cause prohibited take of the species. The USFWS determination key concurred with the determination of may affect not likely to adversely affect and indicated that, unless contacted within 15-days from the issued concurrence letter, the Project may proceed within its actions under the terms of the effect determination.

Tricolored bat

During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road culverts, tree cavities, and abandoned water wells. During the non-hibernating seasons, tricolored bats roost in leaf clusters of living or dead deciduous hardwood trees. Tricolored bats also have been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures. (USFWS 2023).

No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied

maternity roost tree (MDNR and USFWS 2023). However, suitable summer roosting and foraging habitat for the tricolored bat is present within the Project area with exception of the La Crescent compressor station; therefore, this species may occur in the Project area. Project operations with impacts occurring during the bat's inactive season (November 15 to March 31, inclusive), are not likely to adversely affect the species. However, operations including tree clearing and elevated noise levels, that occurs during the bats active roosting and foraging season, may have potential to affect the tricolored bat. The Project may affect, but is not likely to adversely affect this species. The tricolored bat was proposed to be listed as federally endangered September 13, 2022, and is still proposed for listing. Potential impacts on the tricolored bat may need to be reassessed dependent on when a final listing goes into effect. The USFWS determination key concurred with the determination of may affect not likely to adversely affect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

Whooping crane

The whooping crane is a migratory bird species that once nested in northern prairies but now breeds in remote northern forests in Canada, as well as in an experimental population in Wisconsin, preferably within coniferous habitat containing swamps and nearby lakes or ponds. Winter habitat consists of coastal marshes (e.g., Texas, Louisiana, and Florida). The diet of the whooping crane in summer months is not well known, but it is thought to be similar to their wintering diet of shellfish, frogs, snakes, insects, small fish and plant matter like roots and berries. Whooping cranes are listed as federally endangered due to anthropogenic causes including hunting and the destruction of native prairies (Audubon undated (a)).

The Project area does not contain any large prairies or coniferous forests with swamps that would support breeding or nesting requirements for the whooping crane and large wetland complexes that occur within the Project will be crossed via HDD methods. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota or Wisconsin. As a result, this species is unlikely to occur within the Project area and any occurrences would likely be a result of the experimental population located in Wisconsin. Therefore, the Project is anticipated to have no effect to this species. The USFWS determination key concurred with the determination of no effect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

Higgins eye pearlymussel

This freshwater mussel is found in larger rivers in deep water with moderate currents. The Higgins eye pearlymussel bury themselves in sand and gravel river bottoms with the edge of their partially opened shell exposed. They utilize the current of the river to siphon water for microorganisms such as algae and bacteria, which they use for food. (MDNR 2023a).

The Farmington to Hugo C-line does not contain habitat typical for this species such as large rivers. In addition, no waterways were identified within the La Crescent compressor station. Therefore, species occurrences within the Project area are not anticipated and the Project is anticipated to have no effect to this species. The USFWS determination key concurred with the determination of no effect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

Winged mapleleaf

The winged mapleleaf is a medium freshwater mussel. In 1987 the only population of winged mapleleaf known to be present in Minnesota was found in the St. Croix River on the border of Minnesota and Wisconsin. Extensive surveys in the last 15 years indicate the distribution of the species in Minnesota is limited to a 12-mile segment of the St. Croix River south of Taylors Falls, Minnesota. They are known to live in habitat that includes riffles with clean gravel, sand and rubble bottoms in clear high-quality water. (MDNR 2023d).

The Farmington to Hugo C-line does not contain suitable habitat, such as streams, or other large rivers and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species. The USFWS determination key concurred with the determination of no effect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

Salamander mussel

In Minnesota, the salamander mussel historically occurred in the Mississippi River, but it is currently restricted to the lower St. Croix River. The salamander mussel lives under flat rocks or under ledges of rock walls. (MDNR 2023).

The Elk River 3rd branch line and Farmington to Hugo C-line do not contain suitable habitat such as large rivers to support the life cycle of the salamander mussel and the Project does not overlap the St. Croix River. As such, occurrences of this species are not anticipated. The Project is anticipated to have no effect to this species. The Salamander mussel was proposed to be listed as federally endangered on August 22, 2023, and is still proposed for listing. Potential impacts on the Salamander mussel may need to be reassessed dependent on when a final listing goes into effect. This species was not included within the USFWS determination key.

Rusty patched bumble bee

Habitat needs for the RPBB can be broken down to include overwintering habitat, nesting habitat, spring foraging habitat, and summer and fall foraging habitat. Overwintering habitat consists of woodland edges, as well as upland forest and woodland interiors. Woodland types generally consist of even-aged maple-basswood or oak-hickory, and the overwintering queens can be found in shady areas with loose soils, little vegetation, and leaf litter. Nesting habitat (colonies) includes grasslands and shrublands, upland forest, and woodland edges extending approximately 30 meters into the woodland. Loose soil and leaf litter in these areas can provide nest building sites. (USFWS 2023a).

Spring foraging habitat and summer and fall foraging habitats are similar and can be found in areas with nectar and pollen sources, including plants such as goldenrods (*Solidago* spp.), coneflowers (*Echinacea* spp.), and gentians (*Gentiana* spp.). These areas can include woodland edges, upland forest, upland grassland and shrubland, palustrine wetlands, flower gardens, and agricultural land. (USFWS 2017). Spring ephemeral species and upland forest and woodland interiors that contain nectar and pollen sources also are used for spring foraging (USFWS 2023a).

No MDNR NHIS occurrences for the RPBB are present within the Project. However, the USFWS lists the Elk River 3rd branch line within Washington County, Minnesota and Tomah branch line loop within Monroe County, Wisconsin as being within the HPZ for RPBB. Potentially suitable habitat for the different life cycles of the RPBB are present within both Project components and will require pre-construction, species specific surveys to determine potential effects the Project may have on the RPBB. The other Project components are outside of listed occurrence zones for the RPBB, or do not contain suitable habitat and therefore are not discussed.

Northern prepared a survey protocol for conducting floristic surveys and presence/absence surveys for the RPBB and submitted these protocols to the USFWS Twin Cities Field Office for review February 7, 2024. The RPBB survey protocols are provided in Appendix 3B.

In the survey protocols, Northern committed to conduct four floristic surveys, initiating May 2024 and subsequently every five weeks after the initial survey. The surveys will encompass the portions of the Elk River 3rd branch line and Tomah branch line loop where vegetation would be cleared during construction but will not be conducted in areas where impacts are avoided through HDD.

Per USFWS RPBB survey protocols (USFWS 2019b), which have been incorporated into Northern's survey protocols, each suitable habitat patch will be surveyed for one person-hour per three acres of the highest quality habitat in the survey area, or until at least 150 bumble bees are sighted, whichever comes first. The protocol includes capturing bees that match the description of RPBB and estimating the number of other bumble bee species (*Bombus* spp.) encountered. Each survey will be conducted over the course of one day using non-lethal netting techniques. Northern will complete three rounds of presence/absence surveys in summer 2024. Northern will continue coordination with the USFWS and FERC to determine if the Project will affect the RPBB.

Monarch butterfly

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated). Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will utilize pollinator friendly plant seed mixtures within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Northern has determined the Project will not jeopardize the existence of the monarch butterfly. The USFWS determination key concurred with the determination of no effect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

Karner blue butterfly

The KBB occurs in oak savannahs and pine barren habitats with a variety of herbaceous plants and scattered woody groves. The presence of wild lupine (*Lupinus perennis*) is required for the survival of caterpillars, as it is the only plant on which they feed; adult KBB rely on other native plant species such as bee balm (*Monarda fistulosa*), butterfly weed (*Asclepias tuberosa*), and bachelor's button

(*Centaurea cyanus*). KBB is listed as endangered due to habitat loss, in part due to the lack of natural grazing and wildfires that maintained canopy openings to allow sunlight to reach the herbaceous layers. (USFWS 2019c).

Northern is committed to the restoration and preservation of pollinator habitat. Northern belongs to the WDNR KBB Habitat Conservation Plan Partnership as of July 16, 2020. Northern will plant pollinator friendly species within the proposed receiver facility on the Tomah branch line loop. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces. Northern has successfully seeded public areas disturbed by construction creating a dense pollinator habitat within the following growing season.

Northern conducted and reviewed the WDNR ER Review, which contains an extensive inventory of KBB habitat and element occurrences. The ER Review Verification indicated that the Tomah branch line loop is within the HPR for KBB. Review of the Agreement between Northern and the WDNR shows portions of the Tomah branch line loop within HPR for the KBB, specifically within the southwest segment of the Project. Northern will abide by the requirements within the Agreement, and follow protocols outlined within the approved Habitat Conservation Plan for the KBB.

Northern intends to conduct lupine surveys for the KBB in May 2024, concurrent with RPBB floristic surveys. Stantec will complete surveys for wild lupine (*Lupinus perennis*) and other associated habitat in accordance with the Wisconsin Department of Natural Resources (WDNR) survey protocol. In the event wild lupine is located within Project workspace during the May 2024 floristic survey, Stantec will monitor the WDNR KBB emergence model postings and will initiate KBB surveys during the appropriate time period in May or June to correspond to the first KBB flight period.

Northern will continue coordination with FERC and the USFWS to determine the Projects effect to the KBB. If all areas of the Project within the HPR can follow protocols approved within the Habitat Conservation Plan for the KBB, then Northern anticipated minimum impacts on the species.

Gray wolf

The gray wolf is the largest wild member of the Canidae (dog) family. Gray wolves have a wide range of habitats that primarily include temperate forests, mountains, tundra, taiga, grasslands, and deserts. In North America, they primarily feed on large-hooved mammals that include white-tailed deer, elk, moose, caribou, muskox, and bison. (USFWS 2023b).

Habitat communities within the Project area consist mostly of agricultural row crop, residential and forested habitats. Due to the fragmented forested areas and developed surrounding land use, the gray wolf is unlikely to occur within the Project area. However, due to the wide range and mobility of this species, the Project may affect but is not likely to adversely affect the gray wolf. The USFWS determination key concurred with the determination of may affect, but not likely to adversely affect and indicated that, unless contacted within 30-days from the issued consistency letter, the Project may proceed within its actions under the terms of the effect determination.

State Special Status Species Occurring in the Vicinity of the Project

There are 14 state-listed species known to occur or potentially occur within the Project in Freeborn, Washington, and Houston counties, Minnesota, and Monroe County, Wisconsin. The state-listed species include the Blanding's turtle, wood turtle, least darter, redbfin shiner, autumn fimbry, narrow-

leaved water plantain, lanceleaf violet, American ginseng, fernleaf false foxglove, rattlebox, trumpeter swan, common gallinule, purple martin, and timber rattlesnake. With the exception of the federally listed species which are described above, the state-listed species and Project components that include their habitats are listed below.

Lake Mills to Albert Lea E-line (Freeborn County, Minnesota)

- Common gallinule
- Trumpeter swan

Elk River 3rd branch line (Washington County, Minnesota)

- Blanding's turtle
- Lanceleaf violet
- American ginseng

Farmington to Hugo C-line (Washington County, Minnesota)

- Blanding's turtle
- Autumn fimbry
- Fernleaf false foxglove
- Rattlebox
- Least darter
- Narrow-leaved water plantain
- Purple martin

Tomah branch line loop (Monroe County, Wisconsin)

- Redfin shiner
- Blanding's turtle
- Wood turtle

La Crescent compressor station (Houston County, Minnesota)

- Timber rattlesnake

These species and their habitats are described below.

Blanding's turtle

Blanding's turtle requires wetland complexes with adjacent sand uplands to sustain viable populations. Calm, shallow waters, including wetlands associated with rivers and streams with rich aquatic vegetation, are preferred. This turtle occurs on a variety of wetland and riverine types throughout Minnesota. In the southeast, it prefers marshes and bottomland wetlands in summer and winter, ephemeral wetlands in spring and early summer, and deeper marshes and backwater pools in summer and winter. Female Blanding's turtles prefer to nest in open sandy uplands. Although they prefer undeveloped land, they have been known to nest in agriculture fields, residential property (low density suburban housing), gardens, under power lines, and in road shoulders (especially dirt roads). Females may travel up to 1.6 kilometers (1 mile) overland from their resident marsh to their nest site at which time they are vulnerable to predators and road mortality. Hatchlings leave the nest from mid-August through early October. Because eggs are laid far from water, hatchlings are vulnerable to predators, automobiles and desiccation while traveling from the nest to a wetland. Loss and

degradation of upland and wetland habitats and mortality on roads and primary threats to the species. (MDNR 2008).

Northern will not propose species surveys but rather assume the presence of Blanding's turtles where Blanding's turtles have been documented and suitable habitat is present. The Elk River 3rd branch line and Farmington to Hugo C-line contain suitable nesting and overwintering habitat for the Blanding's turtle (wetlands with open water features with adjacent uplands), the Tomah branch line loop contained suitable nesting and foraging habitat (shallow wetlands and adjacent uplands) but lacked open water features suitable for overwintering. Additionally, no Blanding's turtles were identified within the Project areas during field habitat assessments that occurred intermittently between August and November 2023. The MDNR NHIS review indicated Blanding's turtle element occurrences within one mile of the following components: three at the Elk River 3rd branch line and nine at the Farmington to Hugo C-line. A review of the WDNR ER Review Verification indicated two element occurrences within two miles of the Tomah branch line loop.

Northern plans to use HDD to cross under all waterbody and wetland complexes with suitable Blanding's turtle habitat except for ERT-W15, which will be crossed via open-cut trench method. Northern will install turtle fence between the entry and exit points and any suitable turtle habitat.

Based on Northern's past project experience in Minnesota, the MDNR will likely recommend a number of measures to avoid and minimize impacts on Blanding's turtles should they occur within the Project workspace. These recommendations include the following.

- Turtles that are in imminent danger should be moved, by hand, out of active Project workspaces
- Turtles that are not in imminent danger should be left undisturbed
- No nests should be disturbed
- Silt fencing should be used to keep turtles out of construction areas, where necessary, and removed after the area has been revegetated
- No dredging, deepening, or filling of wetlands should occur
- Wetlands should be protected from pollutants such as fuels and lubricants
- Mulch, if used, will not contain synthetic (plastic) fiber additives in areas that drain to a Minnesota public water
- Erosion and sediment control devices should be used to prevent silt and sediment from reaching wetlands and waterbodies
- Erosion control mesh, if used, will be limited to bio-netting or natural netting, specifically, Category 3N or 4N in the 2016 and 2018 Minnesota DOT standards
- Trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade
- Culverts under access roads crossing wetland areas, between wetland areas, or between wetland and nesting areas, should be at least 36 inches in diameter and flat-bottomed or elliptical
- Construction areas should be returned to preconstruction conditions

Northern will implement the MDNR recommendations above and will train construction personnel regarding identification of the Blanding's turtle and the proper implementation of the MDNR recommendations. Northern has developed, per the request of MDNR on past projects, and will implement a Blanding's Turtle Avoidance Plan. In March or April 2024, Northern will submit the Blanding's Turtle Avoidance Plan to the MDNR for review and comment by MDNR staff. The mitigation measures above will minimize potential impacts on the Blanding's turtle; therefore, the Project is not likely to adversely affect the Blanding's turtle.

Habitat for Blanding's turtle is not present within the Lake Mills to Albert Lea E-line and La Crescent compressor station Project areas. The Project anticipated no adverse effect to this species.

Wood turtle

The wood turtle prefers rivers and streams with adjacent riparian wetlands and upland deciduous forests. This species often forages in open wet meadows or in shrub habitats dominated by speckled alder. They overwinter in streams and rivers in deep holes or undercut banks where there is enough water flow to prevent freezing. This semi terrestrial species typically remains within 300 meters (984 feet) of rivers and streams. This species becomes active in spring as soon as the ice has melted and air temperatures reach around 50 degrees Fahrenheit, which can occur as early as mid-March in the Project area (WDNR 2020a).

The Tomah branch line loop does not contain suitable habitat for the wood turtle (wetlands with adjacent forested communities) and species occurrences are not anticipated. However, review of the WDNR ER Review Verification indicates two element occurrences within two miles of the Project area. Aquatic resources and their immediate riparian or upland areas will be crossed by the Project via HDD methods; therefore, the Project is not likely to adversely affect the wood turtle.

Least darter

The least darter is a small fish species averaging 3.75 centimeters in total length. They prefer freshwater streams and lakes that are crystal clear and have dense, submerged aquatic vegetation. During the spawning season they typically use weedy shallow pools and will move to deeper pools post spawning season. The greatest threats to the population of the least darter include habitat loss and degradation, loss of aquatic plants, pesticide use, and loss of forested habitats around streams (MDNR 2023g).

The Farmington to Hugo C-line does not include suitable habitat for the least darter (clear lakes and streams with dense aquatic vegetation) and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

Redfin shiner

Redfin shiner prefers turbid waters of pools in low-gradient streams over substrates of boulders, sand, silt, or detritus. Spawning occurs from early June through mid-August in sunfish nests and they coexist with the sunfish in the nesting territory (WDNR 2020b).

The Tomah branch line loop does not include suitable habitat for the redfin shiner (turbid, low-grade streams suitable for fish habitat and colonization) and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

Autumn fimbry

The autumn fimbry is a common plant found in the eastern parts of the U.S. Due to its stringent habitat requirements, it is uncommon in Minnesota and surrounding states. The autumn fimbry grows

along the margins of shallow lakes and ponds with a sandy substrate particularly in the Anoka Sand Plain region of Minnesota. These habitats fluctuate with seasonal ground water tables and are easily affected due to human activity. The autumn fimbry is commonly out competed by non-native plants including reed canary grass (*Phalaris arundinacea*) and the hybrid cattail (*Typha x glauca*). (MDNR 2021i).

The Farmington to Hugo C-line contains suitable habitat for autumn fimbry (sandy substrate along shallow lakes or ponds); however, crossings of aquatic habitats will occur via HDD methods, therefore, the Project is not likely to adversely affect the Autumn fimbry.

Narrow-leaved water plantain

Narrow-leaved water plantain has been recorded in 16 lakes throughout Minnesota. It is a perennial aquatic plant in which the stem is submerged under the surface of the water and the emergent part of the plant can reach up to 50 centimeters tall. Narrow-leaved water plantain have been observed to prefer habitat in shallow water that is less than one meter deep in sandy substrate of larger wind-swept lakes. The primary threat to narrow-leaved water plantain is loss of habitat through recreational activity, destructive shoreline management and herbicide run off. (MDNR 2021j).

The Farmington to Hugo C-line does not contain suitable habitat for the narrow-leaved water plantain (shallow water associated with large lakes). Barker Lake is the closest potentially suitable habitat for this species and resides adjacent to the Project just southwest of Farmington to Hugo C-line. Northern will follow their Project's plans and procedures to prevent sedimentation and pollution into adjacent waterbodies. No occurrences for this species are anticipated within the Project area. Therefore, the Project is anticipated to have no effects to this species.

Fernleaf false foxglove

Fernleaf false foxglove is a plant that can be found in east-central and southeastern Minnesota within dry sand savanna and dry, open oak woods. The plant prefers acidic soil with low organic matter that is coarse-textured and well drained. The fernleaf foxglove depends on the roots of oaks (*Quercus spp.*), especially those of northern pin oaks (*Q. ellipsoidalis*) and black oaks (*Q. velutina*). (MDNR 2023).

The Farmington to Hugo C-line does not contain suitable habitat for the Fernleaf false foxglove (dry sand savanna and dry, open oak woods) and occurrences are unlikely within the Project area. Therefore, the Project is anticipated to have no effect to this species.

Rattlebox

Rattlebox is a vascular plant that requires dry, loose, and sandy soil in direct sunlight. The plant is typically found in sand deposits that are supporting a stable and healthy community of native plants such as a prairie or sparsely vegetated grassland (MDNR 2023).

The Farmington to Hugo C-line does not contain suitable habitat for the rattlebox (sand deposits and native prairies) and occurrences are unlikely within the Project area. Therefore, the Project is anticipated to have no effect to this species.

Lance-leaf violet

Lance-leaf violet is a perennial flowering plant that typically blooms in the spring and early summer. Habitat for the lance-leaf violet includes moist meadows with sandy substrate, moist swales in sand dunes and savannas, and sandy lakeshores. The lance-leaf violet also has been observed in peaty wetlands and meadows (MDNR 2023).

The Elk River 3rd branch line does not include suitable habitat for the lance-leaf violet (low, moist meadows with a sandy substrate). Meadows found within the Project area have been previously disturbed by surrounding agricultural and residential development, leading to dominance of invasive vegetative species, such as reed canary grass and hybrid cattail. As a result, occurrences of the lance-leaf violet are not likely; therefore, the Project is anticipated to have no effect to this species.

American ginseng

The American ginseng is a perennial herb found in mesic loamy soils of well-developed forests. These forests usually have a closed canopy and consist of mature sugar maple (*Acer saccharum*), basswood (*Tilia americana*), and northern red oak (*Quercus rubra*). The American ginseng does not tolerate seasonally flooded habitats (MDNR 2023).

The Elk River 3rd branch line does not include suitable habitat for the American ginseng (rich, hardwood forest communities) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

Purple martin

Purple martins are typically found feeding on insects over cities, towns, parks, open fields, streams, rivers, wetlands, and open water habitats. Historically, the species was once known to nest in woodpecker cavities in dead trees, but current populations are known to use man-made structures for nesting near human settlements, especially those along shorelines of large lakes and open areas away from dense trees with large insect populations (MDNR 2023).

The Farmington to Hugo C-line contains suitable foraging habitat for the purple martin, including open fields, residential areas, and wetlands and the species may occur within the Project area. However, no nesting structures were observed within the Project area, and Northern does not anticipate impacts on any man-made nesting structures within the Project area. Additionally, aquatic resource crossings and their immediate uplands will be crossed by the Project via HDD methods. Therefore, the Project is not likely to adversely affect the purple martin.

Common gallinule

Habitat for the common gallinule includes freshwater cattail-bulrush marshes and prairie. This can include rivers, lakes, ponds and small marshes along the edges of lakes or rivers. Preferred habitat characteristics include deep water, open water and emergent vegetation, abundant dead vegetation, floating islands of organic matter, and abundant muskrat (*Ondatra zibethicus*) runways. Common gallinules can be sensitive to human disturbance, moving away from areas frequented by people (MDNR 2023).

The Lake Mills to Albert Lea E-line did not include suitable habitat for the common gallinule (open water features) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

Trumpeter swan

During the breeding season, trumpeter swans will utilize small lakes and ponds or bays in larger bodies of water with emergent vegetation such as cattails (*Typha spp.*), bulrushes (*Scirpus spp.*), and sedges (*Carex spp.*) for nesting cover. Preferred habitat includes unpolluted fresh water, emergent marsh vegetation, areas of low human disturbance, and the presence of muskrat or beaver houses that they can use for nesting platforms. At least 100 meters of open water is needed for the trumpeter swan to take off (MDNR 2023).

The Lake Mills to Albert Lea E-line did not include suitable habitat for the trumpeter swan (large open water features such as lakes or ponds) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

Timber rattlesnake

In Minnesota the timber rattlesnake is found in the in the Mississippi River valley within the forested bluffs, south-facing rock outcrops, and bluff prairies (MDNR 2023).

The La Crescent compressor station did not contain suitable habitat (forested bluffs, rock outcrops, and bluff prairies) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

3.4.2 Construction and Operation Impacts

Winter tree clearing will be performed within the Project areas to the extent practicable. Cutting of trees that occurs outside of the allotted winter tree clearing window has the potential to affect the

protected NLEB and tricolored bat. Northern also will avoid tree clearing during the pup stage between June 1 and July 31, to avoid incidental take of these species. Should tree clearing occur between April 1 and September 30, Northern will coordinate with the USFWS for appropriate survey protocols to receive a determination of no effect or not likely to adversely affect determination prior to performing tree clearing outside the allotted winter tree clearing window.

As discussed above, Northern will conduct surveys for the RPBB and KBB during the appropriate seasons in 2024. Northern is consulting with USFWS and WDNR regarding survey protocols and timelines. Northern proposes to clear trees in February and March 2025. Northern proposes to mitigate the effects to the RPBB overwintering habitat by not disturbing the ground during this winter tree clearing. Northern will remove the stumps between April and October 2025 when the bee is active and not using its overwintering habitat. Effects to foraging habitat will be temporary and so will likely not have impact on the species.

Temporary construction workspaces and access roads are planned in areas of potential RPBB nesting habitat within the Elk River 3rd branch line and Tomah branch line loop. Northern initiated coordination with the USFWS regarding the RPBB February 7, 2024. Northern will complete floristic surveys and presence/absence surveys, pursuant to the USFWS's Survey Protocols for the RPBB. Northern will begin the floristic surveys late spring 2024 to determine if foraging habitat is present. If foraging habitat is present, then Northern will conduct three rounds of presence/absence surveys during summer 2024. Northern will continue to evaluate the potential effects to this species and continue ongoing consultation with the USFWS and FERC.

Northern will continue to coordinate with the MDNR regarding the use of HDD as avoidance protocols for Blanding's turtle. The measures identified in Section 3.4.1 will ensure Project impacts on the Blanding's turtle are minimized or avoided. The use of HDD for stream and most wetland crossings will eliminate impacts due to trenching and excavation. The use of turtle fence and implementing qualified turtle monitors will prevent construction impacts on nesting turtles. An inadvertent return of drilling mud during an HDD crossing could affect individuals in proximity to the inadvertent return. No toxic effects would be anticipated; however, increased turbidity could cause disorientation and reduce foraging potential. The species is mobile and would be able to move away from the point of the inadvertent release and any resulting turbidity. Any turbidity resulting from an inadvertent return would be expected to be temporary. Therefore, no long-term impacts are anticipated to the Blanding's turtle as a result of the construction and operation of the proposed Project. MDNR will provide further guidance regarding the Blanding's turtle during the NHIS review process. The mitigation measures above will minimize potential impacts on the Blanding's turtle.

Direct impacts on special status birds, mammals, fish and reptiles from construction and operation of the Project may include limited mortality of eggs, nests, young, and less mobile species. Indirect impacts on special status species may include the incremental reduction of forest cover, habitat fragmentation, temporarily augmented noise levels, and dust effects from construction access. However, mobile species will most likely return following construction and restoration. Indirect impacts on special status species will be avoided, minimized and mitigated by adherence to the Plan and Northern's Procedures.

MBTA Protected Species

The NABCI maintains a list of BCRs (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the Prairie Potholes (BCR 11), Eastern Tallgrass Prairie (BCR 22) and Prairie Hardwood Transition (BCR 23) BCRs.

The BCR 11-Prairie Potholes was once dominated by mixed-grass and tall grass prairies and served as a waterfowl production area in North America. The region serves as the core breeding range for dabbling and diving ducks, as well as other bird species, including Franklin's gull, yellow rail, piping plover, Baird's sparrow, Sprague's pipit, chestnut-collared longspur, Wilson's phalarope, marbled godwit, American avocet, Hudsonian godwit, American golden-plover, white-rumped sandpiper, and buff-breasted sandpiper (NABCI 2023).

The BCR 22-Eastern Tallgrass Prairie was formerly dominated by grasslands of the Great Plains where beech and maple forests and oak-savannahs were the dominant hardwood habitats of woodlands. Grassland birds include greater prairie-chicken and Henslow's sparrow, and woodland birds include cerulean warbler and red-headed woodpeckers (NABCI 2023).

The BCR 23-Prairie Hardwood Transition was once dominated by prairies in the west and south and beech-maple forest in the north and east, separated by an oak savanna. There are still remnant populations of greater prairie-chicken in grasslands and cerulean warbler and other forest-breeding migrants to the northeast. Early successional habitat is used by golden-winged warblers, Henslow's sparrows, and American woodcock. Glaciation has resulted in numerous pothole-type wetlands and shallow lakes, and the Great Lakes' coastal estuaries are the destinations of many rivers. Additional important waterfowl lakeshore-wetland habitats range from emergent marshes and diked impoundments to normally ice-free deepwater habitats valuable for diving ducks. This region is second only to the Prairie Pothole region in terms of supporting high densities of breeding waterfowl, including mallard, blue-winged teal, wood duck, and redhead (NABCI 2023).

The USFWS Birds of Conservation Concern 2008 report (USFWS 2008) identifies birds of conservation concern within BCRs 11, 22 and 23. The USFWS IPaC system, in conjunction with the BCC lists, was utilized to obtain a current list of migratory bird species that may be affected by the Project. Appendix 3E lists these migratory bird species, as well as additional species identified in IPaC.

IBAs are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering and/or migrating birds (Audubon 2023). None of the Project components cross an IBA. The nearest IBAs to the Project include the Elk Creek Marsh, approximately 8.9 miles southeast from the Lake Mills to Albert Lea E-line; the St. Croix Bluffs IBA, approximately 4.2 miles east from the Farmington to Hugo C-line and approximately 5.2 miles east of Elk River 3rd branch line; Carlos Avery IBA, approximately 3.3 miles west of Elk River 3rd branch line and approximately 6.2 miles west of the Farmington to Hugo C-line; Blufflands-Root-River IBA, approximately 1.7 miles south of La Crescent compressor station; and the Fort McCoy-Robinson Creek Barrens IBA, approximately 1.3 miles southeast from the Tomah branch line loop.

Construction of the Project has the potential to impact birds protected under the MBTA. Under the MBTA, construction activities in grassland, roadsides, wetland, riparian, shrubland, or woodland habitats, and construction activities that occur on bridges or culverts that would otherwise result in the taking of migratory birds, eggs, young, and/or active nests, should be avoided. Although the provisions of the MBTA are applicable throughout the entire year, most migratory bird nesting activity in Minnesota and Wisconsin occurs mid-April to mid-July. Northern plans to begin tree clearing February 2025, outside the primary nesting season. Pipeline construction will commence spring 2025 and continue through November 1, 2025. Northern will attempt to limit removal or impacts on vegetation during the primary nesting season of breeding birds. If construction work cannot be avoided during the peak breeding season, Northern will have a biologist conduct a pre-construction nest survey for breeding birds within the Project workspaces. The nest survey will

determine the absence or presence of breeding birds and their nests. Pre-construction nest surveys will be completed according to the following procedures.

- No more than seven days before construction activities commence, pre-construction nest surveys for migratory birds will be completed by a qualified avian biologist. The area surveyed will include the proposed workspaces or areas where potentially suitable habitat has been identified.
- If an occupied raptor nest is observed during the survey, construction activities will not be permitted within a 660-foot buffer of the raptor nest site during the breeding season or until the fledglings have left the area. Northern will complete consultation with the USFWS, MDNR and/or the WDNR if an active raptor nest is observed.
- If a nest, other than a raptor nest, is observed during the survey, construction activities will not be permitted within a 100-foot buffer of the nest until consultation with USFWS, MDNR and/or the WDNR occurs. Northern will implement buffers and practices recommended by agencies during the consultation.
- Upon completion of the nest surveys, the survey results will be submitted to the USFWS, MDNR and/or the WDNR, as appropriate. If breeding birds are not present, construction can proceed with no restrictions. If breeding birds or active nests are present, additional consultation will be completed.

Nest surveys for migratory bird surveys will be conducted prior to any clearing or construction activity; therefore, the Project will have no effect to nesting migratory birds of concern.

To assess the potential for impact on raptors, Northern's field surveys for the Project area (intermittently between August and November 2023) included 0.5-mile line-of-sight raptor nest surveys. Multiple red-tailed hawks were observed flying over Elk River 3rd branch line and a singular raptor species was observed flying over the Tomah branch line loop; however, no nests were observed. No other raptor, bald eagle or golden eagle or their nests were observed during these surveys. Northern plans to begin tree clearing February 2025, outside the primary nesting season. Pipeline construction will commence spring 2025; Northern will conduct pre-construction bird surveys within the construction areas immediately prior to construction. If any nests are observed, Northern will contact the USFWS, MDNR and/or WDNR to determine any necessary avoidance or mitigation measures.

Northern will consult with the USFWS Twin Cities Ecological Services Field Office regarding impacts on migratory birds. Due to the use of pre-construction nesting bird surveys, which will minimize any potential effect of the Project on nesting migratory birds, Northern determined the Project will have no effect to birds protected under the MBTA. The USFWS does not provide concurrence with no effect determination, and as such, a written response may not be provided from the agency.

3.4.3 Agency Consultation

Northern has initiated consultation with the USFWS, MDNR and WDNR via the IPaC Environmental Conservation Online System, the MDNR NHIS database, and the WDNR ER Review to gather information related to threatened and endangered species that may occur within the Project area. Official IPaCs were obtained through the USFWS's online system December 2021. Stantec used its limited license agreement (LA-1005) with the MDNR to obtain an initial list of T&E species

and unique habitats within each of the Project components, and formally submitted an NHIS request; a response is expected within several months.

Further consultation with the USFWS is ongoing by Northern, as the Elk River 3rd branch line and Tomah branch line loop are located within the high potential zone for RPBB. Northern developed draft survey protocols for RPBB surveys and submitted the protocol to the USFWS for review February 7, 2024. Northern plans to initiate floristic surveys for the Elk River 3rd branch line and Tomah branch line loop mid-May 2024. Northern will check the USFWS's database for updates on RPBB occurrences to determine if surveys on other Project components are required.

The results of the MDNR NHIS database review and WDNR ER Review indicate Blanding's turtle may be present near the Elk River 3rd branch line, Farmington to Hugo C-line, and Tomah branch line loop. Potential habitat may occur for all three Project components as discussed in Section 3.4. Northern has developed a Blanding's Turtle Avoidance Plan and will submit the plan to the MDNR. Northern will continue to work with MDNR to finalize the plan. The WDNR stated the Project would have no to low impact on the Blanding's turtle in its ER Review; therefore, Northern has determined the Tomah branch line loop will have no effect to the Blanding's turtle.

All agency coordination to date is presented in Appendix 3B.

REFERENCES

- Audubon. Undated. Whooping Crane, *Grus americana*. Available at: <https://www.audubon.org/field-guide/bird/whooping-crane>. Accessed December 28, 2023.
- Audubon 2023. Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. Accessed December 28, 2023.
- MDA 2023a. Minnesota Noxious Weed List. Available at <https://www.mda.state.mn.us/plants-insects/minnesota-noxious-weed-list>. Accessed December 28, 2023.
- MDA 2023b. Emerald Ash Borer Early Detection and Rapid Response. Available at https://www.mda.state.mn.us/sites/default/files/docs/2022-01/State%20Formal%20Quarantine%20Emerald%20Ash%20Borer.docx_.pdf. Accessed December 28, 2023.
- MDA 2023c. Dutch Elm Disease. Available at <https://www.mda.state.mn.us/dutch-elm-disease>. Accessed December 28, 2023.
- MDNR 2008. Endangered, Threatened, and Special Concern Species of Minnesota: Blanding's Turtle (*Emydoidea blandingii*). Environmental Review Fact Sheet Series. Accessed December 28, 2023.
- MDNR 2023d. Rare Species Guide: Available at: [Rare Species Guide | Minnesota DNR \(state.mn.us\)](https://www.dnr.state.mn.us/rare-species-guide). Accessed December 28, 2023.
- MDNR 2023e. Oak Wilt Management. Available at https://www.dnr.state.mn.us/treecare/forest_health/oakwilt/index.html. Accessed December 28, 2023.
- MDNR and USFWS 2023. Townships Containing Documented Northern Long-Eared Bat (NLEB) Maternity Roost Trees and/or Hibernacula Entrances in Minnesota. Available at: https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf. Accessed December 28, 2023.

- NABCI 2023. Bird Conservation Regions Map. Available at <https://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 28, 2023.
- NatureServe 2023. Encyclopedia of Life. Available at <https://explorer.natureserve.org/>. Accessed December 28, 2023.
- National Wildlife Federation undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 28, 2023.
- USDA Forest Service undated. Migration and Overwintering. Available at: https://www.fs.fed.us/wildflowers/pollinators/Monarch_Butterfly/migration/. Accessed December 28, 2023.
- USDA 2010. Federal Noxious Weeds. Accessed online at https://www.aphis.usda.gov/plant_health/plant_pest_info/weeds/downloads/weedlist.pdf. Accessed December 28, 2023.
- USFWS 2008. Birds of Conservation Concern 2008. USFWS Division of Migratory Bird Management. Available online at: <https://www.fws.gov/migratorybirds/pdf/grants/birdsofconservationconcern2008.pdf>. Accessed December 28, 2023.
- USFWS 2019a. Midwest Region Endangered Species, Rusty Patched Bumble Bee. Available at: <https://www.fws.gov/midwest/endangered/insects/rpbb/lifehistory.html>
- USFWS 2019b. Survey Protocols for the Rusty Patch Bumble Bee (*Bombus affinis*). Version 2.2. USFWS. April 12, 2019. Available online: https://www.fws.gov/midwest/Endangered/insects/rpbb/pdf/Survey_Protocols_RPBB_12April2019.pdf
- USFWS 2023. Midwest Region 3 Endangered Species. Available online at <http://www.fws.gov/midwest/endangered/index.html>. Accessed December 28, 2023.
- USFWS 2023b. USFWS. 2023b. Gray Wolf (*Canis lupus*). U.S. Fish & Wildlife Service. Available at: <https://www.fws.gov/species/gray-wolf-canis-lupus>. Accessed December 28, 2023.
- USFWS 2023c. Midwest Region Endangered Species: *Lycaeides melissa samuelis*. Available at: [USFWS: Karner Blue Butterfly Wisconsin HCP](#) Accessed December 28, 2023.
- WDNR 2023a. Endangered Resources: *Glyptemys insculpta*. Available at: [Wood Turtle \(*Glyptemys insculpta*\) \(wi.gov\)](#). Accessed December 28, 2023.
- WDNR 2023b. Endangered Resources: *Lythrurus umbratilis*. Available at: [Redfin Shiner \(*Lythrurus umbratilis*\) \(wi.gov\)](#). Accessed December 28, 2023.
- White-nose Syndrome Response Team 2023. 2023 Web Map. Available at: [White-Nose Syndrome \(whitenosesyndrome.org\)](#). Accessed December 28, 2023.

Appendix 3A

Noxious Weed Control Plan



Noxious Weed Control Plan

Northern Lights 2025 Expansion Project

February 2024

Contents

1.0 GENERAL PROJECT DESCRIPTION	1
2.0 FEDERAL, STATE, AND COUNTY WEED LISTS	1
2.1 NOXIOUS WEED LOCATIONS.....	6
3.0 MANAGEMENT GOALS	7
3.1 PRE-CONSTRUCTION AND CONSTRUCTION WEED CONTROL	7
3.2 AQUATIC NUISANCE SPECIES CONTROL	9
3.3 RESTORATION WEED CONTROL.....	9
3.4 OPERATION WEED CONTROL – THREE-YEAR PLAN	10

List of Tables

Table 1 - Federal, State and Local Noxious and Invasive Weeds List	2
Table 2 – Noxious Weed Species Observed.....	6

List of Figures

Figure 1 – Noxious Weed Locations
Figure 2 – Equipment Wash Station
Figure 3 – Boot Cleaning Station

1.0 GENERAL PROJECT DESCRIPTION

Northern Natural Gas (Northern) is planning construction of the Northern Lights 2025 Expansion Project (Project) in 2025 in Minnesota, and Wisconsin. The proposed facilities include:

- Lake Mills to Albert E-line, Freeborn County, Minnesota, 3.00-mile pipeline extension
- Elk River 3rd branch line, Washington County, Minnesota, 2.43-mile pipeline extension
- Farmington to Hugo C-Line, Washington County, Minnesota, 1.91-mile pipeline extension
- Tomah branch line loop, Monroe County, Wisconsin, 1.28-mile pipeline extension
- La Crescent compressor station, Houston County, Minnesota, minor aboveground facility modifications

PURPOSE

The objective of this Noxious Weed Control Plan (Plan) is to facilitate conformance with Minnesota and Wisconsin Noxious Weed Law promulgated by Minnesota Statutes § 18.75 to 18.91 and Wisconsin Statutes § 66.0407. This Plan provides measures to be used in the prevention and control of invasion of new noxious weed species or new populations within the Northern Lights 2025 Expansion Project (Project).

Northern will request written review and approval from FERC in event the construction contractor proposes an alternate noxious weed control measure not included in this Noxious Weed Control Plan.

2.0 FEDERAL, STATE, AND COUNTY WEED LISTS

Lists of noxious and invasive weeds that may potentially occur within the Project were obtained by review of federal, state, and local sources. The federal list is maintained on the U.S. Department of Agriculture's Introduced, Invasive, and Noxious Plants database. The state noxious weed list is maintained by the Minnesota Department of Agriculture and the Wisconsin Department of Natural Resources. Invasive species lists for Minnesota are maintained by the Minnesota Department of Natural Resources. In Minnesota and Wisconsin, noxious weeds can be designated on state eradicate, control, or restricted lists. Species on the eradicate list are prohibited noxious weeds that are not currently known to be present in Minnesota or Wisconsin, or are not widely established. These species are to be eradicated, and all of the above and below ground parts of the plant must be destroyed. Measures must also be taken to prevent and exclude these species from being introduced into Minnesota or Wisconsin. Propagation, sale, or transportation of these plants are prohibited without a permit.

Species on the Minnesota and Wisconsin control lists are prohibited noxious weeds that are established throughout regions of each state. Species on this list must be controlled and efforts must be made to prevent the spread, maturation, and dispersal of any propagating parts in order to reduce established populations and prevent their reproduction and spread. Restricted noxious weeds are plants that are widely distributed in Minnesota and Wisconsin and are detrimental to human or animal health, the environment, public roads, crops, livestock, or other property, but whose only feasible means of control is to prevent their spread by prohibiting the importation, sale, and transportation of their propagating parts without a permit. Specially regulated plants are plants that are not native to Minnesota and Wisconsin and may cause economic or environmental harm, or harm to human health.

Results of the review of these databases are presented in the table below.

Table 1 - Federal, State and Local Noxious and Invasive Weeds List

Common name	Scientific name
<u>Federal Noxious Weeds</u>	
Dodder	<i>Cuscuta spp.</i>
Broomrape	<i>Orobanche spp.</i>
<u>Minnesota State Eradicate List</u>	
Tree of heaven	<i>Ailanthus altissima</i>
Palmer amaranth	<i>Amaranthus palmeri</i>
Oriental bittersweet	<i>Celastrus orbiculatus</i>
Diffuse knapweed	<i>Centaurea diffusa</i>
Brown knapweed	<i>Centaurea jacea</i>
Yellow star thistle	<i>Centaurea solstitialis</i>
Meadow knapweed	<i>Centaurea x moncktonii</i>
Black swallow-wort	<i>Cynanchum louiseae</i>
Poison hemlock	<i>Conium maculatum</i>
Grecian foxglove	<i>Digitalis lanata</i>
Common teasel	<i>Dipsacus fullonum</i>
Cut-leaved teasel	<i>Dipsacus laciniatus</i>
Giant hogweed	<i>Heracleum mantegazzianum</i>
Japanese hops	<i>Humulus japonicas</i>
Dalmatian toadflax	<i>Linaria dalmatica</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
<u>Minnesota State Control List</u>	
Common barberry	<i>Berberis vulgaris</i>
Narrowleaf bittercress	<i>Cardamine impatiens</i>
Plumeless thistle	<i>Carduus acanthoides</i>
Spotted knapweed	<i>Centaurea stoebe spp. Micranthos</i>
Canada thistle	<i>Cirsium arvense</i>
Leafy spurge	<i>Euphorbia esula</i>
Purple loosestrife	<i>Lythrum salicaria, virgatum</i>
Wild parsnip	<i>Pastinaca sativa</i> (Except non-wild cultivated varieties)
Non-native phragmites	<i>Phragmites australis ssp. australis</i>
Bohemian knotweed	<i>Polygonum x bohemicum</i>
Japanese knotweed	<i>Polygonum cuspidatum</i>
Giant knotweed	<i>Polygonum sachalinense</i>
Common tansy	<i>Tanacetum vulgare</i>
<u>Minnesota State Restricted List</u>	
Garlic mustard	<i>Alliaria petiolata</i>
European alder	<i>Alnus glutinosa</i>
Porcelain berry	<i>Ampelopsis brevipedunculata</i>
Japanese barberry cultivars	<i>Berberis thunbergii</i>
Siberian peashrub	<i>Caragana arborescens</i>
Wild carrot/Queen Anne's Lace	<i>Daucus carota</i>
Glossy buckthorn (and all cultivars)	<i>Frangula alnus</i>
Bell's honeysuckle	<i>Lonicera x bella</i>
Amur honeysuckle	<i>Lonicera maackii</i>
Morrow's honeysuckle	<i>Lonicera morrowii</i>

Common name	Scientific name
Tatarian honeysuckle	<i>Lonicera tatarica</i>
Common or European buckthorn	<i>Rhamnus cathartica</i>
Black locust	<i>Robinia pseudoacacia</i>
Multiflora rose	<i>Rosa multiflora</i>
Crown vetch	<i>Securigera varia</i>
Minnesota State Specially Regulated List	
Amur maple	<i>Acer ginnala</i>
Norway maple	<i>Acer platanoides</i>
Poison ivy	<i>Toxicodendron radican</i>
Winged burning bush	<i>Euonymus alatus</i>
Wisconsin DNR NR 40 Prohibited Category	
Japanese chaff flower	<i>Achyranthes japonica</i>
Chocolate vine	<i>Akebia quinata</i>
Porcelain berry	<i>Ampelopsis brevipedunculata</i>
Giant reed	<i>Arundo donax</i>
Mosquito fern	<i>Azolla pinnata</i>
Common barberry	<i>Berberis vulgaris</i>
Carolina fanwort	<i>Cabomba caroliniana</i>
Narrow leaf bittercress	<i>Cardamine impatiens</i>
Asian loeseneri bittersweet	<i>Celastrus loeseneri</i>
Diffuse knapweed	<i>Centaurea diffusa</i>
Russian knapweed	<i>Cenfaurea repens</i>
Yellow star thistle	<i>Cenaurea solstitialis</i>
New Zealand pigmyweed	<i>Crassula helmsii</i>
Scotch broom	<i>Cytisus scoparius</i>
Grecian foxglove	<i>Digitalis lanata</i>
Chinese yam	<i>Dioscorea polystacha</i>
Indian yam	<i>Dioscorea oppositifloia</i>
Brazilian waterweed	<i>Egeria densa</i>
Anchored water hyacinth	<i>Eichhornia azurea</i>
Floating water hyacinth	<i>Eichhornia crassipes</i>
Giant knotweed	<i>Polygonum sachalinense</i>
Bohemian knotweed	<i>Polygonum x bohemicum</i>
Mudmat	<i>Glossostigma cleistanthum</i>
Giant hogweed	<i>Heracleum mantegazzianum</i>
Hydrilla	<i>Hydrilla verticillate</i>
European frogbit	<i>Hydrocharis morsus-ranae</i>
Floating marsh pennywort	<i>Hydrocotyle ranunculoides</i>
Indian swampweed	<i>Hygrophila polysperma</i>
Policeman's helmet	<i>Impatiens glandulifera</i>
Water spinach	<i>Ipomoea aquatica</i>
Oxygen weed	<i>Lagarosiphon major</i>
Perennial pepperweed	<i>Lepidium latifolium</i>
Sericea lespedeza	<i>Lespedeza cuneata</i>
Asian marshweed	<i>Limnophila sessiliflora</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
Wanded loosestrife	<i>Lythrum vigatum</i>

Common name	Scientific name
Japanese stilt grass	<i>Microstegium vimineum</i>
Parrot feather	<i>Myriophyllum aquaticum</i>
Brittle naiad	<i>Najas minor</i>
Sacred lotus	<i>Nelumbo nucifera</i>
Yellow floating heart	<i>Nymphoidea peltata</i>
Java water dropwort	<i>Oenanthe javanica</i>
Wavy leaf basket grass	<i>Oplismenus hirtellus spp. undulatifolius</i>
Ducklettuce	<i>Ottelia alismoides</i>
Princess tree	<i>Paulownia tomentosa</i>
Butterfly dock	<i>Petasites hybridus</i>
Amur cork tree	<i>Phellodendron amurense</i>
Water lettuce	<i>Pistia stratiotes</i>
Mile-a-minute vine	<i>Persicaria perfoliate</i>
Kudzu	<i>Pueraria montana</i>
Sawtooth oak	<i>Quercus acutissima</i>
Lesser celandine	<i>Ranunculus ficaria</i>
Himalayan blackberry	<i>Rubus armeniacus</i>
Wineberry	<i>Rubus phoenicolasius</i>
Hawaii arrowhead	<i>Sagittaria sagittifolia</i>
Giant salvinia	<i>Salvinia herzogii</i>
Johnsongrass	<i>Sorghum halepense</i>
Water soldiers	<i>Stratiotes aloides</i>
Medusahead	<i>Taeniatherum caput-medusae</i>
Spreading hedgeparsley	<i>Torilis arvensis</i>
Water chestnut	<i>Trapa natans</i>
Colt's foot	<i>Tussilago farfara</i>
Southern cattail	<i>Typha domingensis</i>
Graceful cattail	<i>Typha laxmannii</i>
European swallow-wort	<i>Cynanchum rossicum</i>
Japanese wisteria	<i>Wisteria floribunda</i>
Chinese Wisteria	<i>Wisteria sinensis</i>
<u>Wisconsin DNR NR 40 Prohibited Category: Monroe County</u>	
Hill mustard	<i>Bunias orientalis</i>
European marsh thistle	<i>Cirsium palustre</i>
Hairy willow herb	<i>Epilobium hirsutum</i>
Tall or reed mannagrass	<i>Glyceria maxima</i>
Lyme grass or sand ryegrass	<i>Leymus arenarius or Elymus arenarius</i>
Dalmatian toadflax	<i>Linaria dalmatica</i>
Seaside goldenrod	<i>Solidago sempervirens</i>
<u>Wisconsin DNR NR 40 Restricted Category</u>	
Amur maple*except all cultivars	<i>Acer tataricum subsp. ginnala</i>
Bishop's goutweed	<i>Aegopodium podagraria</i>
Tree of heaven	<i>Ailanthus altissima</i>
Garlic mustard	<i>Alliaria petiolata</i>
Black alder *except all cultivars and hybrids	<i>Alnus glutinosa</i>
Wormwood	<i>Artemisia absinthium</i>
Japanese barberry	<i>Berberis thunbergii</i>

Common name	Scientific name
Flowering rush	<i>Butomus umbellatus</i>
Creeping bellflower	<i>Campanula rapunculoides</i>
Siberian peashrub	<i>Caragana arborescens</i>
Plumeless thistle	<i>Carduus acanthoides</i>
Musk thistle or nodding thistle	<i>Carduus nutans</i>
Oriental bittersweet	<i>Celastrus orbiculatus</i>
Spotted knapweed	<i>Centaurea biebersteinii</i> , <i>Centaurea maculosa</i> or <i>Centaurea stoebe</i>
Brown knapweed	<i>Centaurea jacea</i>
Black knapweed	<i>Centaurea nigra</i>
Tyrol knapweed	<i>Centaurea nigrescens</i>
Celandine	<i>Chelidonium majus</i>
Canada thistle	<i>Cirsium arvense</i>
Crown vetch	<i>Coronilla varia</i>
Hound's tongue	<i>Cynoglossum officinale</i>
Cut-leaved teasel	<i>Dipsacus laciniatus</i>
Common teasel	<i>Dipsacus sylvestris</i> or <i>Dipsacus fullonum</i>
Russian olive	<i>Elaeagnus angustifolia</i>
Autumn olive	<i>Elaeagnus umbellata</i>
Helleborine orchid	<i>Epipactis helleborine</i>
Burning bush *including the cultivar 'Nordine'	<i>Euonymus alatus</i>
Cypress spurge	<i>Euphorbia cyparissias</i>
Leafy spurge	<i>Euphorbia esula</i>
Japanese knotweed	<i>Fallopia japonica</i> or <i>Polygonum cuspidatum</i>
Queen of the meadow	<i>Filipendula ulmaria</i>
Hemp nettle, brittlestem hemp nettle	<i>Galeopsis tetrahit</i>
White bedstraw	<i>Galium mollugo</i>
Dame's rocket	<i>Hesperis matronalis</i>
Balfour's touch-me-not	<i>Impatiens balfourii</i>
Yellow iris	<i>Iris pseudacorus</i>
Field scabiosa	<i>Knautia arvensis</i>
Morrow's honeysuckle	<i>Lonicera morrowii</i>
Tartarian honeysuckle	<i>Lonicera tatarica</i>
Bell's or showy bush honeysuckle	<i>Lonicera x bella</i>
Moneywort	<i>Lysimachia nummularia</i> or <i>L. nummelaria</i>
Garden yellow loosestrife	<i>Lysimachia vulgaris</i>
Purple loosestrife	<i>Lythrum salicaria</i>
White mulberry *except male cultivars	<i>Morus alba</i>
Aquatic forget-me-not	<i>Myosotis scorpioides</i>
Woodland forget-me-not	<i>Myosotis sylvatica</i> or <i>M. sylvaticum</i>
Eurasian watermilfoil	<i>Myriophyllum spicatum</i>
Spiny naiad	<i>Najas marina</i>
Wild parsnip*except for the garden vegetable form	<i>Pastinaca sativa</i>
Ribbon grass or gardener's garters	<i>Phalaris arundinacea</i> var. <i>picta</i>
Scarlet pimpernel or Burnet saxifrage	<i>Pimpinella saxifraga</i>
White poplar	<i>Populus alba</i>
Curly-leaf pondweed	<i>Potamogeton crispus</i>
Common buckthorn	<i>Rhamnus cathartica</i>

Common name	Scientific name
Glossy buckthorn	<i>Rhamnus frangula or Frangula alnus</i>
Rose acacia or bristly locust	<i>Robinia hispida</i>
Black locust *except all cultivars	<i>Robinia pseudoacacia</i>
Multiflora rose	<i>Rosa multiflora</i>
Tansy*except Aureum and Crispum	<i>Tanacetum vulgare</i>
Narrow-leaf cattail	<i>Typha angustifolia</i>
Hybrid cattail	<i>Typha x glauca</i>
Siberian elm*except hybrids and individuals used as rootstock	<i>Ulmus pumila</i>
Garden heliotrope or valerian	<i>Valeriana officinalis</i>

2.1 NOXIOUS WEED LOCATIONS

Noxious and invasive weed surveys were conducted for the Project ESBs intermittently between August and November 2023. Canada thistle (*Cirsium arvense*), wild parsnip (*Pastinaca sativa*), spotted knapweed (*Centaurea steobe*), and purple loosestrife (*Lythrum salicaria*) were identified within the ESBs. Northern's Project will impact several of the noxious weed populations identified in Table 2 below. Northern and its contractors will implement the measures discussed in Sections 3.1 and 3.3 to control the spread of these identified populations. A majority of the noxious weed populations were identified adjacent to roadways; therefore, avoidance of these areas is not practicable.

The locations where noxious weeds were observed during the field surveys are indicated in Table 2 by milepost and depicted on Figure 1 – Noxious Weed Locations.

Table 2 – Noxious Weed Species Observed

Facility	MP/General Location	Noxious Species Observed
Lake Mills to Albert Lea E-line	SA01; ETWS02	Wild parsnip
	Within ESB but outside workspace areas on north side of 135th Street (MP 31.19)	Wild parsnip
	Within ESB but outside workspace areas on south side of 140th Street (MP 31.94)	Wild parsnip
Elk River 3rd branch line	Within ESB but outside of workspace areas south of MP 1.15	Spotted knapweed
	Within ESB but outside of workspaces south of MP 2.42	Canada thistle
	Within ESB but outside workspace areas – wetlands ERT-W34 and ERT-W10 (south of MP 2.90).	Purple loosestrife
Farmington to Hugo C-line	Within ESB but outside workspace areas, west of MP 0.00	Spotted knapweed

Facility	MP/General Location	Noxious Species Observed
	within or adjacent to existing access road PD05 that will be used (MP 1.90)	Spotted knapweed
Tomah branch line loop	MP 3.50; ETSW58	Canada thistle
La Crescent compressor station	Within ESB but north of workspace	Canada thistle

3.0 MANAGEMENT GOALS

3.1 PRE-CONSTRUCTION AND CONSTRUCTION WEED CONTROL

A pre-construction meeting(s) will be held to provide Project contractors with information and training regarding noxious weed identification and management. Contractors will be provided information about measures to be taken to prevent the spread of noxious weeds in uncontaminated areas and about controlling the proliferation/spread of noxious weed populations already present in the Project area. Qualified environmental inspectors (EIs) will be used to conduct on-site monitoring before and during construction.

Noxious weed control measures will be implemented in accordance with existing regulations and jurisdictional land management agencies or landowner agreements. Treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to water, wetlands, riparian areas or agricultural areas) and time of year. All noxious weed areas within the workspace must be addressed by one or a combination of the following options: avoidance, personnel control, chemical treatment, or mechanical controls. If Northern's contractor proposes an alternate method, Northern's EI and construction team must approve the method prior to use.

Avoidance and Personnel Control

Wherever possible, the contractor will avoid the use of access roads, temporary workspace (TWS), extra temporary workspace (ETWS) and staging areas within noxious weed areas. The contractor will install silt fence around the noxious weed area and erect signage warning personnel to avoid the area. If avoidance of a noxious weed area is not possible, the contractor will control access of personnel and equipment through the noxious weed area to only those that are essential for construction.

Chemical Treatment

The use of chemical treatments is not permitted within 100 feet of wetlands or waterways. Northern's EIs or right of way personnel will work with landowners to get approval for specific herbicide product if contractor determines that chemical treatment may be used. Northern will use a licensed herbicide applicator to conduct the spraying.

Mechanical Methods

Mechanical methods may be utilized in lieu of or in combination with herbicide treatment for select locations. Potential mechanical methods include:

Mowing and Physical Removal

Mechanical methods of weed control may include mowing, discing, and hand pulling of small, localized and/or isolated populations of noxious weeds. Access roads, TWS, ETWS and staging areas that contain noxious weeds may be mowed prior to equipment access. The mower will be cleaned prior to leaving the noxious weed area. As an additional measure, Northern may elect to treat the noxious weed areas with an herbicide. There will be no discing in native habitat areas.

Soil Handling

Prior to excavation activities, silt fence will be installed at the boundaries of the area containing noxious weeds. The fence will be removed as part of final clean up. Soil excavated from the noxious weeds area will not be stored outside of the invasive plants area. The construction contractor will stockpile cleared noxious weeds and salvaged topsoil adjacent to the area from which they were stripped to prevent the transport of noxious weed seeds, roots, or rhizomes with the soil. Stockpiled soil from noxious weed areas will be marked with signage and will be returned to the areas from which they were stripped. Soil and vegetation from noxious weed areas will not be moved outside of the identified and marked noxious weed infestation areas. Construction equipment will not be allowed to work in or on these stockpiles. All straw or hay bales and mulch used to control sedimentation will be certified weed free and obtained from state approved sources.

In areas where full topsoil stripping does not occur (e.g., wetlands, access roads, and ETWS), Northern will install a layer of geotextile fabric, or a functional equivalent, at the boundaries of areas containing noxious weeds. Then, a layer of construction mats will be installed. The contractor will utilize the mat road to traverse the noxious weed area, limiting direct contact with the area. The mats and fabric will be removed as part of final clean up. The mats will be sprayed and the geotextile fabric will be disposed of at a landfill.

Equipment Wash Stations

Northern's contractor will place equipment wash stations along the Project route, as needed, to best minimize the spread of noxious weeds. Wash stations will be wholly within the workspace identified for the Project. The contractor will implement the following controls during the use of equipment wash stations:

- Construction equipment and vehicles that are used to move vegetation and topsoil during clearing and restoration phases of the Project that come into contact with vegetation or disturbed soil in areas where noxious weeds have been identified will be cleaned before being allowed to work in non-noxious weed areas of the site. Equipment traveling out of noxious weed areas will be cleaned free of soil and plant debris prior to proceeding into an area without invasive plants. Water for the wash stations will be obtained from municipal sources. Water from the equipment wash stations will be collected and transported off-site to an appropriate disposal facility. A typical drawing of the equipment wash station is provided as Figure 2.
- All equipment entering or leaving the noxious weed areas will be logged with the date and time of entry, exit and confirmation that the equipment was cleaned.
- All ground disturbing equipment will be clean and free of soil or plant debris prior to arriving onsite. The on-site EI will inspect all equipment upon arrival and maintain a log of such inspections. In the event that equipment arrives in a manner not consistent with the above requirement(s), the EI will direct the contractor to clean the equipment at an off-site location prior to its use on the Project.

Boot Cleaning Stations

Northern will HDD the majority of wetlands and waterbodies. If the HDD travel lane will traverse a noxious weed area, Northern's EIs will establish a boot cleaning area for the pedestrian traffic that traverses the noxious weed areas. Boot cleaning stations should be installed at boundaries of Project workspaces where HDDs or conventional bores cross noxious weed populations. All personnel entering and leaving a noxious weed area on foot must use the boot cleaning stations and record their use of the cleaning station. A typical drawing of a boot cleaning station is provided as Figure 3. Any equipment that enters a noxious weed area due to an inadvertent release of drilling mud will follow the procedures for equipment wash stations.

3.2 AQUATIC NUISANCE SPECIES CONTROL

Any equipment to be used in water must follow precautions to avoid the introduction of aquatic nuisance species (ANS) into Project areas. Best management practices include, but are not limited to:

- Removing all plants, animals, or fragments of plant or animals prior to equipment arriving onsite
- Draining all water from motors, pumps, bilges, or other containers; if the equipment has been drained for less than seven days prior to arrival on site, a chemical or hot water treatment sufficient to kill ANS organisms will be utilized
- Visually inspecting equipment to detect any presence of ANS prior to arriving onsite and after each use in an aquatic environment
- Cleaning and inspecting transporting trailers and trucks

3.3 RESTORATION WEED CONTROL

Following construction, Northern's contractor will restore the project area per landowner or land managing agency requirements using native seeding and mulching as applicable. Northern's contractor will use proposed specifications for mulch and seed to ensure noxious weeds are not brought in through contaminated mulch or seed. Certified weed-free mulch and seed will be applied where practicable or required.

Restoration specific best management practices include:

- Revegetate disturbed areas as soon as possible. Revegetation includes topsoil replacement, planting, seeding, fertilizing, and weed free mulching, as necessary
- Seeding will be conducted on disturbed areas that have reached final grade or that will remain undisturbed for 30 days
- Use seed and other plant materials that have been certified as weed free. Seed mixes will be selected in consultation with the U.S. Department of Agriculture Natural Resources Conservation Service
- Use native materials where appropriate and feasible
- Treat weeds adjacent to newly seeded areas prior to planting and treat planted areas for weeds during the first growing season
- Non-residual herbicide such as glyphosate will be used; no herbicide will be used within 100 feet of any wetland/waterbody area

3.4 OPERATION WEED CONTROL – THREE-YEAR PLAN

Northern will complete post-construction monitoring of noxious weed areas. This monitoring will include inspection of existing weed populations and identification of any new weed populations on or immediately adjacent to the project area. Any new populations of noxious weed located within the project's ground-disturbance area would be considered a result of construction activities and would be controlled and treated accordingly.

First Year Weed Control Objective:

- 1) Identify local species of noxious weeds
- 2) Identify weed control options and establish a plan
- 3) Identify weed control contractor licensed in herbicide application and establish contract
- 4) Apply competitive native grass seed to prevent weeds
- 5) Mow, spray, and monitor weed control program

Second Year Weed Control Objective:

- 1) Renew weed control contract and perform facility inspection with contractor
- 2) Apply native grass seed to thin areas, where required
- 3) Mow, spray, and monitor weed control program

Third Year Weed Control Objective:

- 1) Renew weed control contract and perform facility inspection with contractor
- 2) Apply native grass seed to thin areas, if required
- 3) Mow, spray, and monitor weed control program

Figure 1
Noxious Weed Locations

\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

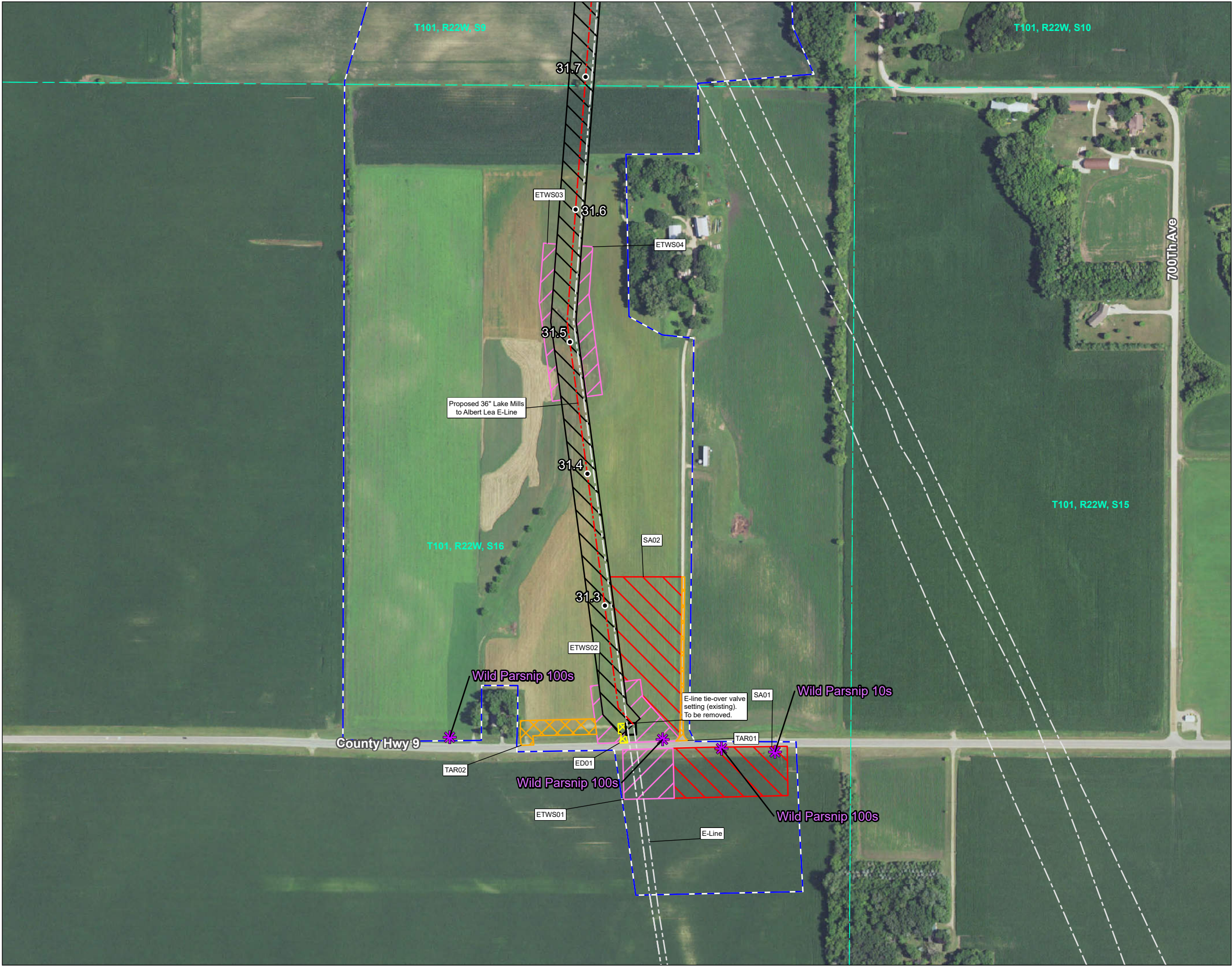
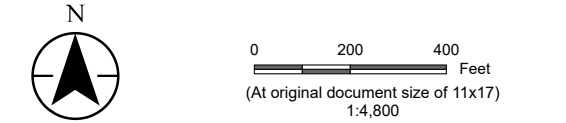


Figure No.
1
Title
Noxious Weed Management Plan

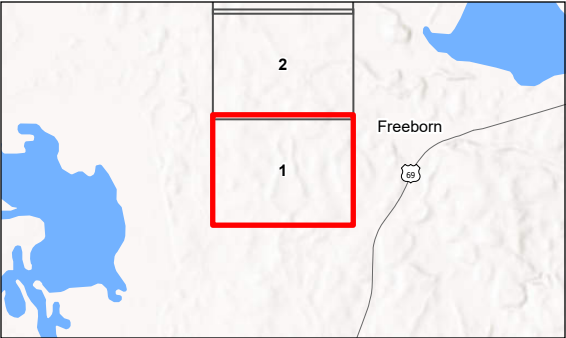
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Existing Facility
 - Extra Temporary Workspace
 - Existing Drive
 - Staging Area
 - Temporary Access Road
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

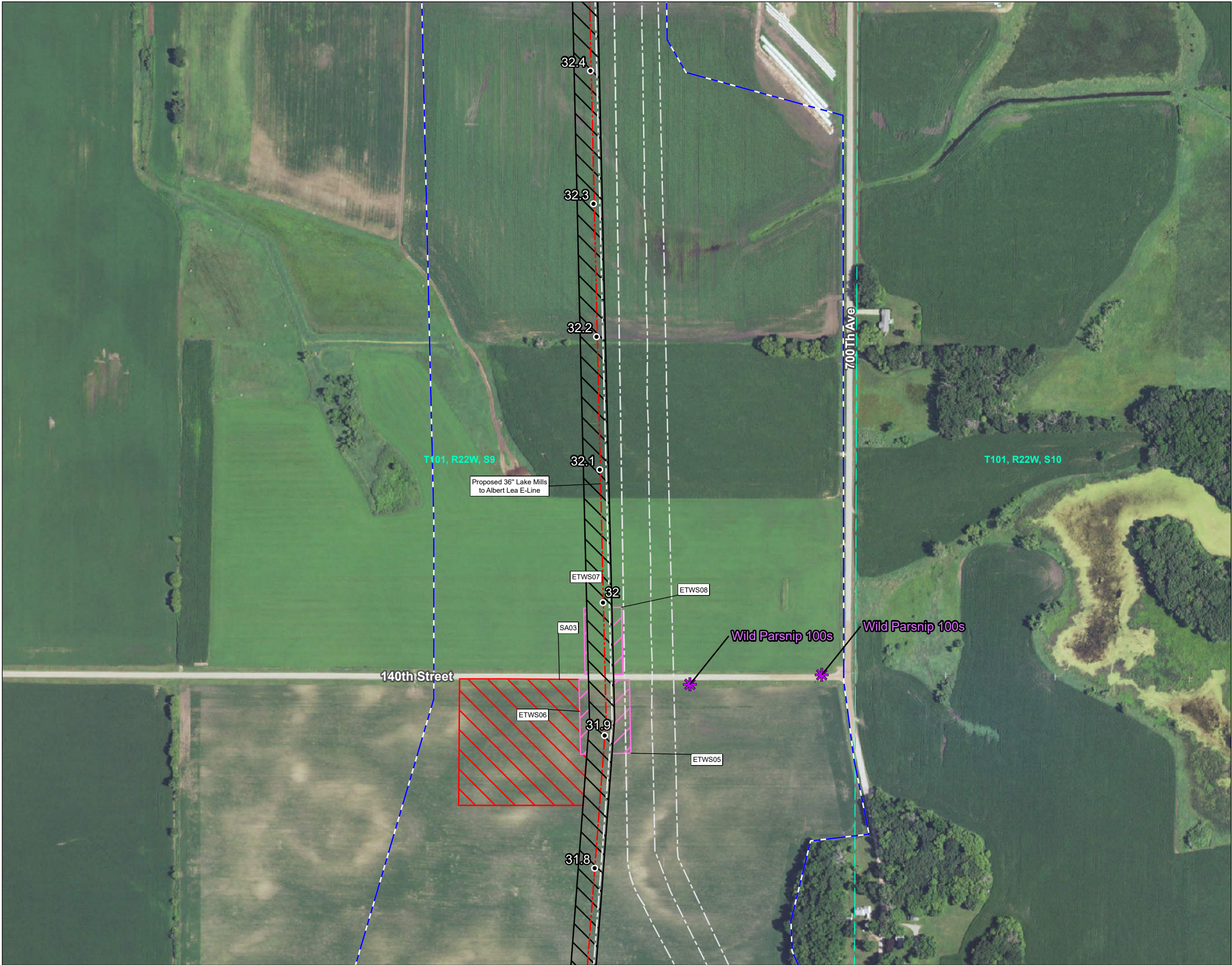


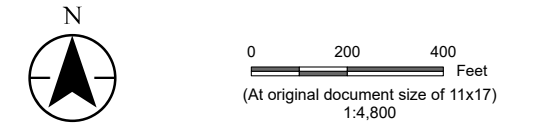
Figure No.
1
Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension

172608212

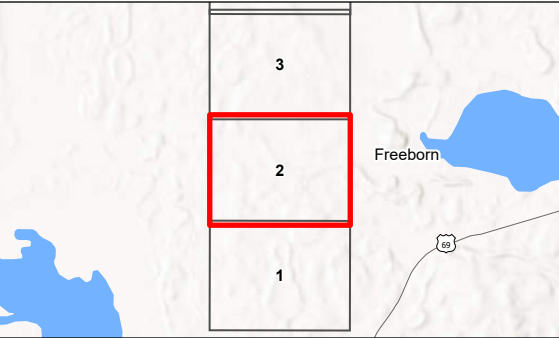
Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Staging Area
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



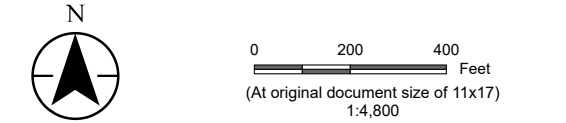
\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No.
1
Title
Noxious Weed Management Plan

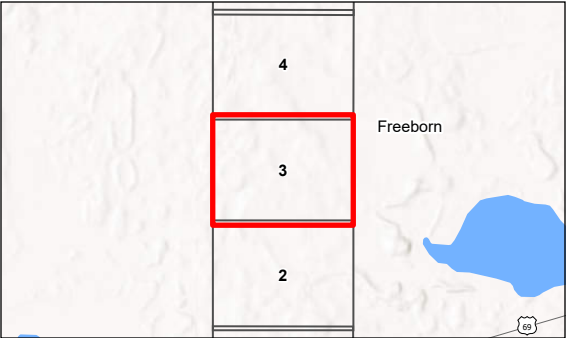
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Staging Area
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

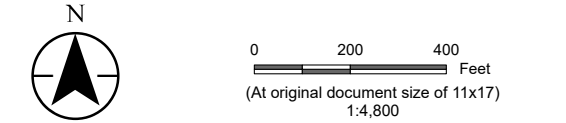


Figure No. 1
Title
Noxious Weed Management Plan

Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension

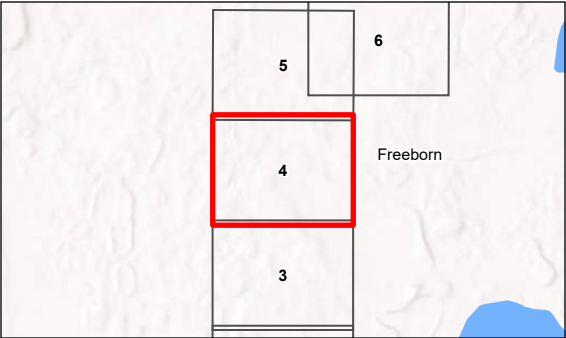
172608212

Project Location Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Staging Area
 - Temporary Access Road
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP





Figure No.

