



# Inver Grove Heights Environmental Advisory Commission

Thursday, February 26, 2026 at 7:00 PM

8150 Barbara Avenue, Inver Grove Heights, MN 55077

## AGENDA

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Rebecca Kiernan ([rkiernan@ighmn.gov](mailto:rkiernan@ighmn.gov)). Comments received prior to 4:00 p.m. on Thursday, February 26, 2026, will be provided to the Commissioners at or before the February 26, 2026 meeting.

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
  - A. Minutes of January 22, 2026 Environmental Advisory Commission Meeting
5. **Regular Business**
  - A. Wetland Replacement — Nord Sixty One Degree Development Project
6. **Public Comment**

Public comment provides an opportunity for the public to address the Commission on items that are not on the agenda. Comments will be limited to three (3) minutes per person.
7. **Commission and Staff Comments**
8. **Adjourn**

This document is available upon a three (3) business day request in alternate formats such as braille, large print, audio recording, etc. Please contact Rebecca Kiernan, City Clerk, at 651.450.2513 or [rkiernan@ighmn.gov](mailto:rkiernan@ighmn.gov).

**ENVIRONMENTAL ADVISORY COMMISSION  
CITY OF INVER GROVE HEIGHTS  
JANUARY 22, 2026 – 8150 BARBARA AVENUE**

**1. CALL TO ORDER**

Chair Goodman called the Environmental Advisory Commission Meeting to order at 7:00 p.m.

The Pledge of Allegiance was cited.

**2. ROLL CALL**

Commissioners Present: Sara Goodman (Chair)  
Nick Ruiz (Vice Chair)  
Ted Trenzeluk  
Nichole Boehmke  
Jon Wallerick  
Tracie Killion

Commissioners Absent: Marjorie Savage  
Kevin Sethre  
Patti Mikulski

Staff Present: Liz Kramer, Environmental Specialist

**3. APPROVAL OF AGENDA**

Motion by Ruiz, second by Killion to Approve the Agenda as Published

**Ayes: 6**

**Nays: 0      Motion carried.**

**4. CONSENT AGENDA**

**A. Minutes of the November 20, 2025, Environmental Advisory Commission Meeting**

Motion by Boehmke second by Wallerick to Approve the Minutes as Published

**Ayes: 6**

**Nays: 0      Motion carried.**

**5. PRESENTATIONS**

**A. Plastic Bag Ordinances and Recycling in Minnesota**

Environmental Specialist Kramer summarized the state of plastic bag recycling in Minnesota and Inver Grove Heights in response to public and commissioner interest. Americans use approximately 100 billion plastic bags annually, with Minnesotans discarding over 500 tons of plastic bags and packaging each day. Recycling rates remain below 8%, and cleanup and landfill costs average about \$0.17 per bag. Plastic bags contribute to environmental harm, persist as microplastics, and are a significant source of pollution, including an estimated 22 million pounds entering the Great Lakes each year. They also cause operational disruptions at recycling facilities by tangling processing equipment.

Nationally, many jurisdictions address plastic bag waste through bans or bag fees, which have reduced plastic bag litter by 25% to 47% in studied areas. Minnesota law currently prohibits cities from banning plastic bags, though some communities, including Minneapolis, Edina, and Duluth, have implemented \$0.05 per bag fees that have successfully reduced usage.

In Inver Grove Heights, there is no local ordinance on plastic bags, and they are not accepted in curbside recycling due to processing limitations. Recycling options exist through select retailers but require consumer initiative.

Commissioner Killion asked whether shifting from plastic back to paper bags carries environmental drawbacks, noting that plastic was originally adopted to reduce tree use. She also questioned whether the oil industry influenced the widespread adoption of plastic bags and inquired whether research identifies negative impacts associated with paper alternatives.

Environmental Specialist Kramer stated she did not research industry influence and noted that paper versus plastic involves tradeoffs. She explained that paper is more recyclable under current systems, while increased awareness of microplastics and plastic degradation would likely change how the issue is viewed today.

Chair Goodman asked whether the estimated 22 million pounds of plastic entering the Great Lakes annually includes microplastics from sources such as stormwater runoff and laundry. She noted her familiarity with microplastic pollution through her work in the clothing industry.

Environmental Specialist Kramer noted that the data reflects only plastics collected by weight, meaning it does not account for microplastics that may be shedding or dispersing into the environment.

Chair Goodman said she understands there is currently no curbside recycling option for plastic bags. She asked whether this could become an option in the future, such as through a separate bin or designated container, noting that plastic bags cannot go to the regular recycling facility.

Environmental Specialist Kramer said she is not aware of any curbside or separate home collection programs for plastic bags but will investigate whether any providers offer this service.

Commissioner Ruiz speculated whether a private company such as “Rid It” [Ridwell is the company accepting hard-to-recycle items]] might offer recycling services for items not accepted elsewhere.

Chair Goodman asked whether Recycling Zone could serve as a drop off location.

Environmental Specialist Kramer stated that Dakota County guidance recommends taking plastic bags to retail drop off locations, and if that is not feasible, disposing of them in the trash. She noted uncertainty about Recycling Zone acceptance.

Commissioner Ruiz asked whether compostable green bags used for organics differ from plastic in terms of microplastic byproducts, and whether repeated composting could still generate microplastics.

Commissioner Boehmke stated that compostable bags are made from corn-based materials and are designed to fully break down into organic matter, unlike conventional plastic bags, which do not decompose in the same way.

Commissioner Ruiz asked whether any other cities in Dakota County offer recycling programs for the material discussed.

Environmental Specialist Kramer stated that plastic bag recycling is generally limited to retail store drop off programs. She noted that Columbia Heights City Hall has collection bins but questioned whether that option is more convenient than grocery store drop-off locations.

Commissioner Ruiz shared a concern about whether plastic bags placed in collection bins are ultimately recycled or sent to landfills and asked what the next step is after collection.

Environmental Specialist Kramer said she does not currently have that information but will follow up with Dakota County regarding the lifecycle of plastic bags collected at retail drop off locations.

Commissioner Trenzeluk noted that the oil required to produce plastics was a key consideration and suggested emphasizing oil savings in outreach. He referenced past use of corn-based bags and raised durability concerns. He added that any related regulation should occur at the state level rather than locally.

Environmental Specialist Kramer said she has not conducted a comprehensive review but noted that many alternatives to traditional plastic bags tend to be less durable and do not last as long.

Commissioner Boehmke noted that the Duluth ordinance includes both plastic and paper bags and asked whether the intent is to encourage greater consumer use of reusable bags.

Environmental Specialist Kramer said the intent of bag ordinances in Minneapolis and Edina appears to be encouraging reusable bags through a \$0.05 fee on all carryout bags, including paper, rather than shifting consumers between single-use bag types.

Commissioner Boehmke noted that recycling plastic bags often requires extra sorting steps, which can be burdensome for households. She encouraged broader regional solutions for plastic bag recycling and shared that her workplace successfully recycles plastic film and bags when materials are kept clean, dry, and separated.

Environmental Specialist Kramer noted that Minnesota is launching a boat-wrap recycling program, creating new opportunities for producers and consumers to recycle large volumes of plastic film.

Commissioner Trenzeluk stated that recycling facilities have difficulty processing plastic bags, noting that during a prior tour of a recycler in IGH, the sorting line shut down twice due to plastic bags.

Environmental Specialist Kramer said she expects recycling facilities are exploring ways to more effectively recycle plastic bags to reduce operational impacts.

Commissioner Killion suggested encouraging Farmers Market vendors to offer paper bags or other alternatives to plastic and promoting education on reducing single-use plastic bags. While the City cannot ban plastic bags or require bag fees, supporting alternative options at local stores could help decrease plastic bag use.

Environmental Specialist Kramer expressed support for launching public education in the Insights newsletter during Farmers Market season to encourage the use of reusable bags.

Chair Goodman emphasized the importance of engaging both vendors and customers on bag reduction efforts.

Commissioner Ruiz recalled that Minnesota generates approximately 550 tons of waste per day.

Commissioner Kramer stated that Minnesota generates approximately 500 tons of waste per day.

Commissioner Wallerick emphasized the need for a City-led educational effort to address improper recycling of plastic bags, noting that many residents mistakenly assume they are recyclable. He stated that plastic bags create challenges for the recycling system and supported focusing on both problem awareness and solutions. He added that unless the State bans plastic bags, responsibility will remain with individuals and concluded that the City can play an important role in educating residents to make more informed choices.

Commissioner Trenzeluk stated that the City should focus on education and improving recycling rates. He said this is not a City level solution and should be addressed at a higher level for consistency, noting potential impacts on local shopping behavior. He expressed support for an education focused approach.

Commissioner Boehmke stated that education is an appropriate first step and acknowledged potential public pushback on measures that increase costs. She suggested exploring low-cost educational opportunities, such as providing reusable grocery bags with informational messaging, like past City giveaways like the smart salter cups, to help share information with the community.

Commissioner Ruiz commented on the overabundance of reusable tote bags and the challenge of finding meaningful ways to reuse them, noting they could be repurposed for community uses such as library book sales. He added that while totes were once seen as a good idea, they have become oversaturated and are often used as low value promotional items.

#### **B. Review of 2026 Environmental Advisory Commission Calendar**

Environmental Specialist Kramer outlined the 2026 Environmental Advisory Commission Calendar and Topics, including January items on plastic bag recycling in Minnesota, 2026 calendar review, and Sustainable IGH Awards criteria; April Partners in Energy 2025 Update; May Sustainable IGH nominations and Partners in Energy progress updates; June Storm Water Pollution Prevention Plan and New Commissioner Introductions; August Pine Bend Landfill Annual Update and Partners in Energy Progress Update; September MAC NOC Update; October Xcel Partners in Energy MoU Extension and 2027 Work Plan; November continued 2027 Work Plan; and December year end planning. Suggested educational topics include Radon, Native Pollinators, Water Softening, Emerald Ash Borer, Dakota County Recycling, Light Pollution, and a potential additional work session.

Commissioner Trenzeluk requested updates on the Smart and Green Step Cities program and reiterated his interest in keeping the Commission engaged in development project reviews. He also suggested adding an educational topic on the environmental and infrastructure impacts of flushing wipes, noting this could be a useful presentation from the City's sewer staff.

Environmental Specialist Kramer noted that flushable wipes are a widespread issue and supported adding the topic for future education.

Commissioner Boehmke suggested exploring a future presentation on electric vehicle charging availability, noting it could align with existing efforts such as the Xcel Energy MOU or Green Step Cities initiatives.

Commissioner Wallerick suggested adding a spring educational topic on green landscaping, potentially connected to native pollinators, to align with seasonal interest in yards and gardening.

Commissioner Ruiz expressed support for the proposed topics and noted interest in including a presentation from the Soil and Water Conservation District.

Environmental Specialist Kramer noted that a watershed representative is confirmed to present on the Stormwater Pollution Prevention Plan and added that the Soil and Water Conservation District has presented in prior years, most recently in 2024.

Chair Goodman noted that the Dakota County Soil and Water Conservation District offer spring landscaping for clean water workshops and suggested promoting those opportunities. She also recommended a future educational topic on the environmental impacts of electric vehicles, including battery and lithium mining, for consideration in a later year.

Commissioner Killion raised concerns about the condition and management of local watersheds, ponds, and lakes. She suggested evaluating whether these water bodies are being adequately maintained and whether additional actions are needed, like past efforts at Seidl Lake.

Environmental Specialist Kramer thanked the Commission and noted that a strong list of topics has been developed for the year, supporting the goal of increasing educational opportunities for both the Commission and the public.

## **6. REGULAR BUSINESS**

### **A. Sustainable IGH Awards Criteria and Applications**

Environmental Specialist Kramer outlined proposed updates to the Sustainable IGH Award Criteria, including separating the Energy section into distinct guidance for Residents and Businesses.

Recommended actions for residents include using LED light bulbs, weatherizing homes, completing a home energy audit within the past 10 years, participating in Xcel Energy and Home Energy Squad programs, using EnergyStar products, and encouraging landlords to implement energy efficiency improvements. Recommended actions for businesses include similar energy efficiency practices, completing business energy audits, participating in MN Chamber Energy Smart or Xcel Energy business assessment programs based on business size, using EnergyStar products, and encouraging property owners to support energy-saving upgrades. Additional proposed actions include adding links to energy resources and programs, as well as incorporating Commission-suggested actions such as planting or replacing a tree and adopting an IGH park or roadway.

Chair Goodman and all Commissioners expressed support for approving the Sustainable IGH Awards criteria.

Motion by Ruiz second by Killion to Approve the Sustainable IGH Awards Criteria.

## **7. PUBLIC COMMENT:**

## **8. COMMISSION AND STAFF COMMENTS**

Commissioner Ruiz noted that a craft fair is scheduled at the VMCC on March 7 and referenced prior discussion about having the Commission host a table at the event. He added that this would be an opportunity to increase the Commission's visibility and engagement with the public.

Environmental Specialist Kramer stated she will contact event organizers to explore participation in the craft fair and noted that the upcoming Healthy Living Fair in early April may provide an additional opportunity for outreach.

