



# Illinois Department of Natural Resources

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<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

March 15, 2013

Mr. Bob Walters  
Mayor  
City of Beardstown  
105 E. 3<sup>rd</sup> Street  
Beardstown, IL 62618-1142

Mr. Joshua Ryals  
Project Scientist  
EBI Consulting, Inc  
5903 N Winthrop AVE #2W  
Chicago, IL 60660

**Re: DT Telecommunications Tower and Facility – Beardstown  
Endangered Species Consultation Program  
Project Number: 1306486  
County: Cass**

Dear Mr. Walters and Mr. Ryals:

The Department received a submission via the Department's Ecological Compliance Assessment Tool (EcoCAT) website, submitted by EBI Consulting, on behalf of the city of Beardstown regarding this project located in Section 14, Township 18 North, Range 12 West for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project involves the construction of a telecommunications facility, including a 210 foot self-support tower that will be located within a 100' x 100' leased, fenced area. The location of the proposed cell tower is east of the Burlington Northern Railroad, west of Beardstown Road, south of community garden plots, and north of State Route 125.

Resources in the vicinity of the proposed project include the **Beardstown Marsh Illinois Natural Area Inventory (INAI) Site, Beardstown Railroad Prairie Natural Heritage Landmark and INAI Site**, and the **Slough Natural Heritage Landmark**. Protected species in the vicinity of the proposed tower include the State-listed endangered **Common Moorhen**, *Gallinula chloropus*, and the State-listed threatened **Least Bittern**, *Ixobrychus exilis*, and **Illinois Chorus Frog**, *Pseudacris streckeri illinoensis*.

Additional species that are associated with Beardstown Marsh, but are located just outside the buffer parameter set up in EcoCAT, are the State-listed endangered **Blanding's Turtle**, *Emydoidea blandingii*,

**Yellow Mud Turtle**, *Kinosternon flavescens*, **Yellow-Headed Blackbird**, *Xanthocephalus xanthocephalus*, and **American Bittern**, *Botaurus lentiginosus*.

The Department has completed its review of this project and determined that construction activities may have an adverse impact on the State-listed threatened Illinois Chorus Frog because this project may be within the footprint of where this species travels to and from upland areas and wetlands. To minimize these impacts, the Department recommends that Beardstown incorporate the following measures in its project authorization.

### **Illinois Chorus Frog**

Over the last 25 years, this species has been documented at a number of locations northeast, west, south, southwest, and southeast of the proposed project – from a half mile to 4 miles away. This small amphibian (adults rarely exceed 1.5 inches in length) has a fossorial habitat, spending nearly all of its life in underground burrows. Dispersed in sandy or friable soils, this species emerges in February and March after spring rains have filled ephemeral ponds. At these ponds, the species breeds and lays eggs, then returns to their upland burrows.

The Department is concerned with the potential adverse effects that this project could have on this species if it is located within areas traversed by Illinois Chorus Frogs, by potential injuries or death sustained while trenches are being excavated, by frogs being crushed from equipment and vehicles, from frogs being harassed via vehicular and machine traffic vibration and noise, or by limiting its ability to travel to and from breeding wetlands.

*Recommendation 1.* The Department recommends a biological survey for the presence of Illinois Chorus Frogs at the emergent wetland south of the proposed site and just north of State Route 125. Best time to survey is March – early April on warm (> ~ equal to 48 degrees ) rainy nights. If surveys reveal the presence of this species (normally heard more easily than seen), the applicant should notify the Department, and develop measures to avoid or minimize adverse effects to this species.

*Recommendation 2.* All on-site personnel that will be involved in this project should be educated about the Illinois Chorus Frog. Blanding's Turtles and Yellow Mud Turtles could traverse the area as well, so education measures for these species could also be included. Color photos, and educational materials about its life history requirements, should be distributed and displayed at work zones. The frogs are usually only seen above ground (nocturnally) during the spring breeding season (February – April); they prefer to be below ground from May to January. Turtles could be seen from March to early November.

*Recommendation 3.* The Department would like to stress that if Illinois Chorus Frogs are encountered during the construction phase, or during future maintenance activities, there is the potential for incidental take to occur. 'Take' means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. If a population is confirmed within or near the project, the developer should consider whether obtaining an Incidental Take Authorization from the Department's Office of Resource Conservation, pursuant to 520 ILCS 10/5.5, may be appropriate. Such a permit form IDNR may not be needed if habitat will not be adversely affected or modified.

*Recommendation 4.* Equipment staging areas should be provided to the Department to ensure that they do not adversely impact frog populations. Staging areas should be located outside of sandy soils or drainage ditch areas.

### Tower Lighting

Due to numerous listed bird species in the vicinity of the proposed tower, and the potential risk for migrating birds to collide with the tower, especially during nighttime, the Department recommends that the developer investigate the possibility of eliminating steady-burning red nighttime lighting systems and incorporate a lighting system that will lessen potential tower collisions with area or migrating birds, especially when night skies are overcast or foggy.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), the city of Beardstown must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Cordially,



Kathi Davis  
Division of Ecosystems and Environment  
Impact Assessment Section  
Office of Realty & Environmental Planning  
217-785-5500

Attachments

Cc: Tim Kelley, IDNR/Region IV/Natural Heritage  
Mike Chandler, IDNR/District 19/Wildlife  
Tom Lerczak, Illinois Nature Preserves Commission  
John Tucker, Illinois Natural History Survey  
Chris Phillips, Illinois Natural History Survey