

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF THE 141st MEETING

ILLINOIS NATURAL HISTORY SURVEY

20 FEBRUARY 2009

(Approved at the 142nd meeting, May 15, 2009)

BOARD MEMBERS PRESENT: Chairman Dan Gooch, Secretary Chris Phillips, Dr. Mike Retzer, Dr. James Herkert, Ms. Susanne Masi, Dr. John Taft.

BOARD MEMBERS ABSENT: Mr. John Clemetsen, Ms. Marilyn Campbell

OTHERS PRESENT: Ms. Susan Dees (Illinois Department of Transportation); Mr. Rob Sulski, Mr. Craig Hendee, Mr. George Richter, Mr. Robert Walter, and Mr. Louis Luksander (Great Lakes Falconers Association); Dr. Steven J. Taylor, Dr. Mike Dreslik, and Mr. Jeremy Tiemann (Illinois Natural History Survey); Mr. James Wiker; Dr. Tim Cashatt (Illinois State Museum); Mr. Randy Heidorn (Illinois Nature Preserves Commission); Ms. Jeannie Barnes, Mr. Brad Wilson, Mr. Glen Kruse (Illinois Department of Natural Resources – Office of Resource Conservation); Ms. Tracy Evans and Ms. Kathi Davis (Illinois Department of Natural Resources – Office of Realty and Environmental Planning); Ms. Anne Mankowski (Endangered Species Protection Board).

141-1 Call to Order, Welcome and Introduction of Guests

Chairman Gooch called the 141st meeting of the ESPB to order at 10:02 A.M. Secretary Phillips called the roll call of Board Members and Chairman Gooch noted that there was a quorum. Meeting attendees introduced themselves.

141-2 Adoption of Agenda

Chairman Gooch moved to approve the agenda, Secretary Phillips seconded the motion, and it was passed unanimously.

141-3 Approval of the Minutes of Previous Meetings

Chairman Gooch explained that the minutes of the 129<sup>th</sup> meeting had previously not been completed and finalized and that Ms. Mankowski had prepared minutes for that meeting from notes taken by former ESPB staff, Ms. Janet Boyer, and from the meeting recording. Secretary Phillips confirmed that the minutes were now final and moved to approve them. Dr. Herkert seconded the motion and it was approved unanimously.

Ms. Masi moved to approve the minutes of the 140<sup>th</sup> meeting, subject to corrections of the spelling of “Delphinium” and the Division of Plant Science and Conservation title indicated for Dr. Pati Vitt, from the Chicago Botanic Garden. Dr. Taft seconded the motion and it was approved unanimously.

141-4 IDNR Staff Report

Mr. Kruse, Chief of the Division of Natural Heritage, gave his report (Attachment A).

141-5 INPC Report

Mr. Heidorn, Assistant Director of the Illinois Nature Preserves Commission, gave his report (Attachment B).

141-6 ESPB Staff Report

Ms. Mankowski, Director of the Illinois Endangered Species Protection Board, gave her report (Attachment C). Chairman Gooch commended Ms. Mankowski for her work as the new Director and proposed that the Board request of the DNR and the INHS to extend Ms. Mankowski's contract for another year and that the Board's Executive Committee meet to assess her performance and make recommendations for an adjustment to her salary, if necessary, and asked for a motion. Dr. Herkert so moved, Dr. Taft seconded the motion, and it was approved unanimously.

141-7 ESPB Budget

Ms. Mankowski reported that the Board has been without funding since 2002 and the Board's budget is addressed as a line item in the DNR budget. The Board's budget line item had been temporarily reinstated in the DNR's FY10 budget proposal, but was then removed, so that currently, it was unclear whether the Board was included in the DNR's FY10 budget. Chairman Gooch stated that he had recently visited with DNR Director Marc Miller about the budget and Director Miller assured Chairman Gooch that consideration of the Board would not be lost in the shuffle of the DNR's budget. Secretary Phillips noted the importance of understanding that Ms. Mankowski's contract only covers her personal services and does not include any funding for Board operations. Dr. Herkert asked whether the commitment for Ms. Mankowski's contract funding is secure. Mr. Kruse indicated that he was confident the DNR intended to continue funding Ms. Mankowski's contract and that he would work with Ms. Mankowski to monitor the status and hopefully, the reinstatement, of the Board's line item in the DNR budget.

