



Board of County Commissioners Agenda Request



Requested Meeting Date: May 13, 2025

Title of Item: Approve Northwoods Regional ATV Trail Phase 1A & 1B EAW

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <input type="checkbox"/> Hold Public Hearing <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Information Only
Submitted by: Andrew Carlstrom		Department: Environmental Services
Presenter (Name and Title): Andrew Carlstrom, Environmental Services Director		Estimated Time Needed: 5 Minutes
Summary of Issue: An Environmental Assessment Worksheet is required for the Northwoods Regional ATV Trail Phase 1A & 1B in accordance with MN Statute 4410.4300 Subpart 27(B)- Public Waters, Public Water wetlands, and wetlands. the assessment has been completed, published, and reviewed by the EAW Committee. Attached are the public notices, public comments, the Findings of Fact, and Record of Decision for Board approval.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Motion to approve EIS Record of Decision.		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

RECORD OF DECISION

In the matter of determination of need for an Environmental Impact Statement for the Northwoods Regional ATV Trail Phase 1A & 1B. Aitkin County, Minnesota

Findings of Fact, Conclusions, and Order

Findings Of Fact

- 1) The Aitkin County Land Department prepared an Environmental Assessment Worksheet (EAW) for the proposed phases 1A & 1B of the Northwoods Regional Trail, pursuant to Minnesota Rules 4410.4300, Subpart. 37-A.
- 2) The EAW was filed with the Environmental Quality Board (EQB) and notice of availability was published in the EQB Monitor on March 25, 2025. The EAW was made available on the Aitkin County website: <https://www.co.aitkin.mn.us/notices/pdf/public-notice/Northwoods%20ATV%20Trail%20EAW.pdf>. A press release announcing the availability of the EAW was published in the Aitkin Age March 26, 2025 and the Mille Lacs Messenger on March 26, 2025.
- 3) The 30 day EAW public review and comment period began March 25, 2025 and ended on April 25, 2025.
- 4) The EAW is incorporated by reference into this Record of Decision on the Determination of Need for an Environmental Impact Statement.
- 5) The proposed project is to construct an ATV trail on 40.95 acres between Malmo and Millward Township in Aitkin County. The project proposes 4.99 miles of new trail construction, with the remainder of the proposed trail following along existing trails, roadways, and ditches within the highway right-of-way (ROW).
- 6) During the 30 day public review and comment period, the Aitkin County Planning and Zoning Department received comments on the EAW from the MPCA, MNDOT, and MN DNR.
- 7) The EAW Committee reviewed and discussed the comments on May 5, 2025. Their findings and comments are below in red.
- 8) The following summarized comments were submitted by **Chris Green of the MPCA**:
A. Project will require a NPDES Construction Storm Water Permit to include volume reduction practices such as infiltration.

Understood. In the final plan a NPDES CSW Permit will be required for the project and volume reduction practices, which includes addressing infiltration.

- 9) The following summarized comments were submitted by **Tom Cruikshank (District 3) of MNDOT**:
A. District 3 staff have not yet been provided construction engineering plans for MNDOT highway ROW.

Construction engineering plans will be included in final plan.

B. District 3 staff will need to review any proposed trail construction within MNDOT ROW and be authorized with either Limited Use Permit and/or Maintenance Agreement.

Noted by staff.

The following summarized comments were submitted by **Maren Webb (District 1) of MNDOT:**

A. Trails constructed within trunk highway ROW should be located as close to ROW lines as possible and on backslope beyond ditch section.

Noted. Not applicable.

B. Screening may be required in ROW to reduce glare from headlights at night.

Noted.

C. Any water crossings within ROW must not interfere with existing drainage patterns.

Noted.

D. Wetland impacts will need permitting and be mitigated prior to land use permit issue by MPCA.

Noted.

10) The following summarized comments were submitted by **Jessica Parson of the MN DNR:**

A. Solana State Forest Trail Planning: DNR currently reviewing potential user conflicts. Ensure sufficient communication and coordination for long-term compatibility and sustainability.

Noted. Aitkin County staff to coordinate with the DNR on potential user conflicts.

B. Forest Roads: Increased ATV/OHV use will result in more needed maintenance. Recommend avoiding state forest roads if possible and proposer must pay for poor road conditions. Describe a plan on how to address maintenance costs. Maintenance needs are grossly underestimated in EAW and should be discussed more.

Noted. Aitkin County conducts annual trail assessments, and maintenance needs of the trail are included in that.

1. Figures and Maps in EAW. Item 6b table totals inaccurate and needs updates recommended by DNR.

Noted.

2. Post construction plan. Update maps as recommended by DNR.

Noted.

C. Safety Concerns: DNR recommends trail intersection markings for navigation and emergency vehicles. Logging and hauling leases on West & East White Pine State Forest Roads.

All trails will be flagged and marked.

D. Use Considerations: Increased signage, barriers, and additional monitoring to protect multi-recreational uses. Malmo and Millward Townships should be kept up-to-date. Items 20b & 20c contradictions on number of trailheads. Anticipated increased public use resulting in further planned operations.

All GIA funding require annual trail assessments which Aitkin County will conduct yearly. Malmo and Millward Townships will be kept up-to-date on developments. Items 20b and 20c figures will be updated in final plans. Trails will be monitored often, and annual trail damage assessments will be conducted.

E. Mineral Concerns: Access to minerals must be preserved.

No trails will be blocked by Aitkin County as all lands and mineral rights belong to the State of Minnesota.

F. Invasive Species Prevention and Soil Concerns: Increased ATV/OHV may contribute to additional invasive species and soil concerns.

1. Invasive Species: DNR requests additional invasive species and prevention and management plan be presented.

Performance of annual trail maintenance checks, integrated pest management, and educational information provided on ATV trail kiosks will contribute to deterring the spreading of invasive species.

2. Soils: DNR requesting more detail in excavated estimated volume and acreage impacted as well as construction methods.

Noted. Will be included in final construction plan.

G. Wetlands and Waterbodies: DNR concerns of proposed trails through public water wetlands and public ditch (Map 23 & Map 54). Determine if public water works permit needed for wetlands and if altered watercourse permit is needed for ditching alteration. DNR requests more information via more wetland delineations in Phase 1A, as well as impacts in Phase 1B. DNR requests cumulative potential effects for wetland impacts.

A Wetland Replacement Plan for Phase 1A is currently in-progress. A separate Wetland Replacement Plan will be completed for Phase 1B once the wetland delineation is completed. No altered watercourses are planned. Phase 1B will include minor re-routing, wetland public permitting, and proposed construction will be included I final plan.

H. Rare Features & Wildlife:

1. 14a: DNR requests impacts to S1-S3 plant communities. Archeological survey?

Proposer has contracted with Midwest Natural Resources and Duluth Archeology for rare plant and archeology surveys.

2. 14b: DNR requests a rare plant survey.

See above. The results of the rare plant survey will be shared with the DNR and recommendations on potential changes to the existing route will be discussed.

3. 14d: Tree removal avoidance from November 15 to March 31. Avoid impacting the long-eared bat and little brown myotis. Concerns of noise disturbance. Avoidance of vernal pools.

Tree removal will be avoided to the extent practical, from March 31 to November 15 each year. However, there are no know hibernaculum or bat nesting areas within the Project Area and Aitkin County has a Habitat Conservation Plan and an Incidental Take Permit. Therefore, if needed some tree removal may take place during the avoidance timeframe indicated above.

I. Next Steps: DNR recommends more discussion and planning as to how this project fits into the Solana State Forest Trail Planning effort. Additional information on proposed route and additional route segments are needed.

On-going discussions will be held with DNR Forest Planner.

CONCLUSIONS

- 1) The Aitkin County Planning and Zoning Department has fulfilled all the procedural requirements of law and rule applicable to the need for an Environmental Impact Statement on the proposed Northwoods Regional ATV Trail Phase 1A & 1B.
- 2) The identified environmental effects of the project are minor.
- 3) There are no elements of the project that pose the potential for significant environmental effects that cannot be addressed through permit and regulatory processes.
- 4) Based on consideration of the criteria and factors specified in the Minnesota Environmental Review Program Rules to determine whether a project has the potential for significant environmental effects, and on the findings and record in this matter, Aitkin

- County determines that the proposed Northwoods Regional ATV Trail Phase 1A & 1B does not have the potential for significant environmental effects.
- 5) An Environmental Impact Statement on the proposed Northwoods Regional ATV Trail Phase 1A & 1B is not required.
 - 6) That any Findings that might properly be termed Conclusions and any Conclusions that might properly be termed Findings are hereby adopted as such.

ORDER

Based on the above Findings of Fact and Conclusions:

Aitkin County determines that an Environmental Impact Statement is not required for the Northwoods Regional ATV Trail Phase 1A & 1B.

Dated 13th day of May, 2025.