1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension

72608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

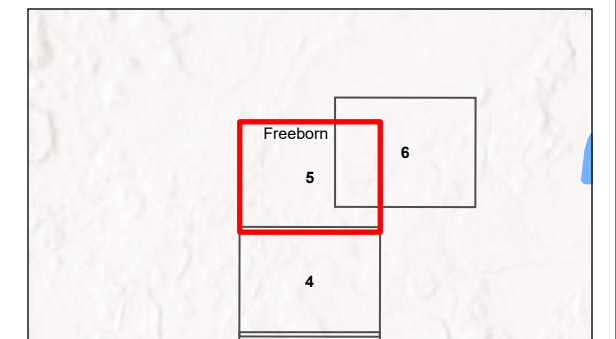


0 200 400 Feet
(At original document size of 11x17)
1:4,800

Legend

-
- Legend:**
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Proposed Drive
 - Proposed Facility
 - Staging Area
 - Temporary Access Road
 - Temporary Workspace
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes

- Notes**
1. Coordinate System: NAD 1983 UTM Zone 15N
 2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
 3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No.
1

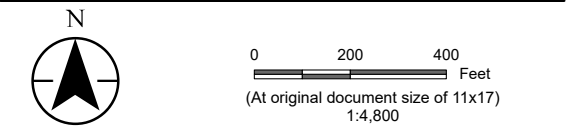
Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Lake Mills to Albert Lea E-Line Extension

172608212

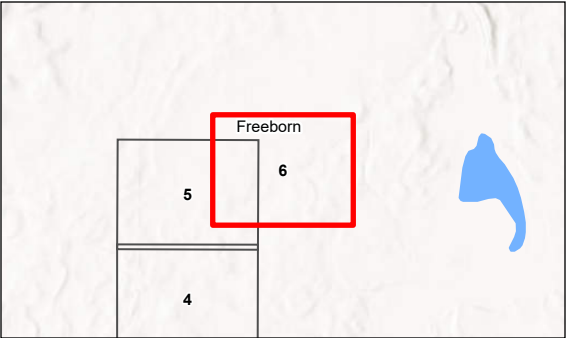
Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes

- Coordinate System: NAD 1983 UTM Zone 15N
- Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
- Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No.
1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Elk River 3rd BL Extension

Project Location
Washington Co., MN

172608212

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

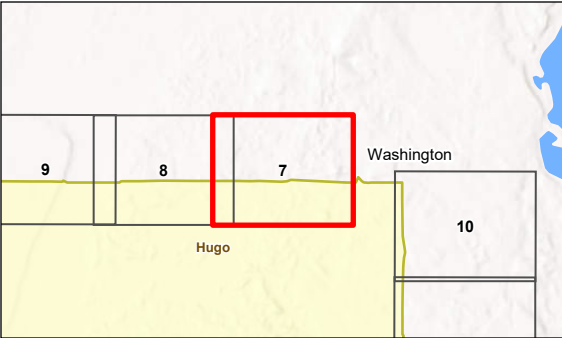
N

0 200 400 Feet
(At original document size of 11x17)
1:4,800

Legend

- Noxious Weed Point
- Milepost
- HDD Entry/Exit
- HDD Segment
- Proposed Centerline
- Existing Centerline
- Environmental Survey Boundary
- Existing Facility
- Extra Temporary Workspace
- Existing Drive
- Temporary Access Road
- Temporary Workspace
- National Hydrography Dataset / DNR 24k Hydrography
- Perennial Stream
- Intermittent Stream
- Waterbody

*No features within data frame



Notes

- Coordinate System: NAD 1983 UTM Zone 15N
- Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
- Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

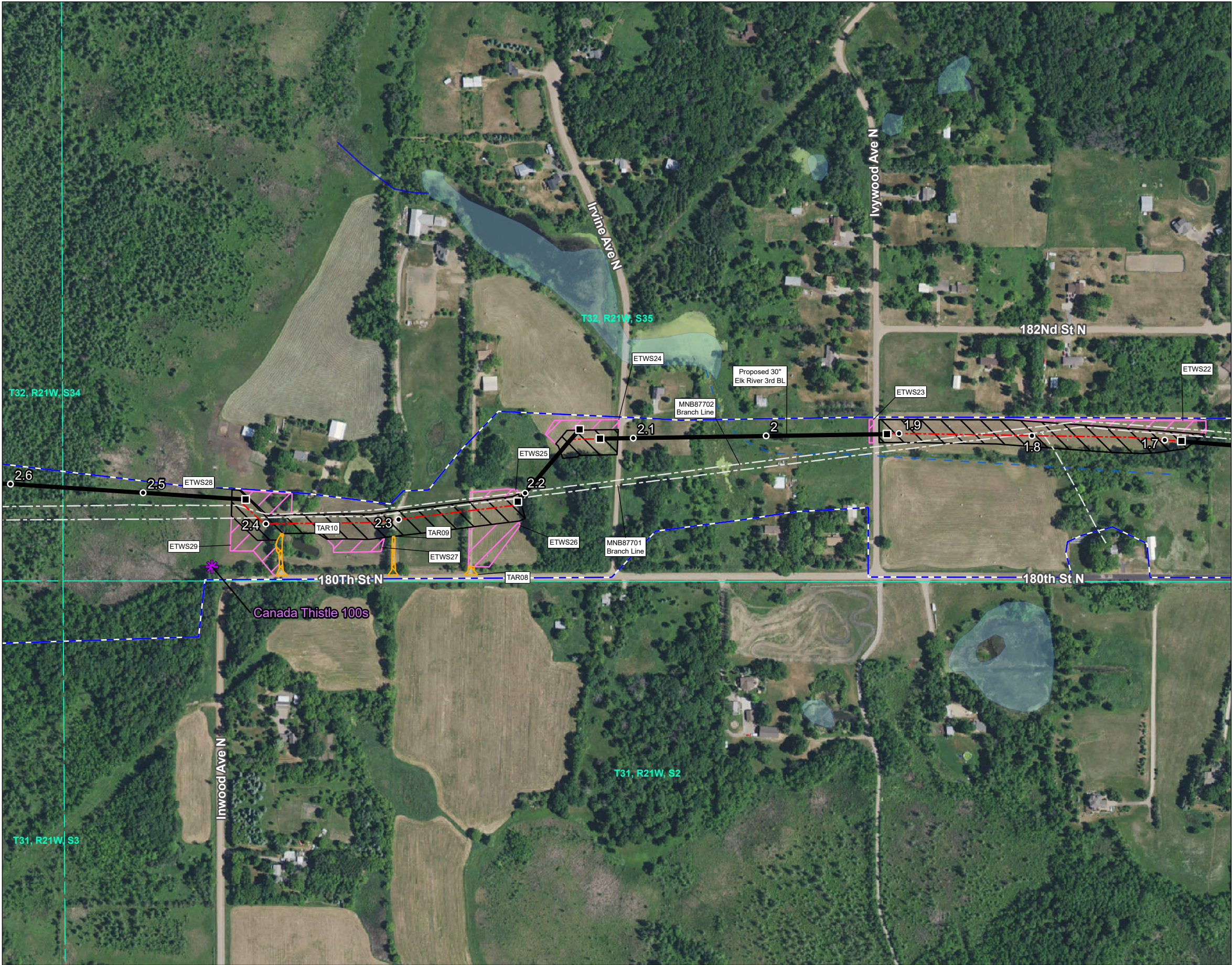


Figure No.
1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Elk River 3rd BL Extension

172608212

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

N

0200400

Feet

(At original document size of 11x17)
1:4,800

Legend

Noxious Weed Point

Milepost

HDD Entry/Exit

HDD Segment

Proposed Centerline

Existing Centerline

Environmental Survey Boundary

Extra Temporary Workspace

Temporary Access Road

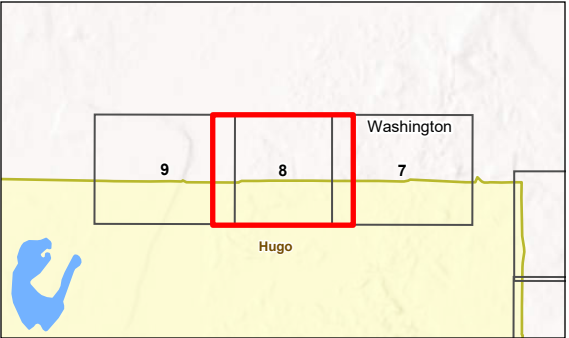
Temporary Workspace

Perennial Stream

Intermittent Stream

Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

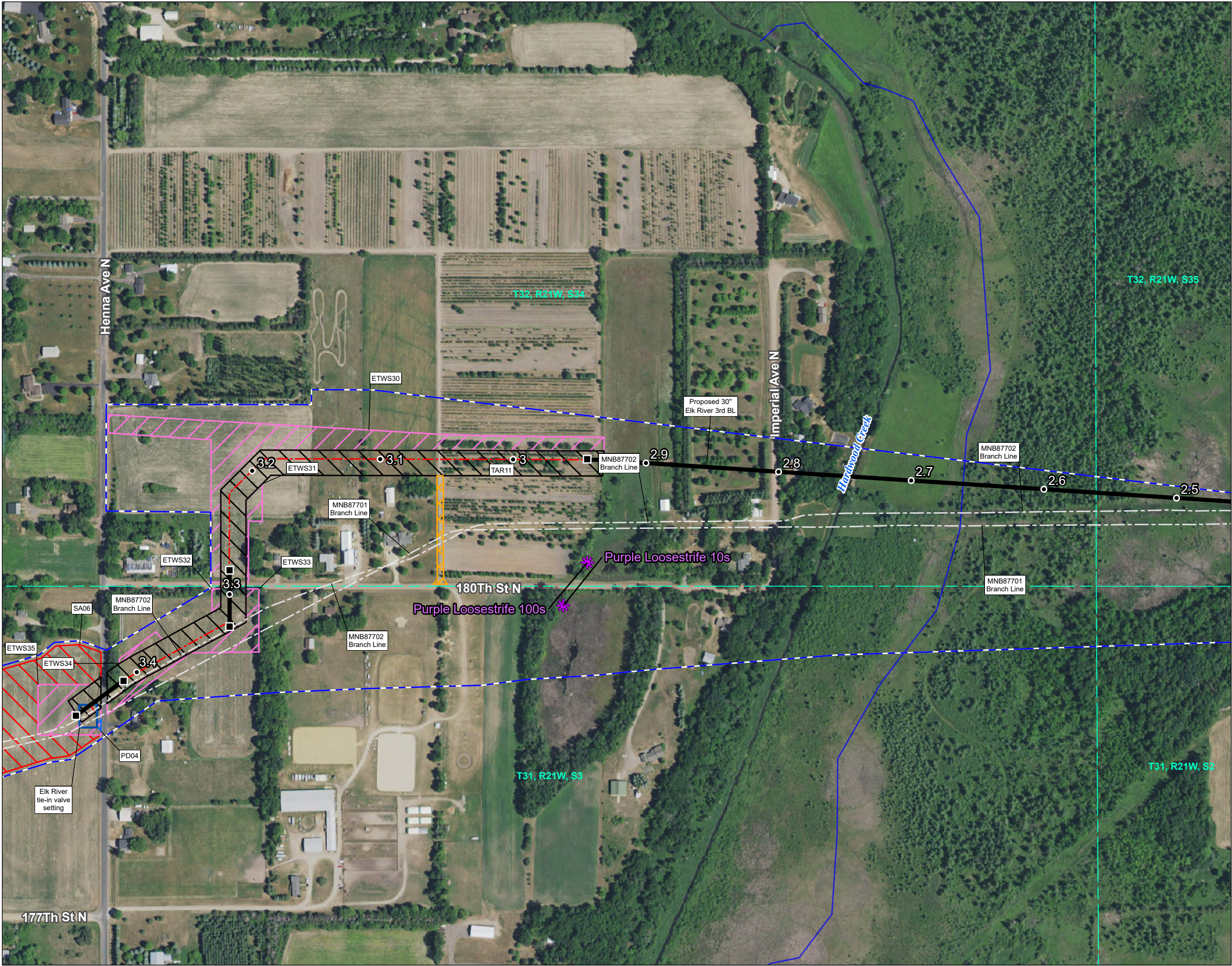
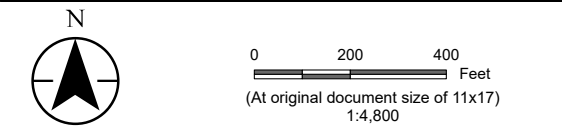
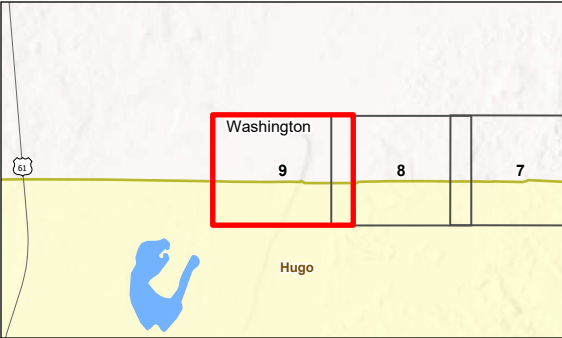


Figure No. 1
Title Noxious Weed Management Plan
Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Elk River 3rd BL Extension
Project Location Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Entry/Exit
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Proposed Drive
 - Proposed Facility
 - Staging Area
 - Temporary Access Road
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



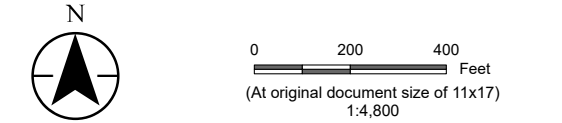
\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No. 1
Title Noxious Weed Management Plan

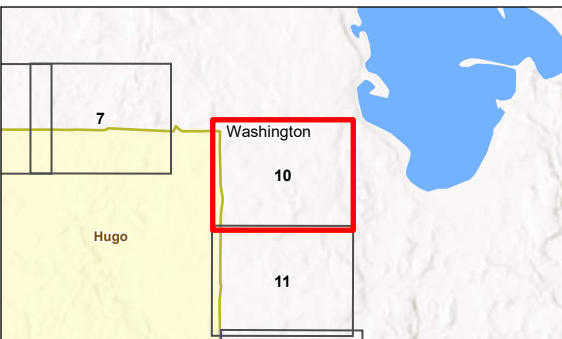
Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Farmington to Hugo C-Line Extension

Project Location Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Noxious Weed Point
 - Milepost
 - HDD Entry/Exit
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Existing Facility
 - Extra Temporary Workspace
 - Temporary Access Road
 - Temporary Workspace
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody

*No features within data frame



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP





Figure No.

1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Farmington to Hugo C-Line Extension

72608212
















Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

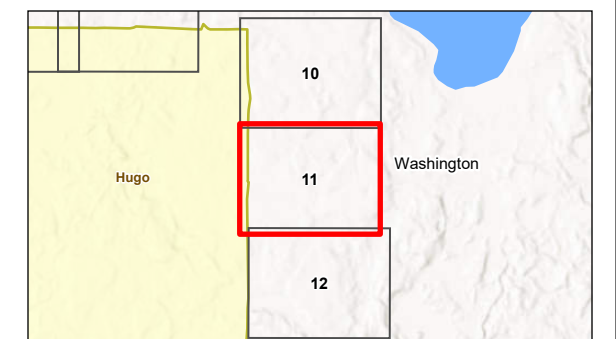


0 200 400 Feet
(At original document size of 11x17)
1:4,800

Legend

-  Noxious Weed Point
 -  Milepost
 -  HDD Entry/Exit
 -  HDD Segment
 -  Proposed Centerline
 -  Existing Centerline
 -  Environmental Survey Boundary
 -  Extra Temporary Workspace
 -  Staging Area
 -  Temporary Access Road
 -  Temporary Workspace
 -  National Hydrography Dataset / DNR 24k Hydrography
 -  Perennial Stream
 -  Intermittent Stream
 -  Waterbody

*No features within data frame



Notes

- Notes**
1. Coordinate System: NAD 1983 UTM Zone 15N
 2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
 3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No. **1**

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Farmington to Hugo C-Line Extension

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

N

0 200 400 Feet
(At original document size of 11x17)
1:4,800

Legend

- Noxious Weed Point
- Milepost
- HDD Segment
- Proposed Centerline
- Existing Centerline
- Environmental Survey Boundary
- Extra Temporary Workspace
- Proposed Drive
- Proposed Facility
- Staging Area
- Temporary Access Road
- Temporary Workspace

National Hydrography Dataset / DNR 24k Hydrography

- Perennial Stream
- Intermittent Stream
- Waterbody

*No features within data frame

Notes

- Coordinate System: NAD 1983 UTM Zone 15N
- Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
- Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis cad\gis\mxds\Resource_Reports\Report.aprx Revised: 2024-01-31 By: safoster

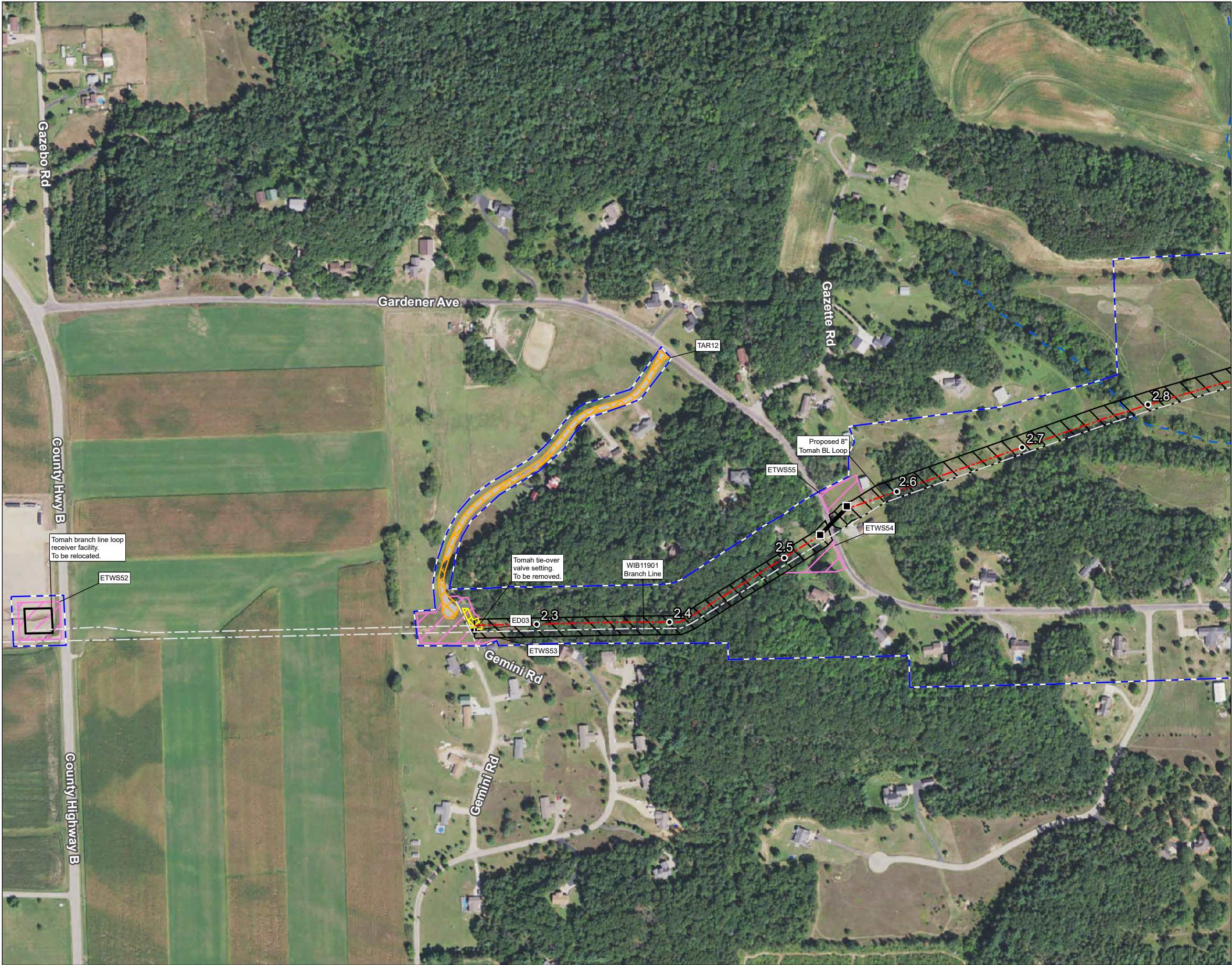


Figure No.
1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Tomah BL Loop Extension

Project Location
Monroe Co., WI

172608212

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

N

0 200 400 Feet
(At original document size of 11x17)
1:4,800

Legend

- Noxious Weed Point
- Milepost
- HDD Entry/Exit
- HDD Segment
- Proposed Centerline
- Existing Centerline
- Environmental Survey Boundary
- Existing Facility
- Extra Temporary Workspace
- Existing Drive
- Temporary Access Road
- Temporary Workspace

National Hydrography Dataset / DNR 24k Hydrography

- Perennial Stream
- Intermittent Stream
- Waterbody

*No features within data frame

Notes

- Coordinate System: NAD 1983 UTM Zone 15N
- Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
- Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster

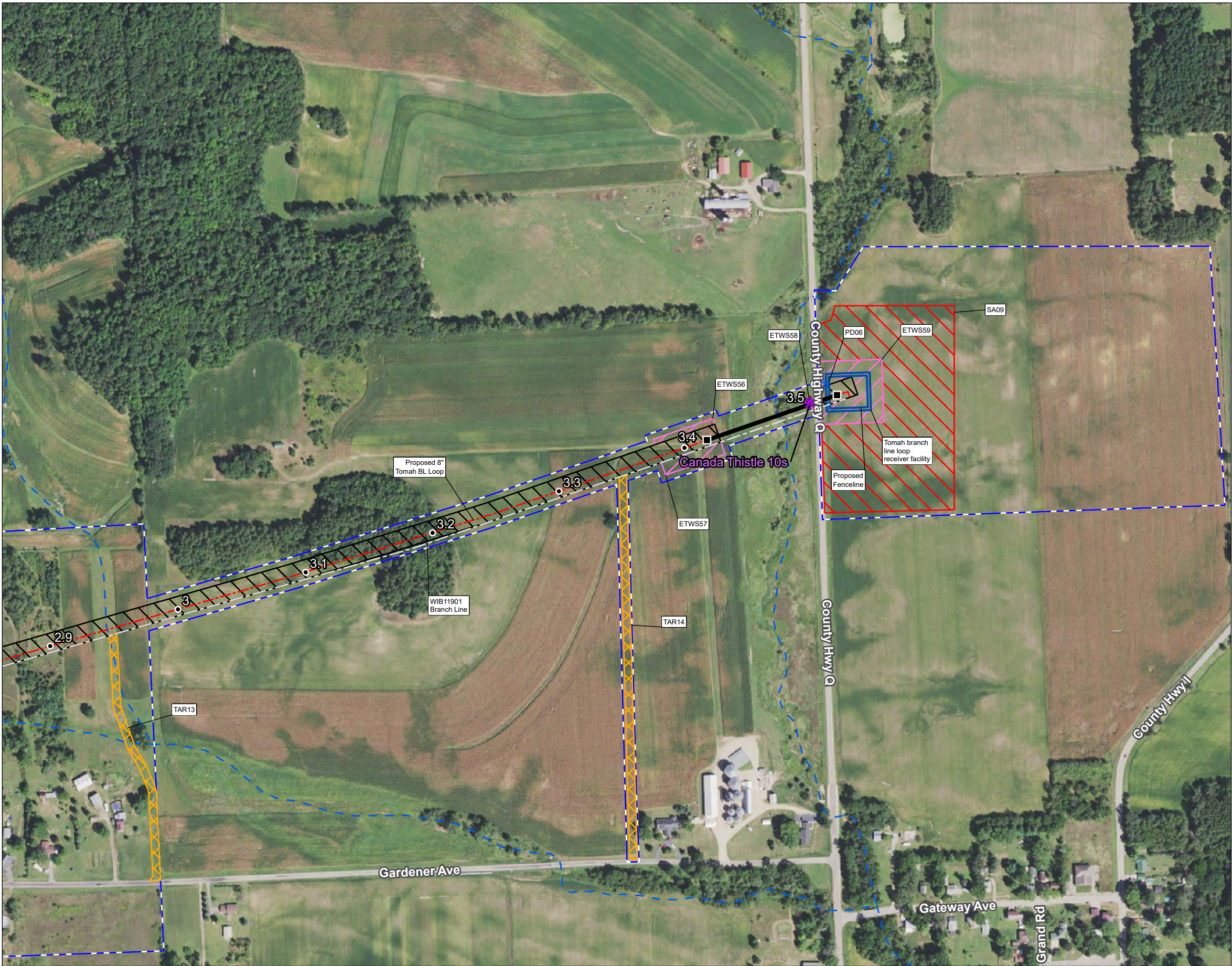


Figure No.
1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Tomah BL Loop Extension

172608212

Project Location
Monroe Co., WI

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

N

0200400

Feet

(At original document size of 11x17)
1:4,800

Legend

Noxious Weed Point

Milepost

HDD Entry/Exit

HDD Segment

Proposed Centerline

Existing Centerline

Environmental Survey Boundary

Extra Temporary Workspace

Proposed Drive

Proposed Facility

Staging Area

Temporary Access Road

Temporary Workspace

National Hydrography Dataset / DNR 24k Hydrography

Perennial Stream

Intermittent Stream

Waterbody

*No features within data frame

Notes

1. Coordinate System: NAD 1983 UTM Zone 15N

2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR

3. Background: 2021 NAIP

Page 14 of 17

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\Resource_Reports\Resource_Reports.aprx Revised: 2024-01-31 By: safoster



Figure No.
1

Title
Noxious Weed Management Plan

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
La Crescent Compressor Station

Project Location
Houston Co., MN

172608212

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31

N

0 200 400 Feet

(At original document size of 11x17)

1:4,800

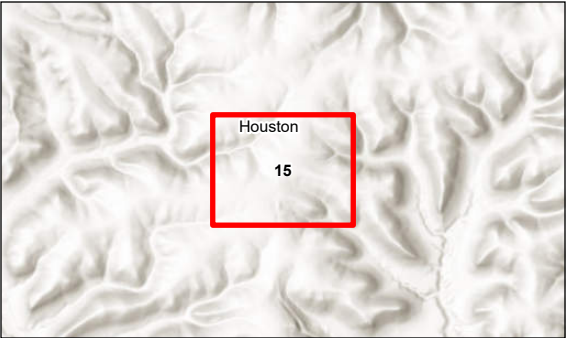
Legend

- Noxious Weed Point
- Milepost
- HDD Segment
- Proposed Centerline
- Existing Centerline
- Environmental Survey Boundary
- Existing Facility
- Extra Temporary Workspace
- Temporary Access Road

National Hydrography Dataset / DNR 24k Hydrography

- Perennial Stream
- Intermittent Stream
- Waterbody

*No features within data frame

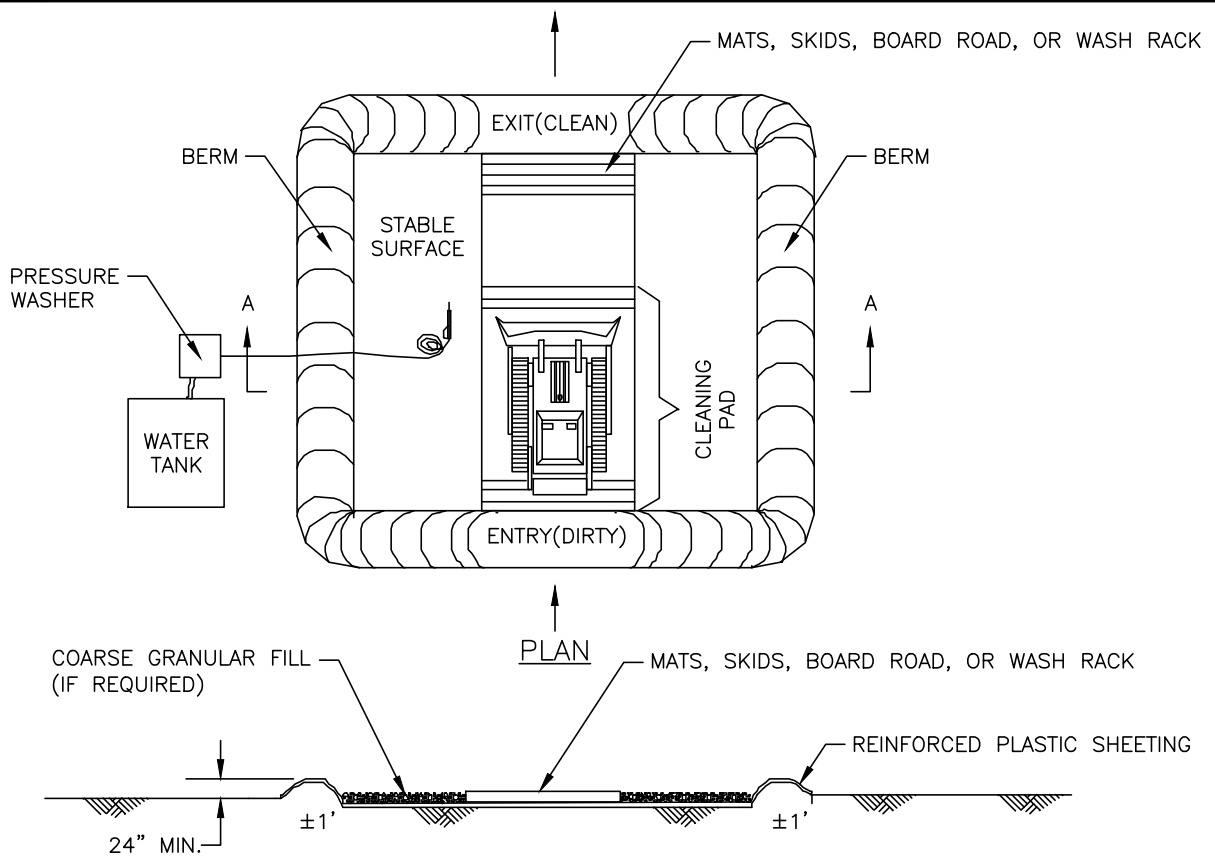


Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, USFWS, WDNR, MnDNR
3. Background: 2021 NAIP



Figure 2
Equipment Wash Station



WASH STATION NOTES:

SECTION A-A

1. ALL EQUIPMENT AND VEHICLES ARE REQUIRED TO BE WASHED AT WASH STATIONS LOCATED AS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE COMPANY'S INSPECTOR. WASH STATIONS SHALL BE CONSTRUCTED BY THE CONTRACTOR. WASHINGS SHALL BE CARRIED OUT UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE COMPANY'S INSPECTOR.
2. WATER FROM THE EQUIPMENT WASH STATIONS WILL BE COLLECTED AND TRANSPORTED OFF-SITE TO AN APPROPRIATE DISPOSAL FACILITY. ANY SOILS CONTAMINATED BY PETROLEUM-BASED PRODUCTS OR NOXIOUS WEED MATERIALS FROM WASH STATIONS SHALL BE REMOVED IN ACCORDANCE WITH APPLICABLE REQUIREMENTS.
3. SIZE OF STATION SHALL BE ADEQUATE TO ACCOMMODATE MAXIMUM SIZE OF EQUIPMENT EXPECTED AND REQUIRED WORK.
4. EQUIPMENT TO ENTER AT "DIRTY END" AND EXIT AT "CLEAN END".
5. GRAVEL FILL (IF REQUIRED) AND REINFORCED PLASTIC SHEETING SHALL BE REMOVED AND DISPOSED OF IN AN ACCEPTABLE LANDFILL.
6. WASH STATIONS SHALL BE EQUIPPED WITH SKID PADS, WASHED RACKS, MATS OR BOARD ROADS TO PREVENT SOIL FROM BEING CARRIED ON TRACKS OR TIRES AS EQUIPMENT AND VEHICLES EXIT THE WASH STATION.
7. DEPRESSION SHALL BE BACKFILLED WITH BERMED MATERIAL.
8. THE BERM SHALL BE CONSTRUCTED WITH SUBSOIL; TOPSOIL SHALL NOT BE USED.
9. IF THE CONTRACTOR DOES NOT SELECT AN ALTERNATE MEANS TO AVOID POTENTIAL CONTAMINATION BY NOXIOUS/INVASIVE PLANTS, THE CONTRACTOR SHALL UTILIZE A CLEANING STATION AS DEPICTED IN THIS TYPICAL.
10. ENTIRE EQUIPMENT WASH STATION WILL BE REMOVED BY CONTRACTOR ONCE WORK IN THE AREA IS COMPLETE.

FAC. CODE : N/A	REL. W.O. N/A
PL#.	CONST. YR
STA# N/A	
BY	DATE
DESIGN ED	12/29/23
DRAWN AC	12/29/23
ASBUILT	
FILE NO.: N/A	
SCALE: N/A	



NORTHERN LIGHTS 2025 EXPANSION
EQUIPMENT WASH STATION
(EWS)

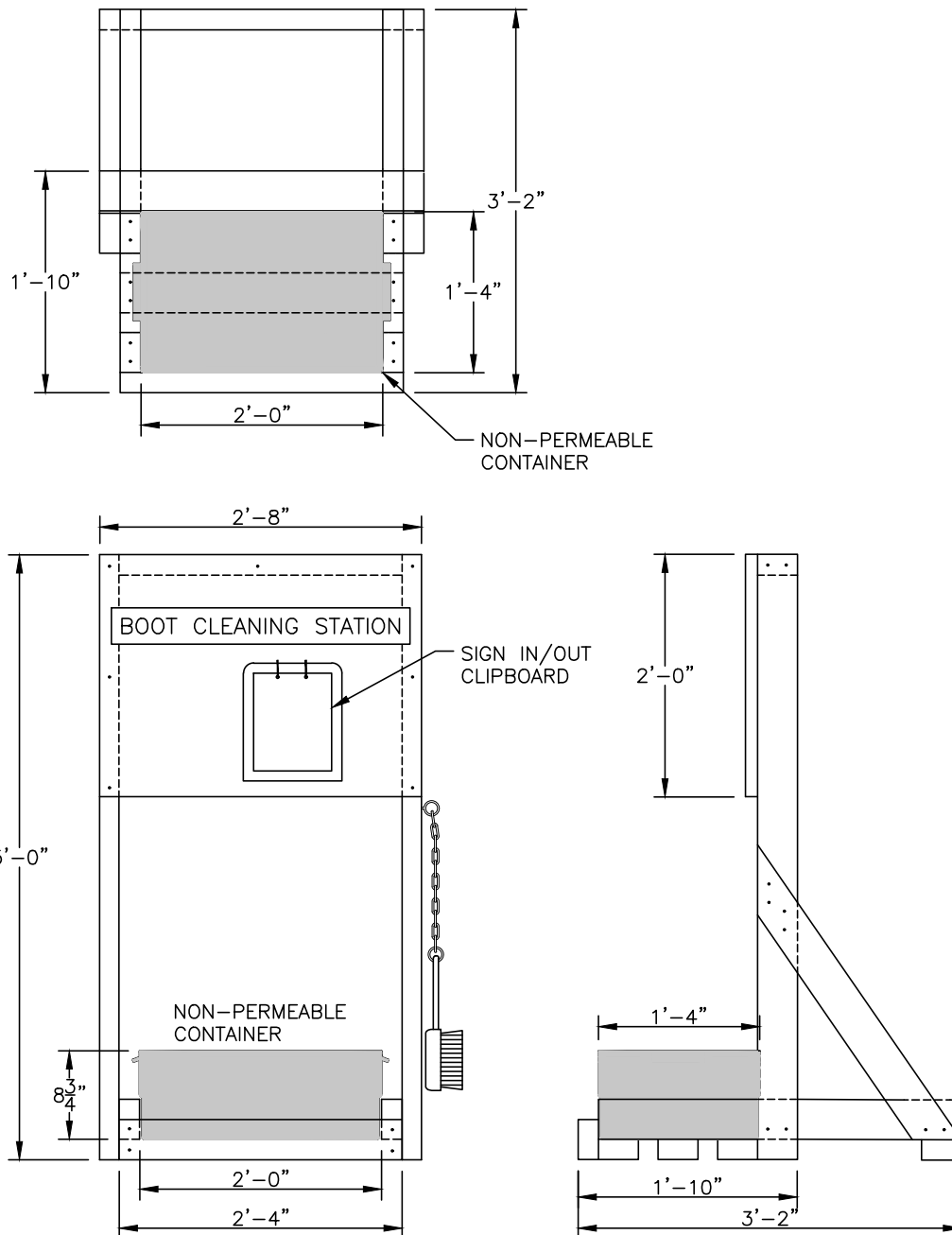


PROJECT NO.

DWG. NO.
FIGURE 2



Figure 3
Boot Cleaning Station



1. WASH STATIONS SHALL BE EQUIPPED WITH: A NON-PERMEABLE CONTAINER HOLDING WATER AND APPROVED CLEANING SOLUTION, SIGN IN CLIPBOARD, 5 GALLON BUCKET AND SCRUB BRUSH.
2. ALL PERSONS MUST UTILIZE THE BOOT WASH STATION BEFORE ENTERING AND EXITING HDD TRAVEL LANES (WITH NOXIOUS WEEDS PRESENT) LOCATED AS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE COMPANY'S INSPECTOR. BOOT CLEANING STATIONS WILL BE CONSTRUCTED BY THE CONTRACTOR. WASHINGS SHALL BE CARRIED OUT UNDER THE SUPERVISION AND THE SATISFACTION OF THE COMPANY'S INSPECTORS.
3. WASH WATER USED FOR CLEANING SHALL NOT BE ALLOWED TO ENTER ANY WATERBODY, WETLAND OR CANAL/DITCH. WATER SHALL BE DISPOSED OF AT AN APPROVED OFF-SITE DISPOSAL LOCATION.
4. CONTRACTORS WALKING THE HDD TRAVEL LANEMUST USE WASH STATION EACH TIME THEY ENTER AND EXIT A NOXIOUS WEED AREA. EACH USE SHALL BE RECORDED ON THE CLIPBOARD WITH THE NAME, COMPANY, DATE AND TIME.
5. ENTIRE BOOT CLEANING STATION WILL BE REMOVED BY CONTRACTOR ONCE WORK IN THE AREA IS COMPLETE.

FAC. CODE : N/A		REL. W.O. N/A
PL#.		CONST. YR
STA#	N/A	
DESIGN	ED	12/29/23
DRAWN	AC	12/29/23
ASBUILT		
FILE NO.: N/A		
SCALE: N/A		



NORTHERN LIGHTS 2025 EXPANSION BOOT CLEANING STATION



PROJECT NO.

DWG. NO.
FIGURE 3



Appendix 3B

Agency Correspondence

Noland, Nathan

From: Knabe, Susan
Sent: Wednesday, February 7, 2024 8:06 PM
To: Nick Utrup
Cc: Chan, Ginger; Noland, Nathan; terry.plucker@nngco.com
Subject: Northern Lights 2025 - Species Information
Attachments: Species Table for Agency Consultation.pdf

Hi Nick

Northern Natural Gas is planning to construct its Northern Lights 2025 Expansion Project, which consists of the following components –

- Lake Mills to Albert Lea E-line 36-inch-diameter extension 3.00 miles 31.21 to 34.21 Freeborn MN
- Elk River 3rd branch line 30-inch-diameter extension 2.43 miles 1.02 to 3.45 Washington MN
- Farmington to Hugo C-line 30-inch-diameter extension 1.91 miles 0.00 to 1.91 Washington MN
- Tomah branch line loop 8-inch-diameter extension 1.28 miles 2.25 to 3.53 Monroe WI
- La Crescent compressor station minor facility modifications (aboveground) Houston MN

I will be sending you a separate email with a link to a OneDrive that contains copies of Stantec's Rare, Threatened and Endangered Species Reports for each component along with copies determination keys completed for each component. We are requesting your concurrence with our determinations of effect. Northern is attaching a PDF summary of the species determination table that we are also submitting to FERC.

Also on the OneDrive is a folder that contains our proposed survey protocol to address the rusty patched bumble bee on the Elk River 3rd branch line and the Tomah branch line loop. The same letter contains our proposed survey protocol for the Karner blue butterfly on the Tomah branch line loop. A series of maps showing the high-potential zones overlaying our Project is included.

Northern understands the U.S. Fish and Wildlife Service may not provide concurrence with determination of effects for candidate and proposed species, but respectfully requests your written concurrence with the determinations for the NLAA species for this project. Northern is acting as FERC's designated non-federal representative per 18 CFR § 380.13(b)(1). FERC will require completed consultation with the USFWS before they will issue an Order of Necessity and Public Need for the project. We want to ensure that we have USFWS concurrence with our survey protocols and initial effect determinations before the start of the spring 2024 survey season begins.

Thank you and please let Nathan Noland or Ginger know if you have trouble with the OneDrive as I will be out of office for a few days.

Thanks again
Sue

Sue Knabe
Senior Principal
De Pere Wisconsin
Teams – 920-278-3220
Cell – 920-655-7215

Susan.knabe@stantec.com

Stantec



The content of this email is the confidential property of Stantec and should not be copied, modified, retransmitted, or used for any purpose except with Stantec's written authorization. If you are not the intended recipient, please delete all copies and notify us immediately.

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Reptiles/Amphibians							
Blanding's turtle	<i>Emydoidea blandingii</i>	None	Threatened	Washington	Elk River 3rd branch line	Blanding's turtles are semi-aquatic, living mostly in shallow wetland habitats where aquatic vegetation is abundant. These reptiles will specifically live in ephemeral wetlands in attempts to keep away from predators that are more prevalent in permanent wetlands.	<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. Northern will implement mitigation measures during construction, through their Project's plan and procedures, to minimize impacts on this species. Additionally, majority of aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD.</p> <p><i>Not likely to adversely affect</i></p>
				Washington	Farmington to Hugo C-line		<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed via HDD methods.</p> <p><i>Not likely to adversely affect</i></p>
			Special Concern	Monroe	Tomah branch line loop		<p><i>Known to occur</i></p> <p>This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed via HDD methods.</p> <p><i>Not likely to adversely affect</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Timber rattlesnake	<i>Crotalus horridus</i>	None	Threatened	Houston	La Crescent compressor station	Forested bluffs with south-facing rock outcrops and bluff prairies along the Mississippi River valley.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Wood turtle	<i>Glyptemys insculpta</i>	Species of Concern (Federal Status from WDNR ER)	Threatened	Monroe	Tomah branch line loop	Rivers and streams with adjacent riparian wetlands and upland deciduous forests.	<i>May occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. Furthermore, aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD methods. <i>Not likely to adversely affect</i>
Mammals							
NLEB	<i>Myotis septentrionalis</i>	Endangered	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices.	<i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing will occur. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but not likely to adversely affect</i>
				Washington	Elk River 3rd branch line	Overwinter hibernacula: large caves and mines with large passages and entrances.	<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A concurrence letter was obtained from the USFWS through the determination key results dated February 7, 2024.

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							<i>May affect, but is not likely to adversely affect</i>
				Washington	Farmington to Hugo C-line		<p>May occur</p> <p>Project area is within species known range and suitable habitat was identified within the Project area. Northern will not clear trees on this component. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p>May affect, but is not likely to adversely affect</p>
				Houston	La Crescent compressor station		<p>Unlikely to occur.</p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing. A concurrence letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p>No effect</p>
			Threatened	Monroe	Tomah branch line loop		<p>May occur</p> <p>Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A concurrence letter was obtained from the USFWS through the determination key results</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>
Tricolored bat	(Perimyotis subflavus)	Proposed endangered	Special concern	Freeborn	Lake Mills to Albert Lea E-Line	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	<i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing. However, due to the species listing status, and no official guidance from USFWS regarding impact determinations for this species. Northern assumes a may affect, but not likely to adversely affect determination. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>May affect, but is not likely to adversely affect</i>
				Washington	Elk River 3rd branch line		<i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>May affect, but is not likely to adversely affect</i>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
				Washington	Farmington to Hugo C-line		<p><i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern will not clear trees on this component. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>May affect, but is not likely to adversely affect</i></p>
				Houston	La Crescent compressor station		<p><i>Unlikely to occur.</i> Project area is within species known range, but no suitable habitat was identified within the Project area and no tree clearing is anticipated. Due to all work proposed being within an existing facility no effect to this species is anticipated. A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024.</p> <p><i>No effect</i></p>
			Threatened	Monroe	Tomah branch line loop		<p><i>May occur</i> Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect, but is not likely to adversely affect</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Gray wolf	Canis lupus	Endangered	None	Monroe	Tomah branch line loop	Forests, mountains, tundra, taiga, grasslands, and deserts.	<p>Unlikely to occur</p> <p>Project area is within species known range, and due to the mobility of the species all habitats within its range are considered as potentially suitable. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p>May affect, but is not likely to adversely affect</p>
Birds							
Purple martin	<i>Progne subis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Cities, towns, parks, open fields, streams and rivers, and open water habitats including wetlands, marshes and lakes. Nearly all nesting occurs in man-made structures around human settlements.	<p>May occur</p> <p>Project area is within species known range and contains or is adjacent to suitable habitat. However, no purple martin nesting structures were recorded within the project area and Northern does not anticipate any man-made nesting structures will be impacted by the project.</p> <p>Not likely to adversely affect</p>
Trumpeter swan	<i>Cynus buccinator</i>	None	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Unpolluted small ponds and lakes or bays on larger water bodies with extensive beds of emergent vegetation. Ideal habitat includes about 100 meters of open water for take-off with suitable nesting platforms such as	<p>Unlikely to occur</p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area.</p> <p>No effect</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
						muskrat houses or beaver lodges.	
Common gallinule	<i>Gallinula galeata</i>	None	Special Concern	Freeborn	Lake Mills to Albert Lea E-Line	Freshwater cattail marshes and prairies.	<p><i>Unlikely to occur</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area.</p> <p><i>No effect</i></p>
Whooping crane	<i>Grus americana</i>	Experimental Population, Non-Essential	None	Freeborn	Lake Mills to Albert Lea E-Line	Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	<p><i>Unlikely to occur</i></p> <p>The Project is within the species known range. However, the Project area does not include suitable nesting or breeding habitat (large wetlands). A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>No effect</i></p>
				Washington	Elk River 3rd branch line		<p><i>Unlikely to occur</i></p> <p>The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not typically migrate through the Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin. A consistency letter was obtained from the USFWS through the determination key results</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
							dated February 5, 2024. <i>No effect</i>
				Washington	Farmington to Hugo C-line		<p><i>Unlikely to occur</i></p> <p>The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>No effect</i></p>
				Houston	La Crescent compressor station		<p><i>Unlikely to occur</i></p> <p>The Project is within the species known range. However, the Project area does not include suitable nesting or breeding habitat (large wetlands). A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024.</p> <p><i>No effect</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
				Monroe	Tomah branch line loop		<p><i>Unlikely to occur</i></p> <p>The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) or large wetlands. Additionally, the wild population of whooping crane does not typically migrate through Wisconsin and any occurrences would likely be a result of the experimental population located in the state. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>No effect</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Plants							
Autumn fimbry	<i>Fimbristylis autumnalis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Autumn fimbry grows along the margins of shallow lakes and ponds with a sandy substrate particularly in the Anoka Sand Plain Region of Minnesota. These habitats fluctuate with seasonal ground water tables.	<p><i>May occur.</i></p> <p>The Project area is within the species' known range, and suitable habitat was identified within the Project area. However, no direct impacts on lakes or ponds are proposed, and aquatic habitats crossed by the Project will be crossed via HDD.</p> <p><i>Not likely to adversely affect</i></p>
Narrow-leaved water plantain	<i>Alisma gramineum</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Narrow-leaved water plantain have been observed to prefer habitat in shallow water that is less than 1 one meter deep in sandy substrate of larger wind-swept lakes.	<p><i>Does not occur</i></p> <p>The species does not occur within the Project area.</p> <p><i>No effect</i></p>
Rattlebox	<i>Crotalaria sagittalis</i>	None	Special Concern	Washington	Farmington to Hugo C-line	Dry, sandy soils within prairies or along gravelly railroads.	<p><i>Unlikely to occur</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area.</p> <p><i>No effect</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Fernleaf false foxglove	<i>Aureolaria pedicularia</i>	None	Threatened	Washington	Farmington to Hugo C-line	Restricted to dry sand savanna and dry, open, oak woods with acidic soils.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Lance-leaf violet	<i>Viola lanceolata</i>	None	Threatened	Washington	Elk River 3rd branch line	Low, moist meadows with a sandy substrate, moist swales in sand dunes and savannas, and occasionally on sandy lakeshores	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
American ginseng	<i>Panax quinquefolius</i>	None	Special Concern	Washington	Elk River 3rd branch line	Rich, cool, moist hardwood forest.	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. <i>No effect</i>
Mussels							
Higgins eye pearlymussel	<i>Lampsilis higginsii</i>	Endangered	Endangered	Washington	Farmington to Hugo C-Line	Higgins eye pearlymussels are found in larger rivers in deep water with moderate currents. They bury themselves	<i>Unlikely to occur</i> Project area is within species known range, but no suitable habitat was identified within the Project area. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>No effect</i>

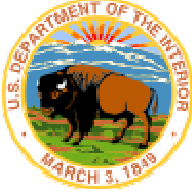
[illegible]

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
Least darter	<i>Etheostoma microperca</i>	None	Special Concern	Washington	Farmington to Hugo C-Line	Habitat includes crystal clear freshwater lakes and streams with dense submergent aquatic vegetation. In Minnesota least darters are usually found in low-velocity streams that are connected to a lake or stream system.	<p><i>Unlikely to occur</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area.</p> <p><i>No effect</i></p>
Redfin shiner	<i>Lythrurus umbratilis</i>	None	Threatened	Monroe	Tomah branch line loop	Turbid waters of pools in low-gradient streams over substrates of boulders, sand, silt, or detritus	<p><i>Unlikely to occur</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area.</p> <p><i>No effect</i></p>
Invertebrate							
RPBB	<i>Bombus affinis</i>	Endangered	None	Washington	Elk River 3rd branch line	Habitat generalist; can be found in grasslands, shrublands, and forested areas, as well as tall grass prairies, sedge meadows, and unplowed calcareous prairies/fens.	<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
			None	Monroe	Tomah branch line loop		<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>
KBB	<i>Lycaeides melissa samuelis</i>	Endangered	None	Monroe	Tomah branch line loop	Pine barrens and oak savanna in close association with its larval hostplant lupine. In Wisconsin, also found along utility and road right of ways, abandoned agricultural fields, and managed forests.	<p><i>May occur</i></p> <p>Project area is located within a High Potential Zone for the species, and suitable habitat may be present within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>May affect – additional floristic and species surveys will be completed along with additional consultation with the USFWS.</i></p>
Monarch butterfly	<i>Danaus plexippus</i>	Candidate	None	Freeborn	Lake Mills to Albert Lea E-Line	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants	<p><i>May occur</i></p> <p>Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through</p>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
						provide nectar for Monarch's to feed on.	the determination key results dated February 5, 2024. <i>No effect.</i>
				Washington	Elk River 3rd branch line		<i>May occur</i> Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 5, 2024. <i>No effect.</i>
				Washington	Farmington to Hugo C-line		<i>May occur</i> Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024. <i>No effect.</i>

Common Name	Scientific Name	Federal Status	State Status	County	Project Component	Habitat Description	Suitable Habitat Present
				Houston	La Crescent compressor station		<p><i>Unlikely to occur.</i></p> <p>Project area is within species known range, but no suitable habitat was identified within the Project area. A consistency letter was obtained from the USFWS through the determination key results dated January 24, 2024.</p> <p><i>No effect.</i></p>
				Monroe	Tomah branch line loop		<p><i>May occur</i></p> <p>Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration. A consistency letter was obtained from the USFWS through the determination key results dated February 6, 2024.</p> <p><i>No effect.</i></p>



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of “no effect” or “may affect, not likely to adversely affect.” In each case, the Service has compiled and analyzed the best available information on the species’ biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a “Not Likely to Adversely Affect” (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a “May Affect” determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for “May Affect” determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of “There are no listed species found within the vicinity of the project,” then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys helps to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029603
Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



Counties: Freeborn County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

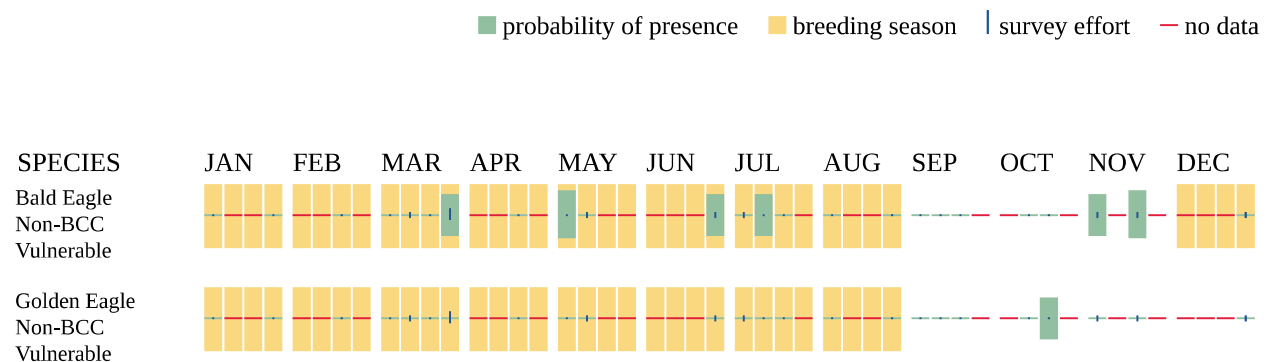
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
 - Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
 - Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
 - Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>
-

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10567	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

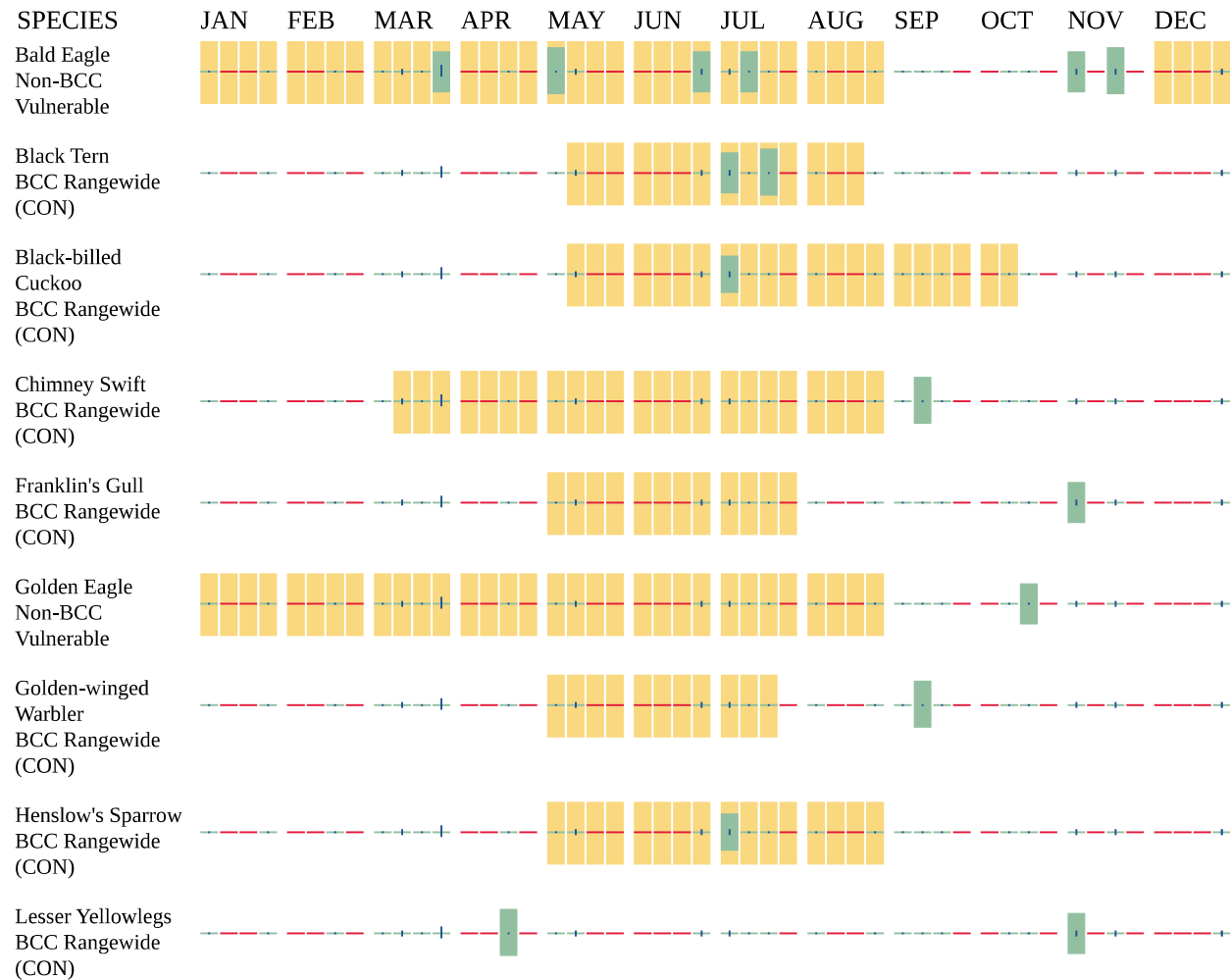
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1Af
- PEM1A

RIVERINE

- R5UBFx
-

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' (here forward, Project). This project has been assigned Project Code 2024-0029603 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029603 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

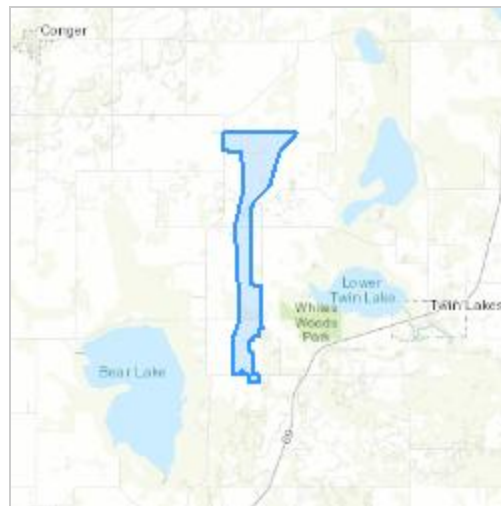
Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line':

Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

No

25. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

26. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

27. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

28. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

29. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

30. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

31. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

32. Will the action result in the use of prescribed fire?

No

33. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

34. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Subject: Verification letter for 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 05, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	

Determination Information

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in Minnesota and Wisconsin. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the Minnesota-Wisconsin Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the Minnesota-Wisconsin Ecological Services Field Office may request additional information to verify the effects determination reached through the Minnesota-Wisconsin DKey.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

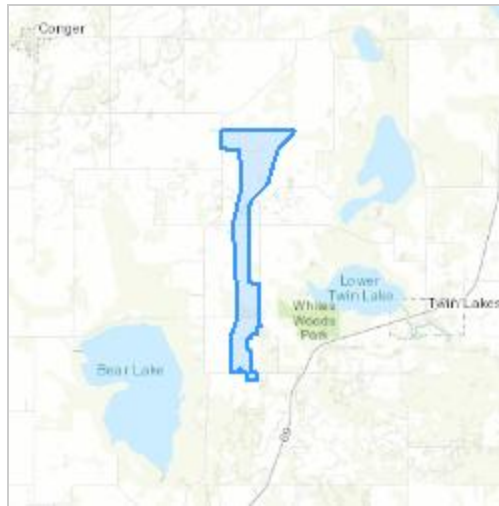
Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line':

Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

17. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

18. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

19. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *"May affect – not likely to adversely affect"*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' (here forward, Project). This project has been assigned Project Code 2024-0029603 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029603 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

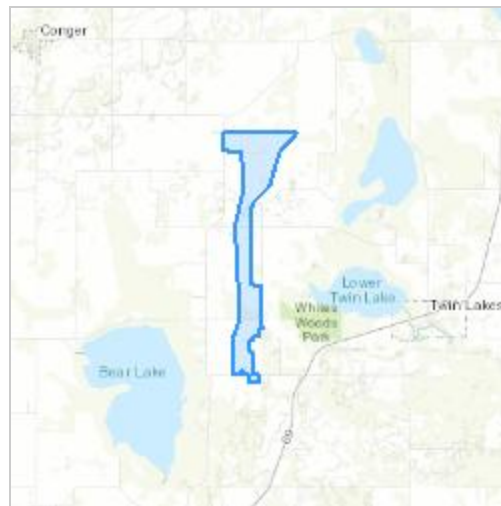
Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line':

Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

No

25. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

26. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

27. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

28. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

29. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

30. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

31. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

32. Will the action result in the use of prescribed fire?

No

33. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

34. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873

In Reply Refer To:

February 05, 2024

Project code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Subject: Verification letter for 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 05, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	

Determination Information

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in Minnesota and Wisconsin. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the Minnesota-Wisconsin Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the Minnesota-Wisconsin Ecological Services Field Office may request additional information to verify the effects determination reached through the Minnesota-Wisconsin DKey.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

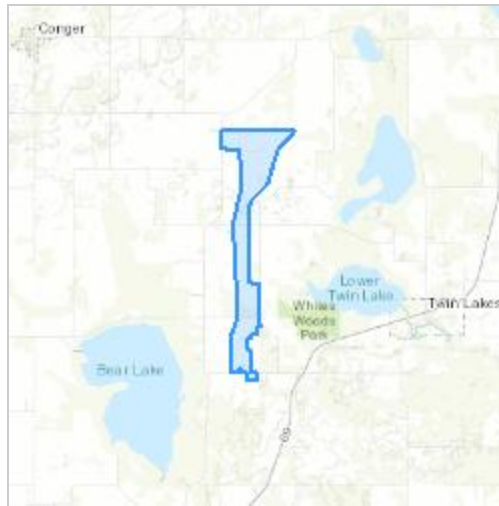
Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line':

Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

17. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

18. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

19. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *"May affect – not likely to adversely affect"*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys helps to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

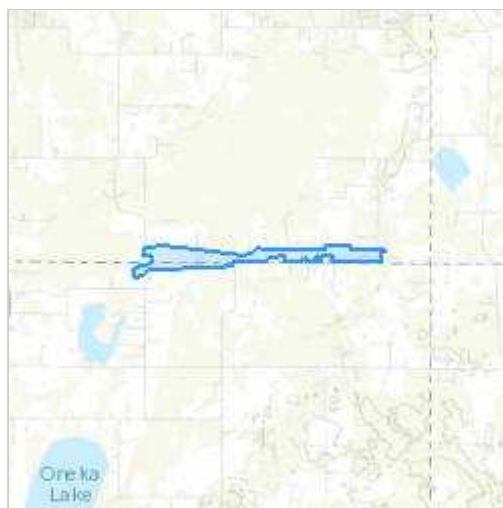
(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029617
Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



Counties: Washington County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Salamander Mussel <i>Simpsonaias ambigua</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/LIYTNZHSKZCCBHOQ62EAIPZOJ4/documents/generated/5967.pdf	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the **PROBABILITY OF PRESENCE SUMMARY** below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

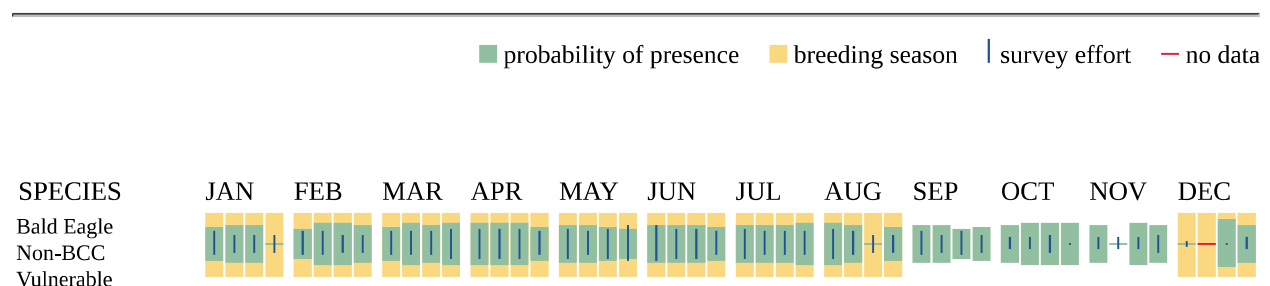
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere

NAME	BREEDING SEASON
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

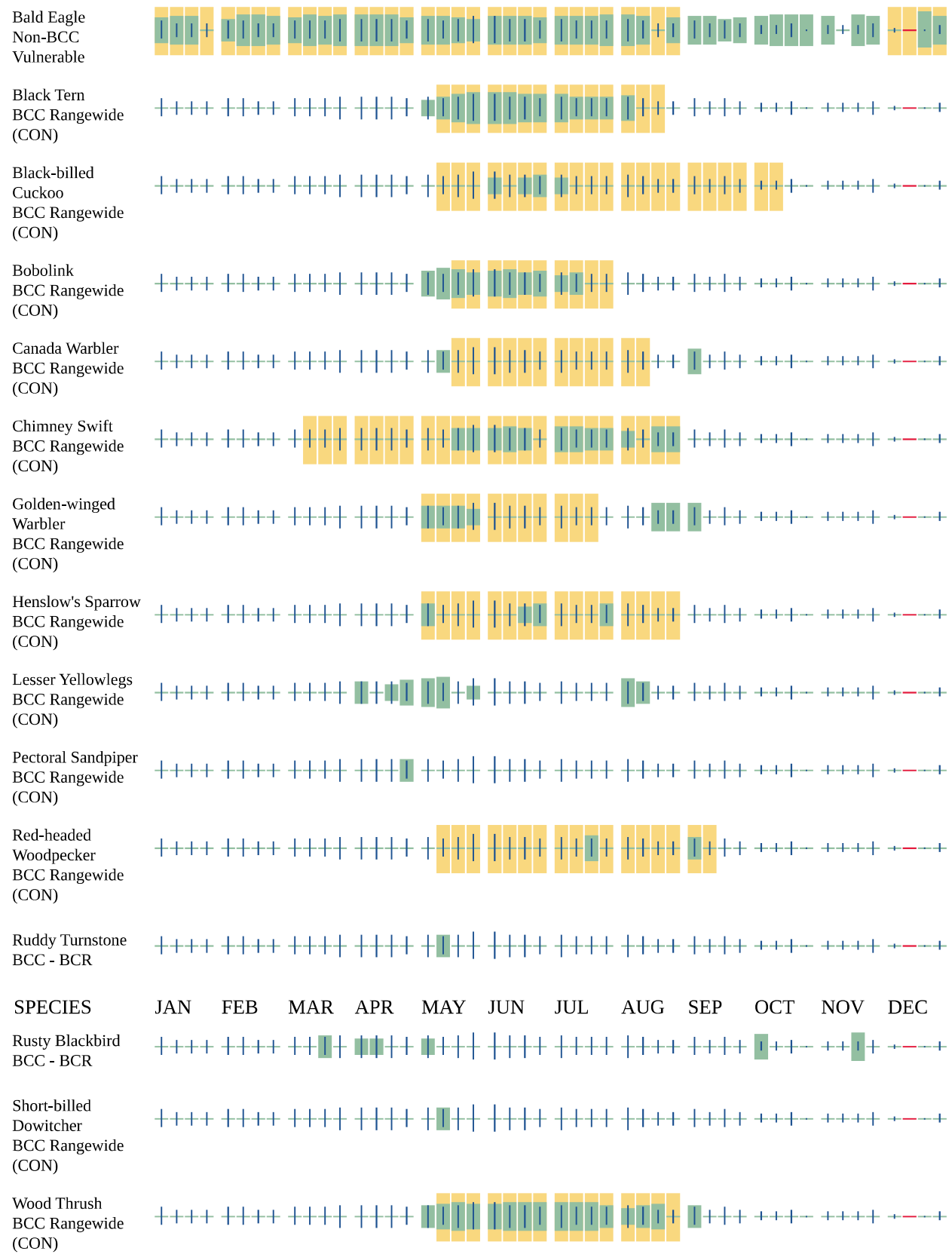
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBF
- PABHx
- PABH
- PUBHx

FRESHWATER EMERGENT WETLAND

- PEM1A
- PEM1C
- PEM1Cd
- PEM1F

FRESHWATER FORESTED/SHRUB WETLAND

- PSS1Cd
- PSS1/EM1Ad
- PFO2/EM1Dg
- PFO1/EM1Cd
- PFO2/SS1Dg

RIVERINE

- R2UBFx
-

- R4SBC

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 06, 2024

Project code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 06, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Rusty Patched Bumble Bee (<i>Bombus affinis</i>)	Endangered	May affect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Consultation with the Service is not complete. Further consultation with the Minnesota-Wisconsin Ecological Services Field Office is required for those species with a determination of "May Affect," listed above. Please email our office at TwinCities@fws.gov and attach a copy of this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Rusty Patched Bumble Bee: Rusty patched bumble bee may be present in the Action area. Projects have potential to adversely affect rusty patched bumble bee if seed collection occurs more than once every three years in a ≥ 2 ac area, includes insect trapping, rodent population control, application of insecticide, fungicide, or broadcast herbicide, hydrological changes, ground disturbance on more than >0.25 ac of habitat, vegetation disturbance on ≥ 2.0 ac during the active season, and/or permanent conversion of ≥ 2.0 ac of habitat. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on rusty patched bumble bee.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald

and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Salamander Mussel *Simpsonaias ambigua* Proposed Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

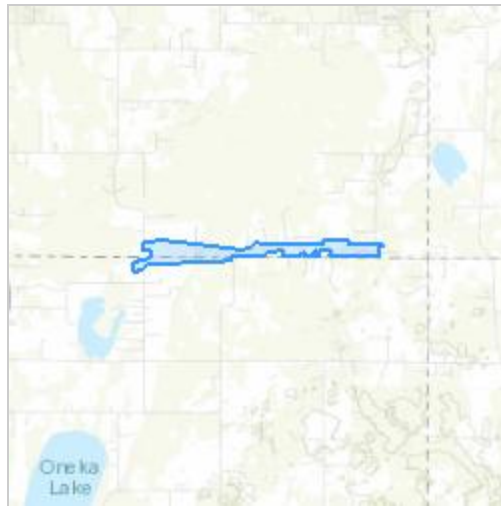
Northern Lights 2025 Expansion Project Elk River 3rd branch line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Elk River 3rd branch line':

Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

Yes

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

Yes

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Does the action include – or is it reasonably certain to result in – construction of one or more new roads or rail lines; the addition of travel lanes that are likely to increase vehicle traffic on one or more existing roads; or other structures or activities that will increase vehicle traffic?

No

17. Does the action include – or is it reasonably certain to cause – the use of commercial/managed bees (e.g., the use of honeybees or managed bumble bees to pollinate crops).

No

18. Is there habitat for nesting, foraging, and/or overwintering for the rusty patched bumble bee in the action area?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

19. Have survey(s) for rusty patched bumble bees been conducted according to Service-approved protocols?

Note: Please refer to survey guidelines at: <https://www.fws.gov/media/survey-protocols-rusty-patched-bumble-bee>

No

20. Does the action include collection of seed from native species?

No

21. Does the action include, or will it cause the application of insecticides or fungicides; activities to control native rodent species; or planting or seeding of non-native plant species that are likely to degrade the quality of existing rusty patched bumble bee foraging habitat by decreasing the abundance or diversity of native rusty patched bumble bee forage species?

