



Illinois Department of Natural Resources

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

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

March 06, 2015

Anne Markezich
St. Clair County Zoning
#10 Public Square
Belleville, IL 62220 0000

RE: Subject Case #2014-20-SP
Project Number(s): 1508705
County: St. Clair

Dear Ms. Markezich:

This letter concerns the Endangered Species Consultation for the Subject Case #2014-20-SP project noted above, located in St. Clair County, Township 1 North, Range 10 West, Section 22/23. This project was submitted 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 entire project involves 'Planned Mineral Extraction Development in an "A" Agricultural Industry Zone District'.

The Department has completed its review of the project and determined that the resources identified by EcoCAT as in the vicinity are unlikely to be affected.

However, the state-listed endangered Indiana Bat (*Myotis sodalists*) and the Northern Long-Eared Bat (*Myotis septentrionalis*) may be in the vicinity of the project. The Northern Long-Eared Bat has been federally proposed to be listed as endangered and that is expected to occur within the next few months. To avoid any impact to these species, the Department recommends the following measures be implemented by the consultant/developer and incorporated in St. Clair County Zoning Department project authorization:

- No trees should be removed except between the dates of November 1 and the subsequent April 1.
- If trees must be removed between April 1 and November 1, they should first be surveyed for use by the Indiana Bat and the Northern Long-Eared Bat. Please note, that any survey that will actually capture or handle animals requires personnel doing so to hold scientific collection permits under Part 520 and Part 1070 of the Department's Rules.
- If either bat is present, tree removal should not take place after April 1 or before November 1, or the permit applicant should apply for Incidental Take Authorization (ITA) for that

species in accordance with 17 Ill Adm. Code Part 1080. Be advised, the ITA process can take up to six months to complete. Please contact Jenny Skufca (Jenny.Skufca@illinois.gov) for all matters pertaining to ITA.

Consultation under 17 Ill. Adm. Code Part 1075 is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department whether the St. Clair County Zoning Department will:

- Allow the action to proceed 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 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,

Natalia Jones
Impact Assessment Section
217-785-5500
natalia.jones@illinois.gov

cc: Mr. Dave Schneidewind, St. Clair County's Consulting Attorney
John L. Bognar, Civil & Environmental Consultants, Inc.
Jim Valleroy, Civil & Environmental Consultants, Inc.
Jenny Skufca, IDNR