## **9. ADJOURN**

Motion by Ruiz second by Wallerick to Adjourn the Meeting at 7:48 p.m.

**Ayes: 6**

**Nays: 0      Motion carried.**

Minutes prepared by City Recording Secretary Tammy Greenlee.



## Environmental Advisory Commission Staff Report

---

**SUBJECT: Wetland Replacement — Nord Sixty One Degree Development Project**

**MEETING DATE:** February 26, 2026  
**ITEM TYPE:** Regular Business  
**CONTACT:** Liz Kramer, Environmental Specialist, 651-604-8511

---

### **PURPOSE/ACTION REQUESTED**

The Environmental Advisory Commission is asked to review the Wetland Replacement Plan for the Nord Sixty One Degree Development Project.

### **BACKGROUND**

The applicant is proposing to develop a 23.87-acre multifamily development located along the intersection of Argenta Boulevard and 65th Street, in the southwest quadrant in Inver Grove Heights.

The project proposed is a 119-unit townhome development to be known as North Sixty One Degree. The development is located within both the Northwest Area Overlay District and the Shoreland Management Overlay district. It includes 2 parcels (PID:20-00600-25-012 and PID:20-00600-52-011). There will be two access points. There will be a mix of two-to-six-unit buildings (119 units total) with a clubhouse, pool, and pickleball courts, and guest parking.

There is a wetland in the southwest corner of the property. The stormwater basin will be in the center of the loop on the east side.

**PROPOSED WETLAND REPLACEMENT PLAN** No person may impact a wetland, wholly or partially, (unless eligible for an exemption or no-loss) without first having a Wetland Replacement Plan approved by the local government unit (LGU). Before approval of a Wetland Replacement Plan, the LGU must ensure that the applicant has exhausted all possibilities to avoid and minimize wetland impacts according to sequencing requirements per MN Rule 8420.0520.

A wetland delineation report has been completed for the site and approved through the Wetland Conservation Act (WCA) review process. The plans show a 0.2-acre impact to a smaller wetland on the site and this requires a wetland mitigation plan to be prepared and approved through the WCA review process. A condition is part of this report to require a mitigation plan to be approved as part of final plans.

In accordance with the December 15, 2021, Notice of Decision (wetland delineation), there is currently a 0.2 acre wetland ("Wetland 7") within the area to be developed as a stormwater retention pond, The original source of water that drained to this location was eliminated by the construction of 65th Street West along the Northern boundary of the Property. Upon City approval of the Project development plan, Applicant will undertake to purchase credits through the Minnesota wetland banking program for purposes of mitigating the alteration of Wetland 7.

**FISCAL IMPACT**

This item is budget neutral for the City.

**RECOMMENDATION**

Staff request review of the Wetland Replacement Application for the Nord Sixty One Degree Development Project.

**ATTACHMENTS**

1. Wetland\_NCA\_NOA\_21-IGH-192
2. Complete Application Wetland Replacement


**Minnesota Wetland Conservation Act  
NOTICE OF APPLICATION**

<b>Date this Notice was sent:</b>	<b>01/12/2026</b>
<b>Date Complete Application received:</b>	<b>01/09/2026</b>
<b>Local Government Unit:</b>	<b>City of Inver Grove Heights</b>
<b>County:</b>	<b>Dakota</b>
<b>Applicant and (if applicable) Applicant's Representative:</b>	<b>Ace Land Holdings, LLC Steve Poppen Midwest Natural Resources, Ken Arndt</b>
<b>Project Name/Number:</b>	<b>21-IGH-192 Nord 61°</b>
<b>Type of Application (check all that apply):</b> <b>Note:</b> If a <u>complete</u> boundary/type application (i.e. delineation report) is submitted with another type of application, then check both application types.	<input type="checkbox"/> Boundary/Type <input type="checkbox"/> Sequencing (submitted separately from a replacement plan) <input checked="" type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan <input type="checkbox"/> Exemption Identify which exemption by Rule or Statute Citation: <b>[insert]</b> <input type="checkbox"/> No-Loss Identify which provision by Rule or Statute Citation: <b>[insert]</b>
<b>For Replacement Plan Applications Only:</b>	Proposed wetland impacts requiring replacement (acres): <b>0.1987</b> Type of wetland replacement proposed (check all that apply): <input type="checkbox"/> Project-Specific. Number of Credits: <b>[insert]</b> <input checked="" type="checkbox"/> Banking. Number of Credits by Bank Account #: 0.3974, #1689
<b>Application Materials (check one):</b>	<input checked="" type="checkbox"/> Attached <input type="checkbox"/> Other (ftp or other accessible file sharing site):
<b>Comments on this Application must be received by (date):</b> <b>Note:</b> For replacement plan, sequencing, bank plan, and boundary/type applications, the comment period must be at least 15 business days from the date the notice of application is sent.	<b>02/06/2026</b>
<b>Where to send comments:</b>	Name: <b>David Holmen, Senior Wetland/GIS Coordinator</b> Address: <b>Dakota County SWCD, 4100 220<sup>th</sup> St. W. Suite 102, Farmington, MN 55024</b> Email: <a href="mailto:david.holmen@co.dakota.mn.us">david.holmen@co.dakota.mn.us</a>
<b>Decision-Maker on this Application (check one):</b>	<input type="checkbox"/> Staff <input checked="" type="checkbox"/> Board/Council <input type="checkbox"/> Other. Specify: <b>[insert]</b>

	Specify anticipated decision date if known:
--	---

### Notice Distribution

<b>Notice Recipients (check all that apply):</b>	<input type="checkbox"/> SWCD TEP Member (if different from LGU): <b>[insert]</b> <input checked="" type="checkbox"/> BWSR TEP Member: <b>Jed Chesnut</b> <input checked="" type="checkbox"/> DNR Representative: <b>Taylor Huinker</b> <input checked="" type="checkbox"/> Watershed District or WMO (if applicable): <b>Joe Barten, Lower Mississippi River WMO</b> <input type="checkbox"/> <a href="mailto:bank.administrator.bwsr@state.mn.us">bank.administrator.bwsr@state.mn.us</a> (Bank Plan Applications Only) <input checked="" type="checkbox"/> Applicant: <b>Steve Poppen, Ace Land Holdings, LLC</b> <input checked="" type="checkbox"/> Applicant's Representative (if applicable): <b>Ken Arndt, Midwest Natural Resources</b> <input type="checkbox"/> Members of the Public Requesting Notices (if applicable): <b>[insert]</b> <input checked="" type="checkbox"/> Others: <a href="mailto:usace_requests_mn@usace.army.mil">usace_requests_mn@usace.army.mil</a> ; Brian Connolly, City of Inver Grove Heights
--	--

<b>LGU Representative Name &amp; Signature:</b>	<b>DAVID HOLMEN, CMWP, GISP</b> SENIOR WETLAND/GIS COORDINATOR   Dakota County SWCD  <b>Date: 01/12/26</b>
---	--

**Nord 61°  
Inver Grove Heights, MN  
Wetland Permit Application**

Prepared for:  
Ace Land Holdings, LLC  
2685 Vikings Circle, Suite 50  
Eagan, MN 55121

January 8, 2026



MIDWEST NATURAL RESOURCES, INC.  
1032 West 7th Street, Suite 150  
St. Paul, Minnesota 55102



## PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Ace Land Holdings, LLC, Contact: Steve Poppen

**Mailing Address:** 2685 Vikings Circle, Suite 050, Eagan, MN 55121

**Phone:** 952-828-6500

**E-mail Address:** [poppens@vikings.nfl.net](mailto:poppens@vikings.nfl.net)

**Authorized Contact (do not complete if same as above):**

**Mailing Address:**

**Phone:**

**E-mail Address:**

**Agent Name:** Ken Arndt, Midwest Natural Resources, Inc.

**Mailing Address:** 1032 W. 7<sup>th</sup> St. Suite 150, St. Paul, MN 55102

**Phone:** 651-788-0641

**E-mail Address:** [ken.arndt@mnrinc.us](mailto:ken.arndt@mnrinc.us)

## PART TWO: Site Location Information

**County:** Dakota

**City/Township:** Inver Grove Heights

**Parcel ID and/or Address:** 6480 Argenta Trail & County PIN: 200060052011

**Legal Description (Section, Township, Range):** Sec. 6, T27N, R22W

**Lat/Long (decimal degrees):**

**Attach a map showing the location of the site in relation to local streets, roads, highways.**

(See Figure 1 of attached wetland permit application)

**Approximate size of site (acres) or if a linear project, length (feet):** 23.8 acres

## PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

The Nord 61° project is a proposed residential development with four public streets, site amenities and several stormwater facilities. See **Attachment C** for a more detailed description of the project.

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>
Wetland 7	wetland	fill	P	8,654 sq. ft. (0.1986 ac.)	N/A	Type 1 Seasonally Flooded Basin	Dakota, 33, 9

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

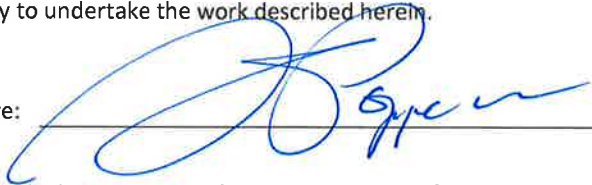
<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## PART FIVE: Applicant Signature

Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

January 7, 2024

I hereby authorize **Ken Arndt** to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

## Attachment A Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

**Wetland Type Confirmation**

**Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

**Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

**Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

**The applicant is requesting an AJD for Wetland 7.**

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

## **Attachment C**

# **Avoidance and Minimization and Additional Information**

**Project Purpose, Need, and Requirements.** Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

Ace Land Holdings, LLC is proposing construction of a multi-family residential development called Nord 61° located in Inver Grove Heights, Dakota County, Minnesota (**Figure 1**) This development will be bordered by Argenta Trail to the west, 65<sup>th</sup> Street West to the north, and C.S.A.H. 63 (Argenta Blvd.) to the east. The Nord 61° development will be constructed over the next couple years and will include 119 multi-family units with associated public roads, site amenities, and storm water facilities.

The Nord 61° development covers approximately 23 acres of land that much of it was formerly in agricultural row crop production along with an existing homestead and out-building, as well as areas of upland grassland, deciduous woodland, evergreen tree plantings, and two wetland areas (**Figure 2**). Access for the development is planned via two main roadways (Aurora Lane) that will connect north to 65<sup>th</sup> Street West and Arbor Way which will connect to Argenta Trail to the west. These two streets will be constructed through the Nord 61° development to help improve traffic circulation in the surrounding area as well as to provide the main roadways through the development.

The Nord 61° project's construction will consist of site grading for infrastructure including: roads, utilities, storm water facilities, amenities, and building pad areas. Construction is expected to begin in 2026 and will continue until fully built. Project plans for Nord 61° that include the Existing Conditions & Demolition, Site Plan, and Grading Plan are included in **Appendices A, B & C** respectively.

The need for this project is to provide residential housing in this part of the metro area and is based on the expanding residential housing market in the City of Inver Grove Heights as well as availability to public infrastructure. Expected housing market growth in this part of the Inver Grove Heights/Eagan area will be met with new residential development including the proposed Nord 61° development.

### **Existing Wetland Resources On-Site**

Wetlands within the Nord 61° development were delineated and documented in a report submitted by Alliant dated October, 2021. The wetlands were reviewed by the LGU (Dakota SWCD) and the Technical Evaluation Panel with a Notice of Decision being issued on December 15, 2021 (**Appendix E**). Two of the seven wetlands that were delineated by Alliant within the 2021 survey area are located within the Nord 61° development and are designated as Wetlands 6 and 7. The following is a description of Wetland 7, the single wetland proposed to be impacted by the project. At the time of this wetland permit application submittal an Approved Jurisdictional Determination (AJD) request has been sent to the Army Corps of Engineers requesting their jurisdictional determination of the wetland proposed to be impacted.

### **Wetland 7**

#### **MNRAM Classification: Manage 2**

Wetland 7 is a depressional, formerly farmed, Type 1 (PEMAf; Seasonally Flooded Basin) wetland located in the east-central part of the proposed development and is 0.19 acre in size. This wetland was farmed through from year to year prior to 2022 and at the time of the wetland delineation in 2021 it covered in switchgrass and corn. Since farming practices ended in 2022 this wetland has slowly become established with reed canary grass and other typical

species that occur in former fallow fields. The National Wetlands Inventory does not map the area where Wetland 7 is located as any wetland community and Wetland 7 is not mapped as a public water either.

One wetland impact (8,654 sq. ft./0.1987 ac.) is being proposed directly to Wetland 7 that involves permanently filling all of the wetland (**Appendix D**). This impact will be the result of site grading within the central part of the development where a large storm water facility will be constructed to treat the majority of the site’s runoff.

**Wetland Impact Summary**

A total of 8,654 sq. ft. (0.1987 ac.) of permanent wetland impact is being proposed for the Nord 61° development. Impact to Wetland 7 will require a replacement ratio of 2:1. The following is a table that breaks down the wetland impact and replacement amount for Wetland 7.

