



Illinois Department of Natural Resources

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Bruce Rauner, Governor
Wayne A. Rosenthal, Acting Director

January 27, 2015

Joanna Colletti
Lake County Stormwater Management Commission
500 Winchester Road
Libertyville, IL 60048

**RE: Bangs Lake Circle Channel Dredging/Shoreline Restoration, Lake County
Endangered Species Consultation Program
EcoCAT Review #1505934**

Dear Ms. Colletti:

The Department has received a submission from Integrated Lakes Management (ILM) for the purpose of consultation between the Department and the Commission 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.

The proposed action entails dredging material from the mouth of the Circle Channel at Bangs Lake and restoring the wetland margins of the lakeshore where dredged spoil will be transferred to trucks for disposal. This activity will be supported by grant funds from the Commission, which are derived in part from the Illinois Environmental Protection Agency. Consequently, this action is also subject to the provisions of the *Interagency Wetland Policy Act of 1989* and Title 17 *Illinois Administrative Code* Part 1090.

Of the protected resources indicated by the EcoCAT Report, the only resources potentially affected are aquatic, including Wauconda Bog INAI (which includes all of Bangs Lake). These include the listed fishes, the two listed aquatic plants, and the Blanding's Turtle.

The work is proposed to occur soon after ice-out, and entails the use of a barge-mounted backhoe and a skiff to transport dredged spoils to the shore; a silt curtain will be used to control suspended solids, but gaps will be left for fish passage. After completion of the dredging, shoreline stabilization and revegetation will occur.

The shallow conditions make it unlikely that any Blanding's Turtles would have chosen this location for winter hibernation, and the work is likely to be completed before spring emergence. Thus, the work is unlikely to adversely affect the Blanding's Turtle.

The two state-listed Pondweeds are not known to have been present in this portion of the Lake; thus it is unlikely the work will injure or kill any existing rootstocks.

While it is possible any of the listed fishes may be present when work begins, they are likely to vacate the area due to the disturbance, but the area affected represents an insignificant portion of the available habitat, and fish are unlikely to be injured or killed. Due to the time of year, the dredging will not take any eggs of listed fishes. Moreover, the proposed shoreline restoration is likely to improve habitat conditions for these species in the area.

Consequently, the Department believes the proposed action is unlikely to adversely modify the essential habitat of the protected species and is unlikely to result in a prohibited taking.

Consultation pursuant to Part 1075 is closed.

Part 1090 applies to the shoreline of Bang's Lake which will be disturbed by the proposed action. However, the disturbance will be temporary and the affected area will be immediately restored to conditions equivalent to or better than those existing previously with no adverse modifications or effects. Consequently, the Department believes no on-site or off-site mitigation is necessary and the action complies with the terms and conditions of Part 1090. Review under Part 1090 is also closed.

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,



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cc: Sandy Kubillus, Integrated Lakes Management