

From: [Collins, Melissa \(DNR\)](#)
To: [Julie Klima](#)
Cc: [Gleason, John \(DNR\)](#)
Subject: Noble Hill Development - DNR Comments
Date: Tuesday, May 11, 2021 2:50:00 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image002.png](#)

Hi Julie,

It was good to connect with you last week. Thank you for sending the Noble Hill Development project information to the DNR for review. As I mentioned previously, DNR would like to comment on the Noble Hill Development PUD proposal due to the sensitive nature of the natural resources involved and the number of citizens who have reached out to us to express concern about the project.

The proposer has contacted DNR Endangered Species Review staff in order to work through the rare plant survey process and any necessary avoidance and/or mitigation related to state-listed rare plant species that have been documented in the direct vicinity of the proposed project. Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. A rare plant survey has not yet been completed by the proposer at this time, and further steps regarding state-listed species will be determined upon the results of a survey.

A portion of the project area is located within Flying Cloud Prairie, a DNR Native Plant Community (NPC) and a Minnesota Biological Survey Site of High [Biodiversity Significance](#). "High" sites contain very good quality occurrences of the rarest species, high-quality examples of rare native plant communities, and/or important functional landscapes. We strongly recommend that local governments prioritize these sites for preservation, especially as portions of this MBS Site have already been developed. It appears that most of the proposed development will avoid the MBS Site, however it is unclear how the mass grading of the adjacent area upslope and the installation of 15 feet high retaining walls will impact these sensitive areas by altering hydrology, removing vegetation, creating the potential for soil erosion, introducing nutrient runoff from fertilized turf, introducing salt runoff in the winter, and potentially spreading invasive species.

As was mentioned in the February 20, 2020 Natural Heritage Information System (NHIS) letter, a Dry Sand – Gravel Prairie (Southern) native plant community was documented within this Site. This community is identified as imperiled in Minnesota. More than 99% of the prairie that was present in the state before settlement has been destroyed, and more than one-third of Minnesota's endangered, threatened, and special concern species are now dependent on the remaining small fragments of Minnesota's prairie ecosystem. Therefore, we feel that all prairie remnants merit protection. Although current conditions at these sites are unknown, undisturbed areas of these Sites could still contain native prairie species. Given the ecological

significance of this area, we recommend the Dry Sand-Gravel Prairie (Southern) native plant area be considered an avoidance area. We highly encourage you to consider project alternatives that would minimize disturbance to the MBS Site, and we make the following recommendations when working in or near the MBS Site:

- o Conduct surveys to better document resource impact and designate areas to avoid;
- o Minimize vehicular disturbance in the MBS Site (allow only vehicles/equipment necessary for construction activities);
- o Do not park equipment or stockpile supplies in the MBS Site;
- o Do not place spoil within MBS Site or other sensitive areas;
- o Retain a buffer between proposed activities and the MBS Site;
- o If possible, conduct the work under frozen ground conditions;
- o Use effective erosion prevention and sediment control measures;
- o Inspect and clean all equipment prior to bringing it to the site to prevent the introduction and spread of invasive species;
- o As much as possible, operate within already-disturbed areas;
- o Revegetate disturbed soil with [native species suitable to the local habitat](#) as soon after construction as possible; and
- o Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.

The NHIS letter also makes recommendations to avoid impacting state-listed bird and snake species of special concern by using wildlife-friendly erosion control and avoiding the initial disturbance of grassland as well as tree/shrub removal from May 15th through August 15th. The entire project area is also located within the [Lower Minnesota River Valley Important Bird Area](#). Given that, any additional tree preservation in the project area would be greatly appreciated. It is also possible that road mortality of state-listed rare snake species could rise due to increased traffic in the area. We encourage the proposer to coordinate with DNR Nongame Wildlife Specialist, Erica Hoaglund (Erica.hoaglund@state.mn.us), on ways to reduce wildlife road mortalities.

Based on the information provided, it does not appear that there will be any work within Riley Spring that would require a Public Waters Work Permit. Any pumping of groundwater in volumes that exceed 10,000 gallons per day, or one million gallons per year, would require approval under a DNR Water Appropriation Permit.

Thank you for the opportunity to comment, and please don't hesitate to reach out with any questions.

Thank you,

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