



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 26, 1996

IDNR - IDOT
Natural Resource Review
and Coordination Agreement

COUNTY ENGINEERS/SUPERINTENDENT OF HIGHWAYS
MUNICIPAL ENGINEERS/DIRECTORS OF PUBLIC WORKS
CONSULTING ENGINEERS

#96-14

The Illinois Department of Natural Resources (IDNR) and the Illinois Department of Transportation (IDOT) have executed an interagency agreement which establishes the framework for early coordination between the two agencies on natural resources issues and for follow-up coordination as necessary for compliance with applicable requirements for specific resource issues. It was developed to clarify responsibilities, thresholds and time frames for coordination to ensure timely and appropriate consideration of natural resources issues by both agencies and to eliminate unnecessary coordination. A copy of the agreement is attached.

This agreement applies to federally funded local agency projects and projects on the State highway system processed through the Bureau of Local Roads and Streets. The agreement clarifies that the primary point of contact for coordination with the IDNR Transportation Program Manager will be through the Bureau of Design and Environment. The Environmental Survey Request (ESR) for these projects should continue to be submitted to the District Bureau of Local Roads and Streets. The ESR's will be the mechanism for initiating the evaluation of potential natural resource impacts and for coordination with IDNR as appropriate.

The BDE will apply the thresholds in the agreement in determining the extent to which coordination with IDNR is necessary. This agreement reduces the number of projects which have to be submitted to IDNR for threatened and endangered species prescreening. Projects affecting only cropland or urban built areas no longer require prescreening. The IDNR is committed to a maximum 30-day turnaround for this review, when required.

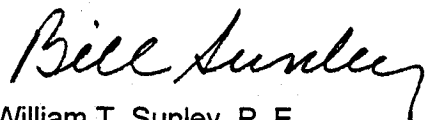
The agreement defines additional criteria that limit the extent to which further coordination is required. The agreement also recognizes that programmatic agreements may be developed for resource concerns that will eliminate the need for project specific coordination with IDNR. Such programmatic agreements will set forth conditions or standards which, if satisfied, will address IDNR's concerns for the issue involved without the need for a specific IDNR review. You will be informed as programmatic agreements are being developed for specific resource issues.

The agreement establishes a maximum 90-day time frame for IDNR to respond to submittals for projects determined to involve one or more of the natural resource issues specified in the agreement. The agreement also clarifies how unresolved differences resulting from project coordination will be addressed and sets time limits for this process.

This agreement establishes a three year validity period for IDNR's review. This period commences on the date that formal coordination necessary to address all resources covered by this agreement is concluded. If no resource issues are determined to be involved, the three year time limit begins on the date that this determination is documented by BDE. This is an extension from the two-year period previously in effect for threatened and endangered species. If a project that underwent threatened and endangered species prescreening or IDNR project review has not been advertised for bid letting within the three year time frame, the project must be resubmitted to IDNR. The local agency should submit a request for a review update directly to IDNR along with copies of previous coordination including the endangered species consultation agency action report.

A future letter will be issued detailing environmental coordination issues for all projects processed through the Bureau of Local Roads and Streets.

Very truly yours,



William T. Sunley, P. E.
Engineer of Local Roads and Streets

cc-
District Engineers

Natural Resource Review and Coordination Agreement Between IDNR and IDOT

This agreement between the Illinois Department of Transportation (IDOT) and the Illinois Department of Natural Resources (IDNR) is intended to set forth a framework for early coordination on natural resources issues and for follow-up coordination as necessary for compliance with statutory and regulatory requirements under the jurisdiction of IDNR. This agreement is subject to revision to meet future needs contingent upon concurrence with both the IDNR and IDOT.

General Principles of Coordination

The IDNR Transportation Program Manager and the IDOT Bureau of Design and Environment (BDE) will be the primary points of contact for coordination of IDOT project information. The IDNR Program Manager will be responsible for ensuring that appropriate offices within IDNR receive IDOT project information for review in response to identified resource involvements. The IDNR Transportation Program Manager will be responsible for notifying the IDOT of any additional information needed for IDNR to complete its review. The IDOT point-of-contact will be responsible for supplying IDNR with the information necessary to complete the review of a project, including the initial information for endangered and threatened species review, and more complete information for projects required to be submitted for a more thorough analysis.