No

22. Will the action include or cause herbicide use?

No

23. Will the action cause ground disturbance that affects more than 0.25 acre (0.1 hectare) of rusty patched bumble bee nesting habitat (upland grasslands, shrublands, and forest and woodland edges that contain native sources of pollen and nectar) in a High Potential Zone during the nesting season?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

24. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

25. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

26. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

27. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

28. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

29. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

30. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *“May affect – not likely to adversely affect”*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 07, 2024

Project code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Elk River 3rd branch line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 07, 2024, for 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' (here forward, Project). This project has been assigned Project Code 2024-0029617 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

You have indicated that you must remove a hazard tree in order to prevent imminent loss of human life. Be advised that the Act’s implementing regulations (50 CFR part 17) include a take exemption pursuant to the defense of human life (for endangered species, see 50 CFR 17.21(c)(2)): “any person may take endangered [or threatened] wildlife in defense of his own life or the lives of others.”). The regulations at 50 CFR 17.21(c)(4) require that any person taking, including killing, listed wildlife in defense of human life under this exception must notify our headquarters Office of Law Enforcement, at the address provided at 50 CFR 2.1(b), in writing, within 5 days. In addition, section 11 of the Act enumerates the penalties and enforcement of the Act. In regard to civil penalties, section 11(a)(3) of the Act states, “Notwithstanding any other provision of this [Act], no civil penalty shall be imposed if it can be shown by a preponderance of the evidence that the defendant committed an act based on a good faith belief that he was acting to protect himself or herself, a member of his or her family, or any other individual from bodily harm, from any endangered or threatened species” (16 U.S.C. 1540(a)(3)). Section 11(b)(3) of the Act contains similar language in regard to criminal violations (see 16 U.S.C. 1540(b)(3)). If you think incidental take of listed bats was reasonably certain to have occurred as a result of your hazard tree removal, we advise you to contact the Office of Law Enforcement as outlined above. In the future, we recommend planning ahead so that tree removal of potentially hazardous trees does not become an emergency. If you determine an emergency exists, however, and human life is in imminent danger, do not delay action. Also do not delay action if removal of the hazard tree is part of a federal response to a situation involving an act of God, disaster, casualty, national defense or security emergency, etc. - coordinate with the local USFWS field office as soon as practicable after the emergency is under control.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Salamander Mussel *Simpsonaias ambigua* Proposed Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029617 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

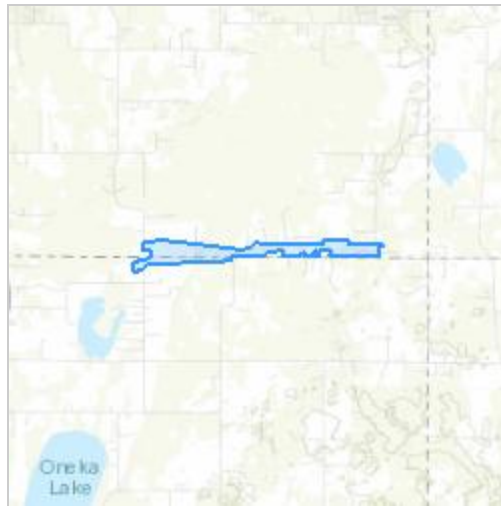
Northern Lights 2025 Expansion Project Elk River 3rd branch line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Elk River 3rd branch line':

Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

33. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

34. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

Yes

35. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

36. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your [state agency or USFWS field office](#)

Automatically answered

No

37. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the northern long-eared bat?

Note: Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

38. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 10 acres?

No

39. Will the action cause trees to be cut, knocked down, or otherwise brought down in a way that would fragment a forested connection (e.g., tree line) between two or more forest patches of at least 5 acres?

The forest patches may consist of entirely contiguous forest or multiple forested areas that are separated by less than 1000' of non-forested area. A project will fragment a forested connection if it creates an unforested gap of greater than 1000'.

No

40. Will the action result in the use of prescribed fire?

No

41. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

42. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

0.88

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0.88

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

0.88

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0.88

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 07, 2024

Project code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Elk River 3rd branch line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 07, 2024, for 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' (here forward, Project). This project has been assigned Project Code 2024-0029617 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

You have indicated that you must remove a hazard tree in order to prevent imminent loss of human life. Be advised that the Act’s implementing regulations (50 CFR part 17) include a take exemption pursuant to the defense of human life (for endangered species, see 50 CFR 17.21(c)(2)): “any person may take endangered [or threatened] wildlife in defense of his own life or the lives of others.”). The regulations at 50 CFR 17.21(c)(4) require that any person taking, including killing, listed wildlife in defense of human life under this exception must notify our headquarters Office of Law Enforcement, at the address provided at 50 CFR 2.1(b), in writing, within 5 days. In addition, section 11 of the Act enumerates the penalties and enforcement of the Act. In regard to civil penalties, section 11(a)(3) of the Act states, “Notwithstanding any other provision of this [Act], no civil penalty shall be imposed if it can be shown by a preponderance of the evidence that the defendant committed an act based on a good faith belief that he was acting to protect himself or herself, a member of his or her family, or any other individual from bodily harm, from any endangered or threatened species” (16 U.S.C. 1540(a)(3)). Section 11(b)(3) of the Act contains similar language in regard to criminal violations (see 16 U.S.C. 1540(b)(3)). If you think incidental take of listed bats was reasonably certain to have occurred as a result of your hazard tree removal, we advise you to contact the Office of Law Enforcement as outlined above. In the future, we recommend planning ahead so that tree removal of potentially hazardous trees does not become an emergency. If you determine an emergency exists, however, and human life is in imminent danger, do not delay action. Also do not delay action if removal of the hazard tree is part of a federal response to a situation involving an act of God, disaster, casualty, national defense or security emergency, etc. - coordinate with the local USFWS field office as soon as practicable after the emergency is under control.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Salamander Mussel *Simpsonaias ambigua* Proposed Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029617 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

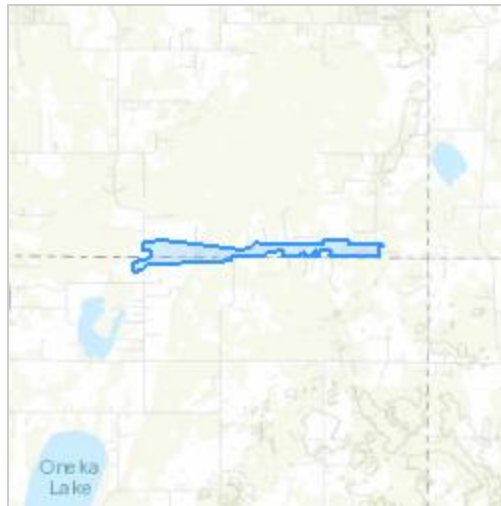
Northern Lights 2025 Expansion Project Elk River 3rd branch line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Elk River 3rd branch line':

Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

33. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

34. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

Yes

35. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

36. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your [state agency or USFWS field office](#)

Automatically answered

No

37. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the northern long-eared bat?

Note: Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

38. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 10 acres?

No

39. Will the action cause trees to be cut, knocked down, or otherwise brought down in a way that would fragment a forested connection (e.g., tree line) between two or more forest patches of at least 5 acres?

The forest patches may consist of entirely contiguous forest or multiple forested areas that are separated by less than 1000' of non-forested area. A project will fragment a forested connection if it creates an unforested gap of greater than 1000'.

No

40. Will the action result in the use of prescribed fire?

No

41. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

42. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

0.88

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0.88

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

0.88

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0.88

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 06, 2024

Project code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 06, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Elk River 3rd branch line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Rusty Patched Bumble Bee (<i>Bombus affinis</i>)	Endangered	May affect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Consultation with the Service is not complete. Further consultation with the Minnesota-Wisconsin Ecological Services Field Office is required for those species with a determination of "May Affect," listed above. Please email our office at TwinCities@fws.gov and attach a copy of this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Rusty Patched Bumble Bee: Rusty patched bumble bee may be present in the Action area. Projects have potential to adversely affect rusty patched bumble bee if seed collection occurs more than once every three years in a ≥ 2 ac area, includes insect trapping, rodent population control, application of insecticide, fungicide, or broadcast herbicide, hydrological changes, ground disturbance on more than >0.25 ac of habitat, vegetation disturbance on ≥ 2.0 ac during the active season, and/or permanent conversion of ≥ 2.0 ac of habitat. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on rusty patched bumble bee.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald

and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Salamander Mussel *Simpsonaias ambigua* Proposed Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northern Lights 2025 Expansion Project Elk River 3rd branch line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Elk River 3rd branch line':

Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

Yes

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

Yes

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Does the action include – or is it reasonably certain to result in – construction of one or more new roads or rail lines; the addition of travel lanes that are likely to increase vehicle traffic on one or more existing roads; or other structures or activities that will increase vehicle traffic?

No

17. Does the action include – or is it reasonably certain to cause – the use of commercial/managed bees (e.g., the use of honeybees or managed bumble bees to pollinate crops).

No

18. Is there habitat for nesting, foraging, and/or overwintering for the rusty patched bumble bee in the action area?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

19. Have survey(s) for rusty patched bumble bees been conducted according to Service-approved protocols?

Note: Please refer to survey guidelines at: <https://www.fws.gov/media/survey-protocols-rusty-patched-bumble-bee>

No

20. Does the action include collection of seed from native species?

No

21. Does the action include, or will it cause the application of insecticides or fungicides; activities to control native rodent species; or planting or seeding of non-native plant species that are likely to degrade the quality of existing rusty patched bumble bee foraging habitat by decreasing the abundance or diversity of native rusty patched bumble bee forage species?

No

22. Will the action include or cause herbicide use?

No

23. Will the action cause ground disturbance that affects more than 0.25 acre (0.1 hectare) of rusty patched bumble bee nesting habitat (upland grasslands, shrublands, and forest and woodland edges that contain native sources of pollen and nectar) in a High Potential Zone during the nesting season?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

24. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

25. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

26. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

27. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

28. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

29. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

30. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *“May affect – not likely to adversely affect”*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys helps to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

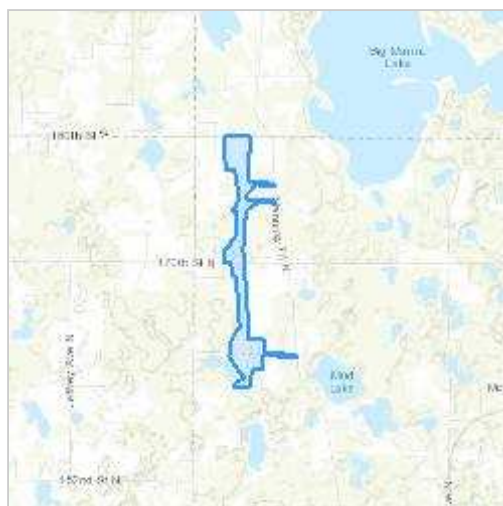
(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029631
Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County. Northern will utilize ETWS, existing driveways, temporary access roads, and staging areas during construction.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.19591215,-92.89046862780806,14z>



Counties: Washington County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered
Salamander Mussel <i>Simpsonaias ambigua</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider

implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

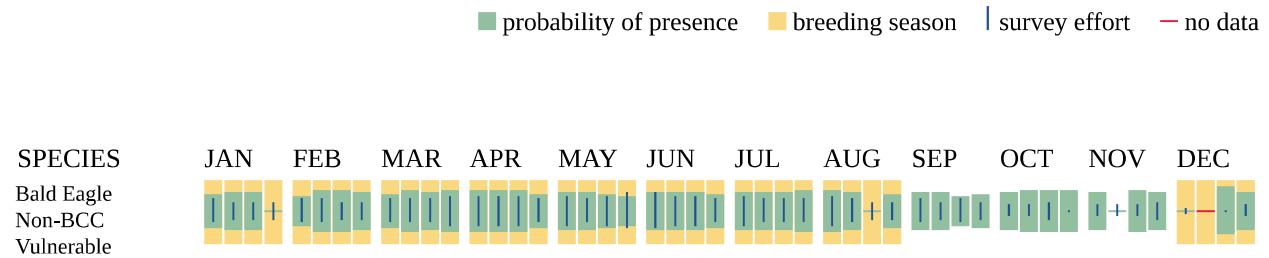
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere

NAME	BREEDING SEASON
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

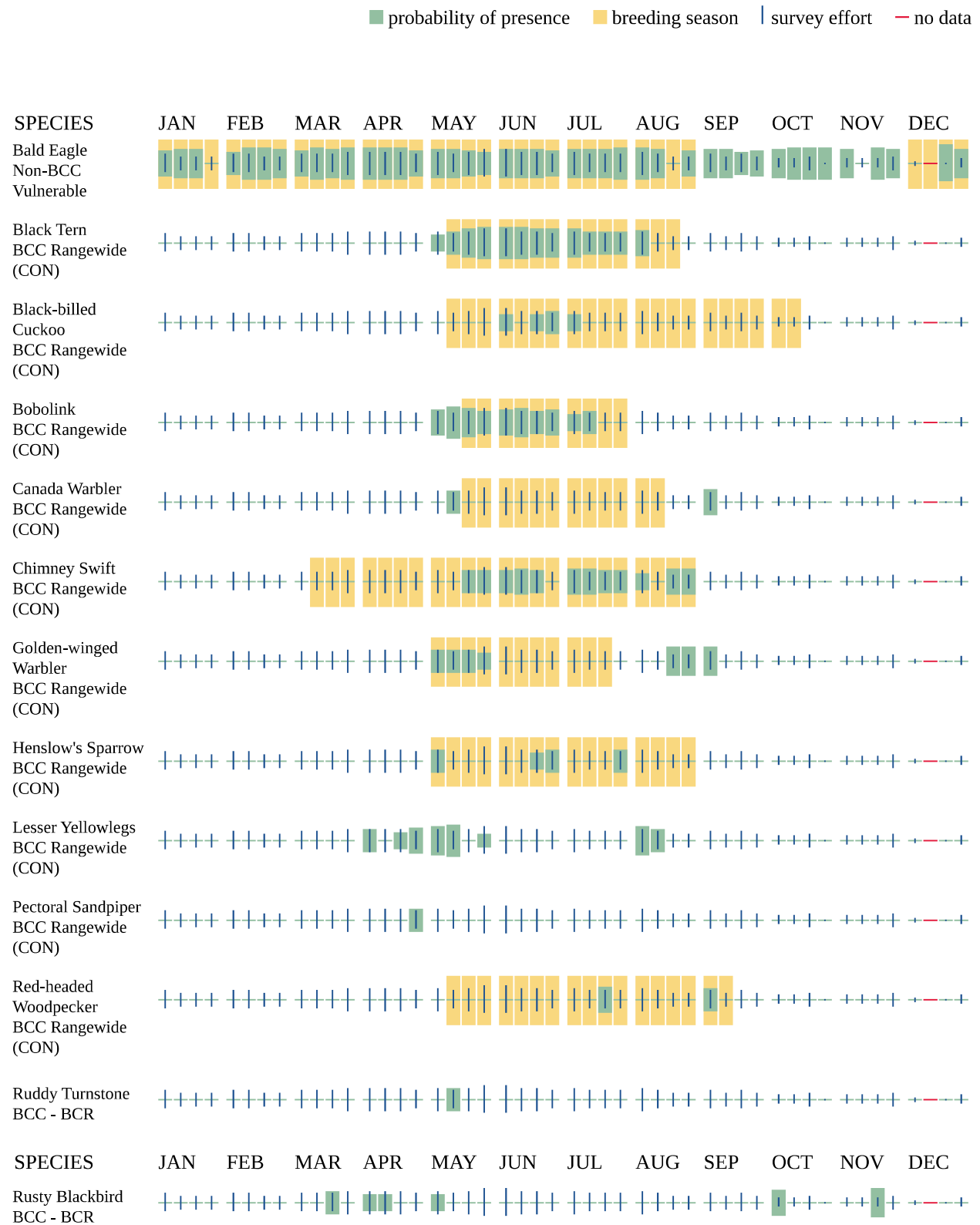
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

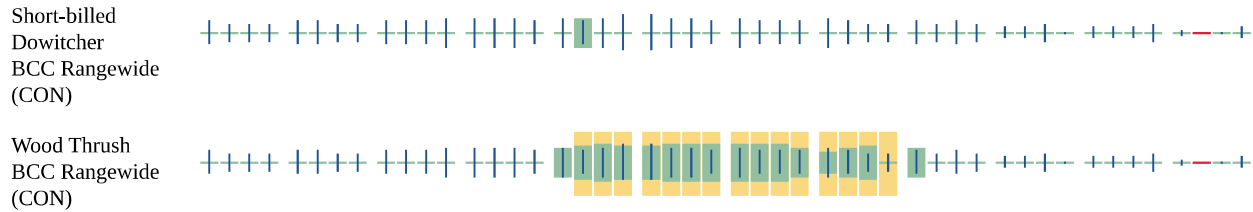
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1C
- PEM1F
- PEM1A
- PEM1D

FRESHWATER POND

- PUBH
- PABH
- PUBHx
- PUBF

FRESHWATER FORESTED/SHRUB WETLAND

- PSS1/EM1A

- PFO1A

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Farmington to Hugo C-line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' (here forward, Project). This project has been assigned Project Code 2024-0029631 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Higgins Eye (pearlymussel) *Lampsilis higginsii* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Salamander Mussel *Simpsonia ambigua* Proposed Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential
- Winged Mapleleaf *Quadrula fragosa* Endangered

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029631 associated with this Project.

DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

33. Will the action result in the use of prescribed fire?

No

34. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

35. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Subject: Verification letter for 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 05, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Higgins Eye (pearlymussel) (<i>Lampsilis higginsii</i>)	Endangered	No effect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	
Winged Mapleleaf (<i>Quadrula fragosa</i>)	Endangered	No effect

Determination Information

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in Minnesota and Wisconsin. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided

here. This verification period allows the Minnesota-Wisconsin Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the Minnesota-Wisconsin Ecological Services Field Office may request additional information to verify the effects determination reached through the Minnesota-Wisconsin DKey.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Freshwater Mussels: Freshwater mussels are one of the most critically imperiled groups of organisms in the world. In North America, 65% of the remaining 300 species are vulnerable to extinction (Haag and Williams 2014). Implementing measures to conserve and restore freshwater mussel populations directly improves water quality in lakes, rivers, and streams throughout Minnesota and Wisconsin. An adult freshwater mussel filters anywhere from 1 to 38 gallons of water per day (Baker and Levinton 2003, Barnhart pers. comm. 2019). A 2015 survey found that in some areas, mussels can reduce the bacterial populations by more than 85% (Othman et al. 2015 in Vaughn 2017). Mussels are also considered to be ecosystem engineers by stabilizing substrate and providing habitat for other aquatic organisms (Vaughn 2017). In addition to ecosystem services, mussels play an important role in the food web, contributing critical nutrients to both terrestrial and aquatic habitats, including those that support sport fish (Vaughn 2017). Taking proactive measures to conserve and restore freshwater mussels will improve water quality, which has the potential to positively impact human health and recreation in the States of Minnesota and Wisconsin.

You have indicated that your Action will have no effect (NE) on Federally listed mussel species. However, state-listed mussels may occur in your Action area. Contact the Minnesota or Wisconsin Department of Natural Resources to determine effects to state-listed mussels.

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Salamander Mussel *Simpsonia ambigua* Proposed Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

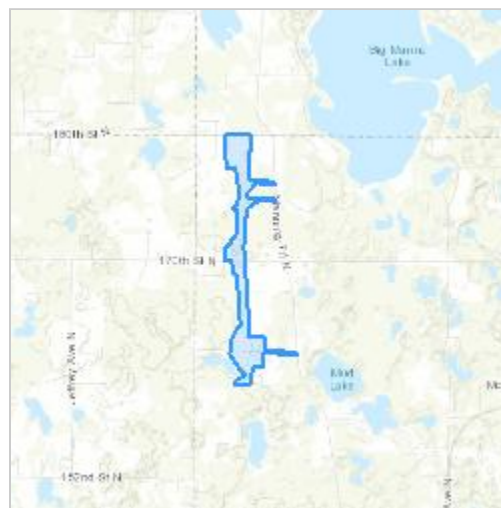
Northern Lights 2025 Expansion Project Farmington to Hugo C-line

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line':

Northern proposes to construct and operate a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County. Northern will utilize ETWS, existing driveways, temporary access roads, and staging areas during construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.19591215,-92.89046862780806,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

17. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

18. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

19. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

20. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

21. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

22. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *“May affect – not likely to adversely affect”*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Farmington to Hugo C-line'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' (here forward, Project). This project has been assigned Project Code 2024-0029631 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Higgins Eye (pearlymussel) *Lampsilis higginsii* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Salamander Mussel *Simpsonia ambigua* Proposed Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential
- Winged Mapleleaf *Quadrula fragosa* Endangered

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029631 associated with this Project.

DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

33. Will the action result in the use of prescribed fire?

No

34. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

35. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Subject: Verification letter for 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 05, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Farmington to Hugo C-line' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Higgins Eye (pearlymussel) (<i>Lampsilis higginsii</i>)	Endangered	No effect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	
Winged Mapleleaf (<i>Quadrula fragosa</i>)	Endangered	No effect

Determination Information

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in Minnesota and Wisconsin. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided

here. This verification period allows the Minnesota-Wisconsin Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the Minnesota-Wisconsin Ecological Services Field Office may request additional information to verify the effects determination reached through the Minnesota-Wisconsin DKey.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Freshwater Mussels: Freshwater mussels are one of the most critically imperiled groups of organisms in the world. In North America, 65% of the remaining 300 species are vulnerable to extinction (Haag and Williams 2014). Implementing measures to conserve and restore freshwater mussel populations directly improves water quality in lakes, rivers, and streams throughout Minnesota and Wisconsin. An adult freshwater mussel filters anywhere from 1 to 38 gallons of water per day (Baker and Levinton 2003, Barnhart pers. comm. 2019). A 2015 survey found that in some areas, mussels can reduce the bacterial populations by more than 85% (Othman et al. 2015 in Vaughn 2017). Mussels are also considered to be ecosystem engineers by stabilizing substrate and providing habitat for other aquatic organisms (Vaughn 2017). In addition to ecosystem services, mussels play an important role in the food web, contributing critical nutrients to both terrestrial and aquatic habitats, including those that support sport fish (Vaughn 2017). Taking proactive measures to conserve and restore freshwater mussels will improve water quality, which has the potential to positively impact human health and recreation in the States of Minnesota and Wisconsin.

You have indicated that your Action will have no effect (NE) on Federally listed mussel species. However, state-listed mussels may occur in your Action area. Contact the Minnesota or Wisconsin Department of Natural Resources to determine effects to state-listed mussels.

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Salamander Mussel *Simpsonia ambigua* Proposed Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

17. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

18. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

19. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

20. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

21. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

22. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *“May affect – not likely to adversely affect”*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of “no effect” or “may affect, not likely to adversely affect.” In each case, the Service has compiled and analyzed the best available information on the species’ biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a “Not Likely to Adversely Affect” (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a “May Affect” determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for “May Affect” determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of “There are no listed species found within the vicinity of the project,” then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029640
Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



Counties: Monroe County, Wisconsin

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is final critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Karner Blue Butterfly <i>Lycaeides melissa samuelis</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/6656	Endangered
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/YDIWRTTZVRHDDENZ42HVCOPYFU/documents/generated/5967.pdf	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)
-

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the **PROBABILITY OF PRESENCE SUMMARY** below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

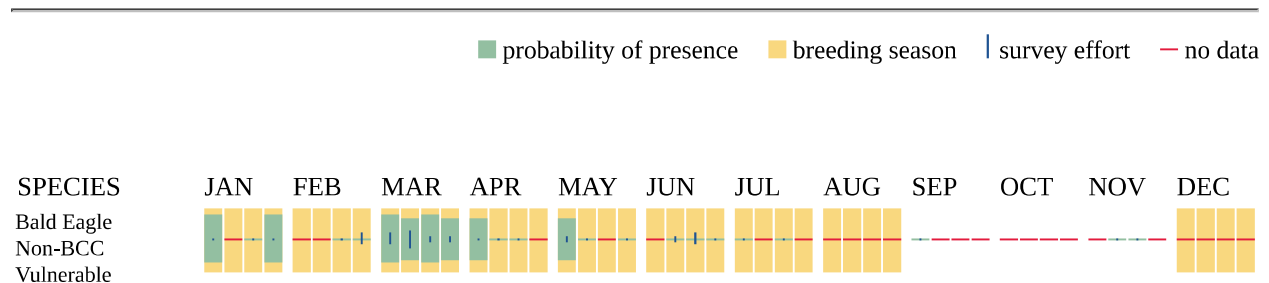
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25

NAME	BREEDING SEASON
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

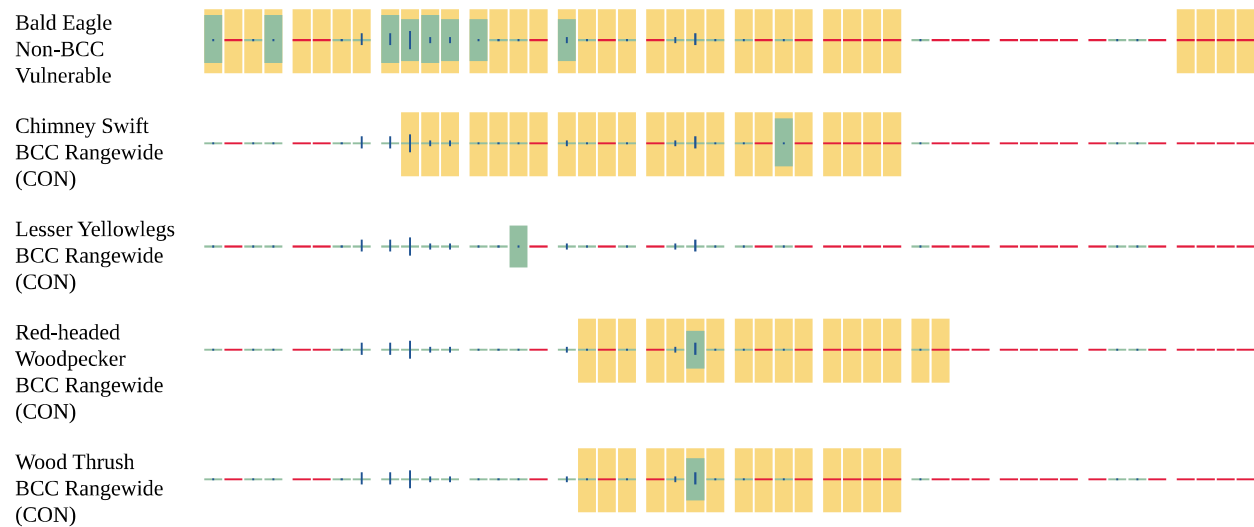
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1C

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Tomah Branch Line Loop'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' (here forward, Project). This project has been assigned Project Code 2024-0029640 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

You have indicated that you must remove a hazard tree in order to prevent imminent loss of human life. Be advised that the Act’s implementing regulations (50 CFR part 17) include a take exemption pursuant to the defense of human life (for endangered species, see 50 CFR 17.21(c)(2)): “any person may take endangered [or threatened] wildlife in defense of his own life or the lives of others.”). The regulations at 50 CFR 17.21(c)(4) require that any person taking, including killing, listed wildlife in defense of human life under this exception must notify our headquarters Office of Law Enforcement, at the address provided at 50 CFR 2.1(b), in writing, within 5 days. In addition, section 11 of the Act enumerates the penalties and enforcement of the Act. In regard to civil penalties, section 11(a)(3) of the Act states, “Notwithstanding any other provision of this [Act], no civil penalty shall be imposed if it can be shown by a preponderance of the evidence that the defendant committed an act based on a good faith belief that he was acting to protect himself or herself, a member of his or her family, or any other individual from bodily harm, from any endangered or threatened species” (16 U.S.C. 1540(a)(3)). Section 11(b)(3) of the Act contains similar language in regard to criminal violations (see 16 U.S.C. 1540(b)(3)). If you think incidental take of listed bats was reasonably certain to have occurred as a result of your hazard tree removal, we advise you to contact the Office of Law Enforcement as outlined above. In the future, we recommend planning ahead so that tree removal of potentially hazardous trees does not become an emergency. If you determine an emergency exists, however, and human life is in imminent danger, do not delay action. Also do not delay action if removal of the hazard tree is part of a federal response to a situation involving an act of God, disaster, casualty, national defense or security emergency, etc. - coordinate with the local USFWS field office as soon as practicable after the emergency is under control.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Gray Wolf *Canis lupus* Endangered
- Karner Blue Butterfly *Lycaeides melissa samuelis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029640 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northern Lights 2025 Expansion Project Tomah Branch Line Loop

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop':

Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

33. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

34. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

Yes

35. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

36. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your [state agency or USFWS field office](#)

Automatically answered

No

37. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the northern long-eared bat?

Note: Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

38. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 10 acres?

No

39. Will the action cause trees to be cut, knocked down, or otherwise brought down in a way that would fragment a forested connection (e.g., tree line) between two or more forest patches of at least 5 acres?

The forest patches may consist of entirely contiguous forest or multiple forested areas that are separated by less than 1000' of non-forested area. A project will fragment a forested connection if it creates an unforested gap of greater than 1000'.

No

40. Will the action result in the use of prescribed fire?

No

41. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

42. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

3.35

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

3.35

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

3.35

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

3.35

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 06, 2024

Project code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 06, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Gray Wolf (<i>Canis lupus</i>)	Endangered	NLAA
Karner Blue Butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	May affect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Rusty Patched Bumble Bee (<i>Bombus affinis</i>)	Endangered	May affect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Consultation with the Service is not complete. Further consultation with the Minnesota-Wisconsin Ecological Services Field Office is required for those species with a determination of "May Affect," listed above. Please email our office at TwinCities@fws.gov and attach a copy of

this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Karner Blue Butterfly: Karner blue butterfly may be present in the Action area. Projects that disturb wild lupine (the host plant) or result in habitat loss for Karner blue butterfly need additional project-specific review. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on Karner blue butterfly.**

Rusty Patched Bumble Bee: Rusty patched bumble bee may be present in the Action area. Projects have potential to adversely affect rusty patched bumble bee if seed collection occurs more than once every three years in a ≥ 2 ac area, includes insect trapping, rodent population control, application of insecticide, fungicide, or broadcast herbicide, hydrological changes,

ground disturbance on more than >0.25 ac of habitat, vegetation disturbance on ≥ 2.0 ac during the active season, and/or permanent conversion of ≥ 2.0 ac of habitat. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on rusty patched bumble bee.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northern Lights 2025 Expansion Project Tomah Branch Line Loop

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop':

Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

Yes

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

Yes

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Will the action occur in oak savanna, oak or pine barrens, prairie, openings within oak and/or pine forest including rights-of-way, or old fields in association with oak forest? If you do not know, click "yes".

Yes

17. Did you conduct surveys for the larval host plant, wild blue lupine (*Lupinus perennis*), in the proposed project action area?

Please use the survey protocols from Wisconsin DNR found [here](#).

No

18. If wild blue lupine is known to be present, can you avoid disturbance to these areas?

No

19. Does the action include – or is it reasonably certain to result in – construction of one or more new roads or rail lines; the addition of travel lanes that are likely to increase vehicle traffic on one or more existing roads; or other structures or activities that will increase vehicle traffic?

No

20. Does the action include – or is it reasonably certain to cause – the use of commercial/managed bees (e.g., the use of honeybees or managed bumble bees to pollinate crops).

No

21. Is there habitat for nesting, foraging, and/or overwintering for the rusty patched bumble bee in the action area?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

22. Have survey(s) for rusty patched bumble bees been conducted according to Service-approved protocols?

Note: Please refer to survey guidelines at: <https://www.fws.gov/media/survey-protocols-rusty-patched-bumble-bee>

No

23. Does the action include collection of seed from native species?

No

24. Does the action include, or will it cause the application of insecticides or fungicides; activities to control native rodent species; or planting or seeding of non-native plant species that are likely to degrade the quality of existing rusty patched bumble bee foraging habitat by decreasing the abundance or diversity of native rusty patched bumble bee forage species?

No

25. Will the action include or cause herbicide use?

No

26. Will the action cause ground disturbance that affects more than 0.25 acre (0.1 hectare) of rusty patched bumble bee nesting habitat (upland grasslands, shrublands, and forest and woodland edges that contain native sources of pollen and nectar) in a High Potential Zone during the nesting season?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

27. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

28. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

29. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

30. [Hidden Semantic] Does the action area intersect the endangered gray wolf AOI?

Automatically answered

Yes

31. Does the action area intersect with a known gray wolf denning or rendezvous area?

No

32. Is there any potential for the action to harm wolves directly (e.g., mammal trapping, poison bait), or indirectly (e.g., increasing vehicle use that may result in vehicle strikes, exposure to potential human persecution)?

No

33. [Hidden Semantic] Does the action area intersect the endangered gray wolf AOI?

Automatically answered

Yes

34. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

35. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

36. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

37. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *"May affect – not likely to adversely affect"*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 06, 2024

Project code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **February 06, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Gray Wolf (<i>Canis lupus</i>)	Endangered	NLAA
Karner Blue Butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	May affect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Rusty Patched Bumble Bee (<i>Bombus affinis</i>)	Endangered	May affect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	NLAA
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Consultation with the Service is not complete. Further consultation with the Minnesota-Wisconsin Ecological Services Field Office is required for those species with a determination of "May Affect," listed above. Please email our office at TwinCities@fws.gov and attach a copy of

this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Whooping Crane Nonessential Experimental Population: For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population (NEP) of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. **You indicated that the Action is not likely to result in jeopardy of the NEP of whooping crane. As such, your obligations under section 7 for whooping crane are complete.**

Karner Blue Butterfly: Karner blue butterfly may be present in the Action area. Projects that disturb wild lupine (the host plant) or result in habitat loss for Karner blue butterfly need additional project-specific review. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on Karner blue butterfly.**

Rusty Patched Bumble Bee: Rusty patched bumble bee may be present in the Action area. Projects have potential to adversely affect rusty patched bumble bee if seed collection occurs more than once every three years in a ≥ 2 ac area, includes insect trapping, rodent population control, application of insecticide, fungicide, or broadcast herbicide, hydrological changes,

ground disturbance on more than >0.25 ac of habitat, vegetation disturbance on ≥ 2.0 ac during the active season, and/or permanent conversion of ≥ 2.0 ac of habitat. **Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on rusty patched bumble bee.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northern Lights 2025 Expansion Project Tomah Branch Line Loop

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop':

Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

Yes

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

Yes

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Will the action occur in oak savanna, oak or pine barrens, prairie, openings within oak and/or pine forest including rights-of-way, or old fields in association with oak forest? If you do not know, click "yes".

Yes

17. Did you conduct surveys for the larval host plant, wild blue lupine (*Lupinus perennis*), in the proposed project action area?

Please use the survey protocols from Wisconsin DNR found [here](#).

No

18. If wild blue lupine is known to be present, can you avoid disturbance to these areas?

No

19. Does the action include – or is it reasonably certain to result in – construction of one or more new roads or rail lines; the addition of travel lanes that are likely to increase vehicle traffic on one or more existing roads; or other structures or activities that will increase vehicle traffic?

No

20. Does the action include – or is it reasonably certain to cause – the use of commercial/managed bees (e.g., the use of honeybees or managed bumble bees to pollinate crops).

No

21. Is there habitat for nesting, foraging, and/or overwintering for the rusty patched bumble bee in the action area?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

22. Have survey(s) for rusty patched bumble bees been conducted according to Service-approved protocols?

Note: Please refer to survey guidelines at: <https://www.fws.gov/media/survey-protocols-rusty-patched-bumble-bee>

No

23. Does the action include collection of seed from native species?

No

24. Does the action include, or will it cause the application of insecticides or fungicides; activities to control native rodent species; or planting or seeding of non-native plant species that are likely to degrade the quality of existing rusty patched bumble bee foraging habitat by decreasing the abundance or diversity of native rusty patched bumble bee forage species?

No

25. Will the action include or cause herbicide use?

No

26. Will the action cause ground disturbance that affects more than 0.25 acre (0.1 hectare) of rusty patched bumble bee nesting habitat (upland grasslands, shrublands, and forest and woodland edges that contain native sources of pollen and nectar) in a High Potential Zone during the nesting season?

Note: Please refer to the ESA Section 7(a)(2) Voluntary Implementation Guidance for Rusty Patched Bumble Bee at: <https://www.fws.gov/media/esa-section-7a2-voluntary-implementation-guidance-rusty-patched-bumble-bee>.

Yes

27. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

No

28. Does the action occur within a National Wildlife Refuge or National Park?

Note: For the purposes of section 7 of the Act, we treat nonessential experimental populations (NEPs) as threatened species when the NEP is located within a National Wildlife Refuge (NWR) or National Park (NP), and therefore section 7(a)(1) and the consultation requirements of section 7(a)(2) of the Act apply in NWRs and NPs. Section 7(a)(1) requires all Federal agencies to use their authorities to conserve listed species. Section 7(a)(2) requires that Federal agencies consult with the Service before authorizing, funding, or carrying out any activity that would likely jeopardize the continued existence of a listed species or adversely modify its critical habitat.

No

29. For Federal projects outside a National Wildlife Refuge or National Park, we treat the nonessential experimental population of whooping crane as proposed for listing and only two provisions of section 7 would apply: section 7(a)(1) and section 7(a)(4). Section 7(a)(4) requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species. Have you determined that your action is likely to jeopardize the continued existence of whooping crane?

No

30. [Hidden Semantic] Does the action area intersect the endangered gray wolf AOI?

Automatically answered

Yes

31. Does the action area intersect with a known gray wolf denning or rendezvous area?

No

32. Is there any potential for the action to harm wolves directly (e.g., mammal trapping, poison bait), or indirectly (e.g., increasing vehicle use that may result in vehicle strikes, exposure to potential human persecution)?

No

33. [Hidden Semantic] Does the action area intersect the endangered gray wolf AOI?

Automatically answered

Yes

34. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

35. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

36. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

37. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

2. *"May affect – not likely to adversely affect"*

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for
'Northern Lights 2025 Expansion Project Tomah Branch Line Loop'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop' (here forward, Project). This project has been assigned Project Code 2024-0029640 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements may not be complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (DKey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the determination of "May Affect, Not Likely to Adversely Affect" the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your

IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat in a manner or to an extent not previously considered; or,
- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat that was not considered when completing the determination key.

15-Day Review Period

As indicated above, the Service will notify you within 15 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for the northern long-eared bat. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that we did not anticipate when developing the key. In such cases, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northern Long-eared Bat DKey.

You have indicated that you must remove a hazard tree in order to prevent imminent loss of human life. Be advised that the Act’s implementing regulations (50 CFR part 17) include a take exemption pursuant to the defense of human life (for endangered species, see 50 CFR 17.21(c)(2)): “any person may take endangered [or threatened] wildlife in defense of his own life or the lives of others.”). The regulations at 50 CFR 17.21(c)(4) require that any person taking, including killing, listed wildlife in defense of human life under this exception must notify our headquarters Office of Law Enforcement, at the address provided at 50 CFR 2.1(b), in writing, within 5 days. In addition, section 11 of the Act enumerates the penalties and enforcement of the Act. In regard to civil penalties, section 11(a)(3) of the Act states, “Notwithstanding any other provision of this [Act], no civil penalty shall be imposed if it can be shown by a preponderance of the evidence that the defendant committed an act based on a good faith belief that he was acting to protect himself or herself, a member of his or her family, or any other individual from bodily harm, from any endangered or threatened species” (16 U.S.C. 1540(a)(3)). Section 11(b)(3) of the Act contains similar language in regard to criminal violations (see 16 U.S.C. 1540(b)(3)). If you think incidental take of listed bats was reasonably certain to have occurred as a result of your hazard tree removal, we advise you to contact the Office of Law Enforcement as outlined above. In the future, we recommend planning ahead so that tree removal of potentially hazardous trees does not become an emergency. If you determine an emergency exists, however, and human life is in imminent danger, do not delay action. Also do not delay action if removal of the hazard tree is part of a federal response to a situation involving an act of God, disaster, casualty, national defense or security emergency, etc. - coordinate with the local USFWS field office as soon as practicable after the emergency is under control.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Gray Wolf *Canis lupus* Endangered
- Karner Blue Butterfly *Lycaeides melissa samuelis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above. Note that reinitiation of consultation would be necessary if a new species is listed or critical habitat designated that may be affected by the identified action before it is complete.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029640 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northern Lights 2025 Expansion Project Tomah Branch Line Loop

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project Tomah Branch Line Loop':

Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

Yes

25. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

Note: In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

27. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

28. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

30. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

Yes

31. Will the action direct any temporary lighting away from suitable northern long-eared bat roosting habitat during the active season?

Note: Active season dates for northern long-eared bat can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

32. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

33. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

34. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

Yes

35. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

36. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your [state agency or USFWS field office](#)

Automatically answered

No

37. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the northern long-eared bat?

Note: Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Yes

38. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 10 acres?

No

39. Will the action cause trees to be cut, knocked down, or otherwise brought down in a way that would fragment a forested connection (e.g., tree line) between two or more forest patches of at least 5 acres?

The forest patches may consist of entirely contiguous forest or multiple forested areas that are separated by less than 1000' of non-forested area. A project will fragment a forested connection if it creates an unforested gap of greater than 1000'.

No

40. Will the action result in the use of prescribed fire?

No

41. Will the action cause noises that are louder than ambient baseline noises within the action area?

Yes

42. Will the action cause noises during the active season in suitable summer habitat that are louder than anthropogenic noises to which the affected habitat is currently exposed?
Answer 'no' if the noises will occur only during the inactive period.

Note: Inactive Season dates for areas within a spring staging/fall swarming area can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

3.35

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

3.35

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

3.35

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

3.35

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of “no effect” or “may affect, not likely to adversely affect.” In each case, the Service has compiled and analyzed the best available information on the species’ biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a “Not Likely to Adversely Affect” (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a “May Affect” determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for “May Affect” determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of “There are no listed species found within the vicinity of the project,” then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029625
Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station
Project Type: Natural Gas Distribution
Project Description: Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



Counties: Houston County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

Golden Eagle
Non-BCC
Vulnerable



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

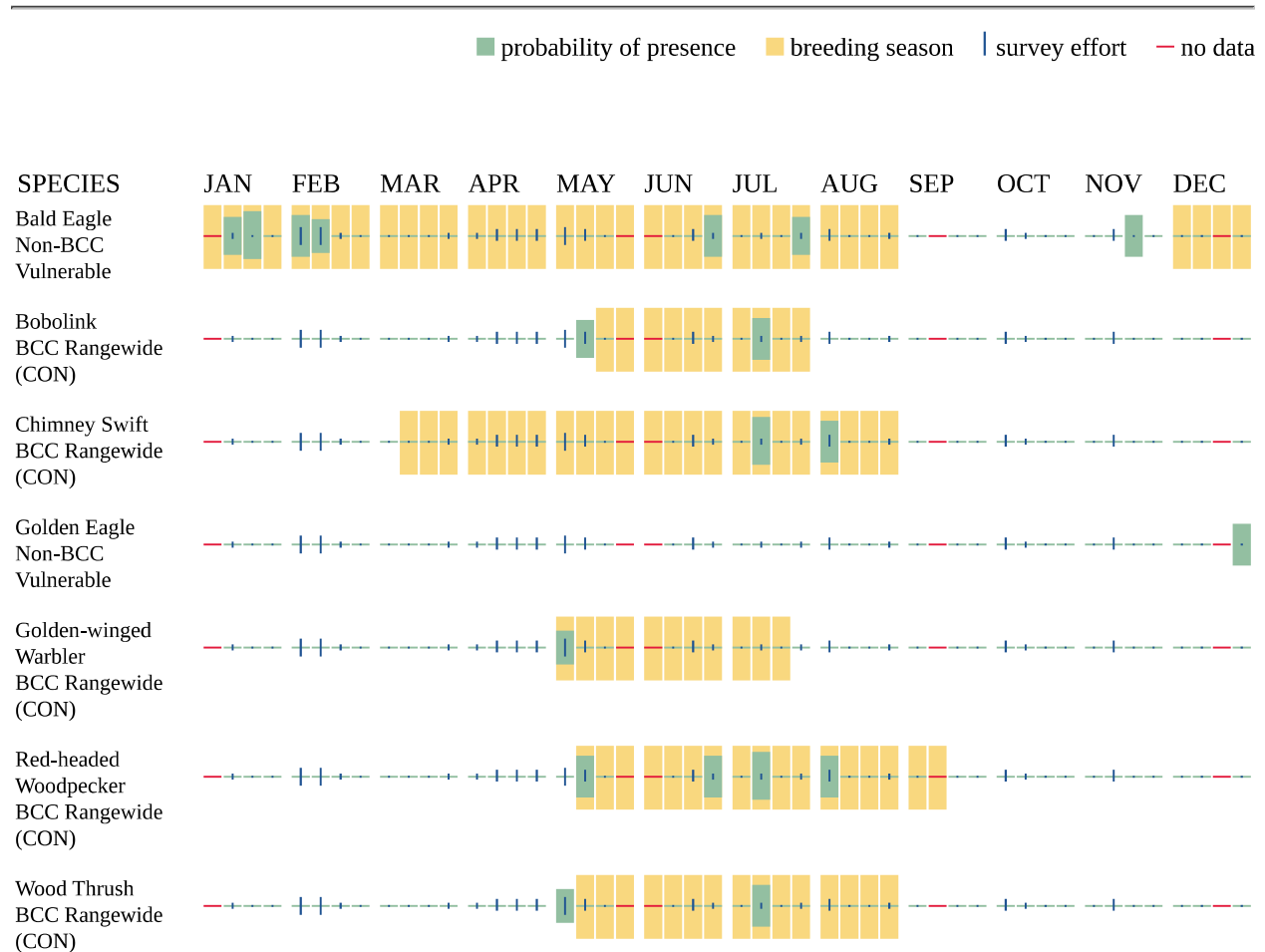
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

January 24, 2024

Project code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **January 24, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Higgins Eye (pearlymussel) (<i>Lampsilis higginsii</i>)	Endangered	No effect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	No effect
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Thank you for informing the Service of your "No Effect" determination(s). Your agency has met consultation requirements and no further consultation is required for the species you determined will not be affected by the Action.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Freshwater Mussels: Freshwater mussels are one of the most critically imperiled groups of organisms in the world. In North America, 65% of the remaining 300 species are vulnerable to extinction (Haag and Williams 2014). Implementing measures to conserve and restore freshwater mussel populations directly improves water quality in lakes, rivers, and streams throughout Minnesota and Wisconsin. An adult freshwater mussel filters anywhere from 1 to 38 gallons of water per day (Baker and Levinton 2003, Barnhart pers. comm. 2019). A 2015 survey found that in some areas, mussels can reduce the bacterial populations by more than 85% (Othman et al. 2015 in Vaughn 2017). Mussels are also considered to be ecosystem engineers by stabilizing substrate and providing habitat for other aquatic organisms (Vaughn 2017). In addition to ecosystem services, mussels play an important role in the food web, contributing critical nutrients to both terrestrial and aquatic habitats, including those that support sport fish (Vaughn 2017). Taking proactive measures to conserve and restore freshwater mussels will improve water quality, which has the potential to positively impact human health and recreation in the States of Minnesota and Wisconsin.

You have indicated that your Action will have no effect (NE) on Federally listed mussel species. However, state-listed mussels may occur in your Action area. Contact the Minnesota or Wisconsin Department of Natural Resources to determine effects to state-listed mussels.

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald

and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

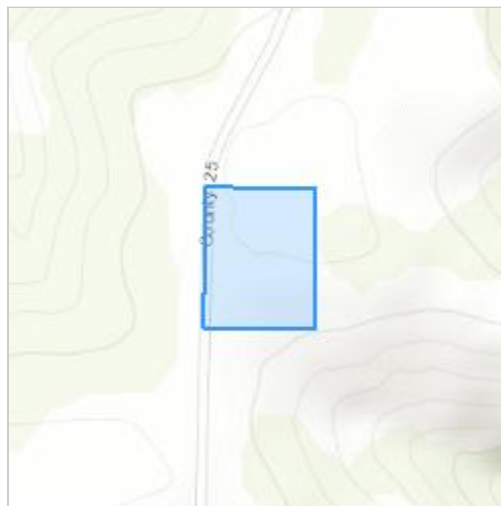
Northern Lights 2025 Expansion Project LaCrescent Compressor station

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project LaCrescent Compressor station':

Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

No

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

Yes

17. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

18. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

19. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

20. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

1. "No effect"

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Record of project representative's no effect determination for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' (here forward, Project). This project has been assigned Project Code 2024-0029625 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Higgins Eye (pearlymussel) *Lampsilis higginsii* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029625 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

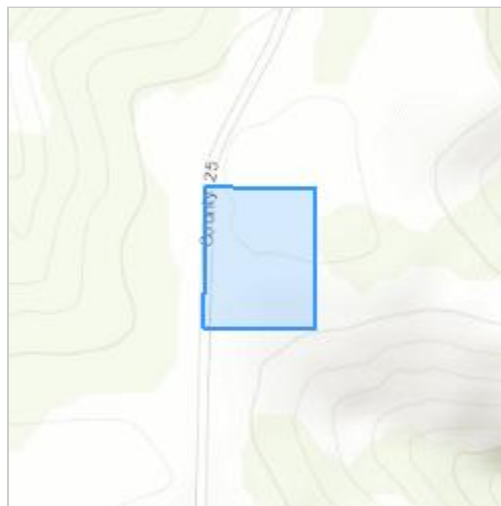
Northern Lights 2025 Expansion Project LaCrescent Compressor station

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project LaCrescent Compressor station':

Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

No

25. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

26. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

27. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

28. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

30. Will the action result in the use of prescribed fire?

No

31. Will the action cause noises that are louder than ambient baseline noises within the action area?

No

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

February 05, 2024

Project code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Federal Nexus: yes

Federal Action Agency (if applicable): Federal Energy Regulatory Commission

Subject: Record of project representative's no effect determination for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station'

Dear Timothy Paquin:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on February 05, 2024, for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' (here forward, Project). This project has been assigned Project Code 2024-0029625 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Higgins Eye (pearlymussel) *Lampsilis higginsii* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Minnesota-Wisconsin Ecological Services Field Office and reference Project Code 2024-0029625 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

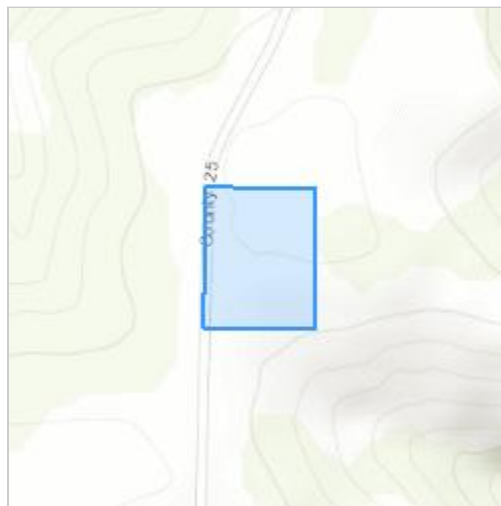
Northern Lights 2025 Expansion Project LaCrescent Compressor station

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project LaCrescent Compressor station':

Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

Yes

9. Is FERC reviewing the proposed action under the Natural Gas Act, in whole or in part?

Yes

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

20. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

21. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

22. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

23. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

24. Will the action include drilling or blasting?

No

25. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

26. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

No

27. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

28. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

29. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

30. Will the action result in the use of prescribed fire?

No

31. Will the action cause noises that are louder than ambient baseline noises within the action area?

No

PROJECT QUESTIONNAIRE

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

January 24, 2024

Project code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Subject: Consistency letter for 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Timothy Paquin:

The U.S. Fish and Wildlife Service (Service) received on **January 24, 2024** your effect determination(s) for the 'Northern Lights 2025 Expansion Project LaCrescent Compressor station' (Action) using the Minnesota-Wisconsin DKey within the Information for Planning and Consultation (IPaC) system. You have submitted this key to satisfy requirements under Section 7(a)(2). The Service developed this system in accordance of with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your answers and the assistance of the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Higgins Eye (pearlymussel) (<i>Lampsilis higginsii</i>)	Endangered	No effect
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	No effect
	Endangered	
Whooping Crane (<i>Grus americana</i>)	Experimental	No effect
	Population, Non-Essential	

Determination Information

Thank you for informing the Service of your "No Effect" determination(s). Your agency has met consultation requirements and no further consultation is required for the species you determined will not be affected by the Action.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Species-specific information

Freshwater Mussels: Freshwater mussels are one of the most critically imperiled groups of organisms in the world. In North America, 65% of the remaining 300 species are vulnerable to extinction (Haag and Williams 2014). Implementing measures to conserve and restore freshwater mussel populations directly improves water quality in lakes, rivers, and streams throughout Minnesota and Wisconsin. An adult freshwater mussel filters anywhere from 1 to 38 gallons of water per day (Baker and Levinton 2003, Barnhart pers. comm. 2019). A 2015 survey found that in some areas, mussels can reduce the bacterial populations by more than 85% (Othman et al. 2015 in Vaughn 2017). Mussels are also considered to be ecosystem engineers by stabilizing substrate and providing habitat for other aquatic organisms (Vaughn 2017). In addition to ecosystem services, mussels play an important role in the food web, contributing critical nutrients to both terrestrial and aquatic habitats, including those that support sport fish (Vaughn 2017). Taking proactive measures to conserve and restore freshwater mussels will improve water quality, which has the potential to positively impact human health and recreation in the States of Minnesota and Wisconsin.

You have indicated that your Action will have no effect (NE) on Federally listed mussel species. However, state-listed mussels may occur in your Action area. Contact the Minnesota or Wisconsin Department of Natural Resources to determine effects to state-listed mussels.

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald

and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the National Bald Eagle Management Guidelines (May 2007). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our regional eagle website or contact Margaret at Margaret_Rheude@fws.gov. **If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.**

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

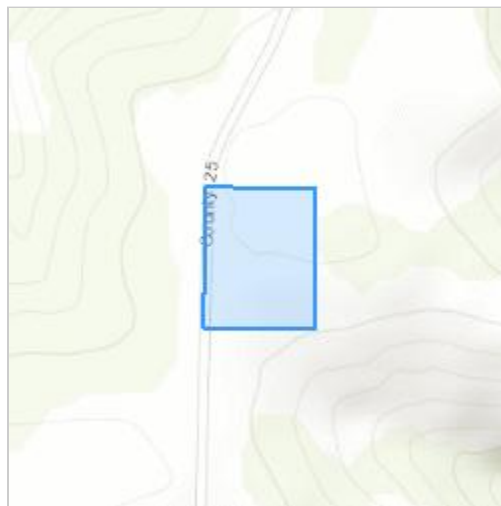
Northern Lights 2025 Expansion Project LaCrescent Compressor station

2. Description

The following description was provided for the project 'Northern Lights 2025 Expansion Project LaCrescent Compressor station':

Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

No

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Does the action occur near a bald eagle nest?

Note: Contact the Minnesota or Wisconsin Department of Natural Resources for an up-to-date list of known bald eagle nests.

No

9. Will your action permanently affect local hydrology?

No

10. Will your action temporarily affect local hydrology?

No

11. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

12. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

13. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

No

14. Will your action include spraying insecticides?

No

15. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

16. Have you determined that the action will have no effect on individuals within the whooping crane nonessential experimental population (NEP)?

Yes

17. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

18. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

Yes

19. [Hidden semantic] Does the action intersect the Tricolored bat species list area?

Automatically answered

Yes

20. The tricolored bat was proposed for listing as endangered on September 13, 2022. During winter, tricolored bats hibernate in caves, abandoned mines, and abandoned tunnels ranging from small to large in size. During spring, summer and fall months, they roost primarily among leaf clusters of live or recently dead deciduous/hardwood trees.

What effect determination do you want to make for the tricolored bat (Only make a "may affect" determination if you think the project is likely to jeopardize the continued existence of the species)?

1. "No effect"

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission

Appendix 3C

Habitat Assessment Reports

Northern Lights 2025 Expansion Project - Lake Mills to Albert Lea E-Line Extension Project Rare, Threatened, and Endangered Species Report

Freeborn County, Minnesota



Stantec Consulting Services Inc.

Prepared by:
Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55447
Phone: (763) 479-4200

Prepared for:
Terry Plucker
Northern Natural Gas
1111 South 103rd Street
Omaha, Nebraska 68124

January 12, 2024

Sign-off Sheet

This document entitled Northern Lights 2025 Expansion Project - Lake Mills to Albert Lea E-Line Extension Project Rare, Threatened, and Endangered Species Report was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Northern Natural Gas (the "Client"). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by Tim Paquin
(signature)

Tim Paquin, Environmental Scientist

Reviewed by Nathan Noland
(signature)

Nathan Noland, Environmental Scientist

Approved by Susan Knabe
(signature)

Susan Knabe, Principal

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Table of Contents

ACRONYMS LIST	I
1.0 INTRODUCTION	1
1.1 PROJECT DESCRIPTION.....	1
1.1.1 Construction Methods and Mitigation Measures	2
1.2 REGULATORY FRAMEWORK	3
2.0 METHODS.....	4
2.1 DESKTOP ASSESSMENT	4
2.2 FIELD SURVEYS.....	4
2.3 SPECIES EVALUATIONS.....	5
3.0 RESULTS	6
3.1 ECOLOGICAL OVERVIEW	6
3.2 VEGETATION	6
3.2.1 Land Cover Types	6
3.2.2 Vegetation Communities.....	7
3.3 SPECIES EVALUATION	7
3.3.1 Federally Listed Species	7
3.3.2 State-Listed Species.....	9
3.4 MIGRATORY BIRDS	10
3.4.1 County, State and Federal Lands	11
4.0 SUMMARY AND CONCLUSIONS.....	11
5.0 LIMITATIONS AND WARRANTY	13
6.0 REFERENCES.....	14

LIST OF TABLES

Table 1. Waterbodies and Wetlands to be Crossed by the Project.....	2
---	---

LIST OF APPENDICES

APPENDIX A	FIGURES	A.1
APPENDIX B	USFWS IPAC LIST OF SPECIES	B.1
APPENDIX C	PHOTOGRAPHS	C.1
APPENDIX D	MDNR MCE RESPONSE LETTER	D.1
APPENDIX E	FEDERAL AND STATE-LISTED SPECIES POTENTIALLY OCCURRING IN THE ESB IN FREEBORN COUNTY.....	E.1

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Acronyms List
January 2024

Acronyms List

BGEPA	Bald and Gold Eagle Protection Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CREP	USDA Conservation Reserve Enhancement Program
ESB	Environmental Survey Boundary
ESA	Endangered Species Act
ETWS	Extra Temporary Workspace
F	Fahrenheit
FERC	Federal Energy Regulation Commission
HDD	horizontal directional drill
IPaC	Information, Planning and Consultation
MBTA	Migratory Bird Treaty Act
MDNR	Minnesota Department of Natural Resources
MP	Milepost
NHIS	Natural Heritage Information System
NLEB	Northern Long-eared Bat
Northern	Northern Natural Gas
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
Procedures	Wetland & Waterbody Construction and Mitigation Procedures
Project	Northern Lights 2025 Expansion Project
ROW	Right of way
RTE	Rare, threatened, or endangered
Stantec	Stantec Consulting Services Inc.
SWCD	Soil and Water Conservation District
UNT	Unnamed tributary
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

1.0 Introduction

Stantec Consulting Services Inc. (Stantec) prepared this rare, threatened, and endangered (RTE) species report for the proposed lake Mills to Albert Lea E-line extension component of the Northern Lights 2025 Expansion Project (Project) located within Freeborn County, Minnesota. The work was conducted at the request of Northern Natural Gas (Northern) in order to facilitate compliance with the Endangered Species Act (ESA) of 1973 (16 United States Code [USC] A-1535-1543, P. L. 93-205), as amended.

This report describes the methods used to conduct the RTE species habitat assessment; and discusses the results of the investigation. This report does not serve as a project clearance letter for the above referenced Project but provides a professional opinion on the potential for project construction activities to affect federally and state-listed RTE species known to inhabit the aforementioned Freeborn, County, Minnesota.

1.1 PROJECT DESCRIPTION

Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The proposed extension will be tied in below ground at the current terminus of the E-line in Section 16, Township 101 North, Range 22 West (Section 16, T101N, R22W), Freeborn County, Minnesota. The valve setting at this location will be removed. The downstream tie-in to the 30-inch-diameter MNM80104 D-line (D-line) will be in Section 33, T102N, R22W, Freeborn County, Minnesota. The terminus of the proposed extension will tie into the D-line on the north side of 165th Street within a new valve setting, which is more fully described below.

Northern will install a belowground line stop on the E-line south of 135th Street (upstream of the take-off) to minimize methane venting to the atmosphere during tie-in activities.

Northern will remove the existing aboveground valve setting on the north side of 135th Street, in Section 16, T101N, Range 22W, Freeborn County, Minnesota. The existing lot measures 40 feet by 40 feet and the existing permanent driveway measures 75 feet by 20 feet (total footprint of 0.04 acre). The piping, guardrail and gravel also will be removed. The land will be returned to original grade. Northern will release the facility and access easement and maintain its pipeline easement.

Northern plans to construct and operate an aboveground valve setting at the terminus of the proposed extension, on the north side of 165th Street, in Section 33, T102N, Range 22W, Freeborn County, Minnesota. The new valve setting will include tie-in piping and valves from the proposed extension to the D-line. The valve setting measures 90 feet by 75 feet. Northern will utilize an existing gravel-covered landowner's private driveway, PD03, (named 165th Street) for permanent access to the proposed valve setting from 690th Avenue. For operational purposes, Northern will utilize the private driveway of 0.68 acre without improvements. Northern also will install two new permanent drives (PD01 and PD02), each measuring approximately 15 feet by 20 feet, which will

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

extend between PD03 and the proposed valve setting. The two new permanent driveways will measure 0.01 acre and will be graveled. A guard rail will be installed around the aboveground valve setting. The new aboveground facility footprint, along with the existing private driveway and new permanent driveways, will total approximately 0.85 acre.

The Lake Mills to Albert Lea will be installed parallel to Northern's D-line. The pipeline will be installed within a 100-foot-wide nominal construction corridor¹ in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

1. 1. 1 Construction Methods and Mitigation Measures

Northern will follow their plans and procedures to employ specific construction methods to minimize impacts on RTE species and their habitats in and along stream crossing location and downstream of crossing location. The pipeline will be installed within a 100-foot-wide nominal construction corridor.

Northern will cross the field delineated wetland and waterbodies via an ETWS and TAR. Northern will utilize BMPs where applicable to cross water resource areas to minimize ground disturbance. Areas temporarily affected by ground disturbing activities will be restored to previous site conditions. Vegetative communities that are affected by temporary work areas proposed will be allowed to revegetate naturally or restored using an approved pollinator friendly seed mix. No loss to water resources is anticipated by the Project. Table 1 lists the proposed location, width and water quality designation for the waterbody and wetlands crossed by the Project.

Table 1. Waterbodies and Wetlands to be Crossed by the Project.

Waterbody ³ / Wetland	Waterbody ³ / Wetland Type	MP	Crossing Width (feet)	State Water Quality Use Designations ²	Crossing Method (Contingency)
LMP-W06	Seasonally Flooded Basin/PEM1A	N/A	N/A	Not applicable	ETWS, TAR

¹ Wetland Classification based on Cowardin, Classification of Wetlands and Deepwater Habitats: PEM1C - Palustrine Emergent – persistent - seasonally flooded (Shallow Marsh)

² State Water Classification: Class 1 = Domestic Consumption. Class 2 = Aquatic Life and Recreation; A = cold water, B = warm water, g= applies for general warm water streams. Class 3 = Industrial Consumption; A – D refers to chlorides standards. Class 4 = Agriculture and Wildlife; A = applies to irrigation purposes, B = applies to use by livestock and wildlife. Class 5 = Aesthetic Enjoyment and Navigation. Class 6 = Other Uses and Protection of Border Waters. Class 7 = Limited Resource Value Waters. See additional discussion in 2.2.5.

³No waterbodies are crossed by the project component.

Northern plans to impact one emergent wetland feature (LMP-W06). Crossing of the wetland will be completed in accordance with applicable permit conditions and the measures specified in

¹ The construction corridor also is referred to as TWS as depicted on the alignment sheets and other drawings.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

the FERC Procedures. This will include locating ETWS in upland areas at least 50 feet from the wetland boundary, where practical; prohibiting refueling or fuel storage within 100 feet of wetland boundaries; and limiting impacts within wetland to temporary foot traffic to follow the HDD path.

To minimize impacts on terrestrial and arboreal RTE species and their habitat, Northern designed their Lake Mills to Albert Lea E-line to avoid wooded areas or fence rows where possible. Tree clearing is not anticipated for this Project component.

After construction activities are complete, the areas disturbed by construction that do not contain a permanent facility will be final graded. Original land contours will be restored, as near as practicable, to original conditions. Non-cultivated land will be reseeded in accordance with individual landowner requirements, land management agency requirements or NRCS and SWCD recommendations. The 50-foot-wide permanent ROW will be allowed to revegetate, and Northern will comply with FERC's maintenance and mowing procedures list in FERC's Plan. Northern will not mow their operational ROW where the pipeline was installed via HDD in wetland or riverine areas.

1.2 REGULATORY FRAMEWORK

This Project will be conducted under multiple regulatory policies developed for the protection of sensitive plant and animal species. These include the ESA, Bald and Gold Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The following paragraphs provide a brief overview of each of these policies.

- The ESA prohibits any person or entity from causing the take of any plant or animal species on the Secretary of the Interior's list of RTE species (Section 9(a)(1)(b)) and states that it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence, or result in the destruction or adverse modification of habitat determined to be critical to the conservation of any such species (Section 7(a)(2)). The ESA defines a take as the harassment, harm, pursuit, hunting, shooting, killing, trapping, capture, or collection of such species.
- The BGEPA, originally passed in 1940, and amended in 1962, provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting the take of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 USC 668(a); 50 Code of Federal Regulations [CFR] 22). The BGEPA defines a take as the pursuit, shooting, shooting at, poisoning, wounding, killing, capturing, trapping, collecting, molesting, or disturbing of a bald or golden eagle.
- The MBTA, originally passed in 1918, implements the United States commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource, protecting more than 800 species of birds. The list of migratory bird species protected by the MBTA appears in Title 50, Section 10.13, of the CFR (50 CFR § 10.13). The MBTA protects all native migratory birds and prohibits the taking, killing, possession, and transportation of migratory birds, their eggs, and parts, except when specifically permitted by regulations

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
January 2024

for specific intentional uses. The list of birds federally protected under the MBTA, activities that have the potential to take migratory birds, and recommendations for reducing such take can be found in 50 CFR 10 of the MBTA. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern.

2.0 Methods

Stantec conducted a desktop review for RTE, USFWS designated critical habitat, and potential for suitable habitat within the Northern-defined environmental survey boundary (ESB) based on review of USFWS database information and the MDNR Natural Heritage Information System (MDNR NHIS). Field surveys were used to confirm and supplement the desktop review and were used to assess possible presence of individuals or populations of protected species and species of conservation concern, as well as suitable habitat for those species as part of the wetland delineation throughout the ESB. Northern's ESB encompasses all proposed workspaces and typically provides a minimum of a 50-foot clearance buffer around workspaces.

2.1 DESKTOP ASSESSMENT

A desktop study of the ESB was completed prior to initiation of field surveys in 2023. The desktop assessment included review of aerial imagery, US Geological Survey (USGS) 7.5-minute quadrangle maps; USFWS National Wetland Inventory (NWI) maps; the USFWS Information, Planning and Consultation (IPaC) system (USFWS, 2023); the MDNR NHIS; state wildlife agency websites; and available literature. Stantec biologists reviewed the aforementioned information to identify and become familiar with the natural features and listed species most likely to be encountered in the Project area. The Official Species Lists from IPaC is included as Appendix B.

In preparation for field surveys, the USFWS IPaC Environmental Conservation Online System was accessed to review federally listed T&E, proposed, and candidate species and federally designated critical habitat that may be present within the ESB. On December 21, 2023, Stantec requested and received a USFWS IPaC Official Species List (consultation #2024-0029603) from the Minnesota-Wisconsin Ecological Services Field Office. The Official Species Lists from IPaC is included as Appendix B.

2.2 FIELD SURVEYS

Stantec conducted field surveys for presence of suitable habitats concurrent with the wetland delineations on August 8, September 11, October 26, and November 2, 2023. The field surveys consisted of pedestrian inspections to evaluate the presence/absence of suitable habitat and potential presence of listed species within the ESB. Field crews reviewed the list of protected species identified as having the potential to occur within the ESB and one-mile buffer of Project boundary. In addition, the field crews reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
January 2024

To support the development of site descriptions, vegetation characterizations, and evaluations of potential RTE species suitable habitats, field crews documented existing upland and wetland vegetative communities and land cover characteristics present within the survey areas. A photographic log showing representative vegetation communities is included as Appendix C.

2.3 SPECIES EVALUATIONS

The potential for occurrence of each species within the construction footprint for the Project ("Project area"), was summarized according to the categories listed below. Potential for occurrence categories are as follows.

- **Known to occur**—the species has been documented in the Project area by a reliable observer.
- **May occur**—the Project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- **Unlikely to occur**—the Project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the Project area is clearly outside the species' currently known range.
- **Does not occur**—the species does not occur in the Project area.

Those species listed by the USFWS were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect and is likely to adversely affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **May affect, but not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

Those species listed by the MDNR were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **Not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

3.0 Results

3.1 ECOLOGICAL OVERVIEW

The Project lies within Major Land Resource Area (MLRA) 103 Central Iowa and Minnesota Till Prairies. This area is in the Western Lake Section of the Central Lowland Province of the Interior Plains and is called the “Des Moines Lobe” of the Wisconsin-age ice sheet. The landscape is nearly level to gently rolling with moraines, especially in the eastern area and some glacial lake plains. Lakes, marshes and potholes occur through the area.

The average annual precipitation in most of this area is 24 to 37 inches (619 to 929 millimeters), increasing from northwest to southeast. Most of the rainfall occurs as high-intensity, convective thunderstorms during the summer. Two-thirds or more of the precipitation falls during the freeze-free period. Snowfall is common in winter. The average annual temperature ranges from 43 to 50 degrees F (6 to 10 degrees C). The freeze-free period averages about 155 days and ranges from 140 to 180 days [United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2022].

3.2 VEGETATION

Land use within the Central Iowa and Minnesota Till Prairies is approximately 80% cropland, 5% grassland, 3% forest, 6% urban development, 2% water and 4% other land uses. Where grasslands still occur, they are characterized by little bluestem (*Schizachyrium scoparium*), Indiangrass (*Sorghastrum nutans*), and switchgrass (*Panicum virgatum*). In droughty soils, little bluestem, Indiangrass, and needlegrass (*Hesperostipa spartea*) grow. Little bluestem, sideoats grama (*Bouteloua curtipendula*), blue grama (*Bouteloua gracilis*), and scattered bur oak (*Quercus macrocarpa*), juniper (*Juniperus communis*), and sumac (*Rhus typhina*) grow in very shallow soils (USDA, NRCS 2022).

3.2.1 Land Cover Types

During field surveys, Stantec identified three general land cover types within the Project area. Using vegetation species associations, land cover in the Project area was classified as agricultural land, open land, and wetlands. General descriptions of the land cover types encountered in the Project area are as follows.

- **Agricultural Land** – including active cropland (including specialty crop or turf grass production), cropland that had recently been plowed, areas that had been harvested and fallow or idle areas that appeared to be regularly used to grow agricultural crops.
- **Open Land** – including non-forested herbaceous uplands, rangeland, scrub-shrub land, areas that were being used to grow hay, non-agricultural fields and/or other herbaceous areas that are dominated by a mixture of mid-grass or short-grass species. The vegetation also includes mowed areas and areas of mixed weeds and grass along roadsides.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

- **Wetlands** –including areas dominated by wetland vegetation and exhibiting hydric soils and wetland hydrology, including those that are farmed. Wetland types include floodplain forested wetland, shallow marsh, and farmed seasonally flooded wetland.

3.2.2 Vegetation Communities

Stantec identified three general types of vegetation communities within the Project area, identified below.

- **Agricultural Land** –A majority of the ESB consists of actively cultivated fields. The Project area consisted primarily of cultivated crop land planted with corn (*Zea mays*, UPL) and soybean (*Glycine max*, UPL).
- **Road ROW and Residential Lawn** – Areas along roadsides and within residential properties are highly disturbed and routinely maintained by mowing or herbicide practices. These vegetative communities included non-native herbaceous vegetation such as smooth brome (*Bromus inermis*, UPL), Kentucky bluegrass (*Poa pratensis*, FACU), fescue (*Festuca* sp.), pollinators such as white clover (*Trifolium repens*, FACU), and red clover (*Trifolium pratense*, FACU).
- **Wetland** – Eight wetlands were observed in the ESB. The wetlands were classified as seasonally flooded basin, and degraded wet meadow. The seasonally flooded basin wetland vegetation community consisted harvested corn (*Zea mays*, UPL) or soybean (*Glycine max*, UPL), or grass and sedge mixes including barnyard grass (*Echinochloa crus-galli*, FACW), reed canary grass (*Phalaris arundinacea*, FACW), and yellow nut sedge (*Cyperus esculentus*, FACW). The degraded wet meadow vegetation community was dominated by reed canary grass, stinging nettle (*Urtica dioica*, FACW), sandbar willow (*Salix interior*, FACW), and hybrid cattail (*Typha x glauca*, OBL). The farmed wetlands consisted recently harvested corn or soybean, or reed canary grass.

3.3 SPECIES EVALUATION

A review of federally and state-protected species, species of conservation concern, associated habitats, and other rare natural features that are known to occur within one mile of the Project ESB was conducted as described in Section 2. 1. Information provided by the USFWS Minnesota-Wisconsin Ecological Services Field Office (Appendix B) and the MDNR NHIS database was included in the review of the Project for potential impacts to these resources.

The federally and state-listed species with suitable habitat and/or potential to occur within the Project area are discussed below and summarized in Appendix B, D, and E.

3.3.1 Federally Listed Species

Northern received an official IPaC letter from the USFWS Minnesota-Wisconsin field office on December 21, 2023 (consultation #2024-0029603). The USFWS determined that the following

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

federally listed species may occur in the proposed Project area or be affected by the proposed action in Minnesota:

- Northern long-eared bat (*Myotis septentrionalis*) – endangered
- Tricolored bat (*Perimyotis subflavus*) – proposed endangered
- Monarch butterfly (*Danaus plexippus*) - candidate

These species and their habitats are described below.

