Citizens, developers and biologists work together to minimize habitat damage.

The Consultation Process

Does an endangered species live in your community? Chances are good they do. What happens when a change to the environment is proposed?

Recently a subdivision was proposed in the Village of Lake Barrington, on high ground overlooking the Wagner Fen Forest Preserve, an Illinois Natural Areas Inventory Site (INAI) and dedicated nature preserve. Controversy flared as local residents and conservation groups rallied to protect the preserve, a rare calcareous fen supporting nine endangered or threatened species, including the sandhill crane (*Grus canadensis*), Blanding's turtle (*Emydoidea blandingii*) and snakemouth pogonia (*Pogonia ophioglossoides*). The fear was that the proposed development would damage or destroy the groundwater recharge area crucial to the preserve's survival.

State law requires state agencies and local governments, such as Lake Barrington, to consult DNR before authorizing, performing or funding any action that may adversely affect state-threatened or endangered species or their essential habitats, or modify an INAI site, such as Wagner Fen. DNR consults on thousands of proposals every year, providing advice to avoid or reduce threats to protected resources.

In this case, community leaders chose to implement consultation by convening a stakeholder's group which included the developer, DNR, the Lake County Forest Preserve District, the Nature Preserves Commission, local homeowners associations and conservation groups. The group designed a groundwater study, paid for by the developer, that provided data about the origins, flow paths, chemistry and quantity of groundwater associated with Wagner Fen. The findings demonstrated that threats from the proposed project were not as serious as originally believed. Stakeholders were able to negotiate a development plan which avoids or reduces the more serious impacts.

Most proposed actions are not as publicly controversial as those affecting Wagner Fen, and whether an agency or local government implements DNR recommendations generally depends on factors other than public outcry, including the extent of their power or their perception of how best to promote the general welfare. While actions detrimental to listed species often proceed unchanged, consultation at least assures informed choice.

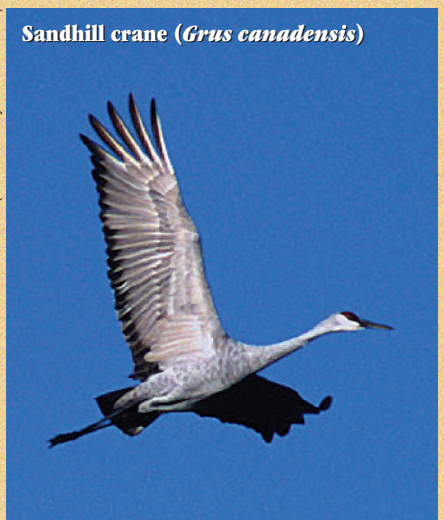
(Photo courtesy Jim Miner, Illinois State Geological Survey.)

With DNR as a consultant, a developer-funded groundwater study near the Wagner Fen Forest Preserve in Lake County helped alleviate concerns about environmental impacts of nearby development.

You can help protect natural areas and endangered species by encouraging your local officials to consult with DNR, and by urging serious consideration of DNR recommendations before projects go forward. Consultation is most effective when local citizens get involved.

—**Keith Shank**, Impact Assessment Analyst, DNR Office of Realty and Environmental Planning

Sandhill crane (*Grus canadensis*)



(Photo courtesy Carol Freeman.)

In 1999, the Illinois General Assembly approved legislation giving the Department of Natural Resources the authority to allow taking of endangered or threatened species when that take is incidental to carrying out an otherwise lawful activity. This "incidental take" authority allows the Department to work with developers, highway departments and others, whose work may involve an unavoidable taking of rare species, to assure that the effect on the species is minimized and mitigated.