



Illinois
Department of
**Natural
Resources**

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

www.dnr.illinois.gov

May 16, 2023

Abby Brown
Christopher B Burke Engineering, Ltd.
9575 W. Higgins Road
Ste 600
Rosemont, IL 60018

**RE: Dietrich Road, Kane County Solar PV Array Installation Project
Consultation Program
EcoCAT Review #2315212
Kane County**

Dear Ms. Brown:

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 proposed action consists of constructing a solar energy facility on +/-58.5 acres of land in Hampshire, IL.

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

State Listed

Blanding's Turtle (*Emydoidea blandingii*)

Illinois Nature Preserves

Del Webb Sedge Meadow and Grove Nature Preserve

Illinois Natural Areas Inventory Site

Hemmer – Kloempken Wetland

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:

Blanding's Turtle

- 1) The Department recommends all construction on the project occur during the Blanding's Turtle's inactive season from approximately November 1 to March 1.

If construction must occur during the active season, the Department recommends the following measures:

- 2) Educate personnel working on site about the Blanding's Turtle. Post photos of juvenile and adult turtles at a central location.
- 3) Install exclusionary silt fence by the end of March and maintain it through October to prevent turtles from entering the construction area.
- 4) Conduct daily inspections during construction to ensure that exclusionary fencing is properly installed (dug into the ground) and to check if turtles are present.
- 5) Trenches should be covered at the end of each workday. Before each workday, trenches and excavations should be inspected to ensure no turtles (or other amphibians and reptiles) have become trapped within them.
- 6) If Blanding's Turtles are encountered, crews should stop work immediately, allow the turtle to move out of the way and contact the Department.
- 7) Gates and/or fencing should be installed around the facility to prevent turtles from accessing the site.
 - a) If gates and fencing cannot be installed in a manner that would prevent turtles from accessing the site, the Department recommends the applicant seek Incidental Take Authorization (ITA) pursuant to Part 1080 and Section 5.5 of the *Illinois Endangered Species Protection Act*.

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.

The Department also offers the following conservation measures be considered 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.

The Department encourages all new and existing solar energy facilities to participate in the Pollinator Scorecard Program. More information can be found here:

<https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>

Please contact me with any questions about this review.

Sincerely,



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