

# Comprehensive Environmental Review Process

---

The Comprehensive Environmental Review Process (CERP) is an internal IDNR process to review:

- actions that the Department performs or funds,
- actions that the Department approves and a tax incentive is provided,
- actions that occur on IDNR-owned or leased land.

An action is any activity that may change existing physical, chemical or biological conditions of air, land, or water.

Certain 'actions' that are routinely performed by the department are exempt from CERP review under specific conditions. These exemptions are listed starting on page three. If you are not sure if an exemption applies to a specific action, ask the CERP coordinator.

Projects should be submitted to the CERP coordinator using the CERP form available under Env Resources on the Forms and Documents tab in Sharepoint. Email the completed CERP form along with a map that clearly shows the project area, such as an aerial or topo map.

CERP staff will review the proposed action for potential impacts to threatened or endangered species, INAI sites, wetlands, cultural resources and other resources such as migratory birds, fisheries, forests, prairies, streams, and riparian corridors.

## **IDNR Authorization**

Permits issued by the Office of Water Resources and the Office of Mines and Minerals, and any other Department authorization, do not go through the CERP process. These permits are reviewed under the IL Endangered Species Protection Act and the IL Natural Areas Preservation Act.

Projects are frequently sent to other IDNR offices for staff review and comment. CERP staff may request additional information about the project, or request a biological, archeological, or architectural survey, or a wetland delineation.

If staff concludes that adverse effects are likely, a CERP sign-off may include project modifications. Any such modifications will be discussed with the project proponent before they are attached to the sign-off document. The project proponent must accept the modifications before the project can proceed. If a project must go to construction bid, the modifications must be included in bid specifications.

Even when staff concludes that a project is not likely to have adverse effects, Best Management Practices for erosion control are required for all projects undertaken on IDNR land.

CERP reviews are valid for two years. If a project hasn't been implemented within that time, it must be resubmitted for an updated review. The project must also be resubmitted if the proposed action is modified after OREP sign-off.

Note that project proponents are responsible for obtaining any other permit required for the project, i.e., IEPA, Sec. 404.

Final decisions on actions that occur on IDNR-owned or leased land will be posted in the Environmental Reporter.

## **Early Review for Large Projects**

CERP should be initiated early in the planning process for large complex projects. These could be projects that require long-range planning efforts, involve large and complex scopes of work, or require inter-agency coordination for their execution.

Examples include:

- major road networks within a site,
- large utility corridors (sewer, pipelines),
- new lodges or recreational facilities (campgrounds, day use areas, etc.),
- major watershed projects,
- lakes and dams,

With projects of this nature, it is imperative that the environmental review and project design occur simultaneously. The goal is to have architects, engineers, and resource specialists working together in the early stages of the project to ensure that the final project design addresses environmental issues and is compliant with relevant natural resource statutes.

To meet this goal, and thereby avoid unnecessary delays caused by design revisions, project proponents should contact the CERP coordinator before initiating studies or developing project plans.

### **Significant Actions**

On occasion, either through early planning or during the review period, projects will be identified as 'significant actions'. Generally a significant action has the potential to:

- (1) cause direct or indirect alteration of the physical or biological features of the air, land, or water, affecting the long term survival of a plant or animal species,
- (2) cause permanent loss to wetlands or the quality of ground or surface water,
- (3) cause forest fragmentation,
- (4) degrade, on a long term basis, habitat for fish, game, or non game species, or
- (5) adversely affect a National Register-eligible archaeological site or historic structure.

Examples include:

- construction of new roads, recreation areas, or facilities,
- initiation of new farming, mining, or mineral extraction activities,
- cutting of substantial numbers of mature native trees,
- logging on state forest land that affects more than 10 acres,

- actions affecting a listed species, Natural Area, or Nature Preserve,
- actions that cause significant alterations to lakes or streams,
- actions affecting National Register eligible archaeological sites and/or historic standing structures,
- actions substantially affecting an important aesthetic feature of the area in which it is located.