141-8 Species Updates

Mr. Kruse made reference to his DNR staff report (Attachment A) that included a few species updates and indicated that Joe Kath, DNR Endangered Species Program Manager, would submit a written report to Ms. Mankowski at a later date, for distribution to Board members and to be included in the May meeting minutes. Mr. Kruse stated that Mr. Kath has been very busy with incidental take authorization applications.

Ms. Mankowski reviewed aspects of an incidental take authorization conservation plan for Franklin's ground squirrel that Mr. Kath recently sent the Board for review and Ms. Mankowski, in turn, had distributed to the mammal ESTAC and the Board. The plan called for a combination of spatial and temporal avoidance and in the case of five burrows that are directly in the pipeline alignment, the first course of action would be attempted trapping and relocation, but ultimately, individuals may be taken. Ms. Mankowski indicated that Bob Bluett, DNR staff and member of the mammal ESTAC had made initial inquiries with a researcher about coordinating capture and relocation efforts with genetic sampling and if that idea panned-out, that request would be included in the Board's comments to the DNR. Dr. Phillips asked that the Board's comments also include a request for compensation measures if individuals are taken.

Ms. Masi gave a brief update of the Chicago Botanic Garden's Plants of Concern monitoring program and noted that securing funding continues to be a struggle. She indicated that in 2008 they monitored 88

listed species at 172 sites in northeastern Illinois and altogether they have monitored 108 listed species over the 8 years of the program, representing about 68% of the listed species in that region of the state.

Ms. Masi also indicated she would be presenting *Utricularia subulata* L. for additional review by the plant ESTAC and consideration for listing. The species was not recommended for listing by the ESTAC due to lack of a sufficient specimen. It is known from only one location, Hosah Prairie, near Illinois Beach State Park. Subsequent to the ESTAC recommendation, Ken Klick relocated the population and was able to collect a potentially adequate specimen, so Ms. Masi will reintroduce the review with the ESTAC and have the specimen annotated by another botanist.

#### 141-9 ESPB WPF Research Projects

Ms. Mankowski presented her report (Attachment D) reviewing the status of FY08 projects including a brief summary of recently received reports, the FY09 budget, and the FY09 RFP response. Chairman Gooch asked if there was a motion for a specific group of proposals to recommend for funding and Secretary Phillips moved to fund at full request for one year the **loggerhead shrike** study, the **Jefferson salamander** study, the springtails study, and the snails study, and the plants study at 50% of that request. There was no second to Dr. Phillips' motion and Chairman Gooch asked for further discussion. It was noted that while the plant project requested nearly 40% of the available funding, the plants make up a significant percentage of listed species and the project addresses nearly 90 species. There was discussion about the relevance and application of the fairly localized **loggerhead shrike** study to investigating overall rapid statewide population declines. Chairman Gooch asked for Board members to individually rank the proposals and then conducted a vote for each proposal. The vote resulted in the **loggerhead shrike** study, the **Jefferson salamander** study, and the springtails study ranking as tied for the top three places and the snails study and plants study ranking as tied for fourth place. Chairman Gooch asked for motions about the top three projects.

Dr. Taft moved that the springtail study be recommended for funding at \$4,663 for one-year, Secretary Phillips seconded the motion, and it was approved unanimously.

Secretary Phillips moved that the **loggerhead shrike** study be recommended for funding at \$6,053, Dr. Herkert seconded the motion, and it was approved unanimously.

Secretary Phillips moved that the **Jefferson salamander** study be recommended for funding at \$5,995, Dr. Retzer seconded the motion, and it was approved unanimously.

Chairman Gooch led a discussion about the next ranked projects and remaining funding and Secretary Phillips recommended funding the snails study at \$4000 and the plants study at \$6419. Ms. Masi and Dr. Taft reviewed the IDOT funding commitment for the plant project and noted that the reduced funding by the Board would still allow the plant project enough money to get underway for the first year and then the principal investigators would be better positioned to evaluate their funding needs for the remaining two years of the project and could approach the Board with a new request next year, if needed. Secretary Phillips moved to recommend funding the two projects at those levels, Dr. Taft seconded the motion, and it was approved unanimously.

There was additional discussion about the need to standardize the format and criteria for research topics that are distributed in the request for proposals and for proposals that are received in response to the

RFP. Ms. Mankowski also noted that the intention was to move-up the FY10 cycle so that the RFP was distributed and proposal received in time for the Board to review and vote for recommended funding at the November 2009 meeting.