Northern long-eared bat

During winter, NLEBs use large caves and mines that have large passages and entrances, constant temperatures and high humidity with no air currents; however, no large caves or mines were identified within the ESB. However, portions of the ESB may contain suitable summer habitat for the NLEB. However, no forested communities will be crossed by the Project and no tree clearing is proposed.

Freeborn County (Lake Mills to Albert Lea E-line) is not listed as a county with documented white-nose syndrome according to the white-nose Syndrome Response Team web map (White-nose Syndrome Response Team 2023). No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied maternity roost trees (MDNR and USFWS 2023).

Due to no tree clearing proposed by the Project and that occurrences of NLEB are not expected to occur, the Project is anticipated to have no effect on the NLEB.

Tricolored bat

During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road culverts, tree cavities, and abandoned water wells. During the non-hibernating seasons, tricolored bats roost in leaf clusters of living or dead deciduous hardwood trees. Tricolored bats have also been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures (USFWS 2023).

No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied maternity roost tree (MDNR and USFWS 2023). Portions of the ESB may contain suitable summer habitat for the tricolored bat. However, no forested communities will be crossed by the Project and no tree clearing is proposed. Based on the information, occurrences of the tricolored bat within the Project area are unlikely. Therefore, the Project is anticipated to have no effect on the tricolored bat.

Monarch butterfly

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated). Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will plant pollinator friendly seed mix within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Northern has determined the Project may affect, but is not likely to adversely affect the monarch butterfly.

3.3.2 State-Listed Species

Under Stantec's Limited License to Use Copyrighted Material (LA-2022-23) related to Rare Features Data, the MNDR NHIS was searched in December 2023 to identify any state listed threatened or endangered species. No species were identified within the Project area, but records for two species were identified within one mile of the Project area:

- Common gallinule (*Gallinula galeata*) – Special concern
- Trumpeter swan (*Cygnus buccinator*) - Special concern

A NHIS review request was submitted through the MDNR's Minnesota Conservation Explorer (MCE) tool on January, 10 2024. Initial automated results were received on January 10, 2024 (MCE #: 2024-00034) indicating that no further review was needed. Final results of the MCE review are located in Appendix D.

Common gallinule

Habitat for the common gallinule includes freshwater cattail-bulrush marshes and prairie. This can include rivers, lakes, ponds and small marshes along the edges of lakes or rivers. Preferred habitat characteristics include deep water, open water and emergent vegetation, abundant dead vegetation, floating islands of organic matter, and abundant muskrat (*Ondatra zibethicus*) runways. Common gallinules can be sensitive to human disturbance, moving away from areas frequented by people. (MDNR 2023).

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

The Lake Mills to Albert Lea E-line did not include suitable habitat for the common gallinule (open water features) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect on this species.

Trumpeter swan

During the breeding season, trumpeter swans will utilize small lakes and ponds or bays in larger bodies of water with emergent vegetation such as cattails (*Typha spp.*), bulrushes (*Scirpus spp.*), and sedges (*Carex spp.*) for nesting cover. Preferred habitat includes unpolluted fresh water, emergent marsh vegetation, areas of low human disturbance, and the presence of muskrat or beaver houses that they can use for nesting platforms. At least 100 meters of open water is needed for the trumpeter swan to take off. (MDNR 2023).

The Lake Mills to Albert Lea E-line did not include suitable habitat for the trumpeter swan (large open water features such as lakes or ponds) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect on this species.

3.4 MIGRATORY BIRDS

Based on review of the USFWS IPaC Species list (USFWS 2023) for the ESB and one-mile buffer in Freeborn County, there are nine migratory bird species that may occur within the ESB. The protection of migratory birds is regulated by the MBTA and BGEPA. Any activity, intentional or unintentional, that results in take of migratory birds is prohibited unless otherwise permitted by the USFWS. Depending on the timing of construction, the Project may potentially affect nests, eggs, and/or young of birds protected under the MBTA.

The North American Bird Conservation Initiative maintains a list of Bird Conservation Regions (BCRs) (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the BCR 11 - Prairie Potholes. The USFWS Birds of Conservation and Concern 2021 report (USFWS 2021) identifies 33 Birds of Conservation and Concern within BCR 11.

Important Bird Areas (IBAs) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, and/or migrating birds (Audubon undated). The Project does not cross an IBA. The nearest IBA to the Project include the Elk Creek Marsh IBA, approximately 8.9 miles southeast from the Project to its nearest point.

Tree clearing is not anticipated to be required for the Project. However, minor shrub and herbaceous vegetation clearing by hand may be needed at the start of construction and construction timing may overlap migratory bird nesting seasons. Once vegetation is removed from the construction area, nesting surveys are not needed due to lack of nesting habitat and likely reluctance to nest due to human presence/ongoing activities.

Northern plans to begin construction in Spring 2025, within the primary nesting season. Construction will continue to November 1, 2025. Northern will attempt to limit removal or impacts

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 2024

on vegetation during the primary nesting season of breeding birds. If construction work cannot be avoided during the peak breeding season, Northern will have a biologist conduct a pre-construction nest survey for breeding birds within the Project workspaces. The nest survey will determine the absence or presence of breeding birds and their nests. Pre-construction nest surveys will be completed for all Project components according to the following procedures.

- No more than seven days before construction activities commence, pre-construction nest surveys for migratory birds will be completed by a qualified avian biologist. The area surveyed will include the proposed workspaces or areas where potentially suitable habitat has been identified.
- If an occupied raptor nest is observed during the survey, construction activities will not be permitted within a 660-foot buffer of the raptor nest site during the breeding season or until the fledglings have left the area. Northern will complete consultation with the USFWS and MDNR if an active raptor nest is observed.
- If a nest, other than a raptor nest, is observed during the survey, construction activities will not be permitted within a 100-foot buffer of the nest until consultation with the respective MDNR and USFWS field office occurs. Northern will implement buffers and practices recommended by agencies during the consultation.
- Upon completion, the survey results will be submitted to the USFWS and MDNR. If breeding birds are not present, construction can proceed with no restrictions. If breeding birds or active nests are present, additional consultation will be completed.

Nest surveys will be conducted prior to any clearing or construction activity; therefore, the Project will have no effect on nesting migratory birds of concern or species protected by the BGEPA.

3.4.1 County, State and Federal Lands

No other county, state or federal lands will be crossed by the Project.

4.0 Summary and Conclusions

Stantec performed a review of federally and state-protected species that may occur within the Project ESB. Based on the review, Stantec identified three federally listed and two state-listed species that could occur within a one-mile buffer around the ESB in Freeborn County, Minnesota. Those species include the northern long-eared bat (endangered), tricolored bat (federally proposed endangered), monarch butterfly (federal candidate), Common gallinule (state special concern), and trumpeter swan (state special concern).

No federally designated critical habitats occur within the Project area. In addition to the desktop review, field assessments of suitable habitats of protected species with the potential to occur within the proposed Project area were conducted concurrently with the wetland delineations on August 8, September 11, October 26, and November 2, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 2024

Based upon field observations and habitat requirements of listed species, Stantec determined that the proposed Project will have no effect on the NLEB, tricolored bat, common gallinule and the trumpeter swan.

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will plant pollinator friendly seed mix within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Northern has determined the Project may affect, but is not likely to adversely affect the monarch butterfly.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Limitations and Warranty
January 2024

5.0 Limitations and Warranty

Within the limitations of schedule, budget, and scope of work, Stantec warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of Stantec scientists. No other warranty, expressed or implied, is made. Please be aware that only the USFWS and/or lead federal agency can determine compliance with the ESA.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

6.0 References

Audubon. undated. Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. Accessed December 28, 2023.

MDNR. 2022. Butterfly Gardens. Available at: <https://www.dnr.state.mn.us/gardens/butterfly/index.html>. Accessed December 28, 2023.

MDNR. 2023. Rare Species Guide. Available at: <https://www.dnr.state.mn.us/rsg/index.html>. Accessed December 28, 2023.

MDNR and USFWS 2023. Townships Containing Documented Northern Long-Eared Bat (NLEB) Maternity Roost Trees and/or Hibernacula Entrances in Minnesota. Available at: https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf. Accessed December 27, 2023.

NABCI. 2021. Bird Conservation Regions Map. Available at <http://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 28, 2023.

National Wildlife Federation. undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 27, 2023.

USDA Forest Service. undated. Migration and Overwintering. Available at: https://www.fs.usda.gov/wildflowers/pollinators/Monarch_Butterfly/migration/index.shtml. Accessed December 28, 2023.

USDA NRCS. 2022. Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin. United States Department of Agriculture Handbook 296.

USFWS. 2021. Birds of Conservation Concern 2021. U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. December 28, 2023.

USFWS. 2023. Tricolored Bat (*Perimyotis subflavus*). U.S. Fish & Wildlife Service. Available: <https://fws.gov/species/tricolored-bat-perimyotis-subflavus>. Accessed December 2023.

USFWS. 2023. IPaC – Information, Planning, and Conservation System. Available at: <http://ecos.fws.gov/ipac/>. Accessed December 28, 2023.

White-nose Syndrome Response Team 2023. 2023 Web Map. Available at: [White-Nose Syndrome \(whitenosesyndrome.org\)](http://whitenosesyndrome.org). Accessed December 28, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

Appendix A Figures

\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

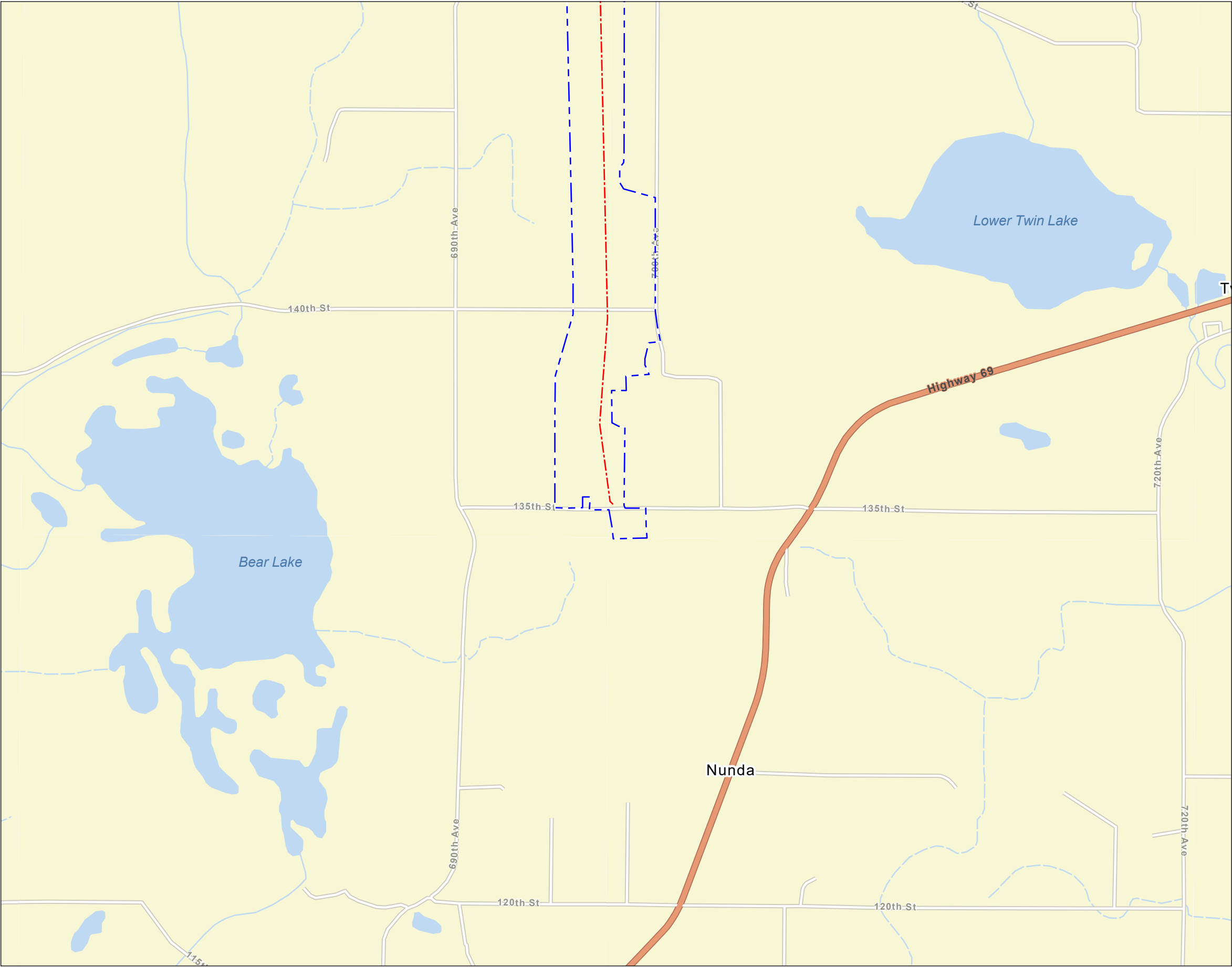


Figure No.
1

Title
Project Location

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

172608212

Project Location
Freeborn Co., MN

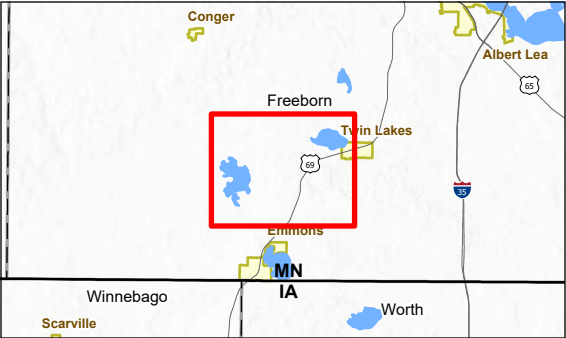
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-31

N

0 1,000 2,000 Feet
(At original document size of 11x17)
1:24,000

Legend

- Proposed Centerline
- Environmental Survey Boundary



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS
3. Background: ESRI Streets Map



\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

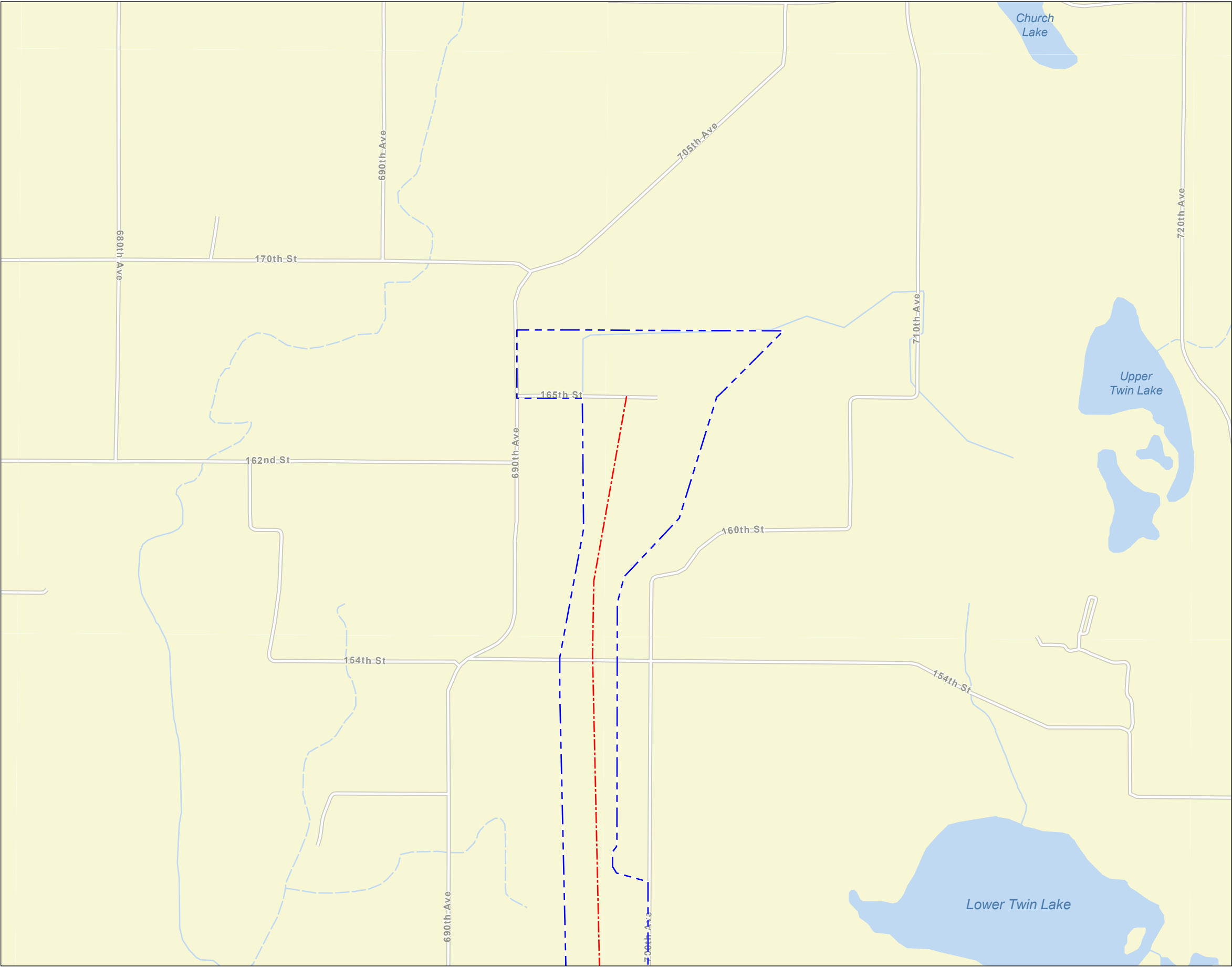


Figure No.
1

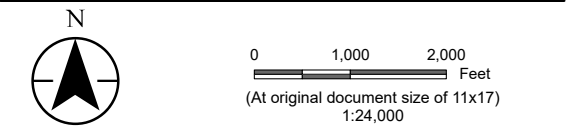
Title
Project Location

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

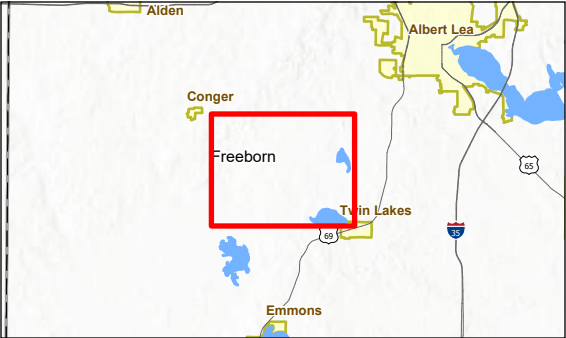
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-31



- Legend
- Proposed Centerline
 - Environmental Survey Boundary



- Notes
- Coordinate System: NAD 1983 UTM Zone 15N
 - Data Sources: Stantec, NNG, NADS, USGS
 - Background: ESRI Streets Map



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxd\172608212_NL_2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5

Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

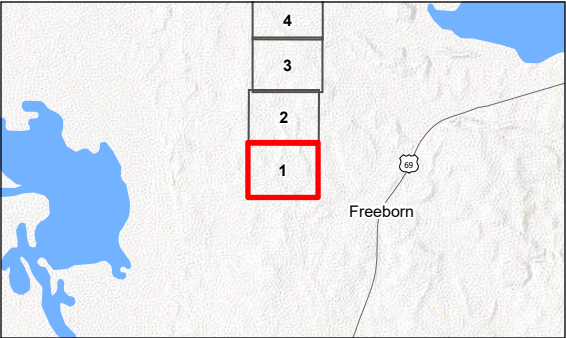
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ▬ HDD Segment | Field Delineated Waterway |
| --- Proposed Centerline | Field Delineated Open Water |
| — Existing Centerline | Field Delineated Waterway Area |
| □ Environmental Survey Boundary | Field Delineated Wetland |
| ▭ Existing Facility | National Hydrography Dataset / DNR 24k Hydrography |
| ▨ Extra Temporary Workspace | Perennial Stream |
| ▨ Existing Drive | Intermittent Stream |
| ▨ Temporary Access Road | Waterbody |
| ▨ Temporary Workspace | |
| ▨ Staging Area | |
| ■ Storm Drain | |



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N

2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR

3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5

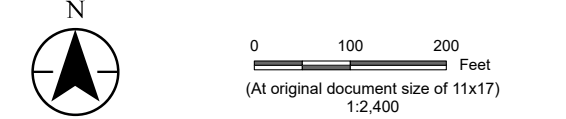
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

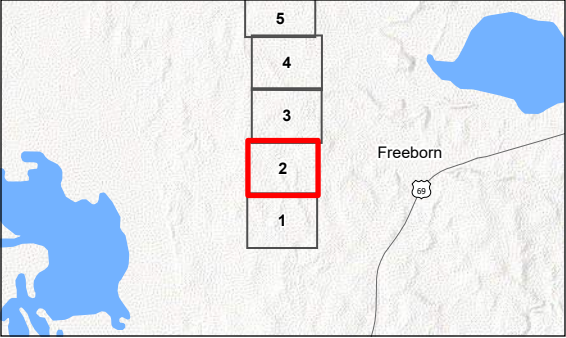
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Storm Drain
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

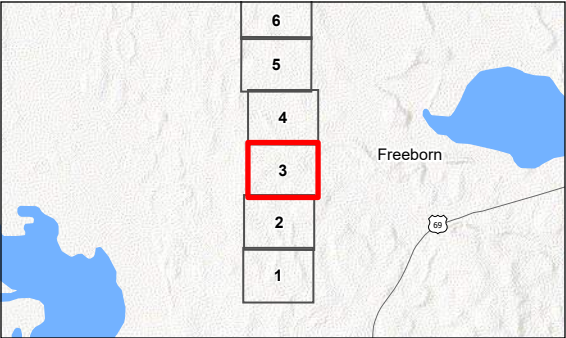
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ▬ HDD Segment | Field Delineated Waterway |
| - - - Proposed Centerline | Field Delineated Open Water |
| — Existing Centerline | Field Delineated Waterway Area |
| □ Environmental Survey Boundary | Field Delineated Wetland |
| □ Extra Temporary Workspace | National Hydrography Dataset / DNR 24k Hydrography |
| □ Temporary Workspace | Perennial Stream |
| □ Staging Area | Intermittent Stream |
| △ Culvert | Waterbody |
| ■ Storm Drain | |



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212_03_data\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

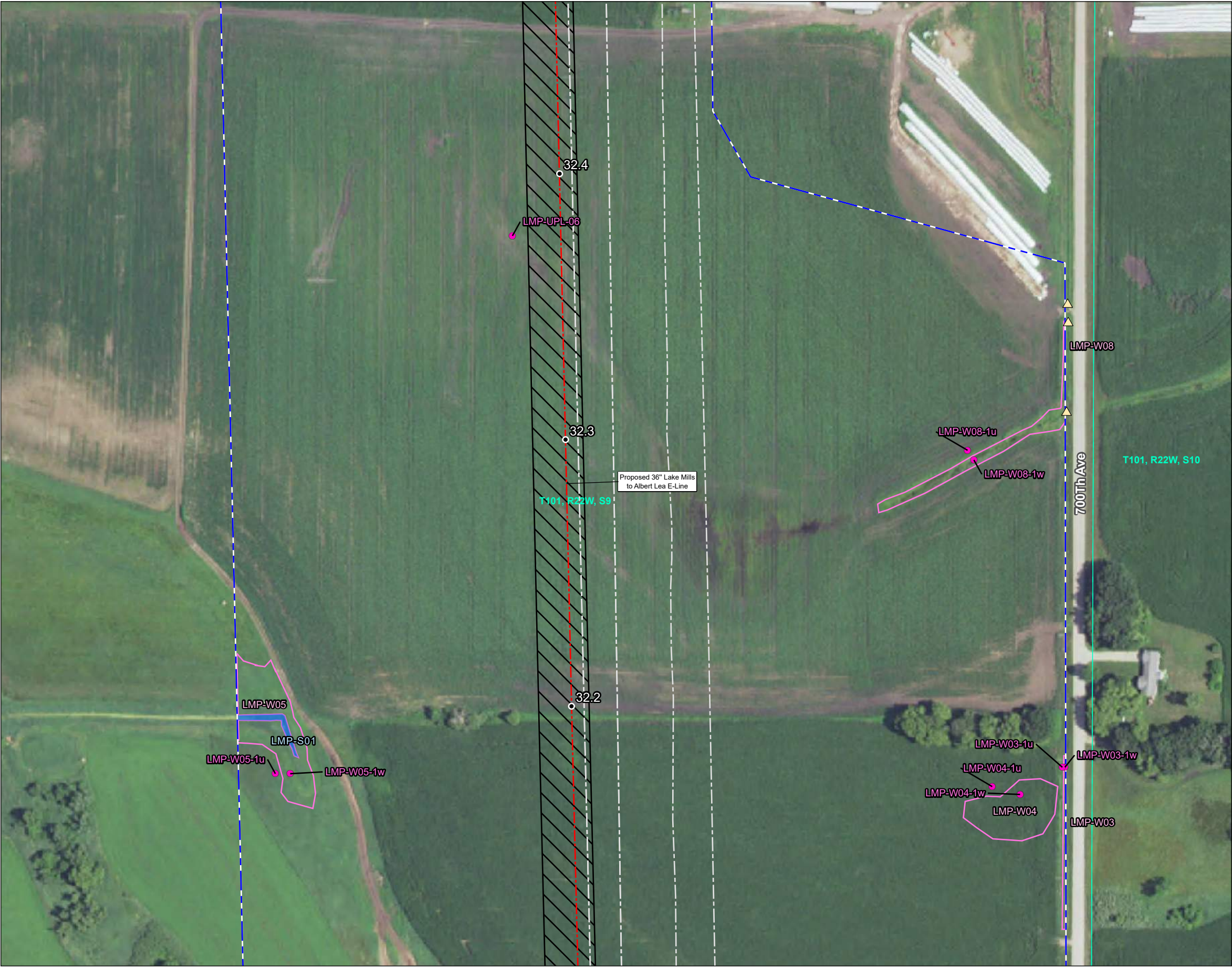
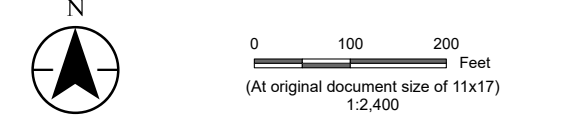


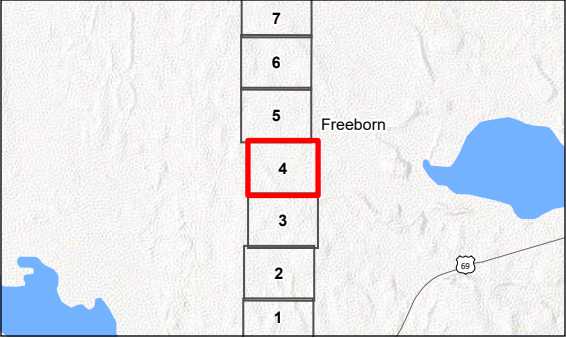
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Temporary Workspace
 - △ Culvert
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



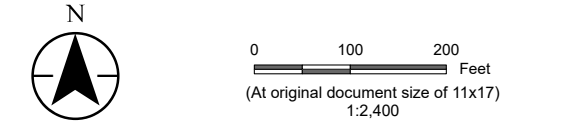
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



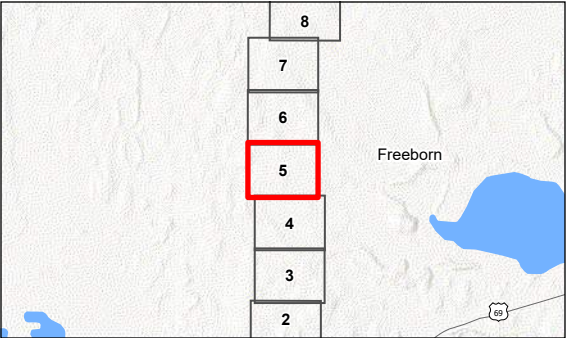
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - █ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - ▨ Temporary Workspace
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



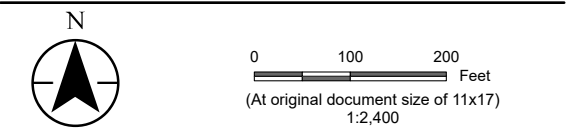
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

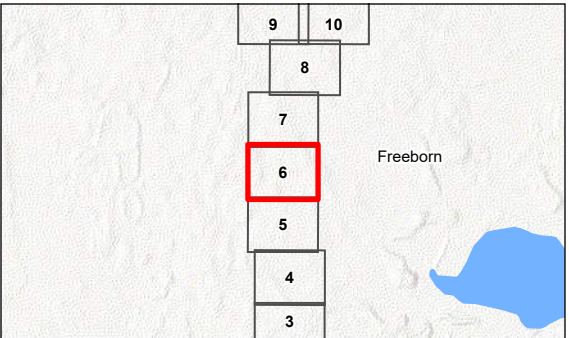
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - █ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Staging Area
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

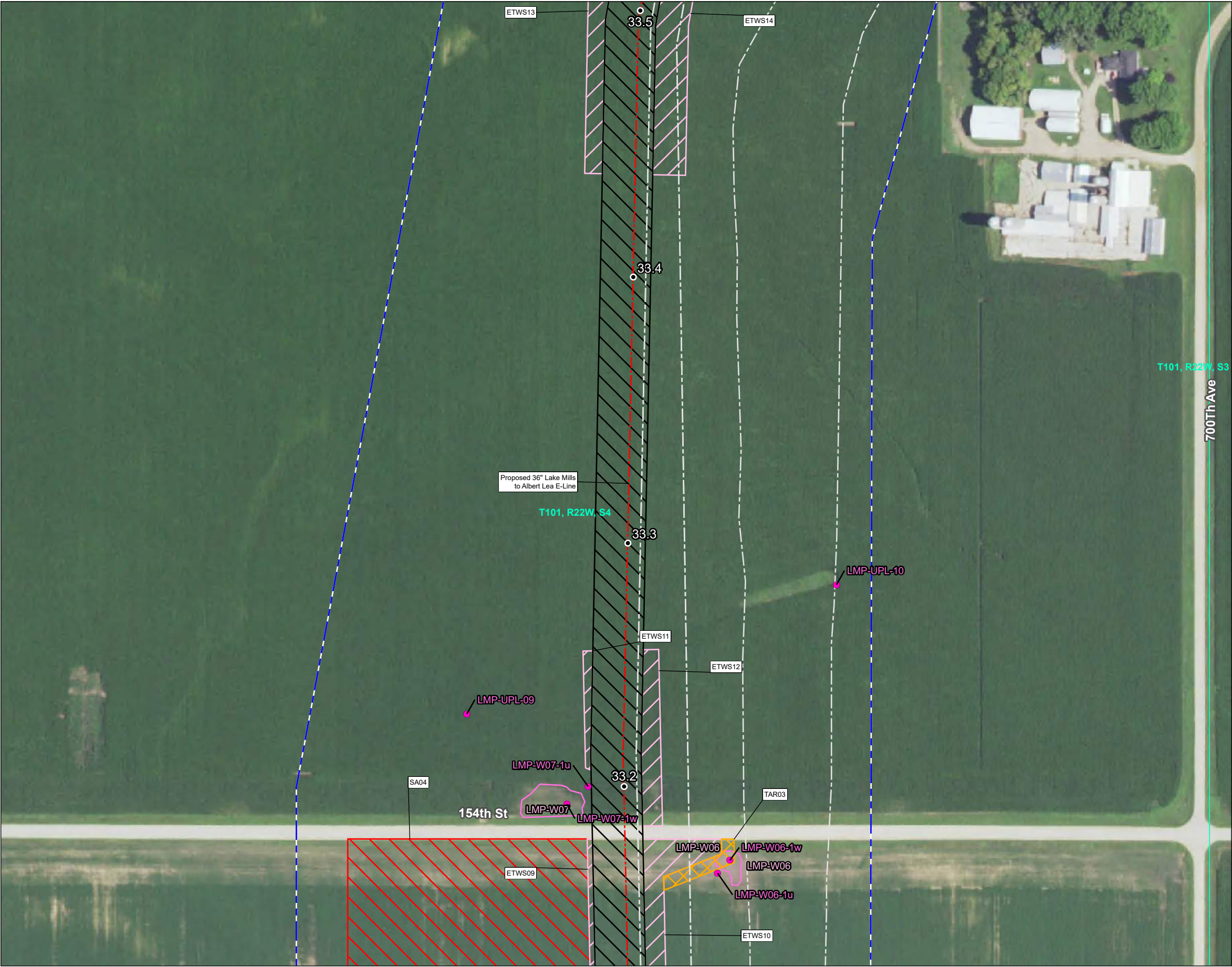
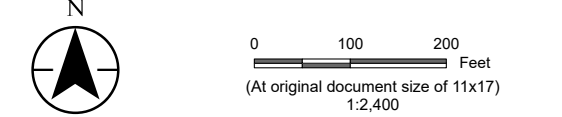


Figure No.
5
Title
Field Collected Data

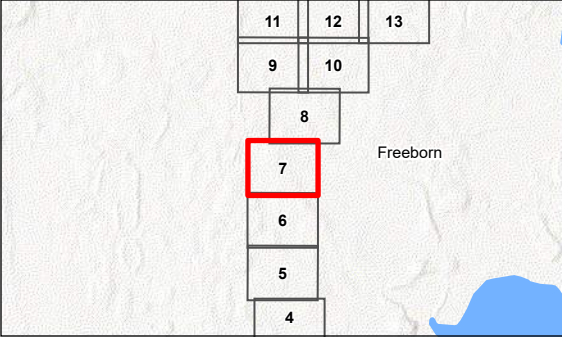
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Access Road
 - Temporary Workspace
 - Staging Area
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxs\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

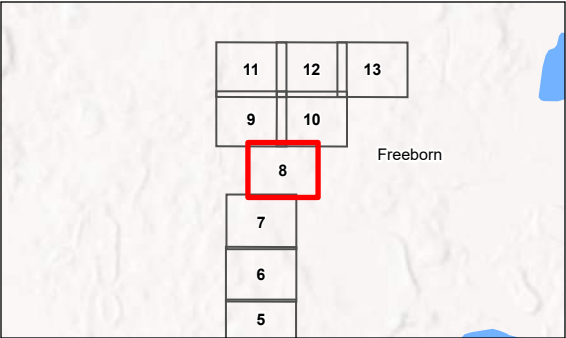
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

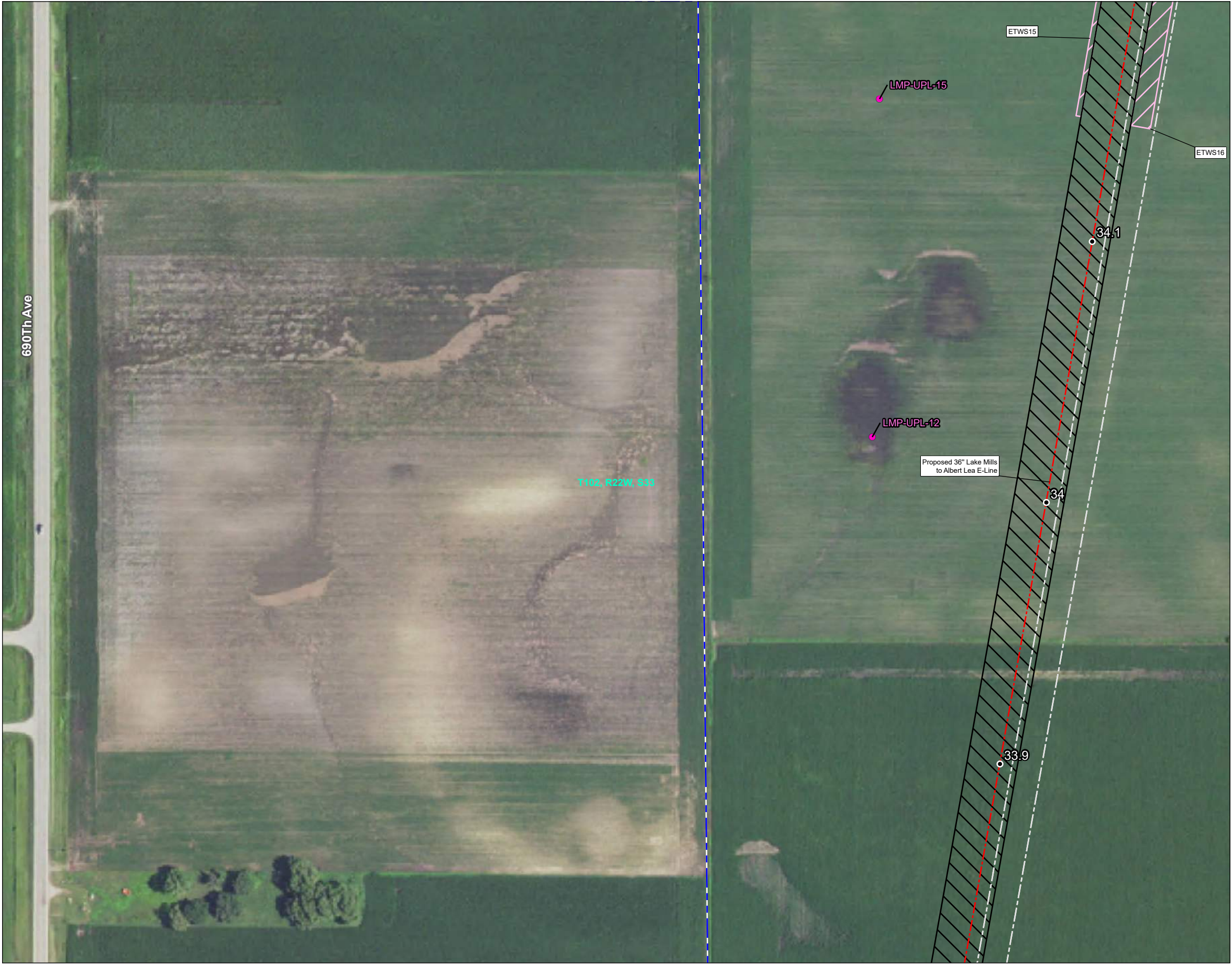


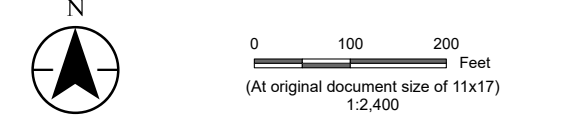
Figure No.
5

Title
Field Collected Data

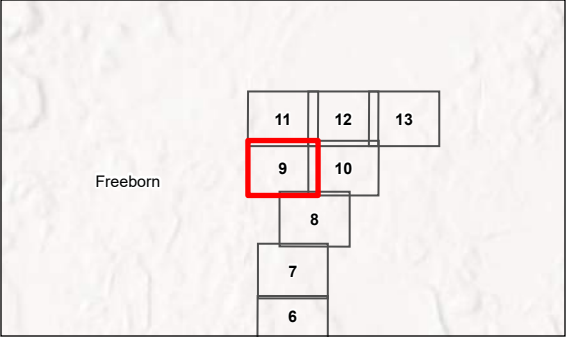
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



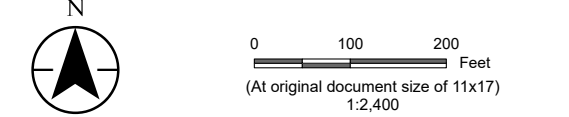
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxs\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



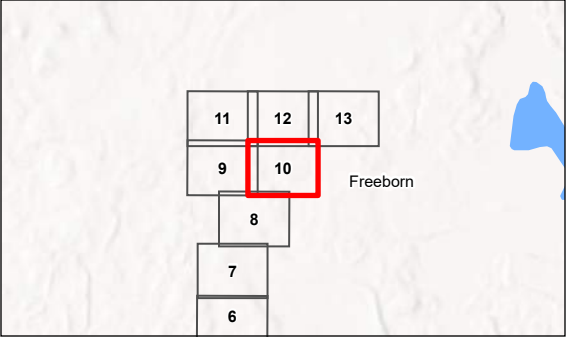
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP





Figure No.

5

Title
Field Collected Data

<i>Client/Project</i>	172608212
Northern Natural Gas	
Northern Lights 2025 Expansion Project	
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension	

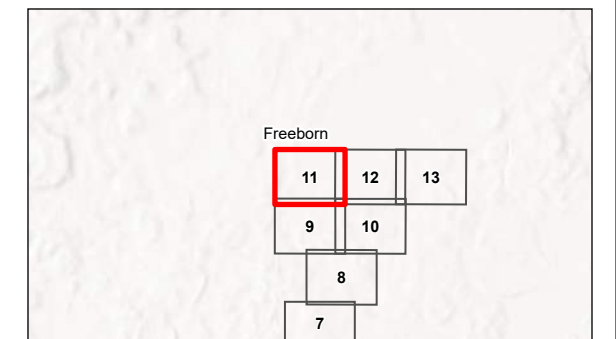
Project Location Freeborn Co., MN	Prepared by DJG on 2023-12-11 TR by SF on 2023-12-19 IR by SK on 2024-01-31
---	---



0 100 200 Feet
(At original document size of 11x17)
1:2,400

Legend

- Milepost
- HDD Segment
- Proposed Centerline
- Existing Centerline
- Environmental Survey Boundary
- Proposed Facility
- Extra Temporary Workspace
- Proposed Drive
- Temporary Access Road
- Temporary Workspace
- Staging Area
- Sample Point
- Field Delineated Waterway
- Field Delineated Open Water
- Field Delineated Waterway Area
- Field Delineated Wetland
- National Hydrography Dataset / DNR 24k Hydrography
- Perennial Stream
- Intermittent Stream
- Waterbody



Notes

- NOTES**
1. Coordinate System: NAD 1983 UTM Zone 15N
 2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
 3. Background: 2021 NAIP



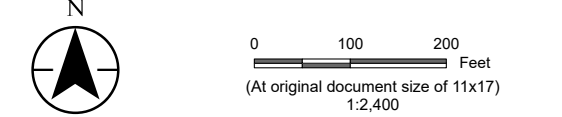
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



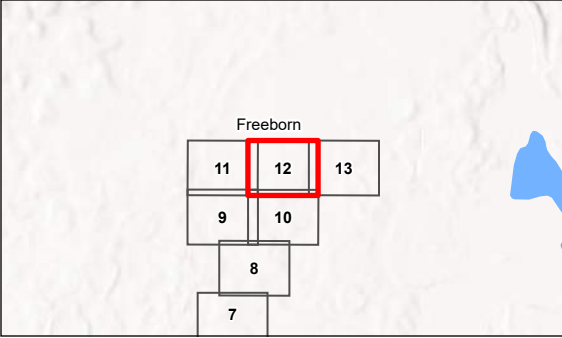
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension
172608212

Project Location
Freeborn Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Proposed Facility
 - Extra Temporary Workspace
 - Proposed Drive
 - Temporary Access Road
 - Temporary Workspace
 - Staging Area
 - △ Culvert
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5

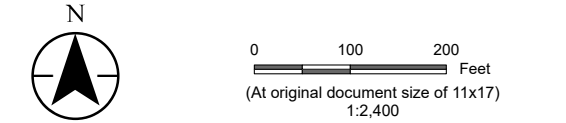
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Lake Mills to Albert Lea E-Line Extension

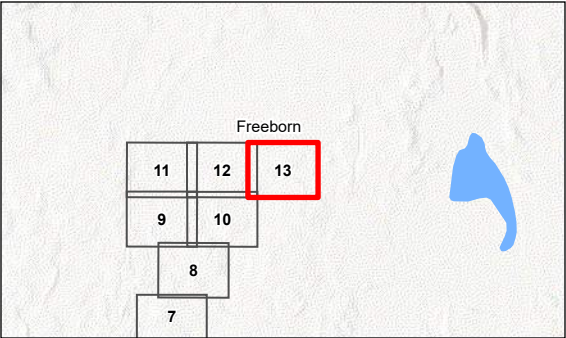
172608212

Project Location
Freeborn Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - █ HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - - - Intermittent Stream
 - Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



**NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE
EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix B USFWS IPaC List of Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029603

Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys helps to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

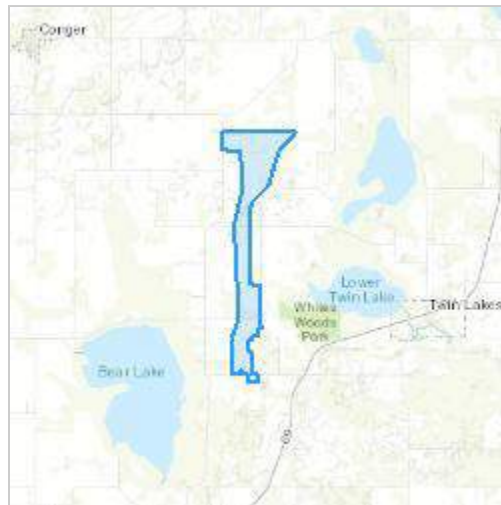
(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029603
Project Name: Northern Lights 2025 Expansion Project Lake Mills to Albert Lea E-Line
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn County, Minnesota. The pipeline will be installed within a 100-foot-wide nominal construction corridor in uplands. In addition to the construction corridor, Northern will utilize ETWS, existing driveways and farm roads, temporary access roads and staging areas during construction.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.57332135,-93.47275084044617,14z>



Counties: Freeborn County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

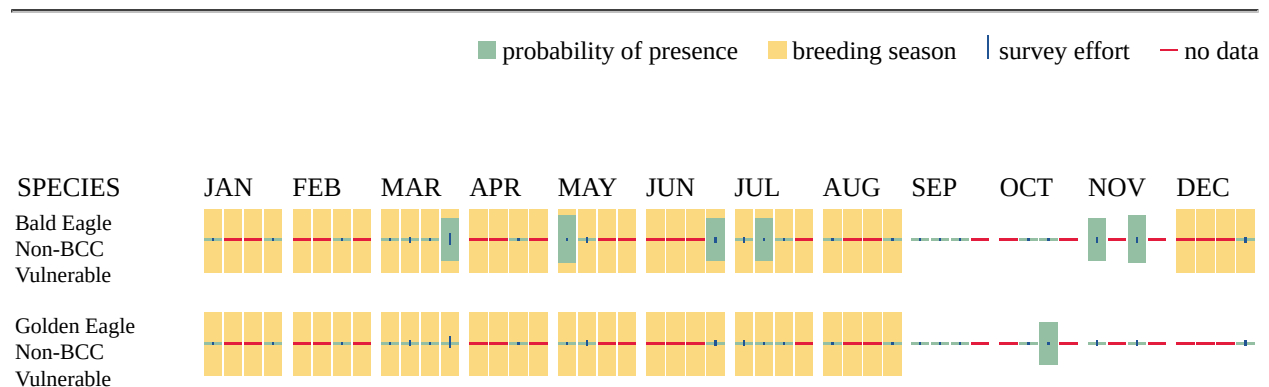
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
 - Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
 - Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
 - Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>
-

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10567	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

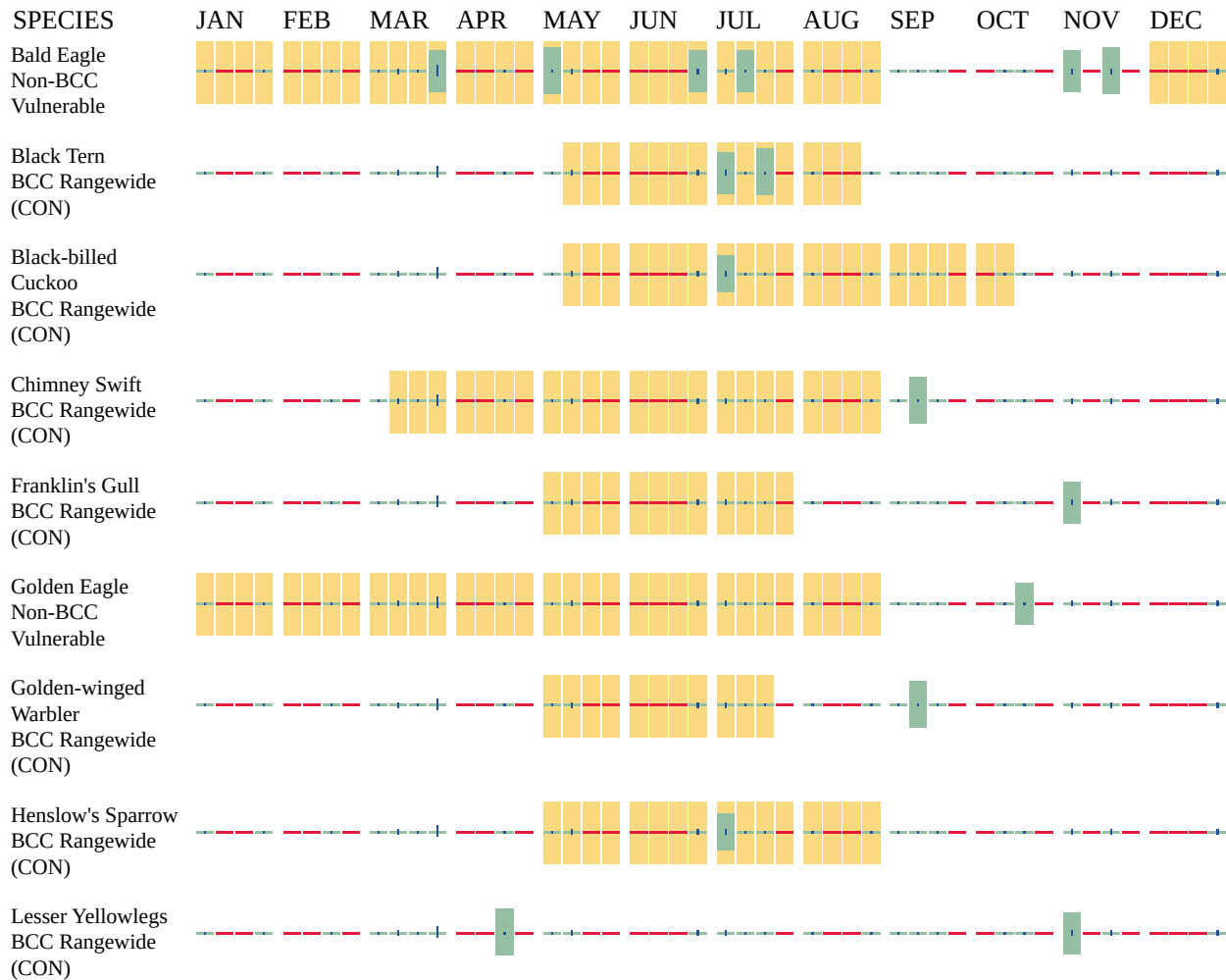
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1Af
- PEM1A

RIVERINE

- R5UBFx
-

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission

**NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE
EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix C Photographs

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Lake Mills to Albert Lea E-Line

Appendix C - Photographs

January 2024



Photo 1. View from the Intermittent agricultural ditch, LMP-S02, photo taken facing east.



Photo 2. View from the Seasonally Flooded Basin/PEM1A within LMP-W01-1w, photo taken facing north.



Photo 3. View from the Disturbed Wet Meadow/PEM1B within LMP-W05-1w, photo taken facing north.



Photo 4. View from general land old agricultural field, photo taken facing northwest.



Photo 5. View from general land cover agricultural row crop field (corn), photo taken facing north.



Photo 6. View from general land cover agricultural row crop field (soy bean), photo taken facing north.

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Lake Mills to Albert Lea E-Line

Appendix C - Photographs

January 2024



Photo 7. View from general land cover agricultural row crop field (harvested), photo taken facing south.



Photo 8. View from general land cover agricultural row crop field (alfalfa), photo taken facing north.

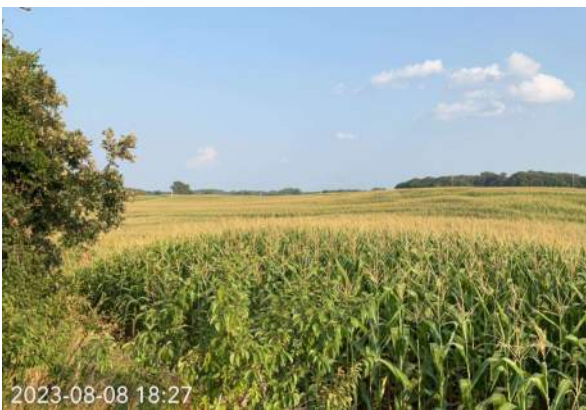


Photo 9. View from general land cover agricultural row crop field (corn), photo taken facing southeast.

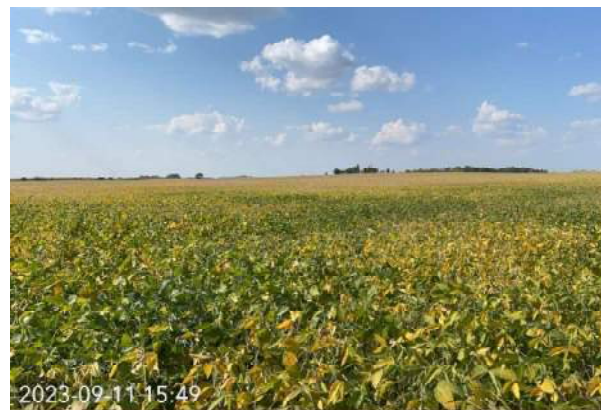


Photo 10. View from general land cover agricultural row crop field (soy bean), photo taken facing northwest.



Photo 11. View from general land cover agricultural row crop field (harvested), photo taken facing southeast.



Photo 12. View from general land cover agricultural row crop field (harvested), photo taken facing north.

**NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE
EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix D MDNR MCE Response Letter



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Northern Lights 2025 Expansion Project - Lake Mills to Albert Lea E-line

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project Type Activities: Wetland impacts (e.g., dewatering, tiling, drainage, discharge, excavation, fill, runoff, sedimentation, changes in hydrology);Other

TRS: T101 R22 S10, T101 R22 S16, T101 R22 S3, T101 R22 S4, T101 R22 S9, T102 R22 S33, T102 R22 S34

County(s): Freeborn

DNR Admin Region(s): South

Reason Requested: Other

Project Description: Northern proposes to construct and operate an approximately 3.00-mile extension of its 36-inch-diameter MNM80105 Ventura North E-line (E-line) in Freeborn ...

Existing Land Uses: -Industrial/commercial -Agricultural

Landcover / Habitat Impacted: land cover types present in the project area consists primarily of cropland, non-native grasslands, emergent wetlands, and developed areas associated with ...

Waterbodies Affected: No lakes or rivers are present within the project area. One intermittent stream and one perennial stream was identified within the project area but impacts ...

Groundwater Resources Affected: N/A

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	No Comments	No Further Review Required
Ecologically Significant Area	No Comments	No Further Review Required
State-Listed Endangered or Threatened Species	No Comments	No Further Review Required
State-Listed Species of Special Concern	Comments	Recommendations
Federally Listed Species	No Records	Visit IPaC For Federal Review



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

January 10, 2024

Project ID: MCE #2024-00034

Tim Paquin
Stantec
One Carlson Parkway, Suite 100
Plymouth, MN 55447

RE: Automated Natural Heritage Review of the proposed Northern Lights 2025 Expansion Project - Lake Mills to Albert Lea E-line
See Cover Page for location and project details.

Dear Tim Paquin,

As requested, the above project has been reviewed for potential effects to rare features. Based on this review, the following rare features may be adversely affected by the proposed project:

Ecologically Significant Area

No ecologically significant areas have been documented in the vicinity of the project.

State-Listed Endangered or Threatened Species

No state-listed endangered or threatened species have been documented in the vicinity of the project.

State-Listed Species of Special Concern

Taxonomic Group	Common Name	Scientific Name	Water Regime	Habitat	Federal Status
Vertebrate Animal	Common Gallinule	Gallinula galeata		Marsh	
Vertebrate Animal	Trumpeter Swan	Cygnus buccinator		Littoral Zone of Lake, Marsh	

- The above table identifies state-listed species of special concern that have been documented in the vicinity of your project. If suitable habitat for any of these species occurs within your project footprint or activity impact area, the project may negatively impact those species. To avoid impacting state-listed species of special concern, the DNR recommends modifying the location of project activities to avoid suitable habitat or modifying the timing of project activities to avoid the presence of the species. 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, please contact the appropriate [DNR Regional Nongame Specialist](#) or [Regional Ecologist](#). Species-specific comments, if any, appear below.

Federally Listed Species

The Natural Heritage Information System does not contain any records for federally listed species within one mile of the proposed project. Please note, however, that not all federally listed species are tracked within the NHIS. 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](#).

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 the project description provided on the cover page. If project details change or construction has not occurred within one year, please resubmit the project for review.

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 effects to these rare features. 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.

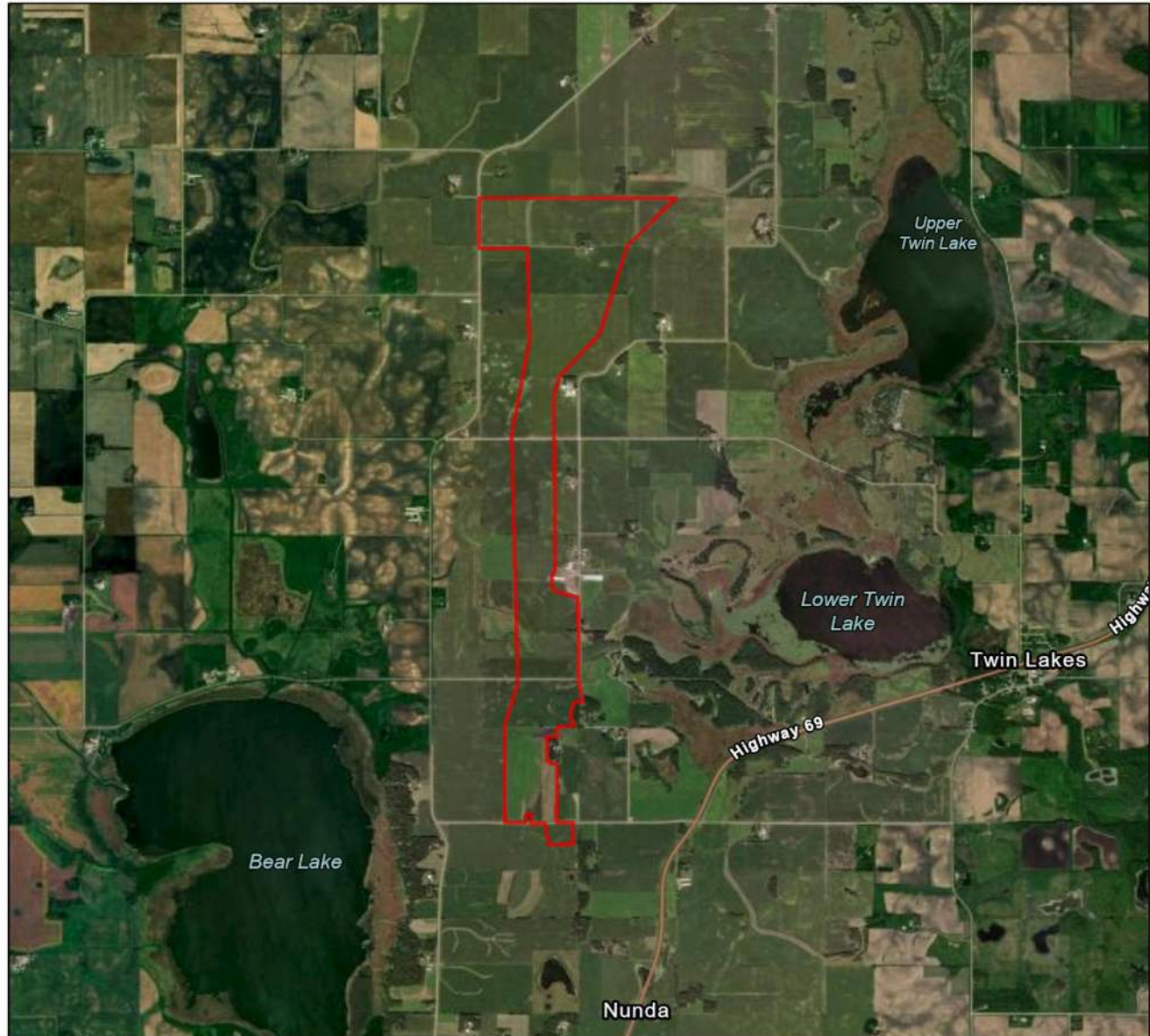
Sincerely,

Jim Drake Jim Drake
Natural Heritage Review Specialist
James.F.Drake@state.mn.us

Links: USFWS Information for Planning and Consultation (IPaC) tool
[Information for Planning and Consultation \(IPaC\) tool](#)
DNR Regional Environmental Assessment Ecologist Contact Info
https://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html

rn Lights 2025 Expansion Project - Lake Mills to Albert Lea

Aerial Imagery With Locator Map



0 0.33 0.65 1.3 1.95 2.6 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 678.97

County(s): Freeborn

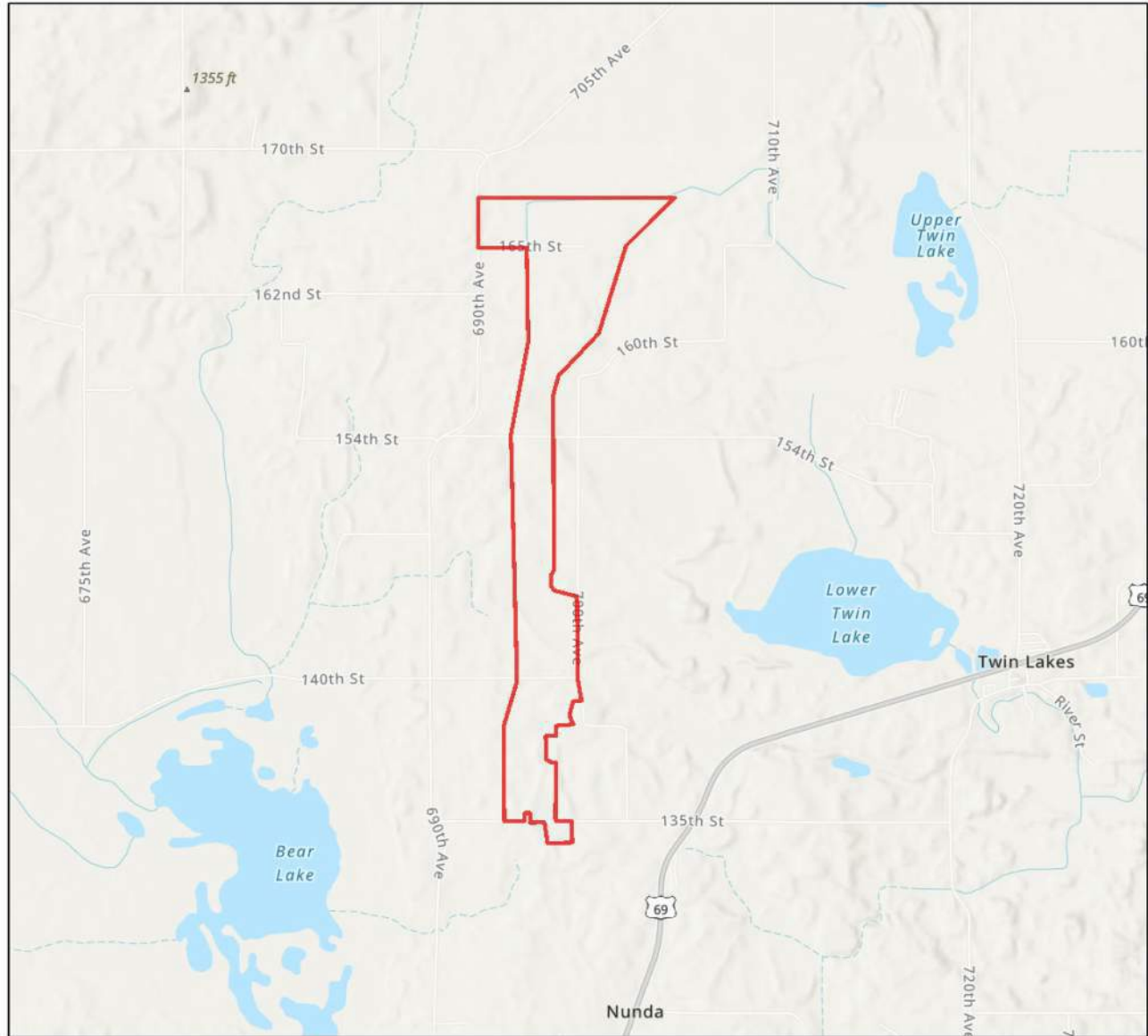
TRS: T101 R22 S10, T101 R22 S16, T101 R22 S3, T101 R22 S4, T101 R22 S9 +

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Earthstar Geographics
Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



Northern Lights 2025 Expansion Project - Lake Mills to Albert Lea E-line

USA Topo Basemap With Locator Map



0 0.33 0.65 1.3 1.95 2.6 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 678.97

County(s): Freeborn

TRS: T101 R22 S10, T101 R22 S16, T101 R22 S3, T101 R22 S4, T101 R22 S9 +

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Esri, NASA, NGA, USGS, FEMA
Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Appendix E Federal and State-Listed Species Potentially Occurring in the ESB in Freeborn County

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Mammals					
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Endangered	Special concern	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices. Overwinter hibernacula: large caves and mines with large passages and entrances.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed endangered	Special concern	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Invertebrates					

NORTHERN LIGHTS 2025 EXPANSION PROJECT - LAKE MILLS TO ALBERT LEA E-LINE EXTENSION PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	None	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	May occur. Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration.	May affect, but not likely to adversely affect.
Birds					
Common gallinule (<i>Gallinula galeata</i>)	None	Special concern	Freshwater cattail marshes and prairies.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Trumpeter swan (<i>Cygnus buccinator</i>)	None	Special concern	Unpolluted small ponds and lakes or bays on larger water bodies with extensive beds of emergent vegetation. Ideal habitat includes about 100 meters of open water for take-off with suitable nesting platforms such as muskrat houses or beaver lodges.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect

Northern Lights 2025 Expansion Project-Elk River 3rd Branch Line Project Rare, Threatened, and Endangered Species Report

Washington County, Minnesota



Stantec Consulting Services Inc.

Prepared by:
Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55447
Phone: (763) 479-4200

Prepared for:
Terry Plucker
Northern Natural Gas
1111 South 103rd Street
Omaha, Nebraska 68124

January 12, 2024

Sign-off Sheet

This document entitled Northern Lights 2025 Expansion Project-Elk River 3rd Branch Line Project Rare, Threatened, and Endangered Species Report was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Northern Natural Gas (the "Client"). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by Tim Paquin
(signature)

Tim Paquin, Environmental Scientist

Reviewed by Nathan Noland
(signature)

Nathan Noland, Environmental Scientist

Approved by Susan Knabe
(signature)

Susan Knabe, Principal

**NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Table of Contents

ACRONYMS LIST	1
1.0 INTRODUCTION	1
1.1 PROJECT DESCRIPTION.....	1
1.1.1 Construction Methods and Mitigation Measures	2
1.2 REGULATORY FRAMEWORK	4
2.0 METHODS.....	5
2.1 DESKTOP ASSESSMENT	5
2.2 FIELD SURVEYS.....	6
2.3 SPECIES EVALUATIONS.....	6
3.0 RESULTS	7
3.1 ECOLOGICAL OVERVIEW	7
3.2 VEGETATION	7
3.2.1 Land Cover Types	7
3.2.2 Vegetation Communities.....	8
3.3 SPECIES EVALUATION	9
3.3.1 Federally Listed Species	9
3.3.2 State-Listed Species	12
3.4 MIGRATORY BIRDS	15
3.4.1 County, State and Federal Lands	16
4.0 SUMMARY AND CONCLUSIONS.....	16
5.0 LIMITATIONS AND WARRANTY	18
6.0 REFERENCES.....	19

LIST OF TABLES

Table 1. Waterbodies and Wetlands to be Crossed by the Project	3
--	---

LIST OF APPENDICES

APPENDIX A	FIGURES	A.1
APPENDIX B	USFWS IPAC LIST OF SPECIES	B.1
APPENDIX C	PHOTOGRAPHS	C.1
APPENDIX D	MDNR MCE RESPONSE LETTER	D.1
APPENDIX E	FEDERAL AND STATE-LISTED SPECIES POTENTIALLY OCCURRING IN THE ESB IN WASHINGTON COUNTY	E.1

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Acronyms List
January 2024

Acronyms List

BGEPA	Bald and Gold Eagle Protection Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CREP	USDA Conservation Reserve Enhancement Program
ESB	Environmental Survey Boundary
ESA	Endangered Species Act
ETWS	Extra Temporary Workspace
F	Fahrenheit
FERC	Federal Energy Regulation Commission
HDD	horizontal directional drill
IPaC	Information, Planning and Consultation
MBTA	Migratory Bird Treaty Act
MDNR	Minnesota Department of Natural Resources
MP	Milepost
NHIS	Natural Heritage Information System
NLEB	Northern Long-eared Bat
Northern	Northern Natural Gas
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
Procedures	Wetland & Waterbody Construction and Mitigation Procedures
Project	Northern Lights 2025 Expansion Project
ROW	Right of way
RTE	Rare, threatened, or endangered
Stantec	Stantec Consulting Services Inc.
SWCD	Soil and Water Conservation District
UNT	Unnamed tributary
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

1.0 Introduction

Stantec Consulting Services Inc. (Stantec) prepared this rare, threatened, and endangered (RTE) species report for the proposed Elk River 3rd Branch line component of the Northern Lights 2025 Expansion Project (Project) located within Washington County, Minnesota. The work was conducted at the request of Northern Natural Gas (Northern) in order to facilitate compliance with the Endangered Species Act (ESA) of 1973 (16 United States Code [USC] A-1535-1543, P. L. 93-205), as amended.

This report describes the methods used to conduct the RTE species habitat assessment; and discusses the results of the investigation. This report does not serve as a project clearance letter for the above referenced Project but provides a professional opinion on the potential for project construction activities to affect federally and state-listed RTE species known to inhabit the aforementioned Washington, County, Minnesota.

1.1 PROJECT DESCRIPTION

Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. The proposed extension will be tied-in belowground approximately 260 feet north of the current terminus in Section 36, Township 32N North, Range 21W, Washington County, Minnesota. The downstream tie-in to both Northern's 20-inch-diameter MNB87701 and 20-inch-diameter MNB87702 branch lines will be completed within a new valve setting in Section 3, T31N, R21W, Washington County, Minnesota.

To minimize methane venting to the atmosphere during tie-in activities, Northern will install a belowground line stop on the existing Elk River 3rd branch line east of July Avenue (upstream of the take-off). Northern also will remove approximately 275 feet of its existing 30-inch diameter Elk River 3rd branch line between the existing tie-in valve setting and proposed belowground tie in location on the northeast corner of July Avenue and 180th Street North.

Northern designed its extension to minimize impacts on the environment, including tree removal, wetlands and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet. The maximum offset between the proposed branch line and existing branch lines is approximately 590 feet. The three main locations where the proposed branch line deviates more than 25 feet from Northern's existing branch lines are described below.

The first 0.40 mile of the Elk River 3rd branch line (MP 1.02 to 1.42) deviates from the existing branch lines. The proposed Elk River 3rd branch line is located approximately 200 feet north of its existing branch lines. This deviation is required to avoid several residences. From MP 1.90 to MP 2.20, the proposed Elk River 3rd branch line will be located approximately 170 feet north of its existing branch lines. This second deviation required to maximize the workspace setup for an HDD and to avoid several residences. From MP 2.40 to MP 3.30, the proposed Elk River 3rd branch line will be

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

located approximately 590 feet north of its existing branch lines to optimize the HDD design and minimize the number of pull-back strings that will be required. The proposed Elk River 3rd branch line will continue to be located north of its existing branch lines until MP 3.30 to maximize use of workspaces that are not wooded.

The pipeline will be installed within a 100-foot-wide nominal construction corridor; the construction corridor will be reduced to 75-foot-wide construction corridor to avoid impacts on one wetland near MP 1.69 and a second wetland near MP 2.38. At MP 1.37, Northern is utilizing the 100-foot-wide TWS through ERT-W15. In addition to the construction corridor, Northern will utilize ETWS, temporary access roads, existing driveways, and a staging area during construction.

Northern will remove the existing aboveground valve setting on the east side of July Avenue, in Section 36, Township 32N North, Range 21W, Washington County, Minnesota. The existing lot measures 45 feet by 45 feet and the existing permanent driveway measures 25 feet by 34 feet (total footprint of 0.05 acre). The piping, valves, guard rail, and gravel will be removed. The land will be returned to original grade and Northern will release the facility and access easement but will maintain its pipeline easement.

Northern plans to construct and operate an aboveground valve setting at the terminus of the proposed Elk River 3rd branch line, located at the west side of Henna Avenue North, in Section 3, T31N, Range 21W, Washington County, Minnesota. The new valve setting will include piping and valves from the proposed extension to tie into the 20-inch-diameter MNB87701 and 20-inch-diameter MNB87702 branch lines. The proposed valve setting measures 50 feet by 85 feet. A new permanent gravel drive measuring approximately 15 feet by 20 feet will be installed to access the site from a private driveway, and a guard rail will be installed around the aboveground valve setting. The new aboveground facility footprint, including the new permanent driveway, will total approximately 0.16 acre.

1. 1. 1 Construction Methods and Mitigation Measures

The Project will follow Northern's plans and procedures to employ specific construction methods to minimize impacts on RTE species and their habitats in and along stream crossing location and downstream of crossing location. The pipeline will be installed within a 100-foot-wide nominal construction corridor.