Wetland	Impact Type	Wetland Type	Impact Amount		Replacement Ratio	Replacement Amount	
			(sq.ft.)	(ac.)		(sq.ft.)	(ac.)
7	Permanent	1	8,654	0.1987	2:1	17,308	0.3974

**Avoidance.** Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

In general, a total avoidance alternative would result in the failure to meet the demand for this type of residential development in the City of Inver Grove Heights by reducing or eliminating the overall usability and accessibility of the site. As less land is available within the city to build this type of residential development, the ability to avoid Wetland 7 became difficult when faced with providing adequate storm water ponding for the development as well as general site grading.

**Wetland 7 Total Wetland Avoidance Build Alternative**

Since the part of the development where Wetland 7 is located will need to be lowered from its current elevation to provide positive drainage for runoff in this part of the site, all of Wetland 7 will need to be impacted. Approximately 10’ of cut is needed in this part of the development for surrounding site grading to allow for positive drainage to the large storm water facility in this area.

An avoidance scenario that was considered to avoid all impact to Wetland 7 involved reconfiguring the large stormwater pond around Wetland 7. Although this alternative may avoid impacting Wetland 7, the surrounding land would still be developed with runoff that currently supports Wetland 7 being redirected to a storm water facility instead. By avoiding impacting Wetland 7 but still developing all around it would lead to indirect impacts to this wetland since the surround area will be cut down in elevation, essentially draining the wetland.

Wetland 7 was completely farmed through prior to 2022 and is a shallow, isolated basin that receives runoff from the surrounding landscape. It is noted that when 65<sup>th</sup> Street West was constructed north of the site in late 2021 it cut off a significant amount of drainage that Wetland 7 had received from the north where a small farmed wetland was filled for the road project. Now that 65<sup>th</sup> Street West is constructed, the amount of water that Wetland 7 receives from the north has been significantly reduced. Reducing a Type 1 wetland’s hydrology like what is already happening with Wetland 7 will likely result in an indirect impact to the wetland with a loss of sustainable wetland hydrology. When the site becomes developed around this wetland, the overland flow of water that would have normally drained into it will no longer be directed toward it, but rather to storm water facilities intended to treat runoff prior to discharging into a wetland.

Sequencing flexibility is being requested for the impact to Wetland 7. Because this wetland was entirely farmed through from year to year prior to 2022 it has resulted in its degradation from a vegetative and soils perspective. The applicant is requesting sequencing flexibility for the wetland impact associated with this wetland. Based on the

current Wetland Conservation Act rule chapter 8420.0520 Subpart 7a (Sequencing Flexibility) an applicant may request flexibility of the sequencing steps if allowed by the local government unit (LGU). This request is subject to conditions by the LGU that alternatives have been considered and the proposed replacement wetland will provide equal or greater public value than the wetland being impacted.

The current condition of Wetland 7 has been degraded to the point where the proposed mitigation (purchase of wetland banking credits) would result in a certain gain in function and public value. Wetland 7 provides very little function and value as a wetland due to the past farming practices that had been conducted over the years through it. Farming practices prior to 2022 had negatively impacted the vegetation of this wetland by eliminating the ability of any non-crop vegetation to establish and persist every year. But now that farming practices have ceased through the wetland, it is now becoming established with reed canary grass, a non-native, invasive species. When conditions were favored in the spring, this wetland was entirely planted through with annual row crops every year and was managed to reduce weedy agricultural vegetation with the use of herbicides. The manipulation of the adjacent upland around this wetland had also negatively impacted the wetland by continually being planted in agricultural row crops with no buffer between the wetland edge and the row crop area. MnRAM results classify Wetland 7 as a Manage 2 wetland since it is no longer being farmed through anymore. Prior to 2022 this wetland would have likely been classified as a Manage 3 wetland due to the farming practices that influenced its vegetative diversity.

The following is a general description of the wetland bank where wetland banking credit will be purchased from to mitigate the impact to Wetland 7. This information should adequately demonstrate that the replacement wetland has a higher public function and value than Wetland 7, the wetland proposed to be impacted.

#### **Wetland Bank 1689 (Sibley Meadows)**

Wetland mitigation bank 1689 is a wetland bank located in Sibley County within Major Watershed 33. This wetland bank currently has three types of credit available for sale, Type 2 (Fresh Wet Meadow), Type 3 (Shallow Marsh) and Type 4 (Deep Marsh). Bank 1689 is an established wetland bank that has been managed over the years to be maintain as a wetland bank.

This wetland bank has achieved its goals both vegetatively and hydrologically which has allowed it to be enrolled in the Minnesota wetland banking program. The wetland bank itself will contribute more function and value than the degraded wetland proposed to be impacted for this project. The wetland bank has a higher vegetative diversity compared to the formerly farmed through Wetland 7. Bank 1689 includes multiple wetland communities unlike Wetland 7 and also provides flood storage, habitat for insects and amphibians, as well as nesting and feeding habitat for birds and other small mammals. The replacement of wetland banking credits from bank 1689 should provide more function and value than the wetland area being impacted for the proposed Nord 61° project.

#### **No Action Alternative:**

The no action alternative would result in a failure to meet the purpose and need of the proposed project. The applicant considers this alternative infeasible since the City of Inver Grove Heights is planning for residential expansion in this part of the City. It would also not be reasonable for the investment-backed expectations of the applicant to not be able to meet the demand for this type of residential housing in the City of Inver Grove Heights. Therefore, the no action alternative is not a viable consideration.

#### **Wetland Impact Reduction or Elimination Over Time**

Practices will be implemented to help reduce or eliminate wetland impacts over time, including implementation of a storm water management plan that reduces or eliminates potential effects of storm water runoff to onsite wetlands as well as offsite water resources.

The City of Inver Grove Heights will have review jurisdiction over storm water runoff from proposed development at this site. The MPCA has jurisdiction under the State Construction Stormwater NPDES General Permit. Preferred methods to achieve stormwater management requirements will consist of BMPs including detention/treatment ponds.

**Minimization.** Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

The Applicant has considered minimizing wetland impacts to the degree possible, given the constraints posed by the location of Wetland 7 in relations to general site grading for the development, in particular the area where a large storm water pond will be constructed. An effort to minimize wetland impact across the site was to not impact the one larger, better-quality wetland (Wetland 6) at all.

Wetland 7, the wetland proposed to be impacted, was formerly farmed through from year to year up to 2021/2022 and is highly degraded from both a vegetative and soils perspective. Wetland 6 is of higher quality compared to Wetland 7 and has more function and value since it has never been farmed through over the years and includes three different wetland communities (fresh wet meadow, shallow marsh, & open water). Wetland 6 supports a somewhat higher quality plant community that includes a mix of native and non-native vegetation unlike Wetland 7 which is becoming covered in reed canary grass.

BMPs will be implemented during the construction process to help minimize soil and sediment runoff/erosion from the site into Wetland 6, the wetland proposed to not be impacted. A vegetative buffer will be established around Wetland 6 to help improve long-term water quality from the Nord 61° development which will result in an increased capture of sediment and nutrient runoff prior to entering into this aquatic resource.

**Off-Site Alternatives.** An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

#### **Additional Information**

##### **Tree Removal**

There will be no tree removal within the wetland area proposed to be filled for the Nord 61° development.

##### **Special Considerations**

As part of the wetland permit application, consultation with the U.S. Fish & Wildlife Service Information for Planning and Consultation (IPaC) was completed. **Appendix F** includes the Technical Assistance letter for 'Nord 61°' for specified threatened and endangered species that may occur in the project area (Minnesota-Wisconsin Endangered Species Determination Key) and the list of threatened and endangered species that may occur in the project area or may be affected by the proposed project.

From the U.S. Fish & Wildlife Service Official Species List for the Project site, one endangered mammal, Long-eared Bat (*Myotis septentrionalis*), one proposed endangered mammal, Tricolored Bat (*Perimyotis subflavus*), one experimental bird population (non-essential) species, whooping crane (*Grus americana*), one endangered clam, Higgin's Eye (pearlymussel) (*Lampsilis higginsii*), one proposed endangered clam, Salamander Mussel (*Simpsonaias ambigua*), one proposed threatened insect species, Monarch butterfly (*Danaus plexippus*), one endangered insect species, Rusty Patched Bumble Bee (*Bombus affinis*), and one proposed threatened insect, Western Regal Fritillary (*Argynnis idalia occidentalis*) were outlined in this letter. One critical habitat for the Rusty Patched Bumble Bee is located wholly or partially within the project area.

Based on the answers provided in the IPaC interview, the completed d-key came back with a "May affect" (ME) for the Higgin's Eye (pearlymussel), Salamander Mussel, Tricolored Bat, and Rusty Patched Bumble Bee. For Northern Long-eared Bat the completed d-key came back with a "Not Likely to Adversely Affect" (NLAA) determination. Further coordination with the USFWS for species with a "May Affect" determination is recommended but since there will be no federal nexus for the project, no action other than voluntary conservation measures be considered for these species to avoid or minimize potential adverse-affects.

A review of the MN DNR's Natural Heritage Information System (NHIS) data for Dakota County was conducted by MNR via a license agreement with the MN DNR. From the review of the database, no rare features were mapped within the site or within a mile from the site. A historic record for loggerhead shrike (*Lanius ludovicianus*) is located directly to the east of the site where development has altered the habitat for this bird species in the last nine years. Because of this change in land use, habitat for loggerhead shrike is no longer present and the record is no longer in the current NHIS database.

**BMP's.**

Wetland areas not being impacted will be protected by erosion control fence during the construction phase of the development. All disturbed areas will be seeded and mulched. Slopes over 3:1 will be seeded and blanketed.

**Other Permits or Approvals Required:**

MPCA General – Storm Water Permit  
MPCA Sanitary - Sewer Extension Permit  
City of Inver Grove Heights - Final Plat Approval  
City of Inver Grove Heights - Grading Permit  
Dakota County Public Works – Entrance Permit

**Proposed Wetland Mitigation**

Wetland mitigation being proposed for permanently impacting all of Wetland 7 will involve the purchase of 17,308 sq. ft. (0.3973 ac.) of standard wetland credit from wetland bank 1689. Wetland bank 1689 is located within the same Major Watershed (33) and Bank Service Area (9) as the Nord 61° development. All of the wetland impact will be mitigated for with the purchase of one of the following wetland types: Type 2 (Fresh Wet Meadow), Type 3 (Shallow Marsh) or Type 4 (Deep Marsh). The wetland impact associated with the project is to a depressional, Type 1, Seasonally Flooded Basin. The action of mitigating with any type of standard wetland banking credit should satisfy the replacement requirement for permanently impacting all of Wetland 7 within the Nord 61° residential development.

## Attachment D Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

**Replacement/Compensatory Mitigation via Wetland Banking.** Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits
1689	Sibley	33-Minnesota (Shakopee)	9	SWC	17,308 sq. ft. (0.3973 ac.)

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

Currently no wetland banking credits are available within the same minor watershed (Minnesota R.-33142) as the proposed project area. Several wetland banks are located in the same major watershed (Minnesota (Shakopee), 33) and BSA (9) as the site.

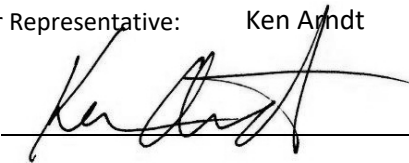
Contact has been made with the manager of wetland bank 1689 in January of 2026 to discuss credit availability for the purchase of needed wetland credit for the project. Bank 1689, which is located in the same Major Watershed and BSA as the site, will be able to provide all of the needed wetland credit for this project. The applicant is proposing to purchase the needed wetland banking credits from this wetland bank in order to satisfy the mitigation requirements associated with the proposed residential development project.

A wetland credit reservation agreement is currently being drafted with wetland bank 1689 in order to secure the credits needed for the project. Following approval of this wetland permit application by the LGU a closing of the wetland credit purchase will take place at a time to be determined by the seller and the buyer.