J. Mark Wedel
Chairperson, Aitkin County
Board of Commissioners,
Aitkin County, Minnesota

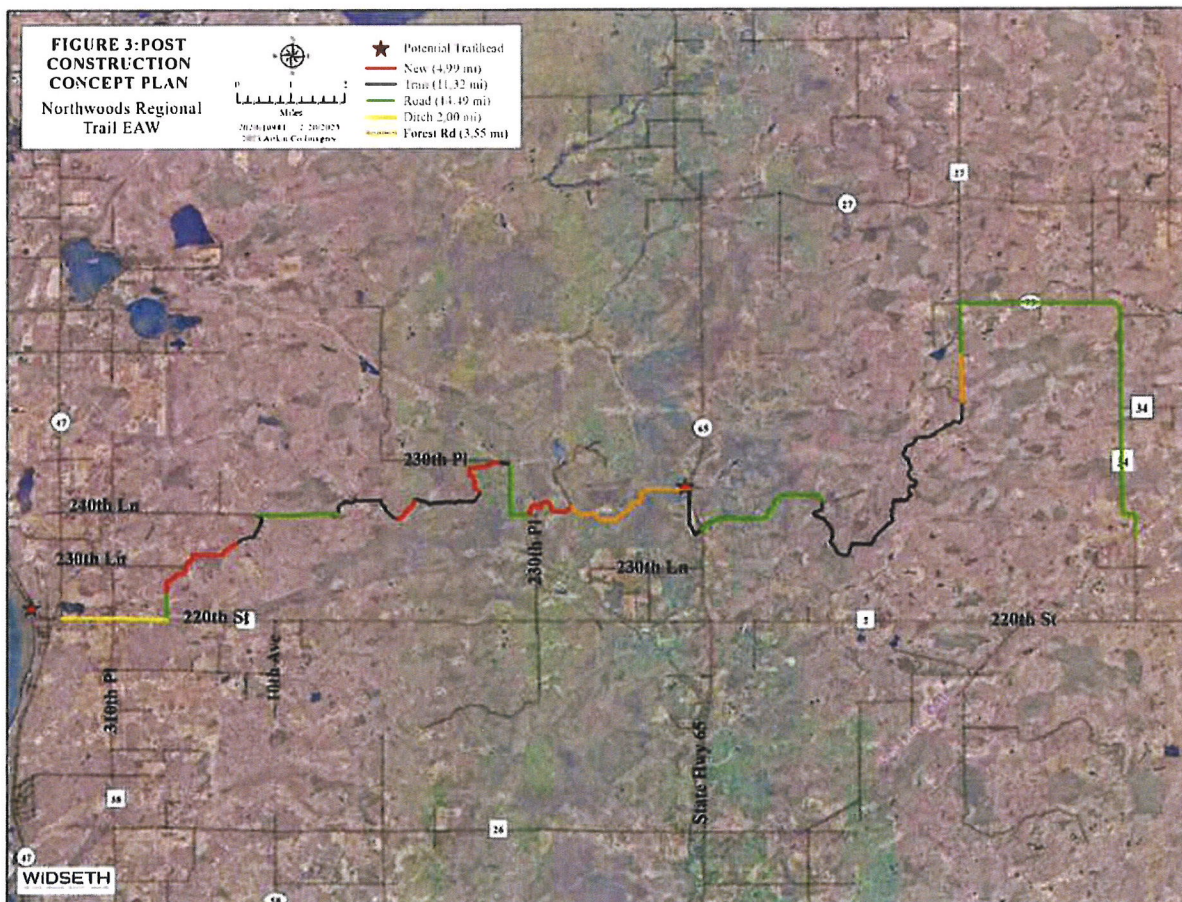
Environmental Assessment Worksheet (EAW) Available for Comment
Northwoods Regional Trail Phase 1A & 1B
Malmo, Jewett, White Pine and Millward Townships
Aitkin County, Minnesota

Project Description: Aitkin County proposes to construct an All-Terrain Vehicle (ATV) trail on 40.95 acres between Malmo and Millward Township in Aitkin County, MN. The project will be completed in two phases (1A and 1B), adding approximately 36.35 miles of trail to the existing Northwoods Regional ATV trail system. Phase 1A runs from 220th Street in Malmo to State Highway 65 and Phase 1B runs from State Highway 65 to the Soo Line ATV trail. The project proposes 4.99 miles of new trail construction, with the remainder of the proposed trail following along existing trails, roadways, and ditches within the highway right-of-way (ROW).

The EAW is posted for review on the Aitkin County website (<https://www.co.aitkin.mn.us/>). Hard copies are available upon request. The 30-day public comment period begins on March 25, 2025, and ends on April 25, 2025.

Written comments may be submitted by mail or email and should be addressed to:

Andrew Carlstrom, Environmental Services Director
Aitkin County
307 2nd St NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov





EAST CENTRAL MINNESOTA

Ad Proof

Not Actual Size

-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@apgecm.com

Date: 03/19/25

Account #: 485996

Customer: AITKIN COUNTY PLANNING &
ZONING

Address: 307 2ND ST NW, ROOM 219
AITKIN

Telephone: (218) 927-3761

Fax: (218) 927-4372

Publications:

Mille Lacs Messenger

Ad ID: 1458892

Copy Line: March 25 EAW Public Comment

PO Number:

Start: 03/26/25

Stop: 03/26/2025

Total Cost: \$186.00

of Lines: 67

Total Depth: 7.556

of Inserts: 1

Ad Class: 120

Phone # (763) 691-6000

Email: publicnotice@apgecm.com

Rep No: ML700

**AITKIN COUNTY
PUBLIC NOTICE**

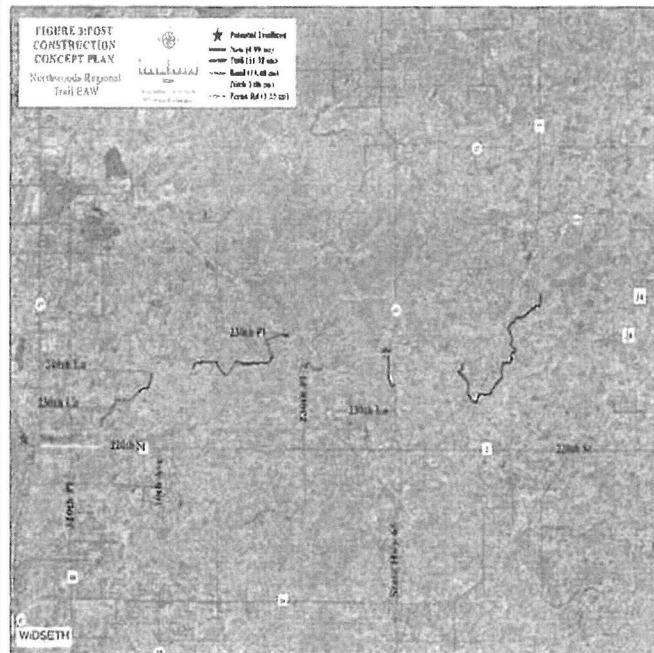
**ENVIRONMENTAL ASSESSMENT WORKSHEET
(EAW) AVAILABLE FOR COMMENT
NORTHWOODS REGIONAL TRAIL PHASE 1A & 1B
MALMO, JEWETT, WHITE PINE AND
MILLWARD TOWNSHIPS
AITKIN COUNTY, MINNESOTA**

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Andrew Carlstrom, Environmental Services Director
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307 2nd St NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov



\$186.00

Published in the
Mille Lacs Messenger
March 26, 2025
1458892



EAST CENTRAL MINNESOTA

Ad Proof

Not Actual Size

-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@apgecm.com

Date: 03/18/25

Account #: 485996

Customer: AITKIN COUNTY PLANNING &
ZONING

Address: 307 2ND ST NW, ROOM 219
AITKIN

Telephone: (218) 927-3761

Fax: (218) 927-4372

Publications:

Aitkin Independent Age

Ad ID: 1458415

Copy Line: March 25 EAW Public Comment

PO Number:

Start: 03/26/25

Stop: 03/26/2025

Total Cost: \$139.50

of Lines: 67

Total Depth: 7.556

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Ad Class: 120

Phone # (763) 691-6000

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**AITKIN COUNTY
PUBLIC NOTICE**

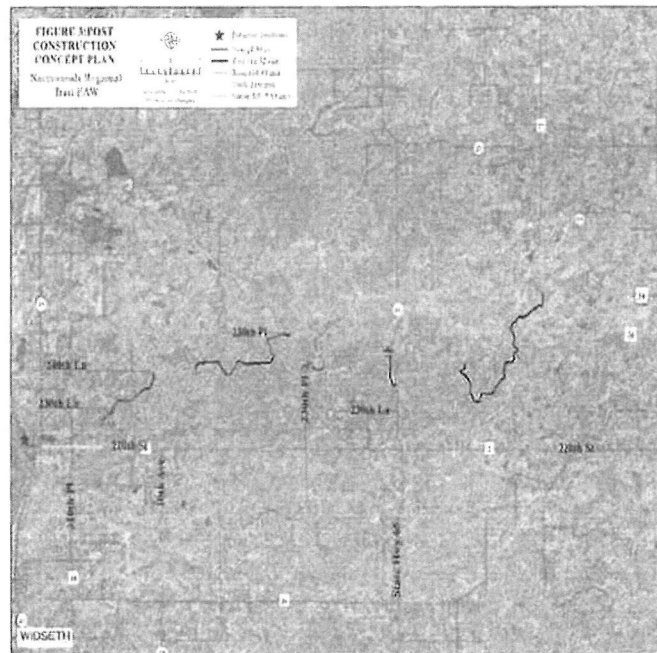
**ENVIRONMENTAL ASSESSMENT WORKSHEET
(EAW) AVAILABLE FOR COMMENT
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Aitkin Independent Age
March 26, 2025
1458415

