



Illinois Department of Natural Resources

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

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

April 21, 2015

Alexis M. Costello
Sally J. Gavers as beneficial holder of land trust 3219
1100 Borden Lane
Woodstock, IL 60098

RE: Rose Farm Road CUP Renewal

Project Number(s): 1511360

County: McHenry

Dear Mr. Costello:

This letter concerns the Endangered Species Consultation for the Rose Farm Road CUP Renewal project noted above, located in McHenry County, Township 44 North, Range 6 East, Sections 11. 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.

Petitioner is seeking renewal of a conditional use permit previously renewed in 2005 which will allow continued operation of a gravel extraction and processing business.

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

Since the last consultation in 2005 we have new records of the state-endangered Blanding's Turtle (*Emydoidea blandingii*) occurring within 84 ft. of the project area. These turtles hibernate in wetlands and, depending on the temperature, generally emerge in the spring with upland nesting occurring in June. They may travel up to one mile in their search for nesting habitat. The project activities are likely to result in a take of this listed species, which is a violation of the Illinois Endangered Species Act. "Take" means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such a conduct. Because of the likelihood of a take, the Department recommends that you apply for Incidental Take Authorization (ITA) for Blanding's Turtle in accordance with 17 Ill Adm. Code Part 1080. Communication concerning the ITA application should be directed to Jenny Skufca, Office Resource Conservation, 217-557-8243 or Jenny.Skufca@illinois.gov.

In addition, the Department recommends the following measures to be implemented by the consultant/developer and incorporated in McHenry County Department of Planning and Development project authorization:

- Educate personnel working on site about Blanding's Turtle. Post photos of juvenile and adult Blanding's at a central location.
- Install exclusionary fencing (making sure it is dug into the ground) to prevent turtles from entering construction areas. Females start basking in April and hatchlings can still be active and traveling back to wetlands until October.
- Inspect the fencing daily to ensure it remains properly installed and to check if turtles are present.
- If Blanding's Turtles are encountered, crews should stop work and allow the turtle to move out of the way or contact IDNR at 815-675-2386.

Consultation under 17 Ill. Adm. Code Part 1075 is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

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: Jenny Skufca, IL Department of Natural Resources
Kim Kolner, McHenry County Department of Planning and Development