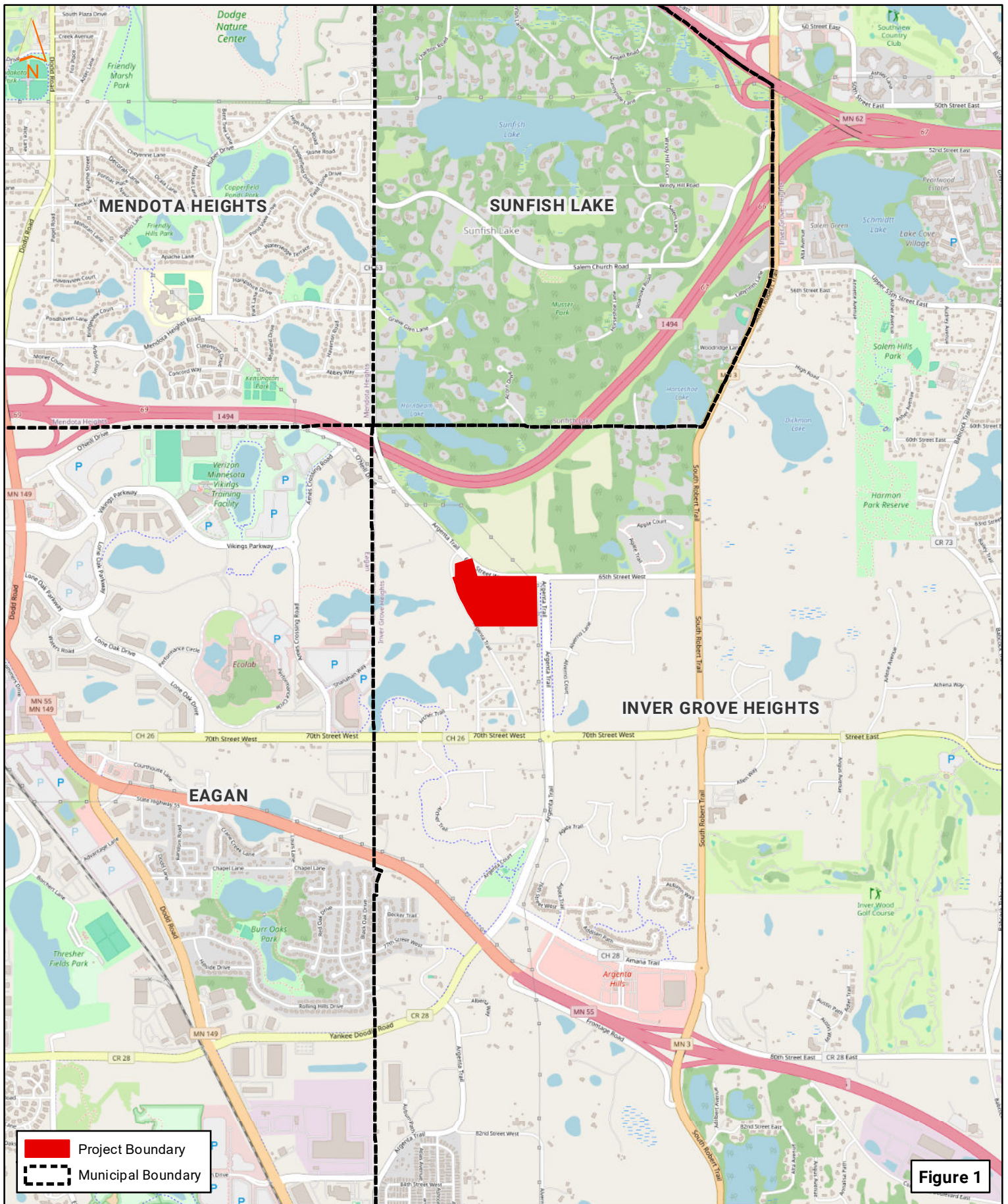
Applicant or Representative: Ken Arndt

Title: Wetland Specialist

Signature: \_\_\_\_\_



Date: 1-8-26

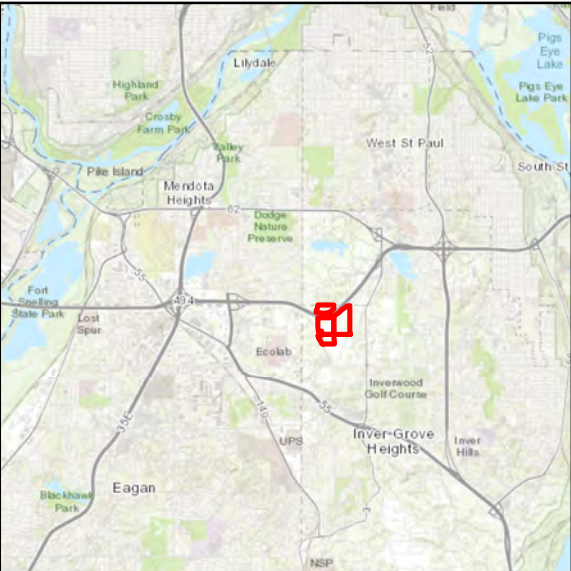


Sources: OpenStreetMap, US Census Bureau  
 US Census Bureau, Date: 1/8/2026

**Site Location**  
**Ace Land Holdings, LLC**  
**Nord 61°**  
**Inver Grove Heights, MN**



0 1,000 2,000  
 Feet



Site Location

Legend

- Study Area
  - Sample Point
  - CSAH 26 and 63 Delineation Area
- Type**
- Wetland
  - Channel

\*65th Street Delineation Area has an NOD approving wetland boundaries and replacement plan within the area limits. SWCD #20-IGH-071



## Figure 2

### Wetland Delineation

#### Ace in the Hole

#### Inver Grove Heights, Dakota County, Minnesota

Source: Dakota County, 2021 Spring Imagery



733 Marquette Ave Ste 700  
 Minneapolis, MN 55402-2340  
 OFFICE: (612) 758 3080  
 FAX: (612) 758 3099  
 www.alliant-inc.com



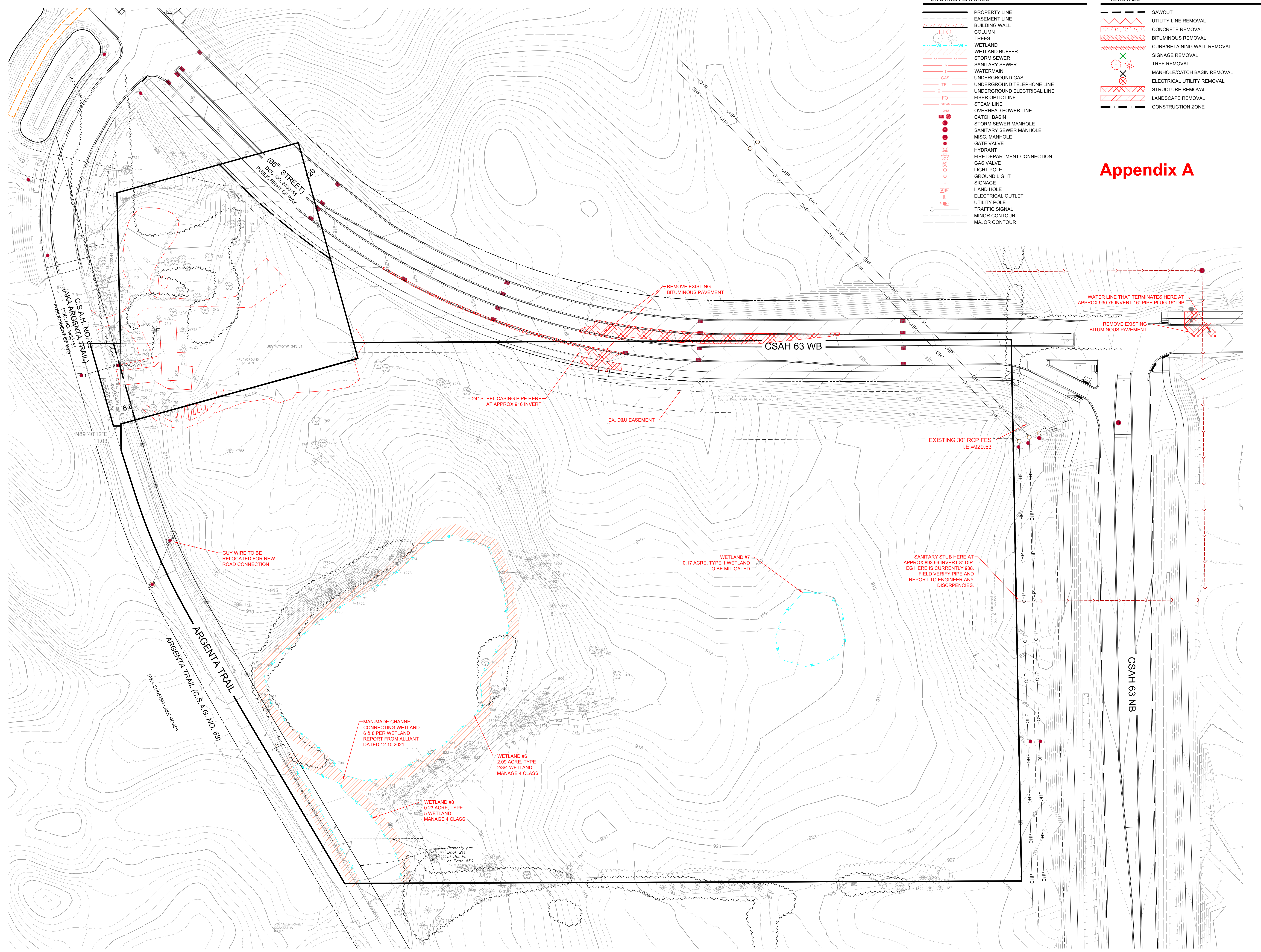
# Appendix A

## Existing Conditions & Demolition

by

EVS, Inc.

Autodesk Docs://24039.MV.Ventures-InverGrovesHigh-Ace in the Hole Rental TH24039.MV  
Copyright Kaas Wilson Architect 10/22/2024 9:43:36 AM



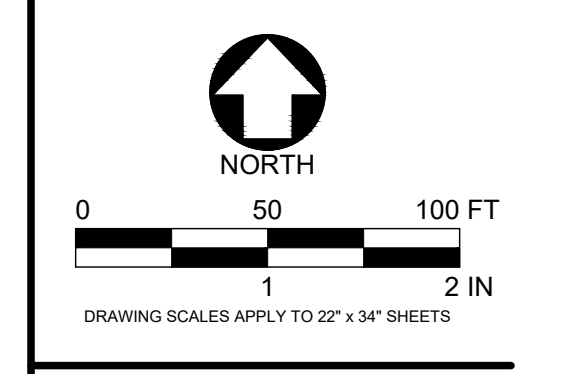
LEGEND	
EXISTING FEATURES	REMOVALS

## Appendix A

1301 American Blvd E.  
Suite 100  
Bloomington, MN 55425  
tel: (612) 879-6000  
www.kaaswilson.com

**EVS**  
ENGINEERING  
Civil Engineer:  
EVS, Inc.  
10025 Valley View Road,  
Suite 140  
Eden Prairie, Minnesota 55121

**CONFLUENCE**  
Landscape Architect:  
Confluence  
530 North Third Street, Suite 12C  
Minneapolis, Minnesota 55401



Project: **Nord 61°**  
65th Street and Argenta Trail  
Inver Grove Heights, MN 55077

Owner:  
**Ace Land Holdings, LLC**  
2685 Vikings Circle, Suite 050, Eagan, Minnesota 55121

Project Number **2024-116**  
Date **2025.07.10**

<b>NOT FOR CONSTRUCTION</b>
Rev. No.
Date
Revision

EXISTING CONDITIONS & DEMOLITION

# C100

Appendix B

Site Plan

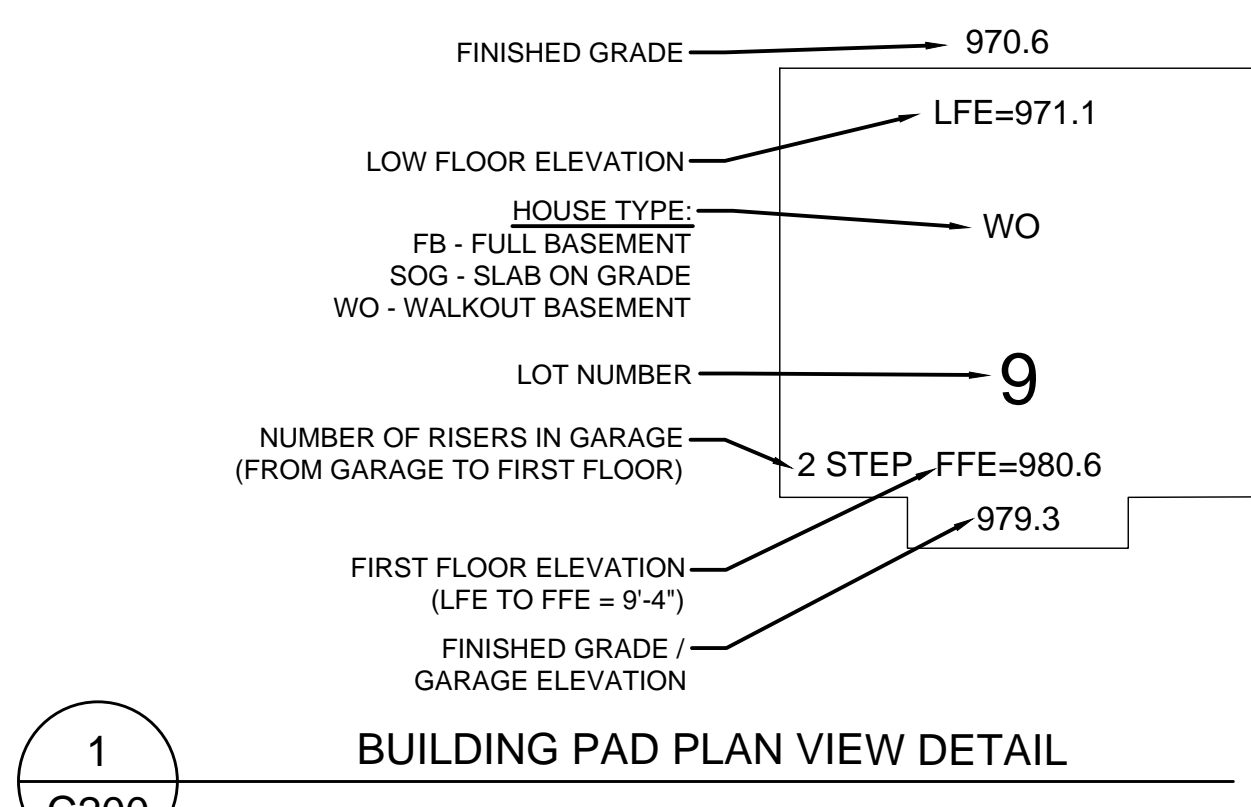
by

EVS, Inc.