141-10 CenterPoint Properties Section 404 Permit Application – LRC-2007-688

Ms. Mankowski reviewed the status of a USACE 404 permit application by CenterPoint Properties involving land at the Joliet Training Area in Will County and habitat known for occurrences of **upland sandpiper, loggerhead shrike, and Henslow’s sparrow**. The DNR had conducted and terminated consultation on an earlier iteration of the applicant’s plan, but upon receipt of a revised plan, the DNR had reopened consultation with the applicant and issued a letter to the USACE opposing issuance of the 404 permit and requesting that the USACE and applicant work with the DNR to develop a mutually agreeable plan. Additionally, the Board was copied on a letter forwarded by Openlands on behalf of several non-governmental organizations opposing the issuance of the 404 permit, requesting a public hearing on the matter, and asking that an Environmental Impact Statement be prepared. Ms. Mankowski indicated that upon review, several Board members had expressed interest in the Board taking some type of action on the matter. Secretary Phillips moved that the Board issue a letter in support of the Openlands letter. Dr. Herkert seconded the motion with the amendment that the Board send a letter to the USACE in opposition to the permit, rather than in support of the Openlands letter and Secretary Phillips agreed to that amendment.

There was additional discussion about the Board’s involvement in the DNR consultation process and how in the past, the DNR would have consulted with the Board about a consultation of this nature, but in the last 10 years, or so, that has not been the case. Since the DNR has not been in the practice of communicating and consulting with the Board about these matters, the Board then must act independently if it wishes to make comment on activities and actions that may impact endangered species. It was expressed that with the presence of Ms. Mankowski in Springfield now, the hope is that the DNR will ask for the Board’s input before it might take a stand about an endangered species issue such as this, and that the DNR and Board can work more in concert. Mr. Heidorn noted that he and Jenny Skufca, INPC Defense Specialist, have been working with Karen Miller, DNR Impact Assessment Section Manager, to coordinate review of issues involving nature preserves and offered to work with Ms. Mankowski in assisting with coordination between the DNR Impact Assessment Section and the Board on issues involving endangered species.

141-11 Chairman’s Comment on the List Revision Process

Chairman Gooch presented the following statement:

“Listing decisions within Illinois are made by the Illinois Endangered Species Protection Board as mandated by the Illinois Endangered Species Protection Act. According to the act any species that is designated as federally endangered or threatened and occurs in Illinois is automatically listed as an endangered or threatened species and placed on the list without notice or public hearing. In addition, the Board lists species of animals or plants for which there is scientific evidence that the species qualifies as endangered or threatened within Illinois. It may down-list or de-list those species for which there is scientific evidence that the species is no longer threatened or endangered. I want to emphasize that if the board feels there is insufficient scientific evidence it should make no listing changes for the species in question.

Changes to the list can be made at any time but the list must be updated at least once every five years. Previous five year revisions were completed in 1988, 1993 and 1998 and 2003. The changes we will consider later in the meeting are those required for the next iteration of a 5 year review.

During regular list revisions, the Board with the assistance of Board staff and its Technical Advisory Committees review the scientific evidence for each species under consideration. The review for the current 5 year iteration has taken about two years to complete.

The status information reviewed for each species includes (but is not limited to) data on the number of known locations of occurrence, the distribution of those occurrences (as measured by the number of topographic quads, watersheds or counties in which a species occurs), the date of the last observation of the species at each particular location, and the change in the species distribution and number of known locations since the completion of the last list revision. This information is then forwarded to the Board's Technical Advisory Committees for review. There are six different Technical Advisory Committees representing expertise in different taxonomic areas (Plants, Invertebrates, Fish, Reptiles and Amphibians, Mammals, and Birds). The Technical Advisory Committees are comprised of up to seven experts from throughout the state. The Technical Advisory Committees conducted detailed discussions regarding any potential additions, deletions, or changes to the state list in light of the data gathered and also in light of noted trends, habitat needs, and the reproductive habits of a particular species. Following these meetings, Board and staff reviewed recommended changes to ensure that potential changes **are supported by available data**.

The Board then reviewed listing recommendations and gave preliminary approval at its quarterly meeting last October. Following preliminary approval, notice was given and a public hearing as required by statute were held on January 23<sup>rd</sup> to gain public comments. Written comments were also accepted until February 6<sup>th</sup>.

The Board members have now reviewed public comments and in some cases, based on the comments, requested additional documentation from IDNR, Staff or Advisory Committee members.

All of the species proposed for preliminary recommendation of listing changes will be revisited later in today's meeting. At that time, in light of public comment and any additional information gathered, the Board will for each species, vote to confirm or alter the recommendation for list change.