All official comments, recommendations and responses made by either IDNR or IDOT shall be made in writing, except emergency situations which are defined in IDNR administrative rules (17 Ill. Admin. Code 1075). Verbal responses may be allowed for urgent situations, with a written response due within five days following the action taken.

The review process shall include an examination of the potential for impacts to natural resources in general, and to ensure compliance with the Interagency Wetlands Policy Act of 1989, the Endangered Species Protection Act, and the Illinois Natural Areas Preservation Act. Upon completion of the review, sign-off will be provided for each Act in order to confirm the IDOT's compliance with these state laws.

The review conducted is valid for a period of three years from the date of resource issue resolution for the project (i.e., the date upon which IDOT and IDNR conclude formal coordination necessary to address resources covered by this Agreement). If the project has not commenced (i.e., advertised for bid letting) in that time, it must be resubmitted for IDNR review. It is incumbent upon the IDOT to submit the original Agency Action Report to IDNR when a review has expired in order to have the project reexamined.

Review Process

All steps in the review process are illustrated in the attached flow chart, "IDNR-IDOT Project Coordination" (Appendix I).

E&T Pre-Screening

For projects affecting only agricultural cropland or urban properties developed for residential, commercial, or industrial purposes, the IDOT need not submit an Agency Action Report (AAR) to the IDNR. For all other projects, the IDOT shall submit to the IDNR an AAR for pre-screening against the Natural Heritage Database. The AAR shall indicate the location of the proposed project, and shall include a map delineating the project boundaries. Within 30 days of receipt of this report, IDNR will provide a response:

1. If no species or INAI sites are known to occur and fieldwork is not recommended, the AAR is signed, dated, and returned to IDOT, with consultation having been completed. If it is subsequently determined that the project involves other resource issues covered by this agreement, the IDNR will re-screen the project against the Natural Heritage Database prior to affirming resource issue resolution. The sign-off is valid for three years from the initial IDNR signature date on the AAR or from the date of resource issue resolution, if other resources are involved.
2. If listed species or INAI sites are known to occur within the vicinity of the proposed action, the information will be made available to IDOT. Any recommendations regarding the need for fieldwork will also be conveyed. This information will be submitted directly to IDOT, with future coordination being directly between IDOT and the IDNR Transportation Program Manager.

IDNR Project Review

IDOT will review proposed projects (using maps, aerial photos, the Natural Heritage database, and field surveys) to determine if they potentially involve any of the resource issues in the following list.

Resource
Wetlands

Further Clarification

Streams

Includes those streams listed in Appendix II as well as the riparian corridor

Resources (con't)

Forests/Trees The bisecting of a forest or the removal of a significant number of trees (Appendix III)

Prairie/Savanna Areas

IDNR Properties

Nature Preserves/Natural Area Inventory sites/sites registered under the Register of Land and Water Reserves

T & E Species Includes previously documented occurrences available to IDOT & data from the Natural Heritage Database

If the IDOT determines on the basis of its review that a project does not involve any resource issues of interest to the IDNR, the project is not required to be submitted to IDNR for review.

If surveys were recommended by the IDNR during the pre-screening process, copies of the survey results shall be provided to the IDNR, or if the surveys were not conducted as recommended, the IDOT will provide documentation to support this decision. When any of the resources listed above are determined to occur in the area a proposed project may affect, the IDOT will determine whether the resources are covered by a programmatic agreement reached between IDNR and IDOT for avoidance and mitigation of impacts. If the resources are covered by such an agreement and the project will comply with the agreed terms, no further coordination is necessary.

If the identified resources are not covered by a programmatic agreement, or if the IDOT is unable to comply with the provisions of such an agreement, the IDOT will prepare and submit to the IDNR Transportation Program Manager a Biological Resources Review (BRR). The BRR shall indicate the results of fieldwork conducted and shall describe efforts made to avoid or minimize adverse impacts to the identified resources. If the translocation of a listed species is proposed in the BRR, the IDOT will provide sufficient information to enable the IDNR to evaluate the likelihood of success.

