



Illinois Department of Natural Resources

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

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

May 02, 2016

Brad C. Fink
Village of Wauconda
101 N. Main Street
Wauconda, IL 60084

RE: Bangs Lake Invasive Weed Control Grant Program
Project Number(s): 1605305
County: Lake

Dear Mr. Fink:

This letter concerns the Endangered Species Consultation for the project noted above, located in Lake County, Township 44 North, Range 9 East, Sections 24-26. 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 Village of Wauconda will provide cost share funding to residents living on Bangs Lake to hire a contractor to provide early spring herbicide treatment to their privately owned shoreline and lake bottom to control invasive milfoil.

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

The state-threatened **Blackchin shiner** (*Notropis heterodon*), Banded **Killifish** (*Fundulus diaphanus*), **Iowa Darter** (*Etheostoma exile*) are known to occur in the project area. To avoid potential impacts to these species, the Department recommends:

- No herbicide treatments from May 1 through July 31 to protect the spawning season of these fish. The eggs of these species attach to aquatic vegetation and herbicide treatments during the spawning cycle can result in unlawful “take” of this state-listed fish, 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.
- If project activities occur outside of the recommended timeframe, the Department recommends consideration of applying for Incidental Take Authorization (ITA) for the **Blackchin shiner**, **Banded Killifish**, **Iowa Darter** 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.

- Strict adherence to label instructions is highly recommended
- Refrain from spraying in winds in excess of 10 mph to prevent off-target drift

Also, the state-threatened **Grass-leaved Pondweed** (*Potamogeton gramineus*) and the state-endangered **White-stemmed Pondweed** (*Potamogeton praelongus*) have been recorded within the project area. You must have the express written permission of the landowner to disturb or relocate the plant.

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, IDNR