Ad: 1

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**AITKIN COUNTY
PUBLIC NOTICE**

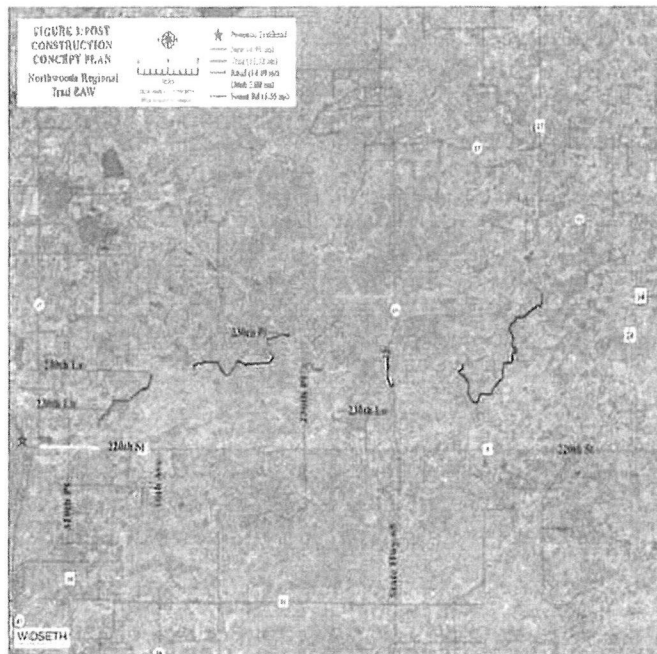
**ENVIRONMENTAL ASSESSMENT WORKSHEET
(EAW) AVAILABLE FOR COMMENT
NORTHWOODS REGIONAL TRAIL PHASE 1A & 1B
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Andrew Carlstrom, Environmental Services Director
Aitkin County
307 2nd St NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov



Andrew Carlstrom

From: Webb, Maren (She/Her/Hers) (DOT) <Maren.Webb@state.mn.us>
Sent: Friday, April 25, 2025 2:55 PM
To: Andrew Carlstrom
Cc: Anderson, Bryan (DOT); Lind, Katherine (DOT); Voss, Steven (DOT); Erickson, Tad (DOT); Cruikshank, Thomas (DOT)
Subject: RE: MnDOT D3 Comments_RE: Aitkin County- EAW Available for Comment-Northwoods Regional ATV Trail

[**NOTICE:** This message originated outside of the Aitkin County Mail System -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Good afternoon, Andrew,

Thank you for the opportunity to comment on the Northwoods Regional ATV Trail EAW. While the proposer will be required to go through the limited use permit (LUP) process for any trail development within MnDOT right of way (ROW), it is helpful to provide feedback proactively before a LUP application is developed. The comments provided below are focused on proposed use of MnDOT ROW, as the transportation impacts (section 20. Transportation) are expected to be minor and dispersed in regards to impacts to the trunk highway. As District 3 mentioned in their comments, this proposed trail does impact MnDOT ROW within District 1 and District 3.

For instances when the trail may be proposed within MnDOT ROW:

- Any trail located within the trunk highway ROW should be located as close to the ROW line as possible. At a minimum it should be located on the backslope beyond the ditch section.
- Screening may be required for some or all of the trail within the ROW. The trail will be a two way trail that can be used at night. Screening addresses headlight glare and alleviates driver confusion with oncoming headlights being on the wrong side of the road.
- If there are water crossings needed as part of the trail development within ROW, they will need to be designed to not interfere with existing drainage patterns. In general, existing drainage patterns should be maintained.
- Wetland impacts will need to be permitted and mitigated prior to an LUP being issued by MnDOT.

Please reach out with any questions.

Thank you,
Maren Webb

Maren Webb, MPP
she/her/hers
Principal Planner | District 1

Minnesota Department of Transportation
1123 Mesaba Avenue
Duluth, MN 55811
218-725-2742
maren.webb@state.mn.us
mndot.gov/



DRIVING TRANSPORTATION RESEARCH
TECHNICAL ADVISORY PANEL MEMBER

From: Anderson, Bryan (DOT) <bryan.anderson@state.mn.us>
Sent: Monday, March 24, 2025 11:02 AM
To: Webb, Maren (She/Her/Hers) (DOT) <Maren.Webb@state.mn.us>
Subject: FW: MnDOT D3 Comments_RE: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

FYI

From: Cruikshank, Thomas (DOT) <Thomas.Cruikshank@state.mn.us>
Sent: Monday, March 24, 2025 11:01 AM
To: andrew.carlstrom@aitkincountymn.gov
Cc: Lind, Katherine (DOT) <Katherine.Lind@state.mn.us>; Voss, Steven (DOT) <steve.voss@state.mn.us>; Anderson, Bryan (DOT) <bryan.anderson@state.mn.us>; Erickson, Tad (DOT) <Tad.Erickson@state.mn.us>
Subject: MnDOT D3 Comments_RE: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

Hello Andrew,

MnDOT District 3 staff received this EAW notice for review and comment. As you probably know this trail traverses two MnDOT District planning areas – District 3 and 1. Bryan Anderson and D1 staff may also wish to provide comment. District 3 staff would like to provide comment pertaining more to the Malmo end of the trail. For the past couple of years our District functional area staff members have been involved in meetings with Aitkin County staff and trail supporters on extension of the Northwoods trail south from Malmo along the east side of Mille Lacs Lake between the lake and Highway 47 to the Mille Lacs County line. No recent conversations or meetings on this proposed trail have occurred. Also, MnDOT District 3 staff have not been provided construction engineering plans for review in MnDOT ROW which would be necessary to determine constructability.

This EAW for the east/west Northwoods Trail would ideally be included in a county wide motorized trail plan to include connections at the ends to adjoining trails within the county or neighboring counties. In addition, any work within MnDOT ROW would need to be reviewed by District staff and any trail construction within MnDOT ROW would need to be authorized by either Limited Use Permit and/or Maintenance Agreement.

Reach out with any questions or if we can be of any assistance.

Tom Cruikshank
Principal Planner | District 3
3725 12th Street North, St. Cloud, MN 56303-2107
Phone: (320) 223-6526 | Cell: (320) 267-9859
Email: thomas.cruikshank@state.mn.us



From: Lind, Katherine (DOT) <Katherine.Lind@state.mn.us>

Sent: Wednesday, March 19, 2025 9:53 AM

To: Anderson, Bryan (DOT) <bryan.anderson@state.mn.us>; Cruikshank, Thomas (DOT) <Thomas.Cruikshank@state.mn.us>; Voss, Steven (DOT) <steve.voss@state.mn.us>; Erickson, Tad (DOT) <Tad.Erickson@state.mn.us>