The IDNR Transportation Program Manager will review the BRR and supporting documentation and coordinate with appropriate staff to determine whether further analysis or recommendations are required. After the review and within 90 days of receipt of the BRR, IDNR will submit one of the following two responses to IDOT:

1. IDNR accepts the conclusions/proposals contained in IDOT's BRR and provides a form indicating successful closure of the endangered species consultation process and compliance with the Interagency Wetlands Policy Act. The sign-off is valid for three years, from the date of the Agency Action Report or when resource issue resolution is reached.

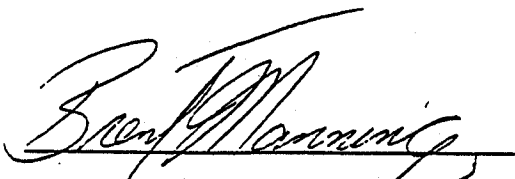
2. IDNR does not accept the conclusions/ proposals contained in IDOT's BRR and makes recommendations as to how impacts might be avoided or further minimized. Both agencies have 45 days to resolve any differences that may remain upon which time, IDNR shall provide to IDOT sign-off indicating compliance with both state Acts. If resolution is not reached within the 45-day period, either the process ends and is classified as having failed or partially failed to protect the resource involved, a decision is made to elevate the issue(s) within each agency, or upon mutual agreement by both parties the negotiations may continue.

IDOT shall implement the project and mitigation as agreed. Any reports required by the agreement shall be submitted to the IDNR Transportation Program Manager for review and coordination with other staff.

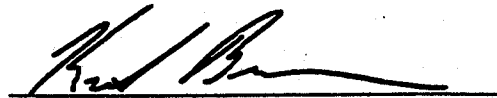
IDOT shall monitor the mitigation project(s) as agreed or required by the wetland compensation plan and submit reports to IDNR as indicated.

IDNR may request from IDOT a list(partial or in its entirety) of their projects not submitted for review from the previous calendar year.

If during the development of a project, new information is obtained or the scope of the project changes to the extent that IDNR would have been involved initially, IDOT shall contact the IDNR Transportation Program Manager to discuss the need for further coordination. Also, if IDNR is concerned with a resource issue not reflected on this list, or if new information becomes available after a project review has been completed, IDNR may request that IDOT submit the project for review.



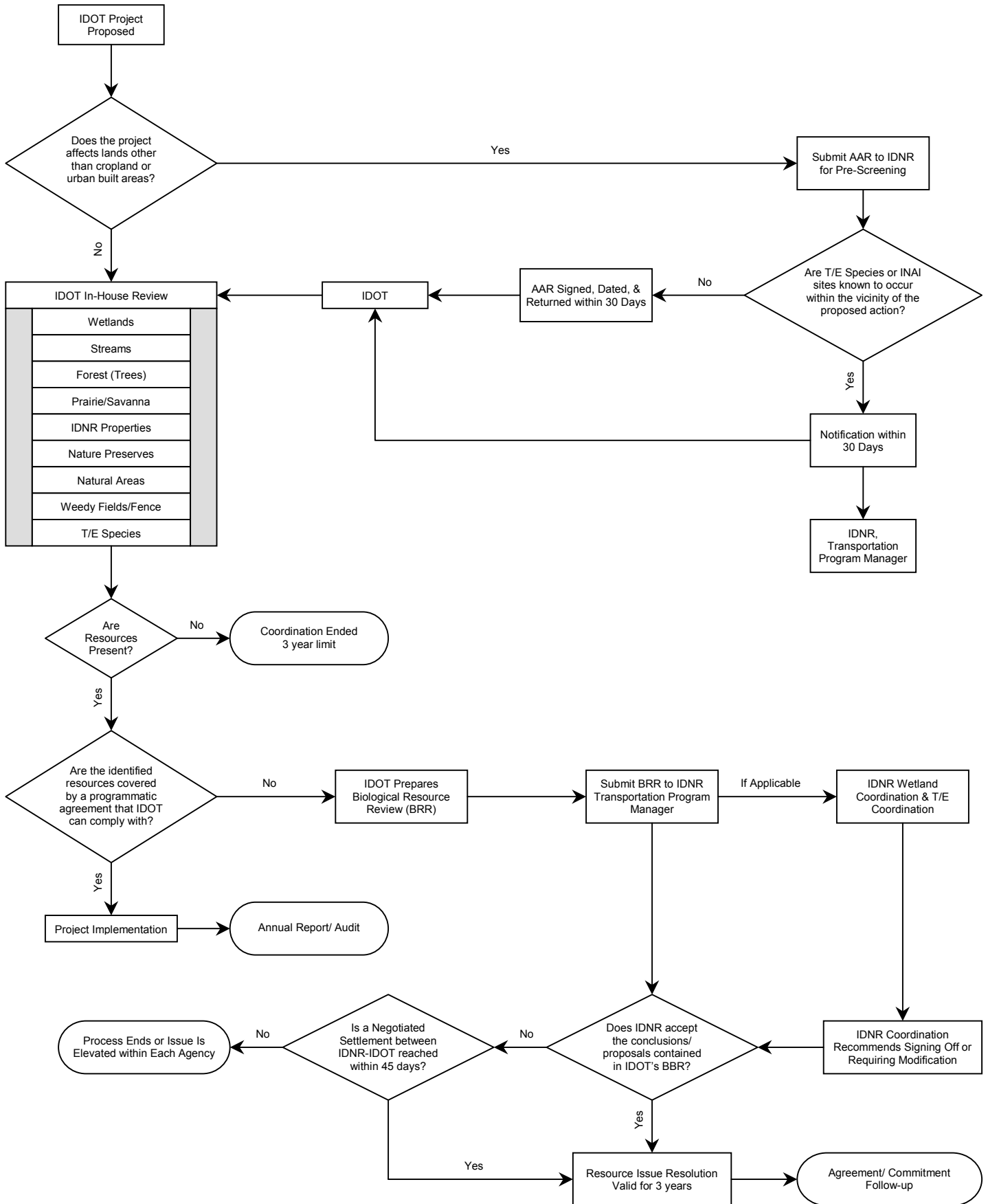
Brent Manning
Director
Illinois Department of Natural Resources



