



Illinois Department of Natural Resources

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

Bruce Rauner, Governor

Wayne A. Rosenthal, Director

December 17, 2015

Mr. Matthew Reeder
Mackie Consultants LLC
9575 W. Higgins Road, Suite 500
Rosemont, IL 60047

**RE: Chicago Bridge & Iron Southwind Business Park, Bartlett, Kane County
Endangered Species Consultation
EcoCAT Review #1603331**

Dear Mr. Reeder:

The Department has reviewed your submission for this project for the purposes of 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.

The proposed action is located within the delineated **Bluff Springs Fen Class 3 Special Resource Ground Water** recharge area designated by the IEPA for the **Bluff Springs Fen Nature Preserve** and **Bluff Springs Fen Illinois Natural Areas Inventory (INAI) Site**, both of which are located some distance to the north of the proposed action. The Department believes the proposed action is likely to adversely affect these resources.

Designation of a Class 3 Special Resource Ground Water provides the user(s) of that resource a cause of action against any party polluting or diminishing that resource; pollution is determined through comparison to Class I Drinking Water quality standards. Any pollutants reaching the Bluff Springs Fen Nature Preserve may constitute a violation of the *Illinois Natural Areas Preservation Act*, which may result in fines and civil penalties. Hence, development activities should be designed and implemented with the intention of minimizing the risk of pollution or diminishment.

The activity posing the greatest risk is the installation of underground utilities (sewer and water) to serve the development. Sewer and water lines are typically installed in gravel bedding before being covered, and, where sewers are intended to flow by gravity, this bedding may provide a conduit which intercepts and diverts ground waters from their normal movements. The sewers for this development are designed to flow north and east, and unobstructed linings could divert ground waters away from Bluff Spring Fen, resulting in diminishment of the ground water resource on which it is dependent.

To avoid or minimize this potential, the Department recommends that clay plugs at least ten feet long be hand-packed at intervals along utility pathways to assure that collected ground waters are not diverted. Such hand-packed plugs should occur at not more than 500-foot intervals along utility lines, for both sewer and water supply installations.

Consultation on the part of the Department is closed, unless the IEPA desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code 1075.40(h), the Agency should 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 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.

If additional protected resources are encountered during the project's implementation, the applicant 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,



Keith M. Shank
Impact Assessment Section
Department of Natural Resources
(217)785-4984
keith.shank@illinois.gov