



Illinois Department of Natural Resources

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www.dnr.illinois.gov

Pat Quinn, Governor
Marc Miller, Director

October 2, 2014

Mr. Cory Horton
McHenry County Planning and Development Dept.
Water Resources Division
2200 North Seminary
Woodstock, IL 60098

**RE: Enbridge Line 6A Milepost 353.0771 Maintenance, McHenry County
Endangered Species Consultation Process
EcoCAT Review #1504682**

Dear Mr. Horton:

The Department received a submission from Barr Engineering for this proposed action for consultation pursuant to 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*.

This work site is located three miles upstream from the **Slough Fen Illinois Nature Preserve** and the **Standlee Fen Illinois Natural Areas Inventory (INAI) Site**, which support populations of the State-listed threatened plant, **Buckbean**, *Menyanthes trifoliata*. Another mile downstream, water enters the **Nippersink Creek INAI Site**, which supports populations of the State-listed threatened **Slippershell Mussel**, *Alasmidonta viridis*. Thus, any pollutants which exit the worksite via storm water runoff or other discharges pose the risk of site degradation, adverse modification of essential habitat, and prohibited taking of State-listed plants and animals.

The Department offers the following recommendations:

- Prior to beginning work, effective erosion and water quality controls should be carefully installed, consisting of silt fence at a minimum, but the Department also suggests construction of a sump surrounded by straw bales to provide an opportunity to capture and remediate any potential spills.
- On-site fueling and maintenance of motorized equipment should be prohibited.
- Spill containment materials should be stockpiled on-site for immediate use in the event of any spill of pipeline product or hydraulic fluids from ruptured equipment hoses.
- The applicant should be required to identify and acquire access rights to a downstream location where secondary pollutant removal operations can be implemented to supplement on-site remedial measures in the event of a spill.

- When the pipeline is re-covered, the applicant should quickly and effectively revegetate the disturbed area, consistent with the prevailing land use, using netting, mulch, and other measures as necessary to prevent off-site movement of disturbed soils.

Consultation on the part of the Department is closed, unless McHenry County desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code 1075.40(h), the County must 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 substantially 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
Division of Ecosystems and Environment
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cc: Rob Jones, Barr Engineering, Minneapolis