Kirk Brown
Secretary
Illinois Department of Transportation

APPENDIX I

IDNR-IDOT PROJECT COORDINATION



APPENDIX II

CLASS I STREAMS BY COUNTY

Adams	McKee Creek (Wild and Scenic) Mississippi River
Alexander	Clear Creek** (Natural Area) Lake Creek (Natural Area) Mississippi River Ohio River Miller Creek (Natural Area, A) Orchard Creek (Listed Species)
Bond	Beaver Creek (Wild and Scenic)
Boone	Kinnikinnick Creek (Natural Area) Kishwaukee River (Natural Area, Wild and Scenic, A) Unnamed tributary of S. Branch of Kishwaukee (T43N, R3E, Sec. 18 and T43N, R2E, Sec.13) (Listed Species)
Brown	Little Missouri Creek McKee Creek (Wild and Scenic)
Bureau	Big Bureau Creek* (Natural Area, A) Fairfield Ditch (Natural Area, Biologically significant IL streams)
Calhoun	Mississippi River (Natural Area)
Carroll	Eagle Creek Mississippi River (Biologically significant IL streams) Rush Creek
Champaign	Middle Fork of the Vermilion River* (Natural Area, Wild and Scenic) Lonetree Creek Salt Fork, Vermilion River Sangamon River (Natural Area, Wild and Scenic) Spoon River (Natural Area, A)
Clark	Wabash River (Natural Area)
Clay	Little Wabash River (Natural Area, Wild and Scenic) Weather Creek
Clinton	Beaver Creek (Wild and Scenic) Crooked Creek (Wild and Scenic) Kaskaskia River* (Natural Area) Shoal Creek (Wild and Scenic)

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

Coles	Embarras River (Natural Area, Wild and Scenic) Indian Creek Kickapoo Creek Riley Creek (Natural Area, A)
Cook	DesPlaines River* (Wild and Scenic)
Crawford	Embarras River* (Wild and Scenic) Wabash River (Natural Area)
Cumberland	Embarras River (Natural Area, Wild and Scenic) Indian Creek
DeWitt	Salt Creek* (Natural Area) Ten Mile Creek (A)
Douglas	Embarras River (Natural Area) Kaskaskia River* (Natural Area)
Edgar	Brouilletts Creek North Fork Brouilletts Creek** (Natural Area, A)
Edwards	Little Wabash River* (Natural Area)
Effingham	Little Salt Creek
Fayette	Ramsey Creek (Natural Area, A) Wolf Creek
Ford	Henline Creek Mackinaw River (Natural Area) Sangamon River* (Natural Area)
Franklin	Big Muddy River (Wild and Scenic) Little Muddy River (Wild and Scenic)
Fulton	Spoon River (Wild and Scenic)
Gallatin	Cypress Creek Eagle Creek* (Natural Area) Little Wabash River (Natural Area) North Fork Saline River* (Natural Area) Ohio River (Biologically significant IL streams) Robinette Creek Wabash River (Natural Area)
Grundy	Mazon River (Wild and Scenic, A) Illinois River (Natural Area, Listed Species)