Northern will cross all field delineated wetland and waterbodies via horizontal directional drilling (HDD) except for ERT-W15; which will be crossed via open-cut trench method.

HDD allows for trenchless construction across a waterbody or wetland and is used to minimize impacts on water quality from construction activities. A Project-specific HDD Monitoring, Inadvertent Return Response, and Contingency Plan (HDD Plan) has been developed and will be implemented during construction to aid in avoiding and mitigating potential effects from an inadvertent release of drilling mud.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

Open-cut trench crossing methods will be utilized to cross ERT-W15. This will incorporate a 100-foot-wide temporary workspace to complete the work. Once the temporary construction of the Project is complete for the ERT-W15 crossing, vegetative communities and wetland areas will be restored with approved, native, pollinator friendly seed mixes. Table one lists the proposed location, width and water quality designation for the waterbody and wetlands crossed by the Project.

Table 1. Waterbodies and Wetlands to be Crossed by the Project

Waterbody/ Wetland	Waterbody/ Wetland Type	MP	Crossing Width (feet)	State Water Quality Use Designations ²	Crossing Method (Contingency)
ERT-S02	Intermittent	1.70	6	Default (2Bg, 3C, 4A, 4B, 5, 6)	HDD (Re-drill)
ERT-S01	Perennial	2.74 - 2.75	14	2Bg, 3C, 4A, 4B, 5, 6	HDD (Re-drill)
ERT-W34	Shallow Marsh PEM1C / Shrub-Carr / PSS1C	2.90- 2.91	56	Not applicable	HDD
ERT-W35	Wet Meadow / PEM1B; Coniferous Bog / PFO2D/PSS1g	2.44- 2.74	1,581	Not applicable	HDD
		2.75	8		
ERT-W36	Wet Meadow / PEM1B	2.16- 2.19	171	Not applicable	HDD
ERT-W12	Disturbed wet meadow / PEM1B	2.01- 2.05	220	Not applicable	HDD
		1.97- 1.98	65		
		1.95- 1.96	33		
ERT-W14	Disturbed wet meadow / PEM1B; Shallow Marsh / PEM1C	1.46- 1.54	426	Not applicable	HDD
ERT-W15	Disturbed wet meadow / PEM1B	1.36- 1.38	N/A	Not applicable	TWS/Open-Cut
ERT-W18	Disturbed wet meadow / PEM1B	1.14- 1.20	307	Not applicable	HDD
ERT-W33	Disturbed wet meadow / PEM1B	1.08- 1.09	81	Not applicable	HDD
ERT-W01	Disturbed wet meadow / PEM1B	1.10- 1.11	64	Not applicable	HDD

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

¹ Wetland Classification based on Cowardin, Classification of Wetlands and Deepwater Habitats: PEM1C - Palustrine Emergent – persistent - seasonally flooded (Shallow Marsh)

² State Water Classification: Class 1 = Domestic Consumption. Class 2 = Aquatic Life and Recreation; A = cold water, B = warm water, g= applies for general warm water streams. Class 3 = Industrial Consumption; A – D refers to chlorides standards. Class 4 = Agriculture and Wildlife; A = applies to irrigation purposes, B = applies to use by livestock and wildlife. Class 5 = Aesthetic Enjoyment and Navigation. Class 6 = Other Uses and Protection of Border Waters. Class 7 = Limited Resource Value Waters. See additional discussion in 2.2.5.

Northern plans to cross nine wetland features (ERT-W34, ERT-W35, ERT-W36, ERT-W12, ERT-W14, ERT-W15, ERT-W18, ERT-W33, ERT-W01) as part of the Project. Northern plans to utilize HDD crossing methods for all wetland and waterbodies except for wetland ERT-W15, which will be crossed via open-cut trench method. Crossing wetlands will be completed in accordance with applicable permit conditions and the measures specified in the FERC Procedures. This will include locating extra temporary workspace ETWS in upland areas at least 50 feet from the wetland boundaries, where practical; prohibiting refueling or fuel storage within 100 feet of wetland boundaries; and limiting impacts within wetland to temporary foot traffic to follow the HDD path, or temporary workspace areas to at open-cut trenching locations.

To minimize impacts on terrestrial and arboreal RTE species and their habitat, Northern designed their Project to avoid wooded areas or fence rows where possible. However, due to the higher density of forested habitat within the Project ESB, tree clearing will be required.

After construction activities are complete, the areas disturbed by construction that do not contain a permanent facility will be graded to previous site conditions. Original land contours will be restored, as near as practicable, to original conditions. Non-cultivated land will be reseeded in accordance with individual landowner requirements, land management agency requirements or NRCS and SWCD recommendations. The 50-foot-wide permanent ROW will be allowed to revegetate, and Northern will comply with FERC's maintenance and mowing procedures list in FERC's Plan. Northern will not mow their operational ROW where the pipeline was installed via HDD in wetland or riverine areas.

1.2 REGULATORY FRAMEWORK

This Project will be conducted under multiple regulatory policies developed for the protection of sensitive plant and animal species. These include the ESA, Bald and Gold Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The following paragraphs provide a brief overview of each of these policies.

- The ESA prohibits any person or entity from causing the take of any plant or animal species on the Secretary of the Interior's list of RTE species (Section 9(a)(1)(b)) and states that it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence, or result in the destruction or adverse modification of habitat determined to be critical to the conservation of any such species (Section 7(a)(2)). The ESA defines a take as the harassment, harm, pursuit, hunting, shooting, killing, trapping, capture, or collection of such species.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods

January 2024

- The BGEPA, originally passed in 1940, and amended in 1962, provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting the take of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 USC 668(a); 50 Code of Federal Regulations [CFR] 22). The BGEPA defines a take as the pursuit, shooting, shooting at, poisoning, wounding, killing, capturing, trapping, collecting, molesting, or disturbing of a bald or golden eagle.
- The MBTA, originally passed in 1918, implements the United States commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource, protecting more than 800 species of birds. The list of migratory bird species protected by the MBTA appears in Title 50, Section 10.13, of the CFR (50 CFR § 10.13). The MBTA protects all native migratory birds and prohibits the taking, killing, possession, and transportation of migratory birds, their eggs, and parts, except when specifically permitted by regulations for specific intentional uses. The list of birds federally protected under the MBTA, activities that have the potential to take migratory birds, and recommendations for reducing such take can be found in 50 CFR 10 of the MBTA. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern.

2.0 Methods

Stantec conducted a desktop review for RTE, USFWS designated critical habitat, and potential for suitable habitat within the Northern-defined ESB based on review of USFWS database information and the MDNR NHIS. Field surveys were used to confirm and supplement the desktop review and were used to assess possible presence of individuals or populations of protected species and species of conservation concern, as well as suitable habitat for those species as part of the wetland delineation throughout the ESB. Northern's ESB encompasses all proposed workspaces and typically provides a minimum of a 50-foot clearance buffer around workspaces.

2.1 DESKTOP ASSESSMENT

A desktop study of the ESB was completed prior to initiation of field surveys in 2023. The desktop assessment included review of aerial imagery, US Geological Survey (USGS) 7.5-minute quadrangle maps; USFWS National Wetland Inventory (NWI) maps; the USFWS Information, Planning and Consultation (IPaC) system; the MDNR NHIS; state wildlife agency websites; and available literature. Stantec biologists reviewed the aforementioned information to identify and become familiar with the natural features and listed species most likely to be encountered in the Project area.

In preparation for field surveys, the USFWS IPaC Environmental Conservation Online System was accessed to review federally listed T&E, proposed, and candidate species and federally designated critical habitat that may be present within the ESB in December 2023 (USFWS 2023a). Stantec requested and received a USFWS IPaC Official Species List (consultation #2024-0029617)

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
January 2024

from the Minnesota-Wisconsin Ecological Services Field Office. The Official Species Lists from IPaC is included as Appendix B.

2.2 FIELD SURVEYS

Stantec conducted field surveys for presence of suitable habitats concurrent with the wetland delineations intermittently between August and November 2023. The field surveys consisted of pedestrian inspections to evaluate the presence/absence of suitable habitat and potential presence of listed species within the ESB. Field crews reviewed the list of protected species identified as having the potential to occur within the ESB and one-mile buffer of Project boundary. In addition, the field crews reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

To support the development of site descriptions, vegetation characterizations, and evaluations of potential RTE species suitable habitats, field crews documented existing upland and wetland vegetative communities and land cover characteristics present within the survey areas. A photographic log showing representative vegetation communities is included as Appendix C.

2.3 SPECIES EVALUATIONS

The potential for occurrence of each species within the construction footprint for the Project ("Project area"), was summarized according to the categories listed below. Potential for occurrence categories are as follows.

- **Known to occur**—the species has been documented in the Project area by a reliable observer.
- **May occur**—the Project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- **Unlikely to occur**—the Project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the Project area is clearly outside the species' currently known range.
- **Does not occur**—the species does not occur in the Project area.

Those species listed by the USFWS were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect and is likely to adversely affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **May affect, but not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

Those species listed by the MDNR were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **Not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

3.0 Results

3.1 ECOLOGICAL OVERVIEW

The Project lies within Major Land Resource Area (MLRA) 90A Wisconsin and Minnesota Thin Loess and Till. This area is in the Western Lake Section of the Central Lowland Province of the Interior Plains. The landscape is gently undulating to rolling, loess-mantled till plains, drumlin fields, and end moraines mixed with outwash plains. Lakes, ponds, and marshes occur throughout the area.

The average annual precipitation in most of this area is 26 to 36 inches (667 to 909 millimeters). Most of the rainfall occurs as high-intensity, convective thunderstorms during the growing season. Snowfall is common from October through April. The average annual temperature ranges from 39 to 47 degrees F (4 to 8 degrees C). The freeze-free period averages about 145 days and ranges from 110 to 180 days [United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2022].

3.2 VEGETATION

Land use within the Wisconsin and Minnesota Thin Loess and Till is dominated by deciduous forests and woody wetlands. Conifer-hardwood forests in this region are dominated by sugar maple (*Acer saccharum*), basswood (*Tilia americana*), yellow birch (*Betula alleghaniensis*), white ash (*Fraxinus americana*), red oak (*Quercus rubra*), white oak (*Quercus alba*), aspen (*Populus spp.*), eastern hemlock (*Tsuga canadensis*), red pine (*Pinus resinosa*), and white pine (*Pinus strobus*). Forested wetland areas are dominated by black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), silver maple (*Acer saccharinum*), red maple (*Acer rubrum*), swamp white oak (*Quercus bicolor*), black spruce (*Picea mariana*), tamarack (*Larix laricina*), and speckled alder (*Alnus incana*) (USDA, NRCS 2022).

3.2.1 Land Cover Types

During field surveys, Stantec identified six general land cover types within the Project area. Using vegetation species associations, land cover in the Project area was classified as agricultural land,

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

wetlands, open land, forested, industrial/commercial, and residential. General descriptions of the land cover types encountered in the Project area are as follows.

- **Agricultural Land** – including active cropland (including specialty crop or turf grass production), cropland that had recently been plowed, areas that had been harvested and fallow or idle areas that appeared to be regularly used to grow agricultural crops.
- **Wetlands** –including areas dominated by wetland vegetation and exhibiting hydric soils and wetland hydrology, including those that are farmed. Wetland types include floodplain forested wetland, shallow marsh, and farmed seasonally flooded wetland.
- **Open Land** – including non-forested herbaceous uplands, rangeland, scrub-shrub land, areas that were being used to grow hay, non-agricultural fields and/or other herbaceous areas that are dominated by a mixture of mid-grass or short-grass species. The vegetation also includes mowed areas and areas of mixed weeds and grass along roadsides.
- **Forested** - mixed hardwood forests, mixed evergreen and hardwood forests.
- **Industrial/Commercial** – manufacturing or industrial plants, mines, commercial facilities, roads, railroads and electric or gas utility stations crossed by the pipeline corridor.
- **Residential** - rural and developed residential property.

3.2.2 Vegetation Communities

Stantec identified five general types of vegetation communities within the Project area, identified below. Industrial/commercial land and residential is not included within the list, as vegetation is not present within this land use type.

- **Agricultural Land** – Agricultural land within the Project area consisted primarily of cultivated crop land planted with corn (*Zea mays*) and soybean (*Glycine max*).
- **Wetland** – Twenty-three wetlands were observed in the ESB. The wetlands were classified as wet meadow, disturbed wet meadow, shallow marsh, shrub-carr, and coniferous bog. The wet meadow and disturbed wet meadow wetland vegetation communities consisted of reed canary grass (*Phalaris arundinacea*), hairy sedge (*Carex lacustris*), hybrid cattail (*Typha x glauca*), water smartweed (*Persicaria amphibia*), and witchgrass (*Panicum capillare*). The shallow marsh vegetation communities were dominated by reed canary grass, hairy sedge, and cattail (*Typha* sp.). The shrub-carr wetland community was dominated by reed canary grass, red-osier dogwood (*Cornus sericea*), sandbar willow (*Salix interior*), and quaking aspen (*Populus tremuloides*). The coniferous bog wetland community consisted of tamarack (*Larix laricina*), Canada bluejoint (*Calamagrostis canadensis*, OBL), and sphagnum mosses (*Sphagnum* sp.).
- **Open Land** – A majority of the open land in the ESB included fallow land, former cropland and/or other disturbed areas and was dominated by smooth brome (*Bromus inermis*), Canada goldenrod (*Solidago canadensis*), Allegheny blackberry (*Rubus allegheniensis*), Kentucky bluegrass (*Poa pratensis*) and orchard grass (*Dactylis glomerata*).
- **Forested Land** – Vegetation in forested areas consisted of red pine (*Pinus resinosa*), white pine (*Pinus strobus*), red oak (*Quercus rubra*), white oak (*Quercus alba*), quaking aspen

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

(*Populus tremuloides*), non-native honeysuckle (*Lonicera spp.*), and buckthorn (*Rhamnus spp.*).

- **Residential** - Maintained residential communities consisted of turf species such as Kentucky bluegrass, smooth brome, and orchard grass.

3.3 SPECIES EVALUATION

A review of federally and state-protected species, species of conservation concern, associated habitats, and other rare natural features that are known to occur within one mile of the Project ESB was conducted as described in Section 2. 1. Information provided by the USFWS Minnesota-Wisconsin Ecological Services Field Office (Appendix B) and the MDNR NHIS database was included in the review of the Project for potential impacts to these resources.

The federally and state-listed species with suitable habitat and/or potential to occur within the Project area are discussed below and summarized in Appendix B, D, and E.

3.3.1 Federally Listed Species

Northern received an official IPaC letter from the USFWS Minnesota-Wisconsin field office on December 21, 2023 (consultation #2024-0029617). The USFWS determined that the following federally listed species may occur in the proposed Project area or be affected by the proposed action in Minnesota:

- Northern long-eared bat (*Myotis septentrionalis*)- endangered
- Tricolored bat (*Perimyotis subflavus*) – proposed endangered
- Whooping crane (*Grus americana*) – experimental population, non-essential
- Salamander mussel (*Simpsonaias ambigua*) – proposed endangered
- Rusty patched bumble bee (*Bombus affinis*) – endangered
- Monarch butterfly (*Danaus plexippus*) – candidate

These species and their habitats are described below.

Northern long-eared bat

During winter, Northern long-eared bats (NLEB) use large caves and mines that have large passages and entrances, constant temperatures and high humidity with no air currents; however, no large caves and mines were identified within the Project area during the time the surveys occurred. Portions Project ESB crosses suitable summer habitat for the NLEB. Tree clearing is proposed within the Project workspaces. Potential impacts on individual bats may occur if clearing or construction takes place when the species is breeding, foraging, or raising pups in its summer habitat. Bats may be injured or killed if occupied trees are cleared during this active window, and the species may be disturbed during clearing or construction activities due to noise or human presence.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

Washington County is listed as a county with documented occurrences of white-nose syndrome (White-nose Syndrome Response Team 2023); however, no known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of known, occupied maternity roost trees (MDNR and USFWS 2023).

Northern will perform winter tree clearing (between October 31 and March 1) to the extent practicable, to minimize effects to the NLEB that may use wooded habitats for summer roosting and foraging activities. Tree clearing outside of the allotted winter months typically require summer mist net surveys and/or acoustic surveys to determine presence/potential absence of the NLEB with the Project areas, prior to initiation of work. Northern will continue to coordinate with the FERC and the USFWS to minimize potential Project impacts to the NLEB. Therefore, the Project may affect but is not likely to adversely affect the NLEB and will not cause prohibited take of the species.

Tricolored bat

During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road culverts, tree cavities, and abandoned water wells. During the non-hibernating seasons, tricolored bats roost in leaf clusters of living or dead deciduous hardwood trees. Tricolored bats have also been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures. (USFWS 2023).

No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied maternity roost tree (MDNR and USFWS 2023). However, suitable summer roosting and foraging habitat for the tricolored bat is present within the Project area; therefore, this species may occur. Project operations with impacts occurring during the bat's inactive season (November 15 to March 31, inclusive), are not likely to adversely affect the species. However, operations including tree clearing and elevated noise levels, that occurs during the bats active roosting and foraging season, may have potential to affect the tricolored bat. The Project may affect but is not likely to adversely affect this species. The tricolored bat was proposed to be listed as federally endangered on September 13, 2022, and is still proposed for listing. Potential impacts on the tricolored bat may need to be reassessed dependent on when a final listing goes into effect.

Whooping crane

The whooping crane is a migratory bird species that once nested in northern prairies, but now breeds in remote northern forests in Canada as well as in an experimental population in Wisconsin, preferably within coniferous habitat containing swamps and nearby lakes or ponds. Winter habitat consists of coastal marshes (e.g., Texas, Louisiana, and Florida). The diet of the whooping crane is not well known in summer months, but it is thought to be similar to their wintering diet of shellfish, frogs, snakes, insects, small fish, and plant matter like roots and berries. (Audubon undated(a)).

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

The Project area does not contain any large prairies or coniferous forests with swamps that would support breeding or nesting requirements for the whooping crane and large wetland complexes that occur within the Project will be crossed via HDD methods. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota or Wisconsin, as result this species is unlikely to occur within the Project area and any occurrences would likely be a result of the experimental population located in Wisconsin. Therefore, the Project is anticipated to have no effect on this species.

Salamander mussel

In Minnesota, the salamander mussel historically occurred in the Mississippi River, but it is currently restricted to the lower St. Croix River. The salamander mussel lives under flat rocks or under ledges of rock walls. (MDNR 2023).

The Elk River 3rd branch line does not contain suitable habitat such as large rivers to support the life cycle of the salamander mussel and the Project does not overlap the St. Croix River. As such, occurrences of this species are not anticipated. The Project is anticipated to have no effect on this species. The Salamander mussel was proposed to be listed as federally endangered on August 22, 2023, and is still proposed for listing. Potential impacts on the Salamander mussel may need to be reassessed dependent on when a final listing goes into effect.

Rusty patched bumble bee

The rusty patched bumble bee (RPBB) habitat needs can be broken down to include overwintering habitat, nesting habitat, spring foraging habitat, and summer and fall foraging habitat. Overwintering habitat consists of woodland edges, as well as upland forest and woodland interiors. Woodland types generally consist of even-aged maple-basswood or oak-hickory, and the overwintering queens can be found in shady areas with loose soils, little vegetation, and leaf litter. Nesting habitat (colonies) includes grasslands and shrublands, upland forest, and woodland edges extending approximately 30 meters into the woodland. Loose soil and leaf litter in these areas can provide nest building sites. (USFWS 2023).

Spring foraging habitat and summer and fall foraging habitats are similar and can be found in areas with nectar and pollen sources, including plants such as goldenrods (*Solidago* spp.), coneflowers (*Echinacea* spp.), and gentians (*Gentiana* spp.). These areas can include woodland edges, upland forest, upland grassland and shrubland, palustrine wetlands, flower gardens, and agricultural land. (USFWS 2017). Spring ephemeral species and upland forest and woodland interiors that contain nectar and pollen sources are also used for spring foraging (USFWS 2023a).

No MDNR NHIS occurrences for the RPBB are present within the Project. However, the USFWS lists the Elk River 3rd branch line within Washington County, Minnesota as being within the HPZ for RPBB. Potentially suitable habitat for the different life cycles of the RPBB are present within the Project component and could require pre-construction, species specific surveys to determine potential effects the Project may have on the RPBB.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

Prior to conducting any species-specific surveys for the RPBB, Northern will prepare and submit a site-specific survey protocol for conducting floristic surveys and presence/absence surveys for the RPBB to the USFWS Twin Cities Field Office for their review and approval.

Monarch butterfly

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated). Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will plant pollinator friendly seed mix within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Based on the information, the Project may affect, but is not likely to adversely affect the monarch butterfly.

3.3.2 State-Listed Species

Under Stantec's Limited License to Use Copyrighted Material (LA-2022-23) related to Rare Features Data, the MNDR NHIS was searched in December 2023 to identify any state listed threatened or endangered species. No species were identified within the Project area, but records for three species were identified within one mile of the Project area:

- Blanding's turtle (*Emydoidea blandingii*) – threatened
- Lance-leaf violet (*Viola lanceolata*) – threatened
- American ginseng (*Panax quinquefolius*) – special concern

A NHIS review request was submitted through the MDNR's Minnesota Conservation Explorer (MCE) tool on January 10, 2024. Initial automated results were received on January 10, 2024 (MCE #:

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

2024-00037) indicating that further review was needed as a result of state-protected species being in the vicinity of the Project area (Appendix D). Final results of the MCE review are pending.

Blanding's turtle

Blanding's turtle requires wetland complexes with adjacent sand uplands to sustain viable populations. Calm, Shallow waters, including wetlands associated with rivers and streams with rich aquatic vegetation are preferred. This turtle occurs on a variety of wetland and riverine types throughout Minnesota. In the southeast it prefers marshes and bottomland wetlands in summer and winter, ephemeral wetlands in spring and early summer, and deeper marshes and backwater pools in summer and winter. Female Blanding's turtles prefer to nest in open sandy uplands. Although they prefer undeveloped land, they have been known to nest in agriculture fields, residential property (low density suburb housing), gardens, under power lines, and in road shoulders (especially dirt roads). Females may travel up to 1.6 kilometers (1 mile) overland from their resident marsh to their nest site at which time they are vulnerable to predators and road mortality. Hatchlings leave the nest from mid-August through early October. Because eggs are laid far from water, hatchlings are vulnerable to predators, automobiles, and desiccation while traveling from the nest to a wetland. Loss and degradation of upland and wetland habitats and mortality on roads and primary threats to the species. (MDNR, 2008).

Northern will not propose species surveys but rather assume the presence of Blanding's turtles where Blanding's turtles have been documented and suitable habitat is present. The Elk River 3rd branch line contains suitable nesting and overwintering habitat for the Blanding's turtle (wetlands with open water features with adjacent uplands). Additionally, no Blanding's turtles were identified within the Project areas during field habitat assessments that occurred intermittently between August and November 2023. The MDNR NHIS review indicated three Blanding's turtle element occurrences within one mile of the Elk River 3rd branch line.

Northern plans to use HDD to cross under majority of waterbody and wetland complexes with suitable Blanding's turtle habitat. Northern will install turtle fence between the entry and exit points and any suitable turtle habitat.

Based on Northern's past project experience in Minnesota, the MDNR will likely recommend a number of measures to avoid and minimize impacts on Blanding's turtles should they occur within the Project workspace. These recommendations include the following.

- Turtles that are in imminent danger should be moved, by hand, out of the Project
- Turtles that are not in imminent danger should be left undisturbed
- No nests should be disturbed
- Silt fencing should be used to keep turtles out of construction areas, where necessary, and removed after the area has been revegetated

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

- No dredging, deepening, or filling of wetlands should occur
- Wetlands should be protected from pollutants such as fuels and lubricants
- Mulch, if used, will not contain synthetic (plastic) fiber additives in areas that drain to a Minnesota public water
- Erosion and sediment control devices should be used to prevent silt and sediment from reaching wetlands and waterbodies
- Erosion control mesh, if used, will be limited to bio-netting or natural netting, specifically, Category 3N or 4N in the 2016 and 2018 Minnesota DOT standards
- Trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade
- Culverts under access roads crossing wetland areas, between wetland areas, or between wetland and nesting areas, should be at least 36 inches in diameter and flat-bottomed or elliptical
- Construction areas should be returned to preconstruction conditions

Northern will implement the MDNR recommendations above and will train construction personnel regarding identification of the Blanding's turtle and the proper implementation of the MDNR recommendations. Northern has developed, per the request of MDNR on past projects, and will implement a Blanding's Turtle Avoidance Plan. The mitigation measures above will minimize potential impacts on the Blanding's turtle; therefore, the Project is not likely to adversely affect the Blanding's turtle.

Lance-leaf violet

Lance-leaf violet is a perennial flowering plant that typically blooms in the spring and early summer. Habitat for the lance-leaf violet includes moist meadows with sandy substrate, moist swales in sand dunes and savannas, and sandy lakeshores. The lance-leaf violet has also been observed in peaty wetlands and meadows. (MDNR 2023).

The Elk River 3rd branch line does not include suitable habitat for the lance-leaf violet (low, moist meadows with a sandy substrate). Meadows found within the Project area have been previously disturbed by surrounding agricultural and residential development, leading to dominance of invasive vegetative species, such as reed canary grass and hybrid cattail. As a result, occurrences of the lance-leaf violet are not likely; therefore, the Project is anticipated to have no effect to this species.

American ginseng

The American ginseng is a perennial herb found in mesic loamy soils of well-developed forests. These forests usually have a closed canopy and consist of mature sugar maple (*Acer saccharum*),

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

basswood (*Tilia americana*), and northern red oak (*Quercus rubra*). The American ginseng does not tolerate seasonally flooded habitats. (MDNR 2023).

The Elk River 3rd branch line does not include suitable habitat for the American ginseng (rich, hardwood forest communities) and occurrences are not anticipated. Therefore, the Project is anticipated to have no effect to this species.

3.4 MIGRATORY BIRDS

Based on review of the USFWS IPaC Species list (USFWS 2023a) for the ESB and one-mile buffer in Washington County, there are 15 migratory bird species that may occur within the ESB. The protection of migratory birds is regulated by the MBTA and BGEPA. Any activity, intentional or unintentional, that results in take of migratory birds is prohibited unless otherwise permitted by the USFWS. Depending on the timing of construction, the Project may potentially affect nests, eggs, and/or young of birds protected under the MBTA.

The North American Bird Conservation Initiative maintains a list of Bird Conservation Regions (BCRs) (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the BCR 23 – prairie hardwood transition. The USFWS Birds of Conservation and Concern 2021 report (USFWS 2021b) identifies 30 Birds of Conservation and Concern within BCR 23.

Important Bird Areas (IBAs) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, and/or migrating birds (Audubon undated(b)). The Project does not cross an IBA. The nearest IBAs to the Project include the St. Croix River Bluffs IBA, approximately 5.18 miles east from the Project to its nearest point and the Carlos Avery IBA, approximately 3.31 miles west from the Project to its nearest point.

Tree clearing is anticipated to be required for the Project. Additionally, minor shrub and herbaceous vegetation clearing by hand may be needed at the start of construction and construction timing may overlap migratory bird nesting seasons. Once vegetation is removed from the construction area, nesting surveys are not needed due to lack of nesting habitat and likely reluctance to nest due to human presence/ongoing activities.

Northern plans to begin construction in Spring 2025, within the primary nesting season. Construction will continue to November 1, 2025. Northern will attempt to limit removal or impacts on vegetation during the primary nesting season of breeding birds. If construction work cannot be avoided during the peak breeding season, Northern will have a biologist conduct a pre-construction nest survey for breeding birds within the Project workspaces. The nest survey will determine the absence or presence of breeding birds and their nests. Pre-construction nest surveys will be completed for all Project components according to the following procedures.

- No more than seven days before construction activities commence, pre-construction nest surveys for migratory birds will be completed by a qualified avian biologist. The area

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 2024

surveyed will include the proposed workspaces or areas where potentially suitable habitat has been identified.

- If an occupied raptor nest is observed during the survey, construction activities will not be permitted within a 660-foot buffer of the raptor nest site during the breeding season or until the fledglings have left the area. Northern will complete consultation with the USFWS and MDNR if an active raptor nest is observed.
- If a nest, other than a raptor nest, is observed during the survey, construction activities will not be permitted within a 100-foot buffer of the nest until consultation with the respective MDNR and USFWS field office occurs. Northern will implement buffers and practices recommended by agencies during the consultation.
- Upon completion, the survey results will be submitted to the USFWS and MDNR. If breeding birds are not present, construction can proceed with no restrictions. If breeding birds or active nests are present, additional consultation will be completed.

Nest surveys will be conducted prior to any clearing or construction activity; therefore, the Project will have no effect on nesting migratory birds of concern or species protected by the BGEPA.

3.4.1 County, State and Federal Lands

No other county, state or federal lands will be crossed by the Project.

4.0 Summary and Conclusions

Stantec performed a review of federally and state-protected species that may occur within the Project ESB. Based on the review, Stantec identified six federally listed and three state-listed species that could occur within a one-mile buffer around the ESB in Washington County, Minnesota. Those species include the NLEB (federally endangered), tricolored bat (federally proposed endangered), whooping crane (federal experimental population, non-essential), salamander mussel (federally proposed endangered), rusty patched bumble bee (federally endangered), monarch butterfly (federal candidate), Blanding's turtle (state threatened), lance-leaf violet (state threatened), and American ginseng (state special concern)

No federally designated critical habitats occur within the Project area. In addition to the desktop review, field assessments of suitable habitats for protected species with the potential to occur within the proposed Project area were conducted concurrently with the wetland delineation that occurred intermittently between August and November of 2023.

Based upon field observations and habitat requirements of listed species, the Project may affect, but is not likely to adversely affect the NLEB, tricolored bat, monarch butterfly, an. Additionally, the Project is not likely to adversely affect the Blanding's turtle. Due to the Project area being within the HPZ for the RPBB and that potentially suitable habitat for the different life cycles of the

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 2024

RPBB are present within the Project, floristic surveys and presence/absence surveys for the RPBB may be required to determine the Project's effect on the species.

The Project is anticipated to have no effect on the whooping crane, lance-leaf violet, American ginseng, and salamander mussel.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Limitations and Warranty
January 2024

5.0 Limitations and Warranty

Within the limitations of schedule, budget, and scope of work, Stantec warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of Stantec scientists. No other warranty, expressed or implied, is made. Please be aware that only the USFWS and/or lead federal agency can determine compliance with the ESA.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

6.0 References

- Audubon. undated(a). Whooping Crane (*Grus americana*). Available at: <https://www.audubon.org/field-guide/bird/whooping-crane>. Accessed December 28, 2023.
- Audubon. undated(b). Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. December 28, 2023.
- MDNR. 2008. Endangered, Threatened, and Special Concern Species of Minnesota: Blanding's Turtle (*Emydoidea blandingii*). Environmental Review Fact Sheet Series. Accessed December 28, 2023.
- MDNR Division of Ecological Resources. 2008. Endangered, Threatened, and Species Concern Species of Minnesota – Blanding's Turtle (*Emydoidea blandingii*). Available at: https://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf. Accessed December 28, 2023.
- MDNR. 2022. Butterfly Gardens. Available at: <https://www.dnr.state.mn.us/gardens/butterfly/index.html>. Accessed December 2023.
- MDNR. 2023. Rare Species Guide. Available at: <https://www.dnr.state.mn.us/rsg/index.html>. Accessed December 28, 2023.
- MDNR and USFWS 2023. Townships Containing Documented Northern Long-Eared Bat (NLEB) Maternity Roost Trees and/or Hibernacula Entrances in Minnesota. Available at: https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf. Accessed December 28, 2023.
- NABCI. 2021. Bird Conservation Regions Map. Available at <http://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 28, 2023.
- National Wildlife Federation. undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 28, 2023.
- University of Minnesota Bee Lab. 2022. Rusty patched bumble bee identification. Available at: <https://beelab.umn.edu/rusty-patched-bumble-bee>. Accessed December 28, 2023.
- USDA Forest Service. undated. Migration and Overwintering. Available at: https://www.fs.usda.gov/wildflowers/pollinators/Monarch_Butterfly/migration/index.shtml. Accessed December 28, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

Appendix A Figures

\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis\cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

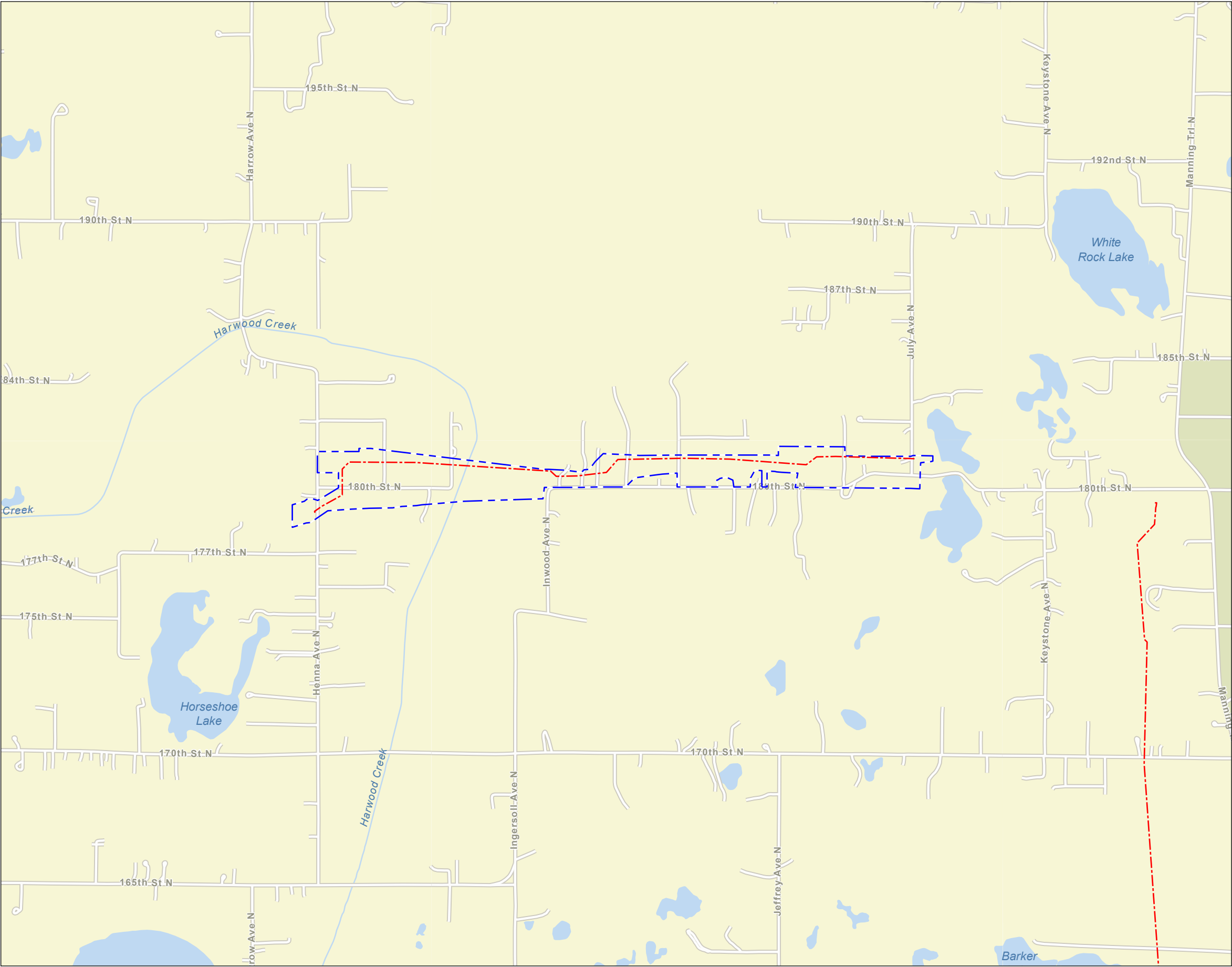
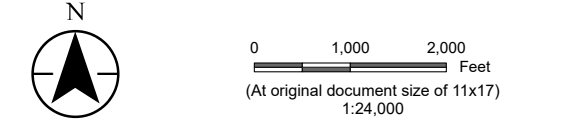


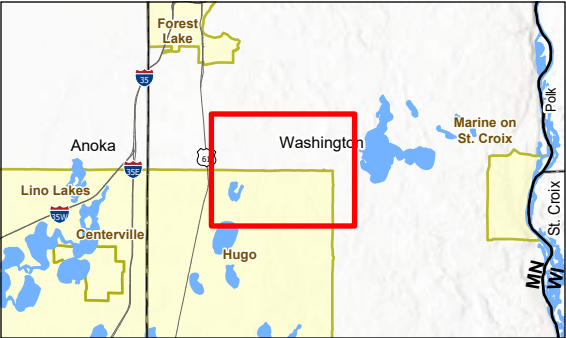
Figure No.
1
Title
Project Location

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd Branch Line Extension
172608212

Project Location
Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-31



- Legend
- Proposed Centerline
 - Environmental Survey Boundary



- Notes
- Coordinate System: NAD 1983 UTM Zone 15N
 - Data Sources: Stantec, NNG, NADS, USGS
 - Background: ESRI Streets Map



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212_03_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

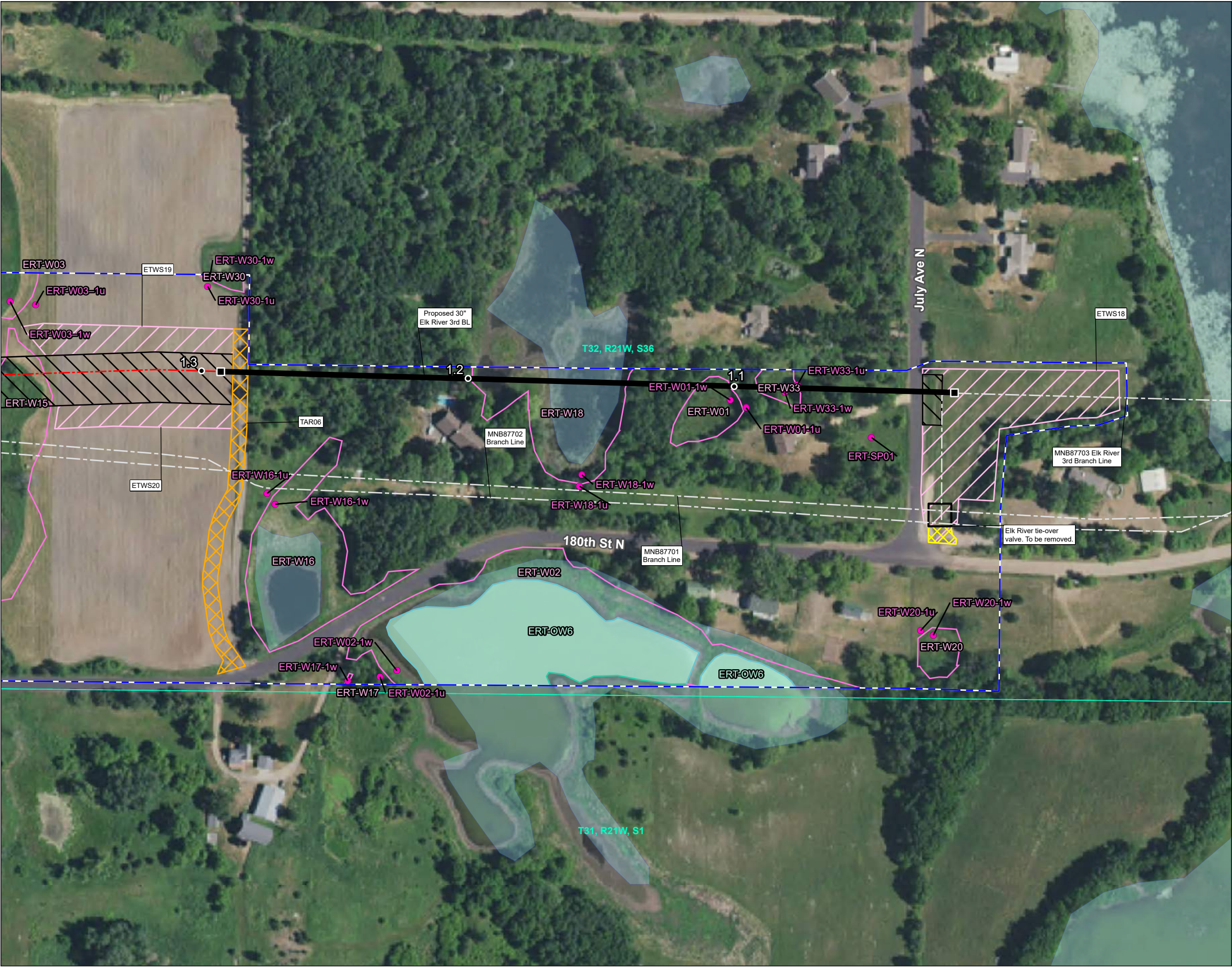


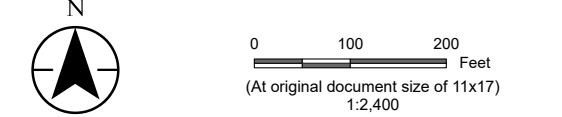
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension

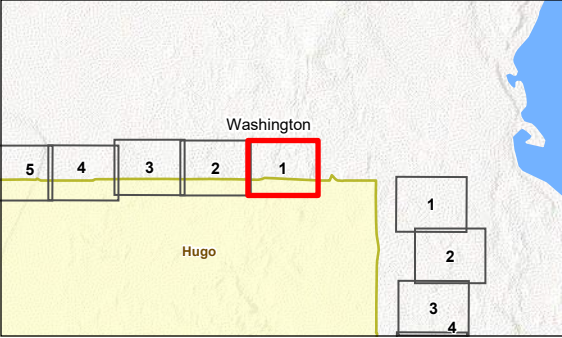
172608212

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | • Sample Point |
| ■ HDD Entry/Exit | Field Delineated Waterway |
| ▬ HDD Segment | Field Delineated Open Water |
| - - - Proposed Centerline | Field Delineated Waterway Area |
| - - - Existing Centerline | Field Delineated Wetland |
| □ Environmental Survey Boundary | National Hydrography Dataset / DNR 24k Hydrography |
| □ Existing Facility | Perennial Stream |
| ▨ Extra Temporary Workspace | Intermittent Stream |
| ▨ Existing Drive | Waterbody |
| ▨ Temporary Access Road | |
| ▨ Temporary Workspace | |



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



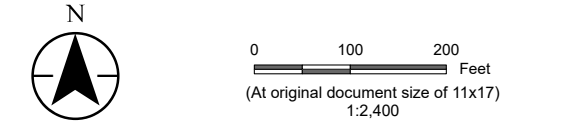
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis cad\gis\mxds\172608212_NL\2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



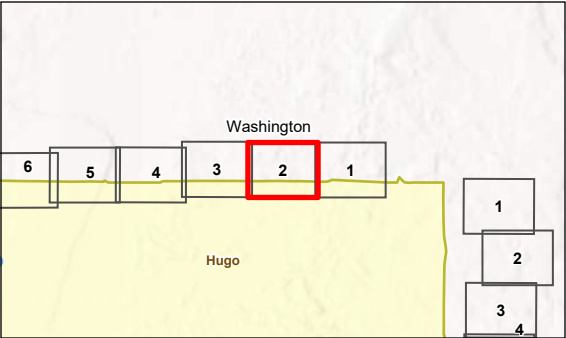
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension
172608212

Project Location
Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - ▬ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - ▭ Environmental Survey Boundary
 - ▭ Extra Temporary Workspace
 - ▭ Temporary Access Road
 - ▭ Temporary Workspace
 - △ Culvert
 - Sample Point
 - ▭ Field Delineated Waterway
 - ▭ Field Delineated Open Water
 - ▭ Field Delineated Waterway Area
 - ▭ Field Delineated Wetland
 - ▭ National Hydrography Dataset / DNR 24k Hydrography
 - ▭ Perennial Stream
 - ▭ Intermittent Stream
 - ▭ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL_2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

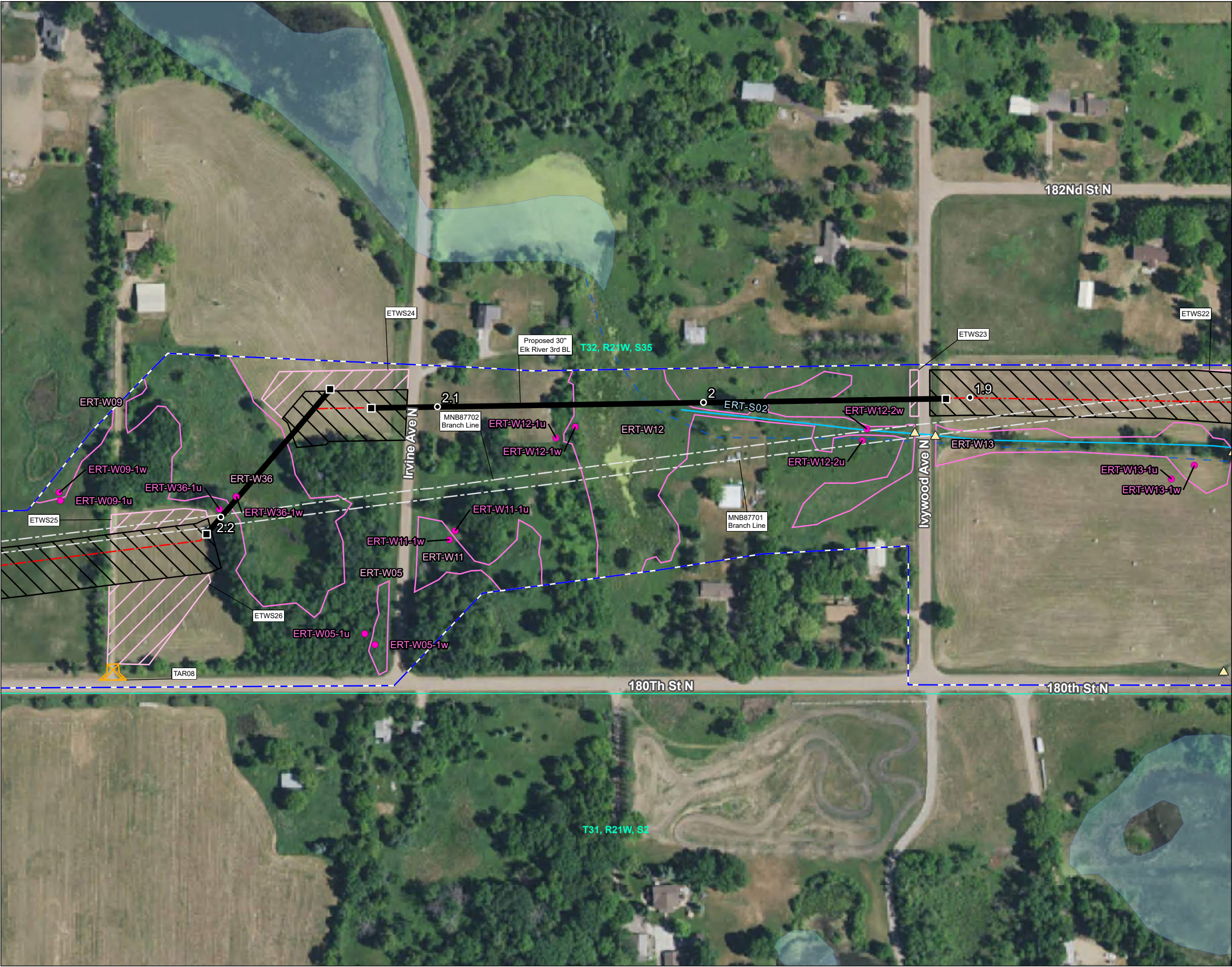
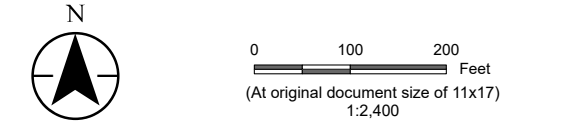


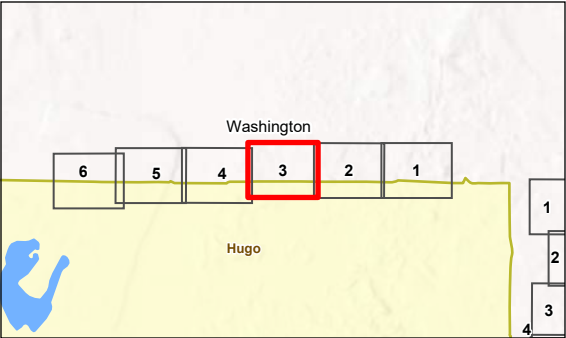
Figure No. 5
Title Field Collected Data

Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension

Project Location Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - ▬ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - ▭ Environmental Survey Boundary
 - ▭ Extra Temporary Workspace
 - ▭ Temporary Access Road
 - ▭ Temporary Workspace
 - ▲ Culvert
 - Sample Point
 - ▬ Field Delineated Waterway
 - ▬ Field Delineated Open Water
 - ▭ Field Delineated Waterway Area
 - ▭ Field Delineated Wetland
 - ▭ National Hydrography Dataset / DNR 24k Hydrography
 - ▬ Perennial Stream
 - ▬ Intermittent Stream
 - ▭ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

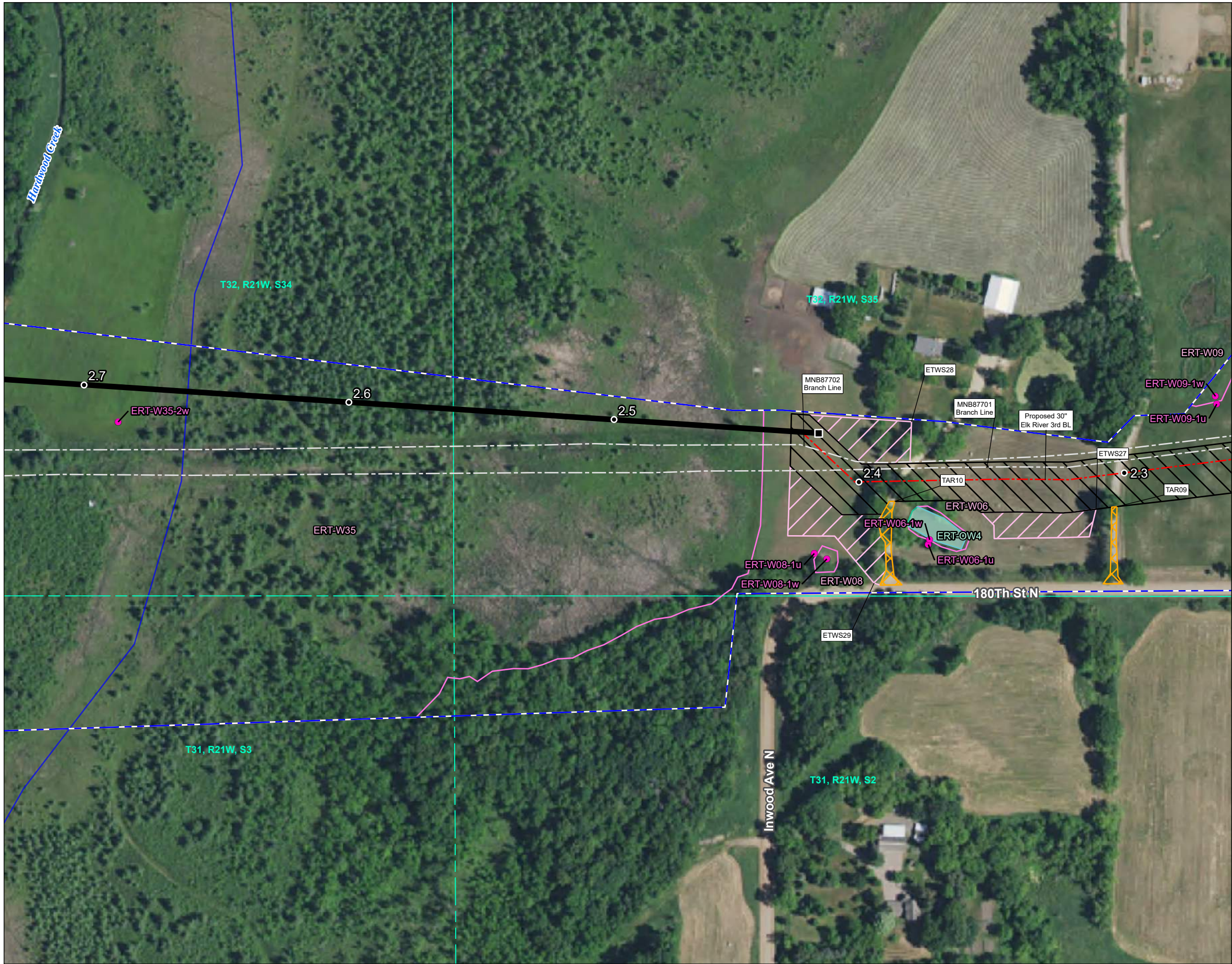
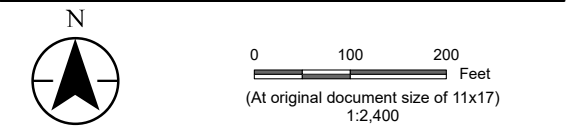


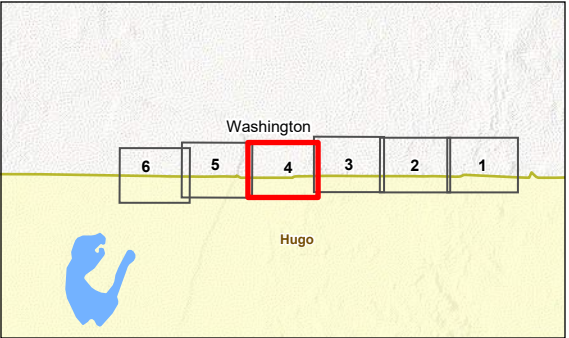
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension
172608212

Project Location
Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ■ HDD Entry/Exit | Field Delineated Waterway |
| — HDD Segment | Field Delineated Open Water |
| - - - Proposed Centerline | Field Delineated Waterway Area |
| — Existing Centerline | Field Delineated Wetland |
| □ Environmental Survey Boundary | National Hydrography Dataset / DNR 24k Hydrography |
| □ Extra Temporary Workspace | Perennial Stream |
| □ Temporary Access Road | Intermittent Stream |
| □ Temporary Workspace | Waterbody |



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL_2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

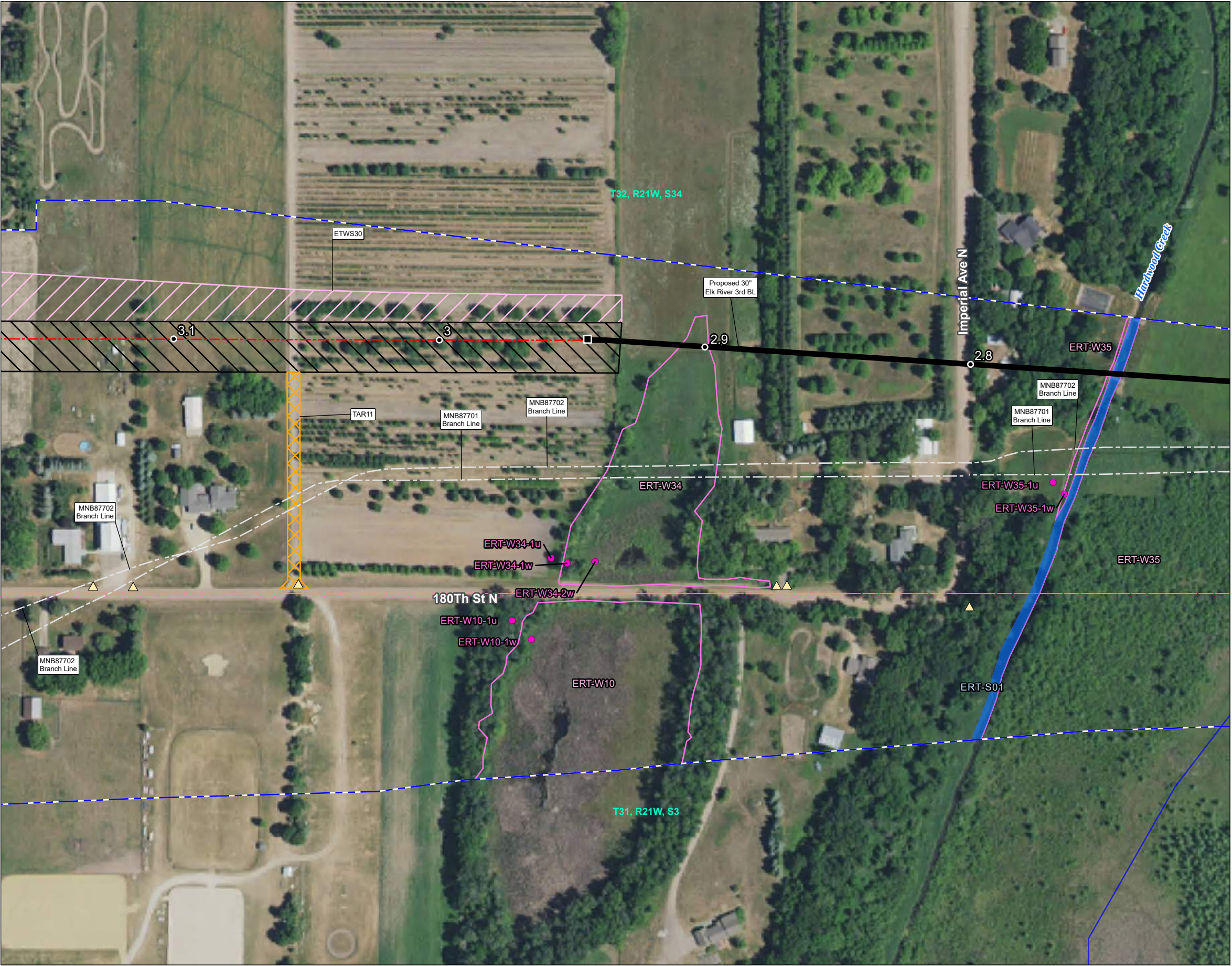
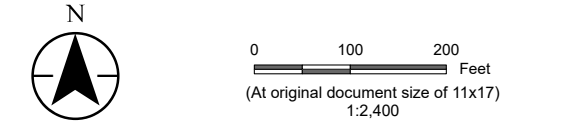


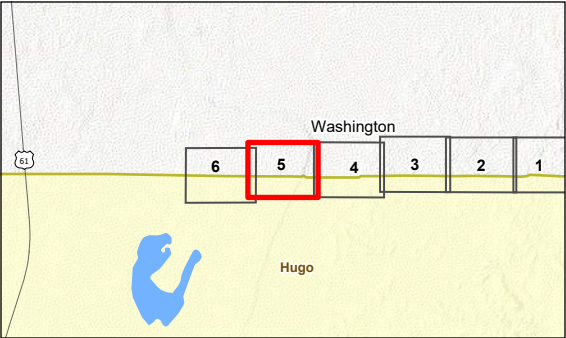
Figure No. 5
Title Field Collected Data

Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension

Project Location Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Access Road
 - Temporary Workspace
 - △ Culvert
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis\cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Elk River 3rd BL Extension

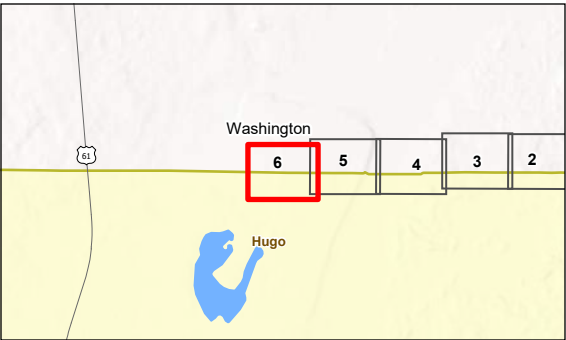
172608212

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - ▬ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - ▭ Environmental Survey Boundary
 - ▭ Proposed Facility
 - ▭ Extra Temporary Workspace
 - ▭ Proposed Drive
 - ▭ Temporary Workspace
 - ▭ Staging Area
 - △ Culvert
 - Sample Point
 - ▭ Field Delineated Waterway
 - ▭ Field Delineated Open Water
 - ▭ Field Delineated Waterway Area
 - ▭ Field Delineated Wetland
 - ▭ National Hydrography Dataset / DNR 24k Hydrography
 - ▭ Perennial Stream
 - ▭ Intermittent Stream
 - ▭ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



**NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix B USFWS IPaC List of Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029617

Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

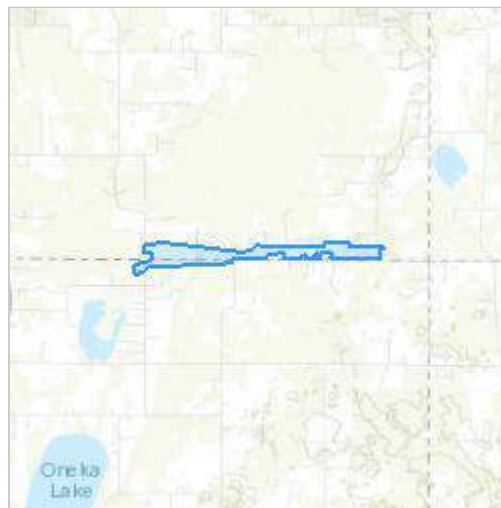
(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029617
Project Name: Northern Lights 2025 Expansion Project Elk River 3rd branch line
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington County, Minnesota. Northern designed its extension to minimize impacts to the environment, including tree removal and wetlands, and landowners; therefore, a majority of the extension is offset from Northern's existing pipelines by more than 25 feet.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.21059665,-92.94032615114264,14z>



Counties: Washington County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Salamander Mussel <i>Simpsonaias ambigua</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/LIYTNZHSKZCCBHOQ62EAIPZOJ4/documents/generated/5967.pdf	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the **PROBABILITY OF PRESENCE SUMMARY** below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

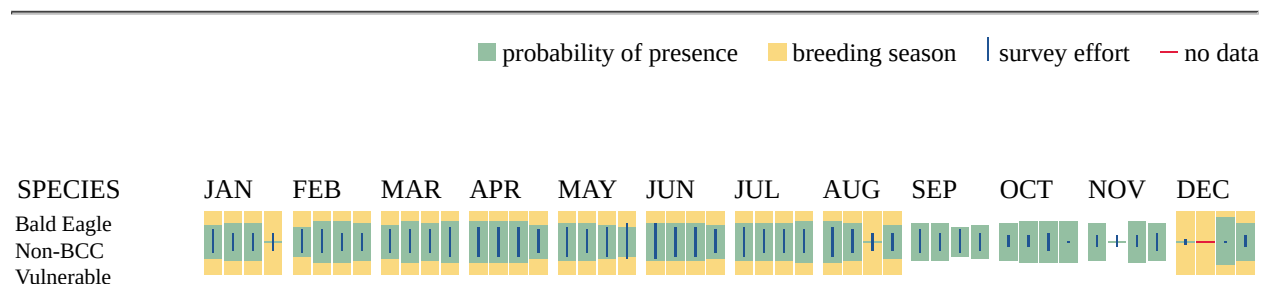
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere

NAME	BREEDING SEASON
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

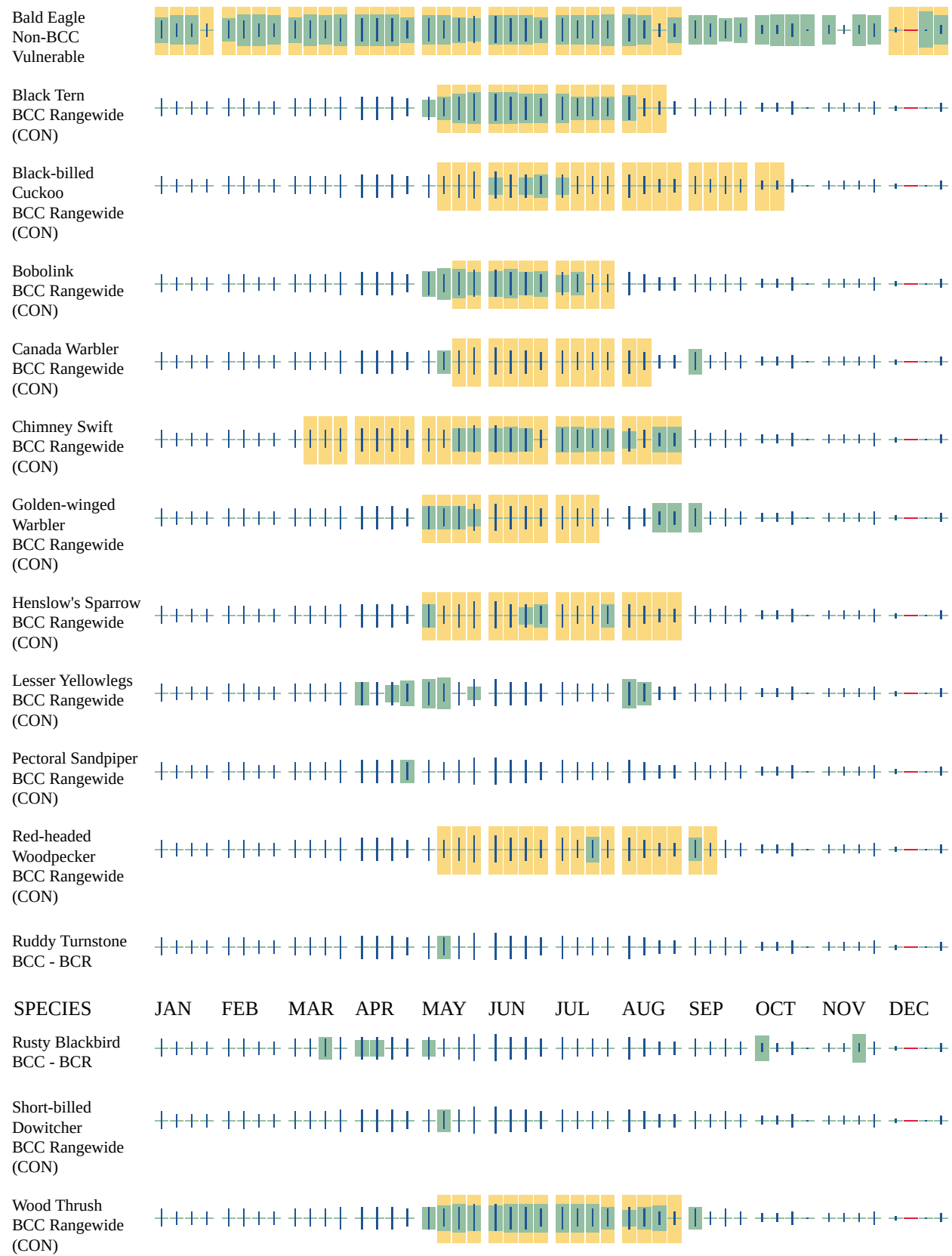
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBF
- PABHx
- PABH
- PUBHx

FRESHWATER EMERGENT WETLAND

- PEM1A
- PEM1C
- PEM1Cd
- PEM1F

FRESHWATER FORESTED/SHRUB WETLAND

- PSS1Cd
- PSS1/EM1Ad
- PFO2/EM1Dg
- PFO1/EM1Cd
- PFO2/SS1Dg

RIVERINE

- R2UBFx
-

- R4SBC

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services, INC.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

**NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix C Photographs

Rare, Threatened, and Endangered Species Report
Elk River 3rd Branch Line
Appendix C - Photographs
January 2024



Photo 1. Photo of pasture from ERT-W08-1u, photo taken facing north.



Photo 2. Photo of perennial stream ERT-S01, photo taken facing south, downstream. Stream designation 2Bg, 3C, 4A, 4B, 5, 6.



Photo 3. Photo of Wet Meadow/PEM1B within ERT-W36-1w, photo taken facing east.



Photo 4. Photo of Disturbed Wet Meadow/PEM1B within ERT-W06-1w and open water feature ERT-OW4, photo taken facing west.



Photo 5. Photo of Disturbed Wet Meadow/PEM1B within ERT-W11-1w, photo taken facing south.



Photo 6. View from ERT-W14-2u of pasture land, photo taken facing east.

Rare, Threatened, and Endangered Species Report
Elk River 3rd Branch Line
Appendix C - Photographs
January 2024



Photo 7. Photo of Disturbed Wet Meadow/PEM1B; Shallow Marsh/PEM1C within ERT-W14-2w, photo taken facing north.



Photo 8. View from ERT-W30-1u of agricultural row crop, photo taken facing south.



Photo 9. Photo of Disturbed Wet Meadow/PEM1B within ERT-W02-1w, photo taken facing east.



Photo 10. Photo of Disturbed Wet Meadow/PEM1B within ERT-W18-1w, photo taken facing north.



Photo 11. Photo of Shallow Marsh/PEM1C within ERT-W30-1w, photo taken facing north.



Photo 12. View from general land cover, grassland, photo taken facing north.

Rare, Threatened, and Endangered Species Report
Elk River 3rd Branch Line
Appendix C - Photographs
January 2024



Photo 13. View from general land cover, upland forest, photo taken facing east.



Photo 14. View from general land cover, upland forest and existing pipeline ROW, photo taken facing west.



Photo 15. View from general land cover pasture land, photo taken facing east.



Photo 16. View from general land cover, tree farm, photo taken facing north.



Photo 17. View from general landcover, grassland, photo taken facing east.



Photo 18. View from general land cover, upland forest, photo taken facing south.

**NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix D MDNR MCE Response Letter



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Northern Lights 2025 Expansion Project -Elk River 3rd branch line

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project Type Activities: Tree Removal;Wetland impacts (e.g., dewatering, tiling, drainage, discharge, excavation, fill, runoff, sedimentation, changes in hydrology)

TRS: T31 R21 S2, T31 R21 S3, T32 R21 S34, T32 R21 S35, T32 R21 S36

County(s): Washington

DNR Admin Region(s): Central

Reason Requested: Other

Project Description: Northern proposes to construct and operate an approximately 2.43-mile extension of its 30-inch-diameter MNB87703 Elk River 3rd branch line in Washington ...

Existing Land Uses: The project site consists of agricultural land, roadways, existing pipeline stations and rural residences.

Landcover / Habitat Impacted: Land cover within the project area consists of agricultural land, wetlands, open land, forests/woodlands, industrial/commercial uses and rural and developed residential properties.

Waterbodies Affected: Two streams including one intermittent and one perennial stream along with several wetlands will be crossed during construction. Northern will cross the ...

Groundwater Resources Affected: Long-term impacts on groundwater resources from the construction, operation and maintenance of the Project are not anticipated.

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	Comments	Tree Removal - Recommendations
Ecologically Significant Area	Comments	Potential RNC - Will Require Consultation MBS Sites - Recommendations NPCs - Recommendations
State-Listed Endangered or Threatened Species	Needs Further Review	State-protected Species in Vicinity
State-Listed Species of Special Concern	Comments	Recommendations

Category	Results	Response By Category
Federally Listed Species	Comments	RPBB High Potential Zone



January 10, 2024

Project Name: Northern Lights 2025 Expansion Project -Elk River 3rd branch line

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project ID: MCE #2024-00037

AUTOMATED RESULTS: FURTHER REVIEW IS NEEDED

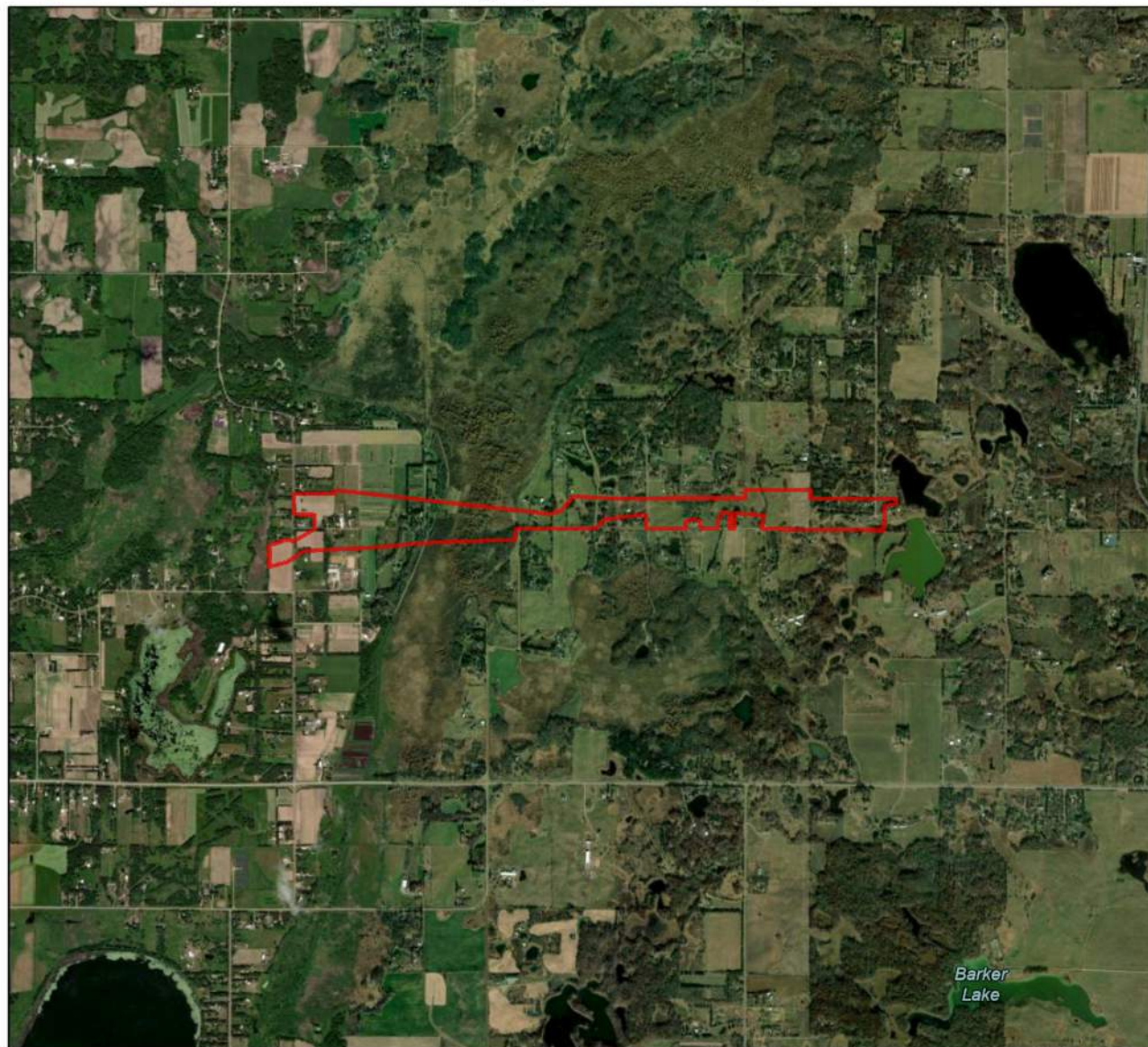
As requested, the above project has undergone an automated review for potential impacts to rare features. Based on this review, one or more rare features may be impacted by the proposed project and further review by the Natural Heritage Review Team is needed. You will receive a separate notification email when the review process is complete and the Natural Heritage Review letter has been posted.

