

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF 183<sup>rd</sup> MEETING, AUGUST 16, 2019

MIDEWIN NATIONAL TALLGRASS PRAIRIE, MAIN MEETING ROOM, VISITOR  
CENTER 30239 SOUTH STATE ROUTE 53, WILMINGTON, IL 60481

Approved at the 184<sup>th</sup> meeting, November 15, 2019

BOARD MEMBERS PRESENT: Dr. Angelo Capparella, Dr. Janice Coons, Dr. Tracy Evans, Dr. Joyce Hofmann, Mr. Bruce Ross-Shannon, Mr. Randy Schietzelt, Dr. Philip Willink, and Mr. Chris Young

BOARD MEMBERS ABSENT: Dr. Jeremie Fant

OTHERS PRESENT: Paul Marcum (INHS), Jeannie Barnes (INHS), Kelly Neal (INPC), Meghan Selep (Illinois Farm Bureau), Lyndsey Ramsey (Illinois Farm Bureau), Joe Kath (IDNR), Gretchen Knapp (John Wesley Powell Audubon Society), Bridget Henning (IDNR), and Jean Mengelkoch (INHS)

1. Call to Order, Roll Call of Board Members, and Introduction of Guests

Chair Hofmann called the meeting to order at 10:03 A.M. and read the roll call. Seven voting Board members were in attendance, constituting a quorum. Dr. Hofmann welcomed the visitors and asked them to introduce themselves.

2. Adoption of Agenda

Mr. Schietzelt moved that the agenda be adopted as presented. The motion was seconded by Dr. Coons and carried by a unanimous vote.

3. Approval of Minutes from the 182<sup>nd</sup> Meeting

Draft minutes of the 182<sup>nd</sup> meeting had been distributed to Board members prior to the meeting by email. Dr. Coons noted two typographical errors in item 9 of the draft and Dr. Hofmann said that she would correct those. The minutes of the 182<sup>nd</sup> meeting were approved as modified.

4. Report from the Illinois Department of Natural Resources (IDNR)

Board members received a report from Mr. Young. There is a proposal to have a joint meeting of IESPB and INPC on January 21, 2020. This would be a public meeting at the IDNR building in Springfield. The focus of the meeting would be to encourage collaboration among the two boards and IDNR. The consensus of the Board members was that such a meeting would be beneficial. Mr. Young announced that an application for the single Board vacancy is currently under review. Joe Kath summarized personnel changes and new hires. Mr. Kath also summarized the six SWIG grants scheduled to begin in the next six months. Grants include a resurvey of Illinois crawfishes, demography of the Silvery Salamander and Jefferson's Salamander, assessment of Blanding's turtle populations, assessment of insect species in greatest conservation need, Monarch Butterfly resources, and a demographic study of the Bird-voiced Treefrog.

5. Report from the Illinois Nature Preserves Commission (INPC)

Ms. Kelly Neal presented a written report on recent activities of the Commission and its staff. There has not been an INPC meeting since the last ESPB meeting; the next meeting will be September 10. Ms. Neal offered to answer any questions. There were none.

6. Report from the Chair of the Illinois Endangered Species Protection Board

Chair Hofmann reported on her activities since the 182<sup>nd</sup> meeting. Her written report to the Board is attached. Her main activity was working on the summary of the Board's preliminary listing decisions. She also made announcements of upcoming events.

7. Semi-annual Review of Whether to Keep Closed the Minutes from Previous Closed Sessions

A motion was made by Mr. Bruce Ross-Shannon to keep closed the minutes of previous closed sessions. All of the closed sessions dealt with personnel issues. The motion was seconded by Dr. Willink and passed unanimously.

8. Committee of the Whole to Propose Nominations for Illinois Endangered Species Protection Board Officers.

A Committee of the Whole was convened. The slate of nominees was Dr. Joyce Hofmann, chair; Dr. Janice Coons, vice-chair; and Dr. Tracy Evans, Secretary. It was noted that the duties of the Secretary include being Hearing Secretary for the public comment hearing conducted by the board as part of the listing review and revision process.