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

Hamilton	North Fork Saline River Ten Mile Creek
Hancock	Mississippi River (Natural Area)
Hardin	Big Creek (Natural Area, Wild and Scenic, A) Goose Creek Haney Creek (Natural Area) Hosick Creek (Natural Area) Ohio River Peters Creek (Natural Area) Rock Creek (Natural Area)
Henderson	Mississippi River (Natural Area)
Henry	Rock River (Wild and Scenic)
Iroquois	Little Beaver Creek (Natural Area) North Fork, Vermilion River (Natural Area) Spring Creek (Natural Area, Wild and Scenic) Sugar Creek (Wild and Scenic) Unnamed tributary of Beaver Creek (T29N, R11W, Sec.22) (Listed Species)
Jackson	Beaucoup Creek (Wild and Scenic) Big Muddy River (Wild and Scenic) Little Grand Canyon-Cedar Creek** (Natural Area) Little Muddy River (Wild and Scenic) Piney Creek Mississippi River (Natural Area, Listed Species)
Jasper	Embarras River (Natural Area, Wild and Scenic)
Jo Daviess	Mississippi River
Johnson	Bay Creek (Wild and Scenic) Cache River (Wild and Scenic) Clifty Creek Little Saline River* (Natural Area) Sugar Creek
Kane	Fox River* (Wild and Scenic)
Kankakee	Baker Creek Kankakee River (Natural Area, Wild and Scenic) Little Beaver Creek (Natural Area) Rock Creek

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

Kendall	Fox River (Natural Area, Wild and Scenic)
Knox	Spoon River (Wild and Scenic)
Lake	Des Plaines River (Wild and Scenic) Bull Creek (Listed Species) Mill Creek (Listed Species) Unnamed tributary of Des Plaines River (T45N, R11E, Sec. 27, 28) (Listed Species)
La Salle	Big Indian Creek* (Wild and Scenic) Buck Creek (A) Fox River (Natural Area, Wild and Scenic) Illinois River (Natural Area, Listed Species) Otter Creek* (Natural Area, A) Pecumsaugan Creek** (Natural Area) Vermilion River (Natural Area, A, Listed Species)
Lawrence	Allison Ditch* Embarras River* (Wild and Scenic) Wabash River (Natural Area)
Lee	Franklin Creek* (Natural Area) Rock River (Wild and Scenic)
Livingston	Mazon River (Wild and Scenic) Vermilion River of the Illinois (Natural Area, Wild & Scenic, A) Rooks Creek (Listed Species) Mud Creek (Listed Species)
Logan	Kickapoo Creek Salt Creek (Natural Area) Sugar Creek* (Natural Area)
Macon	Sangamon River (Wild and Scenic)
Marion	Dismal Creek Skillet Fork Creek
Mason	Crane Creek (Listed Species)
Massac	Ohio River (Natural Area)

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

McHenry	Fox River* (Wild and Scenic) Lawrence Creek Little Beaver Creek Kishwaukee River (Natural Area, A) Newman Creek Nippersink Creek* (Natural Area) North Branch, Nippersink Creek ** (Natural Area) North Branch, Kishwaukee River Piscasaw Creek
McLean	Henline Creek Kickapoo Creek Lonetree Creek Mackinaw River (Natural Area, A, Wild and Scenic) Sangamon River (Natural Area, Wild and Scenic)
Menard	Sangamon River (Natural Area, Wild and Scenic)
Mercer	Mississippi River (Natural Area)
Moultrie	West Okaw River (Natural Area, A)
Ogle	Rock River (Wild and Scenic)
Peoria	Illinois River (Wild and Scenic) Spoon River (Wild and Scenic)
Perry	Beaucoup Creek (Wild and Scenic) Bonnie Creek Little Galum Creek White Walnut Creek
Piatt	Goose Creek Sangamon River (Natural Area, Wild and Scenic)
Pike	Blue Creek Fishhook Creek Hadley Creek* (Natural Area, A) Mississippi River (Natural Area)
Pope	Bay Creek (Wild and Scenic) Big Grand Pierre Creek (Natural Area, Wild and Scenic) Burke Branch** (Natural Area) Lusk Creek (Natural Area, A) Ohio River (Biologically significant IL streams) Simmons Creek** (Natural Area)