Subject: FW: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

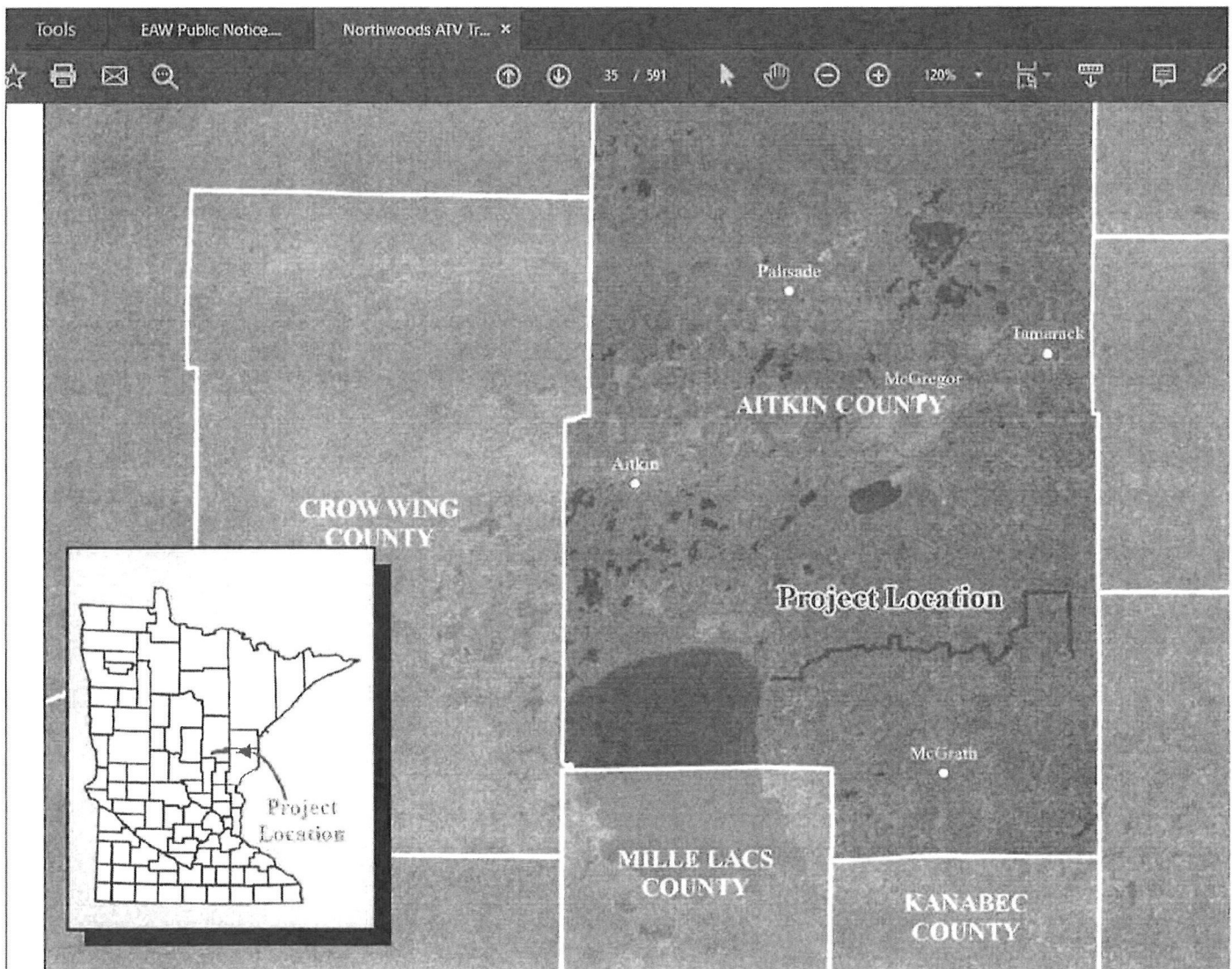
The following Environmental Assessment Worksheet (EAW) has been forwarded for your District's possible review and comment.

Due to large file size, the EAW document has been forward to you via the MnDOT MFT.

Any transportation or MnDOT right of way concerns the District may have should be provided directly to the Responsible Governmental Unit (RGU) indicated on the transmittal (see forwarded email below and attached Notice).

PS - It does look like (EAW, electronic pg 15/591) coordination with MnDOT is already occurring.

Please note the comment period for this EAW closes on: April 25, 2025



Katherine Lind

Environmental Review Specialist
Minnesota Department of Transportation
Central Office | Office of Environmental Stewardship (OES)
395 John Ireland Blvd, Mail Stop 620
St Paul, MN 55155

From: Shannon Wiebusch <shannon.wiebusch@aitkincountymn.gov>
Sent: Monday, March 17, 2025 10:20 AM
Subject: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

You don't often get email from shannon.wiebusch@aitkincountymn.gov. [Learn why this is important](#)

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Andrew Carlstrom, Environmental Services Director
Aitkin County
307 2nd St NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov

Thank you,

Shannon Wiebusch
Office Assistant
Aitkin County Planning & Zoning
307 2nd Street NW Room 219
Aitkin, MN 56431
218-927-7342

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Andrew Carlstrom

From: Andrew Carlstrom
Sent: Thursday, March 27, 2025 9:41 AM
To: Shannon Wiebusch
Subject: FW: MnDOT D3 Comments_RE: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

Shannon –

Can you create a Drop Box for EAW Comments. Thank you.

Respectfully,

Andrew Carlstrom
Aitkin County, Minnesota
Environmental Services Director
307 2nd Street NW Room 219
Aitkin, MN 56431
Phone: 218-927-7342
Cell: 218-513-9451
andrew.carlstrom@aitkincountymn.gov



From: Cruikshank, Thomas (DOT) <Thomas.Cruikshank@state.mn.us>
Sent: Monday, March 24, 2025 11:01 AM
To: Andrew Carlstrom <andrew.carlstrom@aitkincountymn.gov>
Cc: Lind, Katherine (DOT) <Katherine.Lind@state.mn.us>; Voss, Steven (DOT) <steve.voss@state.mn.us>; Anderson, Bryan (DOT) <bryan.anderson@state.mn.us>; Erickson, Tad (DOT) <Tad.Erickson@state.mn.us>
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Tom Cruikshank

Principal Planner | District 3

3725 12th Street North, St. Cloud, MN 56303-2107

Phone: (320) 223-6526 | Cell: (320) 267-9859

Email: thomas.cruikshank@state.mn.us



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Sent: Wednesday, March 19, 2025 9:53 AM

To: Anderson, Bryan (DOT) <bryan.anderson@state.mn.us>; Cruikshank, Thomas (DOT) <Thomas.Cruikshank@state.mn.us>; Voss, Steven (DOT) <steve.voss@state.mn.us>; Erickson, Tad (DOT) <Tad.Erickson@state.mn.us>

Subject: FW: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

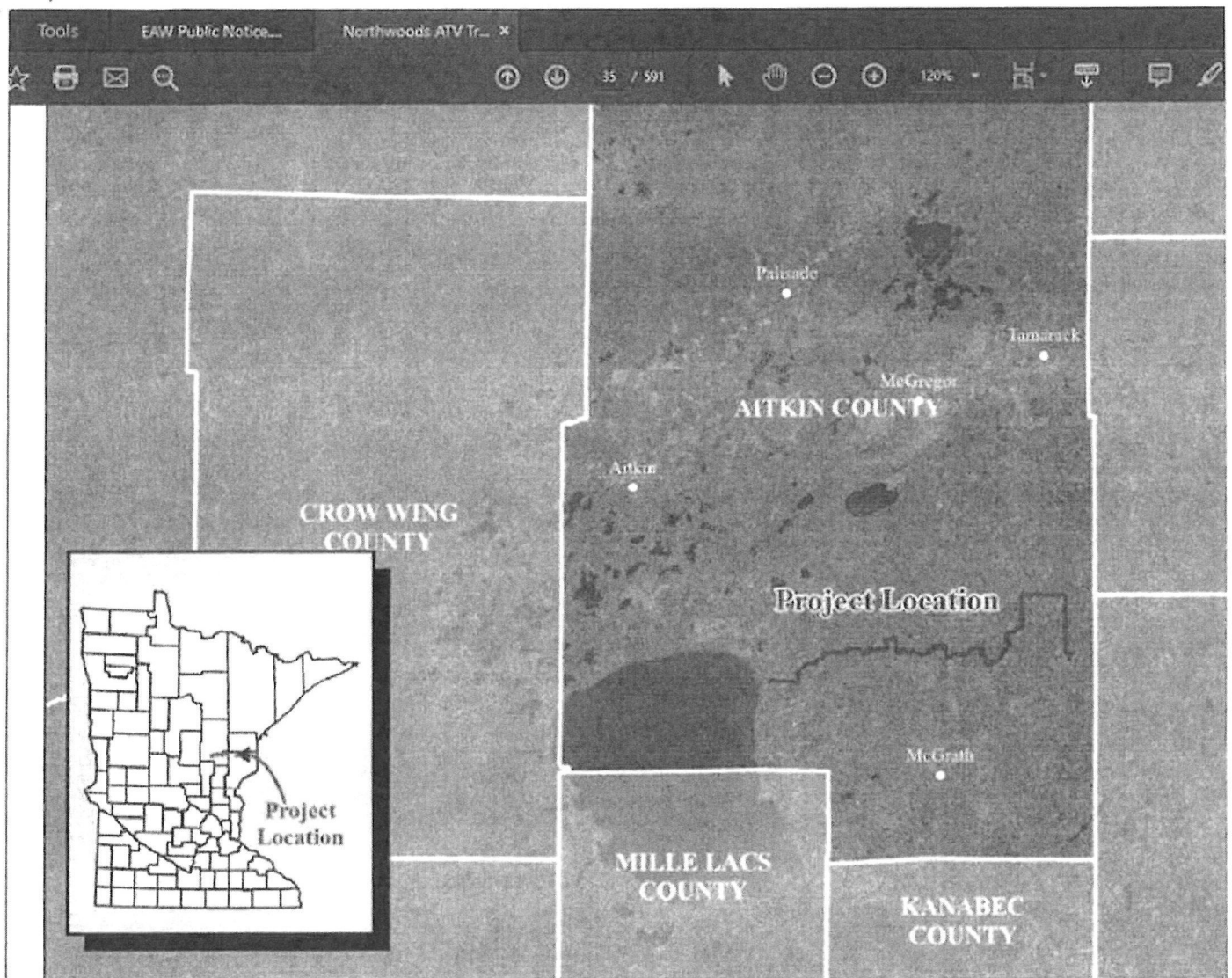
The following Environmental Assessment Worksheet (EAW) has been forwarded for your District's possible review and comment.