9. Preliminary Approval to Change Banded Killifish (*Fundulus diaphanus*) to Western Banded Killifish (*Fundulus diaphanus menona*) on the Illinois List of Endangered and Threatened Species

Dr. Evans made a motion to give preliminary approval to a taxonomic change from Banded Killifish (*Fundulus diaphanus*) to Western Banded Killifish (*Fundulus diaphanus menona*) on the Illinois List of Endangered and Threatened Species. Mr. Schietzelt seconded the motion. The Board has discussed this species in previous meetings. Originally only the western subspecies of the Banded Killifish occurred in Illinois and it was the taxon that the Board intended to protect by placing it on the Illinois List. Recently the eastern subspecies has expanded into the state; this subspecies does not need protection. The motion passed 6-0, with Dr. Willink recusing himself.

10. Preliminary Approval of Additional Nomenclature Changes for Listed Species

Dr. Hofmann pointed out that the Board had postponed a decision on changing *Carex canescens* var. *disjuncta* to *Carex canescens* at the 182<sup>nd</sup> meeting. Botanist Paul Marcum supplied information supporting the change. Dr. Willink informed the Board that the scientific names of the Western Sand Darter and Eastern Sand Darter have been changed. Jeannie Barnes had informed Dr. Hofmann that the scientific name of the Spike has also been changed. Dr. Hofmann suggested changing the common names of the Bunchflower and Bulrush (*Scirpus polyphyllus*) to match the names used in the petitions to change the listing status of these species. Dr. Coons made a motion that the Board give preliminary approval to the following nomenclature changes:

- a) *Carex canescens* var. *disjuncta* to *Carex canescens*
- b) *Ammocrypta pellucidum* to *Ammocrypta pellucida*
- c) *Ammocrypta clarum* to *Ammocrypta clara*
- d) *Elliptio dilatata* to *Euryntia dilatata*
- e) Bunchflower to Virginia Bunchflower
- f) Bulrush to Leafy Bulrush (for *Scirpus polyphyllus*).

Dr. Willink seconded the motion and it passed unanimously.

Dr. Coons and Mr. Marcum told the Board that the taxonomy of the genus *Vaccinium* was unsettled. At the 182<sup>nd</sup> meeting the Board had given preliminary approval to change the scientific name of the Small Cranberry from *Vaccinium oxycoccos* to *Oxycoccos macrocarpon*. Dr. Hofmann pointed out that *macrocarpon* is the specific epithet for the Large Cranberry. Dr. Coons made a motion to revert to the name *Vaccinium oxycoccos* for the Small Cranberry. The motion was seconded by Dr. Capparella and passed unanimously.

11. Preliminary Approval of a Petition to Remove Sharp-scaled Sedge (*Carex oxylepis*) from the Illinois List of Endangered and Threatened Species

A petition was submitted by Paul Marcum seeking to remove Sharp-scaled Sedge (*Carex oxylepis*) from the Illinois List of Endangered and Threatened Species (Illinois List). This species seems to be increasing. There was some discussion about protecting one variety of the species. A decision on that would need to be made in the future. At present the only way to protect a variety is to protect the entire species. Mr. Ross-Shannon made a motion to deny delisting this species, which was seconded by Dr. Capparella and passed unanimously.

12. Preliminary Approval of a Petition to Add Opaque Oval Sedge (*Carex opaca*) to the Illinois List of Endangered and Threatened Species as Endangered

Paul Marcum submitted a petition to add Opaque Oval Sedge (*Carex opaca*) to the Illinois List as endangered. The species is found at only four locations and not on any protected sites. The Board voted 6-0 to give preliminary approval to the petition to add the species to the Illinois List as endangered upon a motion made by Dr. Capparella and seconded by Mr. Schietzelt, with Dr. Coons recusing herself.

