



[IDNR Home](#)   [Pat Quinn, Governor](#)   [Illinois.gov](#)   Search   [DNR A to Z](#) 

[Natural Resources](#)   [Parks/Recreation](#)   [Hunting/Trapping](#)   [Fishing](#)   [Education/Outreach](#)   [Safety & Rules](#)   [Online Services](#)   [DNR A to Z](#)

[Illinois DNR](#) > [Endangered Species Protection Board](#) > [Endangered Species Consultation](#)

## Endangered Species Consultation

The Illinois Department of Natural Resources, Office of Realty and Environmental Planning, administers the endangered species consultation program. You may access information and tools about the program and process below:

1. [The Illinois Administrative Rule for Consultation](#) procedures for assessing impacts of agency actions on endangered and threatened species and natural areas.
2. Information about the IDNR [endangered and threatened species consultation and environmental review](#) programs and processes.
3. The Ecological Compliance Assessment Tool ([EcoCAT](#)) is the publicly accessible web-based tool that constitutes the first step for endangered and threatened species and other environmental review.

Questions about the IDNR endangered and threatened species consultation and environmental review program to:

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## Welcome to **EcoCAT** - the **Ecological Compliance Assessment Tool**

### IMPORTANT INFORMATION FOR FIRST TIME USERS

- You must use Microsoft's **Internet Explorer** browser. The MapTool will not work with other browsers (FireFox, Safari, Opera, Netscape, etc.).
- Your screen resolution must be set at **1024 x 768** or higher, and your browser window must be maximized. If not, you will not be able to use the MapTool.
- EcoCAT data entry must be completed within 20 minutes. If not, the information you have entered will be lost.
- You must complete all questions that are marked with an asterisk.
- To enter your project, you must have the County, Township, Range, and Section of its proposed location.
- EcoCAT generates a public record that is subject to disclosure under the Freedom of Information Act.
- If bookmarking this site, please bookmark THIS page, using this url:  
<http://dnrecocat.state.il.us/ecopublic/>
- If you have questions or comments, send an e-mail to [DNR.EcoCAT@illinois.gov](mailto:DNR.EcoCAT@illinois.gov)

EcoCAT was developed to help state agencies, units of local government, and the public (as project proponents) initiate natural resource reviews for:

- [Illinois Endangered Species Protection Act](#) [520 ILCS 10/11(b)] and [Illinois Natural Areas Preservation Act](#) [525 ILCS 30/17] as set forth in procedures under [Title 17 Ill. Admin. Code Part 1075](#).
- [Interagency Wetland Policy Act of 1989](#) [20 ILCS 830] as set forth in procedures under [Title 17 Ill. Admin. Code Part 1090](#) when state agencies provide funding (including federal pass-through funding) or technical assistance.

These laws require state agencies and units of local governments to consider the potential adverse effects of proposed actions on Illinois endangered and threatened species and sites listed on the Illinois Natural Areas Inventory.

EcoCAT can also accept Information Requests for natural resource reviews that do not trigger government consultation. An information request **DOES NOT** fulfill the requirements of Part 1075 or 1090.

[How EcoCAT Works](#)

[How to Use EcoCAT](#)

[Frequently Asked Questions about EcoCAT](#)

[Frequently Asked Questions about Consultation](#)

[Endangered and Threatened Species of Illinois: Status and Distribution - Animals](#)

[Endangered and Threatened Species List by County](#)

[Search EcoCAT Consultations by County/TRS or City](#)

[Go Directly to EcoCAT](#)

[Agency Action Report](#) - To request consultation for wind energy projects and IEPA air permits requiring a Prevention of Significant Deterioration (PSD) analysis, you must submit an AAR. The reviews for such projects extend beyond EcoCAT's screening capacity.

## How EcoCAT Works

EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if your proposed action may be in the vicinity of protected natural resources. You receive a natural resource review report that either:

- Terminates consultation if no resources are in the vicinity; or
- Lists resources that may be in the vicinity and identifies the staff member who will review the action. After review, staff will either:
  - Terminate consultation because adverse effects are unlikely,
  - Request additional information, or
  - Recommend methods to minimize potential adverse effects.

A species may appear on the resource list more than once when it occurs in several locations within the project's vicinity. Also, many INAI Sites are Nature Preserves, Land and Water Reserves, or Natural Heritage Landmarks. The sites may overlap, but the legal protections of each designation differ. Apart from Natural Areas, the boundaries of the other designations are based on property ownership and may extend beyond the location of the natural resources.

Keep in mind that "in the vicinity" does not necessarily mean "in the footprint" or that a resource will be adversely affected by the action. However, the potential is there and will be evaluated further. By the same token, because the resource buffers are very general, IDNR may evaluate resources located farther away if the proposed action or the life history requirements of a species warrant doing so.