Once adopted by the Board, changes are forwarded to the Director of the Department of Natural Resources for filing as provided in the Illinois Administrative Procedure Act. The changes adopted by the Board are published in the Illinois Register as a proposed amendment to the Illinois Administrative Code, and following another public comment period become law.

In some cases hearing comments or further data was received for **species that had not received preliminary Board recommendation** for a listing change. Because they have not had a preliminary recommendation made nor and an opportunity for all the public to comment on a specific proposal for listing change no final recommendation shall be made at today's meeting on

these species. They may however receive a **preliminary** recommendation for change at this meeting or a subsequent one.

The Board appreciated and takes seriously the public comments provided through the hearing and those forwarded as written submissions. Clearly the Board has some difficult decisions to make today. Some comments urge listing while others urge delisting. Ultimately, it falls to each Board member to vote on the basis of the data available and the quality of the data. As pointed out earlier, lack of sufficient data, for whatever reason, to support a specific listing change should lead to no change in status for the species in question. (The statement that there is no reason a change should not be made does not provide such data.)

Regrettably, the board had been somewhat hampered over the last few years in not having sufficient funding or staff for data development or discovery on each and every species in Illinois sufficient to inform a change in status. Again, until sufficient data can be gathered and confirmed, to substantiate a change in status, no changes should be made.

The Board does not physically weigh the bulk of submitted testimony nor does it act as a result of the number of pleas received. As an example, any single plea submitted with sufficient quality Illinois data, that can be independently confirmed, will be sufficient for action. Regrettably, information that is not specifically pertinent, opinions or reiterations material already presented can only cloud the issue and burden those of us who feel responsibility for full review of submissions. Actions may, in some cases, be delayed if the burden becomes too great.”

At this time, the Board recessed (from 11:40 – 11:50 am).

#### 141-12 Public Hearing Comments and Additional Species Status Information

Ms. Mankowski reviewed a summary of the Board’s consideration of, and response to, comments and information received subsequent to the quarterly meeting in November, 2008 and from the January 23-February 6, 2009 public hearing record. The summary is included in Attachment E.

#### 141-13 Peregrine Falcon Listing Status Presentation by the Great Lakes Falconers Association

Craig Hendee and Rob Sulski from the Great Lakes Falconers Association addressed the Board about their desire to see the peregrine falcon delisted and Mr. Sulski made a presentation regarding additional data the GLFA wanted the Board to consider in its evaluation of the species’ status; including a summary of “Illinois Breeding Season Peregrines” and a listing of “Mississippi River Bridge Peregrines Which Are Or May Very Well Be Illinois”, both taken from the Annual Midwest Peregrine Society Reports.

There was discussion between the GLFA representatives and the Board. The Board’s consideration of and response to information presented by the GLFA is also included in Attachment E.

#### 141-14 Consideration of 5-Year Listing Revision (including review of Invertebrate Listing Proposal as approved at the 140<sup>th</sup> meeting)

Dr. Steven J. Taylor made a presentation regarding the state of knowledge for several invertebrate species and the challenges related to conducting statewide status reviews for invertebrates.

The Board then reviewed its 5-Year list review preliminary recommendations made at the 140<sup>th</sup> meeting in November, 2008 with consideration for finalizing recommendations. The Board first reviewed the list of preliminary recommendations for plants. Secretary Phillips moved to adopt the list as is and Ms. Masi seconded the motion. Dr. Taft led a discussion that recommended excluding *Penstemon brevisepalus* from the species recommended for delisting, because further verification of voucher specimens was requested, and a correction in the narrative for **hedge hyssop (*Gratiola quartermaniae*)**. The Board unanimously approved the plant list, with amendments, as final. The Board then reviewed the list of preliminary recommendations for animals. Secretary Phillips moved to adopt the list as is and Dr. Taft seconded the motion. Ms. Mankowski led a discussion to note typographic corrections and a correction in the narrative for **Madonna cave springtail**. The Board unanimously approved the animal list, with amendments, as final. List revision recommendations approved as final by the Board are listed in Attachment F.

The Board also reviewed potential additional proposed changes to the list resulting from comments and information received subsequent to the 140<sup>th</sup> meeting of the ESPB in November 2008 and reviewed under agenda item 141-12. Ms. Masi moved that *Mentzelia oligosperma* (**stickleaf**) be proposed for listing as endangered, Dr. Taft seconded the motion, and it was approved unanimously. The Board confirmed that there was no action proposed for the **copperbelly water snake, timber rattlesnake**, or any additional invertebrate species. The Board also confirmed that there was no action proposed for the **peregrine falcon** and that the ESTAC will further review additional information for that species.