Please refer to the table on the cover page of this report for a summary of potential impacts to rare features. For additional information or planning purposes, use the Explore Page in Minnesota Conservation Explorer to view the potentially impacted rare features or to create a Conservation Planning Report for the proposed project.

If you have additional information to help resolve the potential impacts listed in the summary results, please attach related project documentation in the Edit Details tab of the Project page. Relevant information includes, but is not limited to, additional project details, completed habitat assessments, or survey results. This additional information will be considered during the project review.

thern Lights 2025 Expansion Project -Elk River 3rd branch

Aerial Imagery With Locator Map



0 0.25 0.5 1 1.5 2 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 195.67

County(s): Washington

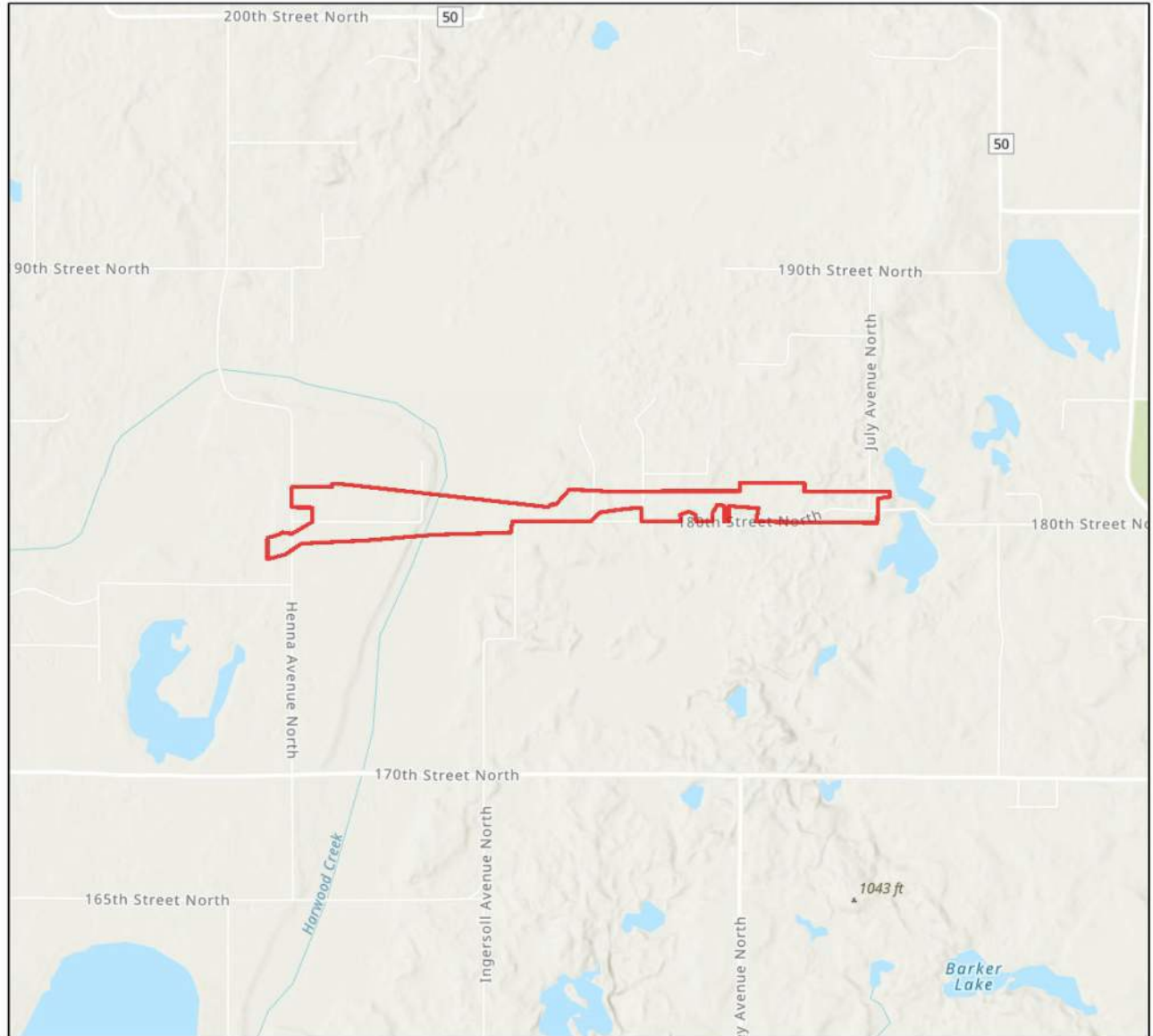
TRS: T31 R21 S2, T31 R21 S3, T32 R21 S34, T32 R21 S35, T32 R21 S36

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Earthstar Geographics
Metropolitan Council, MetroGIS, Esri, TomTom, Garmin, SafeGraph,



thern Lights 2025 Expansion Project -Elk River 3rd branch

USA Topo Basemap With Locator Map



0 0.25 0.5 1 1.5 2 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 195.67

County(s): Washington

TRS: T31 R21 S2, T31 R21 S3, T32 R21 S34, T32 R21 S35, T32 R21 S36

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Esri, NASA, NGA, USGS, FEMA
Metropolitan Council, MetroGIS, Esri, TomTom, Garmin, SafeGraph,



NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND
ENDANGERED SPECIES REPORT

Appendix E Federal and State-Listed Species Potentially Occurring in the ESB in
Washington County

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Mammals					
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Endangered	Special concern	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices. Overwinter hibernacula: large caves and mines with large passages and entrances.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed endangered	Special concern	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Birds					

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Whooping crane (<i>Grus americana</i>)	Experimental population, non-essential	None	Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	Unlikely to occur. The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not typically migrate through the Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin.	No Effect.
Mussels					
Salamander mussel (<i>Simpsonaias ambigua</i>)	Proposed endangered	Endangered	Under large flat stones in swift current in medium to large rivers and lakes.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect.
Reptiles					

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Blanding's turtle (<i>Emydoidea blandingii</i>)	None	Threatened	Blanding's turtles are semi-aquatic, living mostly in shallow wetland habitats where aquatic vegetation is abundant. These reptiles will specifically live in ephemeral wetlands in attempts to keep away from predators that are more prevalent in permanent wetlands.	Known to occur. This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. Northern will implement mitigation measures during construction, through their Project's plan and procedures, to minimize impacts to this species. Additionally, majority of aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD.	Not likely to adversely affect
Invertebrates					
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	None	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	May occur. Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration.	May affect but is not likely to adversely affect.

NORTHERN LIGHTS 2025 EXPANSION PROJECT-ELK RIVER 3RD BRANCH LINE PROJECT RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Rusty patched bumble bee (<i>Bombus affinis</i>)	Endangered	None	Habitat generalist; can be found in grasslands, shrublands, and forested areas, as well as tall grass prairies, sedge meadows, and unplowed calcareous prairies/fens.	May occur. Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects.	To be determined.
Plants					
Lance-leaf violet (<i>Viola lanceolata</i>)	None	Threatened	Low, moist meadows with a sandy substrate, moist swales in sand dunes and savannas, and occasionally on sandy lakeshores.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
American ginseng (<i>Panax quinquefolius</i>)	None	Special concern	Rich, cool, moist hardwood forest.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect

Northern Lights 2025 Expansion Project – Farmington to Hugo C-Line Rare, Threatened, and Endangered Species Report

Washington County, Minnesota



Stantec Consulting Services Inc.

Prepared by:
Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55447
Phone: (763) 479-4200

Prepared for:
Terry Plucker
Northern Natural Gas
1111 South 103rd Street
Omaha, Nebraska 68124

January 12, 2024

Sign-off Sheet

This document entitled Northern Lights 2025 Expansion Project – Farmington to Hugo C-Line Rare, Threatened, and Endangered Species Report was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Northern Natural Gas (the "Client"). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by Tim Paquin
(signature)

Tim Paquin, Environmental Scientist

Reviewed by Nathan Noland
(signature)

Nathan Noland, Environmental Scientist

Approved by Susan Knabe
(signature)

Susan Knabe, Principal

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Table of Contents

ACRONYMS LIST	1
1.0 INTRODUCTION	1
1.1 PROJECT DESCRIPTION.....	1
1.1.1 Construction Methods and Mitigation Measures	2
1.2 REGULATORY FRAMEWORK	3
2.0 METHODS.....	4
2.1 DESKTOP ASSESSMENT	4
2.2 FIELD SURVEYS.....	4
2.3 SPECIES EVALUATIONS.....	5
3.0 RESULTS	6
3.1 ECOLOGICAL OVERVIEW	6
3.2 VEGETATION	6
3.2.1 Land Cover Types	6
3.2.2 Vegetation Communities.....	7
3.3 SPECIES EVALUATION	8
3.3.1 Federally Listed Species	8
3.3.2 State-Listed Species	11
3.4 MIGRATORY BIRDS	15
3.4.1 County, State and Federal Lands	16
4.0 SUMMARY AND CONCLUSIONS.....	17
5.0 LIMITATIONS AND WARRANTY	18
6.0 REFERENCES.....	19

LIST OF TABLES

Table 1. Waterbodies and Wetlands to be Crossed by the Project	2
--	---

LIST OF APPENDICES

APPENDIX A	FIGURES	A.1
APPENDIX B	USFWS IPAC LIST OF SPECIES	B.1
APPENDIX C	PHOTOGRAPHS	C.1
APPENDIX D	MDNR MCE RESPONSE LETTER	D.1
APPENDIX E	FEDERAL AND STATE-LISTED SPECIES POTENTIALLY OCCURRING IN THE ESB IN WASHINGTON COUNTY	E.1

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Acronyms List
January 2024

Acronyms List

BGEPA	Bald and Gold Eagle Protection Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CREP	USDA Conservation Reserve Enhancement Program
ESB	Environmental Survey Boundary
ESA	Endangered Species Act
ETWS	Extra Temporary Workspace
F	Fahrenheit
FERC	Federal Energy Regulation Commission
HDD	horizontal directional drill
IPaC	Information, Planning and Consultation
MBTA	Migratory Bird Treaty Act
MDNR	Minnesota Department of Natural Resources
MP	Milepost
NHIS	Natural Heritage Information System
NLEB	Northern Long-eared Bat
Northern	Northern Natural Gas
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
Procedures	Wetland & Waterbody Construction and Mitigation Procedures
Project	Northern Lights 2025 Expansion Project
ROW	Right of way
RTE	Rare, threatened, or endangered
Stantec	Stantec Consulting Services Inc.
SWCD	Soil and Water Conservation District
UNT	Unnamed tributary
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

1.0 Introduction

Stantec Consulting Services Inc. (Stantec) prepared this rare, threatened, and endangered (RTE) species report for the proposed Farmington to Hugo C-Line component of the of the Northern Lights 2025 Expansion Project (Project) located within Washington County, Minnesota. The work was conducted at the request of Northern Natural Gas (Northern) in order to facilitate compliance with the Endangered Species Act (ESA) of 1973 (16 United States Code [USC] A-1535-1543, P. L. 93-205), as amended.

This report describes the methods used to conduct the RTE species habitat assessment; and discusses the results of the investigation. This report does not serve as a project clearance letter for the above referenced Project but provides a professional opinion on the potential for project construction activities to affect federally and state-listed RTE species known to inhabit the aforementioned Washington, County, Minnesota.

1.1 PROJECT DESCRIPTION

Northern proposes to construct and operate a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County. The proposed extension will be tied in below ground inside its existing Hugo compressor station in Section 6, T31N, R20W, Washington County, Minnesota. The downstream tie-in to Northern's 24-inch-diameter MNM86501 B-line will be completed within a new valve setting in Section 7, T31N, R20W, Washington County, Minnesota.

The Farmington to Hugo C-line will be installed parallel to Northern's MNM86501 B-line except for MP 0.10 to 1.0, where the route will deviate from being parallel to an existing line to maximize HDD constructability and reduce the possibility of night-time noise impacts to nearby NSAs. The pipeline will be installed within a 100-foot-wide nominal construction corridor; the construction corridor will be reduced to 90-foot-wide construction corridor to avoid two wetlands near MP 0.6 and reduced to a 75-foot-wide construction corridor near MP 1.32 to avoid a wetland. In addition to the construction corridor, Northern will utilize ETWS, existing driveways, temporary access roads, and staging areas during construction. Near MP 1.70, Northern will obtain an easement to utilize an existing access road to provide operational access to its proposed new valve setting.

Northern will install a new launcher, associated valves and piping within its Hugo compressor station, located in Section 6, T31N, R20W, Washington County, Minnesota. The launcher will be installed in the southeast corner of the Hugo compressor station. Northern will utilize the existing compressor station driveway without modification. No modifications to the existing facility footprint or easements will be required. The existing Hugo compressor station facility footprint is 4.24 acres.

Northern plans to construct and operate an aboveground valve setting at the terminus of the proposed Farmington to Hugo C-line, located in Section 7, T31N, R20W, Washington County, Minnesota. The new valve setting will include tie-in piping and valves from the 24-inch-diameter MNM86501 B-line. The proposed valve setting measures approximately 49 feet by 46 feet by 56

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

feet by 45 feet. Northern will utilize an existing state-owned driveway, PD1, for permanent access to the proposed valve setting from Manning Trail North. For operational purposes, Northern will utilize the state-owned driveway without improvements. A guard rail will be installed around the aboveground valve setting. The new aboveground facility footprint will total approximately 2.74 acres, of which 2.69 acres is comprised of the state-owned driveway that will be utilized for construction and operation.

1. 1. 1 Construction Methods and Mitigation Measures

Northern will follow their plans and procedures to employ specific construction methods to minimize impacts on RTE species and their habitats in and along stream crossing location and downstream of crossing location. The pipeline will be installed within a 100-foot-wide nominal construction corridor.

Northern will cross the field delineated wetlands via horizontal directional drilling (HDD). HDD allows for trenchless construction across a waterbody or wetland and is used to minimize impacts on water quality from construction activities. A Project-specific HDD Monitoring, Inadvertent Return Response, and Contingency Plan (HDD Plan) has been developed and will be implemented during construction to aid in avoiding and mitigating potential effects from an inadvertent release of drilling mud. Table 1 lists the proposed location, width and water quality designation for the waterbody and wetlands crossed by the Project.

Table 1. Waterbodies and Wetlands to be Crossed by the Project

Waterbody ² / Wetland	Waterbody ² / Wetland Type	MP	Crossing Width (feet)	Crossing Method (Contingency)
FRM-W01	Disturbed Wet Meadow / PEM1B	0.21-0.29	420	HDD
FRM-W05	Shrub-Carr / PSS1C; Wet Meadow / PEM1B; Open Water / PUBF	0.48-0.49	80	HDD
FRM-W09	Wet Meadow / PEM1B	0.71-0.74	148	HDD
FRM-W10	Wet Meadow / PEM1B	0.91	39	HDD
FRM-W21	Wet Meadow / PEM1B	0.32-0.35	152	HDD

¹ Wetland Classification based on Cowardin, Classification of Wetlands and Deepwater Habitats: PEM1C – Palustrine Emergent – persistent – seasonally flooded (Shallow Marsh)

²No waterbodies are crossed by the Project component

Northern plans to HDD five wetland features (FRM-W01, FRM-W05, FRM-W09, FRM-W10, and FRM-W21). Crossing of wetlands will be completed in accordance with applicable permit conditions and the measures specified in the FERC Procedures. This will include locating extra temporary workspace ETWS in upland areas at least 50 feet from the wetland boundary, where practical;

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 2024

prohibiting refueling or fuel storage within 100 feet of wetland boundaries; and limiting impacts within wetland to temporary foot traffic to follow the HDD path.

To minimize impacts on terrestrial and arboreal RTE species and their habitat, Northern designed their Project to avoid wooded areas or fence rows where possible. However, due to the higher density of forested habitat within the Project ESB, tree clearing will be required.

After construction activities are complete, the areas disturbed by construction that do not contain a permanent facility will be graded to previous site conditions. Original land contours will be restored, as near as practicable, to original conditions. Non-cultivated land will be reseeded in accordance with individual landowner requirements, land management agency requirements or NRCS and SWCD recommendations. The 50-foot-wide permanent ROW will be allowed to revegetate, and Northern will comply with FERC's maintenance and mowing procedures list in FERC's Plan. Northern will not mow their operational ROW where the pipeline was installed via HDD in wetland or riverine areas.

1.2 REGULATORY FRAMEWORK

This Project will be conducted under multiple regulatory policies developed for the protection of sensitive plant and animal species. These include the ESA, Bald and Gold Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The following paragraphs provide a brief overview of each of these policies.

- The ESA prohibits any person or entity from causing the take of any plant or animal species on the Secretary of the Interior's list of RTE species (Section 9(a)(1)(b)) and states that it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence, or result in the destruction or adverse modification of habitat determined to be critical to the conservation of any such species (Section 7(a)(2)). The ESA defines a take as the harassment, harm, pursuit, hunting, shooting, killing, trapping, capture, or collection of such species.
- The BGEPA, originally passed in 1940, and amended in 1962, provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting the take of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 USC 668(a); 50 Code of Federal Regulations [CFR] 22). The BGEPA defines a take as the pursuit, shooting, shooting at, poisoning, wounding, killing, capturing, trapping, collecting, molesting, or disturbing of a bald or golden eagle.
- The MBTA, originally passed in 1918, implements the United States commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource, protecting more than 800 species of birds. The list of migratory bird species protected by the MBTA appears in Title 50, Section 10.13, of the CFR (50 CFR § 10.13). The MBTA protects all native migratory birds and prohibits the taking, killing, possession, and transportation of migratory birds, their eggs, and parts, except when specifically permitted by regulations for specific intentional uses. The list of birds federally protected under the MBTA, activities

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
January 2024

that have the potential to take migratory birds, and recommendations for reducing such take can be found in 50 CFR 10 of the MBTA. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern.

2.0 Methods

Stantec conducted a desktop review for RTE, USFWS designated critical habitat, and potential for suitable habitat within the Northern-defined environmental survey boundary (ESB) based on review of USFWS database information and the MDNR Natural Heritage Information System (MDNR NHIS). Field surveys were used to confirm and supplement the desktop review and were used to assess possible presence of individuals or populations of protected species and species of conservation concern, as well as suitable habitat for those species as part of the wetland delineation throughout the ESB. Northern's ESB encompasses all proposed workspaces and typically provides a minimum of a 50-foot clearance buffer around workspaces.

2.1 DESKTOP ASSESSMENT

A desktop study of the ESB was completed prior to initiation of field surveys in 2023. The desktop assessment included review of aerial imagery, US Geological Survey (USGS) 7.5-minute quadrangle maps; USFWS National Wetland Inventory (NWI) maps; the USFWS Information, Planning and Consultation (IPaC) system; the MDNR NHIS; state wildlife agency websites; and available literature. Stantec biologists reviewed the aforementioned information to identify and become familiar with the natural features and listed species most likely to be encountered in the Project area.

In preparation for field surveys, the USFWS IPaC Environmental Conservation Online System was accessed to review federally listed T&E, proposed, and candidate species and federally designated critical habitat that may be present within the ESB in December 2023 (USFWS 2023a). Stantec requested and received a USFWS IPaC Official Species List (consultation #2024-0029631) from the Minnesota-Wisconsin Ecological Services Field Office. The Official Species Lists from IPaC is included as Appendix B.

2.2 FIELD SURVEYS

Stantec conducted field surveys for presence of suitable habitats concurrent with the wetland delineations intermittently between August and November of 2023. The field surveys consisted of pedestrian inspections to evaluate the presence/absence of suitable habitat and potential presence of listed species within the ESB. Field crews reviewed the list of protected species identified as having the potential to occur within the ESB and one-mile buffer of Project boundary. In addition, the field crews reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
January 2024

To support the development of site descriptions, vegetation characterizations, and evaluations of potential RTE species suitable habitats, field crews documented existing upland and wetland vegetative communities and land cover characteristics present within the survey areas. A photolog showing representative vegetation communities is included as Appendix C.

2.3 SPECIES EVALUATIONS

The potential for occurrence of each species within the construction footprint for the Project ("Project area"), was summarized according to the categories listed below. Potential for occurrence categories are as follows.

- **Known to occur**—the species has been documented in the Project area by a reliable observer.
- **May occur**—the Project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- **Unlikely to occur**—the Project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the Project area is clearly outside the species' currently known range.
- **Does not occur**—the species does not occur in the Project area.

Those species listed by the USFWS were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect and is likely to adversely affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **May affect, but not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

Those species listed by the MDNR were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **Not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

3.0 Results

3.1 ECOLOGICAL OVERVIEW

The Project lies within Major Land Resource Area (MLRA) 90A Wisconsin and Minnesota Thin Loess and Till. This area is in the Western Lake Section of the Central Lowland Province of the Interior Plains. The landscape is gently undulating to rolling, loess-mantled till plains, drumlin fields, and end moraines mixed with outwash plains. Lakes, ponds, and marshes occur throughout the area.

The average annual precipitation in most of this area is 26 to 36 inches (667 to 909 millimeters). Most of the rainfall occurs as high-intensity, convective thunderstorms during the growing season. Snowfall is common from October through April. The average annual temperature ranges from 39 to 47 degrees F (4 to 8 degrees C). The freeze-free period averages about 145 days and ranges from 110 to 180 days [United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2022].

3.2 VEGETATION

Land use within the Wisconsin Thin Loess and Till is dominated by deciduous forests and woody wetlands. Conifer-hardwood forests in this region are dominated by sugar maple (*Acer saccharum*), basswood (*Tilia americana*), yellow birch (*Betula alleghaniensis*), white ash (*Fraxinus americana*), red oak (*Quercus rubra*), white oak (*Quercus alba*), aspen (*Populus spp.*), eastern hemlock (*Tsuga canadensis*), red pine (*Pinus resinosa*), and white pine (*Pinus strobus*). Forested wetland areas are dominated by black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), silver maple (*Acer saccharinum*), red maple (*Acer rubrum*), swamp white oak (*Quercus bicolor*), black spruce (*Picea marina*), tamarack (*Larix laricina*), and speckled alder (*Alnus incana*). (USDA, NRCS 2022).

3.2.1 Land Cover Types

During field surveys, Stantec identified six general land cover types within the Project area. Using vegetation species associations, land cover in the Project area was classified as agricultural land, wetlands, open land, forested, industrial/commercial, and residential. General descriptions of the land cover types encountered in the Project area are as follows.

- **Agricultural Land** – including active cropland (including specialty crop or turf grass production), cropland that had recently been plowed, areas that had been harvested and fallow or idle areas that appeared to be regularly used to grow agricultural crops.
- **Wetlands** –including areas dominated by wetland vegetation and exhibiting hydric soils and wetland hydrology, including those that are farmed. Wetland types include floodplain forested wetland, shallow marsh, and farmed seasonally flooded wetland.
- **Open Land** – including non-forested herbaceous uplands, rangeland, scrub-shrub land, areas that were being used to grow hay, non-agricultural fields and/or other herbaceous

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

areas that are dominated by a mixture of mid-grass or short-grass species. The vegetation also includes mowed areas and areas of mixed weeds and grass along roadsides.

- **Forested** - mixed hardwood forests, mixed evergreen and hardwood forests.
- **Industrial/Commercial** - manufacturing or industrial plants, mines, commercial facilities, roads, railroads and electric or gas utility stations crossed by the pipeline corridor.
- **Residential** - rural and developed residential property.

3.2.2 Vegetation Communities

Stantec identified four general types of vegetation communities within the Project area, identified below. Industrial/commercial land, and residential is not included within the list, as vegetation is not present within this land use type.

- **Agricultural Land** – Agricultural land within the Project area consisted primarily of cultivated crop land planted with corn (*Zea mays*) and soybean (*Glycine max*).
- **Wetland** – Twenty-one wetlands were observed in the ESB. The wetlands were classified as wet meadow, disturbed wet meadow, seasonally flooded basin, shrub-carr, open water, shallow marsh and hardwood swamp. The wet meadow and disturbed wet meadow wetland vegetation community consisted of canary grass (*Phalaris arundinacea*), woolgrass (*Scirpus cyperinus*), tussock sedge (*Carex stricta*), nodding beggarticks (*Bidens cernua*), and giant goldenrod (*Solidago gigantea*), the seasonally flood basin vegetation community was dominated by reed canary grass, swamp smartweed (*Persicaria amphibia*), nodding beggarticks, rice cutgrass (*Leersia oryzoides*), woolgrass, and tussock sedge, the shrub-carr wetland community was dominated by reed canary grass, red-osier dogwood (*Cornus sericea*), nodding beggarticks, and glossy buckthorn (*Frangula alnus*), the open water wetland community consisted of reed canary grass, nodding beggarticks, and broad-leaf arrowhead (*Sagittaria latifolia*), the shallow marsh wetland community was dominated by giant chickweed (*Myosoton aquaticum*), arrow-leaved tearthumb (*Persicaria sagittata*), water smartweed, reed canary grass, nodding beggarticks, common duckweed (*Lemna minor*), quaking aspen (*Populus tremuloides*), American elm (*Ulmus americana*), and gray alder (*Cornus racemosa*), and the hardwood swamp was dominated by green ash (*Fraxinus pennsylvanica*), red maple (*Acer rubrum*), glossy buckthorn, and giant goldenrod and common boneset (*Eupatorium perfoliatum*).
- **Open Land** - A majority of the open land in the ESB included fallow land, former cropland and/or other disturbed areas and was dominated by smooth brome (*Bromus inermis*), Canada goldenrod (*Solidago canadensis*), Allegheny blackberry (*Rubus allegheniensis*), Kentucky bluegrass (*Poa pratensis*) and orchard grass (*Dactylis glomerata*).
- **Forested Land** - Vegetation in forested areas consisted of red pine (*Pinus resinosa*), white pine (*Pinus strobus*), red oak (*Quercus rubra*), white oak (*Quercus alba*), quaking aspen (*Populus tremuloides*), non-native honeysuckle (*Lonicera spp.*), and buckthorn (*Rhamnus spp.*).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

- **Residential** - Maintained residential communities consisted of turf species such as Kentucky bluegrass, smooth brome, and orchard grass.

3.3 SPECIES EVALUATION

A review of federally and state-protected species, species of conservation concern, associated habitats, and other rare natural features that are known to occur within one mile of the Project ESB was conducted as described in Section 2. 1. Information provided by the USFWS Minnesota-Wisconsin Ecological Services Field Office (Appendix B) and the MDNR NHIS database was included in the review of the Project for potential impacts to these resources.

The federally and state-listed species with suitable habitat and/or potential to occur within the Project area are discussed below and summarized in Appendix B, D, and E.

3.3.1 Federally Listed Species

Northern received an official IPaC letter from the USFWS Minnesota-Wisconsin field office on December 21, 2023 (consultation #2024-0029631). The USFWS determined that the following federally listed species may occur in the proposed Project area or be affected by the proposed action in Minnesota:

- Northern long-eared bat (*Myotis septentrionalis*) – endangered
- Tricolored bat (*Perimyotis subflavus*) – proposed endangered
- Whooping crane (*Grus americana*) – experimental population, non-essential
- Higgins eye (pearlymussel) (*Lampsilis higginsii*) – endangered
- Salamander mussel (*Simpsonaias ambigua*) – proposed endangered
- Winged mapleleaf (*Quadrula fragosa*) – endangered
- Monarch butterfly (*Danaus plexippus*) - candidate

These species and their habitats are described below.

Northern long-eared bat

During winter, northern long-eared bats (NLEB) use large caves and mines that have large passages and entrances, constant temperatures and high humidity with no air currents; however, no large caves and mines were identified within the Project area during the time the surveys occurred. The Project ESB crosses suitable summer habitat for the NLEB. Tree clearing is proposed within the Project workspaces. Potential impacts on individual bats may occur if clearing or construction takes place when the species is breeding, foraging, or raising pups in its summer habitat. Bats may be injured or killed if occupied trees are cleared during this active window, and the species may be disturbed during clearing or construction activities due to noise or human presence.

Washington County is listed as a county with documented occurrences of white-nose syndrome (White-nose Syndrome Response Team 2021); however, no known hibernacula or roost trees were

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of known, occupied maternity roost trees (MDNR and USFWS 2023).

Northern will perform winter tree clearing (between October 31 and March 1) to the extent practicable, to minimize effects to the NLEB that may use wooded habitats for summer roosting and foraging activities. Tree clearing outside of the allotted winter months typically require summer mist net surveys and/or acoustic surveys to determine presence/potential absence of the NLEB with the Project areas, prior to initiation of work. Northern will continue to coordinate with the FERC and the USFWS to minimize potential Project impacts to the NLEB. Therefore, the Project may affect but is not likely to adversely affect the NLEB and will not cause prohibited take of the species.

Tricolored bat

During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road culverts, tree cavities, and abandoned water wells. During the non-hibernating seasons, tricolored bats roost in leaf clusters of living or dead deciduous hardwood trees. Tricolored bats have also been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures. (USFWS 2023).

No known hibernacula or roost trees were noted in the initial MDNR NHIS query, and the Project is not within 0.25 mile of a known, occupied hibernaculum, or within 150 feet of a known, occupied maternity roost tree (MDNR and USFWS 2023). However, suitable summer roosting and foraging habitat for the tricolored bat is present within the Project area; therefore, this species may occur. Project operations with impacts occurring during the bat's inactive season (November 15 to March 31, inclusive), are not likely to adversely affect the species. However, operations including tree clearing and elevated noise levels, that occurs during the bats active roosting and foraging season, may have potential to affect the tricolored bat. The Project may affect but is not likely to adversely affect this species. The tricolored bat was proposed to be listed as federally endangered on September 13, 2022, and is still proposed for listing. Potential impacts on the tricolored bat may need to be reassessed dependent on when a final listing goes into effect.

Whooping crane

The whooping crane is a migratory bird species that once nested in northern prairies, but now breeds in remote northern forests in Canada as well as in an experimental population in Wisconsin, preferably within coniferous habitat containing swamps and nearby lakes or ponds. Winter habitat consists of coastal marshes (e.g., Texas, Louisiana, and Florida). The diet of the whooping crane is not well known in summer months, but it is thought to be similar to their wintering diet of shellfish, frogs, snakes, insects, small fish, and plant matter like roots and berries. (Audubon undated(a)).

The Project area does not contain any large prairies or coniferous forests with swamps that would support breeding or nesting requirements for the whooping crane and large wetland complexes

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

that occur within the Project will be crossed via HDD methods. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota or Wisconsin, as result this species is unlikely to occur within the Project area and any occurrences would likely be a result of the experimental population located in Wisconsin. Therefore, the Project is anticipated to have no effect on this species.

Higgins eye pearlymussel

This freshwater mussel is found in larger rivers in deep water with moderate currents. The Higgins eye pearlymussel bury themselves in sand and gravel river bottoms with the edge of their partially opened shell exposed. They utilize the current of the river to siphon water for microorganisms such as algae and bacteria, which they use for food. (MDNR, 2023a).

The Farmington to Hugo C-line does not contain any suitable habitat such as large rivers. Therefore, the Project is anticipated to have no effect on this species.

Salamander mussel

In Minnesota, the salamander mussel historically occurred in the Mississippi River, but it is currently restricted to the lower St. Croix River. The salamander mussel lives under flat rocks or under ledges of rock walls. (MDNR 2023).

The Farmington to Hugo C-line does not contain suitable habitat such as large rivers to support the life cycle of the salamander mussel and the Project does not overlap the St. Croix River. As such, occurrences of this species are not anticipated. The Project is anticipated to have no effect on this species. The Salamander mussel was proposed to be listed as federally endangered on August 22, 2023, and is still proposed for listing. Potential impacts on the Salamander mussel may need to be reassessed dependent on when a final listing goes into effect.

Winged mapleleaf

The winged mapleleaf is a medium freshwater mussel. In 1987 the only population of winged mapleleaf known to be present in Minnesota was found in the St. Croix River on the border of Minnesota and Wisconsin. Extensive surveys in the last 15 years indicate the distribution of the species in Minnesota is limited to a 12-mile segment of the St. Croix River south of Taylors Falls, Minnesota. They are known to live in habitat that includes riffles with clean gravel, sand and rubble bottoms in clear high-quality water. (MDNR, 2023d).

The Farmington to Hugo C-line does not contain suitable habitat, such as streams, or other large rivers and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect on this species.

Monarch butterfly

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated).

Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will plant pollinator friendly seed mix within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Based on the information, the Project may affect, but is not likely to adversely affect the monarch butterfly.

3.3.2 State-Listed Species

Under Stantec's Limited License to Use Copyrighted Material (LA-2022-23) related to Rare Features Data, the MNDR NHIS was searched in December 2023 to identify any state listed threatened or endangered species. One species was identified within the Project area, and records for six species were identified within one mile of the Project area.

Records identified within the Project area:

- Blanding's turtle (*Emydoidea blandingii*) – threatened

Records identified within one mile of the Project area:

- Autumn fimbry (*Fimbristylis autumnalis*) – special concern
- Fernleaf false foxglove (*Aureolaria pedicularia*) – threatened
- Rattlebox (*Crotalaria sagittalis*) – special concern
- Least darter (*Etheostoma microperca*) - special concern
- Narrow-leaved water plantain (*Alisma gramineum*) – special concern
- Purple martin (*Progne subis*) - special concern

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

A NHIS review request was submitted through the MDNR's Minnesota Conservation Explorer (MCE) tool on January 10, 2024. Initial automated results were received on January 10, 2024 (MCE #: 2024-00036) indicating that further review was needed as a result of state-protected species being in the vicinity of the Project area (Appendix D). Final results of the MCE review are pending.

Blanding's turtle

Blanding's turtle requires wetland complexes with adjacent sand uplands to sustain viable populations. Calm, shallow waters, including wetlands associated with rivers and streams with rich aquatic vegetation, are preferred. This turtle occurs on a variety of wetland and riverine types throughout Minnesota. In the southeast, it prefers marshes and bottomland wetlands in summer and winter, ephemeral wetlands in spring and early summer, and deeper marshes and backwater pools in summer and winter. Female Blanding's turtles prefer to nest in open sandy uplands. Although they prefer undeveloped land, they have been known to nest in agriculture fields, residential property (low density suburban housing), gardens, under power lines, and in road shoulders (especially dirt roads). Females may travel up to 1.6 kilometers (1 mile) overland from their resident marsh to their nest site at which time they are vulnerable to predators and road mortality. Hatchlings leave the nest from mid-August through early October. Because eggs are laid far from water, hatchlings are vulnerable to predators, automobiles and desiccation while traveling from the nest to a wetland. Loss and degradation of upland and wetland habitats and mortality on roads and primary threats to the species. (MDNR, 2008).

Northern will not propose species surveys but rather assume the presence of Blanding's turtles where Blanding's turtles have been documented and suitable habitat is present. The Farmington to Hugo C-line contain suitable nesting and overwintering habitat for the Blanding's turtle (wetlands with open water features with adjacent uplands). Additionally, no Blanding's turtles were identified within the Project areas during field habitat assessments that occurred intermittently between August and November 2023. The MDNR NHIS review indicated nine Blanding's turtle element occurrences within one mile of the Farmington to Hugo C-line.

Northern plans to use HDD to cross under all waterbody and wetland complexes with suitable Blanding's turtle habitat. Northern will install turtle fence between the entry and exit points and any suitable turtle habitat.

Based on Northern's past project experience in Minnesota, the MDNR will likely recommend a number of measures to avoid and minimize impacts on Blanding's turtles should they occur within the Project workspace. These recommendations include the following.

- Turtles that are in imminent danger should be moved, by hand, out of the Project
- Turtles that are not in imminent danger should be left undisturbed
- No nests should be disturbed

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

- Silt fencing should be used to keep turtles out of construction areas, where necessary, and removed after the area has been revegetated
- No dredging, deepening, or filling of wetlands should occur
- Wetlands should be protected from pollutants such as fuels and lubricants
- Mulch, if used, will not contain synthetic (plastic) fiber additives in areas that drain to a Minnesota public water
- Erosion and sediment control devices should be used to prevent silt and sediment from reaching wetlands and waterbodies
- Erosion control mesh, if used, will be limited to bio-netting or natural netting, specifically, Category 3N or 4N in the 2016 and 2018 Minnesota DOT standards
- Trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade
- Culverts under access roads crossing wetland areas, between wetland areas, or between wetland and nesting areas, should be at least 36 inches in diameter and flat-bottomed or elliptical
- Construction areas should be returned to preconstruction conditions

Northern will implement the MDNR recommendations above and will train construction personnel regarding identification of the Blanding's turtle and the proper implementation of the MDNR recommendations. Northern has developed, per the request of MDNR on past projects, and will implement a Blanding's Turtle Avoidance Plan. The mitigation measures above will minimize potential impacts on the Blanding's turtle; therefore, the Project is not likely to adversely affect the Blanding's turtle.

Autumn Fimbry

The autumn fimbry is a common plant found in the eastern parts of the U.S. Due to its stringent habitat requirements, it is uncommon in Minnesota and surrounding states. The autumn fimbry grows along the margins of shallow lakes and ponds with a sandy substrate particularly in the Anoka Sand Plain region of Minnesota. These habitats fluctuate with seasonal ground water tables and are easily affected due to human activity. The autumn fimbry is commonly out competed by non-native plants including reed canary grass (*Phalaris arundinacea*) and the hybrid cattail (*Typha x glauca*). (MDNR, 2021i).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

The Farmington to Hugo C-line contains suitable habitat for autumn fimbry (sandy substrate along shallow lakes or ponds); however, crossings of aquatic habitats will occur via HDD methods, therefore, the Project is not likely to adversely affect the Autumn fimbry.

Fernleaf false foxglove

Fernleaf false foxglove is a plant that can be found in east-central and southeastern Minnesota within dry sand savanna and dry, open oak woods. The plant prefers acidic soil with low organic matter that is coarse-textured and well drained. The fernleaf foxglove depends on the roots of oaks (*Quercus spp.*), especially those of northern pin oaks (*Q. ellipsoidalis*) and black oaks (*Q. velutina*). (MDNR 2023).

The Farmington to Hugo C-line does not contain suitable habitat for the Fernleaf false foxglove (dry sand savanna and dry, open oak woods) and occurrences are unlikely within the Project area. Therefore, the Project is anticipated to have no effect to this species.

Rattlebox

Rattlebox is a vascular plant that requires dry, loose, and sandy soil in direct sunlight. The plant is typically found in sand deposits that are supporting a stable and healthy community of native plants such as a prairie or sparsely vegetated grassland. (MDNR 2023).

The Farmington to Hugo C-line does not contain suitable habitat for the rattlebox (sand deposits and native prairies) and occurrences are unlikely within the Project area. Therefore, the Project is anticipated to have no effect to this species.

Least darter

The least darter is a small fish species averaging 3.75 centimeters in total length. They prefer freshwater streams and lakes that are crystal clear and have dense, submerged aquatic vegetation. During the spawning season they typically use weedy shallow pools and will move to deeper pools post spawning season. The greatest threats to the population of the least darter include habitat loss and degradation, loss of aquatic plants, pesticide use, and loss of forested habitats around streams. (MDNR, 2023g).

The Farmington to Hugo C-line does not include suitable habitat for the least darter (clear lakes and streams with dense aquatic vegetation) and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect on this species.

Narrow-leaved Water Plantain

Narrow-leaved water plantain has been recorded in 16 lakes throughout Minnesota. It is a perennial aquatic plant in which the stem is submerged under the surface of the water and the emergent part of the plant can reach up to 50 centimeters tall. Narrow-leaved water plantain

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

have been observed to prefer habitat in shallow water that is less than one meter deep in sandy substrate of larger wind-swept lakes. The primary threat to narrow-leaved water plantain is loss of habitat through recreational activity, destructive shoreline management and herbicide run off. (MDNR, 2021j).

The Farmington to Hugo C-line does not contain suitable habitat for the narrow-leaved water plantain (shallow water associated with large lakes). Barker Lake is the closest potentially suitable habitat for this species and resides adjacent to the Project just southwest of Farmington to Hugo C-line. Northern will follow their Project's plans and procedures to prevent sedimentation and pollution into adjacent waterbodies. No occurrences for this species are anticipated within the Project area. Therefore, the Project is anticipated to have no effects to this species.

Purple martin

Purple martins are typically found feeding on insects over cities, towns, parks, open fields, streams, rivers, wetlands, and open water habitats. Historically, the species was once known to nest in woodpecker cavities in dead trees, but current populations are known to use man-made structures for nesting near human settlements, especially those along shorelines of large lakes and open areas away from dense trees with large insect populations. (MDNR 2023).

The Farmington to Hugo C-line contains suitable foraging habitat for the purple martin, including open fields, residential areas, and wetlands and the species may occur within the Project area. However, no nesting structures were observed within the Project area, and Northern does not anticipate impacts to any man-made nesting structures within the Project area. Additionally, aquatic resource crossings and their immediate uplands will be crossed by the Project via HDD methods. Therefore, the Project is not likely to adversely affect the purple martin.

3.4 MIGRATORY BIRDS

Based on review of the USFWS IPaC Species list (USFWS 2023) for the ESB and one-mile buffer in Washington County, there are 15 migratory bird species that may occur within the ESB. The protection of migratory birds is regulated by the MBTA and BGEPA. Any activity, intentional or unintentional, that results in take of migratory birds is prohibited unless otherwise permitted by the USFWS. Depending on the timing of construction, the Project may potentially affect nests, eggs, and/or young of birds protected under the MBTA.

The North American Bird Conservation Initiative maintains a list of Bird Conservation Regions (BCRs) (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the BCR 23 – prairie hardwood transition. The USFWS Birds of Conservation and Concern 2021 report (USFWS 2021) identifies 30 Birds of Conservation and Concern within BCR 23.

Important Bird Areas (IBAs) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, and/or migrating birds (Audubon

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 2024

undated(b)). The Project does not cross an IBA. The nearest IBAs to the Project includes the St. Croix Bluffs IBA, approximately 4.16 miles east from the Project and the Carlos Avery IBA 6.28 miles west of the Project area.

Tree clearing is anticipated to be required for the Project. Additionally, minor shrub and herbaceous vegetation clearing by hand may be needed at the start of construction and construction timing may overlap migratory bird nesting seasons. Once vegetation is removed from the construction area, nesting surveys are not needed due to lack of nesting habitat and likely reluctance to nest due to human presence/ongoing activities.

Northern plans to begin construction in Spring 2025, within the primary nesting season. Construction will continue to November 1, 2025. Northern will attempt to limit removal or impacts on vegetation during the primary nesting season of breeding birds. If construction work cannot be avoided during the peak breeding season, Northern will have a biologist conduct a pre-construction nest survey for breeding birds within the Project workspaces. The nest survey will determine the absence or presence of breeding birds and their nests. Pre-construction nest surveys will be completed for all Project components according to the following procedures.

- No more than seven days before construction activities commence, pre-construction nest surveys for migratory birds will be completed by a qualified avian biologist. The area surveyed will include the proposed workspaces or areas where potentially suitable habitat has been identified.
- If an occupied raptor nest is observed during the survey, construction activities will not be permitted within a 660-foot buffer of the raptor nest site during the breeding season or until the fledglings have left the area. Northern will complete consultation with the USFWS and MDNR if an active raptor nest is observed.
- If a nest, other than a raptor nest, is observed during the survey, construction activities will not be permitted within a 100-foot buffer of the nest until consultation with the respective MDNR and USFWS field office occurs. Northern will implement buffers and practices recommended by agencies during the consultation.
- Upon completion, the survey results will be submitted to the USFWS and MDNR. If breeding birds are not present, construction can proceed with no restrictions. If breeding birds or active nests are present, additional consultation will be completed.

Nest surveys will be conducted prior to any clearing or construction activity; therefore, the Project will have no effect on nesting migratory birds of concern or species protected by the BGEPA.

3.4.1 County, State and Federal Lands

No other county, state or federal lands will be crossed by the Project.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 2024

4.0 Summary and Conclusions

Stantec performed a review of federally and state-protected species that may occur within the Project ESB. Based on the review, Stantec identified seven federally-protected species and seven state-protected species that could occur within a one-mile buffer around the ESB in Washington County, Minnesota. Those species include the NLEB (federally endangered), tricolored bat (federally proposed endangered), whooping crane (federal experimental population non-essential), Higgins eye (federally endangered), salamander mussel (proposed endangered), winged mapleleaf (federally endangered), monarch butterfly (federal candidate), Blanding's turtle (state threatened), autumn fimbry (state special concern), Fernleaf false foxglove (state threatened), rattlebox (state special concern), least darter (state special concern), narrow-leaved water plantain (state special concern), and purple martin (state special concern).

No federally designated critical habitats occur within the Project area. In addition to the desktop review, field assessments of suitable habitats for protected species with the potential to occur within the proposed Project area were conducted concurrently with the wetland delineation that occurred intermittently between August and November of 2023.

Based upon field observations and habitat requirements of listed species, Stantec determined that the proposed Project may affect, but is not likely to adversely affect, the NLEB, tricolored bat, and monarch butterfly. Additionally, the Project is not likely to adversely affect the purple martin, Blanding's turtle, and autumn fimbry. No effect determinations were made for the Higgins eye pearlymussel, winged mapleleaf, least darter, fernleaf false foxglove, rattlebox, narrow-leaved water plantain, whooping crane, and salamander mussel.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Limitations and Warranty
January 2024

5.0 Limitations and Warranty

Within the limitations of schedule, budget, and scope of work, Stantec warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of Stantec scientists. No other warranty, expressed or implied, is made. Please be aware that only the USFWS and/or lead federal agency can determine compliance with the ESA.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

6.0 References

- Audubon. undated(a). Whooping Crane (*Grus americana*). Available at: <https://www.audubon.org/field-guide/bird/whooping-crane>. Accessed December 28, 2023.
- Audubon. undated(b). Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. Accessed December 2023.
- MDNR Division of Ecological Resources. 2008. Endangered, Threatened, and Species Concern Species of Minnesota – Blanding's Turtle (*Emydoidea blandingii*). Available at: https://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf. Accessed December 28, 2023.
- MDNR. 2022. Butterfly Gardens. Available at: <https://www.dnr.state.mn.us/gardens/butterfly/index.html>. Accessed December 2023.
- MDNR. 2023. Rare Species Guide. Available at: <https://www.dnr.state.mn.us/rsg/index.html>. Accessed December 28, 2023.
- MDNR and USFWS 2023. Townships Containing Documented Northern Long-Eared Bat (NLEB) Maternity Roost Trees and/or Hibernacula Entrances in Minnesota. Available at: https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf. Accessed December 28, 2023.
- NABCI. 2021. Bird Conservation Regions Map. Available at <http://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 2023.
- National Wildlife Federation. undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 28, 2023.
- USDA Forest Service. undated. Migration and Overwintering. Available at: https://www.fs.usda.gov/wildflowers/pollinators/Monarch_Butterfly/migration/index.shtml. Accessed December 28, 2023.
- USDA NRCS. 2022. Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin. United States Department of Agriculture Handbook 296.
- USFWS. 2020. Midwest Region Endangered Species: Northern Long-Eared Bat (*Myotis septentrionalis*).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References

January 2024

<https://www.fws.gov/midwest/endangered/mammals/nleb/nlebFactSheet.html>.

Accessed December 28, 2023.

USFWS. 2021. Birds of Conservation Concern 2021. U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. December 28, 2023.

USFWS. 2022. Tricolored Bat (*Perimyotis subflavus*). U.S. Fish & Wildlife Service. Available: <https://fws.gov/species/tricolored-bat-perimyotis-subflavus>. Accessed December 28, 2023.

USFWS. 2023. IPaC – Information, Planning, and Conservation System. Available at: <http://ecos.fws.gov/ipac/>. Accessed December 28, 2023.

USFWS. 2023. Midwest Region 3 Endangered Species. Available online at <http://www.fws.gov/midwest/endangered/index.html>. Accessed December 28, 2023

White-nose Syndrome Response Team 2023. 2023 Web Map. Available at: [White-Nose Syndrome \(whitenosesyndrome.org\)](http://whitenosesyndrome.org). Accessed December 28, 2023

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
January 2024

Appendix A Figures

\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

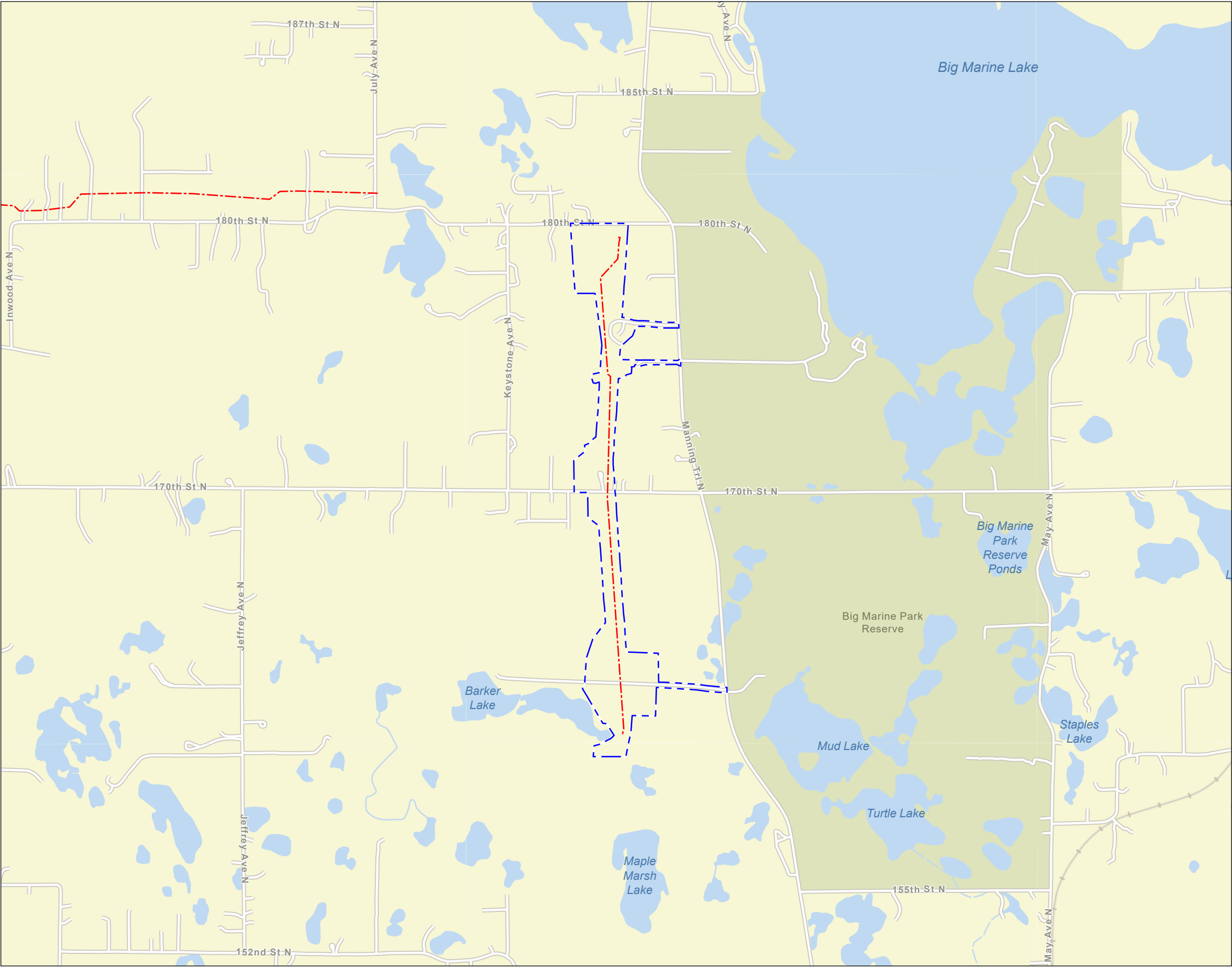
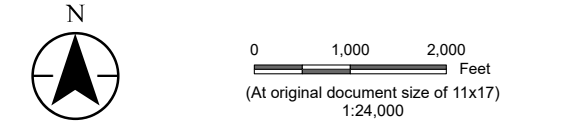


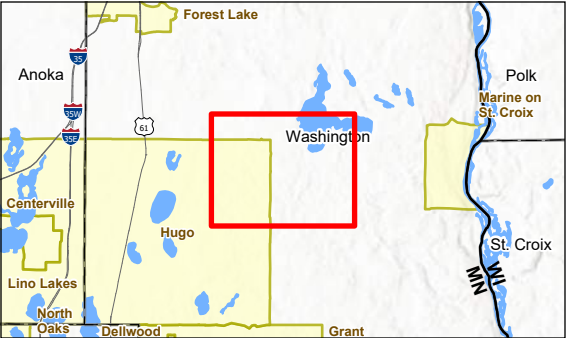
Figure No. **1**
Title **Project Location**

Client/Project Northern Natural Gas 172608212
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

Project Location Washington Co., MN Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-31



- Legend
- Proposed Centerline
 - Environmental Survey Boundary



- Notes
- Coordinate System: NAD 1983 UTM Zone 15N
 - Data Sources: Stantec, NNG, NADS, USGS
 - Background: ESRI Streets Map



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

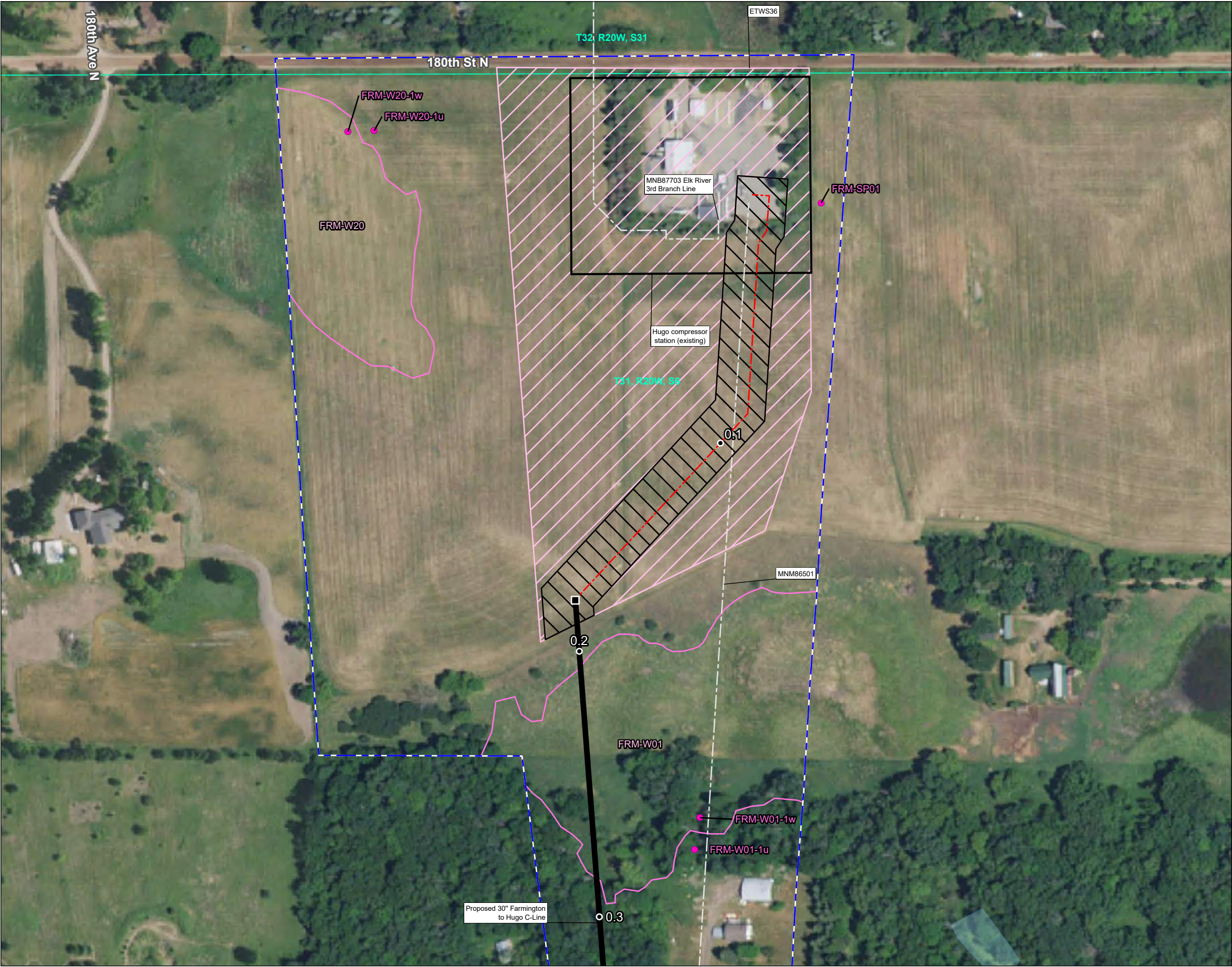
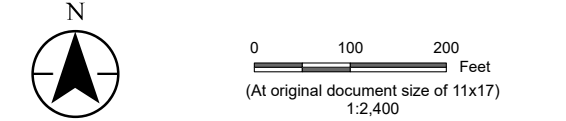


Figure No.
5
Title
Field Collected Data

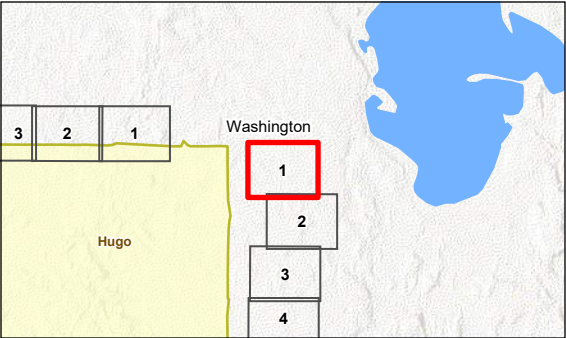
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - ▬ HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - ▭ Existing Facility
 - ▨ Extra Temporary Workspace
 - ▩ Temporary Workspace
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis\cadd\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

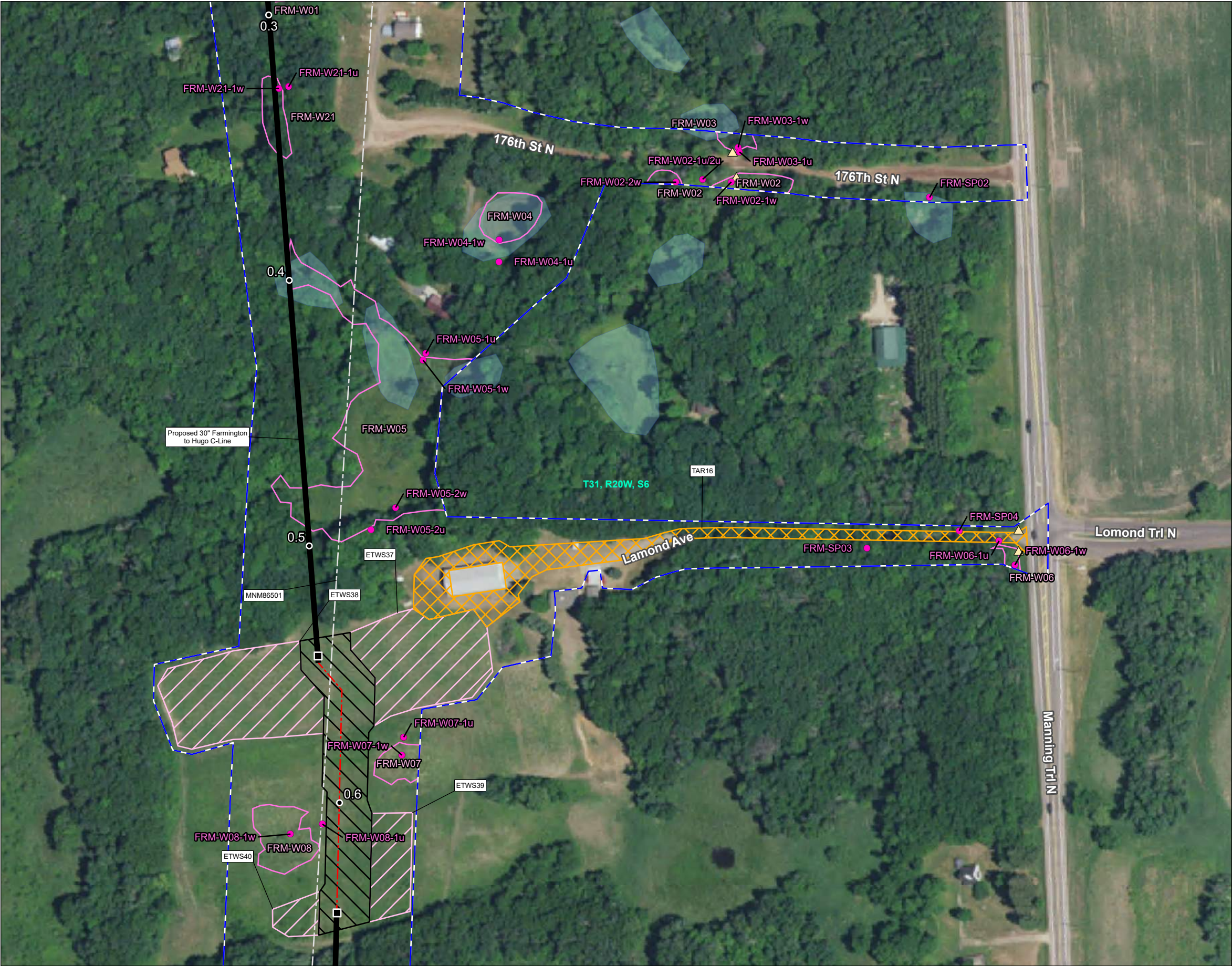
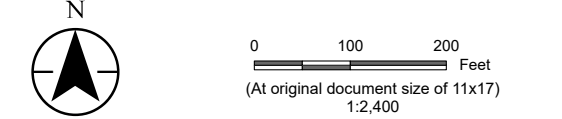


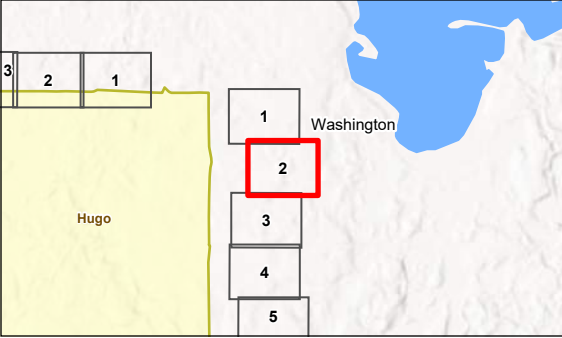
Figure No. 5
Title Field Collected Data

Client/Project Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

Project Location Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Access Road
 - Temporary Workspace
 - △ Culvert
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212_NL\2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.

5

Title

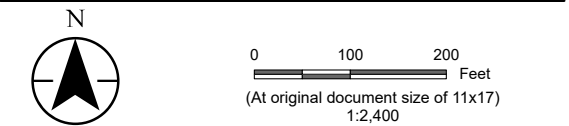
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

172608212

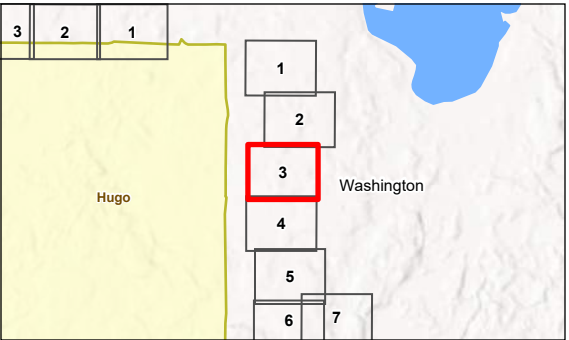
Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



Legend

- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ■ HDD Entry/Exit | Field Delineated Waterway |
| ▬ HDD Segment | Field Delineated Open Water |
| - - - Proposed Centerline | Field Delineated Waterway Area |
| — Existing Centerline | Field Delineated Wetland |
| ▭ Environmental Survey Boundary | National Hydrography Dataset / DNR 24k Hydrography |
| ▭ Extra Temporary Workspace | Perennial Stream |
| ▭ Temporary Access Road | Intermittent Stream |
| ▭ Temporary Workspace | Waterbody |
| ▭ Staging Area | |



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



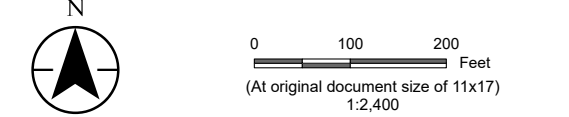
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis\cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



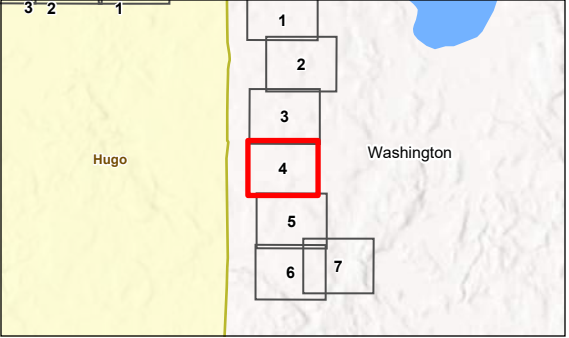
Figure No. 5
Title Field Collected Data

Client/Project Northern Natural Gas 172608212
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

Project Location Washington Co., MN Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Access Road
 - Temporary Workspace
 - Staging Area
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212_03_data\gis cad\gis\mxs\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

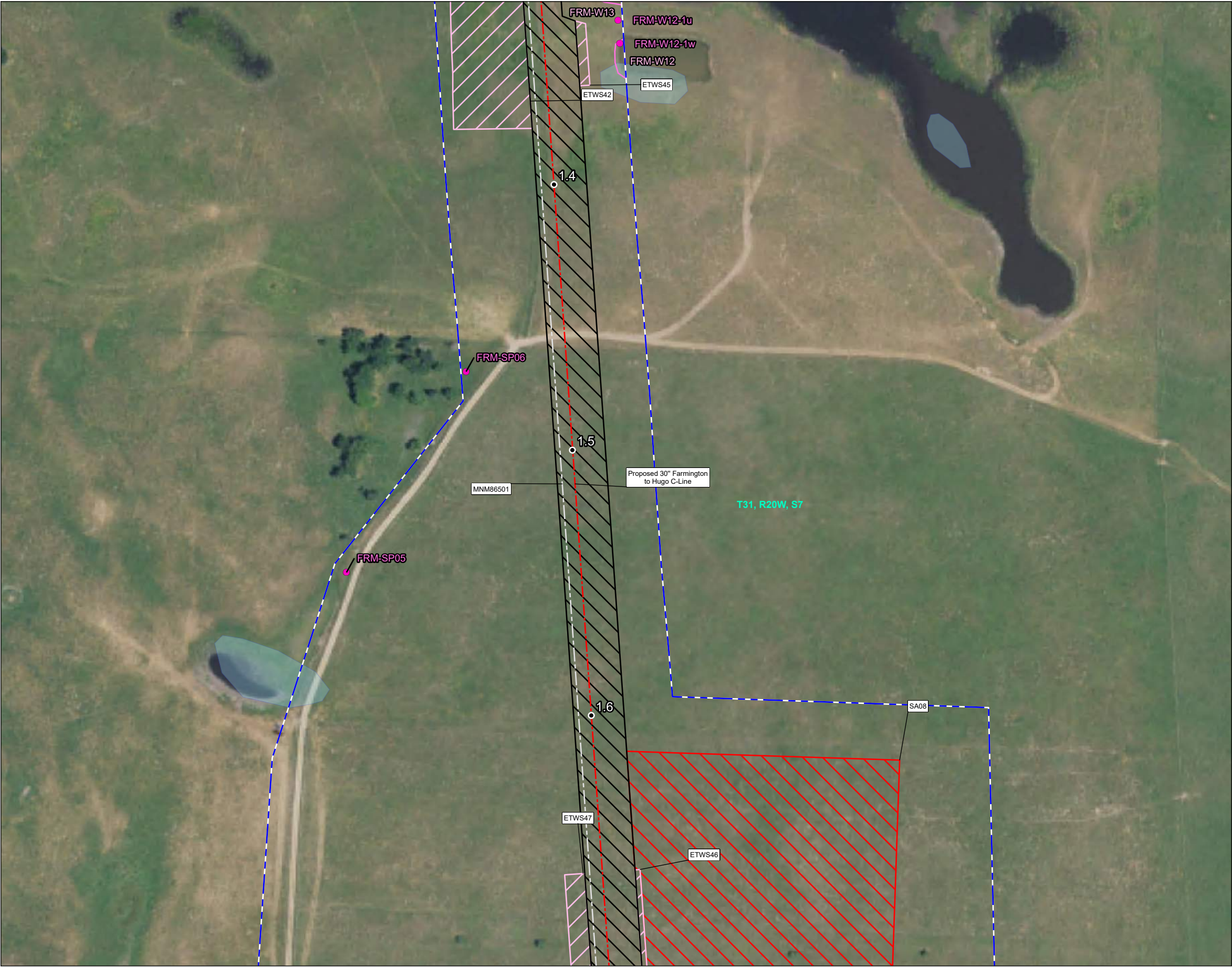
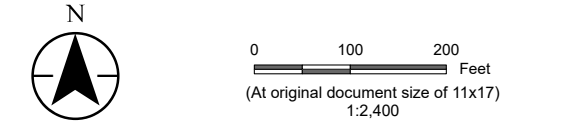


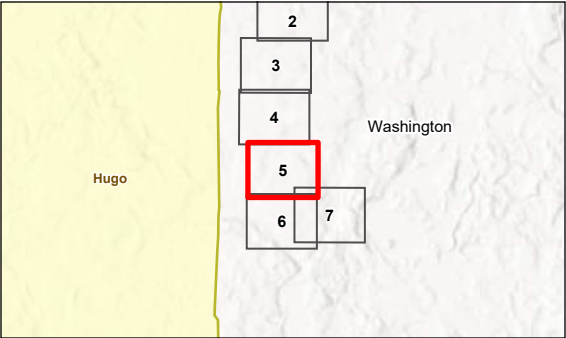
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension
172608212

Project Location
Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Extra Temporary Workspace
 - Temporary Workspace
 - Staging Area
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



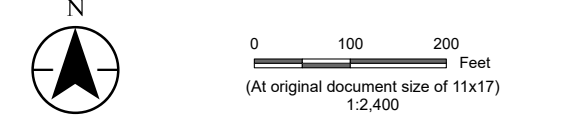
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



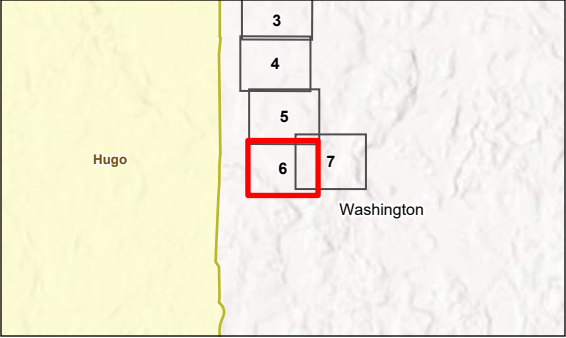
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension
172608212

Project Location
Washington Co., MN
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Proposed Facility
 - Extra Temporary Workspace
 - Proposed Drive
 - Temporary Access Road
 - Temporary Workspace
 - Staging Area
 - △ Culvert
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis_cad\gis\mxds\172608212_NL\2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



Figure No.
5

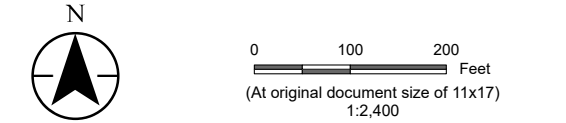
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Farmington to Hugo C-Line Extension

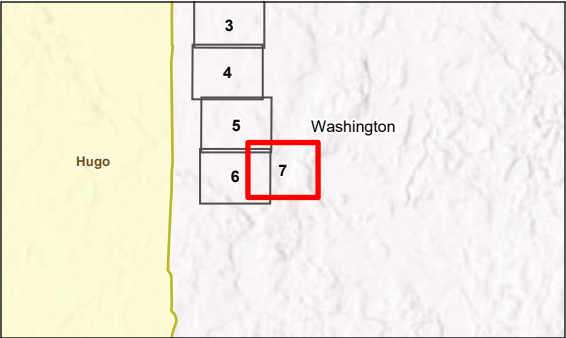
172608212

Project Location
Washington Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - █ HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - ▤ Proposed Drive
 - ▢ Staging Area
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



**NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE,
THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix B USFWS IPaC List of Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029631

Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029631

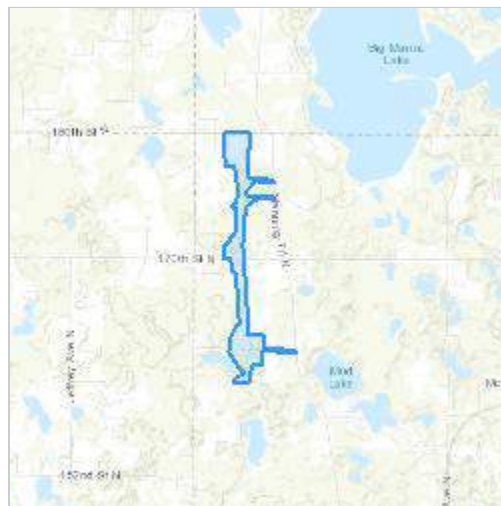
Project Name: Northern Lights 2025 Expansion Project Farmington to Hugo C-line

Project Type: Natural Gas Distribution

Project Description: Northern proposes to construct and operate a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County. Northern will utilize ETWS, existing driveways, temporary access roads, and staging areas during construction.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.19591215,-92.89046862780806,14z>



Counties: Washington County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered
Salamander Mussel <i>Simpsonaias ambigua</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered
Winged Mapleleaf <i>Quadrula fragosa</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4127	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider

implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

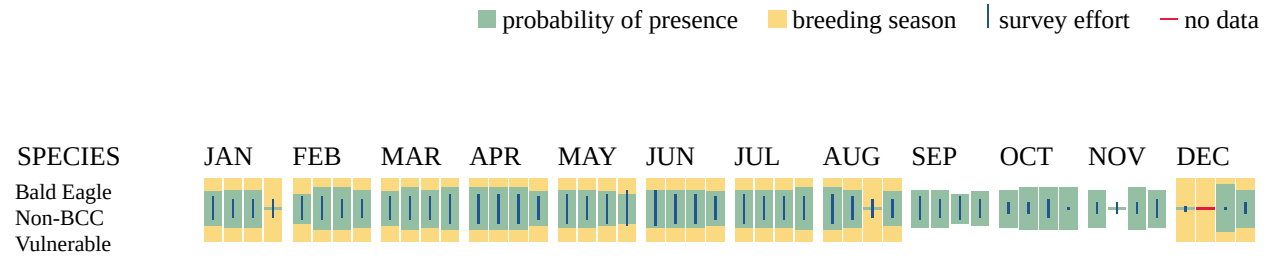
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere

NAME	BREEDING SEASON
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

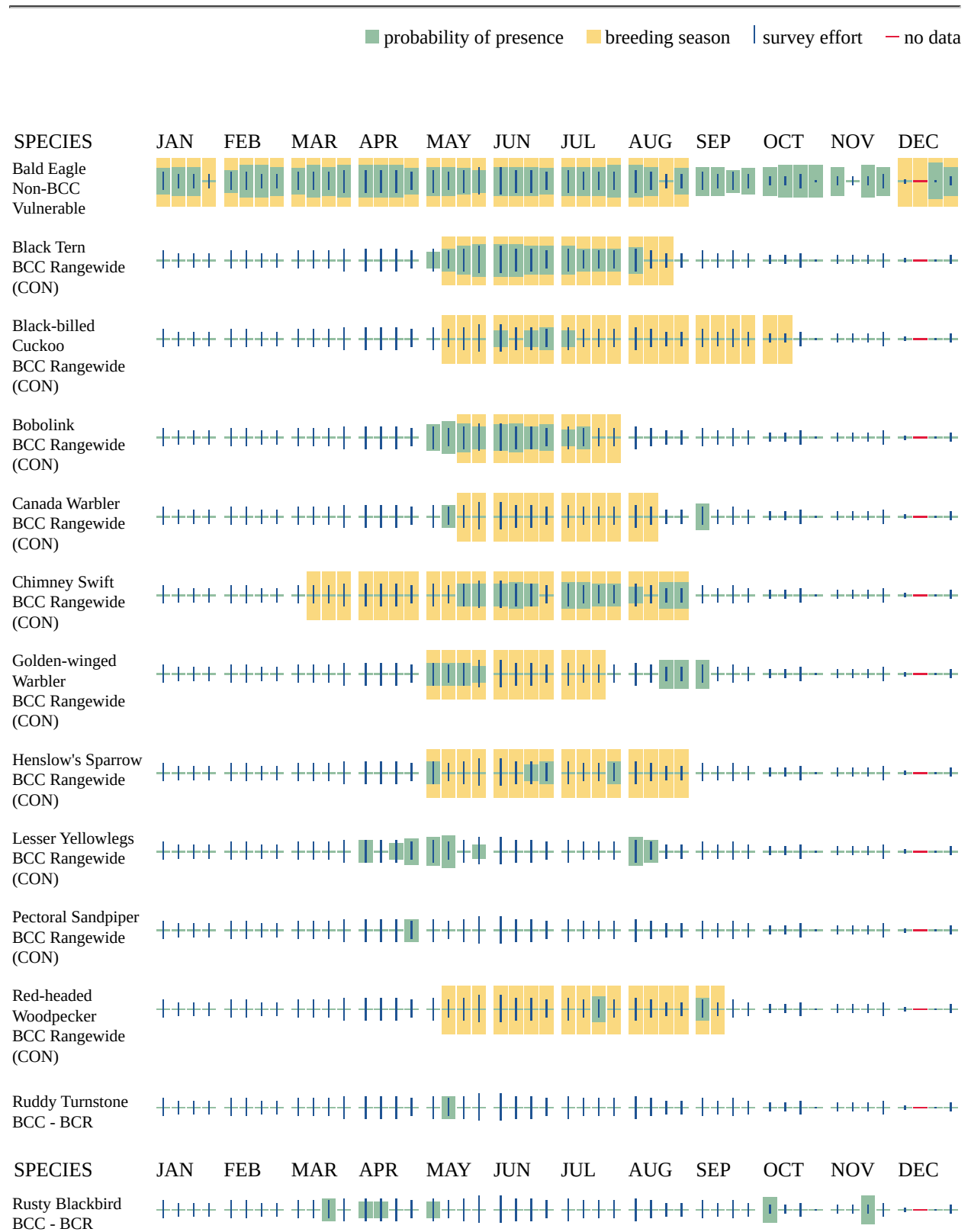
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

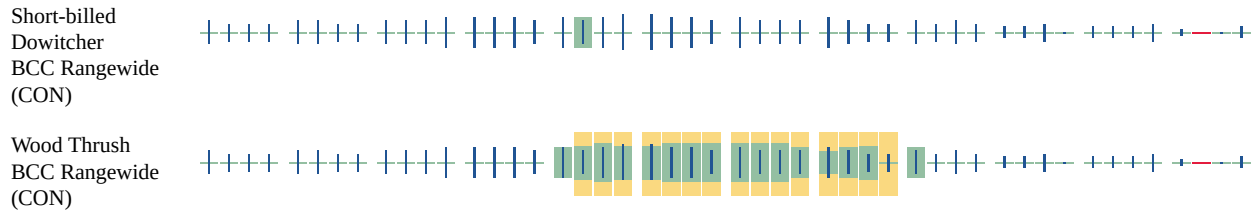
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1C
- PEM1F
- PEM1A
- PEM1D

FRESHWATER POND

- PUBH
- PABH
- PUBHx
- PUBF

FRESHWATER FORESTED/SHRUB WETLAND

- PSS1/EM1A

- PFO1A

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE,
THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix C Photographs

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Farmington to Hugo C-line

Appendix C - Photographs

January 2024



Photo 1. View from the Hardwood Swamp/PFO1B within FRM-W01-1w, photo taken facing east.



