



# 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 2, 2015

Mike Kenny  
Chicago Bridge and Iron  
1607 E Main Street  
St. Charles, IL 60174

**RE: MegaFab**  
**Project Number(s): 1603473**  
**County: Winnebago**

Dear Mr. Kenny:

This letter concerns the Endangered Species Consultation for the project noted above, located in Winnebago County, Township 44 North, Range 1 East, Sections 26 & 27. 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.

Mega Fabrication Inc. proposes to replace a 40-foot section of retaining wall along the Rock River. The existing brick and mortar structure has been compromised and will be replaced with a gabion basket structure. A coffer dam will be used to access the wall from the river for demolition of the existing wall and construction of the proposed. Excavation will take place behind the wall to allow construction of the gabion baskets. The soil will be stockpiled adjacent to the excavation in the eastern part of the parking lot and will be used as backfill or hauled off site at the completion of the project. Approximately 0.5 acres of disturbance will occur with the construction of the new retaining wall.

The Department has completed its review of the project and determined that the state-threatened **Black Sandshell** (*Ligumia recta*) and **Gravel Chub** (*Erimystax x-punctatus*) identified by EcoCAT in the vicinity are likely to be affected.

The project's activities are likely to result in take of this listed species, which is a violation of the Illinois Endangered Species Protection 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 both of these species in accordance with 17 Ill Adm. Code Part 1080. Be advised, the ITA process can

take up to four months to complete. Communication concerning the ITA application should be directed to Jenny Skufca, Office of Resource Conservation, 217-557-8243 or [Jenny.Skufca@illinois.gov](mailto:Jenny.Skufca@illinois.gov).

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](mailto:natalia.jones@illinois.gov)