13. Preliminary Approval of a Petition to Add Eastern Straw Sedge (*Carex straminea*) to the Illinois List of Endangered and Threatened Species as Endangered

A petition was submitted by Paul Marcum seeking to add Eastern Straw Sedge (*Carex straminea*) to the Illinois List as endangered. This species has a restricted distribution in Illinois and is limited to a very specific habitat. Mr. Schietzelt made a motion, seconded by Dr. Capparella, that the Board give preliminary approval to the petition to add the species to the Illinois List as endangered. The motion passed by a vote to 6-0, with Dr. Coons recusing herself.

14. Preliminary Approval of a Petition to Add White Bergamot (*Monarda clinopodia*) to the Illinois List of Endangered and Threatened Species as Threatened

Paul Marcum submitted a petition to add White Bergamot (*Monarda clinopodia*) to the Illinois List as threatened. This species was widespread at one time but has suffered a large reduction in its distribution in Illinois. The Board voted 6-0 to give preliminary approval to the petition to add the species to the Illinois List as threatened upon a motion made by Dr. Willink and seconded by Mr. Ross-Shannon. Dr. Coons recused herself.

15. Preliminary Approval of a Petition to Add Cat's Claw (*Schrankia uncinata*) to the Illinois List of Endangered and Threatened Species as Endangered.

A petition was submitted by William McClain to add Cat's Claw (*Schrankia uncinata*) to the Illinois List as endangered. The species has been found recently in very small numbers at two locations in the state. There was discussion about the fact that multiple scientific names are used for this species. Mr. Marcum suggested using the name *Mimosa nuttallii*. The species also has other common names, such as sensitive briar. Mr. Ross-Shannon made a motion to give preliminary approval to add *Mimosa nuttallii*, also known as *Schrankia uncinata*, to the Illinois List as endangered. The motion was seconded by Mr. Schietzelt. It was approved by a vote of 6-0, with Dr. Coons recusing herself.

16. Preliminary Approval of a Petition to Change the Status of Virginia Bunchflower (*Melanthium virginicum*) from Threatened to Endangered.

A petition was submitted by Angella Moorehouse to change the status of Virginia Bunchflower (*Melanthium virginicum*) from threatened to endangered in Illinois. There is a draft recovery plan for this species and the threshold for listing it as threatened has not yet been met. The Board voted unanimously to give preliminary approval to the petition to change the status of this species from threatened to endangered upon a motion by Dr. Capparella that was seconded by Dr. Coons.

17. Preliminary Approval of a Petition to Change the Status of Leafy Bulrush (*Scirpus polyphyllus*) from Threatened to Endangered

A petition was submitted by Susanne Masi, Jody Shimp, and Eric Ulaszek to change the status of Leafy Bulrush (*Scirpus polyphyllus*) from threatened to endangered in Illinois. There are recent studies showing that Leafy Bulrush could be pushed to extirpation by invasive species. Mr. Schietzelt pointed out that this species will need active management. The Board voted unanimously to give preliminary approval to the petition to change the status of this species from threatened to endangered upon a motion made by Dr. Willink and seconded by Mr. Schietzelt.

18. Preliminary Approval of Corrections to Typographical Errors in the Illinois List of Endangered and Threatened Species

Dr. Hofmann discovered two typographical errors in the Illinois List as shown on the Board's website. Carey' Heartsease should be Carey's Heartsease and *Quadrula cylindrica* should have only one asterisk since it is federally threatened, not federally endangered. Drs. Coons and Willink also pointed out typographical errors in the summary list of preliminary decisions distributed by Dr. Hofmann. Dr. Evans moved to give the Chair authorization to correct typographical errors in the Illinois List. Dr. Willink seconded the motion and it passed unanimously.

19 Board Policy on Illinois Status in Relation to Federal Status of Listed Species

Dr. Hofmann mentioned that all species listed as endangered or threatened by the U.S. Fish and Wildlife Service are automatically on the Illinois List. She stated that the Illinois status would presumably match the federal status unless the Board took action. The Board has listed some federally threatened species as endangered in Illinois. Dr. Capparella pointed out that the wolf is listed as threatened in the state but is federally endangered. Dr. Hofmann explained that the federal status of the wolf has changed over time. Mr. Ross-Shannon stated that the Board, as a state entity, would not have the authority to give a listed species less protection than given to it by the federal government. There was a consensus that the Illinois status of the wolf should be changed to match its federal status as endangered.

