



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
www.dnr.illinois.gov

Pat Quinn, Governor  
Marc Miller, Director

January 17, 2014

Mr. David DuBois, Director  
Development Review Division  
Will County Land Use Department  
58 E. Clinton Street, Suite 500  
Joliet, IL 60423

**RE: Enbridge Routine Maintenance Line 62 Milepost 66.6827, Will County  
Endangered Species Consultation Program  
EcoCAT Review #1407180**

Dear Mr. DuBois:

Barr Engineering, on behalf of the Enbridge Pipeline, submitted a pipeline maintenance excavation and repair project for the purpose of consultation with the Department and Will County 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 repair investigation location lies in the vicinity of a record for the State-listed threatened **Four-Toed Salamander**, *Hemidactylium scutatum*. The pipe-line at this point lies within a wooded wetland adjacent to Plum Creek which likely provides essential habitat for this species. The Department believes the repair investigation will adversely modify or destroy this habitat; if occupied by the Salamander, the work will result in prohibited taking of this species.

It is clear that pipe-line anomalies must be investigated and repaired, if necessary, to avoid catastrophic pipe-line failures which could result in extensive ecological harm. However, *the Department recommends the County condition its authorization of this activity with a requirement that an intensive survey effort for the Four-Toed Salamander be completed before disturbance of the site commences.* The survey should be conducted in March and April, when breeding occurs in vernal pools, but should also include investigations of terrestrial Salamander habitat (i.e., beneath logs and debris). Special scientific study permits pursuant to Part 1070 from the Department of Natural Resources will be needed to carry out such a program.

If the survey locates one or more Four-Toed Salamanders, in accordance with 520 ILCS 10/11(b), the work may not be authorized until the applicant presents evidence of receiving from the Department of Natural Resources an Incidental Take Authorization pursuant to Part 1080 of the Department's Administrative Rules. Upon receipt of the required Conservation Plan, the Department's Incidental Take Authorization process requires a minimum of 120 days to complete.

The Department believes the proposed action is unlikely to adversely modify the Moeller Woods INAI Site, which lies some distance beyond the opposite bank of Plum Creek and generally upstream of the area to be disturbed.

In October 2014, the US Fish & Wildlife Service will list the **Northern Long-Eared Bat**, *Myotis septentrionalis*, as endangered under the federal *Endangered Species Act*, whereupon this species will immediately and automatically become an Illinois state-listed endangered species. In 2013, the Forest Preserve District of Will County acquired acoustic evidence of colonies of this species from a number of Forest Preserves within Will County.

On January 6, 2014, the US Fish & Wildlife Service issued guidance that parties engaging in activities which may “take” the Northern Long-Eared Bat should immediately begin treating such activities as though they are covered under the federal *Endangered Species Act*. This guidance is available on the web pages of the Fish & Wildlife Service.

Although the Department does not have specific evidence of the presence of the Northern Long-Eared Bat on this tract, the tract contains suitable roosting habitat and the Plum Creek riparian corridor is very likely to host this species at numerous points. The removal of trees greater than three inches in diameter at breast-height between April 1 and November 15 may result in the death or injury of Northern Long-Eared Bats.

The applicant may wish to consider whether to perform mist-netting surveys for bats at this location (during May, June, or July) to determine whether this tract provides essential habitat for this species. The applicant should contact the Fish & Wildlife Service for further advice and direction.

Consultation on the part of the Department is closed, unless Will County desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code Part 1075.40(h), the County should notify the Department of its decision regarding these recommendations, whether it will:

- Proceed with the action as originally proposed;
- 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 which was not previously considered; or the proposed action is modified; or additional species, essential habitats, 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 primarily reflects the information existing in the Illinois Natural Heritage Database at the time of this consultation, 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, the applicant must comply with the applicable statutes and regulations. Also, note that closing consultation does not imply IDNR's authorization or endorsement of the proposed action. Please contact me if you have questions regarding this review.

Sincerely,

Keith M. Shank  
Impact Assessment Section  
Division of Ecosystems and Environment  
[keith.shank@illinois.gov](mailto:keith.shank@illinois.gov)  
(217) 785-5500

cc: Rob Jones, Barr Engineering  
Louise Clemency, USFWS Barrington Field Office