141-15 Next Meeting Information (Starved Rock State Park, Utica, IL, May 15, 2009)

The 142<sup>nd</sup> meeting of the Illinois Endangered Species Protection Board will be held at 10:00 A.M. on May 15, 2009 in the Pontiac Room at the Visitor Center at Starved Rock State Park, Utica, IL.

141-16 Public Comment Period (3 minutes per person)

None.

141-17 Other Business

None.

141-18 Adjournment

Secretary Phillips moved to adjourn the 141<sup>st</sup> meeting and Dr. Taft seconded the motion. The meeting was adjourned at 3:08 P.M.



**Illinois Department of Natural Resources  
Report to Endangered Species Protection Board  
February 20, 2009**

**Wildlife Preservation Fund**

Receipts in 2008: approximately \$220,000 according to Comptroller's web page. Applications are being accepted for FY2010 small and large projects. Applications must be received by the Department by April 1.

**Personnel**

On January 16, then-Governor Blagojevich appointed Kurt Granberg to be Director of the Department of Natural Resources. On February 5, Governor Quinn appointed Marc Miller as Director after withdrawing the nomination of Kurt Granberg. Mr. Miller's appointment is awaiting Senate confirmation, but he is at work in the meantime.

Assistant Director Sam Flood, who had served as acting director for approximately 3 years, resigned from the Department in late January.

The process to hire five Natural Heritage Residents in FY2010 has been initiated. If approved, we will employ three residents to work with District Heritage Biologists and two to assist Natural Areas Preservation Specialists with the Illinois Nature Preserves Commission.

**Illinois Natural Areas Inventory Update**

The first field season of the INAI update is behind us and work during the winter months is concentrated on preliminary site evaluation done from the air or by initial "drive-by" review. This will help determine which of the hundreds of candidate sites are of sufficient quality to be fully evaluated during the 2009 field season.

Contractors for the update have been very successful in generating additional financial support for the project. Approximately \$2.5 million has been committed by various foundations to allow completion of previously unfunded portions of the update. One of the most important components that will be made possible by this additional money is the evaluation of sites currently on the INAI to determine how their quality has changed since they were first added to the inventory.

The assignment of the INAI contract to the University of Illinois and the Illinois Natural History Survey has been completed. This makes the University of Illinois the primary contractor for the update, with Lincoln Land Community College no longer involved.

**Recovery Land Acquisition Proposal**

In 2007, The Nature Conservancy (TNC) purchased 160 acres in Monroe County which includes an entrance to the Annbriar Cave system. This cave system is one of the few remaining habitats for the federal-endangered Illinois cave amphipod. The Department plans to purchase this property from TNC and manage it to reduce sedimentation and contamination of the caves. A proposal to recover half of the purchase price through the Fish and Wildlife Service's Recovery Land Acquisition program was submitted, but we recently learned that this proposal was not selected for funding. The acquisition will be made with the full purchase price being paid from the Natural Areas Acquisition Fund.

**Regal Fritillary at Sand Ridge State Forest**

At the Board's public hearing on the proposed changes to the Illinois list, a comment was received concerning herbicide spraying at Sand Ridge State Forest and the possible effects of that spraying on the regal fritillary by way of mortality of the larval food plant (Johnny jump-ups) for the butterfly. Subsequent conversations with Office of Resource Conservation field staff and Division of Land Management site staff established that coordination was already underway to review herbicide use at Sand Ridge and make adjustments needed to protect the food plant. To assure that appropriate steps are taken, all involved staff have been asked to do a specific review and agree on the best management approach at the plan of work meetings for Sand Ridge.

### **Potential Federal Listing of Shovelnose Sturgeon**

The U.S. Fish and Wildlife Service has prepared a proposal to list the shovelnose sturgeon as “threatened due to similarity of appearance.” This is a rarely-used federal classification by which a relatively common species is listed in order to protect a previously-listed species. In this case, the pallid sturgeon is listed as an endangered species. Pallid and shovelnose sturgeon are very similar in appearance and research has shown that some pallid sturgeon are being taken by commercial fishermen and sport anglers who cannot distinguish the two species. The federal listing would include the Mississippi River downstream of the Melvin Price Locks and Dam at Alton. The listing would not affect the Mississippi River upstream of that point.

