

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF 192nd MEETING, November 12, 2021

via ZOOM

Approved at the 193rd meeting, February 11, 2022

BOARD MEMBERS PRESENT: Dr. Angelo Capparella, Dr. Janice Coons, Dr. Jeremie Fant, Dr. Joyce Hofmann, Mr. Randy Schietzelt, Mr. Bruce Ross-Shannon, Dr. Tih-Fen Ting, Dr. Philip Willink, and Mr. Chris Young

BOARD MEMBERS ABSENT: None

OTHERS PRESENT: Joe Kath (IDNR Division of Natural Heritage), Heather Osborn (IDNR Division of Natural Heritage ITA Coordinator), Todd Strole (IDNR Division of Natural Heritage), Philip Cox (IDNR Division of Natural Heritage), Raelynn Parmely (Illinois Farm Bureau), Dave Glover (IDNR Rivers and Streams Program Manager), Cassi Saari (Chicago Park District - Natural Areas), Samantha Chavez (interested citizen), Angella Moorehouse (INPC west-central Illinois), Brian Metzke (IDNR Division of Natural Heritage), Katie Kucera (Plants of Concern - Research Assistant, Friends of Illinois Nature Preserves - volunteer), Natalie Izlar (Plants of Concern Research Assistant), Amy Doll (Friends of Illinois Nature Preserves), Dan Lewis (IDNR), Ann Holtrop (IDNR Division of Natural Heritage), and seven others who did not officially identify themselves

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

Chair Hofmann called the meeting to order at 10:04 A.M. and read the roll call. Eight voting Board members were in attendance, constituting a quorum. Dr. Hofmann welcomed the visitors and Mr. Young 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. The motion passed unanimously on a roll call vote.

3. Approval of Minutes from the 191st Meeting

Draft minutes of the 191st meeting had been distributed to Board members prior to the meeting by email. There were two minor corrections. Dr. Capparella moved that the minutes of the 191st meeting be approved as presented with corrections. Dr. Ting seconded the motion and it passed unanimously on a roll call vote, with one abstention from Dr. Fant who was not at the 191st meeting. Dr. Hofmann said that she would have the minutes posted on the website.

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

The Department's report had been distributed to the Board via email. Mr. Strole stated that Bat Conservation International has initiated a project titled "Fat Bats - Supporting Hibernating Bats