The actual distribution of endangered and threatened species can never be known with certainty. Because some species are migratory, require very large territories, or are highly mobile, a natural resource review showing no protected resources does not guarantee that no T & E species are in the vicinity of a project. An EcoCAT review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If any protected resources are encountered during a project's implementation, compliance with applicable statutes and regulations is required.

[Return to Top](#)

## How to Use EcoCAT

Information that must be completed in EcoCAT is indicated with a red asterisk (\*).

EcoCAT first asks a series of **General Information** questions. How you answer the questions ensures that your project receives the appropriate environmental review and is assigned to the correct staff member. If you do not answer all of the questions, the program will not allow you to proceed to the mapping tool. The questions, with explanations, are provided below.

### Q1. Why are you submitting the project to EcoCAT?

- To initiate consultation with IDNR (*Title 17 Ill. Admin. Code Part 1075*) to determine potential impacts to Illinois Natural Area Inventory sites or state-listed threatened or endangered species.

- To obtain information on Illinois T&E species or INAI sites for **project planning**.
- To obtain information on Illinois T&E species or INAI sites for **federal agency** actions (including NEPA compliance).

If you select the 1st option you are fulfilling the consultation requirements of the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act.

If you select the 2nd option, you are only requesting information, not consultation. The submittal is considered an 'information request.' The EcoCAT report will state whether or not state-protected resources may be in the vicinity and will list any that are. The project will not be assigned for review.

The 3rd option should only be selected by federal agencies that are required to seek comments from state fish & wildlife agencies before authorizing, funding, or performing a federal action. EcoCAT processes most of these submittals as information requests, not as consultations. Only submittals for FERC and USEDA will be assigned to staff if resources are flagged.

If you select the 2nd or 3rd option, you will skip questions 2 and 3 on the General Information page and proceed directly to the Applicant Information page.

## **Q2. Indicate the government unit and type of action that has prompted consultation.**

- **LOCAL GOVERNMENT**
  - Authorization (a unit of local government must issue a permit or other authorization)
  - Funding (a unit of local government will provide a grant, loan, or other direct support)
  - Performance (a unit of local government is performing the action, such as construction)
- **STATE AGENCY**
  - Authorization (a state agency must issue a permit or other authorization)
  - Funding (a state agency will provide a grant, loan, or other direct support)
  - Performance (a state agency is performing the action, such as construction)

Only one jurisdictional agency or government can be selected, even though multiple units of government may be involved. Note that consultation with IDNR is **NOT** an authorization. Select "IDNR" **ONLY** if IDNR is the agency issuing a permit, providing funding, or performing the proposed action.

If you choose **Local Government** you will be asked to identify the government, e.g. the City of Champaign, and to enter a local government contact name, address and phone number. There is also a box to check if the local government is a county highway or local roads department.

If you select **State Agency**, there will be a drop-down box for you to identify which agency and, if applicable, which bureau. You will also be asked to enter an agency contact name, address and phone number.

Information about the unit of government and the type of action required from that government ensures that the project receives the applicable review and is assigned to the appropriate staff.

## **Q3. Will state technical assistance or funding (including federal funding through a state agency) support the project?**

- Yes
- No
- Don't Know

If you choose "Yes" or "Don't know," the project will be reviewed for wetland impacts to comply with the Interagency Wetland Policy Act of 1989 (IWPA). You will not receive technical assistance or funding without this review. Note: compliance with Sections 401 and 404 of the federal Clean Water Act does not assure compliance with the IWPA.

After you answer the three general information questions, you will move to the section on **Applicant Information**. First, you need to indicate the applicant category to which you belong:

- o Non-governmental/Individual
- o Local Government
- o State Agency
- o Federal Agency

The individual or organization submitting the project to EcoCAT is considered the Applicant. Required information includes applicant (your company, agency, etc.), and applicant address. Phone and fax numbers for the applicant are optional.

After you have submitted a project to EcoCAT for the first time, you can click the Lookup button to automatically fill in the applicant address. However, you must enter the applicant name exactly the same way each time. For example, if you previously entered "ABC Engineering Company", remember to enter the company name in an identical manner each time. If you enter "ABC Eng. Co." or "ABC Engineers" a new entry will be made and you will have to enter the address again.

The same is true for Contact Person. The first time you enter a project you will select:

- o Add New Contact

Required information includes your name, phone number and e-mail address. Any communication from IDNR (such as requests for additional information or correspondence terminating consultation) will be directed to the Contact Person at the address listed for the Applicant or the phone number listed for the Contact Person. For subsequent submittals you can choose:

- o Select Existing Contact

Click your name and the information you previously entered will automatically be entered in the form.