Significant actions require public review and comment—public notice is provided in the Environmental Reporter. The public is allowed 45 calendar days from the date of publication to provide the department with written comments. At the end of the public review, the Department has 15 calendar days to determine if a public meeting is necessary or if the project can proceed as proposed or with changes.

If a public meeting is scheduled, the time, date, and location will appear in the Environmental Reporter at least 30 days prior to the meeting. At its discretion, the Department may hold the meeting at the project site, in the town nearest the site, or at a nearby central location. A record of the proceedings—constituent comments, contacts, testimony, etc.—will be given to the Director. A decision will be made within 15 calendar days or, if an extension is needed, a time period agreeable to the involved parties.

The decision will be published in the next issue of the Environmental Reporter. The public will have 15 calendar days from when the decision is first posted to file an appeal. Appeals should be in writing and directed to the Division of Ecosystems & Environment.

After the appeal period, the Director's final decision will be announced in the next issue of the Environmental Reporter. The project record, consisting of pertinent communication between the Department and constituents, and the Department's decision and supporting rationale, will be made available to constituents upon request. A reasonable charge may be made for reproducing the documents.

## Actions Exempt from CERP Review

---

### **I. The following management activities in artificial (created) or substantially altered (dammed, leveed, dredged) ponds and impoundments, unless the waterbody or a dam structure has historical significance.**

A. Controlling nuisance aquatic vegetation with chemical, biological, and mechanical means.

B. Fertilizing to promote productivity and planktonic algal growth (for example, to shade submerged nuisance aquatic vegetation and increase food resources.

C. Installing artificial fish congregators or attractors to provide additional fish habitat and/or improve angler catch.

D. Transplanting native aquatic or semi-aquatic plants to establish cover, increase habitat diversity, and prevent erosion when there is no cutting of intact banks.

E. Rearing activities on existing small man-made impoundments to produce fingerling fish, unless there is to be modification of a significant historic structure.

F. Production and stocking activities by the Department's Fish Hatcheries, providing the department documents that the stocking will not have an adverse impact on listed fish species.

### **II. The following management activities undertaken to protect and perpetuate Natural Heritage resources, excluding Nature Preserves and Land and Water Reserves, unless the activity causes a ground disturbance on Department-owned or leased land that requires a cultural resource review.**

A. Chemical and mechanical control (primarily hand-held—does not include the use of a bulldozer, Hydro-axe, or bullhog) of exotic as well as invasive native plant species whenever such control is necessary to: preserve or restore native biotic communities, manage habitat specifically for threatened and endangered species, or protect rare native botanical resources. Control measures must be applied in a manner consistent with the *Vegetation*

*Management Guidelines* and the *Herbicide Use and Application Guidelines* adopted for Illinois Nature Preserves. NOTE: such activity on prehistoric burial mounds is not exempt from CERP.

B. Prescribed burning that is consistent with current Department policy (*Manual Code Use of Prescribed Burning, 04/09/91*). If listed species are present at the site, the activity is only exempt if the burn is conducted for the species' benefit. The cultural resources coordinator should be notified and provided with the annual burn plan for Department owned or leased land.

C. Surveying, inventorying, and monitoring species populations and natural communities.

### **III. All actions within a dedicated Illinois Nature Preserve or a registered Land and Water Reserve that are included in a current INPC-approved Management Schedule, Management Plan or Master Plan or actions that are specifically permitted or approved by the INPC, unless the activity causes a ground disturbance that requires a cultural resource review.**

### **IV. The following natural resource management activities that involve routine or rotational land or water applications on an existing Department-owned or leased site.**

A. Food or seed production practices on currently farmed land, including:

1. Controlling woody vegetation (< 4" DBH) that is encroaching from adjacent habitats into farmed fields by mowing, spraying, burning, etc. in accordance with federal and state law and the Department's tree cutting policy.

