

**CONSERVATION PLAN FOR THE BIGEYE SHINER (*Notropis boops*)
INHABITING CANY CREEK AT TOWNSHIP ROAD 131 BRIDGE IN UNION
COUNTY**

1. Description of the impact likely to result from the proposed taking

A. Legal description of the project area

The Northeast Quarter of the Southeast Quarter of Section 20, Township 12 South, Range 2 West of the Third Principal Meridian.

B. Biological Data

The Bigeye Shiner (*Notropis boops*) is state-endangered in Illinois. Preferred habitat of the bigeye shiner is clear, rather high-gradient streams over a substrate of clean mixed sand and gravel. Bigeye shiners likely spawn in late spring and summer in Illinois. Siltation and high water turbidity have been cited as a cause of population decline.

C. Description of the activities that will result in take

The proposed improvement includes realignment of a portion of TR 131, realignment of approximately 200' of Cany Creek, construction of a new bridge on the realigned portion of Cany Creek, demolition of the existing bridge and filling of a portion of the existing channel of Cany Creek.

D. Explanation of the anticipated adverse effects on listed species

The Illinois Natural History Survey of September 21, 2005 found habitat suitable for the bigeye shiner throughout the project site. Samples taken found individuals of the species at the project bridge and downstream of the project site. The fish located at the project site and downstream of the project site could be affected by the construction activity due to any siltation and some take will likely occur.

2. Measures the applicant will take to minimize and mitigate that impact

A. Plans to minimize the area affected by the proposed action, the number of individuals of an endangered or threatened species that will be taken, and the amount of habitat affected

Due to the acreage being disturbed for the proposed improvement, the project will be constructed under the requirements of an IEPA Stormwater NPDES

permit. The permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be developed which outlines temporary and permanent erosion control measures to be utilized to minimize erosion and siltation from the construction activities.

B. Plans for management of the area affected by the proposed action that will allow continued use of the area by the species

Riprap will be installed in the realigned channel in the vicinity of the bridge to prevent erosion and continued siltation from the site. No long term impact to the site is expected.

C. Description of all measures to be implemented to minimize or mitigate the effects of the proposed action on the endangered or threatened species

The effects of the proposed project will be minimized by constructing the new bridge in accordance with the SWPPP.

D. Plans for monitoring the effects of the measures implemented

The Union County Highway Department will contract with a qualified individual or company as required by IDNR to meet monitoring requirements.

E. Adaptive management practices that will be used to deal with changed or unforeseen circumstances that affect the effectiveness of measures instituted to minimize or mitigate the effects of the proposed action on endangered or threatened species

The storm water pollution prevention plan will be modified as necessary as construction proceeds. Items which could be modified include the amount and placement of riprap and silt fence.

F. Verification that funding to support mitigation activities will be available for the life of the conservation plan

The project is funded with county funds and federal bridge funds through the Illinois Department of Transportation.

3. Alternative actions that would not result in the take

One alternative which would not result in the take of listed bigeye shiners is the "no action" alternative. This would result in leaving the existing structurally deficient bridge in place. The existing bridge would eventually deteriorate to the

point that the bridge would have to be closed which would result in undue hardship on the agricultural community and residents in the area. A second alternative would be to construct a new bridge at the same location as the existing bridge. This would likely still result in a take since in channel work would be required to construct the new bridge. Also, constructing the new bridge at this location would result in a much sharper turn at the northern end of the bridge which would not meet the minimum design standards of the Illinois Department of Transportation.

4. Data and information to assure that the proposed taking will not reduce the likelihood of the survival of the species

The bigeye shiner is known to occur in the Lake Erie drainage in northwestern Ohio; Mississippi River basin from central Ohio to eastern Kansas and south to northern Alabama, northern Louisiana and southern Oklahoma.

5. An implementing agreement, which shall include, but not be limited to:

A. Names of all participants in the execution of the conservation plan, including public bodies, corporations, organizations, and private individuals

Bill Boyd
County Engineer
Union County Highway Department

Joe Kath
Endangered Species Project Manager
Illinois Department of Natural Resources

Center for Biodiversity
Illinois Natural History Survey

Michael Hine
Design and Environment Bureau Chief
Illinois Department of Transportation

B. The obligations and responsibilities of each of the identified participants with schedules and deadlines for completion of activities in the conservation plan and a schedule for preparation of progress report to be provided to the Department

The Illinois Department of Natural Resources is responsible for the review of this

Conservation Plan and for subsequent issuance of the Incidental Take Authorization.

The Union County Highway Department will be responsible for contracting with a qualified individual or company per monitoring requirements set by IDNR.

The Illinois Department of Transportation is responsible for all biological clearance coordination and recommendations related to the project and addresses those items listed under the Incidental Take Notice.

C. Assurances that each participant in the execution of the conservation plan has the legal authority to carry out their respective obligations and responsibilities under the conservation plan

The project is authorized by the Illinois Department of Transportation, which receives funding from the Illinois General Assembly and the Federal government in carrying out its programs.

D. Assurances of compliance with all other federal, state, and local regulations pertinent to the proposed action and to execution of the conservation plans

The Union County Highway Department, as directed by the Illinois Department of Transportation exclusively abides by the National Environmental Policy Act and all associated state and federal environmental laws in carrying out its mission of performing the most environmentally sensitive methods of transportation planning and engineering.

E. Copies of any federal authorizations for taking already issued to the applicant

Not applicable. The bigeye shiner (*Notropis boops*) is not federally threatened or endangered.

F. For projects that will result in the taking of endangered or threatened species of plants, copies of expressed written permission of the landowner

Not applicable. The bigeye shiner (*Notropis boops*) is considered an animal under the Illinois Endangered Species Act (ILCS 10/2).