The section on **Project Information** asks you to provide a project name, a brief description of the project, and the project address. You can also enter a non-IDNR project number here (this number will display on the EcoCAT report along with the IDNR project number). This section also asks you to indicate if the project has been submitted to IDNR previously. If it has, you should enter that IDNR project number so staff can refer to the previous consultation.

Next is **Project Location**. First you select the County where the project will be located, then the **Section, Township, and Range** of the site – commonly referred to as "TRS". (The correct Meridian will come up automatically when you click the Meridian button.) You can find the TRS - also known as the Public Land Survey System (PLSS) information - on standard legal property descriptions, on USGS topographical maps, and in plat books.

You only need to enter one section number even if the project location lies in several sections. Once you have entered the TRS, click on "Go to Map Tool." When a map of the general location of the project appears, you can either zoom in or out to find the exact location of your project (instructions are on-screen). If the map doesn't appear or is very narrow, check your screen resolution. It must be set at 1024 x 768 or higher.

Click "Draw" to begin outlining the area of your project. If the project lies in more than one section,

all the sections included in the polygon will be recorded automatically and listed on the EcoCAT report. When the project is correctly outlined, click "Submit."

EcoCAT will return a report for the project that lists any resources found in the area. If no resources are in the vicinity and you have requested consultation, the report will terminate consultation and you have completed the process. If the project was submitted for consultation and protected natural resources are identified in the area, EcoCAT will assign the project to IDNR staff for further review. In either instance, make sure you have a copy of the report. To do this, click the "Print Report" button on the left side of the screen. An Acrobat dialog box will appear from which you can print and/or save the report. If the dialog box does not open, turn off all pop-up blockers or enable popups for "dnrecocat.state.il.us".

Once you have a copy of your report, you can either click the "Exit EcoCAT" button or, if you have another project to submit, you can click the "Enter Another Project" button and start the process again without having to re-enter Applicant Information.

[Return to Top](#)

## **Frequently Asked Questions about EcoCAT**

[How do I submit a large, linear project?](#)

[How do I submit a project with multiple sites?](#)

[Can I submit an action that requires a Clean Air Act permit?](#)

[What if more than one level of government or more than one agency is involved in a project?](#)

[What is "federal agency coordination?"](#)

### **How do I submit a large, linear project?**

A project area up to five miles (eight kilometers) can be submitted through EcoCAT. If your project is longer than five miles, you should break it up into five-mile segments and submit them as multiple projects. When you are in the mapping tool click the "zoom out" button at the top and then click the map until you are at the map scale needed to encompass the project area. Then click the EcoCAT button and draw a polygon around the project area.

[Return to EcoCAT FAQs](#)

### **How do I submit a project with multiple sites?**

If the proposed action is similar at each site and the sites are within one-half mile, a single polygon can be drawn around the entire area and EcoCAT will treat it as one project. The results should not differ drastically from individually considering each site. If the proposed actions vary from site to site or if the sites are located a long distance from each other, you must submit multiple consultation requests.

[Return to EcoCAT FAQs](#)

### **Can I submit an action that requires a Clean Air Act permit?**

New Source Review and Prevention of Significant Deterioration actions should still be submitted to the Department on an Agency Action Report. However, we encourage those seeking a permit for a

major emission source to submit an Information Request during project planning.

[Return to EcoCAT FAQs](#)

### **What if more than one level of government or more than one agency is involved in a project?**

A submission to EcoCAT can indicate only one jurisdictional Agency or Government. However, because every Agency or Government has unique powers and authorities, each unit of government which will authorize, fund, or perform a proposed action has a legal obligation to consult the Department under Part 1075. Therefore an EcoCAT submission should be made for each Agency or Local Government involved in the action when EcoCAT indicates a protected natural resource exists in the vicinity.

When multiple agencies or governments are involved, they have the option, under Part 1075, of designating one of themselves to act as the "lead agency" for purposes of consultation. Even if no "lead agency" is designated, once the Department becomes aware multiple agencies or governments are involved the Department will attempt to coordinate the resulting consultations.

If EcoCAT indicates no protected resources are known in the vicinity, a copy of the EcoCAT report may be accepted by Agencies or Governments as an indication the consultation requirement has been satisfied; however, each Agency or Government may choose to consult directly.

[Return to EcoCAT FAQs](#)

### **What is "federal agency coordination?"**

Many federal agencies are required to seek the comments and opinions of state fish & wildlife agencies before authorizing, funding, or performing a federal action. EcoCAT can provide information on state-listed endangered or threatened species, wetlands, and Natural Areas. The reviews provided by the U.S. Fish and Wildlife Service are based on historic ranges of species, and are limited to federally listed T&E species.