Photo 2. View from the Wet Meadow/PEM1B; Open water/PUBF within FRM-W04-1w, photo taken facing west.



Photo 3. View from the Wet Meadow/PEM1B within FRM-W05-1w, photo taken facing south.



Photo 4. View from the Disturbed Wet Meadow/PEM1B within FRM-W08-1w, photo taken facing west.



Photo 5. View from the Wet Meadow/PEM1B within FRM-W09-1w, photo taken facing northwest.



Photo 6. View from the Shallow Marsh/PEM1C within FRM-W11-1w, photo taken facing southwest.

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Farmington to Hugo C-line

Appendix C - Photographs

January 2024



Photo 7. View from the Open Water/PUBF within FRM-W12-1w, photo taken facing east.



Photo 8. View from the Shallow Marsh/PEM1C within FRM-W13-1w, photo taken facing northeast.



Photo 9. View from the Shallow Marsh/PEM1C within FRM-W16-1w, photo taken facing north.



Photo 10. View from the Seasonally Flooded Basin/PEM1A within FRM-W18-1w, photo taken facing west.



Photo 11. View from general landcover, grassland, photo taken facing north.



Photo 12. View from general landcover, pasture and FRM-W01, photo taken facing south.

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Farmington to Hugo C-line

Appendix C - Photographs

January 2024



Photo 13. View from general landcover, upland forest, photo taken facing south.



Photo 14. View from general landcover, abandoned pasture and residential, photo taken facing east.



Photo 15. View from general landcover, old field, photo taken facing south.



Photo 16. View from general landcover, cropland, photo taken facing north.



Photo 17. View from general landcover, pasture, photo taken facing northeast.



Photo 18. View from general landcover, pasture, photo taken facing west.

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE,
THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix D MDNR MCE Response Letter



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Northern Lights 2025 Expansion Project - Farmington to Hugo C-line

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project Type Activities: Tree Removal;Wetland impacts (e.g., dewatering, tiling, drainage, discharge, excavation, fill, runoff, sedimentation, changes in hydrology)

TRS: T31 R20 S6, T31 R20 S7, T32 R20 S31

County(s): Washington

DNR Admin Region(s): Central

Reason Requested: Other

Project Description: Northern proposes to construct and operate a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County. ...

Existing Land Uses: Land use within the project area consists of agricultural land, roadways, existing pipeline stations and rural residences.

Landcover / Habitat Impacted: Land cover within the project area consists of agricultural land, wetlands, open land, forested land, and residential.

Waterbodies Affected: Several wetlands will be crossed during the project. Northern will cross the field delineated wetlands via horizontal directional drilling (HDD). HDD allows ...

Groundwater Resources Affected: Long-term impacts on groundwater resources from the construction, operation and maintenance of the Project are not anticipated.

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	Comments	Tree Removal - Recommendations
Ecologically Significant Area	No Comments	No Further Review Required
State-Listed Endangered or Threatened Species	Needs Further Review	State-protected Species in Vicinity
State-Listed Species of Special Concern	Comments	Recommendations
Federally Listed Species	No Records	Visit IPaC For Federal Review



January 10, 2024

Project Name: Northern Lights 2025 Expansion Project - Farmington to Hugo C-line

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project ID: MCE #2024-00036

AUTOMATED RESULTS: FURTHER REVIEW IS NEEDED

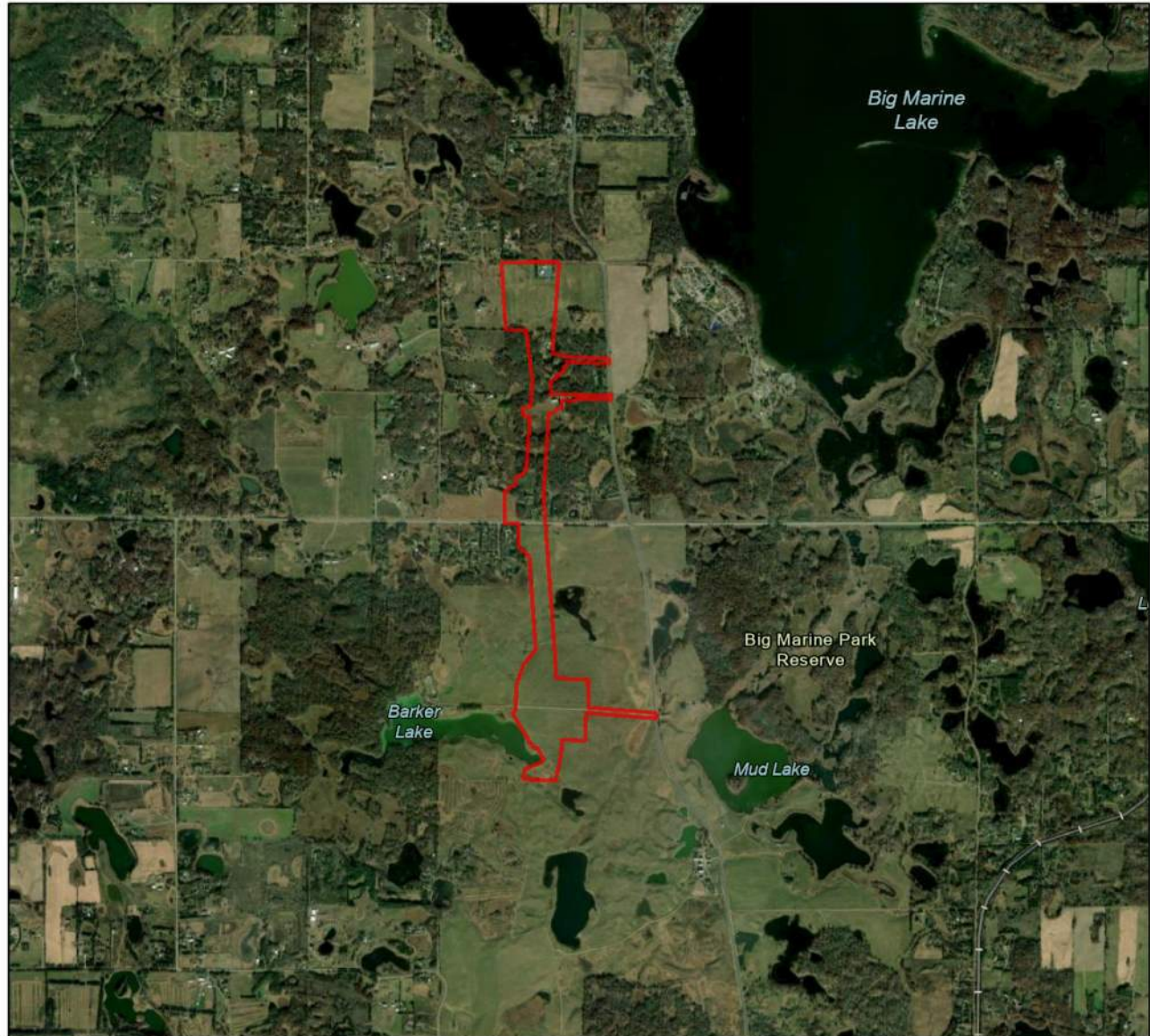
As requested, the above project has undergone an automated review for potential impacts to rare features. Based on this review, one or more rare features may be impacted by the proposed project and further review by the Natural Heritage Review Team is needed. You will receive a separate notification email when the review process is complete and the Natural Heritage Review letter has been posted.

Please refer to the table on the cover page of this report for a summary of potential impacts to rare features. For additional information or planning purposes, use the Explore Page in Minnesota Conservation Explorer to view the potentially impacted rare features or to create a Conservation Planning Report for the proposed project.

If you have additional information to help resolve the potential impacts listed in the summary results, please attach related project documentation in the Edit Details tab of the Project page. Relevant information includes, but is not limited to, additional project details, completed habitat assessments, or survey results. This additional information will be considered during the project review.

Northern Lights 2025 Expansion Project - Farmington to Hugo C-line

Aerial Imagery With Locator Map



0 0.230.45 0.9 1.35 1.8 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 173.22

County(s): Washington

TRS: T31 R20 S6, T31 R20 S7, T32 R20 S31

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Earthstar Geographics
Metropolitan Council, MetroGIS, Esri, TomTom, Garmin, SafeGraph,



Northern Lights 2025 Expansion Project - Farmington to Hugo C-line

USA Topo Basemap With Locator Map



0 0.230.45 0.9 1.35 1.8 Miles

Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 173.22

County(s): Washington

TRS: T31 R20 S6, T31 R20 S7, T32 R20 S31

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Esri, NASA, NGA, USGS, FEMA
Metropolitan Council, MetroGIS, Esri, TomTom, Garmin, SafeGraph,



NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Appendix E Federal and State-Listed Species Potentially Occurring in the ESB in Washington County

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Mammals					
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Endangered	Special concern	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices. Overwintering hibernacula: large caves and mines with large passages and entrances.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed endangered	Special concern	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species. Additionally, this species is not currently regulated by the USFWS.	May affect, but not likely to adversely affect.
Birds					

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Whooping crane (<i>Grus americana</i>)	Experimental population, non-essential	None	Large, open wetland ecosystems such as coniferous swamps with nearby lakes and ponds.	Unlikely to occur The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) and large wetland complexes will be crossed by the Project via HDD. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota and any occurrences would likely be a result of the experimental population in Wisconsin.	No effect.
Purple martin (<i>Progne subis</i>)	None	Special concern	Cities, towns, parks, open fields, streams and rivers, and open water habitats including wetlands, marshes and lakes. Nearly all nesting occurs in man-made structures around human settlements.	May occur. Project area is within species known range and contains or is adjacent to suitable habitat. However, no purple martin nesting structures were recorded within the project area and Northern does not anticipate any man-made nesting structures will be impacted by the project.	Not likely to adversely affect
Mussels					

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Higgins eye (<i>Lampsilis higginsii</i>)	Endangered	Endangered	Higgins eye pearlymussels are found in larger rivers in deep water with moderate currents. They bury themselves in sand and gravel river bottoms.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Salamander mussel (<i>Simpsonaias ambigua</i>)	Proposed endangered	Endangered	Under large flat stones in swift current in medium to large rivers and lakes.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No effect.
Winged mapleleaf (<i>Quadrula fragosa</i>)	Endangered	Endangered	They are known to live in large rivers that includes riffles with clean gravel, sand, rubble bottoms in clear high quality water.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Invertebrates					
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	None	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	May occur. Project area is within species known range, and suitable habitat was identified within the Project area. However, this species is not yet regulated by the USFWS, and Northern plans to all temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration.	May affect but is not likely to adversely affect.
Reptiles					

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Blanding's turtle (<i>Emydoidea blandingii</i>)	None	Threatened	Blanding's turtles are semi-aquatic, living mostly in shallow wetland habitats where aquatic vegetation is abundant. These reptiles will specifically live in ephemeral wetlands in attempts to keep away from predators that are more prevalent in permanent wetlands.	Known to occur. This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed via HDD methods.	Not likely to adversely affect
Fish					
Least darter (<i>Etheostoma microperca</i>)	None	Special concern	Habitat includes crystal clear freshwater lakes and streams with dense submergent aquatic vegetation. In Minnesota least darters are usually found in low-velocity streams that are connected to a lake or stream system.	Unlikely to occur Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Plants					
Fernleaf false foxglove (<i>Aureolaria pedicularia</i>)	None	Threatened	Restricted to dry sand savanna and dry, open, oak woods with acidic soils.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Rattlebox (<i>Crotalaria sagittalis</i>)	None	Special concern	Dry, sandy soils within prairies or along gravelly railroads.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect

NORTHERN LIGHTS 2025 EXPANSION PROJECT – FARMINGTON TO HUGO C-LINE RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Autumn fimbry (<i>Fimbristylis autumnalis</i>)	None	Special concern	Autumn fimbry grows along the margins of shallow lakes and ponds with a sandy substrate particularly in the Anoka Sand Plain Region of Minnesota. These habitats fluctuate with seasonal ground water tables.	May occur. the Project area is within the species' known range, and suitable habitat was identified within the Project area. However, no direct impacts to lakes or ponds are proposed, and aquatic habitats crossed by the Project will be crossed via HDD.	Not likely to adversely affect
Narrow-leaved water plantain (<i>Alisma gramineum</i>)	None	Special concern	Narrow-leaved water plantain have been observed to prefer habitat in shallow water that is less than 1 one meter deep in sandy substrate of larger wind-swept lakes.	Does not occur. The species does not occur within the Project area.	No Effect

Northern Lights 2025 Expansion Project – Tomah Branch Line Loop Rare, Threatened, and Endangered Species Report

Monroe County, Wisconsin



Stantec Consulting Services Inc.

Prepared by:
Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55447
Phone: (763) 479-4200

Prepared for:
Terry Plucker
Northern Natural Gas
1111 South 103rd Street
Omaha, Nebraska 68124

February 7, 2024

Sign-off Sheet

This document entitled Northern Lights 2025 Expansion Project – Tomah Branch Line Loop Rare, Threatened, and Endangered Species Report was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Northern Natural Gas (the "Client"). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by Tim Paquin
(signature)

Tim Paquin, Environmental Scientist

Reviewed by Nathan Noland
(signature)

Nathan Noland, Environmental Scientist

Approved by Susan Knabe
(signature)

Susan Knabe, Principal

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Table of Contents

ACRONYMS LIST	1
1.0 INTRODUCTION	1
1.1 PROJECT DESCRIPTION.....	1
1.1.1 Construction Methods and Mitigation Measures	1
1.2 REGULATORY FRAMEWORK	3
2.0 METHODS.....	3
2.1 DESKTOP ASSESSMENT	4
2.2 FIELD SURVEYS.....	4
2.3 SPECIES EVALUATIONS.....	4
3.0 RESULTS	5
3.1 ECOLOGICAL OVERVIEW	5
3.2 VEGETATION	6
3.2.1 Land Cover Types	6
3.2.2 Vegetation Communities.....	6
3.3 SPECIES EVALUATION	7
3.3.1 Federally Listed Species	7
3.3.2 State-Listed Species.....	12
3.4 MIGRATORY BIRDS	14
3.4.1 County, State and Federal Lands	15
4.0 SUMMARY AND CONCLUSIONS.....	15
5.0 LIMITATIONS AND WARRANTY	17
6.0 REFERENCES.....	18
LIST OF TABLES	
Table 1. Waterbodies and Wetlands to be Crossed by the Project.....	2
LIST OF APPENDICES	
APPENDIX A FIGURES	A.1
APPENDIX B USFWS IPAC LIST OF SPECIES	B.1
APPENDIX C PHOTOGRAPHS	C.1
APPENDIX D WDNR ER REVIEW	D.1
APPENDIX E FEDERAL AND STATE-LISTED SPECIES POTENTIALLY OCCURRING IN THE ESB IN MONROE COUNTY	E.1

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Acronyms List
February 2024

Acronyms List

BGEPA	Bald and Gold Eagle Protection Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CREP	USDA Conservation Reserve Enhancement Program
ESB	Environmental Survey Boundary
ESA	Endangered Species Act
ETWS	Extra Temporary Workspace
F	Fahrenheit
FERC	Federal Energy Regulation Commission
HDD	horizontal directional drill
IPaC	Information, Planning and Consultation
MBTA	Migratory Bird Treaty Act
MP	Milepost
NHIS	Natural Heritage Information System
NLEB	Northern Long-eared Bat
Northern	Northern Natural Gas
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
Procedures	Wetland & Waterbody Construction and Mitigation Procedures
Project	Tomah Branch Line Loop 2025 Expansion
ROW	Right of way
RTE	Rare, threatened, or endangered
Stantec	Stantec Consulting Services Inc.
SWCD	Soil and Water Conservation District
UNT	Unnamed tributary
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
February 2024

1.0 Introduction

Stantec Consulting Services Inc. (Stantec) prepared this rare, threatened, and endangered (RTE) species report for the proposed Tomah branch line loop component of the Northern Lights 2025 Expansion Project (Project) located within Monroe County, Wisconsin. The work was conducted at the request of Northern Natural Gas (Northern) in order to facilitate compliance with the Endangered Species Act (ESA) of 1973 (16 United States Code [USC] A-1535-1543, P. L. 93-205), as amended.

This report describes the methods used to conduct the RTE species habitat assessment; and discusses the results of the investigation. This report does not serve as a project clearance letter for the above referenced Project but provides a professional opinion on the potential for project construction activities to affect federally and state-listed RTE species known to inhabit the aforementioned Monroe, County, Wisconsin.

1.1 PROJECT DESCRIPTION

Northern proposes to construct and operate an approximately 1.28-mile extension of its 8-inch-diameter WIB11902 Tomah branch line loop in Monroe County, Wisconsin. The proposed extension will be tied in below ground to the current terminus of the Tomah branch line loop in Section 1, T17N, R4W, Monroe County, Wisconsin. The tie-in valve setting at this location will be removed. The downstream tie-in to its 6-inch-diameter WIB11901 branch line is located in Section 6, T17N, R3W, Monroe County, Wisconsin. The proposed extension will be tied in at the relocated Tomah branch line loop receiver, which is more fully described below.

The Tomah branch line loop will be installed parallel to Northern's WIB11901 with a 25-foot-offset except for MP 2.55 to MP 2.57. The proposed Tomah branch line loop will deviate from the 25-foot-offset by a maximum of 60 feet to optimize an HDD design and avoid drilling under the landowner's driveway and trees. The pipeline will be installed within a 75-foot-wide nominal construction corridor. In addition to the construction corridor, Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

This report summarizes the findings from the RTE habitat desktop assessment and survey efforts conducted within the Project ESB. Because the proposed Project activities will require federal permits, the Project must be conducted in compliance with Section 7 of the ESA.

1.1.1 Construction Methods and Mitigation Measures

The Project will employ specific construction methods to minimize impacts on RTE species and their habitats in and along stream crossing location and downstream of crossing location. The pipeline will be installed within a 75-foot-wide nominal construction corridor.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
February 2024

Northern will cross the field delineated wetland and waterbodies via horizontal directional drilling (HDD). HDD allows for trenchless construction across a waterbody or wetland and is used to minimize impacts on water quality from construction activities. A Project-specific HDD Monitoring, Inadvertent Return Response, and Contingency Plan (HDD Plan) has been developed and will be implemented during construction to aid in avoiding and mitigating potential effects from an inadvertent release of drilling mud. Table 1 lists the proposed location, width and water quality designation for the waterbody and wetlands crossed by the Project.

Table 1. Waterbodies and Wetlands to be Crossed by the Project

Waterbody/ Wetland	Waterbody/ Wetland Type	MP	Crossing Width (feet)	State Water Quality Use Designations ²	Crossing Method (Contingency)
TBL-S01	Intermittent	3.5	10	No Designation	HDD (Re-drill)
TBL-W03	Wet Meadow / PEM1B	3.47-3.49	120	Not applicable	HDD

¹ Wetland Classification based on Cowardin, Classification of Wetlands and Deepwater Habitats: PEM1B - Palustrine Emergent – persistent – saturated (Wet Meadow)

² State Water Classification: Class 1 = Domestic Consumption. Class 2 = Aquatic Life and Recreation; A = cold water, B = warm water, g= applies for general warm water streams. Class 3 = Industrial Consumption; A – D refers to chlorides standards. Class 4 = Agriculture and Wildlife; A = applies to irrigation purposes, B = applies to use by livestock and wildlife. Class 5 = Aesthetic Enjoyment and Navigation. Class 6 = Other Uses and Protection of Border Waters. Class 7 = Limited Resource Value Waters.

Northern plans to cross one emergent wetland feature (TBL-W03) as part of the Project. Northern plans to utilize HDD crossing methods for all wetland and waterbody crossings on the Project. Crossing the wetland will be completed in accordance with applicable permit conditions and the measures specified in the FERC Procedures. This will include locating extra temporary workspace ETWS in upland areas at least 50 feet from the wetland boundary, where practical; prohibiting refueling or fuel storage within 100 feet of wetland boundaries; and limiting impacts within wetland to temporary foot traffic to follow the HDD path.

To minimize impacts on terrestrial and arboreal RTE species and their habitat, Northern designed the Tomah branch line loop to be co-located with a 25-foot offset of the original line route and avoid wooded areas or fence rows where possible. However, due areas of higher density of forested habitat within the western section of the Project ESB, tree clearing will be required.

After construction activities are complete, the areas disturbed by construction that do not contain a permanent facility will be graded to previous site conditions. Original land contours will be restored, as near as practicable, to original conditions. Non-cultivated land will be reseeded in accordance with individual landowner requirements, land management agency requirements or NRCS and SWCD recommendations. The 50-foot-wide permanent ROW will be allowed to revegetate, and Northern will comply with FERC's maintenance and mowing procedures list in FERC's Plan. Northern will not mow their operational ROW where the pipeline was installed via HDD in wetland or riverine areas.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
February 2024

1.2 REGULATORY FRAMEWORK

This Project will be conducted under multiple regulatory policies developed for the protection of sensitive plant and animal species. These include the ESA, Bald and Gold Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The following paragraphs provide a brief overview of each of these policies.

- The ESA prohibits any person or entity from causing the take of any plant or animal species on the Secretary of the Interior's list of RTE species (Section 9(a)(1)(b)) and states that it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence, or result in the destruction or adverse modification of habitat determined to be critical to the conservation of any such species (Section 7(a)(2)). The ESA defines a take as the harassment, harm, pursuit, hunting, shooting, killing, trapping, capture, or collection of such species.
- The BGEPA, originally passed in 1940, and amended in 1962, provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting the take of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 USC 668(a); 50 Code of Federal Regulations [CFR] 22). The BGEPA defines a take as the pursuit, shooting, shooting at, poisoning, wounding, killing, capturing, trapping, collecting, molesting, or disturbing of a bald or golden eagle.
- The MBTA, originally passed in 1918, implements the United States commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource, protecting more than 800 species of birds. The list of migratory bird species protected by the MBTA appears in Title 50, Section 10.13, of the CFR (50 CFR § 10.13). The MBTA protects all native migratory birds and prohibits the taking, killing, possession, and transportation of migratory birds, their eggs, and parts, except when specifically permitted by regulations for specific intentional uses. The list of birds federally protected under the MBTA, activities that have the potential to take migratory birds, and recommendations for reducing such take can be found in 50 CFR 10 of the MBTA. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern.

2.0 Methods

Stantec conducted a desktop review for RTE, USFWS designated critical habitat, and potential for suitable habitat within the Northern-defined ESB based on review of USFWS and WDNR database information. Field surveys were used to confirm and supplement the desktop review and were used to assess possible presence of individuals or populations of protected species and species of conservation concern, as well as suitable habitat for those species as part of the wetland delineation throughout the ESB. Northern's ESB encompasses all proposed workspaces and typically provides a minimum of a 50-foot clearance buffer around workspaces.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods
February 2024

2.1 DESKTOP ASSESSMENT

In preparation for field surveys, a desktop study of the proposed Project area was completed in December 2023. The desktop assessment included review of aerial imagery, US Geological Survey (USGS) 7.5-minute quadrangle maps, Wisconsin Wetland Inventory (WWI) maps, the USFWS Information, Planning and Consultation (IPaC) system, state wildlife agency websites, and available literature. Stantec biologists reviewed the aforementioned information to identify and become familiar with the natural features and listed species most likely to be encountered in the Project area.

In preparation for field surveys, the USFWS IPaC Environmental Conservation Online System was accessed to review federally listed T&E, proposed, and candidate species and federally designated critical habitat that may be present within the ESB in December 2023 (USFWS 2023a). Stantec requested and received a USFWS IPaC Official Species List (consultation #2024-0029640) from the Minnesota-Wisconsin Ecological Services Field Office. The Official Species List from IPaC is included in Appendix B.

In addition, a Stantec certified ERR, conducted and reviewed the WDNR ER and NHI for element occurrences of RTE species and state managed lands that are known to exist within 1-mile of the Project area. This information does not represent a comprehensive survey but rather acknowledges the potential presence of listed species within one mile of the Project area. The ERR WDNR ER Element Occurrence Summary is included in Appendix D.

2.2 FIELD SURVEYS

Stantec conducted field surveys for presence of suitable habitats concurrent with the wetland delineations on November 1 and 2, 2023. The field surveys consisted of pedestrian inspections to evaluate the presence/absence of suitable habitat and potential presence of listed species within the ESB. Field crews reviewed the list of protected species identified as having the potential to occur within the ESB and one-mile buffer of Project boundary. In addition, the field crews reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

To support the development of site descriptions, vegetation characterizations, and evaluations of potential RTE species suitable habitats, field crews documented existing upland and wetland vegetative communities and land cover characteristics present within the survey areas. A photographic log showing representative vegetation communities is included as Appendix C.

2.3 SPECIES EVALUATIONS

The potential for occurrence of each species within the construction footprint for the Project ("Project area"), was summarized according to the categories listed below. Potential for occurrence categories are as follows.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

- **Known to occur**—the species has been documented in the Project area by a reliable observer.
- **May occur**—the Project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- **Unlikely to occur**—the Project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the Project area is clearly outside the species' currently known range.
- **Does not occur**—the species does not occur in the Project area.

Those species listed by the USFWS were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect and is likely to adversely affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **May affect, but not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

Those species listed by the WDNR were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **Not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

3.0 Results

3.1 ECOLOGICAL OVERVIEW

The Project lies within Major Land Resource Area (MLRA) 105 Upper Mississippi River Bedrock Controlled Uplands and Valleys. This area is referred to as the Wisconsin Driftless area because it has undergone only limited landscape formation by glacial ice. The landscape in the area consists of gently sloping to rolling summits with steeper valley walls that join small to very large flood plains.

The average annual precipitation in most of this area is 32 to 38 inches (801 to 973 millimeters). Most of the rainfall occurs as high-intensity, convective thunderstorms during the summer. Two-thirds or more of the precipitation falls during the freeze-free period. Snowfall is common in winter.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

The average annual temperature ranges from 42 to 50 degrees F (6 to 10 degrees C). The freeze-free period averages about 175 days and ranges from 145 to 205 days [United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2022].

3.2 VEGETATION

Land use within the Upper Mississippi River Bedrock Controlled Uplands and Valleys is dominated by deciduous forests and cropland. Upland soils support native hardwoods such as oak (*Quercus spp.*), hickory (*Carya spp.*), sugar maple (*Acer saccharum*), big bluestem (*Andropogon gerardii*), and little bluestem (*Schizachyrium scoparium*). Soils on lowlands support mixed hardwoods that include elm (*Ulmus spp.*), cottonwood (*Populus deltoides*), river birch (*Betula nigra*), ash (*Fraxinus*), silver maple (*Acer saccharinum*), and willow (*Salix*) (USDA, NRCS 2022).

3.2.1 Land Cover Types

During field surveys, Stantec identified six general land cover types within the Project area. Using vegetation species associations, land cover in the Project area was classified as agricultural land, wetlands, open land, forested, industrial/commercial and residential. General descriptions of the land cover types encountered in the Project area are as follows.

- **Agricultural Land** – including active cropland (including specialty crop or turf grass production), cropland that had recently been plowed, areas that had been harvested and fallow or idle areas that appeared to be regularly used to grow agricultural crops.
- **Wetlands** –including areas dominated by wetland vegetation and exhibiting hydric soils and wetland hydrology, including those that are farmed. Wetland types include floodplain forested wetland, shallow marsh, and farmed seasonally flooded wetland.
- **Open Land** – including non-forested herbaceous uplands, rangeland, scrub-shrub land, areas that were being used to grow hay, non-agricultural fields and/or other herbaceous areas that are dominated by a mixture of mid-grass or short-grass species. The vegetation also includes mowed areas and areas of mixed weeds and grass along roadsides.
- **Forested** – mixed hardwood forests, mixed evergreen and hardwood forests
- **Industrial/Commercial** – manufacturing or industrial plants, mines, commercial facilities, roads, railroads, and electric or gas utility stations.
- **Residential** - rural and developed residential property.

3.2.2 Vegetation Communities

Stantec identified five general types of vegetation communities within the Project area, identified below. Industrial/commercial land is not included within the list, as vegetation is not present within this land use type.

- **Agricultural Land** –Agricultural land within the Project area consisted primarily of cultivated crop land planted with corn (*Zea mays*) and soybean (*Glycine max*).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

- **Wetland** – Two wetlands were observed in the ESB. The wetlands were composed of a wet meadow and a seasonally flooded basin/ shrub-carr complex. The wet meadow vegetation community consisted of reed canary grass (*Phalaris arundinacea*; FACW) and yellow nutsedge (*Cyperus esculentus*). The seasonally flooded basin/ shrub-carr wetland vegetation community was dominated by reed canary grass, common rush (*Myosoton aquaticum*), and sandbar willow (*Salix interior*).
- **Open Land** – A majority of the open land in the ESB included fallow land, former cropland and/or other disturbed areas and was dominated by smooth brome (*Bromus inermis*), Canada goldenrod (*Solidago canadensis*), Allegheny blackberry (*Rubus allegheniensis*), Kentucky bluegrass (*Poa pratensis*) and orchard grass (*Dactylis glomerata*).
- **Forested** – Vegetation in forested areas consisted of red pine (*Pinus resinosa*), white pine (*Pinus strobus*), red oak (*Quercus rubra*), white oak (*Quercus alba*), quaking aspen (*Populus tremuloides*), non-native honeysuckle (*Lonicera spp.*), and buckthorn (*Rhamnus spp.*).
- **Residential** – Maintained residential communities consisted of turf species such as Kentucky bluegrass, smooth brome, and orchard grass.

3.3 SPECIES EVALUATION

A review of federally and state-protected species, species of conservation concern, associated habitats, and other rare natural features that are known to occur within one mile of the Project ESB was conducted as described in Section 2. 1. Information provided by the USFWS Minnesota-Wisconsin Ecological Services Field Office and the ERR, review of the WDNR ER for information on Wisconsin's rare plants, animals, native plant communities, and other rare features that are known to occur within one mile of the Project ESB (was included in the review of the Project for potential impacts to these resources.

The federal and state-listed species with suitable habitat and/or potential to occur within the Project area are discussed below and summarized in Appendix B and D.

3.3.1 Federally Listed Species

Northern received an official IPaC letter from the USFWS Minnesota-Wisconsin field office on December 21, 2023 (consultation #2024-0029640). The USFWS determined that the following federally listed species may occur in the proposed Project area or be affected by the proposed action in Wisconsin:

- Gray wolf (*Canis lupus*) – endangered
- Northern long-eared bat (*Myotis septentrionalis*) – endangered
- Tricolored bat (*Perimyotis subflavus*) – proposed endangered
- Whooping crane (*Grus americana*) – experimental population, non-essential
- Karner blue butterfly (*Lycaeides melissa samuelis*) – endangered
- Rusty patched bumble bee (*Bombus affinis*) – endangered
- Monarch butterfly (*Danaus plexippus*) - candidate

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

These species and their habitats are described below.

Gray wolf

The gray wolf is the largest wild member of the Canidae (dog) family. Gray wolves have a wide range of habitats that primarily include temperate forests, mountains, tundra, taiga, grasslands, and deserts. In North America, they primarily feed on large-hooved mammals that include white-tailed deer, elk, moose, caribou, muskox, and bison. (USFWS 2023b).

Habitat communities within the Project area consist mostly of agricultural row crop, residential and forested habitats. Due to the fragmented forested areas and developed surrounding land use, the gray wolf is unlikely to occur within the Project area. However, due to the wide range and mobility of this species, the Project may affect but is not likely to adversely affect the gray wolf.

Northern long-eared bat

During winter, Northern long-eared bats (NLEB) use large caves and mines that have large passages and entrances, constant temperatures and high humidity with no air currents; however, no large caves and mines were identified within the Project area during the time the surveys occurred. Portions Project ESB crosses suitable summer habitat for the NLEB. Tree clearing is proposed within the Project workspaces. Potential impacts on individual bats may occur if clearing or construction takes place when the species is breeding, foraging, or raising pups in its summer habitat. Bats may be injured or killed if occupied trees are cleared during this active window, and the species may be disturbed during clearing or construction activities due to noise or human presence.

Monroe County (Tomah branch line loop) is currently listed as a county with documented white-nose syndrome positive test according to the white-nose Syndrome Response Team web map (White-nose Syndrome Response Team 2023). However, the WDNR ER Review did not note any known hibernacula or roost resources.

Northern plans to perform winter tree clearing (between October 31 and March 1) on the Tomah branch line loop, to minimize effects to the NLEB that may use wooded habitats for summer roosting and foraging activities. In the event that isolated trees/copse of trees need to be removed, Northern will consult with the appropriate agencies prior to any removal. Tree clearing outside of the allotted winter months will require summer mist net surveys and/or acoustic surveys to determine presence/potential absence of the NLEB with the Project areas, prior to initiation of work. Northern will continue to coordinate with the FERC and the USFWS to minimize potential Project impacts on the NLEB. Therefore, the Project may affect but is not likely to adversely affect the NLEB and will not cause prohibited take of the species.

Tricolored bat

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road culverts, tree cavities, and abandoned water wells. During the non-hibernating seasons, tricolored bats roost in leaf clusters of living or dead deciduous hardwood trees. Tricolored bats have also been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures. (USFWS 2023).

No known hibernacula or roost trees were noted in the WDNR ER Review of the Project. However, suitable summer roosting and foraging habitat for the tricolored bat is present within the Project area; therefore, this species may occur in the Project area. Project operations with impacts occurring during the bat's inactive season (November 15 to March 31, inclusive), are not likely to adversely affect the species. However, operations including tree clearing and elevated noise levels, that occurs during the bats active roosting and foraging season, may have potential to affect the tricolored bat. The Project may affect, but is not likely to adversely affect this species. The tricolored bat was proposed to be listed as federally endangered on September 13, 2022, and is still proposed for listing. Potential impacts on the tricolored bat may need to be reassessed dependent on when a final listing goes into effect.

Whooping crane

The whooping crane is a migratory bird species that once nested in northern prairies but now breeds in remote northern forests in Canada, as well as in an experimental population in Wisconsin, preferably within coniferous habitat containing swamps and nearby lakes or ponds. Winter habitat consists of coastal marshes (e.g., Texas, Louisiana, and Florida). The diet of the whooping crane in summer months is not well known, but it is thought to be similar to their wintering diet of shellfish, frogs, snakes, insects, small fish and plant matter like roots and berries. Whooping cranes are listed as federally endangered due to anthropogenic causes including hunting and the destruction of native prairies (Audubon undated (a)).

The Project area does not contain any large prairies or coniferous forests with swamps that would support breeding or nesting requirements for the whooping crane and large wetland complexes that occur within the Project will be crossed via HDD methods. Furthermore, the wild population of whooping crane does not typically migrate through Minnesota or Wisconsin, as result this species is unlikely to occur within the Project area and any occurrences would likely be a result of the experimental population located in Wisconsin. Therefore, the Project is anticipated to have no effect on this species.

Karner blue butterfly

The KBB occurs in oak savannahs and pine barren habitats with a variety of herbaceous plants and scattered woody groves. The presence of wild lupine (*Lupinus perennis*) is required for the survival of caterpillars, as it is the only plant on which they feed; adult KBB rely on other native plant species such as bee balm (*Monarda fistulosa*), butterfly weed (*Asclepias tuberosa*), and bachelor's button (*Centaurea cyanus*). KBB is listed as endangered due to habitat loss, in part due

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

to the lack of natural grazing and wildfires that maintained canopy openings to allow sunlight to reach the herbaceous layers. (USFWS 2019c).

Northern is committed to the restoration and preservation of pollinator habitat. Northern belongs to the WDNR KBB Habitat Conservation Plan Partnership as of July 16, 2020. Northern will plant pollinator friendly species within the proposed receiver facility on the Tomah branch line loop. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces. Northern has successfully seeded public areas disturbed by construction creating a dense pollinator habitat within the following growing season.

A certified Stantec ERR, conducted, and reviewed the WDNR ER Review, which contains an extensive inventory of KBB habitat and element occurrences. The ER Review Verification indicated that the Tomah branch line loop is within the HPR for KBB. Review of the Agreement between Northern and the WDNR shows portions of the Tomah branch line loop within HPR for the KBB, specifically within the southwest segment of the Project. Northern will abide by the requirements within the Agreement, and follow protocols outlined within the approved Habitat Conservation Plan for the KBB.

Northern intends to conduct lupine surveys for the KBB in May 2024, concurrent with RPBB floristic surveys. Stantec will complete surveys for wild lupine (*Lupinus perennis*) and other associated habitat in accordance with the Wisconsin Department of Natural Resources (WDNR) survey protocol. In the event wild lupine is located within Project workspace during the May 2024 floristic survey, Stantec will monitor the WDNR KBB emergence model postings and will initiate KBB surveys during the appropriate time period in May or June to correspond to the first KBB flight period.

Northern will continue coordination with FERC and the USFWS to determine the Projects effect to the KBB. If all areas of the Project within the HPR can follow protocols approved within the Habitat Conservation Plan for the KBB, then Northern anticipated minimum impacts on the species.

Rusty patched bumble bee

Their habitat needs can be broken down to include overwintering habitat, nesting habitat, spring foraging habitat, and summer and fall foraging habitat. Overwintering habitat consists of woodland edges, as well as upland forest and woodland interiors. Woodland types generally consist of even-aged maple-basswood or oak-hickory, and the overwintering queens can be found in shady areas with loose soils, little vegetation, and leaf litter. Nesting habitat (colonies) includes grasslands and shrublands, upland forest, and woodland edges extending approximately 30 meters into the woodland. Loose soil and leaf litter in these areas can provide nest building sites. (USFWS 2023a).

Spring foraging habitat and summer and fall foraging habitats are similar and can be found in areas with nectar and pollen sources, including plants such as goldenrods (*Solidago* spp.), coneflowers (*Echinacea* spp.), and gentians (*Gentiana* spp.). These areas can include woodland edges, upland forest, upland grassland and shrubland, palustrine wetlands, flower gardens, and

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

agricultural land. (USFWS 2017). Spring ephemeral species and upland forest and woodland interiors that contain nectar and pollen sources are also used for spring foraging (USFWS 2023a).

The USFWS lists Tomah branch line loop within Monroe County, Wisconsin as being within the HPZ for RPBB. Potentially suitable habitat for the different life cycles of the RPBB are present within the Project component and will require pre-construction, species specific surveys to determine potential effects the Project may have on the RPBB.

Northern prepared a survey protocol for conducting floristic surveys and presence/absence surveys for the RPBB and submitted these protocols to the USFWS Twin Cities Field Office for review February 7, 2024. No response has been received at this time.

In the survey protocols, Northern committed to conduct four floristic surveys, initiating May 2024 and subsequently every five weeks after the initial survey. The surveys will encompass the portions of the Tomah branch line loop where vegetation would be cleared during construction but will not be conducted in areas where impacts are avoided through HDD.

Per USFWS RPBB survey protocols (USFWS 2019b), which have been incorporated into Northern's survey protocols, each suitable habitat patch will be surveyed for one person-hour per three acres of the highest quality habitat in the survey area, or until at least 150 bumble bees are sighted, whichever comes first. The protocol includes capturing bees that match the description of RPBB and estimating the number of other bumble bee species (*Bombus* spp.) encountered. Each survey will be conducted over the course of one day using non-lethal netting techniques. Northern will complete three rounds of presence/absence surveys in summer 2024. Northern will continue coordination with the USFWS and FERC to determine if the Project will affect the RPBB.

Monarch butterfly

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated). Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

Given the wide range of habitats that the monarch butterfly can occupy, it may occur within the Project area. However, Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will plant

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

pollinator friendly seed mix within Northern owned properties, where feasible. Northern will offer landowners the option of utilizing pollinator friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur.

The USFWS has indicated on past projects that an effect determination is not needed for candidate species. Northern has determined the Project will not jeopardize the existence of the monarch butterfly.

3.3.2 State-Listed Species

A certified Stantec ERR conducted and reviewed the WDNR ER Review and accessed the NHI to obtain a list of RTE species and associated habitats within the Project Area and one-mile buffer (Appendix D). Based on a review of the NHI data and the results of the WDNR review, the following species may occur within Monroe County and the Project area:

- Blanding's turtle (*Emydoidea blandingii*) – special concern
- Wood turtle (*Glyptemys insculpta*) – threatened
- Redfin shiner (*Lythrurus umbratilis*) – threatened

Blanding's turtle

Blanding's turtle requires wetland complexes with adjacent sand uplands to sustain viable populations. Calm, shallow waters, including wetlands associated with rivers and streams with rich aquatic vegetation, are preferred. This turtle occurs on a variety of wetland and riverine types throughout Minnesota. In the southeast, it prefers marshes and bottomland wetlands in summer and winter, ephemeral wetlands in spring and early summer, and deeper marshes and backwater pools in summer and winter. Female Blanding's turtles prefer to nest in open sandy uplands. Although they prefer undeveloped land, they have been known to nest in agriculture fields, residential property (low density suburban housing), gardens, under power lines, and in road shoulders (especially dirt roads). Females may travel up to 1.6 kilometers (1 mile) overland from their resident marsh to their nest site at which time they are vulnerable to predators and road mortality. Hatchlings leave the nest from mid-August through early October. Because eggs are laid far from water, hatchlings are vulnerable to predators, automobiles and desiccation while traveling from the nest to a wetland. Loss and degradation of upland and wetland habitats and mortality on roads and primary threats to the species. (MDNR, 2008).

Northern will not propose species surveys but rather assume the presence of Blanding's turtles where Blanding's turtles have been documented and suitable habitat is present. The Tomah branch line loop contained suitable nesting and foraging habitat (shallow wetlands and adjacent uplands) but lacked open water features suitable for overwintering. Additionally, no Blanding's turtles were identified within the Project areas during field habitat assessments that occurred intermittently between August and November 2023. A review of the WDNR ER Review indicated two Blanding's turtle element occurrences within two miles of the Tomah branch line loop.

Northern plans to use HDD to cross under all waterbody and wetland complexes with suitable habitat. Northern will install turtle fence between the entry and exit points and any suitable turtle habitat.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

Based on Northern's past project experience in Wisconsin, the WDNR will likely recommend a number of measures to avoid and minimize impacts on Blanding's turtles should they occur within the Project workspace. These recommendations include the following.

- Turtles that are in imminent danger should be moved, by hand, out of the Project
- Turtles that are not in imminent danger should be left undisturbed
- No nests should be disturbed
- Silt fencing should be used to keep turtles out of construction areas, where necessary, and removed after the area has been revegetated
- No dredging, deepening, or filling of wetlands should occur
- Wetlands should be protected from pollutants such as fuels and lubricants
- Mulch, if used, will not contain synthetic (plastic) fiber additives in areas that drain to a Minnesota public water
- Erosion and sediment control devices should be used to prevent silt and sediment from reaching wetlands and waterbodies
- Erosion control mesh, if used, will be limited to bio-netting or natural netting, specifically, Category 3N or 4N in the 2016 and 2018 Minnesota DOT standards
- Trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade
- Culverts under access roads crossing wetland areas, between wetland areas, or between wetland and nesting areas, should be at least 36 inches in diameter and flat-bottomed or elliptical
- Construction areas should be returned to preconstruction conditions

Northern will implement the WDNR recommendations above and will train construction personnel regarding identification of the Blanding's turtle and the proper implementation of the MDNR recommendations. Northern has developed, per the request of WDNR on past projects, and will implement a Blanding's Turtle Avoidance Plan. The mitigation measures above will minimize potential impacts on the Blanding's turtle; therefore, the Project is not likely to adversely affect the Blanding's turtle.

Wood turtle

The wood turtle prefers rivers and streams with adjacent riparian wetlands and upland deciduous forests. This species often forages in open wet meadows or in shrub habitats dominated by speckled alder. They overwinter in streams and rivers in deep holes or undercut banks where there is enough water flow to prevent freezing. This semi terrestrial species typically remains within 300 meters (984 feet) of rivers and streams. This species becomes active in spring as soon as the ice has melted and air temperatures reach around 50 degrees Fahrenheit, which can occur as early as mid-March (WDNR, 2020a).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

February 2024

The Tomah branch line loop does not contain suitable habitat for the wood turtle (wetlands with adjacent forested communities) and species occurrences are not anticipated. However, review of the WDNR ER review indicates two element occurrences within two miles of the Project area. Aquatic resources and their immediate riparian or upland areas will be crossed by the Project via HDD methods; therefore, the Project is not likely to adversely affect the wood turtle.

Redfin shiner

Redfin shiner prefers turbid waters of pools in low-gradient streams over substrates of boulders, sand, silt, or detritus. Spawning occurs from early June through mid-August in sunfish nests and they coexist with the sunfish in the nesting territory (WDNR, 2020b).

The Tomah branch line loop does not include suitable habitat for the redfin shiner (turbid, low-grade streams suitable for fish habitat and colonization) and species occurrences are not anticipated. Therefore, the Project is anticipated to have no effect on this species.

3.4 MIGRATORY BIRDS

Based on review of the USFWS IPaC Species list (USFWS 2023a) for the ESB and one-mile buffer in Monroe County, there are five migratory bird species that may occur within the ESB. The protection of migratory birds is regulated by the MBTA and BGEPA. Any activity, intentional or unintentional, that results in take of migratory birds is prohibited unless otherwise permitted by the USFWS. Depending on the timing of construction, the Project may potentially affect nests, eggs, and/or young of birds protected under the MBTA.

The North American Bird Conservation Initiative maintains a list of Bird Conservation Regions (BCRs) (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the BCR 23 - Prairie Hardwood Transition. The USFWS Birds of Conservation and Concern 2021 report (USFWS 2021b) identifies 30 Birds of Conservation and Concern within BCR 23.

Important Bird Areas (IBAs) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, and/or migrating birds (Audubon undated(b)). The Project does not cross an IBA. The nearest IBAs to the Project include the Fort McCoy-Robinson Creek IBA approximately 1.34 miles southwest from the Project to its nearest point.

Tree clearing is anticipated to be required for the Project. Additionally, minor shrub and herbaceous vegetation clearing by hand may be needed at the start of construction and construction timing may overlap migratory bird nesting seasons. Once vegetation is removed from the construction area, nesting surveys are not needed due to lack of nesting habitat and likely reluctance to nest due to human presence/ongoing activities.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
February 2024

Northern plans to begin construction in Spring 2025, within the primary nesting season. Construction will continue to November 1, 2025. Northern will attempt to limit removal or impacts on vegetation during the primary nesting season of breeding birds. If construction work cannot be avoided during the peak breeding season, Northern will have a biologist conduct a pre-construction nest survey for breeding birds within the Project workspaces. The nest survey will determine the absence or presence of breeding birds and their nests. Pre-construction nest surveys will be completed for all Project components according to the following procedures.

- No more than seven days before construction activities commence, pre-construction nest surveys for migratory birds will be completed by a qualified avian biologist. The area surveyed will include the proposed workspaces or areas where potentially suitable habitat has been identified.
- If an occupied raptor nest is observed during the survey, construction activities will not be permitted within a 660-foot buffer of the raptor nest site during the breeding season or until the fledglings have left the area. Northern will complete consultation with the USFWS and WDNR if an active raptor nest is observed.
- If a nest, other than a raptor nest, is observed during the survey, construction activities will not be permitted within a 100-foot buffer of the nest until consultation with the respective WDNR and USFWS field office occurs. Northern will implement buffers and practices recommended by agencies during the consultation.
- Upon completion, the survey results will be submitted to the USFWS and WDNR. If breeding birds are not present, construction can proceed with no restrictions. If breeding birds or active nests are present, additional consultation will be completed.

Nest surveys will be conducted prior to any clearing or construction activity; therefore, the Project will have no effect on nesting migratory birds of concern or species protected by the BGEPA.

3.4.1 County, State and Federal Lands

No other county, state or federal lands will be crossed by the Project.

4.0 Summary and Conclusions

Stantec performed a review of federally and state-protected species that may occur within the Project ESB. Based on the review, Stantec identified seven federally listed and three state-listed species that could occur within a one-mile buffer around the ESB in Monroe County, Wisconsin. Those species include the gray wolf (federally endangered), northern long-eared bat (federally endangered), tricolored bat (federally proposed endangered), whooping crane (experimental population, non-essential), Karner blue butterfly (federally endangered), rusty patched bumble bee (federally endangered), monarch butterfly (federal candidate), redbfin shiner (state threatened), Blanding's turtle (special concern), and wood turtle (state threatened).

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
February 2024

No federally designated critical habitats occur within the Project area. In addition to the desktop review, field assessments of suitable habitats of protected species with the potential to occur within the proposed Project area were conducted concurrently with the wetland delineation in November 2023.

Based upon field observations and habitat requirements of listed species, Stantec determined that the proposed Project may affect, but is not likely to adversely affect, the northern long-eared bat, tricolored bat, and the gray wolf. The project is also not likely to adversely affect the Blanding's and wood turtle. The determination for the RPBB and KBB are to be determined and in need of further review. No effect determinations were made for the monarch butterfly, whooping crane, and redbfin shiner.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Limitations and Warranty
February 2024

5.0 Limitations and Warranty

Within the limitations of schedule, budget, and scope of work, Stantec warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of Stantec scientists. No other warranty, expressed or implied, is made. Please be aware that only the USFWS and/or lead federal agency can determine compliance with the ESA.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
February 2024

6.0 References

- Audubon. undated(a). Whooping Crane (*Grus americana*). Available at: <https://www.audubon.org/field-guide/bird/whooping-crane>. Accessed January 2023.
- Audubon. undated (b). Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. Accessed December 2023.
- MDNR. 2008. Endangered, Threatened, and Special Concern Species of Minnesota: Blanding's Turtle (*Emydoidea blandingii*). Environmental Review Fact Sheet Series. Accessed December 28, 2023.
- MDNR. 2022. Butterfly Gardens. Available at: <https://www.dnr.state.mn.us/gardens/butterfly/index.html>. Accessed December 2023.
- MDNR. 2023. Rare Species Guide. Available at: <https://www.dnr.state.mn.us/rsg/index.html>. Accessed December 2023.
- NABCI. 2021. Bird Conservation Regions Map. Available at <http://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 2023.
- National Wildlife Federation. undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 2023.
- University of Minnesota Bee Lab. 2022. Rusty patched bumble bee identification. Available at: <https://beelab.umn.edu/rusty-patched-bumble-bee>. Accessed October 2022.
- USDA Forest Service. undated. Migration and Overwintering. Available at: https://www.fs.usda.gov/wildflowers/pollinators/Monarch_Butterfly/migration/index.shtml. Accessed December 2023.
- USDA NRCS. 2022. Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin. United States Department of Agriculture Handbook 296.
- USFWS. 2017. Plants Favored by Rusty Patched Bumble Bee. Available at: <https://www.fws.gov/media/plants-favored-rusty-patched-bumble-bee>. Accessed October 2022.
- USFWS. 2019. Karner Blue Butterfly. Available at: <https://www.fws.gov/species/karner-blue-butterfly-lycaeides-melissa-samuelis>. Accessed January 2024.
- USFWS. 2019a. Midwest Region Endangered Species, Rusty Patched Bumble Bee. Available at: <https://www.fws.gov/midwest/endangered/insects/rpbb/lifehistory.html>

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
February 2024

- USFWS 2019b. Survey Protocols for the Rusty Patch Bumble Bee (*Bombus affinis*). Version 2.2. USFWS. April 12, 2019. Available online: https://www.fws.gov/midwest/Endangered/insects/rpbb/pdf/Survey_Protocols_RPBB_12_April2019.pdf
- USFWS. 2020. Midwest Region Endangered Species: Northern Long-Eared Bat (*Myotis septentrionalis*). <https://www.fws.gov/midwest/endangered/mammals/nleb/nlebFactSheet.html>. Accessed December 2021.
- USFWS. 2021a. Rusty Patch Bumble Bee (*Bombus affinis*). Endangered Species Act Section 7(a)(2) Voluntary Implementation Guidance. Version 3.1. USFWS, Bloomington, MN. 31 p.
- USFWS. 2021b. Birds of Conservation Concern 2021. U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. December 2023.
- USFWS. 2022. Tricolored Bat (*Perimyotis subflavus*). U.S. Fish & Wildlife Service. Available: <https://fws.gov/species/tricolored-bat-perimyotis-subflavus>. Accessed December 2023.
- USFWS. 2023. Midwest Region 3 Endangered Species. Available online at <http://www.fws.gov/midwest/endangered/index.html>. Accessed December 28, 2023.
- USFWS. 2023a. IPaC – Information, Planning, and Conservation System. Available at: <http://ecos.fws.gov/ipac/>. Accessed December 2023.
- USFWS. 2023b. Gray Wolf (*Canis lupus*). U.S. Fish & Wildlife Service. Available at: <https://www.fws.gov/species/gray-wolf-canis-lupus>. Accessed January 2023.
- WDNR. 2023a. Endangered Resources: *Glyptemys insculpta*. Available at: [Wood Turtle \(*Glyptemys insculpta*\) \(wi.gov\)](#). Accessed December 28, 2023.
- WDNR. 2023b. Endangered Resources: *Lythrurus umbratilis*. Available at: [Redfin Shiner \(*Lythrurus umbratilis*\) \(wi.gov\)](#). Accessed December 28, 2023.
- White-nose Syndrome Response Team 2023. 2023 Web Map. Available at: [White-Nose Syndrome \(whitenosesyndrome.org\)](http://whitenosesyndrome.org). Accessed December 28, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References
February 2024

Appendix A Figures

\\corp.ads\data\Virtual_Workspace\workgroup\1726\Active\17260821203_data\gis\cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

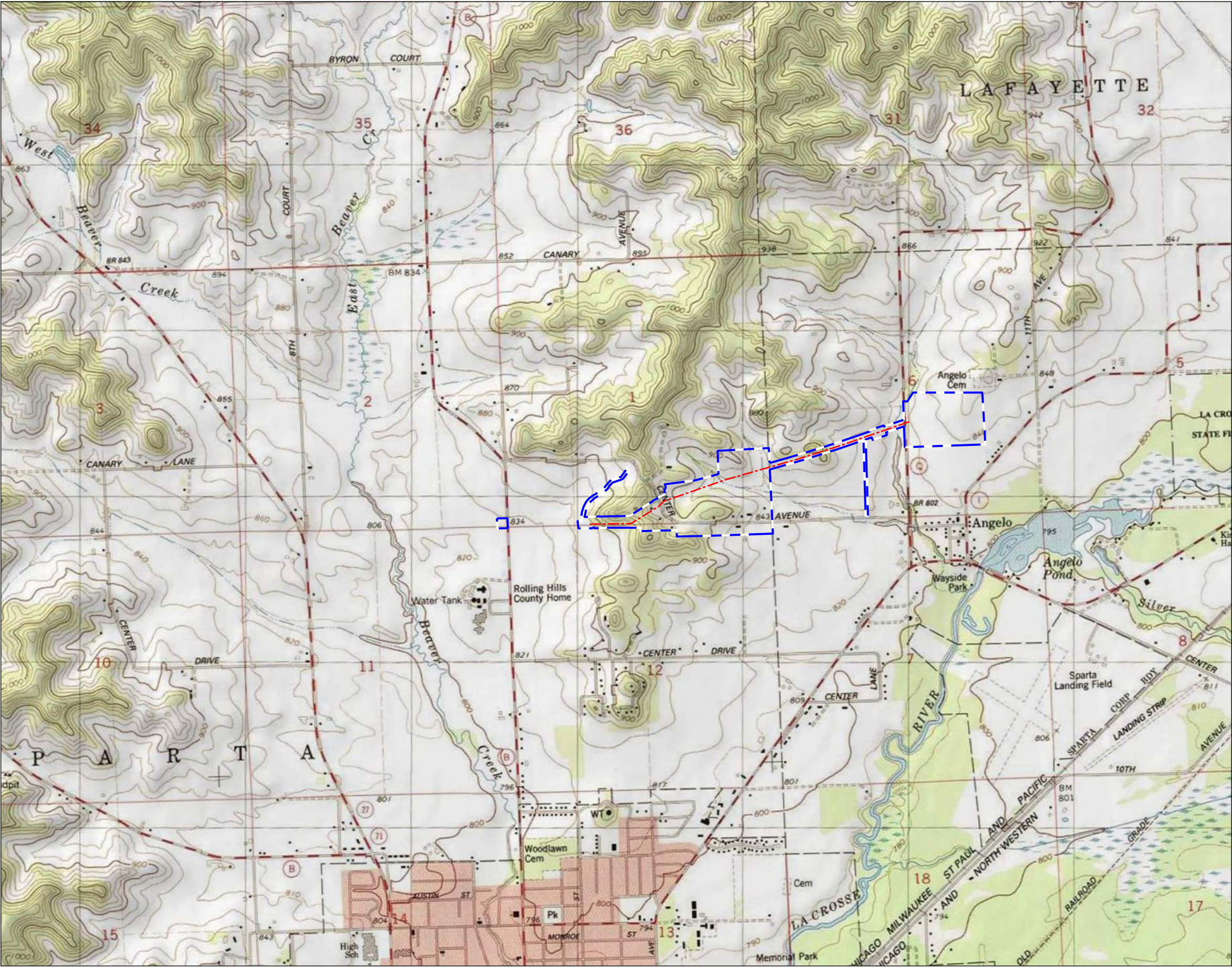


Figure No.
1

Title
Project Location and Topography

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation

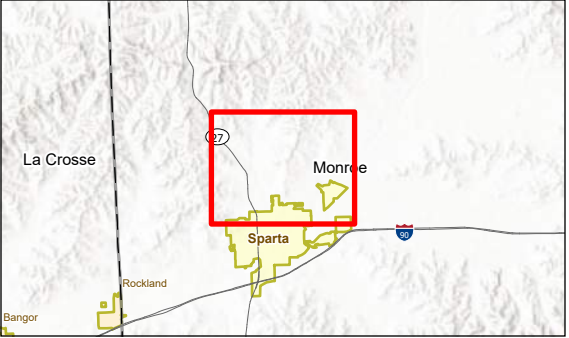
Project Location
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-20
IR by NN on 2024-01-31

N

0 1,000 2,000 Feet
(At original document size of 11x17)
1:24,000

Legend

- Proposed Centerline
- Environmental Survey Boundary



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS
3. Background: USGS 7.5' Topographic Quadrangles



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



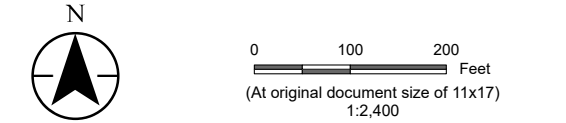
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Tomah BL Loop Extension

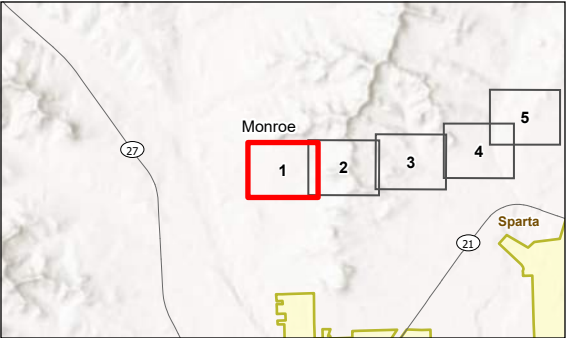
172608212

Project Location
Monroe Co., WI

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ▬ HDD Segment | Field Delineated Waterway |
| - - - Proposed Centerline | Field Delineated Open Water |
| — Existing Centerline | Field Delineated Waterway Area |
| □ Environmental Survey Boundary | Field Delineated Wetland |
| ▭ Existing Facility | National Hydrography Dataset / DNR 24k Hydrography |
| ▨ Extra Temporary Workspace | Perennial Stream |
| ▧ Existing Drive | Intermittent Stream |
| ▩ Temporary Access Road | Waterbody |



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



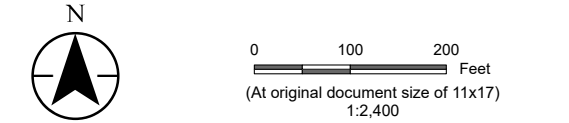
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis\cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



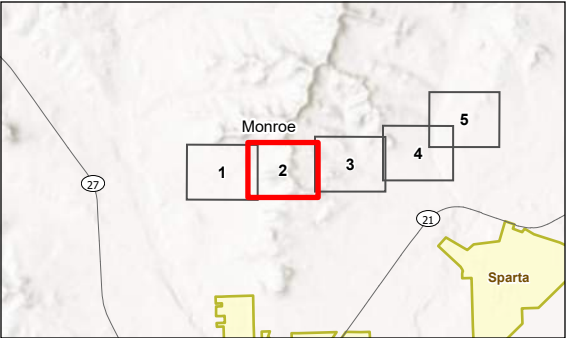
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Tomah BL Loop Extension
172608212

Project Location
Monroe Co., WI
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ■ HDD Entry/Exit | Field Delineated Waterway |
| ▬ HDD Segment | Field Delineated Open Water |
| - - - Proposed Centerline | Field Delineated Waterway Area |
| - - - Existing Centerline | Field Delineated Wetland |
| ▭ Environmental Survey Boundary | National Hydrography Dataset / DNR 24k Hydrography |
| ▭ Existing Facility | Perennial Stream |
| ▭ Extra Temporary Workspace | Intermittent Stream |
| ▭ Existing Drive | Waterbody |
| ▭ Temporary Access Road | |
| ▭ Temporary Workspace | |
| ▲ Culvert | |



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis\cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster

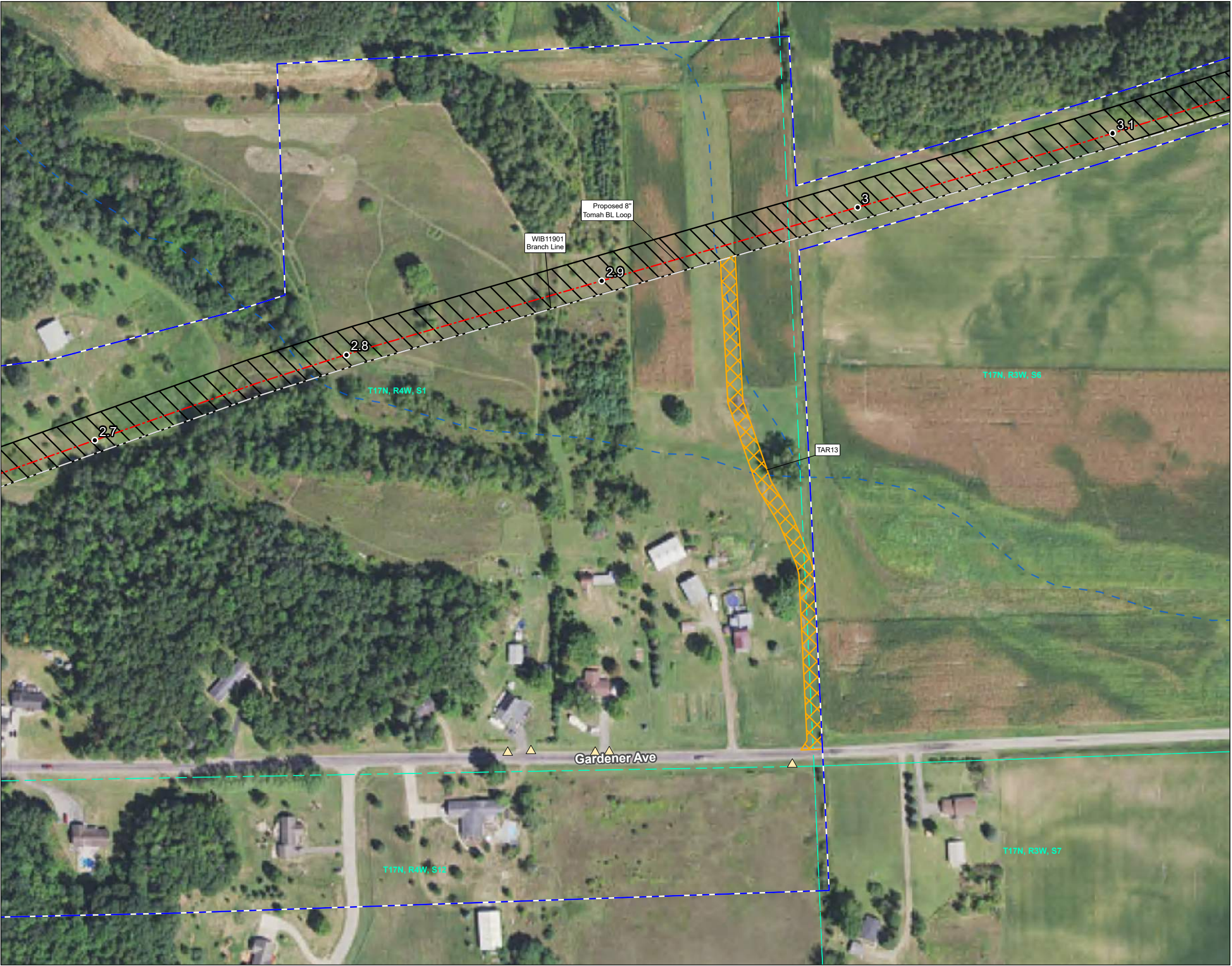
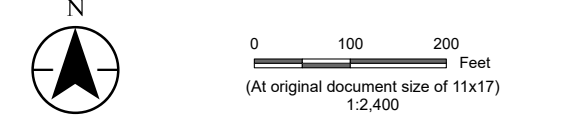


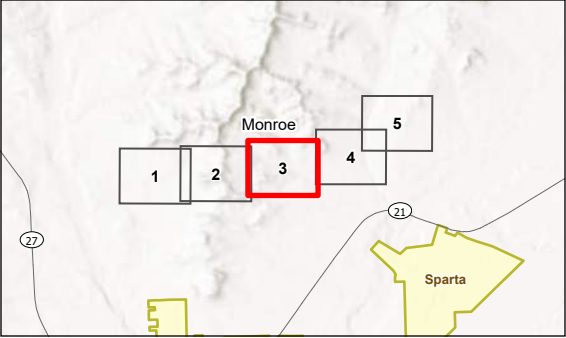
Figure No.
5
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Tomah BL Loop Extension
172608212

Project Location
Monroe Co., WI
Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - - - Existing Centerline
 - Environmental Survey Boundary
 - Temporary Access Road
 - Temporary Workspace
 - △ Culvert
 - Sample Point
 - Field Delineated Waterway
 - Field Delineated Open Water
 - Field Delineated Waterway Area
 - Field Delineated Wetland
 - National Hydrography Dataset / DNR 24k Hydrography
 - Perennial Stream
 - Intermittent Stream
 - Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



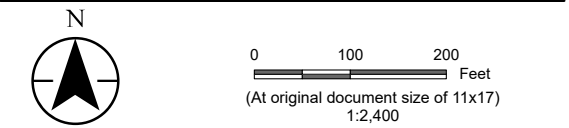
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



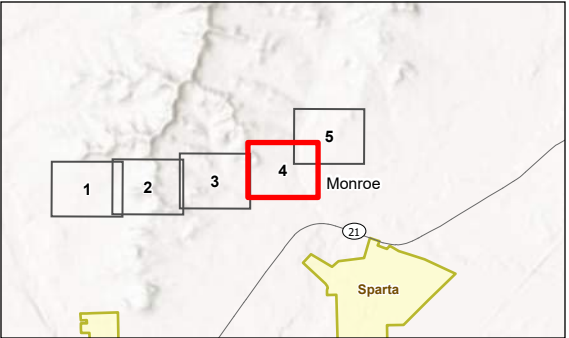
Figure No. 5
Title Field Collected Data

Client/Project Northern Natural Gas 172608212
Northern Lights 2025 Expansion Project
Wetland Delineation - Tomah BL Loop Extension

Project Location Monroe Co., WI Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- | | |
|---------------------------------|--|
| • Milepost | ● Sample Point |
| ■ HDD Entry/Exit | Field Delineated Waterway |
| ▬ HDD Segment | Field Delineated Open Water |
| - - - Proposed Centerline | Field Delineated Waterway Area |
| — Existing Centerline | Field Delineated Wetland |
| □ Environmental Survey Boundary | National Hydrography Dataset / DNR 24k Hydrography |
| □ Proposed Facility | Perennial Stream |
| □ Extra Temporary Workspace | Intermittent Stream |
| □ Temporary Access Road | Waterbody |
| □ Temporary Workspace | |
| □ Staging Area | |
| △ Culvert | |



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212\03_data\gis cad\gis\mxd\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-31 By: safoster



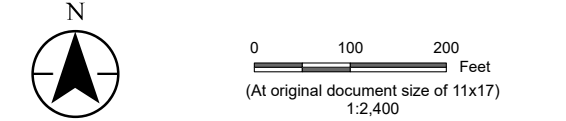
Figure No.
5

Title
Field Collected Data

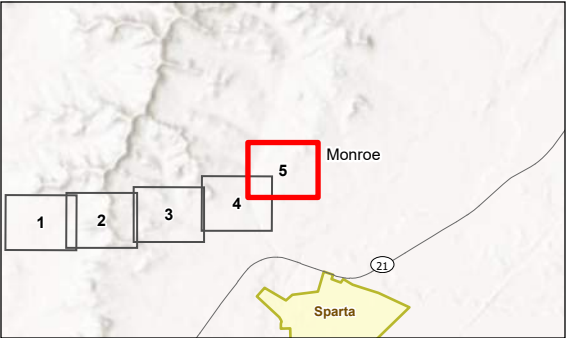
Client/Project
Northern Natural Gas
Northern Lights 2025 Expansion Project
Wetland Delineation - Tomah BL Loop Extension

Project Location
Monroe Co., WI

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by SK on 2024-01-31



- Legend
- Milepost
 - HDD Entry/Exit
 - HDD Segment
 - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Proposed Facility
 - Extra Temporary Workspace
 - Proposed Drive
 - Temporary Workspace
 - Staging Area
 - △ Culvert
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



Appendix B USFWS IPaC List of Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029640

Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029640
Project Name: Northern Lights 2025 Expansion Project Tomah Branch Line Loop
Project Type: Natural Gas Distribution
Project Description: Northern proposes to construct and operate an approximately 1.28-mile extension of its 8 inch diameter WIB11902 Tomah branch line loop (Tomah loop) in Monroe County, Wisconsin. Northern will utilize ETWS, temporary access roads, an existing driveway, and a staging area.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.97435165,-90.79280965002116,14z>



Counties: Monroe County, Wisconsin

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is final critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Karner Blue Butterfly <i>Lycaeides melissa samuelis</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/6656	Endangered
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/YDIWRTTZVRHDDENZ42HVCOPYFU/documents/generated/5967.pdf	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)
-

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25

NAME	BREEDING SEASON
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

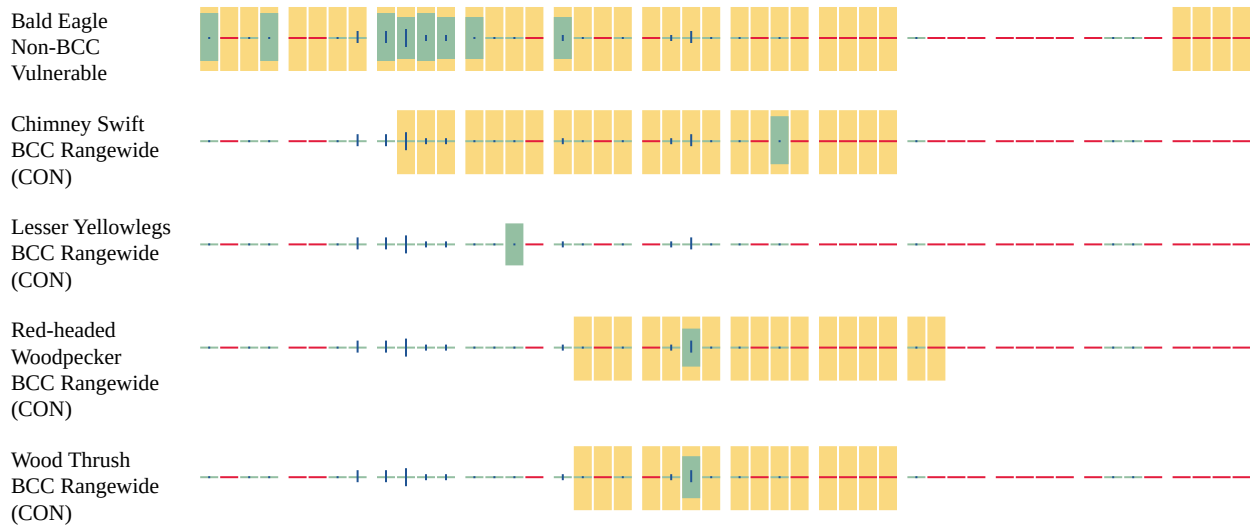
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1C

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE,
THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix C Photographs

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Tomah Branch Line Loop
Appendix C - Photographs
February 2024



Photo 1. View from TBL-W01-1w, photo taken facing north.



