



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
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Bruce Rauner, Governor  
Wayne A. Rosenthal, Director

March 2, 2016

Mr. Kevin Huemann  
Jacob and Hefner Associates  
1910 S. Highland Ave Suite 100  
Lombard, IL 60148

**RE: I-55 & Bluff Road Interchange and Water Main Improvements, Will County  
Endangered Species Consultation  
EcoCAT Review #1606135**

Dear Mr. Huemann:

The Department has reviewed your submission 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*.

In 2009, an adult male State-listed endangered **Blanding's Turtle**, *Emydoidea blandingii*, was killed crossing Bluff road at a point about 650 feet west of the water tower where this project originates. The animal died where drainage passes beneath Bluff Road through a culvert; however, this species is noted for refusing to pass through culverts, crossing the road above instead. Given the lack of wetlands proximate to the proposed action, the Department concludes the action is unlikely to adversely modify essential habitat of this species.

The proposed action is located within 2.5 miles of a documented roost tree record for the federally-listed and State-listed threatened **Northern Long-Eared Bat**, *Myotis septentrionalis*, and contains potentially suitable roosting habitat for this species. The Department believes the proposed action is likely to modify the essential habitat of this species. While the US Fish & Wildlife Service has issued a Section 4(d) Rule which exempts this species from prohibited taking under federal law, this has no effect on the applicability of State law. Consequently, this species may not be taken without an Incidental Take Authorization from the Department of Natural Resources.

The Department offers the following recommendations.

*Recommendation #1: The Department recommends that any trees which must be removed to complete the action be taken down prior to April 1 or after October 15. Outside these dates bats are near or within hibernation sites and will not be at risk.*

*Recommendation #2: The Department recommends performance of a survey to identify potential roost trees (PRT's) within 150 feet of the construction limits. Federal and State guidelines recommend no disturbance within 150 feet of known roost trees between April 1 and October 15.*

*Recommendation #3: If PRT's are identified within 150 feet of the construction limits and not removed before April 1, the Department recommends a mist-net survey in late May or early June to establish whether this species is present in the vicinity. Surveyors should be prepared to use radio-telemetry to identify roost trees if listed bats are captured. If no actual roost trees are identified within 150 feet of the construction limits, the action may proceed without further precautions. Otherwise, appropriate restrictions should be imposed on construction to avoid activity within 150 feet of an identified roost.*

*Recommendation #4: If the presence of roost trees appears highly likely (the Department cannot state this is the case) and construction restrictions will be impractical, consideration could be given to seeking an Incidental Take Authorization from the Department pursuant to Part 1080. However, the procedure for such a permit requires a minimum of 120 days from application, which would place issuance after the October 15 date if the roost trees for this species are identified in June. Given the evidence of recent population declines of this species due to White Nose Syndrome, the Department believes it is more probable that mist-netting surveys will not identify the presence of Northern Long-Eared Bat roost trees within 150 feet of the project.*

Consultation on the part of the Department is closed, unless the Agency desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code 1075.40(h), the applicant should notify the Department of its decision regarding this recommendation, 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 closing consultation does not imply IDNR's authorization or endorsement of the proposed action. Please contact me if you have questions regarding this review.

Sincerely,

A handwritten signature in black ink that reads "Keith M. Shank". The signature is written in a cursive style with a large, stylized "K" and "S".

Keith M. Shank  
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