Autodesk Docs://24039.MV/Ventures-InverGroveHeights-Ace in the Hole Rental TH24039.MV  
Copyright Kaas Wilson Architect 10/22/2024 9:43:36 AM

# of Units	119
Off Street Parking (2 covered+2uncovered/unit)	476
Street Parking	34 stalls (2 ADA)
ROW Width	53'
Road Width	28' F-F
Front Yard Setback w/sidewalk	17' From ROW
Front Yard Setback w/o sidewalk	20' From ROW
Rear Yard Setback - North	30' From Property Line
Rear Yard Setback - North	40' From 65th ST. ROW
Rear Yard Setback - East	50' From Property Line
Rear Yard Setback - South	30' From Property Line
Rear Yard Setback - West	40' From Argenta Trail ROW

\*Front & Rear Yard Setbacks Apply to Primary Structures Only



**LEGEND**

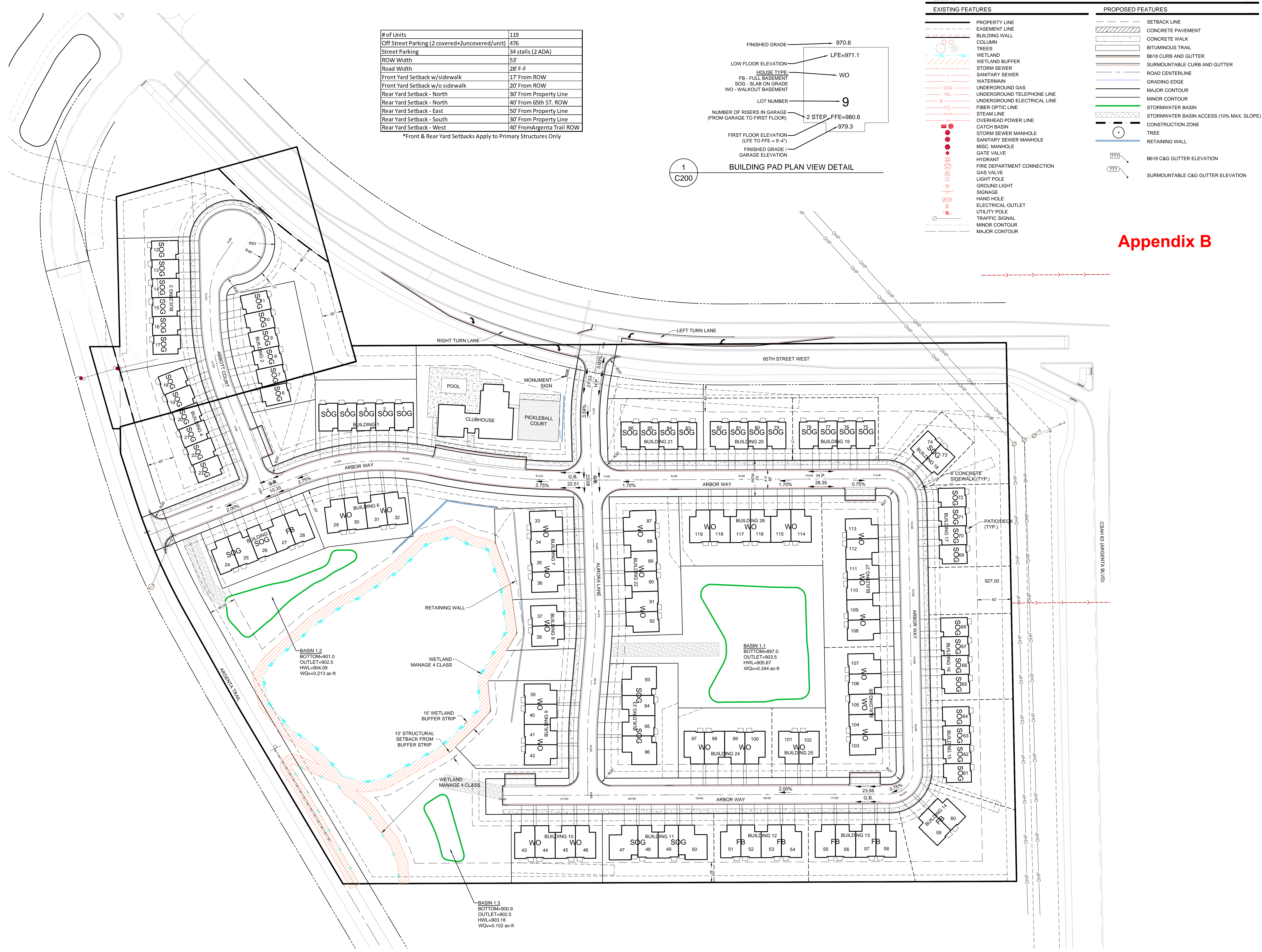
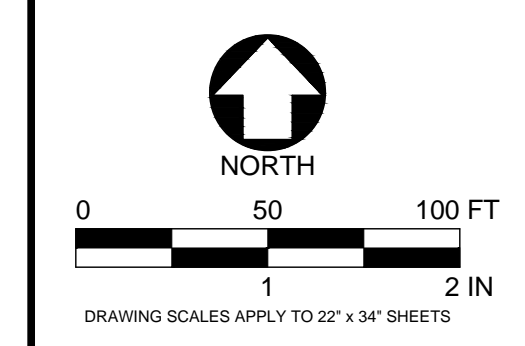
EXISTING FEATURES	PROPOSED FEATURES
PROPERTY LINE	SETBACK LINE
EASEMENT LINE	CONCRETE PAVEMENT
BUILDING WALL	CONCRETE WALK
COLUMN	BITUMINOUS TRAIL
TREES	B618 CURB AND GUTTER
WETLAND	SURMOUNTABLE CURB AND GUTTER
WETLAND BUFFER	ROAD CENTERLINE
STORM SEWER	GRADING EDGE
SANITARY SEWER	MAJOR CONTOUR
WATERMAIN	MINOR CONTOUR
UNDERGROUND GAS	STORMWATER BASIN
UNDERGROUND TELEPHONE LINE	STORMWATER BASIN ACCESS (10% MAX. SLOPE)
UNDERGROUND ELECTRICAL LINE	CONSTRUCTION ZONE
FIBER OPTIC LINE	TREE
STEAM LINE	RETAINING WALL
OVERHEAD POWER LINE	
CATCH BASIN	
STORM SEWER MANHOLE	
SANITARY SEWER MANHOLE	
MISC. MANHOLE	
GATE VALVE	
HYDRANT	
FIRE DEPARTMENT CONNECTION	B618 C&G GUTTER ELEVATION
GAS VALVE	
LIGHT POLE	
GROUND LIGHT	
SIGNAGE	
HAND HOLE	
ELECTRICAL OUTLET	
UTILITY POLE	
TRAFFIC SIGNAL	
MINOR CONTOUR	
MAJOR CONTOUR	

## Appendix B

1301 American Blvd E.  
Suite 100  
Bloomington, MN 55425  
tel: (612) 879-6000  
www.kaaswilson.com

**EVES ENGINEERING**  
Civil Engineer:  
EVS, Inc.  
10025 Valley View Road,  
Suite 140  
Eden Prairie, Minnesota 55121

**CONFLUENCE**  
Landscape Architect:  
Confluence  
530 North Third Street, Suite 12C  
Minneapolis, Minnesota 55401



Project: **Nord 61°**  
65th Street and Argenta Trail  
Inver Grove Heights, MN 55077

Owner: **Ace Land Holdings, LLC**  
2685 Vikings Circle, Suite 050, Eagan, Minnesota 55121

Project Number **2024-116**  
Date **2025.07.10**

**NOT FOR CONSTRUCTION**

Date  
Revision  
Rev. No.

**SITE PLAN**

**C200**

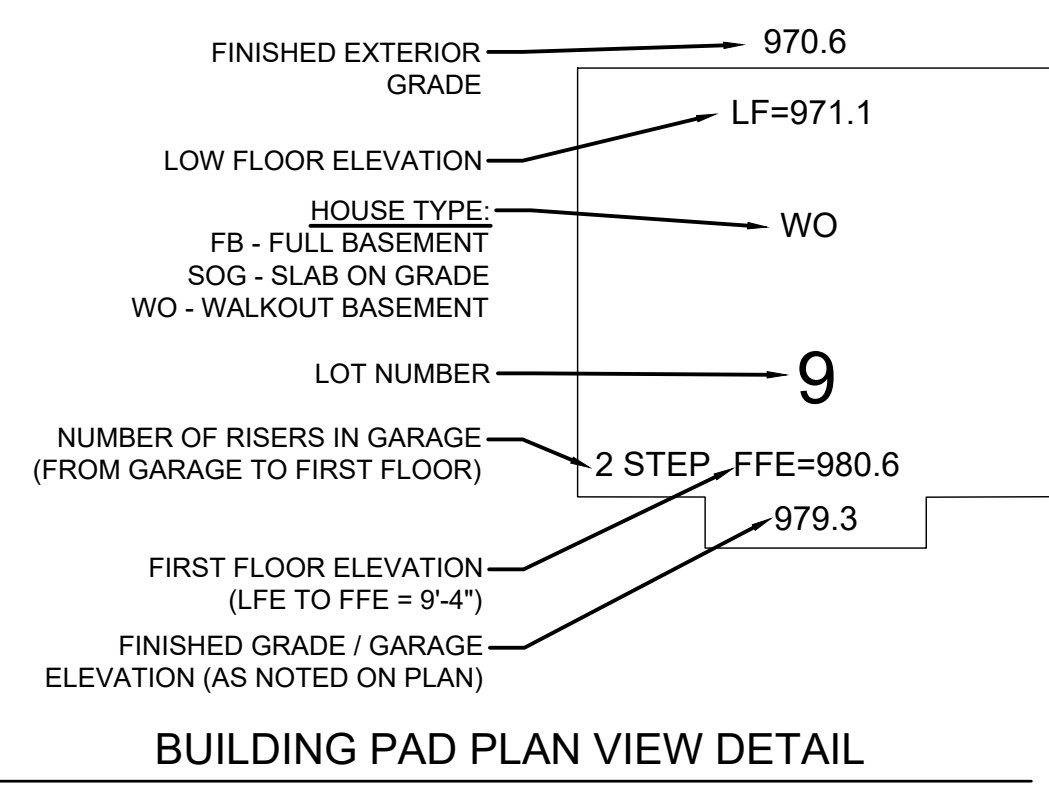
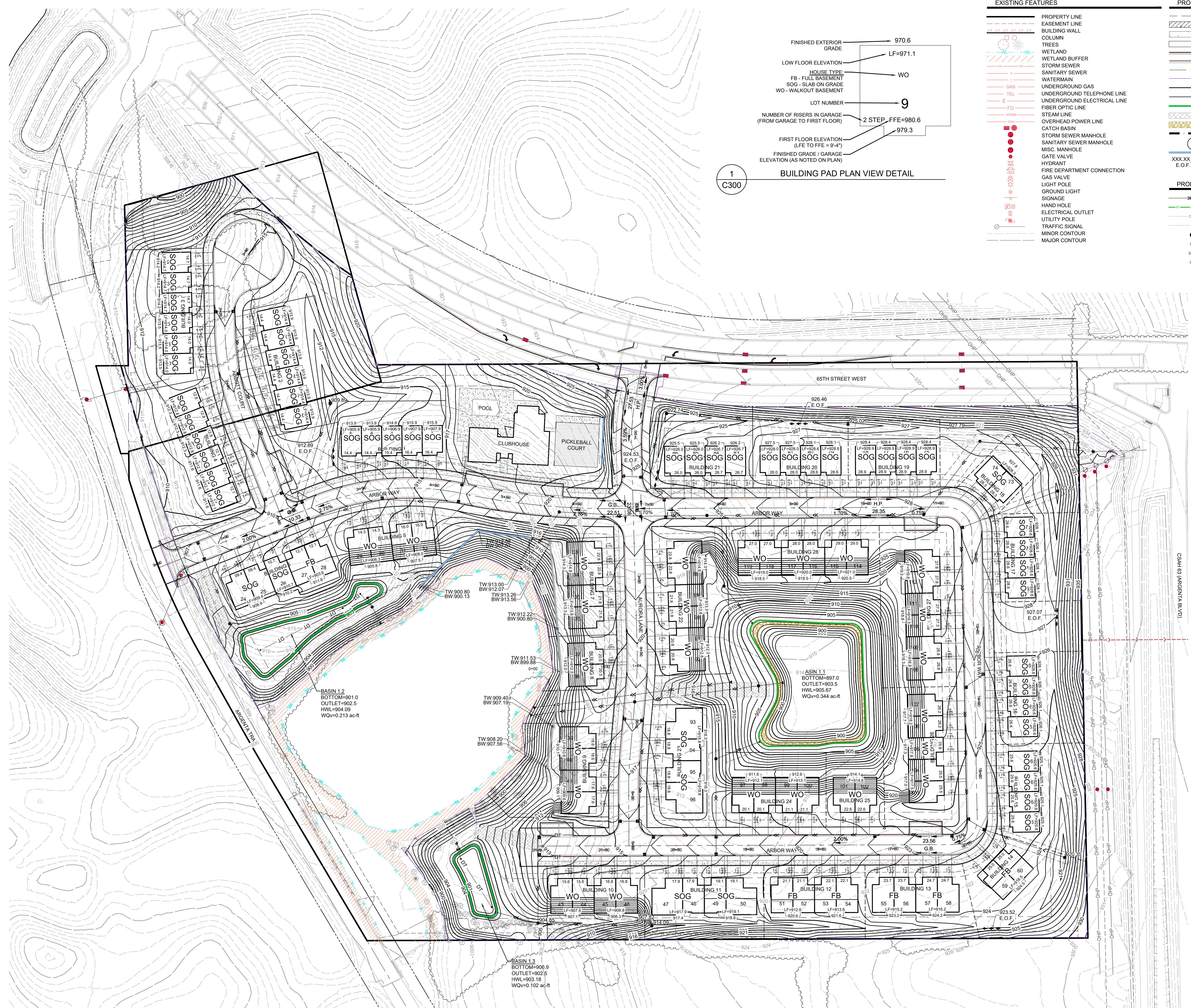
Appendix C

Grading Plan

by

EVS, Inc.

