



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

October 28, 2013

Mr. Joseph Rakers  
Partner  
JSCK Properties  
14700 Lake Rd  
Carlyle, IL 62231

Ms. Joyce M. Lucas  
Zoning Administrator  
Clinton County  
850 Fairfax St  
Carlyle, IL 62231

**Re: Campground - Lake Carlyle  
Endangered Species Consultation Program  
Project Number(s): 1400954  
County: Clinton**

Dear Mr. Rakers and Ms. Lucas:

This letter concerns the Endangered Species Consultation for the Lake Carlyle Campground, located in Section 7, Township 2N, and Range 2W. This project was submitted on the behalf of Clinton County (Zoning) 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 scope of the project is to rebuild and repair the existing campground, including the replacement of electrical hookup box posts, water line trenching, sewer line trenching, and tree and brush removal. The Department has completed its review of the project and determined the action is likely have an adverse impact on the state endangered **Eastern Massasauga Rattlesnake** (*Sistrurus catenatus*), which is known to occur in the area, and is also a U.S. Fish & Wildlife Service candidate species. In addition, the state listed **Kirtland's Snake** (*Clonophis kirtlandi*), is known to occur in the vicinity. To minimize potential impacts, the Department recommends Clinton County incorporate the following measures in its project authorization.

1. The Department recommends a Biological Survey for the state endangered **Eastern Massasauga Rattlesnake**. It is recommended the survey be conducted in March 2014. Please contact IDNR District Heritage Biologist/State Herpetologist Scott Ballard, 618-993-7023, for biological survey and prescribed burn information. For the survey, a prescribed burn plan will need to be developed and submitted to IEPA by end of December 2013 (to be completed by Scott Ballard/IDNR). Survey results should be forwarded to the Department. **If no survey is conducted, the Department recommends obtaining Incidental Take Authorization** in accordance with 17 Ill. Adm. Code Part 1080, from the Department's Office of Resource

Conservation, pursuant to 520 ILCS 10/5.5. '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. Communication concerning the ITA application should be directed to Joe Kath, Endangered Species Manager, Office of Resource Conservation, 217-785-8764, [Joe.Kath@illinois.gov](mailto:Joe.Kath@illinois.gov).

2. Perform above ground work between mid-November and late March; the major work should be done before March, with only clean-up occurring in March. Snakes emerge and disperse from hibernation sites (usually crawfish and/or rodent burrows) late March to early April, and are active throughout their range until October, when they return to their hibernacula.
3. If construction cannot be limited to the recommended time frame, exclusionary fencing should be installed and in place from the end of March and remain until October, to prevent snakes from entering the construction areas. Daily inspections should occur for the first two weeks, and then be maintained weekly throughout the construction period to ensure the exclusionary fencing has been properly installed (dug into the ground) and to check if any snakes are present on either side of the fence.
4. Minimize the amount of land being cleared and trenched as much as possible. Mowing regimes for a site such as this present an added risk of injury or death to snakes. Anyone who will be mowing should be educated about the species, be aware that they may be present, and be instructed on what to do if any snakes are encountered. The mowing of grassy areas should begin no later than early March, with a strictly maintained mowing regimen so grasses do not reach more than six inches in height. Prior to mowing, a visual inspection of areas to be mowed should be conducted.
5. Securely cover trenches and excavations at the end of every work day. Because trenches can trap snakes (and other reptiles and amphibians), trenches and excavations should be routinely inspected throughout the day to ensure no snakes have become trapped within them. Trenches should also be checked before being backfilled, and should be returned to original grade when project is done. Due to potential hibernacula, trenching and other excavation activities **should not be performed between mid-November and late March**.
6. All on-site personnel involved in the project, including construction staff, should be educated on how to recognize this species. Color photos (of adults and juveniles), educational materials, and a plan for responding to potential encounters should be discussed in a training session and at the preconstruction site meeting(s).
7. If Eastern Massasauga Rattlesnakes are encountered, work should immediately stop. Contact the IDNR District Heritage Biologist, Mark Phipps, 618-363-5818, or IDNR District Heritage Biologist and State Herpetologist Scott Ballard, 618-993-7023, *keeping in mind it is a criminal act for anyone to handle, or move, a listed species unless Incidental Take Authorization has been permitted*. Personnel on site should watch the species until the proper authority arrives to handle the situation.

Consultation under 17 Ill. Adm. Code Part 1075 is terminated. In accordance with 17 Ill. Adm. Code 1075.40(h), Clinton County 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.

Consultation for Part 1075 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 resource 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 resources 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheldon R. Fairfield". The signature is fluid and cursive, with the first name being the most prominent.

Sheldon R. Fairfield  
Impact Assessment Section  
Division of Ecosystems & Environment  
Phone: (217) 782-0031  
[Sheldon.Fairfield@illinois.gov](mailto:Sheldon.Fairfield@illinois.gov)

cc: Mark Phipps, IDNR District Heritage Biologist  
Scott Ballard, IDNR District Heritage Biologist/State Herpetologist  
Karen Miller, IDNR Impact Assessment Section Manager  
Joe Kath, IDNR Endangered Species Manager  
Michael Dreslik, INHS Herpetologist