

Threatened and Endangered Species – State

Contact

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Purpose

To prevent the extirpation (extinction on a local basis) of species of fish, wildlife, and plants for which their numbers have been depleted within the State. The law and rules prohibit taking, purchasing, importing, possessing, transporting, or selling endangered or threatened plants or animals, including their parts or seeds, without a permit.

Description - Minnesota's endangered flora and fauna have been classified into three status categories: endangered, threatened, and special concern. In the following text all these will be referred to by the shorthand term of "T&E species."

1. Endangered: a species threatened with extinction throughout all or a significant portion of its range in Minnesota.
2. Threatened: a species likely to become endangered within the foreseeable future throughout all or a significant portion of its range in Minnesota.
3. Special concern: although not endangered or threatened, it is extremely uncommon in Minnesota or has unique or highly specific habitat requirements and deserves careful monitoring of its status.

Threshold Criteria

For any of the following projects, include the DNR Liaison person in the distribution of the Early Notification Memo:

- All EA, EAW, EIS and CE projects
- All projects that involve construction activities outside of the shoulder P.I. (point of intersection)
- Any project with impacts to protected waters, prairies or wetlands.

(For more guidance on specific projects, see the Early Notification Memo use guidelines).

The DNR will consult Minnesota's List of Endangered, Threatened, and Special Concern Species and discuss any that exist, whether they will be impacted, and what avoidance or mitigation measures, if any are recommended.

If the DNR or the Office of Environmental Services biologist states that such species have been documented as existing in the project area, or if the project is adjacent to T&E species or their habitat, consult with Office of Environmental Services (OES) for assistance in:

- Developing special documentation
- Identifying appropriate avoidance and/or mitigation measures
- Considering other alternatives

Responses from the DNR are typically submitted per the DNR Questionnaire. In general, projects involving disturbance of areas outside of MnDOT right of way are likely to generate comments or concern.

Prepared Statement

If appropriate, use the following statement of no effect:

"The proposed project is not within or adjacent to documented locations of plants or animals appearing on Minnesota's List of Endangered, Threatened, and Special Concern Species. Therefore, no adverse impact is anticipated."

For checklist project reports, simply check the "no effect" box when the above applies.

Relationship to the HPDP

Class I Action (Environmental Impact Statement EIS)

Scoping Documents

Submit a copy of the Early Notification Memorandum to the DNR liaison in OES to assess the potential for affecting T&E species. Identify the species that might exist in the project area and commit to further assessment.

Draft Environmental Impact Statement (DEIS)

If the DNR review indicates that T&E species are present in the project area, or are likely to be present, contact OES staff to assess the potential impact to species and coordinate with the DNR. Include responses to DNR concerns and document any commitments to be carried out. If appropriate, use a statement of no effect.

Public Hearing

Include information on potential impacts resulting from project alternatives.

Final Environmental Impact Statement (FEIS)

Include responses to DNR concerns. If impacts are anticipated, discuss mitigation measures.

Class II Action (Categorical Exclusions CE)

Submit a copy of the Early Notification Memo to the DNR liaison in MnDOT OES to assess the potential for affecting T&E species. In the Early Notification Memo, check appropriate box or include an appropriate prepared statement if the project area contains no T&E species. If the project area contains any T&E species, contact OES to assess the potential impact to species and coordinate with the DNR. Document any commitments to be carried out.

Class III Action (Environmental Assessment EA)

Environmental Assessment: Discuss T&E species as for DEIS or Project Memorandum above using a prepared statement of no effect if the project area does not contain any T&E species.

Agencies Involved

Agency(s)	When they are involved and why
Minnesota Department of Natural Resources	Early identification of endangered species, threatened species or species of special concern, and review of project reports.

Permits and Approvals

Permit/Approval	Agency with Oversight	Reference
Permit to Possess and Take State Threatened and Endangered Species	Minnesota Department of Natural Resources (DNR)	see Minnesota Rules, Chapter 6212.1800

Legal Basis

Description	Code
Protection of threatened and endangered species.	Minnesota Statute 84.0895
Species that are Endangered, Threatened, or of Special Concern	Minnesota Rules, Chapter 6134
General Restrictions for Permits to Possess Threatened and Endangered Species	Minnesota Rules, Chapter 6212.1800 to 6212.2300