Due to large file size, the EAW document has been forward to you via the MnDOT MFT.

Any transportation or MnDOT right of way concerns the District may have should be provided directly to the Responsible Governmental Unit (RGU) indicated on the transmittal (see forwarded email below and attached Notice).

PS - It does look like (EAW, electronic pg 15/591) coordination with MnDOT is already occurring.

Please note the comment period for this EAW closes on: April 25, 2025



Katherine Lind

Environmental Review Specialist
Minnesota Department of Transportation
Central Office | Office of Environmental Stewardship (OES)
395 John Ireland Blvd, Mail Stop 620
St Paul, MN 55155

From: Shannon Wiebusch <shannon.wiebusch@aitkincountymn.gov>

Sent: Monday, March 17, 2025 10:20 AM

Subject: Aitkin County- EAW Available for Comment- Northwoods Regional ATV Trail

You don't often get email from shannon.wiebusch@aitkincountymn.gov. [Learn why this is important](#)

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Project Description: Aitkin County proposes to construct an All-Terrain Vehicle (ATV) trail on 40.95 acres between Malmo and Millward Township in Aitkin County, MN. The project will be completed in two phases (1A and 1B), adding

approximately 36.35 miles of trail to the existing Northwoods Regional ATV trail system. Phase 1A runs from 220th Street in Malmo to State Highway 65 and Phase 1B runs from State Highway 65 to the Soo Line ATV trail. The project proposes 4.99 miles of new trail construction, with the remainder of the proposed trail following along existing trails, roadways, and ditches within the highway right-of-way (ROW).

The EAW is posted for review on the Aitkin County website (<https://www.co.aitkin.mn.us/>). Hard copies are available upon request. The 30-day public comment period begins on March 25, 2025, and ends on April 25, 2025.

Written comments may be submitted by mail or email and should be addressed to:

Andrew Carlstrom, Environmental Services Director
Aitkin County
307 2nd St NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov

Thank you,

Shannon Wiebusch
Office Assistant
Aitkin County Planning & Zoning
307 2nd Street NW Room 219
Aitkin, MN 56431
218-927-7342

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Minnesota Department of Natural Resources
Northeast Regional Headquarters
1201 East Highway 2, Grand Rapids, MN 55744

April 24, 2025

Andrew Carlstrom
Aitkin County Environmental Services Director
307 2nd Street NW
Aitkin, MN 56431
andrew.carlstrom@aitkincountymn.gov

RE: Northwoods Regional ATV Trail Phase 1A and 1B Environmental Assessment Worksheet (EAW)

Dear Mr. Carlstrom,

The Minnesota Department of Natural Resources (MNDNR) has conducted a review of the **Northwoods Regional ATV Trail Phase 1A and 1B EAW**. We appreciate the opportunity to review this project and encourage project proposers to continue their coordination with MN DNR and other agencies to protect natural resources. Additional information on the natural resources in the project area, surrounding area, and how they pertain to the Environmental Assessment Worksheet (EAW) may help enhance those efforts; see applicable sections below.

Environmental Review

We recommend proposers engage in a thorough and complete early coordination effort prior to the publication of an EAW to ensure viable and considered project segment options can be considered within the document. Including all segment options can prevent unanticipated alterations to the project that could have the potential to require a new EAW as required by [Minn. R. 4410.1000 Subpart 5](#), Change in proposed project; new EAW,

“If, after a negative declaration has been issued but before the proposed project has received all approvals or been implemented, the RGU determines that a substantial change has been made in the proposed project or has occurred in the project's circumstances, which change may affect the potential for significant adverse environmental effects that were not addressed in the existing EAW, a new EAW is required.”

Completion of the EAW process as required by MEPA, including the development and distribution of the Record of Decision (ROD) does not guarantee that a trail will be approved into the Off-Highway Vehicle (OHV) Grant-in-aid (GIA) program. Such projects still must undergo a separate review process

Northwoods Regional ATV Trail Phase 1A and 1B EAW

Andrew Carlstrom

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to be considered for OHV GIA program eligibility. If concerns arise during the GIA review process and the route segments evaluated in the EAW encounter permitting challenges, the project could change.

The EAW indicates that it was prepared due to a mandatory category under [Minnesota Rule 4410.4300 Subpart 27\(B\)](#) – Public Waters, Public Water wetlands, and wetlands. However, it appears that other categories could have also applied to this project, such as Minn. R. 4410.4300 Subpart 37(B). For reference, when a project may exceed thresholds in two or more categories, [Minnesota Rules 4410.0500 Subpart 5](#) directs governmental units on the Responsible Governmental Unit (RGU) selection procedure. Often this procedure can be completed via a conversation among RGU representatives and occurs to agree upon the most appropriate RGU for a given project. DNR Environmental Review staff are happy to be available for conversations regarding RGU selection or whether other categories may apply where DNR has RGU responsibilities.

Solana State Forest Trail Planning

MN DNR is currently undergoing State Forest Trail Planning in the Solana State Forest which includes assessing trails to determine appropriate designation statuses for existing and proposed trails within Solana State Forest. Through the trail planning process MN DNR has identified multiple locations with potential user conflicts that are being reviewed. We are not at the point of making decisions on the routes/uses; *please provide additional route segment options* and evaluate them as part of the ROD.

Item 21 of the EAW should reference MN DNR's ongoing Solana State Forest Trail Planning project. Please note that outcomes from this effort may include closure of unsustainable motorized trails, development of new motorized trails to promote connectivity, addition of designated Hunter Walking Trails (HWT), reconstruction or rehabilitation of existing trails including the introduction of new motorized uses where appropriate. MN DNR recommends following best trail building and maintenance practices as outlined in the following resources: USFS Trail Maintenance and Construction Notebook, MNDNR Trail Planning, Design, and Development Guidelines, NOHVCC Great Trails Guidebook.

With this trail planning effort currently underway, it may have implications for the long-term compatibility and sustainability of the proposed trail alignment.

Forest Roads

This proposed trail utilizes the East and West White Pine Forest roads. The following are some key points about Forest Roads and GIA trails.

ATV/OHV use on Forest Roads

- 1) Forest system roads in the Solana State Forest are currently open to OHV/ATV traffic.
 - a) There are existing designated ATV trails on Forestry lands but there is no maintenance on them at this time, and the usage is limited to local traffic due to lack of connectivity.
- 2) The MN DNR Forestry Land Manual recommends that GIA trails avoid state forest roads, if possible.

Northwoods Regional ATV Trail Phase 1A and 1B EAW

Andrew Carlstrom

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- 3) When GIA permits are issued, traffic on the routes typically increases. An increase in use will result in an increased need for maintenance. A plan for how to plan, pay for, and execute this additional maintenance should be clearly identified.

Maintenance of State Forest Roads

- 1) MN DNR's Division of Forestry is required to maintain the forest roads system to a low ground clearance vehicle standard. GIA/ATV trails are typically only required to be maintained to an ATV use standard.
 - a) Any GIA trail designated on a State Forest Road must be maintained to the higher standard of a state forest road.
 - b) On State Forest Roads, MN DNR will require maintenance at the proposer's expense if it is evident that OHV/ATV use contributed to the poor condition of the road.
 - c) Increased ATV traffic on State Forest Roads may deteriorate their condition below the standard of low ground clearance vehicles, but above that of the OHV/ATV standard, and as a result increase overall maintenance cost. Please describe plans on how to address the additional maintenance costs and adherence to the required maintenance standards.
- 2) Statewide, the Forest Roads program is underfunded. Due to this funding shortage, the program is not able to complete all essential maintenance activities across the state. The maintenance needs of the proposed route are grossly underestimated in the EAW and should be discussed more in depth and with greater accuracy in the ROD.

Figures and Maps in EAW

- 1) In Item 6b:
 - a) Table totals are inaccurate and should be revised. The 1.12-mile trail segment extending from West White Pine Road in Solana State Forest south along Highway 65 is currently designated as a snowmobile trail. As the proposal introduces ATV use in this segment, it constitutes a *new motorized use* and should be classified as "New Trail."
 - b) All corresponding maps, figures and text in the EAW should be updated with the most current information and be consistent throughout.
 - c) Table totals should also be corrected to reflect that East White Pine is a designated Forest Road, not a general *Road*.
- 2) Figure 3: Post Construction Concept Plan:
 - a) Update to show East White Pine as a *Forest Road* (orange), not a general *Road* (green).
 - b) Update to reflect that the 1.12-mile segment south of West White Pine Road is currently a snowmobile trail. The proposed addition of ATV use in this segment constitutes a new motorized use and should be identified as "New Trail."

Northwoods Regional ATV Trail Phase 1A and 1B EAW

Andrew Carlstrom

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- c) The figure appears to be corrupted, and the text is illegible. Please provide a corrected version and ensure legibility.

