



Illinois Department of Natural Resources

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

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

January 5, 2016

Steven Rauch
Hey and Associates, Inc.
26575 West Commerce Drive, Suite 601
Volo, IL 60073

RE: Kankakee Sands Preserve-North and South
Project Number(s): 1602250 [Hey #14-0350] USACE LRC-2015-945
County: Will

Dear Mr. Rauch:

The Illinois Department of Natural Resources has reviewed the above-mentioned project involving hydrologic restoration, ditch plugging, seed planting, herbicide application, and other natural resource management activities. Pursuant to the Fish & Wildlife Coordination Act, the Department provides the following comments:

The project involves property owned by the Department known as Wilmington Shrub Prairie, which carries Nature Preserve status. The project also involves lands known as Kankakee Sands Preserve (not a dedicated Nature Preserve) owned by the Forest Preserve District of Will County (FPDWC). The Sand Ridge Savanna Nature Preserve is located just south of the described project boundary. The area, in general, is referred to as the Kankakee Sands region of Will County. An Intergovernmental Agreement (No. 15-08) between the Department, FPDWC, and Illinois Nature Preserves Commission (INPC) was signed in October, 2015 to coordinate ecological restoration activities in the project area between the three agencies.

The state-endangered Blanding's turtle (*Emydoidea blandingii*), grass pink orchid, (*Calopogon tuberosus*), Oklahoma grass pink orchid (*Calopogon oklahomensis*), running pine (*Lycopodium clavatum*), and shore St. John's wort (*Hypericum adpressum*), as well as the state-threatened narrow-leaved sundew (*Drosera intermedia*), northern long-eared bat (*Myotis septentrionalis*), ornate box turtle (*terrapene ornata*), and tubercled orchid (*Platanthera flava var. herbiola*) are known to occur within, or in the vicinity of the project area.

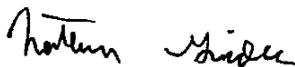
State-listed plant species may be incidentally harmed during restoration activities by equipment operation, hydraulic alteration, herbicide application, and other management activities. Express written permission of the landowner should be secured, as necessary to implement the project, to take listed plants to comply with the *Illinois Endangered Species Protection Act* [520 ILCS 10/3 (3)]. Measures should be taken to avoid, minimize, and mitigate incidental impacts to state-listed plants during restoration activities. Such measures may include educating workers on site about

the species, avoidance, relocation, seed collection, topsoil conservation practices, and precise herbicide applications. Please coordinate activities which may affect state-listed plants with the Department's Division of Natural Heritage (Maggie Cole; Maggie.cole@illinois.gov) and the INPC (Kim Roman; kim.roman@illinois.gov).

Restoration activities may also incidentally harm state-listed animal species. Pursuant to 17 Ill. Adm. Code 1080.70(b), an Incidental Take Authorization is not required if the activities are "*planned, designed and executed for the benefit of one or more endangered or threatened species and may result in the incidental take of individuals of those species...*" Exempt activities are found in 17 Ill. Adm. Code 1075.30(c), which includes No. 4, "*areas with a Department approved management plan, where the proposed actions are consistent with the plan and are undertaken to maintain or improve natural ecosystem conditions or to re-establish pre-settlement vegetation conditions. This includes such actions as prescribed burns, spot application of herbicides, brush clearing and other appropriate natural resource management activities. Where a listed species is known to be present, management for its survival and recovery shall be a priority.*" Therefore, the INPC management plans for the Nature Preserves in the project area and Intergovernmental Agreement should provide the framework to comply with the above state regulations. Please coordinate the 'management plan(s)' with the INPC and Department's Division of Natural Heritage. The management plan(s) should be reviewed by the Department's Comprehensive Environmental Review Program (CERP).

Please note that this review is separate and distinct from any other action or regulatory authority of the Department. This review does not satisfy consultation requirements under Title 17 *Illinois Administrative Code* Part 1075.

Thank you for the opportunity to comment. Please contact me if you have any questions regarding this review.



Nathan Grider
Impact Assessment Section
217-785-5500

cc: Stasi Brown, USACE
Shawn Cirton, USFWS
Maggie Cole, IDNR, DNH
Kim Roman, INPC
Kelly Neal, INPC
Jenny Skufca, IDNR, ORC