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

Pulaski	Cache River (Wild and Scenic) Miller Creek Ohio River (Biologically significant IL streams) Sexton Creek Cypress Creek
Putnam	Clear Creek
Randolph	Kaskaskia River* (Wild and Scenic) Mississippi River (Natural Area, Listed Species) Piney Creek (Natural Area)
Richland	Embarras River (Wild and Scenic) Little Wabash River** (Natural Area)
Rock Island	Mississippi River (Natural Area) Rock River (Natural Area)
Saline	Little Saline River (Natural Area) North Fork Saline River* (Natural Area) Rocky Branch, Battle Ford Creek (Natural Area)
Sangamon	Sangamon River (Natural Area, Wild and Scenic) South Fork of the Sangamon River** (Natural Area)
Schuyler	La Moine River (Natural Area, A) Little Missouri Creek
Shelby	Kaskaskia River (Natural Area, Listed Species) West Branch** (Natural Area, A)
Stark	Spoon River (Wild and Scenic)
St. Clair	Kaskaskia River* (Wild and Scenic)
Stephenson	Pecatonica River (Wild and Scenic) Crane Grove Creek (Listed Species)
Tazewell	Illinois River* (Biologically significant IL streams) Mackinaw River* (Natural Area, Wild and Scenic) Panther Creek
Union	Big Muddy River (Wild and Scenic) Cache River (Wild and Scenic) Clear Creek (Natural Area) Dutch Creek Mississippi River (Biologically significant IL streams)

APPENDIX II Continued

CLASS I STREAMS BY COUNTY

Vermilion	Jordan Creek (A) Little Vermilion River (Natural Area, A) Middle Fork, Vermilion River (Natural Area, A, Wild & Scenic) North Fork, Vermilion River (Natural Area) Salt Fork, Vermilion River (Natural Area, Wild and Scenic) Vermilion River (Natural Area) Bean Creek (Listed Species)
Wabash	Wabash River (Natural Area)
Washington	Kaskaskia River* (Natural Area)
Wayne	Little Wabash River (Natural Area, Wild and Scenic) Skillet Fork Creek
White	Little Wabash River (Natural Area, Wild and Scenic) Skillet Fork Creek Wabash River (Natural Area)
Whiteside	Little Rock Creek Mississippi River (Natural Area) Rock River (Wild and Scenic) Coon Creek (Natural Area, Listed Species)
Will	Hickory Creek Illinois River (Natural Area) Kankakee River (Natural Area) Manhattan Creek (Natural Area, A) Plum Creek (Wild and Scenic)
Williamson	Lake Creek South Fork Saline River (Natural Area) Sugar Creek-Saline Drainage (Natural Areas, Listed Species)
Winnebago	Kishwaukee River (Natural Area) Pecatonica River (Wild and Scenic) Raccoon Creek (Listed Species) Sugar River (Natural Area, Wild and Scenic)
Woodford	Illinois River* (Biologically significant IL streams) Mackinaw River* (Natural Area, A) Panther Creek (A) Walnut Creek (A)

* indicates July, 1997 revisions

** indicates 1998 revisions

Revised in July, 1999

APPENDIX III
FOREST/TREES

If any of the following conditions apply, the project will be submitted to IDNR for completion of the natural resource review process:

1. A project on new alignment involving impacts to a block of trees equal to or greater than 20 acres in size.
2. The removal of trees that would bisect or fragment a 20 acre or greater block of trees not associated with stream corridor.
3. Within a stream corridor:
 - a. A project on new alignment on any stream segment;
 - b. A project on existing alignment if a stream listed in Appendix II is involved.

(Work involving the removal of dead and diseased trees for safety reasons need not be coordinated with the IDNR for review.)