Safety Concerns

MN DNR recommends using trail intersection markings on public maps with corresponding location signage on the ground, to be able to communicate location accurately. This can help users navigate the system and communicate their location with emergency services should the need arise.

West White Pine State Forest Road and East White Pine State Forest Road are used as summer haul roads for logging operations. Additionally, an active gravel lease is located on the West White Pine Forest Road. These roads have narrow winding curves with blind spots, which should be a consideration for this project regarding safety for all user groups. Additional route segment options that reduce these interactions should be explored and evaluated in the ROD.

Use Considerations

MN DNR supports a variety of recreational uses across the state. Non-motorized uses on hunter walking trail systems are another priority for MN DNR to develop, maintain, and protect. Signage, barriers, and frequent monitoring will be needed to protect these resources. Please highlight how this will be addressed across the proposed project, and additional route segment options.

Malmo and Millward Townships should be informed about this project and kept up to date as plans develop. Additionally, the logging and forestry industry has a vested interest in the state of the road system and has frequently taken on the road maintenance responsibilities, often covering the costs themselves.

Items 20 b. and 20 c. of the EAW include maps that seem to contradict each other regarding the number of planned trailheads. Additionally, there is no mention of shelters or other facilities in the narrative of the proposal.

Facilities attract increased public use and may warrant further considerations to planned operations. Please clarify how many trailheads and other infrastructure/facilities are planned as part of this project. Any additional infrastructure may not be covered under a forthcoming GIA permit and may require a separate lease agreement through MN DNR Lands and Minerals, in addition to permission from the land administrator.

Mineral Concerns

There are parcels with state owned aggregate and metallic mineral potential. Additional information is available upon request. Access to minerals must be preserved in case of future exploration and/or development. For example, funding sources used for the project should not encumber the mineral resources. Any lease(s) or agreements would include language to preserve access to mineral resources, meaning the infrastructure would need to be removed/moved at the trail operator's expense.

Northwoods Regional ATV Trail Phase 1A and 1B EAW

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Invasive Species Prevention and Soil Concerns

Invasive Species

Invasive species prevention and management is a priority for the MN DNR. The increased trail use resulting from this project is likely to contribute to additional invasive species populations. A plan for how these infestations will be addressed on state lands in the future is essential. Please provide a proposal for an invasive species prevention and management plan. Item 21. c states: "Trail managers should work with partners in the area such as the DNR Trail Ambassador program to monitor and reduce the spread of invasive species within the proposed project."

Soils

Item 11 (b) provides limited soils information and does not include estimated volume and acreage of soil excavation and/or grading. More detail is needed in identifying measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Please describe in greater detail the construction methods and approaches addressing erosion, soil stabilization, increased runoff, and mitigation for problems; please refer to guidance where applicable.

The soils of this area are extremely wet and sensitive to even light traffic. Keeping traffic on the trail and off non-motorized trails will be important to maintaining soil health, plant communities, and wildlife populations.

Wetlands and Waterbodies

A portion of the proposed trail runs through public water wetland (DOW# 01029800), located in more detail in map number 23 within the EAW. Any fill or excavation (or structure installation) within the public water wetland requires an approved public water works permit from MN DNR and must show avoidance and two alternatives to the proposal, as well as a statement of purpose and need for choosing that area and ensuring that the type of crossing chosen is the least environmentally impactful way to cross the public water body.

A portion of the proposed trail runs through a public ditch, which is also an altered watercourse, located in more detail in map number 54 within the EAW. If the Aitkin County Highway Department determines in writing that any proposed alteration (i.e., excavation or fill) within the ditch is under their ditch authority and that the activities conducted within it are agreeable for their purposes of ditch management, then no MN DNR public water works permit shall be required to be submitted for the ditch. However, if no affirmation from the Aitkin County Highway Department is presented, then any impacts to the ditch will require an approved permit from MN DNR prior to any proposed development work. A statement of purpose and need, and two alternatives, would be applicable at this location as well.

Phase 1A crosses 73 wetlands, 5 wetland ditches and 6 streams, and wetland delineations have not been completed for the entire project and will be required. Please clarify and describe if any streams, surface waters, or wetlands will be impacted as a result of Phase 1B.

Northwoods Regional ATV Trail Phase 1A and 1B EAW

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Cumulative potential effects should include estimates for wetland impacts and further discussion on avoidance and mitigation measures to be employed. Inclusion of a design typical diagram for wetland crossings would be helpful to demonstrate construction proposed for wetland crossings.

Additionally, a conservative approach to opening trails in the spring should be adopted as opening trails too early in spring can cause unwanted damage to the soils, roads, trails, and increase the risk of erosion into wetlands, ultimately causing resource damage and increasing maintenance costs.

Rare Features & Wildlife

Limited information is provided on plant communities and sensitive ecological resources (rare features) in item 14 (a), the document primarily refers to NHIS response. This information should be summarized and discuss native plant communities and explain any impacts to S1-S3 plant communities. The summary should also include quantity of impacts to high sites of biodiversity significance. Additionally, indicate if or how recommendations given will be implemented in the project. In addition, it appears that a phase 1 archeological survey is intended. Please provide the results of the phase 1 archeological survey, as this could impact routing.

Item 14b of the EAW reads, “A rare plant survey will be required for this project. Recommendations from the DNR based on the survey will be considered and followed, to the extent practical.” As described in the NHIS Letters (attached) issued (June 7th 2024, March 26th, 2025). A rare plant survey is to be conducted for state-listed plant species in the project activity area. Survey results should be used so that the project is in compliance with Minnesota’s Endangered Species Statute and associated Rules. Minnesota’s Endangered Species Statute ([Minnesota Statutes, section 84.0895](#)) and associated Rules (Minnesota Rules, part [6212.1800](#) to [6212.2300](#) and [6134](#)) prohibit the take of endangered or threatened plants or animals, including their parts or seeds, without a permit. To demonstrate avoidance, a qualified surveyor will need to determine if suitable habitat exists within the activity impact area and, if so, conduct a survey prior to any project activities. Surveys must be conducted by a qualified surveyor and follow the standards contained in the Rare Species Survey Process and Rare Plant Guidance. Please note that the survey needs to be conducted by an individual with demonstrated experience identifying Botrychium/Sceptridium species and needs to be conducted during the appropriate portion of the growing season, depending on the phenology of the species. Survey proposals should be submitted to Reports.NHIS@state.mn.us to initiating survey work. Please consult with the NH Review Team at Review.NHIS@state.mn.us if you have any questions regarding this process.

Item 14 (d) states: “Tree removal will be avoided during the NLEB inactive season (November 15 – March 31).” The November through March dates indicated are generally understood to be the dates where tree removal is encouraged to avoid northern long-eared bat (NLEB) roosting timeframes which is opposite of what is stated in the EAW. The Lake States Forest Management Bat Habitat Conservation Implementation Policy (HCP) does not cover roads and trails that are not on DNR lands unless they are

Northwoods Regional ATV Trail Phase 1A and 1B EAW

Andrew Carlstrom

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temporary access routes associated with forest management that the DNR administers. Roads and trails that are built by third parties on DNR lands for purposes outside of supporting forestry operations or public recreational use, are not included under the Bat HCP (e.g., county road projects that cross DNR lands, using an easement or access route for a gravel lease).

We recognize that no known roost trees are located along the trail; however, there are northern long-eared bat and little brown myotis observations that directly overlap with the proposed trail. The metadata for these observations show pregnant females were captured along the trail route. Tree removal should be kept to a minimum during the active season (April 15 – October 15) and would be preferred entirely outside of the active season. Noise disturbance (anything greater than 85 decibels at a distance of 50 feet) should also be kept to a minimum from June 1 to July 31. This would protect bats, and would benefit other nongame species (e.g., breeding birds, reptiles, and amphibians).

Coordination with the United States Fish and Wildlife Service (USFWS) will be needed to achieve avoidance and ensure compliance with the federal endangered species laws.

Vernal pools are important landscape features that are vital for four-toed salamanders, and state threatened *Botrychium* and *Sceptridium* species are often associated with these types of habitats (mature northern hardwoods with interspersed vernal pools). These salamanders have been documented in this area of the state. Gravel trails inhibit movement for this species as they travel to and from vernal pools for nesting. Additionally, runoff from the trail construction and recreational traffic could enter the vernal pool, making it unsuitable for salamanders and other amphibians that are sensitive to changes in water quality/chemistry. Efforts should be made to identify and avoid vernal pools within the proposed trail corridor (at minimum of 50' no-impact buffer from vernal pool edge).

Next Steps

Currently, permitting challenges exist with the current information available for this project on the state forest lands and roads as proposed in the EAW. The proposed route requires more discussion to determine locations, feasibility, and how this project fits into the Solana State Forest Trail Planning effort. Additional information on the proposed route and additional route segment options are needed to determine the investment required to improve/maintain these roads and trails to the level needed to support increased use. We look forward to receiving further details on the additional route segment options and are available for discussions as they are developed

Thank you for the opportunity to review the **Northwoods Regional ATV Trail Phase 1A and 1B EAW**. Please contact our MN DNR Northeast Regional Environmental Assessment Ecologist, Jessica Parson, with any questions. Jessica can be reached at (218) 328-8826 or via email at:

jessica.parson@state.mn.us.

