



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 15 2009

REPLY TO THE ATTENTION OF:

AR-18J

Tony Sullins, Field Supervisor
Twin Cities Minnesota Field Office
United States Fish and Wildlife Service
4101 E. 80th Street
Bloomington, Minnesota, 55425-1665

Dear Mr. Sullins:

Pursuant to Section 7 of the Endangered Species Act (ESA), (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the U.S. Environmental Protection Agency has reviewed the biological information and analysis related to a Prevention of Significant Deterioration permit for Mesabi Nugget, Hoyt Lakes, Minnesota, to determine what impact there may be to any threatened or endangered species in the area around the proposed facility.

The parties utilized the consultation process as specified in the ESA Consultation Handbook, procedures for conducting consultation and conference activities under Section 7 of the ESA, (March 1998 final); by the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service. The Minnesota Pollution Control Agency (MPCA) prepared the attached biological assessment following the guidance provided in the ESA consultation handbook, as well as specifics discussed in a conference call held between EPA, USFWS and MPCA on November 5, 2009 and December 8, 2009.

EPA has reviewed the information and considering this analysis in its entirety, EPA concludes that the proposed construction and operation of this facility may affect Canada lynx (*Lynx canadensis*) and Gray wolf (*Canis lupus*). The EPA determined that there will be no effect to designated Canada lynx and Gray wolf critical habitat. EPA respectfully requests formal consultation on this determination.

Sincerely,

A handwritten signature in black ink that reads "Pamela Blakley".

Pamela Blakley, Chief
Air Permits Section

Enclosures

cc: Chris Nelson, MPCA