Autodesk Docs://24039.MV.Ventures-InverGroveHigh-Ace in the Hole Rental TH24039.MV  
Copyright Kaas Wilson Architect 10/22/2024 9:43:36 AM



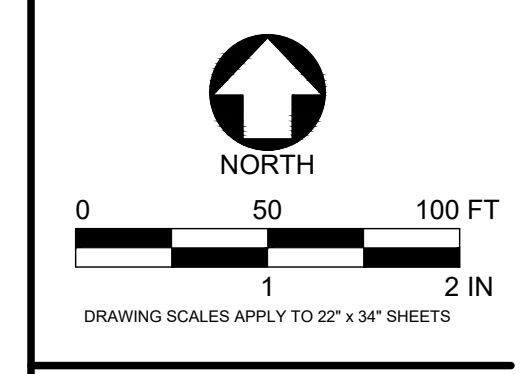
LEGEND	
EXISTING FEATURES	PROPOSED FEATURES
PROPERTY LINE	SETBACK LINE
EASEMENT LINE	CONCRETE PAVEMENT
BUILDING WALL	CONCRETE WALK
COLUMN	BITUMINOUS TRAIL
TREES	B618 CURB AND GUTTER
WETLAND	SURMOUNTABLE CURB AND GUTTER
WETLAND BUFFER	ROAD CENTERLINE
STORM SEWER	GRADING EDGE
SANITARY SEWER	MAJOR CONTOUR
WATERMAIN	MINOR CONTOUR
UNDERGROUND GAS	STORMWATER BASIN
UNDERGROUND TELEPHONE LINE	MAINTENANCE ACCESS ROAD (CITY PLATE STR-23)
UNDERGROUND ELECTRICAL LINE	6' WIDE PEA ROCK POND STRIP
FIBER OPTIC LINE	CONSTRUCTION ZONE
STEAM LINE	TREE
OVERHEAD POWER LINE	RETAINING WALL
CATCH BASIN	EMERGENCY OVERTFLOW
STORM SEWER MANHOLE	
SANITARY SEWER MANHOLE	
MISC. MANHOLE	
GATE VALVE	
HYDRANT	
FIRE DEPARTMENT CONNECTION	
GAS VALVE	
LIGHT POLE	
GROUND LIGHT	
SIGNAGE	
ELECTRICAL OUTLET	
UTILITY POLE	
TRAFFIC SIGNAL	
MINOR CONTOUR	
MAJOR CONTOUR	

## Appendix C

1301 American Blvd E.  
Suite 100  
Bloomington, MN 55425  
tel: (612) 879-6000  
www.kaaswilson.com

**EVS ENGINEERING**  
Civil Engineer:  
EVs, Inc.  
10025 Valley View Road,  
Suite 140  
Eden Prairie, Minnesota 55121

**CONFLUENCE**  
Landscape Architect:  
Confluence  
530 North Third Street, Suite 12C  
Minneapolis, Minnesota 55401



Project: **Nord 61°**  
65th Street and Argenta Trail  
Inver Grove Heights, MN 55077

Owner: **Ace Land Holdings, LLC**  
2885 Vikings Circle, Suite 050, Eagan, Minnesota 55121

Project Number **2024-116**  
Date **2025.07.10**

NOT FOR CONSTRUCTION

Date	Revision

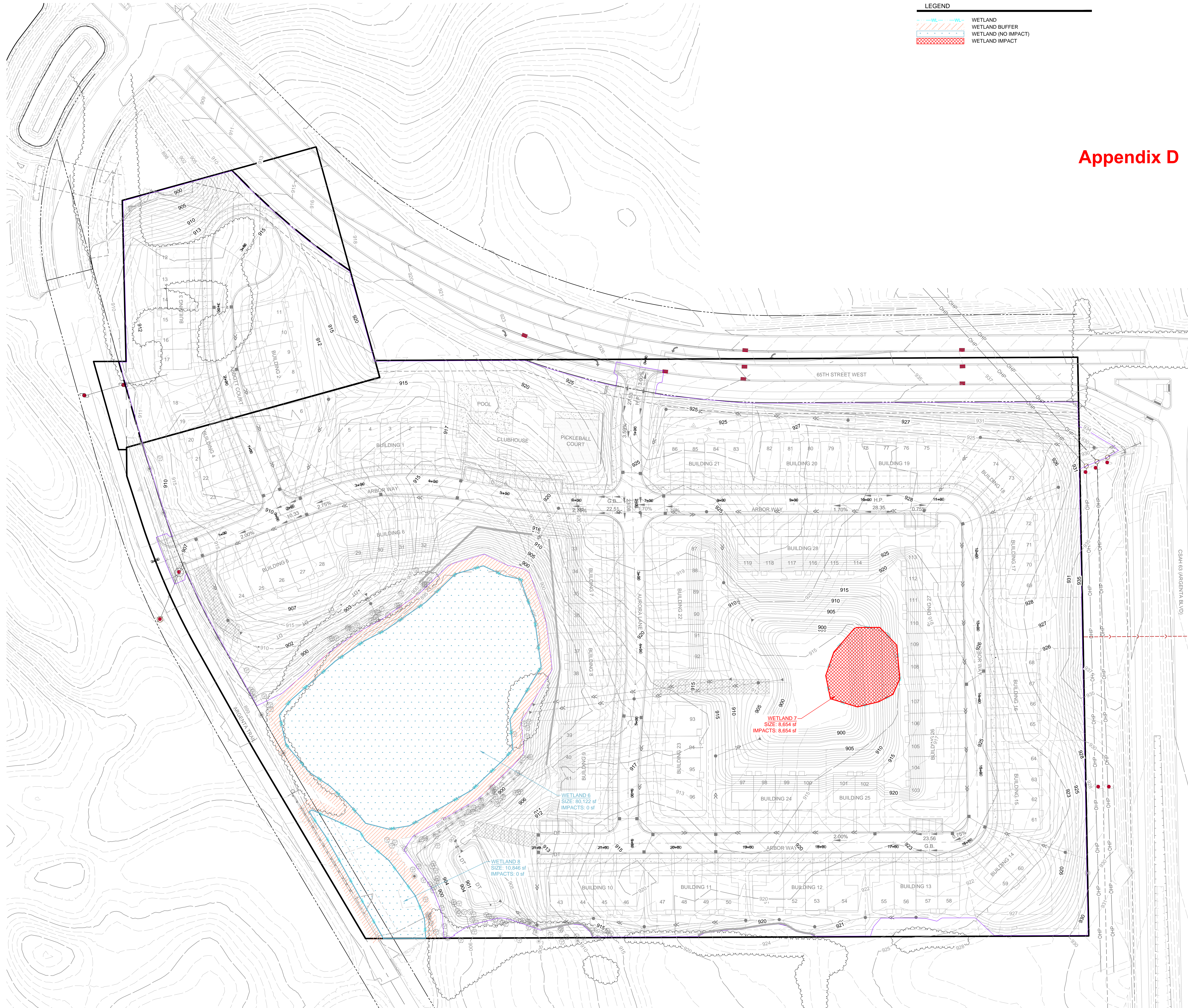
Rev. No. **GRADING**  
**C300**

Appendix D

Wetland Exhibit

by

EVS, Inc.



**LEGEND**

- WETLAND
- WETLAND BUFFER
- WETLAND (NO IMPACT)
- WETLAND IMPACT

# Appendix D

1301 American Blvd E.  
Suite 100  
Bloomington, MN 55425  
tel: (612) 879-6000  
www.kaaswilson.com

**EVES**  
ENGINEERING  
Civil Engineer:  
EVES, Inc.  
10025 Valley View Road,  
Suite 140  
Eden Prairie, Minnesota 55121

**CONFLUENCE**  
Landscape Architect:  
Confluents  
530 North Third Street, Suite 12C  
Minneapolis, Minnesota 55401

NORTH  
0 50 100 FT  
1 2 IN  
DRAWING SCALES APPLY TO 22" x 34" SHEETS

Project: **Nord 61°**  
65th Street and Argenta Trail  
Inver Grove Heights, MN 55077

Owner:  
**Ace Land Holdings, LLC**  
2685 Vikings Circle, Suite 050, Eagan, Minnesota 55121

Project Number **2024-116**  
Date **2025.12.09**

**NOT FOR CONSTRUCTION**

Rev. No.	Date	Revision

WETLAND EXHIBIT

# EXIB

# Appendix E

## Notice of Decision (Wetland Delineation)

by

City of Inver Grove Heights

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> Inver Grove Heights	<b>County:</b> Dakota
<b>Applicant Name:</b> Ace in the Hole Real Estate Ltd, Partnership	
<b>Applicant Representative:</b> Alliant Engineering, Keara Pringle	
<b>Project Name:</b> Ace in the Hole	<b>LGU Project No. (if any):</b> SWCD # 21-IGH-192
<b>Date Complete Application Received by LGU:</b> 11/03/21	
<b>Date of LGU Decision:</b> 12/15/21	
<b>Date this Notice was Sent:</b> 12/15/21	

**WCA Decision Type - check all that apply**

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H		Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9	

**Replacement Plan Impacts (replacement plan decisions only)**

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

**Technical Evaluation Panel Findings and Recommendations (attach if any)**

<input type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input checked="" type="checkbox"/> No TEP Recommendation
--

**LGU Decision**

<input type="checkbox"/> Approved with Conditions (specify below) <sup>1</sup> <input checked="" type="checkbox"/> Approved <sup>1</sup> <input type="checkbox"/> Denied List Conditions:
<b>Decision-Maker for this Application:</b> <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:
<b>Decision is valid for:</b> <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):

<sup>1</sup> *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

**LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision<sup>1</sup>.**

<input type="checkbox"/> Attachment(s) (specify): <input checked="" type="checkbox"/> Summary: A Notice of Application was sent out November 4, 2021 for a wetland boundary decision for Wetlands 1-7, one pond and one public water lake. The comment period ended on December 3, 2021. Comments were received by the City of Inver Grove Heights incorporating a waterway and Pond 1 was determined a historical natural wetland after an aerial photo review by the TEP. The SWCD and BWSR conducted a field review of the project site on November 2, 2021 and verified the boundaries and types of Wetlands 1-8, one waterway and one public water lake in the project area.
--

<sup>1</sup> *Findings must consider any TEP recommendations.*



## Appendix F

### iPac Results



# 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

In Reply Refer To:  
Project Code: 2026-0033694  
Project Name: Nord 61°

01/07/2026 20:42:54 UTC

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.

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  $\geq 3$  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. For bat activity dates, please review Appendix L in the [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#).