20. Board Confirmation of All Preliminary Listing Decisions for the Illinois List of Endangered and Threatened Species Review and Revision Ending in 2020

A summary of all preliminary listing decisions made by the Board prior to the 183<sup>rd</sup> meeting had been distributed to Board members by email. Dr. Hofmann read the list of changes given preliminary approval at the current meeting and stated that she would add these to the summary. The Board confirmed all preliminary listing decisions as of the 183<sup>rd</sup> meeting.

21. Schedule and Preparation for the Required Public Meeting on Preliminary Board Listing Decisions

The schedule for the required public hearing on preliminary Board listing decisions was tentatively set for the week of October 7-11, 2019 at the IDNR building in Springfield from 11:30 A.M. to 1:30 P.M. Mr.

Young will arrange for the meeting room and the services of a court reporter as required. When the date and room are confirmed a legal notice will be sent to the official state newspaper. An announcement and the list of preliminary decisions will be posted on the Board's website and at the IDNR building. The list will also be provided to anyone who requests it. Mr. Young will prepare a press release explaining the process to the public

22. Anticipated Schedule for Responses to Public Comments, Final Board Listing Decisions, and Preparation of Administrative Rule

The public will have two weeks to submit written comments following the public hearing. Responses to oral and written comments will be considered at the next scheduled Board meeting on November 15, 2019. Tentatively, a vote on the Board's final listing decisions will also be held at that meeting. The revised version of the Illinois List will then be sent to the IDNR. Review by the IDNR Legal Counsel and Director and preparation of the Administrative Rule is in the purview of IDNR.

23. Election of Board Officers

The slate of officers prepared by the Committee of the Whole was approved unanimously upon a motion made by Mr. Ross-Shannon and seconded by Dr. Willink.

24. Public Comment Period (3 minutes per person)

Ms. Henning explained the nature of the word "resilience" in reference to a question Dr. Capparella had asked earlier about the Rusty Patched Bumble Bee.

25. Other Business

Dr. Hofmann announced that the Illinois Native Plant Society has decided to award grants for surveys of listed plant species as well as others for which listing might be warranted. The Society will refer to recommendations made by the Plant Endangered Species Technical Advisory Committee.

26. Next Meeting Information

The next meeting will be at 10 A.M. on November 15, 2019 at Midewin National Tallgrass Prairie Visitor Center, Wilmington, IL.

27. Adjournment

There being no further business, Chair Hofmann adjourned the meeting at 12:46 P.M.

# ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

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## Report from the Chair, 16 August 2019

Joyce Hofmann

Activities for the period between the 182<sup>nd</sup> and 183<sup>rd</sup> Board meetings

- performed follow-up for 182<sup>nd</sup> meeting – arranged for the final agenda of the 182<sup>nd</sup> meeting and the approved minutes of the 181<sup>st</sup> meeting to be posted on the Board's website
- monitored the Board's email account – responded to some messages, forwarded others to appropriate personnel at the Illinois Department of Natural Resources (IDNR)
- performed administrative review of one petition to remove a species from the Illinois List of Endangered and Threatened Species
- performed administrative review of four petitions to add species to the Illinois List of Endangered and Threatened Species
- performed administrative review of two petitions to change the status of species on the Illinois List of Endangered and Threatened Species
- produced a list of all preliminary listing decisions as of the 182<sup>nd</sup> Board meeting; had the list checked by Janice Coons and Phil Willink and made corrections
- distributed three Conservation Plans and four draft Incidental Take Authorizations (ITAs) to Board members
- submitted comments on one Conservation Plan and one draft ITA
- prepared for the 183<sup>rd</sup> Board meeting – developed an agenda; had the draft agenda posted at the IDNR building, at the Midewin Visitor Center, and on the Board's website; distributed materials for the meeting to Board members