Affected by White-nose Syndrome,” which studies foraging near overwintering sites. There is one study site in Illinois, with the possibility that a few more may be added. IDNR is helping with the project. IDNR was awarded funds through the 2021 Federal White-nose Syndrome Grants to States and Tribes Program to add ten acoustic stations for bat monitoring in Illinois. There is currently a proposal to federally delist the Prairie Bush-Clover. In Illinois, the Prairie Bush-Clover was independently listed as endangered before the federal listing; hence there would not be an automatic delisting within Illinois. Priority species for recovery have been identified and a list of team leaders for 38 species was provided. The leads met in September to discuss expectations for the coming year. Natural Heritage has implemented a simple online reporting mechanism for Endangered and Threatened Species sightings. It can be found under a data tab at IDNR Natural Heritage. A link will be added to ESPB page as well. The Illinois Wildlife Action Plan is undergoing minor revisions, specifically updating the list of endangered and threatened species and adding plants to the Species in Greatest Need of Conservation list. While Natalia Maass (IDNR Natural Heritage Database) was adding information to the database, several taxonomic issues for plants were discovered. These were minor and included a couple of incorrect common names (scientific names were correct), grammatical issues regarding the endings of some names, and a taxonomic update. Some members of the Plant Endangered Species Technical Advisory Committee were consulted for corrections. Dr. Hofmann mentioned that Dr. Fant had informed her of some mistakes in the 2020 Checklist of Endangered and Threatened Species. The checklist states that there are 266 endangered plants (the correct number is 264) and 67 threatened plants (which should be 66). There are also a couple of typos in species’ names. The numbers have been corrected on the online checklist. Ms. Moorehouse asked that since the Illinois Wildlife Action Plan was updating plants, how about updating insects (specifically Hymenoptera, Diptera, and Coleoptera)? Mr. Strole responded that Leon Hinz should weigh in on that topic. Dr. Ting stated that she likes the new online reporting tool for endangered and threatened species. She asked what IDNR does if there is no picture or voucher to verify the identification of the species. Mr. Strole replied that most reports were from “trusted individuals” who were experts in their fields. In other cases, database staff coordinate a follow-up. Dr. Capparella asked how the 38 priority species for recovery were picked. Mr. Strole responded that they looked at what was most imperiled, what efforts were already underway at IDNR, and the federal government’s interest (e.g., whether the species is incorporated into their 5-year work plan). The list is always subject to change. Dr. Capparella then asked why the Sicklefing Chub was not on the Illinois List of Endangered and Threatened Species if US Fish and Wildlife is considering listing it. Dr. Willink replied that he was unsure, but it was probably because there are only a few records in the Mississippi River, which is at the very edge of its range. Dr. Capparella reported that he had seen a publication about two fish species that recently had been found in Illinois for the first time. The authors wrote that both species should be considered for listing as endangered in Illinois, but petitions to do so have not been submitted. Dr. Capparella pointed out the need to clarify that petitions can be submitted to the Board at any time. Dr. Hofmann mentioned that the Board had received several communications concerning Bell Bowl Prairie since there are endangered and threatened species at the site (which would be impacted by an expansion of the Greater Rockford Airport). These communications were forwarded to IDNR. Mr. Strole stated that construction has been halted at Bell Bowl Prairie. IDNR is again in consultation with the Airport. IDNR is limited in what it can do under the circumstances but will continue to work with the Airport. Mr. Schietzelt asked about Black-billed Cuckoo and Loggerhead Shrike records at the site. Mr. Strole responded that there were

some old Black-billed Cuckoo records, but no evidence of nesting. Dr. Coons asked if an Incidental Take Authorization (ITA) was being processed. Mr. Strole responded that applying for an ITA would be the Airport's decision and ITAs are not done for plants.

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

An INPC report was distributed to the Board via e-mail. No representative from INPC was present at the meeting to lead a discussion or answer questions.

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

Chair Hofmann previously provided a written report on her activities since the last meeting; the report is attached to these minutes. She performed the usual administrative tasks of dealing with email, reviewing draft minutes from the previous meeting, distributing draft ITAs and Conservation Plans to Board members, and distributing materials for the current meeting. She and Dr. Coons also prepared draft versions of the petitions for adding species to the Illinois List of Endangered and Threatened Species, changing the status of a species, and delisting species. She discussed updated material for the ESPB website with Victoria Arterbury (IDNR); material on the 2020 revision of the Illinois List will be online soon. Dr. Hofmann reminded members to complete Ethics and Sexual Harassment and Discrimination Prevention Trainings by the end of the year. When completed, she asked them to send her a copy of the certificate. Dr. Ting did not receive the email notice about the trainings, so Dr. Hofmann forwarded it to her. There has been a Freedom of Information Act request for emails the Board has received about fish. It is not clear if the request was for a particular species and IDNR Legal handles FOIA requests. Dr. Hofmann sent a thumb drive with 2020 Illinois List Revision petitions to Springfield to be archived.