2. Plowing, disking, seeding, cultivating, and harvesting using soil conservation practices and structures, and controlling weeds using approved herbicides applied by licensed applicators.

B. Management activities on existing waterfowl management units including:

1. Controlling or reducing woody vegetation (< 4" DHB) that is encroaching on waterfowl management units by mowing, spraying, burning, etc. in accordance with federal and state law and the Department's tree cutting policy.
2. Constructing waterfowl hunting blinds on state-owned ground. Constructing access is not exempt.
3. Installing and operating portable or stationary pumps to water or dewater waterfowl units. Constructing access or new pump areas is not exempt.

C. Vegetation Control & Management.

1. Spot application of herbicides (on water or land) to maintain pre-determined vegetative composition on areas previously treated in a similar manner. Chemical application is in accordance with approved site management plans and applied by licensed applicants.
2. Removing or treating exotic or noxious weeds using approved methods or chemicals that do not disturb topsoil (as designated in the Illinois Exotic Weed Act, the Illinois Noxious Weed Act, and the IDNR Policy for *Planting and Removal of Exotic Plant Materials*).
3. Controlling or reducing woody vegetation that is encroaching on areas mowed or cultivated within the last three years.
4. Pesticide use which has been through consultation for an NPDES pesticide permit.

D. Placing temporary check stations.

**V. The following activities on Department-owned or leased land that is undertaken to promote good stewardship, public safety, and proper public use of the state's natural resources.**

- A. Maintaining existing levees, dams, riprap areas, parking areas, trails, utilities, firebreaks, access lanes, water control structures, pump sites, culverts (or other water transfer systems), erosion control

structures, etc. NOT exempt is excavation or similar ground disturbance, or clearing vegetation for access.

B. Routine building and grounds maintenance including, but not limited to, mowing, trimming, spot spraying, painting and signing, except for historical structures as identified by the cultural resources coordinator.

C. Removing dead trees along roads, trails, utilities, parking lots, access points, etc. to ensure human safety.

D. Renovating existing buildings both internally as well as externally, except for historical structures as identified by cultural resources coordinator.

E. Routine annual turf management activities such as mowing grass, aeration, seeding, and fertilizer application.

F. Except in historic districts, replacing playground equipment, structures, and picnic shelters on the same site. New construction is not exempt.

G. Routine road maintenance or rehabilitation such as resurfacing, pot-hole repair, re-grading, cleaning-out road ditches, and mowing on established roads and rights-of-ways. Application of road salt is only exempt if approved BMPs are followed and the application has been approved in the annual Plan of Work.

H. Re-surfacing hiking and biking trails with materials that are of the same type as the existing surface. Trail widening, expansion, or rerouting is not exempt.

I. Installing or replacing traffic, trail, and information signs provided that no vegetation is removed.

J. Replacing fire grills and benches in existing day-use areas, and replacing floating docks and piers on non-navigable streams and lakes. Replacements must be in the same location.

K. Mosquito control that is consistent with Department policy as outlined in *Mosquito Control on Department-owned Lands*.

L. Hunting, fishing, trapping, snowmobiling, horseback riding, picnicking, bird watching, hiking, boating, or skiing at locations where such activity is currently allowed. New facilities or trails for these activities are not exempt.

**VI. The following emergency situations.**

A. When natural or manmade disasters pose a threat to human life or property and an action must be taken immediately, the project proponent can proceed without notifying the CERP coordinator. Within 30 days after the emergency is under control, the project proponent must submit the project for CERP review and provide information on the nature of the emergency

actions, the justification for requiring immediate action, and any adverse impacts to natural resources that may result. The CERP reviewers shall evaluate the information and, if necessary, provide recommendations for mitigation.

B. When an action must commence within 30 days to prevent a threat to human life or a loss of property, the project proponent should explain the nature of the problem and request an expedited CERP review. If a sensitive resource is present within the vicinity of the project, alternatives will be recommended to avoid, minimize, or mitigate the adverse impacts before the action is undertaken.