



# 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

Mr. Adam Fox  
Benton & Associates, Inc.  
1970 West Lafayette Avenue  
Jacksonville, IL 62650

Ms. Robin Tisdale  
IL Department of Commerce and Economic Opportunity  
500 East Monroe Street  
Springfield, IL 62701

**Re: Beardstown Sanitary District - Phase 2 Improvements  
Endangered Species Consultation Program  
Project Number(s): 1605550  
Alternate Project Number(s): 1206295, 1408197  
County: Cass**

Dear Mr. Fox and Ms. Tisdale:

This letter concerns the Endangered Species Consultation and wetland review for the **Beardstown Sanitary District - Phase 2 Improvements**, located in **Cass County**, Section **15**, Township **18N**, and Range **12W**. This project was resubmitted 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], Title 17 *Illinois Administrative Code* Part 1075, the *Interagency Wetland Policy Act* [20 ILCS 830], and Title 17 *Illinois Administrative Code* Part 1090.

The proposed action involves: *“Improvements to the existing facility to increase treatment capacity. The project was previously submitted for consultation under IDNR Project #'s 1206295 & 1408197 and the Department concluded that adverse affects were unlikely. This is a resubmittal. The project is unchanged, but will not been implemented prior to the expiration of the previous clearance and therefore is being re-submitted.”* Per detailed information submitted to the Department, this project includes construction, excavation and trenching activities to create new structures and infrastructure, and to enhance existing structures and infrastructure.

## **E&T Review**

The following protected resources occur in the vicinity of the project area and proposed action: Illinois Chorus Frog (*Pseudacris illinoensis*), Decurrent False Aster (*Boltonia decurrens*), Vahl's Fimbristylis (*Fimbristylis vahlii*), and the Beardstown Marsh INAI site.

The Department has completed its review of the project and determined that the action is likely to have an adverse impact on the **Illinois Chorus Frog (*Pseudacris illinoensis*)**, which is known to occur in the area.

Because of the high probability of a prohibited (illegal) take, the Department recommends **Beardstown Sanitary District** obtain **Incidental Take Authorization (ITA)** for the **Illinois Chorus Frog (Pseudacris illinoensis)**, in accordance with 17 Ill Adm. Code Part 1080, from the Department's Office of Resource Conservation, pursuant to 520 ILCS 10/5.5. '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 conduct. Communication concerning the ITA application should be directed to Jenny Skufca, Incidental Take Authorization Coordinator, Office of Resource Conservation, One Natural Resources Way, Springfield, IL 62702. Phone: 217-557-8243; e-mail: [Jenny.Skufca@illinois.gov](mailto:Jenny.Skufca@illinois.gov).

### **Wetland Review**

Adverse impact is unlikely. However, strict adherence to best management practices for erosion and sedimentation control should be used to minimize the possibility of any adverse impacts to nearby wetlands, the Beardstown Marsh INAI site, the Federal and State listed threatened Decurrent False Aster (*Boltonia decurrens*), and the State listed endangered Vahl's Fimbristylis (*Fimbristylis vahlii*) in the vicinity of this project action.

### **Summary**

Consultation under 17 Ill. Adm. Code Part 1075 and the Wetland Review under 17 Ill. Adm. Code Part 1090 are terminated. The Department recommends any and all measures and/or recommendations be implemented by the applicant, and be required by the Illinois Department of Commerce and Economic Opportunity as a condition of the grant agreement/funding.

Consultation for Part 1075 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. Consultation for Part 1090 (Interagency Wetland Policy Act) is valid for three years.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database and the Illinois Wetlands Inventory 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.

Cordially,



Sheldon R. Fairfield  
Impact Assessment Section  
Illinois Department of Natural Resources  
Phone: (217) 782-0031  
[Sheldon.Fairfield@illinois.gov](mailto:Sheldon.Fairfield@illinois.gov)

cc: Jenny Skufca, IDNR