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 northern long-eared bat and tricolored bat range-wide 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. Additional information about available tools can be found 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. It is the responsibility of the project proponent to survey the area for any migratory bird nests. If there is an eagle nest on-site while work is on-going, eagles may be disturbed. We recommend avoiding and minimizing disturbance to eagles whenever practicable. If you cannot avoid eagle disturbance, you may seek a [permit](#). A [nest take permit](#) is always required for removal, relocation, or obstruction of an eagle nest. 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](mailto:Review.NHIS@state.mn.us)

#### *Wisconsin*

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

Email: [DNRERReview@wi.gov](mailto: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: 2026-0033694

Project Name: Nord 61°

Project Type: New Constr - Above Ground

Project Description: The Nord 61° project is a proposed residential development located in Inver Grove Heights, MN. The project covers 23 acres of former agricultural land, an existing residence/business and two wetland areas. Construction is set to begin in 2026 and will continue until fully built.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.85440785,-93.0982645174733,14z>



Counties: Dakota County, Minnesota

## ENDANGERED SPECIES ACT SPECIES

There is a total of 8 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 Fisheries<sup>1</sup>, 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: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	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: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	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: <a href="https://ecos.fws.gov/ecp/species/5428">https://ecos.fws.gov/ecp/species/5428</a>	Endangered
Salamander Mussel <i>Simpsonaias ambigua</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6208">https://ecos.fws.gov/ecp/species/6208</a>	Proposed Endangered

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Proposed Threatened
Rusty Patched Bumble Bee <i>Bombus affinis</i> There is <b>proposed</b> critical habitat for this species. Your location overlaps the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9383">https://ecos.fws.gov/ecp/species/9383</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/2LDR6AOWPZEWXALDXEKIWC45VI/documents/generated/9225.pdf">https://ipac.ecosphere.fws.gov/project/2LDR6AOWPZEWXALDXEKIWC45VI/documents/generated/9225.pdf</a>	Endangered
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/12017">https://ecos.fws.gov/ecp/species/12017</a>	Proposed Threatened

## CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Rusty Patched Bumble Bee <i>Bombus affinis</i> <a href="https://ecos.fws.gov/ecp/species/9383#crithab">https://ecos.fws.gov/ecp/species/9383#crithab</a>	Proposed

## 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 Act <sup>2</sup> and the Migratory Bird Treaty Act (MBTA) <sup>1</sup>. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

- 
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 Eagles and/or Golden Eagles in your [project](#) area.

### Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

### Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles 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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	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. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	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 (■)

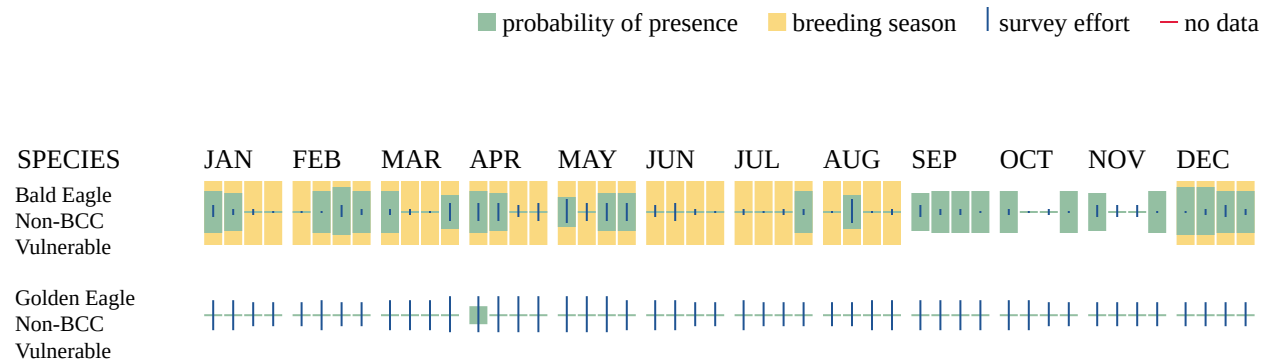
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

**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.



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 avoidance and minimization 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

The Migratory Bird Treaty Act (MBTA) <sup>1</sup> prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

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
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31
<b>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
<b>Bobolink <i>Dolichonyx oryzivorus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9454">https://ecos.fws.gov/ecp/species/9454</a>	Breeds May 20 to Jul 31
<b>Canada Warbler <i>Cardellina canadensis</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9643">https://ecos.fws.gov/ecp/species/9643</a>	Breeds May 20 to Aug 10
<b>Chimney Swift <i>Chaetura pelagica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
<b>Golden Eagle <i>Aquila chrysaetos</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds elsewhere
<b>Golden-winged Warbler <i>Vermivora chrysoptera</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8745">https://ecos.fws.gov/ecp/species/8745</a>	Breeds May 1 to Jul 20
<b>Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8329">https://ecos.fws.gov/ecp/species/8329</a>	Breeds Jun 1 to Aug 20
<b>Henslow's Sparrow <i>Centronyx henslowii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3941">https://ecos.fws.gov/ecp/species/3941</a>	Breeds May 1 to Aug 31
<b>Le Conte's Sparrow <i>Ammospiza leconteii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a>	Breeds Jun 1 to Aug 15

NAME	BREEDING SEASON
<p>Lesser Yellowlegs <i>Tringa flavipes</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a></p>	Breeds elsewhere
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a></p>	Breeds May 10 to Sep 10
<p>Rusty Blackbird <i>Euphagus carolinus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p><a href="https://ecos.fws.gov/ecp/species/9478">https://ecos.fws.gov/ecp/species/9478</a></p>	Breeds elsewhere
<p>Wood Thrush <i>Hylocichla mustelina</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9431">https://ecos.fws.gov/ecp/species/9431</a></p>	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 (|)

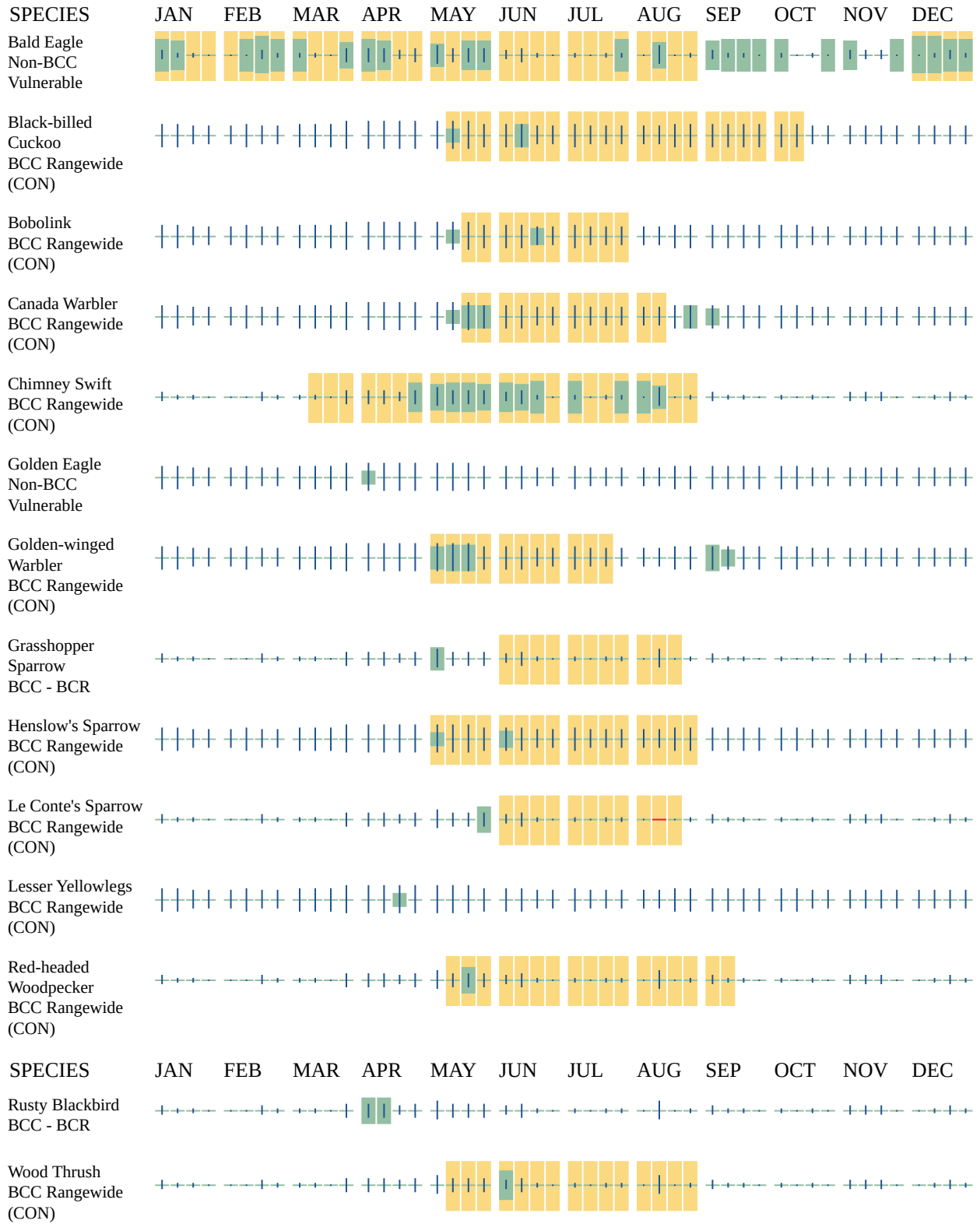
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### 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



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 avoidance and minimization measures for birds
- 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

- PABHx
- PUBHx

### FRESHWATER EMERGENT WETLAND

- PEM1C

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Ken Arndt  
Address: 1032 W. 7th St., Suite 150  
City: Saint Paul  
State: MN  
Zip: 55102  
Email: ken.arndt@mnrinc.us  
Phone: 6517880641



# 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

In Reply Refer To:  
Project code: 2026-0033694  
Project Name: Nord 61°

01/07/2026 20:52:34 UTC

Subject: Technical Assistance letter for 'Nord 61°' 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 Ken Arndt:

The U.S. Fish and Wildlife Service (Service) received on **January 07, 2026** your effect determination(s) for the 'Nord 61°' (Action) using the Minnesota-Wisconsin DKey within the Service's Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your responses to 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	May affect
Monarch Butterfly ( <i>Danaus plexippus</i> )	Proposed Threatened	No effect
Salamander Mussel ( <i>Simpsonaias ambigua</i> )	Proposed Endangered	May affect
Whooping Crane ( <i>Grus americana</i> )	Experimental Population, Non-Essential	No effect

### **Determination Information**

**Coordination with the Service is not complete.** Further coordination with the Minnesota-Wisconsin Ecological Services Field Office is recommended for those species with a determination of "May Affect," listed above. Please email our office at [TwinCities@fws.gov](mailto: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 federally listed species or federally 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 projects that intersect with or are adjacent to Tribal lands:** The Service has federal Trust responsibilities and a strong commitment to working with Tribal governments to help sustain fish and wildlife resources for future generations. Tribal governments should be provided with sufficient opportunity to express their perspectives and/or concerns for proposed projects. If your project intersects with Tribal lands or impacts culturally sensitive resources, please engage with the federally recognized Tribe to ensure they have an opportunity to provide input on 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.

Federally listed mussels may be present in the Action area. Projects may adversely affect listed mussels if they permanently affect local hydrology, directly impact a stream (e.g., stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.), and/or indirectly impact a stream or riparian zone (e.g., cut and fill, horizontal directional drilling, construction, vegetation removal, discharge, etc.). Please coordinate with the Minnesota-Wisconsin Ecological Services Field Office to further evaluate effects of the Action on Federally 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.”

### **Additional Species Requiring Review**

In addition to the species described above, the following species or critical habitats may also occur in your project area and are not covered by this conclusion:

- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened

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

### **Mussel References**

Baker, S.M. and J. Levinton. 2003. Selective feeding by three native North American freshwater mussels implies food competition with zebra mussels. *Hydrobiologia* 505(1):97-105.

Haag, W. R. and J.D. Williams, 2014. Biodiversity on the brink: an assessment of conservation strategies for North American freshwater mussels. *Hydrobiologia* 735:45-60.

Morowski, D., L. James and D. Hunter. 2009. Freshwater mussels in the Clinton River, southeastern Michigan: an assessment of community status. *Michigan Academician* XXXIX: 131-148.

Othman, F., M.S. Islam, E.N. Sharifah, F. Shahrom-Harrison and A. Hassan. 2015. Biological control of streptococcal infection in Nile tilapia *Oreochromis niloticus* (Linnaeus, 1758) using filter-feeding bivalve mussel *Pilsbryconcha exilis* (Lea, 1838). *Journal of Applied Ichthyology* 31: 724-728.

Vaughn, C.C. 2017. Ecosystem services provided by freshwater mussels. *Hydrobiologia* DOI: 10.1007/s10750-017-3139-x.

## Action Description

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

### 1. Name

Nord 61°

### 2. Description

The following description was provided for the project 'Nord 61°':

The Nord 61° project is a proposed residential development located in Inver Grove Heights, MN. The project covers 23 acres of former agricultural land, an existing residence/business and two wetland areas. Construction is set to begin in 2026 and will continue until fully built.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.85440785,-93.0982645174733,14z>



## 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?

*No*

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

*No*

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

*No*

5. Does the action involve a new communications tower?

*No*

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

*No*

7. Will your action permanently affect local hydrology?

*Yes*

8. 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*

9. 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*

10. Will your action include spraying insecticides?

*No*

11. 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*

12. [Semantic] Does the project intersect the Salamander mussel AOI?

**Automatically answered**

*Yes*

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

**Automatically answered**

*Yes*

14. 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?