Northwoods Regional ATV Trail Phase 1A and 1B EAW

Andrew Carlstrom

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Sincerely,

A handwritten signature in cursive script that reads "Jessica Parson".

Jessica Parson

Northeast Regional Environmental Assessment Ecologist, MN DNR

CC:

Jill Townley

Lisa Joyal

Darrell Schindler

Greg Root

Clarissa Spicer



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

June 7, 2024

Daniel McInnis
Widseth Smith and Nolting and Associates, Inc.

RE: Natural Heritage Review of the proposed **Northwoods Regional Trail - Phase 1A**

County	Township	Range	Section
Aitkin	44N	22W	6
Aitkin	45N	22W	19, 20, 21, 28, 29, 30, 31, 32, 33
Aitkin	45N	23W	19, 20, 22, 23, 24, 25, 27, 28, 29, 30
Aitkin	45N	24W	19, 20, 21, 22, 23, 24, 28, 29, 30
Aitkin	45N	25W	24, 25, 26, 32, 33, 34, 35

Dear Daniel McInnis,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2024-00378** in the email subject line.

As requested, the [Minnesota Natural Heritage Information System](#) has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

Ecologically Significant Areas

- The Minnesota Biological Survey (MBS) has identified several Sites of Biodiversity Significance within the project boundary. Sites of Biodiversity Significance have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape. **The DNR recommends avoidance of MBS Sites of Biodiversity Significance ranked *High* or *Outstanding*.** Please see your MCE-generated Conservation Planning Report for a comprehensive list of MBS Sites of Biodiversity Significance.

The proposed project crosses and is adjacent to multiple native plant communities. DNR native plant community types are given a Conservation Status Rank that reflects the relative rarity and endangerment of the community type in Minnesota. Conservation Status Ranks range from S1 (critically imperiled) to S5 (secure, common, widespread, and abundant). Native plant communities with a Conservation Status Rank of S1 through S3 are considered rare in the state.

The DNR recommends avoidance of rare native plant communities. Please see your MCE-generated Conservation Planning Report for a comprehensive list of native plant communities in your proposed project area.

The DNR recommends that the project be designed to avoid impacts to these ecologically significant areas. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:

- Minimize width of trail.
- As much as possible, operate within already-disturbed areas.
- Avoid MBS Sites and native plant communities ranked S1, S2, or S3.
- Retain a buffer between proposed activities and the MBS Site.
- If working in an MBS Site:
 - Minimize vehicular disturbance in the MBS Site (allow only vehicles/equipment necessary for construction activities).
 - Do not park equipment or stockpile supplies in the MBS Site.
 - Do not place spoil in the MBS Site or other sensitive areas.
- If possible, conduct the work under frozen ground conditions.
- Do not route trails through wet swales or depressions, or sensitive rock outcrop areas.
- Bridge all stream and wetland crossings.
- Trail maintenance plans should address erodible soils, especially in areas of steep topography.
- Use signage to encourage visitors to stay on designated trails.
- Use effective erosion prevention and sediment control measures.
- Inspect and clean equipment prior to operation and follow recommendations to [prevent the spread of invasive species](#).
- Revegetate disturbed soil with [native species suitable to the local habitat](#) as soon after construction as possible.
- Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.

Please reference the [Guidelines for Managing and Restoring Natural Plant Communities along Trails and Waterways](#) for additional information.

MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be viewed using the Explore page in [Minnesota Conservation Explorer](#) or their GIS shapefiles can be downloaded from the [MN Geospatial Commons](#). Please contact the [NH Review Team](#) if you need assistance accessing the data. Reference the [MBS Site Biodiversity Significance](#) and [Native Plant Community](#) websites for information on interpreting the data. To receive a list of MBS Sites of Biodiversity Significance and DNR Native Plant Communities in the vicinity of your project, create a [Conservation Planning Report](#) using the Explore Tab in [Minnesota Conservation Explorer](#).

- If the Wetland Conservation Act (WCA) is applicable to this project, please note that native plant communities with a Conservation Status Rank of S1 through S3 or wetlands within *High* or *Outstanding* MBS Sites of Biodiversity Significance may qualify as Rare Natural Communities (RNC) under WCA. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that modify a RNC must be denied if the local government unit determines the proposed activities will permanently adversely affect the RNC. If the proposed project includes a wetland replacement plan under WCA, please contact your [DNR Regional Ecologist](#) for further evaluation. Please visit [WCA Program Guidance and Information](#) for additional information, including the [Rare Natural Communities Technical Guidance](#).

State-listed Species

- [Blunt-lobed grapefern](#) (*Sceptridium oneidense*), [goblin fern](#) (*Botrychium mormo*), and [narrow triangle moonwort](#) (*Botrychium angustisegmentum*), all state-listed threatened plants, have been documented in the vicinity of the proposed project. Additionally, [St. Lawrence grapefern](#) (*Sceptridium rugulosum*), [least moonwort](#) (*Botrychium simplex*), and [pale moonwort](#) (*Botrychium pallidum*), all state-listed plant species of special concern, have been documented in the vicinity of the proposed project.

Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of endangered or threatened plants or animals, including their parts or seeds, without a permit. **To demonstrate avoidance, a qualified surveyor will need to determine if suitable habitat exists within the activity impact area and, if so, conduct a survey prior to any project activities.** Surveys must be conducted by a qualified surveyor and follow the standards contained in the [Rare Species Survey Process](#) and [Rare Plant Guidance](#). Visit the [Natural Heritage Review](#) page for a list of certified surveyors and more information on this process. Project planning should take into account that any botanical survey needs to be conducted during the appropriate time of the year, which may be limited. Please consult with the NH Review Team at Review.NHIS@state.mn.us if you have any questions regarding this process.

- [Northern long-eared bat](#) (*Myotis septentrionalis*) and [little brown myotis](#) (*Myotis lucifugus*), both state-listed as species of special concern, have been documented in the vicinity of the proposed project. During the winter these species hibernate in caves and mines. During the active season (approximately April-November) they roost underneath bark, in cavities, or in crevices of both live and dead trees; and in human structures such as buildings and bridges. Activities that may impact these species include, but are not limited to, wind farm operation, any disturbance to hibernacula, and destruction/degradation of habitat. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups are not able to fly. **To minimize impacts to these species, the DNR recommends that tree removal be avoided from June 1 through August 15.**
- Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts.

Federally Protected Species

- The northern long-eared bat is also federally listed as endangered. **To ensure compliance with federal law, please conduct a federal regulatory review using the U.S. Fish and Wildlife Service's online [Information for Planning and Consultation \(IPaC\) tool](#).** Please note that all projects, regardless of whether there is a federal nexus, are subject to federal take prohibitions. The IPaC review will determine if take is reasonably certain to occur and, if not, will generate an automated letter. Please see [USFWS Northern Long-eared Bat](#) for additional information.

Environmental Review and Permitting

- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.
- The Environmental Assessment Worksheet should address whether the proposed project has the potential to adversely affect the above rare features and, if so, it should identify specific measures that will be taken to avoid or minimize disturbance. Sufficient information should be provided so the DNR can determine whether a takings permit will be needed for any of the above protected species.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore,

ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and project description provided with the request. **If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.**

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit the [Natural Heritage Review website](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, you may contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

Molly Barrett

Digitally signed by Molly Barrett
Date: 2024.06.07 17:28:30 -05'00'

Molly Barrett

Natural Heritage Review Specialist

Molly.Barrett@state.mn.us

Cc: [Jessica Parson](#), Regional Environmental Assessment Ecologist, Northeast (Region 2)

Cc: [Mark White](#), Regional Ecologist, Northeast (Region 2)

Cc: [Jennie Skancke](#), Wetlands Program Coordinator



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

March 26, 2025

Daniel McInnis
Widseth Smith and Nolting and Associates, Inc.

RE: Natural Heritage Review of the proposed **Northwoods Regional Trail - Phases 1A & 1B**,

County	Township	Range	Section
Aitkin	45N	22W	7, 8, 17, 18, 19
Aitkin	45N	23W	13, 19, 20, 23, 24, 25, 26, 29, 30
Aitkin	45N	24W	20, 21, 22, 23, 24, 26, 28, 29
Aitkin	45N	25W	25, 26, 33, 34, 35

Dear Daniel McInnis,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2024-01049** in the email subject line.

As requested, the [Minnesota Natural Heritage Information System](#) has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

Ecologically Significant Areas

- The Minnesota Biological Survey (MBS) has identified Sites of Biodiversity Significance within the vicinity of the proposed project. Sites of Biodiversity Significance (MBS Sites) have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape. **The DNR recommends avoidance of MBS Sites ranked High or Outstanding.** A Conservation Planning Report, which includes a list of MBS Sites in the proposed project area, has been created and uploaded to the project page (2024-01049-CPR).

