

## PUBLIC NOTICE

Pursuant to Title 17, Chapter 1, Section 1080 of the Illinois Administrative Code, notice is hereby given that the Fox Waterway Agency, of 45 South Pistakee Lake Road, Fox Lake, IL 60020, has submitted a Conservation Plan to the Illinois Department of Natural Resources to apply for authorization for the taking of the Blanding's turtle (*Emydoidea blandingii*) incidental to the dredging and waterway maintenance work that the FWA is responsible for throughout the Fox River Chain of Lake of Lakes (see attached maps). The Incidental Take of Blanding's turtles, which are protected under the Illinois Endangered Species Protection Act (520 ILCS 10) and are known to occur within the vicinity of the project boundaries, may result during the project as a result of this ongoing work.

The Fox Waterway Agency (FWA) is responsible for maintaining the Fox River Chain of Lakes under the authority granted via 615 ILCS 90 that includes approximately 30 miles of the Fox River from the Algonquin Dam to the Wisconsin State Line, approximately 40 miles of navigable channels and portions of the interconnected lakes within the Fox River Chain of Lakes. Of the approximate 8,220-acre area, a total of 132 individual sites have been identified and prioritized for potential dredging and debris removal over the next 10 years. These identified areas include an estimated 250 total acres. In addition, the two existing sediment storage sites at Cooper's Farm and Ackerman Island are typically cleaned out as needed during the winter to provide ongoing storage capacity for each season of dredging.

The FWA will take measures to prevent the taking of the turtles during and after dredging and waterway maintenance activities and does not anticipate a negative impact on the local population. However, based on the potential impacts outlined above, the normal waterway maintenance activities such as dredging in navigable boating channels, removing floating woody debris and other navigation hazards and operating sediment storage facilities could potentially result in negative impacts to the turtle.

In an effort to prevent impacts to individuals, the FWA will provide education to the workers to identify and avoid impact to turtles within the working area. Prior to the start of and during all dredging, debris removal or other construction activities, the project area shall be visually surveyed by the FWA for the presence of Blanding's turtles. All work areas will be inspected prior to start of work daily to locate any adult turtles or hatchlings that may have become trapped or to locate any nests that may have been constructed overnight. If turtles or turtle nests are encountered, the IDNR Endangered Species Recovery Specialist will be notified immediately and steps will be taken to protect the nest following notification of and in consultation with the IDNR. The portions of the project area that will be disturbed by construction activities shall be returned to their natural habitat pre-construction. The goal of the FWA includes avoiding and minimizing potential impact with zero incidental takes of individuals or nests. In addition, the FWA will provide compensatory mitigation to the IDNR for temporary and permanent impacts and will actively seek to assist and coordinate with the McHenry County Conservation District and the Lake County Forest Preserve District with local Blanding's turtle conservation efforts. Active monitoring will be completed on an ongoing basis and reported to IDNR on an annual basis or immediately if individuals or nests are observed.

A copy of the Conservation Plan can be found at the following locations:

Fox Waterway Agency  
45 S. Pistakee Lake Road  
Fox Lake, IL 60020

Fox Lake District Library  
255 East Grand Avenue  
Fox Lake, IL 60020

and online at <http://www.dnr.illinois.gov/conservation/NaturalHeritage/Pages/Incidental-Take-Authorizations.aspx> (Reference ITA #161)

Comments on the Conservation Plan should be directed to:

Incidental Take Authorization Coordinator, Illinois Department of Natural Resources,  
Division of Natural Heritage, One Natural Resources Way, Springfield, IL, 62702

OR: [DNR.ITAcordinator@illinois.gov](mailto:DNR.ITAcordinator@illinois.gov)

This notice is being published in the Breeze Courier on September 2, 2020 and three (3) times in the Northwest Herald, starting on September 2, 2020, then September 9, 2020 and finally on September 17, 2020. The comment period closes 30 days after the final publication of this notice in the Northwest Herald. Therefore, the deadline for receipt of comments is October 17, 2020.