*No*

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Ken Arndt  
Address: 1032 W. 7th St., Suite 150  
City: Saint Paul  
State: MN  
Zip: 55102  
Email: ken.arndt@mnrinc.us  
Phone: 6517880641



# 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

In Reply Refer To:  
Project code: 2026-0033694  
Project Name: Nord 61°

01/07/2026 21:00:38 UTC

Federal Nexus: no  
Federal Action Agency (if applicable):

**Subject:** Technical assistance for 'Nord 61°'

Dear Ken Arndt:

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 January 07, 2026, for 'Nord 61°' (here forward, Project). This project has been assigned Project Code 2026-0033694 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 and Tricolored Bat Range-wide 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. Note that conservation measures for northern long-eared bat and tricolored bat may differ. If both bat species are present in the action area and the key suggests more conservative measures for one of the species for your project, the Project may need to apply the most conservative measures in order to avoid adverse effects. If unsure which conservation measures should be applied, please contact the appropriate Ecological Services Field Office***

**Determination for the Northern Long-Eared Bat and Tricolored Bat**

Based upon your IPaC submission and a standing analysis completed by the Service, your project has reached the following effect determination(s):

<b>Species</b>	<b>Listing Status</b>	<b>Determination</b>
Northern Long-eared Bat ( <i>Myotis septentrionalis</i> )	Endangered	NLAA
Tricolored Bat ( <i>Perimyotis subflavus</i> )	Proposed Endangered	May affect

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

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

The IPaC-assisted determination key for the northern long-eared bat and tricolored 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* Proposed Threatened
- Rusty Patched Bumble Bee *Bombus affinis* Endangered
- Salamander Mussel *Simpsonaias ambigua* Proposed Endangered
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

Critical Habitats:

- Rusty Patched Bumble Bee *Bombus affinis* Endangered

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species and/or critical habitat listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

### **Next Steps**

Coordination with the Service is complete. This letter serves as technical assistance. All conservation measures should be implemented as proposed. Thank you for considering federally listed species during your project planning.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for 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 before project implements any changes which are final or commits additional resources.

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 2026-0033694 associated with this Project.

## Action Description

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

### 1. Name

Nord 61°

### 2. Description

The following description was provided for the project 'Nord 61°':

The Nord 61° project is a proposed residential development located in Inver Grove Heights, MN. The project covers 23 acres of former agricultural land, an existing residence/business and two wetland areas. Construction is set to begin in 2026 and will continue until fully built.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.85440785,-93.0982645174733,14z>



## 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 a least one species covered by this determination key.

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats 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. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

**Automatically answered**

*No*

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

**Automatically answered**

*No*

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

*No*

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

**Note for projects in Pennsylvania:** Projects requiring authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act would be considered as having a federal nexus. Since the U.S. Army Corps of Engineers (Corps) has issued the Pennsylvania State Programmatic General Permit (PASPGP), which may be verified by the PA Department of Environmental Protection or certain Conservation Districts, the need to receive a Corps authorization to perform the work under the PASPGP serves as a federal nexus. As such, if proposing to use the PASPGP, you would answer ‘yes’ to this question.

*No*

6. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum or winter roost? 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

7. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

No

8. Does the action area contain (1) talus or (2) anthropogenic or naturally formed rock shelters or crevices in rocky outcrops, rock faces or cliffs?

No

9. Will the action cause effects to a bridge?

**Note:** Covered bridges should be considered as bridges in this question.

No

10. Will the action result in effects to a culvert or tunnel at any time of year?

No

11. Are trees present within 1000 feet of the action area?

**Note:** If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

12. Does the action include the intentional exclusion of bats from a building or building-like 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 or tricolored bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local Ecological Services Field Office to help assess whether northern long-eared bats or tricolored 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

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

No

14. Will the action cause construction of one or more new roads open to the public?

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.).

Yes

15. Will any new road go through any area of contiguous forest that is greater than or equal to 10 acres in total extent?

**Note:** "Contiguous forest" of 10 acres or more may include areas where multiple forest patches are separated by less than 1,000 feet of non-forest if the forested patches, added together, comprise at least 10 acres.

No

16. Will any new road pass between two patches of contiguous forest that are each greater than or equal to 10 acres in extent and are separated by less than 1,000 feet? Bats may cross a road by flying between forest patches that are up to 1,000 feet apart.

**Note:** "Contiguous forest" of 10 acres or more may include areas where multiple forest patches are separated by less than 1,000 feet of non-forested area if the forested patches, added together, comprise at least 10 acres.

No

17. Will the action include or cause any construction or other activity that is reasonably certain to increase average night-time traffic permanently or temporarily 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

18. 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

19. 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)?

**Note:** For information regarding NSF/ANSI 60 please visit <https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects>

No

20. 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*

21. Will the action include drilling or blasting?

*No*

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

*No*

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

*No*

24. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

*No*

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

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

*No*

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

*Yes*

27. Is the project related to the production of coal, including projects that support the mining of coal, as well as the production and/or distribution of energy produced from coal?

*No*

28. Will the proposed action occur exclusively in an already established and currently maintained utility right-of-way?

*No*

29. 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.

*No*

30. Does the project intersect with the 0- 9.9% forest density category?

**Automatically answered**

*No*

31. Does the project intersect with the 10.0- 19.9% forest density category map?

**Automatically answered**

*Yes*

32. Does the project intersect with the 20.0- 29.9% forest density category map?

**Automatically answered**

*No*

33. Does the project intersect with the 30.0- 100% forest density category map?

**Automatically answered**

*No*

34. Will the action cause trees to be cut, knocked down, or otherwise brought down across an area greater than 5 acres in total extent?

*No*

35. Will the proposed action result in the use of prescribed fire?

**Note:** If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

*No*

36. Does the action area intersect the northern long-eared bat species list area?

**Automatically answered**

*Yes*

37. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known NLEB hibernacula or winter roost? 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*

38. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **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

39. [Semantic] Is the action area located within 150 feet of a documented northern long-eared bat roost site?

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. Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented northern long-eared bat roosts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat roosts is available here. Location information for northern long-eared bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

**Automatically answered**

No

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

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

Yes

41. 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?

No

42. 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  $\geq 3$  inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

*Yes*

43. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Fall Swarming season** for northern long-eared bats in the action area? **Note:** Bat activity periods for your state can be found in Appendix 2 of the Service's [Northern long-eared Bat and Tricolored Bat Voluntary Environmental Review Process for Development Projects](#).

*No*

44. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Spring Staging season** for northern long-eared bats in the action area? **Note:** Bat activity periods for your state can be found in Appendix 2 of the Service's [Northern long-eared Bat and Tricolored Bat Voluntary Environmental Review Process for Development Projects](#).

*No*

45. Will any tree cutting/trimming or other knocking or bringing down of trees occur during the **Summer Occupancy season** for northern long-eared bats in the action area? **Note:** Bat activity periods for your state can be found in Appendix 2 of the Service's [Northern long-eared Bat and Tricolored Bat Voluntary Environmental Review Process for Development Projects](#).

*No*

46. Does the action area intersect the tricolored bat species list area?

**Automatically answered**

*Yes*

47. Is the action area located within 0.5-mile of radius of an entrance/opening to any known tricolored bat hibernacula or winter roost?

**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*

48. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **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*

49. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?

(If unsure, answer ""Yes."" )

**Note:** If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (*Tillandsia usneoides*), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the [Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines](#).

*Yes*

50. Do you have any documents that you want to include with this submission?

*No*

## 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.

1.5

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Ken Arndt  
Address: 1032 W. 7th St., Suite 150  
City: Saint Paul  
State: MN  
Zip: 55102  
Email: ken.arndt@mnrinc.us  
Phone: 6517880641



# 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

In Reply Refer To:  
Project code: 2026-0033694  
Project Name: Nord 61°

01/07/2026 21:13:06 UTC

Federal Nexus: no

Federal Action Agency (if applicable):

Subject: Technical Assistance letter for 'Nord 61°' for rusty patched bumble bee that may occur in your proposed project location consistent with the Rusty Patched Bumble Bee Range Wide Determination Key (RPBB DKey).

Dear Ken Arndt:

This letter records your determination using the RPBB DKey within the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (USFWS) on **January 07, 2026**, for 'Nord 61°' (here forward, Project). This project has been assigned Project Code '2026-0033694' and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

### **Ensuring Accurate Determinations When Using IPaC Determination Keys**

The USFWS 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.). All information submitted by the Project proponent into the 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 RPBB DKey, invalidates this letter.**

### **Determination for the Rusty Patched Bumble Bee**

Based on your answers and the assistance of the USFWS' RPBB DKey, you made the following effect determination for the proposed Action:

<b>Species</b>	<b>Listing Status</b>	<b>Determination</b>
Rusty Patched Bumble Bee ( <i>Bombus affinis</i> )	Endangered	May affect

**Coordination with the USFWS is not complete.** Further coordination with the USFWS is recommended for the rusty patched bumble bee. Please email the local USFWS Ecological Services Field Office and attach a copy of this letter, so we can discuss methods to avoid or minimize potential adverse impacts.

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

The IPaC-assisted determination key for the rusty patched bumble bee **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* Proposed Threatened
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Salamander Mussel *Simpsonia ambigua* Proposed Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

#### Critical Habitats:

- Rusty Patched Bumble Bee *Bombus affinis* Endangered

Coordination with the USFWS is advised for any species and/or critical habitat listed above.

You should coordinate with our Office to determine whether the Action may affect the species and/or critical habitat listed above and if further consultation is required. 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 local Ecological Services Field Office and reference Project Code '2026-0033694' associated with this Project. See the top of this letter for the Project Code.

### **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 local 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 rusty patched bumble bee in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to rusty patched bumble bee; or 4) or critical habitat is designated. If any of the above conditions occur, additional consultation with the Service should take place before project changes are final or resources are committed.

### **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 the local Ecological Services Field Office. If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.

## Action Description

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

### 1. Name

Nord 61°

### 2. Description

The following description was provided for the project 'Nord 61°':

The Nord 61° project is a proposed residential development located in Inver Grove Heights, MN. The project covers 23 acres of former agricultural land, an existing residence/business and two wetland areas. Construction is set to begin in 2026 and will continue until fully built.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.85440785,-93.0982645174733,14z>



## QUALIFICATION INTERVIEW

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

*No*

2. Does the action area overlap with a rusty patched bumble bee high potential zone?

**Automatically answered**

*Yes*

3. Does the action include - or is it reasonably certain to cause - intentional take of rusty patched bumble bee (rusty patched bumble bee) that is not covered under a scientific recovery permit under section 10(A)1(a) of the Endangered Species Act or under a cooperative agreement with a state agency?

**Note:** This could include, for example, surveys or studies that include handling or capture of the species. Whether "Project Review" surveys using USFWS protocols were conducted as part of the action is addressed later in this key.

*No*

4. Does the action include – or is it reasonably certain to result in – construction of one or more new roads or rail lines that will result in vehicle traffic speeds at 45mph or higher in a rusty patched bumble bee HPZ? For example, answer NO if the project will construct a low speed (< 30 mph) road (Such as Forest Service Road Maintenance Levels 1 -3 (refer to <https://www.fs.usda.gov/eng/pubs/pdf/05771205.pdf>).

*No*

5. Does the action include – or is it reasonably certain to result in – the addition of one or more travel lanes that are likely to increase vehicle speeds to at least 45mph on one or more existing roads in a rusty patched bumble bee HPZ? For example, answer NO if considering a travel lane addition that maintains road with low speeds (< 30 mph).

*No*

6. Is an increase in vehicular traffic speeds to over 45mph to an existing road in one or more HPZs a likely outcome of the federal action? For example, answer NO if the federal action will increase if traffic speeds would stay relatively low (e.g., 30 mph).

*No*

7. 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*

8. 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 technical assistance for Rusty Patched Bumble Bee](#) .

*Yes*

9. Have “Project Review” surveys for rusty patched bumble bees already been conducted in the action area according to [Service-approved protocols](#)? If you don't know, answer 'no'.

No

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

No

11. Does the action include, or will it cause the application of insecticides or fungicides?

No

12. Does the action include, or will it cause activities to control native rodent species?

No

13. Does the action include, or will it cause planting or seeding of non-native plant species?

No

14. Will the action include or cause herbicide use?

No

15. Will the action cause an increase in the extent or duration of surface flooding or soil saturation in rusty patched bumble bee overwintering or nesting habitat in a High Potential Zone?

**Note:** This may occur, for example, as a result of activities or structures that impound water, otherwise alter or interrupt existing drainage patterns, or that affect surface runoff.

No

16. Will the action cause ground disturbance in rusty patched bumble bee habitat within a High Potential Zone?

Yes

17. Will the ground disturbance within the High Potential Zone affect more than 0.25 acre (0.1 hectare) of rusty patched bumble bee nesting habitat (upland grasslands, shrublands, and forest edges that contain native sources of pollen and nectar)?

**Note:** Please refer to the [ESA Section 7\(a\)\(2\) Voluntary Implementation technical assistance for Rusty Patched Bumble Bee](#) Table 1, p. 12.

Yes

18. Will the ground disturbance occur during the nesting season (April 15 to October 10)?

Yes

19. Will the ground disturbance likely be sufficient to collapse underground rodent burrows or their entrances?

Yes

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Ken Arndt  
Address: 1032 W. 7th St., Suite 150  
City: Saint Paul  
State: MN  
Zip: 55102  
Email: ken.arndt@mnrinc.us  
Phone: 6517880641