



Illinois  
Department of  
**Natural  
Resources**

JB Pritzker, Governor • Natalie Phelps Finnie, Director  
One Natural Resources Way • Springfield, Illinois 62702-1271

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May 6, 2024

Mr. Clifton Johnson  
One Natural Resources Way  
Springfield, IL 62702-1271

**RE: Deer Run Permit No 399 IBR 20  
Consultation Program  
EcoCAT Review #2414360  
Montgomery County**

Dear Mr. Johnson:

The Department has received 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 project is described as a “8.8-acres IBR area activities proposed in the application consist of a 30-inch diameter ventilation borehole, 12-inch diameter utility boreholes, enhancing an existing gravel field access road, and adding approximately 1.0 acres of gravel road and work yard. The primary area is cropland with no trees located on these 8.8 acres site”. The proposed work area is situated near 12051 9<sup>th</sup> Ave in Hillsboro, IL.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

**Illinois Natural Area Inventory Site**

Coffeen Upland Management Area

**State Threatened or Endangered Species**

Ornate Box Turtle (*Terrapene ornata*)

Due to the project scope and proximity to protected resources, the Department recommends the following actions be taken to avoid adversely impacting listed species in the vicinity of the project:

**Ornate Box Turtle**

The project is in the vicinity of a record for the State-listed ornate box turtle; however, the IBR is located within existing agricultural fields reducing the potential to find a turtle in this location.

The record for this species is situated to the east of the proposed IBR within the IDNR Coffeen Lake State Fish and Wildlife Area and along the western boundary of the site. Due to the proximity to the record, the Department offers the following recommendations to avoid adversely impacting this listed species if a turtle should pass through the construction site:

1. Install exclusionary fencing around the perimeter of the IBR. Fencing should be trenched into the ground, prior to construction activities, to prevent a turtle from entering. Fencing should be installed prior to March 1st when turtles emerge from winter hibernation. Deer Run Mine IBR – Highway 185 South.
2. Education of site staff and contractors should occur to inform them of this species and that turtle should not be harassed in any manner if observed. Any turtle sighting on the IBR site should be reported to the IDNR Impact Assessment Section.
3. Scouting for turtles should occur during construction, including exclusionary fence installation.
4. Implement a 5mph speed limit at the IBR site to allow reaction time to potential turtles in the path of vehicles.
5. Items 2, 3 and 4 should be considered for permanent implementation for the IBR area.

Given the above recommendations are adopted, the Department has determined that impacts to the ornate box turtle are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely.

*In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.*

Consultation on the part of the Department is closed unless the applicant desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action 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 project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

This letter does not serve as permission to take any listed or endangered species. As a reminder, no take of an endangered species is permitted without an Incidental Take Authorization or the required permits. Anyone who takes a listed or endangered species without an Incidental Take Authorization or required permit may be subject to criminal and/or civil penalties pursuant to the *Illinois Endangered Species Act*, the *Fish and Aquatic Life Act*, the *Wildlife Code* and other applicable authority.

Please contact me with any questions about this review.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Rawe", with a stylized, flowing script.

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