Photo 2. View from general land cover photo, upland forest and existing pipeline ROW, photo taken facing east.



Photo 3. View from TBL-W01-1u, photo taken facing south.



Photo 4. View of TBL-S01 from TBL-W01, photo taken facing west.



Photo 5. View from near TBL-W03, photo taken facing east.



Photo 6. View from north extent of TBL-W03, photo taken facing north.

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Tomah Branch Line Loop
Appendix C - Photographs
February 2024



Photo 7. View from TBL-W03-1u, photo taken facing south.



Photo 8. View from TBL-W03-1w, photo taken facing north.



Photo 9. View of the southern extent of TBL-SP01, photo taken facing southeast.



Photo 10. View of TBL-SP01, photo taken facing southwest.



Photo 11. View from TBL-SP03 upland, photo taken facing north.



Photo 12. View from TBL-SP04, photo taken facing west/northwest.

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Tomah Branch Line Loop
Appendix C - Photographs
February 2024



Photo 13. View from general land cover, cropland, photo taken facing west.



Photo 14. View from general land cover photo, upland forest, photo taken facing east.



Photo 15. View from general land cover photo, maintained ROW, photo taken facing east.



Photo 16. View from general land cover photo, upland, photo taken facing east.



Photo 17. View from general land cover photo, upland, photo taken facing south.



Photo 18. View from general land cover photo, upland forest and cropland, photo taken facing north.

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE,
THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix D WDNR ER Review

Element Occurrence Summary: Northern Natural Gas - Tomah Branch Line Loop (1/8/2024)

For an explanation of the fields and codes used in this report, please refer to <http://dnr.wi.gov/topic/NHI/calypso/EORreport.html>

Common Name	Scientific Name	Type	S Status	F Status	Group	# EOs
Blanding's Turtle	Emydoidea blandingii	A	SC/P	SOC	Turtle~	2
Wood Turtle	Glyptemys insculpta	A	THR	SOC	Turtle~	2
Redfin Shiner	Lythrurus umbratilis	A	THR		Fish~	1
Rusty Patched Bumble Bee Federal High Potential Zone	Rusty Patched Bumble Bee Federal High Potential Zone	H	NA	HPZ	Bee	1
Karner Blue Butterfly High Potential Range	Karner Blue Butterfly High Potential Range	H	NA	HPR	Other	1

Element Occurrences: 7

County Forests, State and Federal Lands within 1-mile Project Buffer

Name	Type	Owner
La Crosse River Fishery Area	State Fishing or Hunting Unit	Wisconsin DNR

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Appendix E Federal and State-Listed Species Potentially Occurring in the ESB in Monroe County

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Mammals					
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Endangered	Threatened	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices. Overwintering hibernacula: large caves and mines with large passages and entrances.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed endangered	Threatened	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	May occur. Project area is within species known range and suitable habitat was identified within the Project area. Northern plans to perform winter tree clearing to minimize impact on species.	May affect, but not likely to adversely affect.
Gray wolf (<i>Canis lupus</i>)	Endangered	None	Forests, mountains, tundra, taiga, grasslands, and deserts.	Unlikely to occur. Project area is within species known range, and due to the mobility of the species all habitats within its range are considered as potentially suitable.	May affect, but not likely to adversely affect.
Birds					

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Whooping crane (<i>Grus americana</i>)	Experimental population, non-essential	None	Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	Unlikely to occur. The Project is within the species known range but does not contain suitable nesting and breeding habitat (i.e., large prairies or coniferous forests with swamps) or large wetlands. Additionally, the wild population of whooping crane does not typically migrate through Wisconsin and any occurrences would likely be a result of the experimental population located in the state.	No effect.
Invertebrates					
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	None	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	May occur. Project area is within species known range, and suitable habitat was identified within the Project area. However, Northern plans to allow temporarily impacted habitats to restore to previous conditions naturally or through post construction restoration.	No effect.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Rusty patched bumble bee (<i>Bombus affinis</i>)	Endangered	None	Habitat generalist; can be found in grasslands, shrublands, and forested areas, as well as tall grass prairies, sedge meadows, and unplowed calcareous prairies/fens.	May occur. Project area is located within a High Potential Zone for the species, and suitable habitat was identified within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects.	To be determined – additional floristic and species surveys will be completed along with additional consultation with the USFWS
Karner blue butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	None	Pine barrens and oak savanna in close association with its larval host plant, wild lupine. In Wisconsin, also found along utility and road right of ways, abandoned agricultural fields, and managed forests.	May occur. Project area is located within a High Potential Zone for the species, and suitable habitat may be present within the Project area. Specific species surveys will be required prior to construction of the Project to determine effects.	To be determined – additional floristic and species surveys will be completed along with additional consultation with the USFWS
Reptiles					

NORTHERN LIGHTS 2025 EXPANSION PROJECT – TOMAH BRANCH LINE LOOP RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Blanding's turtle (<i>Emydoidea blandingii</i>)	None	Special Concern	Blanding's turtles are semi-aquatic, living mostly in shallow wetland habitats where aquatic vegetation is abundant. These reptiles will specifically live in ephemeral wetlands in attempts to keep away from predators that are more prevalent in permanent wetlands.	Known to occur. This species has been documented within the Project area, or its vicinity. Northern assumes presence where occurrences are known, and suitable habitat is present. However, no suitable habitat is present (wetlands with open water features) within this Project area and wetlands will be crossed via HDD methods.	Not likely to adversely affect.
Wood turtle (<i>Glytemys insculpta</i>)	Species of Concern	Threatened	Rivers and streams with adjacent riparian wetlands and upland deciduous forests.	May occur. Project area is within species known range, but no suitable habitat was identified within the Project area. Furthermore, aquatic habitats and their immediate adjacent uplands are being crossed by the Project via HDD.	Not likely to adversely affect.
Fish					
Redfin shiner (<i>Lythrurus umbratilis</i>)	None	Special Concern	Turbid waters of pools in low-gradient streams over substrates of boulders, sand, silt, or detritus	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No effect.

Northern Lights 2025 Expansion Project – LaCrescent Compressor Station Rare, Threatened, and Endangered Species Report

Houston County, Minnesota



Stantec Consulting Services Inc.

Prepared by:
Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55447
Phone: (763) 479-4200

Prepared for:
Terry Plucker
Northern Natural Gas
1111 South 103rd Street
Omaha, Nebraska 68124

January 11, 2024

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

This document entitled Northern Lights 2025 Expansion Project – LaCrescent Compressor Station Rare, Threatened, and Endangered Species Report was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Northern Natural Gas (the "Client"). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by Tim Paquin
(signature)

Tim Paquin, Environmental Scientist

Reviewed by Nathan Noland
(signature)

Nathan Noland, Environmental Scientist

Approved by Susan Knabe
(signature)

Susan Knabe, Principal

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Table of Contents

ACRONYMS LIST	III
1.0 INTRODUCTION	1
1.1 PROJECT DESCRIPTION.....	1
1.1.1 Construction Methods and Mitigation Measures	1
1.2 REGULATORY FRAMEWORK	2
2.0 METHODS.....	3
2.1 DESKTOP ASSESSMENT	3
2.2 FIELD SURVEYS.....	3
2.3 SPECIES EVALUATIONS.....	4
3.0 RESULTS	4
3.1 ECOLOGICAL OVERVIEW	4
3.2 VEGETATION	5
3.2.1 Land Cover Types	5
3.2.2 Vegetation Communities.....	5
3.3 SPECIES EVALUATION	5
3.3.1 Federally Listed Species	6
3.3.2 State-Listed Species	7
3.4 MIGRATORY BIRDS	8
3.4.1 County, State and Federal Lands	8
4.0 SUMMARY AND CONCLUSIONS.....	9
5.0 LIMITATIONS AND WARRANTY	10
6.0 REFERENCES.....	11
LIST OF APPENDICES	
APPENDIX A FIGURES	A.1
APPENDIX B USFWS IPAC LIST OF SPECIES	B.1
APPENDIX C PHOTOGRAPHS	C.1
APPENDIX D MDNR MCE RESPONSE LETTER	D.1
APPENDIX E FEDERAL AND STATE-LISTED SPECIES POTENTIALLY OCCURRING IN THE ESB IN HOUSTON COUNTY	E.1

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Acronyms List
January 11, 2024

Acronyms List

BGEPA	Bald and Gold Eagle Protection Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CREP	USDA Conservation Reserve Enhancement Program
ESB	Environmental Survey Boundary
ESA	Endangered Species Act
ETWS	Extra Temporary Workspace
F	Fahrenheit
FERC	Federal Energy Regulation Commission
HDD	horizontal directional drill
IPaC	Information, Planning and Consultation
MBTA	Migratory Bird Treaty Act
MDNR	Minnesota Department of Natural Resources
MP	Milepost
NHIS	Natural Heritage Information System
NLEB	Northern Long-eared Bat
Northern	Northern Natural Gas
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
Procedures	Wetland & Waterbody Construction and Mitigation Procedures
Project	Northern Lights 2025 Expansion Project
ROW	Right of way
RTE	Rare, threatened, or endangered
Stantec	Stantec Consulting Services Inc.
SWCD	Soil and Water Conservation District
UNT	Unnamed tributary
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction
January 11, 2024

1.0 Introduction

Stantec Consulting Services Inc. (Stantec) prepared this rare, threatened, and endangered (RTE) species report for the proposed LaCrescent compressor station component of the Northern Lights 2025 Expansion Project (Project) located within Houston County, Minnesota. The work was conducted at the request of Northern Natural Gas (Northern) in order to facilitate compliance with the Endangered Species Act (ESA) of 1973 (16 United States Code [USC] A-1535-1543, P. L. 93-205), as amended.

This report describes the methods used to conduct the RTE species habitat assessment; and discusses the results of the investigation. This report does not serve as a project clearance letter for the above referenced Project but provides a professional opinion on the potential for project construction activities to affect federally and state listed RTE species known to inhabit the aforementioned Houston, County, Minnesota.

1.1 PROJECT DESCRIPTION

Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The site is located in S16, T104N, R5W, Houston County, Minnesota. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building. There will be no change to the horsepower or emissions at the facility as a result of the Project.

The facility is currently fenced and covered with gravel. Northern will utilize the existing fenced facility for parking and existing driveway for temporary access, which totals approximately 1.04 acres. No expansion of the facility boundary is required.

This report summarizes the findings from the RTE habitat desktop assessment and survey efforts conducted within the Project ESB. Because the proposed Project activities will require federal permits, the Project must be conducted in compliance with Section 7 of the ESA.

1.1.1 Construction Methods and Mitigation Measures

The LaCrescent compressor station includes minor modifications to an above ground facility. No work is planned below the ground surface and all above groundwork will be completed inside the compressor facility. Northern will follow mitigation measures outlined within their plan and procedures for the Project, to minimize potential impacts to surrounding land uses associated with the work of the Project.

Wetlands and Waterbodies to be Crossed by the Project

No wetlands or waterbodies were identified in the workspace during field survey efforts; therefore, no wetlands or waterbodies will be crossed by the Project.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Introduction

December 12, 2023

No impacts to terrestrial and arboreal RTE species, and their habitat is anticipated by the Project and no tree clearing is required. Northern has designed the LaCrescent compressor station extra temporary workspace areas to be fully within the existing compressor facility.

Post construction vegetation restoration is not needed for the Project, due to all proposed work encapsulated within the existing facility that is currently gravel. Should work extend outside of the facility, Northern will follow appropriate plan and procedures and restore any disturbance to previous site conditions.

1.2 REGULATORY FRAMEWORK

This Project will be conducted under multiple regulatory policies developed for the protection of sensitive plant and animal species. These include the ESA, Bald and Gold Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The following paragraphs provide a brief overview of each of these policies.

- The ESA prohibits any person or entity from causing the take of any plant or animal species on the Secretary of the Interior's list of RTE species (Section 9(a)(1)(b)) and states that it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence, or result in the destruction or adverse modification of habitat determined to be critical to the conservation of any such species (Section 7(a)(2)). The ESA defines a take as the harassment, harm, pursuit, hunting, shooting, killing, trapping, capture, or collection of such species.
- The BGEPA, originally passed in 1940, and amended in 1962, provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting the take of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 USC 668(a); 50 Code of Federal Regulations [CFR] 22). The BGEPA defines a take as the pursuit, shooting, shooting at, poisoning, wounding, killing, capturing, trapping, collecting, molesting, or disturbing of a bald or golden eagle.
- The MBTA, originally passed in 1918, implements the United States commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource, protecting more than 800 species of birds. The list of migratory bird species protected by the MBTA appears in Title 50, Section 10.13, of the CFR (50 CFR § 10.13). The MBTA protects all native migratory birds and prohibits the taking, killing, possession, and transportation of migratory birds, their eggs, and parts, except when specifically permitted by regulations for specific intentional uses. The list of birds federally protected under the MBTA, activities that have the potential to take migratory birds, and recommendations for reducing such take can be found in 50 CFR 10 of the MBTA. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Methods

January 11, 2024

2.0 Methods

Stantec conducted a desktop review for RTE, USFWS designated critical habitat, and potential for suitable habitat within the Northern-defined environmental survey boundary (ESB) based on review of USFWS database information and the MDNR Natural Heritage Information System (MDNR NHIS). Field surveys were used to confirm and supplement the desktop review and were used to assess possible presence of individuals or populations of protected species and species of conservation concern, as well as suitable habitat for those species as part of the wetland delineation throughout the ESB. Northern's ESB encompasses all proposed workspaces and typically provides a minimum of a 50-foot clearance buffer around workspaces.

2.1 DESKTOP ASSESSMENT

A desktop study of the ESB was completed in October 2023, prior to field surveys. The desktop assessment included review of aerial imagery, US Geological Survey (USGS) 7.5-minute quadrangle maps; USFWS National Wetland Inventory (NWI) maps; the USFWS Information, Planning and Consultation (IPaC) system; the MDNR NHIS; state wildlife agency websites; and available literature. Stantec biologists reviewed the aforementioned information to identify and become familiar with the natural features and listed species most likely to be encountered in the Project area. The Official Species Lists from IPaC is included as Appendix B.

The USFWS IPaC Environmental Conservation Online System was accessed again to obtain an official species list of federally listed T&E, proposed, and candidate species and federally designated critical habitat that may be present within the ESB, on December 21, 2023 (USFWS 2023).

2.2 FIELD SURVEYS

Stantec conducted field surveys for presence of suitable habitats concurrent with the wetland delineations on November 3, 2023. The field surveys consisted of pedestrian inspections to evaluate the presence/absence of suitable habitat and potential presence of listed species within the ESB. Field crews reviewed the list of protected species identified as having the potential to occur within the ESB and one-mile buffer of Project boundary. In addition, the field crews reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

To support the development of site descriptions, vegetation characterizations, and evaluations of potential RTE species suitable habitats, field crews documented existing upland and wetland vegetative communities and land cover characteristics present within the survey areas. A photographic log showing representative vegetation communities is included as Appendix C.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

December 12, 2023

2.3 SPECIES EVALUATIONS

The potential for occurrence of each species within the construction footprint for the Project ("Project area"), was summarized according to the categories listed below. Potential for occurrence categories are as follows.

- **Known to occur**—the species has been documented in the Project area by a reliable observer.
- **May occur**—the Project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- **Unlikely to occur**—the Project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the Project area is clearly outside the species' currently known range.
- **Does not occur**—the species does not occur in the Project area.

Those species listed by the USFWS were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect and is likely to adversely affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **May affect, but not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

Those species listed by the MDNR were assigned to one of three categories of possible effect. The effects determinations include the following.

- **May affect** — adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial.
- **Not likely to adversely affect** — the proposed action may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial.
- **No effect** — the proposed action will not affect listed species or critical habitat.

3.0 Results

3.1 ECOLOGICAL OVERVIEW

The Project lies within Major Land Resource Area (MLRA) 105 Upper Mississippi River Bedrock Controlled Uplands and Valleys. This area is referred to as the Wisconsin Driftless are because it has

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 11, 2024

undergone only limited landscape formation by glacial ice. The landscape in the area consists of gently sloping to rolling summits with steeper valley walls that join small to very large flood plains.

The average annual precipitation in most of this area is 32 to 38 inches (801 to 973 millimeters),. Most of the rainfall occurs as high-intensity, convective thunderstorms during the summer. Two-thirds or more of the precipitation falls during the freeze-free period. Snowfall is common in winter. The average annual temperature ranges from 42 to 50 degrees F (6 to 10 degrees C). The freeze-free period averages about 175 days and ranges from 145 to 205 days [United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2022].

3.2 VEGETATION

Land use within the Upper Mississippi River Bedrock Controlled Uplands and Valleys is dominated by deciduous forests and cropland. Upland soils support native hardwoods such as oak (*Quercus spp.*), hickory (*Carya spp.*), sugar maple (*Acer saccharum*), big bluestem (*Andropogon gerardii*), and little bluestem (*Schizachyrium scoparium*). Soils on lowlands support mixed hardwoods that include elm (*Ulmus spp.*), cottonwood (*Populus deltoides*), river birch (*Betula nigra*), ash (*Fraxinus*), silver maple (*Acer saccharinum*), and willow (*Salix*) (USDA, NRCS 2022).

3.2.1 Land Cover Types

During field surveys, Stantec identified one general land cover types within the Project area, land cover in the Project area was classified as industrial/commercial.

- **Industrial/Commercial** – manufacturing or industrial plants, mines, commercial facilities, roads, railroads, and electric or gas utility stations

3.2.2 Vegetation Communities

No vegetation communities were identified within the Project area.

3.3 SPECIES EVALUATION

A review of federally and state-protected species, species of conservation concern, associated habitats, and other rare natural features that are known to occur within one mile of the Project ESB was conducted as described in Section 2. 1. Information provided by the USFWS Minnesota-Wisconsin Ecological Services Field Office (Appendix B) and the MDNR NHIS database was included in the review of the Project for potential impacts to these resources.

The federally and state-listed species with suitable habitat and/or potential to occur within the Project area are discussed below and summarized in Appendix B, D, and E.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

December 12, 2023

3.3.1 Federally Listed Species

Northern received an official IPaC letter from the USFWS Minnesota-Wisconsin field office on December 22, 2023 (consultation #2024-0029625). The USFWS determined that the following federally listed species may occur in the proposed Project area or may be affected by the proposed action in Minnesota:

- Northern long-eared bat (*Myotis septentrionalis*) – endangered
- Tricolored bat (*Perimyotis subflavus*) – proposed endangered
- Whooping crane (*Grus americana*) – experimental population, non-essential
- Higgins eye (pearlymussel) (*Lampsilis higginsii*) – endangered
- Monarch butterfly (*Danaus plexippus*) - candidate

These species and their habitats are described below.

Northern long-eared bat

The northern long-eared bat is a medium-sized brown bat that derives its name from its oversized ears relative to other members of the genus *Myotis*. A habitat generalist, roost tree selection appears also to be opportunistic; the species uses a variety of tree sizes and species. The species is most likely to be found in upland forests, forested wetlands, and riparian areas in summer months while roosting. (USFWS 2020). In the summer, northern long-eared bats roost underneath bark, in cavities, and in crevices of live and dead trees that either retain their bark or provide suitable cavities or crevices. During winter, northern long-eared bats use large caves and mines that have large passages and entrances, constant temperatures, and high humidity with no air currents (USFWS 2020).

Suitable habitat for the northern long-eared bat such as deciduous trees and caves and mines are not present within the Project area, and the species is not expected to occur. Therefore, the Project will have no effect on the northern long-eared bat.

Tricolored bat

During the non-hibernating seasons, tricolored bats will roost in live and dead leaf clusters of live or dead deciduous hardwood trees. Tricolored bats have also been observed roosting in artificial structures such as barns, bridges, roofs, and other concrete structures. During the winter, tricolored bats hibernate in caves and mines. If mines or caves are not present within the region, they have been observed hibernating in road-associated culverts, tree cavities, and abandoned water wells. (USFWS 2022).

Suitable habitat for the tricolored bat such as deciduous trees and caves and mines is not present within the Project area, and the species is not expected to occur. Therefore, the Project will have no effect on the northern long-eared bat.

Whooping crane

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION

RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

January 11, 2024

The whooping crane is a migratory bird species that once nested in northern prairies, but now breeds in remote northern forests in Canada as well as in an experimental population in Wisconsin, preferably within coniferous habitat containing swamps and nearby lakes or ponds. Winter habitat consists of coastal marshes (e.g., Texas, Louisiana, and Florida). The diet of the whooping crane is not well known in summer months, but it is thought to be similar to their wintering diet of shellfish, frogs, snakes, insects, small fish, and plant matter like roots and berries. (Audubon undated(a)).

The Project area does not contain any suitable habitat for the whooping crane, and the species is not expected to occur. Therefore, the Project will have no effect on the whooping crane.

Higgins eye

This freshwater mussel is found in larger rivers in deep water with moderate currents. The Higgins eye bury themselves in sand and gravel river bottoms with the edge of their partially opened shell exposed. They utilize the current of the river to siphon water for microorganisms such as algae and bacteria, which they use for food (MDNR 2023).

The Project area does not contain any waterways or waterbodies. Therefore, the Project will have no effect on the species.

Monarch butterfly

The monarch butterfly is a migratory butterfly that exists in two main populations within the United States divided by the Rocky Mountains: the eastern population that overwinters in the mountains of Mexico, and the western population that overwinters along the southern pacific coast of California (USDA Forest Service undated). Monarch butterflies are a widespread species found in fields, prairies, savannahs, and most places where milkweed (*Asclepias* spp.), their host plant, occurs throughout the United States and southern Canada. This species generally occurs in areas with high densities of nectar sources, preferably those of native prairies. During late summer and migration, adults use nectar species such as black-eyed Susan (*Rudbeckia hirta*), narrow-leaved coneflower (*Echinacea angustifolia*), and rough blazing star (*Liatris aspera*). (MDNR 2023). However, the presence of milkweed is required for the survival of caterpillars, as it is the only plant on which they can feed (National Wildlife Federation undated).

No large populations of milkweed were observed during the November 3, 2023, field survey within the ESB. All Project work proposed is within an existing facility and no suitable habitat for the Monarch butterfly is within proposed workspace areas. Therefore, the Project will have no effect on the monarch butterfly.

3.3.2 State-Listed Species

Under Stantec's Limited License to Use Copyrighted Material (LA-2022-23) related to Rare Features Data, the MNDR NHIS was searched in December 2023 to identify any state listed threatened or

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Results

December 12, 2023

endangered species. No species were identified within the Project area, but records for one species were identified within one mile of the Project area:

- Timber rattlesnake (*Crotalus horridus*) – threatened

A NHIS review request was submitted through the MDNR's Minnesota Conservation Explorer (MCE) tool on January 9, 2024. Initial automated results were received on December 11, 2023 (MCE #: 2023-00994) indicating that further review was needed as a result of state-protected species being in the vicinity of the Project area (Appendix D). Results of the MCE review are pending.

Timber rattlesnake

In Minnesota the timber rattlesnake is found in the in the Mississippi River valley within the forested bluffs, south-facing rock outcrops, and bluff prairies (MDNR 2023).

Forested bluffs, rock outcrops, and bluff prairies were not observed during the November 3, 2023, field surveys. Therefore, this species is unlikely to occur within the Project area and no effects are anticipated as a result of the Project.

3.4 MIGRATORY BIRDS

Based on review of the USFWS IPaC Species list (USFWS 2023) for the ESB and one-mile buffer in Houston County, there are seven migratory bird species that may occur within the ESB. The protection of migratory birds is regulated by the MBTA and BGEPA. Any activity, intentional or unintentional, that results in take of migratory birds is prohibited unless otherwise permitted by the USFWS.

The north American Bird Conservation Initiative maintains a list of Bird Conservation Regions (BCRs) (NABCI 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats and resource management issues. There are 66 BCRs in North America. Northern's Project will be located in the BCR 23 – Prairie Hardwood Transition. The USFWS Birds of Conservation and Concern 2021 report (USFWS 2021) identifies 30 Birds of Conservation and Concern within BCR 23.

Important Bird Areas (IBAs) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, and/or migrating birds (Audubon undated(b)). The Project does not cross an IBA. The nearest IBAs to the Project include the Blufflands-Root River IBA, approximately 2.26 miles south from the Project to its nearest point.

Tree, shrub, and herbaceous vegetation clearing are not anticipated to be required for the Project. Therefore, the Project will have no effect on migratory birds.

3.4.1 County, State and Federal Lands

No other county, state or federal lands will be crossed by the Project.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Summary and Conclusions
January 11, 2024

4.0 Summary and Conclusions

Stantec reviewed the USFWS IPaC and MDNR NHIS along with other publicly available data to determine the potential for federal and state-listed species to occur within the ESB or its one-mile buffer. Based on the review, the USFWS IPaC official species list identified the northern long-eared bat (federally endangered), tricolored bat (federally proposed endangered), whooping crane (experimental population, non-essential), Higgins eye (federally endangered), and monarch butterfly (federal candidate) as having potential to occur within the ESB.

Review of the MDNR NHIS identified the timber rattlesnake (state-threatened) as occurring within a one-mile buffer of the ESB.

No federally designated critical habitats were listed as occurring within the Project area.

On November 3, 2023, Stantec performed field assessments of potentially suitable habitats of protected species with the potential to occur within the proposed Project area or its one mile buffer. As a result, no suitable habitats for the listed species were identified within the ESB. Furthermore, proposed work of the Project is inclusive to workspace areas within the existing LaCrescent facility, and no vegetation or ground disturbance is anticipated. Therefore, no effects to the northern long-eared bat, tricolored bat, whooping crane, Higgins eye, monarch butterfly, or the timber rattlesnake will occur as a result of the Project.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Limitations and Warranty
December 12, 2023

5.0 Limitations and Warranty

Within the limitations of schedule, budget, and scope of work, Stantec warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of Stantec scientists. No other warranty, expressed or implied, is made. Please be aware that only the USFWS and/or lead federal agency can determine compliance with the ESA.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References

January 11, 2024

6.0 References

- Audubon. undated(a). Whooping Crane, *Grus americana*. Available at: <https://www.audubon.org/field-guide/bird/whooping-crane>. Accessed December 27, 2023.
- Audubon. undated(b). Important Bird Areas. Available at <https://www.audubon.org/important-bird-areas>. Accessed December 27, 2023.
- MDNR. 2023. Rare Species Guide: *Lampsilis higginsii*. Available at: [Lampsilis higginsii : Higgins Eye | Rare Species Guide | Minnesota DNR \(state.mn.us\)](#). Accessed December 27, 2023.
- MDNR. 2023. Butterfly Gardens. Available at: <https://www.dnr.state.mn.us/gardens/butterfly/index.html>. Accessed December 27, 2023.
- MDNR. 2023. Rare Species Guide. Available at: https://www.dnr.state.mn.us/rsg/profile.html?action=elementDetail&selectedElement=ARA_DE02040. Accessed December 27, 2023.
- NABCI 2023. Bird Conservation Regions Map. Available at <http://nabci-us.org/resources/bird-conservation-regions-map/>. Accessed December 27, 2023.
- National Wildlife Federation. undated. Monarch Butterfly. Available at: <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Invertebrates/Monarch-Butterfly>. Accessed December 27, 2023.
- USDA Forest Service. undated. Migration and Overwintering. Available at: https://www.fs.usda.gov/wildflowers/pollinators/Monarch_Butterfly/migration/index.shtml. Accessed December 27, 2023.
- USDA NRCS. 2023. Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin. United States Department of Agriculture Handbook 296.
- USFWS. 2020. Midwest Region Endangered Species: Northern Long-Eared Bat (*Myotis septentrionalis*). <https://www.fws.gov/midwest/endangered/mammals/nleb/nlebFactSheet.html>. Accessed December 27, 2023.
- USFWS. 2021. Birds of Conservation Concern 2021. U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. December 27, 2023.
- USFWS. 2022. Tricolored Bat (*Perimyotis subflavus*). U.S. Fish & Wildlife Service. Available: <https://fws.gov/species/tricolored-bat-perimyotis-subflavus>. Accessed December 27, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References

December 12, 2023

USFWS. 2023. IPaC – Information, Planning, and Conservation System. Available at:
<http://ecos.fws.gov/ipac/>. Accessed December 27, 2023.

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

References

January 11, 2024

Appendix A Figures

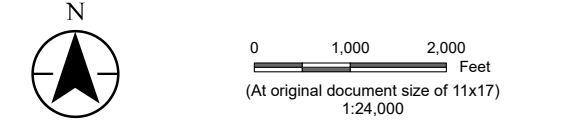
\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\17260821203_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-03 By: safoster



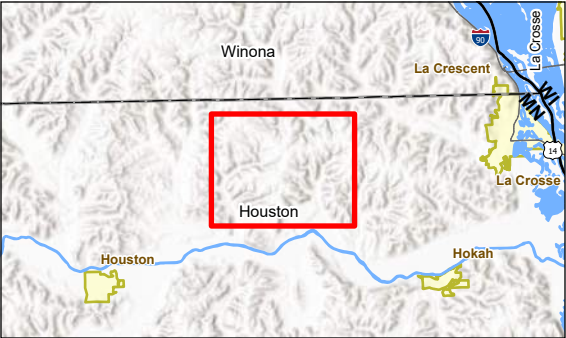
Figure No. **1** **DRAFT**
Title **Project Location**

Client/Project 172608212
Northern Natural Gas
Northern Lights 2025 - La Crescent Compressor Station
Wetland Delineation

Project Location Houston Co., MN Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-03



- Legend
- Proposed Centerline
 - Environmental Survey Boundary



- Notes
- Coordinate System: NAD 1983 UTM Zone 15N
 - Data Sources: Stantec, NNG, NADS, USGS
 - Background: ESRI Streets Map



\\corp.ads\data\Virtual_Workspace\workgroup\p1726\Active\172608212_03_data\gis_cad\gis\mxds\172608212_NL2025_Delineation_Report.aprx Revised: 2024-01-05 By: safoster



Figure No.
2
Title
Field Collected Data

Client/Project
Northern Natural Gas
Northern Lights 2025 - La Crescent Compressor Station
Wetland Delineation

172608212

Project Location
Houston Co., MN

Prepared by DJG on 2023-12-11
TR by SF on 2023-12-19
IR by NN on 2024-01-05



- Legend
- Milepost
 - HDD Segment
 - - - Proposed Centerline
 - Existing Centerline
 - Environmental Survey Boundary
 - Existing Facility
 - Extra Temporary Workspace
 - Temporary Access Road
 - △ Culvert
 - Sample Point
 - ~ Field Delineated Waterway
 - ~ Field Delineated Open Water
 - ~ Field Delineated Waterway Area
 - ~ Field Delineated Wetland
 - ~ National Hydrography Dataset / DNR 24k Hydrography
 - ~ Perennial Stream
 - ~ Intermittent Stream
 - ~ Waterbody



Notes
1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Sources: Stantec, NNG, NADS, USGS, WDNR, MnDNR
3. Background: 2021 NAIP



**NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix B USFWS IPaC List of Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 858-0793 Fax: (952) 646-2873



In Reply Refer To:

December 21, 2023

Project Code: 2024-0029625

Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
 2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
-

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No**

Effect determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the range-wide northern long-eared bat D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/ Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter.

Please note: On November 30, 2022, the Service published a proposal final rule to reclassify the northern long-eared bat as endangered under the Endangered Species Act. On January 26, 2023, the Service published a 60-day extension for the final reclassification rule in the Federal Register, moving the effective listing date from January 30, 2023, to March 31, 2023. This extension will provide stakeholders and the public time to preview interim guidance and consultation tools before the rule becomes effective. When available, the tools will be available on the Service's northern long-eared bat website (<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>). Once the final rule goes into effect on March 31, 2023, the 4(d) D-key will no longer be available (4(d) rules are not available for federally endangered species) and will be replaced with a new Range-wide NLEB D-key (range-wide d-key). For projects not completed by March 31, 2023, that were previously reviewed under the 4(d) d-key, there may be a need for reinitiation of consultation. For these ongoing projects previously reviewed under the 4(d) d-key that may result in incidental take of the northern long-eared bat, we recommend you review your project using the new range-wide d-key once available. If your project does not comply with the range-wide d-key, it may be eligible for use of the Interim (formal) Consultation framework (framework). The framework is intended to facilitate the transition from the 4(d) rule to typical Section 7 consultation procedures for federally endangered species and will be available only until spring 2024. Again, when available, these tools (new range-wide d-key and framework) will be available on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the

mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Bald & Golden Eagles
 - Migratory Birds
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

3815 American Blvd East

Bloomington, MN 55425-1659

(952) 858-0793

PROJECT SUMMARY

Project Code: 2024-0029625
Project Name: Northern Lights 2025 Expansion Project LaCrescent Compressor station
Project Type: Natural Gas Distribution
Project Description: Northern will complete minor aboveground facility modifications within its existing LaCrescent compressor station facility. The facility modifications will consist of replacing the current blind flanges with compressor cylinder end caps; Northern will not complete any ground disturbance at this site and all work will be completed inside the compressor building.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.813711,-91.45180534927835,14z>



Counties: Houston County, Minnesota

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Higgins Eye (pearlymussel) <i>Lampsilis higginsii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

Golden Eagle
Non-BCC
Vulnerable



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

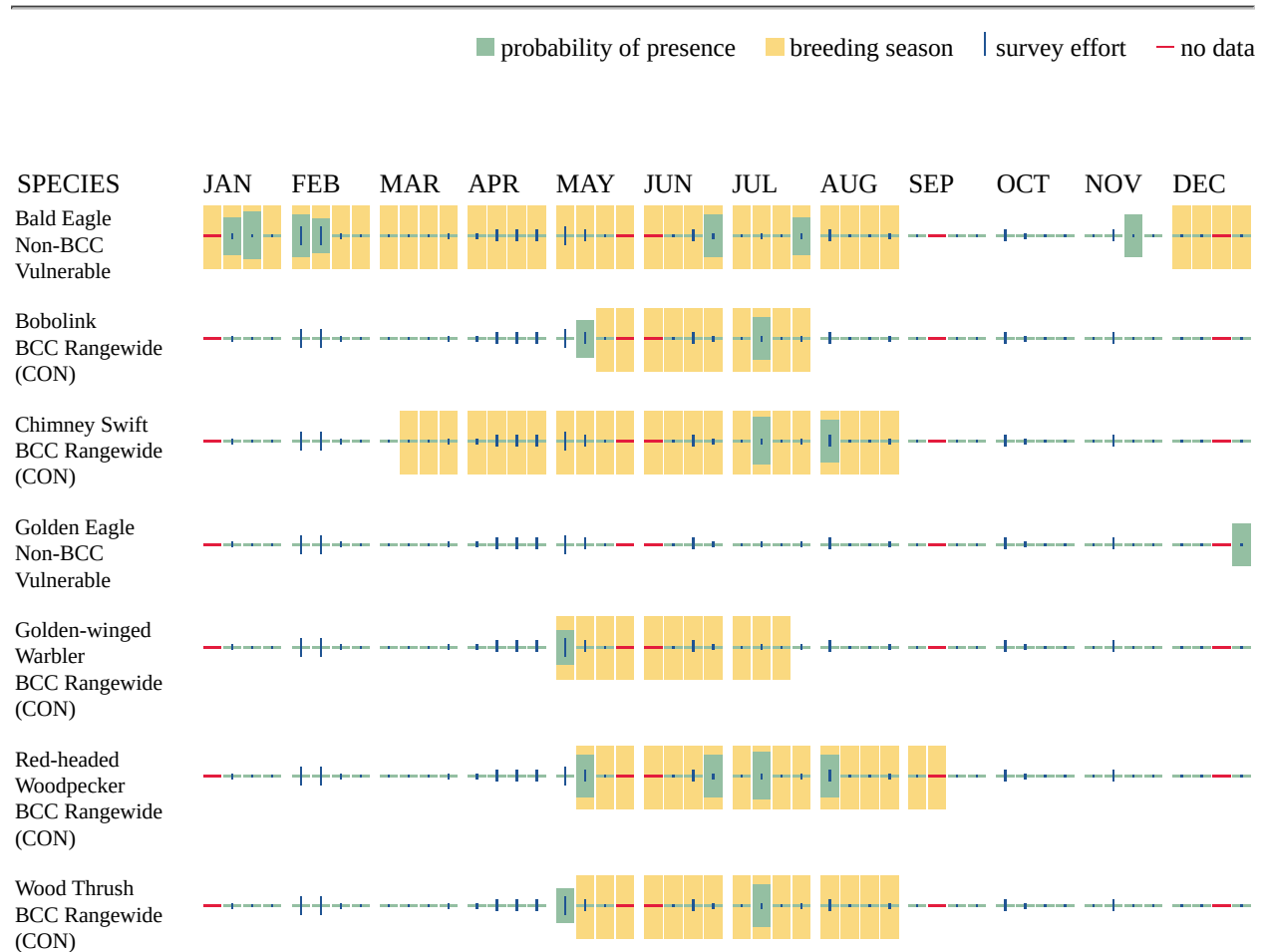
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Stantec Consulting Services Inc.

Name: Timothy Paquin

Address: One Carlson Parkway, Suite 100

City: Plymouth

State: MN

Zip: 55447

Email: tim.paquin@stantec.com

Phone: 9523340820

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Energy Regulatory Commission

Appendix C Photographs

WETLAND AND WATERBODY DELINEATION REPORT
LaCrescent Compressor Station
Appendix D - Site Photographs
January 2024



Photo 1. View from LCC-UPL-01, photo taken facing south.



Photo 2. View from LCC-UPL-02, photo taken facing north.



Photo 3. View from LCC-UPL-03, photo taken facing north.



Photo 4. View from land cover area, photo taken facing south.



Photo 5. View from observation point, photo taken facing south.



Photo 6. View from non-native open land cover area, photo taken facing east.

**NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION
RARE, THREATENED, AND ENDANGERED SPECIES REPORT**

Appendix D MDNR MCE Response Letter



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Northern Lights 2025 Expansion Project - La Crescent Compressor Station

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project Type Activities: Other

TRS: T104 R5 S16

County(s): Houston

DNR Admin Region(s): Central

Reason Requested: Other

Project Description: Northern will complete minor aboveground facility modifications within its existing La Crescent compressor station facility. The site is located in S16, ...

Existing Land Uses: Industrial/commercial

Landcover / Habitat Impacted: Impacts to landcover/habitat is not proposed for the Project.

Waterbodies Affected: N/A

Groundwater Resources Affected: N/A

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	No Comments	No Further Review Required
Ecologically Significant Area	Comments	Protected Wetlands: Calcareous Fens
State-Listed Endangered or Threatened Species	Needs Further Review	State-protected Species in Vicinity
State-Listed Species of Special Concern	No Comments	No Further Review Required
Federally Listed Species	No Records	Visit IPaC For Federal Review



January 9, 2024

Project Name: Northern Lights 2025 Expansion Project - La Crescent Compressor Station

Project Proposer: Northern Natural Gas

Project Type: Utilities, Pipelines (gas, petroleum)

Project ID: MCE #2023-00994

AUTOMATED RESULTS: FURTHER REVIEW IS NEEDED

As requested, the above project has undergone an automated review for potential impacts to rare features. Based on this review, one or more rare features may be impacted by the proposed project and further review by the Natural Heritage Review Team is needed. You will receive a separate notification email when the review process is complete and the Natural Heritage Review letter has been posted.

Please refer to the table on the cover page of this report for a summary of potential impacts to rare features. For additional information or planning purposes, use the Explore Page in Minnesota Conservation Explorer to view the potentially impacted rare features or to create a Conservation Planning Report for the proposed project.

If you have additional information to help resolve the potential impacts listed in the summary results, please attach related project documentation in the Edit Details tab of the Project page. Relevant information includes, but is not limited to, additional project details, completed habitat assessments, or survey results. This additional information will be considered during the project review.

Northern Lights 2025 Expansion Project - La Crescent Compressor Station

Aerial Imagery With Locator Map



0 0.13 0.25 0.5 0.75 1 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 4.64

County(s): Houston

TRS: T104 R5 S16

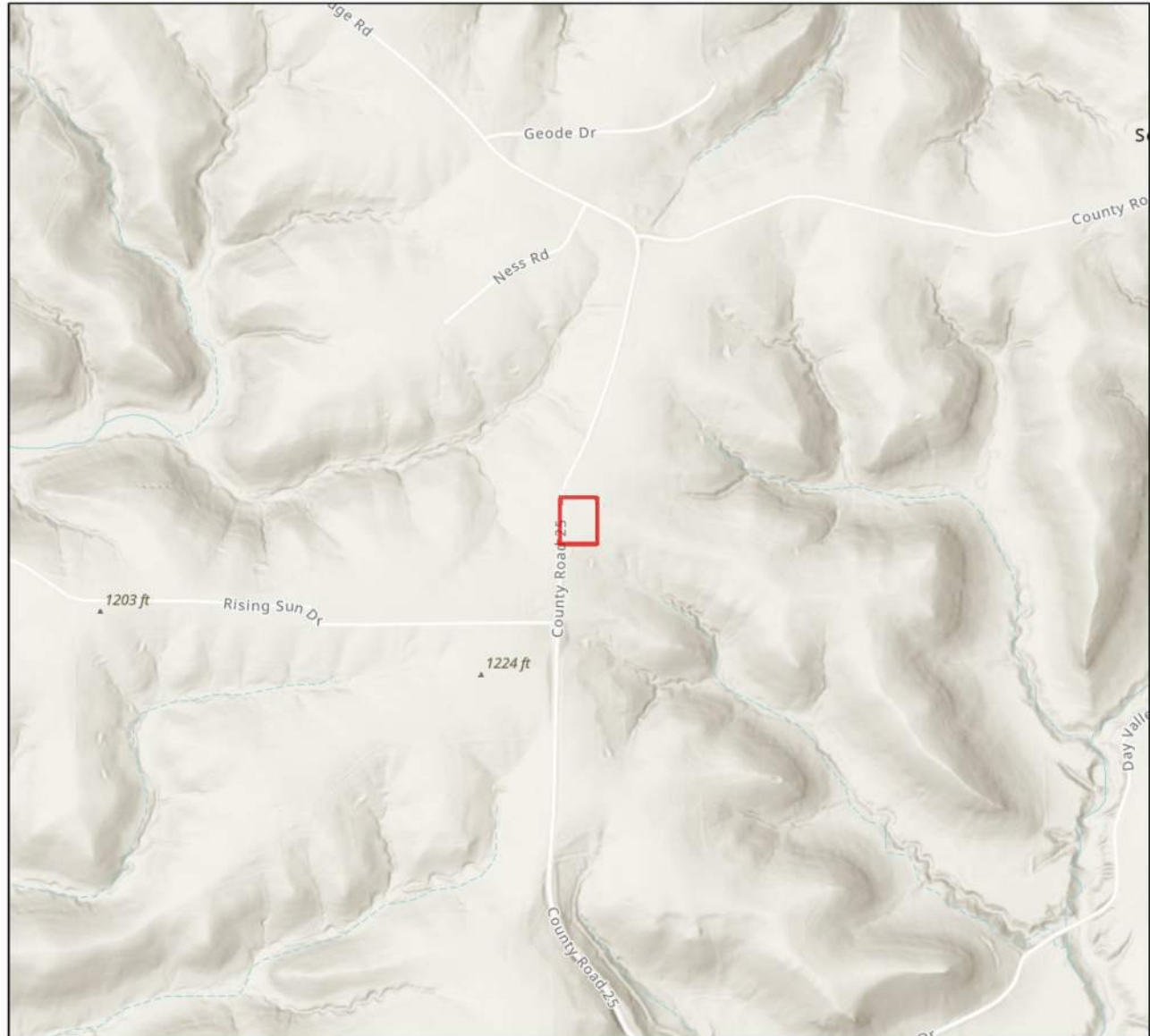
Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Maxar

Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



Northern Lights 2025 Expansion Project - La Crescent Compressor Station

USA Topo Basemap With Locator Map



0 0.13 0.25 0.5 0.75 1 Miles

 Project Boundary

Project Type: Utilities, Pipelines (gas, petroleum)

Project Size (acres): 4.64

County(s): Houston

TRS: T104 R5 S16

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Esri, NASA, NGA, USGS, FEMA
Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND
ENDANGERED SPECIES REPORT

Appendix E Federal and State-Listed Species Potentially Occurring in the ESB in Houston County

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Mammals					
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Endangered	Special concern	Summer roosting habitat: Contiguous forested areas, trees (live or dead) that retain their bark with cavities and crevices. Overwinter hibernacula: large caves and mines with large passages and entrances.	Unlikely to occur. Project area is within species known range, but not suitable habitat was identified within the Project area	No Effect
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed endangered	Special concern	Winter habitat includes caves, mines, culverts, tree cavities, and abandoned water wells. Summer habitat includes live and dead deciduous hardwood tree leaf clusters, barns, bridges, roofs, and other concrete structures.	Unlikely to occur. Project area is within species known range, but not suitable habitat was identified within the Project area.	No Effect
Birds					
Whooping crane (<i>Grus americana</i>)	Experimental population non-essential	None	Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	Unlikely to occur. Found in shallow wetlands near grasslands and evergreens during breeding season. During migration, they can be found in shallow river flats and can occasionally be seen foraging in agricultural fields.	No Effect
Mussels					
Higgins eye (<i>Lampsilis higginsii</i>)	Endangered	Endangered	Higgins eye pearlymussels are found in larger rivers in deep water with moderate currents. They bury themselves in sand and gravel river bottoms.	Does not occur. The Project area does not include any waterways.	No Effect

NORTHERN LIGHTS 2025 EXPANSION PROJECT – LACRESCENT COMPRESSOR STATION RARE, THREATENED, AND ENDANGERED SPECIES REPORT

Common Name (Scientific Name)	Federal Status	State Status	Range or Habitat Requirements	Potential for Occurrence in Project Area	Effect Determination
Invertebrates					
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	None	Habitat includes roadside ditches and open prairies where milkweed and other flowering plants are present. Milkweed is needed for breeding and flowering plants provide nectar for Monarch's to feed on.	Unlikely to occur. Project area is within species known range, but no suitable habitat was identified within the Project area.	No Effect
Reptiles					
Timber rattlesnake (<i>Crotalus horridus</i>)	None	Threatened	Forested bluffs with south-facing rock outcrops and bluff prairies along the Mississippi River valley.	Unlikely to occur. Project area is within species known range, but no suitable habitat was not identified within the Project area.	No Effect

Appendix 3D

Native Seed Mix for Pollinators

Pheasants Forever
 15364 New Salem Bluff Rd
 Petersburg, IL 62675
 Ph: (217) 341-7171

Lot No.: 20S L ROW-3

Total Acres: 3.5
 Total Bulk #: 131.57 lbs
 Total PLS #: 121.625 lbs
 PLS: 92.44 %
 Ttl Germ: 97.06 %
 Bulk #/acre: 37.591 lbs
 PLS #/acre: 34.75 lbs

Purity:	95.24%
Inert:	4.73%
Other Crop:	0.01%
Weed:	0.01%

Mix: **Native Grass & Wildflower Mix**

PLS #/ Acre	Mix %	PLS lb	Bulk lb	Lot Number	Common Name and Variety	Origin	Test Date	Purity	Germ	Hard/ Dorm.	TZ	Total Viable
1.000	3.64%	3.500	4.786	BB-SS19	Big Bluestem.VNS	NE	03/26/20	73.87%	97%	2%	0%	99%
1.500	6.91%	5.250	9.094	19-0219	Little Bluestem.VNS	IA	02/12/20	58.31%	32%	67%	0%	99%
1.000	2.96%	3.500	3.891	20-0157	Indiangrass.VNS	IA	11/16/20	90.87%	0%	0%	99%	99%
6.250	17.83%	21.875	23.463	L76-20-28G	Annual Ryegrass.Gulf	OR	08/05/20	99.18%	94%	0%	0%	94%
1.500	4.19%	5.250	5.516	19-0454	Side-oats Grama.VNS	IA	07/20/20	99.14%	96%	0%	0%	96%
0.500	1.65%	1.750	2.165	G4565	Canada Wildrye.Mandan	MN	09/14/20	93.99%	0%	0%	86%	86%
0.500	1.48%	1.750	1.951	19-0111	Virginia Wildrye.VNS	IA	08/12/20	92.46%	78%	19%	0%	97%
22.500	61.34%	78.750	80.703	19-0392	Oats.Jerry	IA	05/11/20	99.57%	98%	0%	0%	98%

Noxious Weeds/lb:

NO WARRANTY IS EXPRESSED OR IMPLIED. THERE IS NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Seed labels show independent lab testing results. Weed seed is naturally occurring and the absence of weed seed is not represented or guaranteed. Liability is limited to the purchase price of the seed only. Seed not accepted under these terms must be returned within 10 days. Thereafter a restocking fee of 25% will be charged on all returned seed. Custom seed mixes cannot be returned.

Pheasants Forever
 15364 New Salem Bluff Rd
 Petersburg, IL 62675
 Ph: (217) 341-7171

Lot No.: 20S S ROW-3

Total Acres: 3.5
 Total Bulk #: 14.698 lbs
 Total PLS #: 11.267 lbs
 PLS: 76.66 %
 Ttl Germ: 77.70 %
 Bulk #/acre: 4.199 lbs
 PLS #/acre: 3.219 lbs

Purity:	98.65%
Inert:	1.31%
Other Crop:	0.01%
Weed:	0.02%

Mix: **Native Grass & Wildflower Mix**

PLS #/Acre	Mix %	PLS lb	Bulk lb	Lot Number	Common Name and Variety	Origin	Test Date	Purity	Germ	Hard/Dorm.	TZ	Total Viable
0.063	1.57%	0.221	0.231	20-0085	Golden Alexander.VNS	IA	10/19/20	99.62%	0%	96%	0%	96%
0.013	0.35%	0.046	0.052	18-0307	Smooth Blue Aster.VNS	IA	01/09/20	94.86%	24%	68%	0%	92%
0.013	0.44%	0.046	0.064	20-0108	Foxglove Beardtongue.VNS	IA	11/12/20	75.22%	14%	80%	0%	94%
0.063	1.71%	0.221	0.251	17-0151	Wild Bergamot.VNS	IA	02/07/20	99.83%	79%	9%	0%	88%
0.125	3.83%	0.438	0.563	0080-96	Blanketflower.VNS	IND	10/19/20	98.38%	79%	0%	0%	79%
0.500	12.19%	1.750	1.791	M5918342A	Crimson Clover.Dixie	OR	10/26/20	99.69%	98%	0%	0%	98%
0.031	0.79%	0.109	0.116	18-0211	Grayheaded Coneflower.VNS	IA	08/26/20	99.91%	94%	0%	0%	94%
0.250	6.16%	0.875	0.906	QF150119	Purple Coneflower.VNS	ID	04/21/20	98.58%	88%	10%	0%	98%
0.250	6.63%	0.875	0.974	COLA5PAN19	Lance-leaved Coreopsis.VNS	MO	08/20/20	98.70%	14%	77%	0%	91%
0.125	3.27%	0.438	0.481	VA0111178	Plains Coreopsis.VNS	OR	04/28/20	97.79%	89%	4%	0%	93%
0.006	0.19%	0.021	0.028	20-0117	Culvers Root.VNS	IA	11/20/20	77.96%	9%	86%	0%	95%
0.016	0.44%	0.056	0.065	19-0183	Stiff Goldenrod.VNS	IA	01/31/20	99.52%	29%	58%	0%	87%
0.063	1.61%	0.221	0.237	MI1030	Common Milkweed.VNS	MI	09/30/20	94.91%	98%	0%	0%	98%
0.006	0.19%	0.021	0.027	19-0332	Virginia Mountain Mint.VNS	IA	03/31/20	90.71%	61%	24%	0%	85%
0.500	29.05%	1.750	4.270	17-0169	Partridge Pea.VNS	IA	08/26/20	99.96%	21%	20%	0%	41%
0.250	6.02%	0.875	0.884	19-0395	Purple Prairie Clover.VNS	IA	05/19/20	99.96%	95%	4%	0%	99%
0.125	4.10%	0.438	0.602	19-0076	White Prairie Clover.VNS	IA	08/12/20	95.62%	4%	72%	0%	76%
0.250	6.37%	0.875	0.936	19-0051	Black-eyed Susan.VNS	IA	09/15/20	94.42%	81%	18%	0%	99%
0.063	1.65%	0.221	0.243	19-0185	Blue Vervain.VNS	IA	09/22/20	99.74%	0%	0%	91%	91%
0.063	1.59%	0.221	0.234	HV19	Hoary Vervain.VNS	ND	08/20/20	99.34%	4%	91%	0%	95%
0.125	3.23%	0.438	0.474	20-0048	Fox Sedge.VNS	IA	08/15/20	95.10%	86%	11%	0%	97%
0.313	8.47%	1.096	1.245	19-0316	Switchgrass.VNS	IA	11/11/20	99.95%	57%	31%	0%	88%
0.006	0.15%	0.021	0.023	19-0199	Woolgrass.VNS	IA	11/20/20	99.75%	3%	90%	0%	93%

Noxious Weeds/lb: 15 Kochia, 5 Pigweed (DNA tested)

NO WARRANTY IS EXPRESSED OR IMPLIED. THERE IS NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Seed labels show independent lab testing results. Weed seed is naturally occurring and the absence of weed seed is not represented or guaranteed. Liability is limited to the purchase price of the seed only. Seed not accepted under these terms must be returned within 10 days. Thereafter a restocking fee of 25% will be charged on all returned seed. Custom seed mixes cannot be returned.

Appendix 3E

**Migratory Bird Species with the Potential to Occur
within the Project Area**

Appendix 3E Migratory Bird Species with the Potential to Occur within the Project Area

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
American bittern	<i>Botaurus lentiginosus</i>	Breeding	Breeding habitat includes freshwater marshes, large, shallow wetlands with abundant tall marsh vegetation, and areas of open shallow water
Acadian flycatcher	<i>Empidonax virescens</i>	Breeding	Breeding habitat includes undisturbed, mature forests, as well as streams, wooded ravines, and river bottoms
Baird's sparrow	<i>Centronyx bairdii</i>	Not breeding	Habitat includes undisturbed mixed or tallgrass prairies; they can sometimes be found in hayfields or pastures with some native grasses
Bald eagle	<i>Haliaeetus leucocephalus</i>	Year-round Breeds December 1st to August 31st	Breeding habitat includes areas near coastal areas, bays, rivers, lakes, reservoirs, or other large bodies of water; nests are usually in tall trees or on pinnacles or cliffs near water
Bell's vireo	<i>Vireo bellii</i>	Not breeding	Habitat includes low, dense, shrubby areas; examples include brushy fields, riverine scrub, coastal chaparral, scrub oak, and shrubs and trees in prairies
Bewick's wren (bewickii spp.)	<i>Thryomanes bewickii</i>	Not breeding	Habitat includes open country or woodland with brushy areas, scrub, or thickets, as well as, oak woodlands, mixed evergreen forests, desert scrub, or suburban gardens
Black-billed cuckoo	<i>Coccyzus erythrophthalmus</i>	Breeding (May 15th to October 10th)	Breeding habitat includes deciduous thickets and shrubby places, as well as the edges of woodlands or around marshes

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Black-crowned night-heron	<i>Nycticorax</i>	Breeding	Breeding habitat includes a variety of wetlands, such as saltmarshes, freshwater marshes, swamps, streams, rivers, lakes, ponds, lagoons, tidal mudflats, canals, reservoirs, and wet agricultural fields
Black rail	<i>Laterallus jamaicensis</i>	Not breeding	Habitat includes wet meadows, riparian marshes, saltmarshes, coastal prairies, and impounded wetlands that are stable, shallow, and no more than 1.2 inches deep
Black tern	<i>Chlidonias niger</i>	Breeding (May 15th to August 20th)	Breeding habitat includes fresh marshes and lakes, fresh water with extensive marsh vegetation, open water, smaller marshes, and wet meadows
Blue-winged warbler	<i>Vermivora cyanoptera</i>	Breeding in southern MN and WI	Breeding habitat includes shrublands, scrubby areas, thickets, and forest edges
Bobolink	<i>Dolichonyx oryzivorus</i>	Breeding (May 20th to July 31st)	Breeding habitat includes damp meadows and natural prairies with dense growth of grass, weeds, and a few low bushes
Brown thrasher	<i>Toxostoma rufum</i>	Breeding	Thickets, brush, shrubbery, thorn scrub; breeds in areas of dense low growth, especially thickets around edges of deciduous or mixed woods, shrubby edges of swamps, or undergrowth in open pine woods; also in suburban neighborhoods with abundant shrubs and hedges

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Buff-breasted sandpiper	<i>Calidris subruficollis</i>	Migrant	Shortgrass prairies; in summer, tundra ridges; migrates to mostly dry open ground, such as prairies, pastures, airports, stubble fields, plowed fields. Sometimes on shores of lakes or ponds, or on coastal flats, but even there tends to be on higher, drier sections
Canada warbler	<i>Cardellina canadensis</i>	Breeding (May 20th to August 10th)	Forest undergrowth, shady thickets; breeds in mature mixed hardwoods of extensive forests and streamside thickets; prefers to nest in moist habitat near swamps, on stream banks, in rhododendron thickets, in deep, rocky ravines, and in moist deciduous second-growth
Cerulean warbler	<i>Setophaga cerulea</i>	Breeding (April 22nd to July 20th)	Deciduous forests, especially in river valleys; breeds in mature hardwoods either in uplands or along streams; prefers elm, soft maple, oak, birch, hickory, beech, basswood, linden, sycamore, or black; nests only in tall forests with a clear understory
Chestnut-collared longspur	<i>Calcarius ornatus</i>	Not breeding	Dry areas that have been recently grazed, shortgrass and mixed-grass prairies, but generally within grasses that are shorter than one foot
Common tern	<i>Sterna hirundo</i>	Migrant Breeding in interspersed areas of central MN	Wide range of aquatic habitats, inland waters in low-lying, open country where shallow waters for fishing are close to undisturbed flat islands or beaches; breeding habitats include rocky islands, barrier beaches, and saltmarshes

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Dickcissel	<i>Spiza americana</i>	Breeding	Fields of alfalfa, clover, timothy, or other crops; grassy or weedy fields
Field sparrow	<i>Spizella pusilla</i>	Breeding	Open habitat with low perches, such as agricultural fields, pastures, fencerows, road and forest edges, and open wooded areas; breeding habitat is away from human settlements; they seek out fields that have been cultivated or burned with nearby perches
Franklin's Gull	<i>Leucophaeus pipixcan</i>	Breeding (May 1st to July 31st) and late fall migrant	Breeding habitat consists of freshwater marshes with emergent vegetation as well as open water; during migration, they are found in most habitats, but they seek agricultural areas, pastures, and wetlands for feeding
Golden-winged warbler	<i>Vermivora chrysoptera</i>	Breeding (May 1st to July 20th) and late summer	Habitat includes open woodlands, brushy clearings, undergrowth; breeding habitat includes bushy areas with patches of weeds, shrubs, and scattered trees such as older pine, marshes and tamarack bogs
Grasshopper sparrow	<i>Ammodramus savannarum</i>	Breeding	Breeding habitat includes grasslands, prairies, hayfields, and open pastures with little ground cover
Henslow's sparrow	<i>Centronyx henslowii</i>	Breeding (May 1st to August 31st)	Breeding habitat includes fields and meadows, often in low-lying or damp areas with tall grass, standing dead weeds, and scattered shrubs
Horned grebe	<i>Podiceps auritus</i>	Not breeding Migrant	Lakes, ponds, and large rivers having both open water and marsh vegetation, surrounded by northern forest or prairie

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Hudsonian godwit	<i>Limosa haemastica</i>	Not breeding Spring	Spring migrants are on shallow, marshy lakes, flooded pastures, rice fields, or mudflats around ponds
Kentucky warbler	<i>Geothlypis formosa</i>	Breeding in southwestern WI Not breeding in MN	Breeding habitat includes large tracts of lowland hardwood forest near streams with Mayapple, white avens, spicebush, and other dense understory plants for nesting
Least bittern	<i>Ixobrychus exilis</i>	Breeding	Breeding habitat includes freshwater and brackish marshes that include reeds and rushes, woody vegetation, and patches with open water; less commonly they are found in mangroves and saltmarshes
Lesser Yellowlegs	<i>Tringa flavipes</i>	Not breeding Spring and late summer migration	Migration habitat includes a variety of wetlands, including mudflats, marshes, lake and pond edges, wet meadows, sewage ponds, and flooded agricultural fields
Loggerhead shrike	<i>Lanius ludovicianus</i>	Breeding	Open country with short vegetation and shrubs or low trees with spines or thorns; also found in agricultural fields, pastures, old orchards, riparian areas, desert scrublands, savannas, prairies, golf courses, cemeteries, and mowed roadsides with fence lines
Long-billed curlew	<i>Numenius americanus</i>	Not breeding	When traveling to wintering grounds they utilize shortgrass prairies, alkali lakes, wet pastures, tidal mudflats, and agricultural fields

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Marbled godwit	<i>Limos fedoa</i>	Not breeding	Habitat includes shortgrass prairies, preferably with green needle grass, western wheatgrass, blue grama, needle-and-thread, little blue stem, and nearby wetlands
Marsh wren	<i>Cistothorus palustris</i>	Breeding	Marshes (cattail, bulrush, or brackish); breeds in many fresh and brackish marsh situations, usually within a large area of cattails, bulrushes, or cordgrass; also in other kinds of low rank growth along shallow water
McCown's longspur/Thick-billed longspur	<i>Rhynchophanes mccownii</i>	Not breeding	Short, open habitats such as agricultural fields, dry lake beds, and areas that include blue grama, buffalo grass, purple three-awn, western wheatgrass, needle-and-thread, opuntia cacti, broom snakeweed, rabbitbrush, and prairie sagebrush
Mountain plover	<i>Charadrius montanus</i>	Not breeding	Shortgrass prairies with blue grama, buffalo grass, and western wheatgrass; grassy semidesert, as well as agricultural fields and overgrazed landscapes
Nelson's sparrow	<i>Ammospiza nelsoni</i>	Migrant	Migration habitat includes varied wetlands, including bogs and freshwater marshes with cattails, cordgrass, sedges, reeds, rivergrass, and foxtail barley

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Northern flicker	<i>Colaptes auratus</i>	Year-round	Habitat includes woodlands, forest edges, open fields with scattered trees, city parks, suburbs, streamside woods, flooded swamps, and marsh edges
Peregrine falcon	<i>Falco peregrinus</i>	Year-round along Mississippi River and Migrant	Open country, cliffs (mountains to coast); sometimes cities over its wide range, found in a wide variety of open habitat often near water; moves into cities nesting on building ledges and feeding on pigeons
Pied-billed grebe	<i>Podilymbus podiceps</i>	Breeding	Heavy marsh vegetation, but also in open water; fresh to brackish water; habitat types include freshwater wetlands, wet fields, bays, sloughs, marshes, lakes, slow-moving rivers, and sewage ponds; use emergent vegetation to construct floating nests
Prothonotary warbler	<i>Protonotaria citrea</i>	Breeding	Breeding habitat includes flooded bottomland forests and wooded swamps near lakes and streams; forests generally must be larger than 250 acres or the forest border must be greater than 100 feet wide
Red-headed woodpecker	<i>Melanerpes erythrocephalus</i>	Breeding (May 10th to September 10th) and spring	Breeding habitat includes open woodland, especially with beech or oak and dead or dying trees, open areas with scattered trees, parks, cultivated areas, and gardens
Red knot (roselaari spp.)	<i>Roselaari ssp.</i>	Not breeding Migrant	Mudflats and sandy beaches

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Red knot (rufa spp.)	<i>Rufa ssp.</i>	Not breeding Migrant	Mudflats and sandy beaches
Ruddy Turnstone	<i>Arenaria interpres</i>	Not breeding Spring migration	Migration habitats include freshwater lake shorelines, coastal rocky or sandy beaches, and mudflats
Rusty blackbird	<i>Euphagus carolinus</i>	Not breeding Spring and fall migration	Migration habitat includes areas with trees near water, open fields, and cattle fields
Short-billed dowitcher	<i>Limnodromus griseus</i>	Not breeding	Habitat includes freshwater ponds with muddy margins
Short-eared owl	<i>Asio flammeus</i>	Not breeding Winter	Found in open country supporting high numbers of small rodents including stubble fields, small meadows, and shrubby areas
Smith's longspur	<i>Calcarius pictus</i>	Migrant	Migrant habitat includes grasslands, stubble fields, mowed fields, airports, heavily-grazed cattle pastures, and grassy areas around remote lakes; they prefer silver beardgrass, little bluestem, purple three-awn grass, and the panic-grasses
Solitary sandpiper	<i>Tringa solitaria</i>	Migrant	Streamsides, wooded swamps and ponds, fresh marshes; generally along shaded streams and ponds, riverbanks, and narrow channels in marshes

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Sprague's pipit	<i>Anthus spragueii</i>	Not breeding	Habitat includes native mixed-grass prairie with little bare ground and grass species that are no more than 6-12 inches tall including blue grama, junegrass, fescues, wheatgrass, foxtail barley, Canby blue, speargrasses, salt grass, plains muhly, and threadleaf sedge; uncommon in cropland and non-native grasslands
Swainson's hawk	<i>Buteo swainsoni</i>	Breeding	Open habitats, preferably native prairie and grassland, but they are well adapted to alfalfa fields, pastures, and perching on fence posts and sprinkler systems; breeding habitat includes scattered trees near agricultural fields and grasslands
Upland sandpiper	<i>Bartramia longicauda</i>	Breeding	Grassy prairies, open meadows, fields; favored nesting habitat is native grasslands with a mixture of tall grass and broad-leafed weeds; in migration they stop on open pastures and lawns
Whimbrel	<i>Numenius phaeopus</i>	Not breeding	Habitat includes marshes, meadows, fields, dunes, oyster beds, small islands, and mangrove trees
Whip-poor-will (eastern)	<i>Antrostomus vociferus</i>	Breeding	Breeding habitat includes dry deciduous forest or evergreen-deciduous forest with little underbrush and within the vicinity of open areas, particularly pine-oak with juniper, pine plantations, pine flatwoods, northern hardwood forests, low-elevation white pine, oak, aspen, birch, and scrubby woodlands with pitch pine, scrub oak, and hickory

Common Name	Scientific Name	Seasonal Occurrence in the Project Area	Habitat
Willow flycatcher	<i>Empidonax traillii</i>	Breeding	Breeding habitat includes thickets of deciduous trees and shrubs, especially willows, or along woodland edges; often near streams or marshes
Wood thrush	<i>Hylocichla mustelina</i>	Breeding (May 10th to August 31st) and late spring	Breeding habitat includes the understory of woodlands, damp forests and near streams
Yellow rail	<i>Coturnicops noveboracensis</i>	Breeding in northern MN and migrant in southern MN; breeding in northern WI and migrant in western WI	Grassy marshes, meadows; favors large wet meadows or shallow marshes dominated by sedges and grasses with water no more than one foot deep