[Return to EcoCAT FAQs](#)

[Return to Top](#)

## **Frequently Asked Questions about Consultation**

[Who has to consult under the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act?](#)

[Who MAY consult?](#)

[What actions require consultation?](#)

[What actions are exempt from consultation?](#)

[How is consultation enforced?](#)

[What are the consequences of NOT consulting?](#)

[How does IDNR evaluate proposed actions that are in the vicinity of protected resources?](#)

[How can I make consultation effective?](#)

[What does consultation NOT do?](#)

## **Who has to consult under the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act?**

State agencies or units of local government must consult the Department about proposed actions that they will authorize, fund or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants or animals or for adversely modifying a Nature Preserve or a Land & Water Reserve.

Home rule governments may delegate this responsibility, through duly enacted ordinances, to the parties seeking authorization or funding of the action.

[Return to Consultation FAQs](#)

## **Who MAY consult?**

Developers, consultants, planners, and others frequently consult regarding tentative projects to determine the presence or absence of natural resource issues. The Department encourages such consultation as most effective, most economical, and least disruptive.

[Return to Consultation FAQs](#)

## **What actions require consultation?**

Any action that will change existing environmental conditions, i.e. anything that disturbs the land, water, or air. Examples include:

- construction
- discharge of pollutants or application of chemicals into the air, water, or land
- dredging any naturally occurring materials
- re-zoning from a non-urban classification to an urban classification (e.g. from agricultural to residential) or a change from one urban classification to another on land not used in its entirety for the original classification
- subdivision and other development plats
- infrastructure alterations (utilities, roads, sewers)
- land management
- alteration, removal, excavation or plowing of non-farmed, non-cultivated areas
- altering existing topography
- annexations
- parks, stream, or lake modifications

[Return to Consultation FAQs](#)

## **What actions are exempt from consultation?**

Unless it is evident that they could directly or indirectly affect an endangered or threatened species or a Natural Area, the following actions are exempt from consultation:

- mowing within maintained highway rights-of-way
- routine resurfacing and application of oil and gravel to existing roads
- maintenance or repair of existing structures
- actions under a Department-approved management plan undertaken to maintain or improve

natural ecosystem conditions or to re-establish pre-settlement vegetation conditions (such as prescribed burns, spot application of herbicides or brush clearing)

- maintenance of existing lawns, yards, and ornamental plantings
- routine cultivation of agricultural lands
- change of zoning requests for land currently zoned, developed, and used in its entirety for commercial, industrial, or residential purposes

[Return to Consultation FAQs](#)

### **How is consultation enforced?**

The consultation requirement may be enforced through a writ of mandamus, which may be sought by any "affected" person from the circuit court with jurisdiction.

[Return to Consultation FAQs](#)

### **What are the consequences of NOT consulting?**

- destruction of irreplaceable natural resources
- negative public relations and potential civil litigation
- injunctive action, civil penalties, seizure of property, or criminal prosecution

[Return to Consultation FAQs](#)

### **How does IDNR evaluate proposed actions that are in the vicinity of protected resources?**

Based on the nature of the proposed action and the nature of the protected resource, staff will assess the character of the potential adverse impacts and whether an adverse impact is likely. For listed species, the assessment is based on the life requirements of the species. The assessment for Natural Areas and Nature Preserves is much broader, based on potential impacts to natural communities and the unique features of the Site or Preserve.

[Return to Consultation FAQs](#)

### **How Can I Make Consultation Effective?**

- Plan proactively.
- Coordinate planning and development with other municipalities and governments.
- Know the natural resource issues in your area.
- Modernize zoning and subdivision ordinances to enable your government to impose natural resource protection measures.
- Incorporate resource protection measures into formal and enforceable agreements, permits, contracts, etc.
- Enforce ordinances, regulations, permit terms, and contract provisions.
- Educate officials, developers, consultants, and the general public about natural resources and laws protecting them.

[Return to Consultation FAQs](#)

### **What does consultation NOT do?**

- It does not result in permits of any kind. Permits must be obtained from the respective regulatory agency.

- It does not satisfy the requirements of the federal Endangered Species Protection Act of 1972 and implementing regulations.
- It cannot prohibit or prevent a proposed action.
- It does not preempt, override, reduce or interfere with the powers of local governments or State agencies.
- It does not address impacts to natural resources which do not enjoy protected status, except to the extent they entail cumulative indirect adverse effects to protected resources.
- It cannot protect or conserve listed species, Natural Areas, or Nature Preserves without the active participation and cooperation of agency and local officials.

[Return to Consultation FAQs](#)

[Return to Top](#)