7. Approval of Revised Petition Package for the Review and Revision of the Illinois List of Endangered and Threatened Species

Chair Hofmann mentioned that Tara Kieninger (IDNR - Illinois Natural Heritage Database) had offered to create a file providing information that could be transferred to the third table in Section G (petitions to "Change the Status" and "Remove a Species"). This will simplify the process for petitioners. She also mentioned that the section dealing with a species' listing history was not finished (Section F in "Change the Status" and "Remove" petitions). Jeannie Barnes (retired INHS) is updating a table with the pertinent information to fill in the first four items in the section. Once this is completed, Dr. Hofmann will update the petition forms with the accurate link. Dr. Willink asked if the phrase "these materials should be in English" (page 2, Section C in Introduction) was appropriate. Dr. Hofmann felt that this was a question for IDNR Legal. Dr. Ting wondered if the statement meant materials in English or materials from English sources. Dr. Hofmann felt that it probably meant written in English. Mr. Young suspected that IDNR Legal would recommend striking the phrase from the petition. Dr. Willink wondered if the Executive Summary should have a word limit. Mr. Young did not see that as a problem and the Board can ask for edits if an overly lengthy Executive Summary is submitted. Mr. Schietzelt motioned that the petition packages be approved, with the provisions that the instructions for the listing history be updated when possible and the words "these materials should be in English" be stricken. Dr. Fant seconded. The motion passed unanimously on a roll call vote. Dr. Hofmann added that fillable PDFs will be made and posted online. She also thanked Dr. Coons for all her help with the drafts.

8. Approve Schedule of Board Meetings for 2022

After a brief discussion, the dates of February 11, May 20, August 26, and November 18 were suggested for the 2022 ESPB meetings. Mr. Ross-Shannon made a motion to accept the dates, which was seconded by Mr. Schietzelt. The motion passed unanimously on a roll call vote. Dr. Hofmann stated that it was probably too early to check on the availability of the Midewin Visitor Center as a meeting venue.

9. Public Comment Period

Samantha Chavez commented that construction has already occurred on the Bell Bowl Prairie within foraging areas for the Rusty Patched Bumble Bee during foraging season. She thought the Airport still must apply for an ITA and asked what happens if they don't do that. Additionally, she asked what role the ESPB would have if they fail to do so. Dr. Hofmann clarified that ESPB is not involved in the consultation process but can comment on draft ITAs. Mr. Strole stated that IDNR consultation with the Airport has been reopened. No ITA has been submitted, but any future submission of an ITA depends on the outcome of consultation. IDNR can only recommend an ITA, not require it. Samantha Chavez asked "What is the Board doing to review the IL ESA and ensure that ITA is required for plant species that are not being protected by the state? The Board in 2012 said they disagreed with the DNR interpretation of protections for plant species, has that been followed up on?" Dr. Hofmann stated that the topic has not come up recently but could be considered. Mr. Ross-Shannon stated that the role of the ESPB is to produce the Illinois List of Endangered and Threatened Species, but the Board has no enforcement power. He said that the ESPB does not have veto power over IDNR but can give advice and feedback.

10. Other Business

Dr. Coons asked about term renewals for Board members and filling the vacant spot on the Board. Mr. Young replied that he had not heard anything about those issues. Dr. Coons suggested that the Board start thinking about the timeline for the next Illinois List revision. Dr. Hofmann will put it on the February 2022 agenda.

11. Adjournment

Chair Hofmann adjourned the meeting at 11:28 A.M.

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

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Report from the Chair, 12 November 2021

Joyce Hofmann

Activities for the period between the 191st and 192nd Board meetings

- performed follow-up for 191st meeting – arranged for the final agenda of the 191st meeting and the approved minutes of the 190th Board 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)
- reviewed draft minutes for the Board’s 191st meeting
- made suggested changes to draft versions of petitions to add a species to the Illinois List of Endangered and Threatened Species, change the status of a listed species, and remove a species from the Illinois List of Endangered and Threatened Species
- distributed two draft Incidental Take Authorizations (ITAs) and one Conservation Plan to Board members for potential review
- sent thumb drive with 2020 Illinois List Revision petitions to Springfield for storage
- spoke to IDNR Legal staff about a FOIA request
- discussed updates to the Board’s website with Victoria Arterbury at IDNR
- prepared for the 192nd Board meeting – prepared the notice for the 192nd meeting, developed an agenda for the 192nd meeting, had the draft agenda posted on the Board’s website and at the IDNR building, and distributed materials for the 192nd meeting to Board members