



# Illinois Department of Natural Resources

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

Pat Quinn, Governor  
Marc Miller, Director

April 7, 2014

Mr. Matthey Dabrowski, Director  
Department of Commerce and Economic Development  
Village of Lakemoor  
28874 Illinois Route 120  
Lakemoor, IL 60051

**RE: Wegner Road Cellular Communications Tower, Lakemoor, Lake County  
Endangered Species Consultation Program  
EcoCAT Review #1408625**

Dear Director Dabrowski:

The Department has received a submission from Edge Consulting Engineers, Inc., regarding a proposed cellular communications tower (IL-1740), for the purpose of consultation with the Department and the Village 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 proposed location of the 190-foot high tower is the southern end of the Village's Public Works Facility at 333 Wegner Road, directly adjacent to a 150-acre property owned by the Illinois Department of Natural Resources. The IDNR parcel is designated the **Black-Crown Marsh Illinois Natural Areas Inventory (INAI) Site**, and is also registered with the Illinois Nature Preserves Commission as the **Black-Crown Marsh Land & Water Reserve**, an area protected by the *Illinois Natural Areas Preservation Act* [525 ILCS 30/23]. Units of local government are admonished to avoid planning any action that would adversely affect protected areas [525 ILCS 30/17].

The Department believes construction of the cell tower in this location is likely to adversely modify the INAI Site and to disturb wildlife within the Land & Water Reserve. *The Department recommends the cell tower be constructed elsewhere, ideally at least one-quarter mile from any portion of the Black Crown Marsh Land & Water Reserve.* The basis of this recommendation follows.

The primary function of the Black-Crown Marsh Land & Water Reserve is to provide protected essential habitat for several state-listed endangered or threatened species of waterfowl, including its namesake, the **Black Crowned Night Heron**, *Nycticorax nycticorax*. Other listed species using this area include the **Least Bittern**, *Ixobrychus exilis*; the **Black Tern**, *Chlidonias niger*; the **Common Moorhen**, *Gallinula chloropus*; the **Yellow-Headed Blackbird**, *Xanthocephalus xanthocephalus*; and the **Blanding's Turtle**, *Emydoidea blandingii*. Some of these species have particular requirements which have been—and continue to be—met at Black-Crown Marsh.

The Yellow-Headed Blackbird, in particular, is sensitive to the height of nearby trees; this species will not breed in areas where conditions are otherwise suitable if the visual angle to the tree-tops exceeds thirty degrees. This sensitivity may apply to any object whose apex rises above a 30° angle.

The top of a cellular communications tower with a height of 190 feet will rise above that 30° angle at any point within 380 feet of its base. Siting the tower at the proposed location will place approximately five acres of the Land & Water Reserve within that distance, rendering any otherwise suitable habitat for the Yellow-Headed Blackbird unsuitable. The Department concedes that not all of that area now offers suitable habitat for that species. However, other species may also be sensitive to the sight of such an object, although that sensitivity has not been scientifically documented. Thus, construction of the tower in the proposed location has the potential to disturb wildlife within the Reserve.

In addition, the tower, though a stationary object, poses a collision hazard for all birds and bats which concentrate in the Land & Water Reserve. This hazard will be reduced if the tower is relocated farther from the Reserve boundary.

The Department believes that one-quarter mile is a reasonably safe distance for most flying wildlife. However, with respect to the 30° angle, even a movement of 100 yards would reduce the area affected by the viewing angle within the Reserve to negligible proportions. If it is necessary to install this tower at the Public Works Facility on Wegner Road, the Department requests the Village consider re-locating the tower to the north end of the Village property, if possible. Such action would negate the risk of degrading wildlife habitat within the Land & Water Reserve.

Consultation on the part of the Department is closed, unless the Village desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code 1075.40(h), the Village 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; 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 closure of consultation 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 that reads "Keith M. Shank". The signature is written in a cursive style with a large, stylized 'K' and 'S'.

Keith M. Shank  
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Division of Ecosystems and Environment  
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cc: Tracy Drunaski, Edge Consulting, Inc.  
Charles Schmidt, Lakemoor Department of Public Works  
Randy Heidorn, Illinois Nature Preserves Commission