DNR Native Plant Communities (NPCs) have been documented within the vicinity of the proposed project. A native plant community is a group of native plants that interact with each other and with their environment in ways not greatly altered by modern human activity or by introduced organisms. Native plant communities are classified and described by considering vegetation, hydrology, landforms, soils, and natural disturbance regimes. DNR NPC types are given a Conservation Status Rank that reflects the

relative rarity and endangerment of the community type in Minnesota. Conservation Status Ranks range from S1 (*critically imperiled*) to S5 (*secure, common, widespread, and abundant*); NPCs with a Conservation Status Rank of S1 through S3 are considered rare in Minnesota. **The DNR recommends avoidance of rare NPCs (ranked S1-S3).** A Conservation Planning Report, which includes a list of NPCs in the proposed project area, has been created and uploaded to the project page (2024-01049-CPR).

The DNR recommends that the project be designed to avoid impacts to these ecologically significant areas. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:

- Minimize width of trail.
- As much as possible, operate within already-disturbed areas.
- Avoid MBS Sites and rare NPCS (ranked S1-S3).
- Minimize vehicular disturbance in the MBS Site (allow only vehicles/equipment necessary for construction activities).
- Do not park equipment or stockpile supplies in the MBS Site.
- Do not place spoil in the MBS Site or other sensitive areas.
- If possible, conduct the work under frozen ground conditions.
- Do not route trails through wet swales or depressions, or sensitive rock outcrop areas.
- Bridge all stream and wetland crossings.
- Trail maintenance plans should address erodible soils, especially in areas of steep topography.
- Use signage to encourage visitors to stay on designated trails.
- Use effective erosion prevention and sediment control measures.
- Inspect and clean equipment prior to operation and follow recommendations to [prevent the spread of invasive species](#).
- Revegetate disturbed soil with [native species suitable to the local habitat](#) as soon after construction as possible.
- Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.
- Please reference the [Guidelines for Managing and Restoring Natural Plant Communities along Trails and Waterways](#) for additional information.

Ecologically Significant Areas can be viewed using the Explore page in [Minnesota Conservation Explorer](#) (MCE) or their GIS shapefiles can be downloaded from the [MN Geospatial Commons](#). Reference the [MBS Site Biodiversity Significance](#) and [Native Plant Community](#) websites for information on interpreting the data. To receive a list of Ecologically Significant Areas in the vicinity of your project, create a Conservation Planning Report using the Explore page in MCE. **A Conservation Planning Report has been created and uploaded to the project page for reference** (2024-01049-CPR).

- If the Wetland Conservation Act (WCA) is applicable to this project, please note that native plant communities with a Conservation Status Rank of S1 through S3 or wetlands within *High* or *Outstanding* MBS Sites of Biodiversity Significance may qualify as Rare Natural Communities (RNC) under WCA. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that

modify a RNC must be denied if the local government unit determines the proposed activities will permanently adversely affect the RNC. If the proposed project includes a wetland replacement plan under WCA, please contact your [DNR Regional Ecologist](#) for further evaluation. Please visit [WCA Program Guidance and Information](#) for additional information, including the [RNC Technical Guidance](#).

State-listed Species

- [Blunt-lobed grapefern](#) (*Sceptridium oneidense*), [goblin fern](#) (*Botrychium mormo*), and [narrow triangle moonwort](#) (*Botrychium angustisegmentum*), all state-listed threatened plants, have been documented in the vicinity of the proposed project. Habitat for these species includes mesic hardwood forest with loam soils. Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of endangered or threatened plants or animals, including their parts or seeds, without a permit. **To demonstrate avoidance, a qualified surveyor will need to determine if suitable habitat exists within the activity impact area and, if so, conduct a survey prior to any project activities.**

Surveys must be conducted by a qualified surveyor and follow the standards contained in the [Rare Species Survey Process](#) and [Rare Plant Guidance](#). Visit the [Natural Heritage Review](#) page for a list of certified surveyors and more information on this process. **Please note that the survey needs to be conducted by an individual with demonstrated experience identifying *Botrychium*/*Sceptridium* species** and needs to be conducted during the appropriate portion of the growing season, depending on the phenology of the species. Survey proposals should be submitted to Reports.NHIS@state.mn.us prior to initiating survey work. Please consult with the NH Review Team at Review.NHIS@state.mn.us if you have any questions regarding this process.

- [St. Lawrence grapefern](#) (*Sceptridium rugulosum*) and [least moonwort](#) (*Botrychium simplex*), both state-listed plant species of special concern, have been documented in the vicinity of the proposed project. Habitat for St. Lawrence grapefern includes fire dependent forests with sandy loam soils. Habitat for least moonwort includes mesic hardwood forest and upland prairie. **Minimize disturbance in these areas as much as feasible. Indirect impacts from surface runoff or the spread of invasive species, especially non-native earthworms, should be considered and minimized during project construction and operation.** We strongly encourage inclusion of species of special concern during survey efforts as they are also rare and an important component of Minnesota's natural heritage.
- [Northern long-eared bat](#) (*Myotis septentrionalis*) and [little brown myotis](#) (*Myotis lucifugus*), both state-listed as species of special concern, have been documented in the vicinity of the proposed project. During the winter these species hibernate in caves and mines. During the active season (approximately April-November) they roost underneath bark, in cavities, or in crevices of both live and dead trees; and in human structures such as buildings and bridges. Activities that may impact these species include, but are not limited to, wind farm operation, any disturbance to hibernacula, and destruction/degradation of habitat. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups are not able to fly. **To minimize impacts to these species, the DNR recommends that tree removal be avoided from June 1 through August 15.**

- Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts.

Federally Protected Species

- The northern long-eared bat is also federally listed as endangered. **To ensure compliance with federal law, please conduct a federal regulatory review using the U.S. Fish and Wildlife Service's online [Information for Planning and Consultation \(IPaC\) tool](#).** Please note that all projects, regardless of whether there is a federal nexus, are subject to federal take prohibitions. The IPaC review will determine if take is reasonably certain to occur and, if not, will generate an automated letter. Please see [USFWS Northern Long-eared Bat](#) for additional information.

Environmental Review and Permitting

- The Environmental Assessment Worksheet should address whether the proposed project has the potential to adversely affect the above rare features and, if so, it should identify specific measures that will be taken to avoid or minimize disturbance. Sufficient information should be provided so the DNR can determine whether a permit to take will be needed for any of the above protected species.
- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available and is the most complete source of data on Minnesota's native plant communities, rare species, and other rare features. However, the NHIS is not an exhaustive inventory and does not contain the locations of all rare features in the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and project description provided with the request. **If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.**

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit [Natural Heritage Review](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, please contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

Molly Barrett

Digitally signed by Molly Barrett
Date: 2025.03.26 08:38:03 -05'00'

Natural Heritage Review Specialist

molly.barrett@state.mn.us

Cc: [Jessica Parson](#), Regional Environmental Assessment Ecologist, Northeast (Region 2)

Cc: [Sophia Musiak](#), Assistant Regional Environmental Assessment Ecologist, Northeast (Region 2)

Cc: [Ryan T. Anderson](#), Assistant Plant Ecologist, Northeast (Region 2)

Cc: [Jennie Skancke](#), Wetlands Program Coordinator



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April 14, 2025

VIA EMAIL

Andrew Carlstrom
Aitkin County
307 2nd Street Northwest
Aitkin, Minnesota 56431
andrew.carlstrom@aitkincountymn.gov

RE: Northwoods Regional Trail Phase 1A and 1B – Environmental Assessment
Worksheet/Environmental Impact Statement/Alternative Urban Areawide Review

Dear: Andrew Carlstrom

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Northwoods Regional Trail Phase 1A and 1B project (Project) located in Aitkin County, Minnesota. The Project consists of Aitkin County proposing to construct an All-Terrain Vehicle (ATV) trail on 40.95 acres between Malmo and Millward Township in Aitkin County, Minnesota. The Project will be completed in two phases (1A and 1B), adding approximately 36.35 miles of trail to the existing Northwoods Regional ATV trail system. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for consideration.

Construction Stormwater

Since the Project will result in an increase of one acre of new impervious surface, a permanent stormwater treatment system is required under the National Pollutant Discharge Elimination System and State Discharge System (NPDES/SDS) Construction Stormwater Permit. Volume reduction practices, such as infiltration, must be considered first unless prohibited for reasons outlined in the permit.

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit actions by the MPCA.

Andrew Carlstrom
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April 14, 2025

Ultimately, it is the responsibility of the Project Proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at chris.green@state.mn.us or by telephone at 507-476-4258.

Sincerely,

Chris Green

This document has been electronically signed.

Chris Green, Project Manager
Environmental Review Unit
Resource Management and Assistance Division

CG:rs

Attachment

cc: Dan Card, MPCA
Bonnie Goshey, MPCA
Nicole Peterson, MPCA
Lauren Dickerson, MPCA
Deepa deAlwis, MPCA
Innocent Eyoh, MPCA
Theresa Haugen, MPCA