



Illinois Department of Natural Resources

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

JB Pritzker, Governor
Colleen Callahan, Director

10 September 2021

Mr. Hugh W. McHarry
18986 Quiver Beach Rd.
Havana, IL62644-8664

**RE: Fanter Farms
Consultation Program
EcoCAT Review #2204536
Mason County**

Dear Mr. McHarry:

The Department has received your submission of 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], *Title 17 Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herptiles-Herps Act* [510 ILCS 69].

The proposed action being reviewed in this letter consists of the construction of a Concentrated Animal Feeding Operations (CAFO) near Kilbourne, Illinois (40.213°, -89.986°).

EcoCAT has indicated records for the state-listed Illinois chorus frog (*Pseudacris illinoensis*) may be in the vicinity of the project area. The Illinois chorus frog is a habitat specialist requiring fine, sandy soils for aestivation. Habitats include sand prairies and sandy agricultural fields. They emerge after heavy rains in early spring to breed in nearby flooded fields, ditches, and ephemeral (seasonally flooded) wetlands or fishless ponds. Tadpoles go through metamorphosis and leave the water to burrow in sandy soils typically by early July. To ensure adverse impact to the Illinois chorus frog are avoided, the Department recommends a habitat assessment be conducted in the project area by a qualified biologist to determine if habitat in the area is suitable for this species. If the project area does contain suitable habitat, the Department recommends an Illinois chorus frog survey be conducted. Results of the habitat assessment should be provided to the Department for concurrence. If determined necessary, the survey proposal should be sent to this office for concurrence on methods, along with the results for determination of impacts.

Alternatively, the project proponent may assume the presence of the Illinois chorus frog and seek an Incidental Take Authorization (ITA) pursuant to Part 1080 and Section 5.5 of the *Illinois Endangered Species Protection Act* from the Department. Be advised, an ITA can take at least four months to complete. All questions pertaining to ITA should be directed to the ITA coordinator, Heather Osborn (Heather.Osborn@Illinois.gov). Visit the link below for information on the ITA process:

<https://www.dnr.illinois.gov/conservation/NaturalHeritage/Pages/ApplyingforanIncidentalTakeAuthorization.aspx>.

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.

The Department also offers the following conservation measures to help protect native wildlife and enhance natural areas in the project area:

If temporary or permanent lighting is required, the Department recommends the following lighting recommendation to minimize adverse effects to wildlife:

- All lighting should be fully shielded fixtures that emit no light upward.
- Only "warm-white" or filtered LEDs (CCT < 3,000 K; S/P ratio < 1.2) should be used to minimize blue emission.
- Only light the exact space with the amount (lumens) needed to meet facility safety requirement.
- If LEDs are to be used, avoid the temptation to over-light based on the higher luminous efficiency of LEDs.

If erosion control blanket is to be used, the Department also recommends that wildlife-friendly plastic-free blanket be used around wetlands and adjacent to natural areas, if not feasible to implement project wide, to prevent the entanglement of native wildlife.

Please contact me with any questions about this review.

Sincerely,



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