If the federal listing of the shovelnose sturgeon is adopted, the species will automatically be added to the Illinois list, as required by the Illinois Endangered Species Protection Act (ESPA). Initial legal review indicates that if the Board takes no action to list the shovelnose sturgeon throughout Illinois, the species would be protected only in the area covered by the federal listing. In other words, shovelnose sturgeon would be protected by the ESPA downstream of Alton, but commercial and sport harvest could continue upstream of Alton. Additional review and evaluation of this unusual listing status will continue during the 1-2 years required for the federal action to be finalized.

### **Redspotted Sunfish Reintroduction Project**

The Redspotted Sunfish Reintroduction Project continues to progress. In May of 2008, 24 mature Redspotted Sunfish were collected from Fish Creek in Mason County. These fish were stocked into two ponds at the Illinois Natural History Survey in Champaign. The ponds were harvested in October, revealing successful propagation. Approximately 4000 juveniles were stocked into a 72-acre refuge lake at Emiquon Nature Preserve along the Illinois River near Havana. An additional 187 juveniles were stocked into a refuge pond at Allerton Park in Piatt County, and 20 adults were recovered and returned to Fish Creek. INHS genetic work continues for the project, pond propagation work will be repeated in 2009, and population monitoring will also be conducted at the reintroduction sites and Fish Creek. All work is being funded by the State Wildlife Grant program.

### **Federal Status of Gray Wolf**

On January 14, the U.S. Fish and Wildlife Service convened a conference call to advise Midwestern states of their intent to once again delist the Western Great Lakes Distinct Population Segment of the gray wolf. The Service had delisted wolves in this area in 2007, resulting in gray wolves having no federal protection in Illinois north of Interstate 80, but remaining federal-endangered south of I-80. A subsequent court order reversed that delisting last year. The Service’s new proposal would affect the same geographic area that was included in the 2007 delisting, once again giving the gray wolf different levels of federal protection depending on where the animal was found in Illinois. A public announcement of the intended delisting was also made on January 14. Several days later, President Obama ordered that all rule changes that were proposed during the final days of the Bush administration be held until they could be reviewed by the new administration. The proposed wolf delisting rule remains on hold pending that review.

### **Impact Assessment Section Natural Resource Reviews - November 2008 through January 2009**

- 753 projects were submitted to EcoCAT for information purposes only
- 837 projects were submitted for consultation
  - 365 projects were closed by EcoCAT/no records in the vicinity
  - 338 were closed after staff review; recommendations were made to avoid, minimize or mitigate impacts for 30 of these projects (approximately 9%)
  - 134 projects were still under review as of Feb. 4
- 28 projects were also submitted by the USCOE for Fish and Wildlife Coordination

**To:** Endangered Species Protection Board  
**From:** Randy Heidorn  
**Date:** February 20, 2009  
**Subject:** Report for the Illinois Nature Preserves Commission (INPC)

**I. Protection Program:**

- A. The 201<sup>st</sup> INPC meeting was held at the Illinois Department of Natural Resources (IDNR) Headquarters in Springfield on January 27, 2009. The following sites were approved for protection:
1. Horn Prairie Grove, Fayette Co. was registered as an Illinois Land and Water Reserve (LWR) [40.60 acres] Privately owned. (10-year registration). State-threatened savanna blazing star (*Liatris scariosa* var. *nieuwlandii*).
  2. The following sites were given preliminary approval for dedication as an Illinois Nature Preserve (NP).
    - a. McMahon Woods and Fen, Cook Co. (670 acres). Owned by the Forest Preserve District of Cook County (FPDCC). Federally endangered Hines emerald dragonfly (*Somatochlora hineana*), also restorations with state-endangered Queen of the Prairie (*Filipendula rubra*) and state-threatened savanna blazing star.
    - b. Buffer addition to Stony Hills NP, Hancock Co. (140 acre). Privately owned. Timber rattlesnake (*Crotalus horridus*), Henslow's sparrow (*Ammodramus henslowi*).
    - c. Buffer addition to Loda Cemetery NP, Iroquois Co. (9 acres). Owned by the Grand Prairie Friends. Mesic prairie.
  3. The following sites were given final approval for dedication as an Illinois NP:
    - a. Collier Limestone Glade, Hardin Co. (106 acres). Owned by the IDNR. Limestone Glade.
    - b. Del Webb Sedge Meadow and Grove, Kane Co. (24.6 acres). Owned by Del Webb Communities of Illinois. Sedge meadow and graminoid fen.
    - c. Carl N. Becker Savanna, Kankakee Co. (68 acres). Owned by The Nature Conservancy (TNC). Yellow wild indigo (*Baptisia tinctoria*), crowded oval sedge (*Carex cumulata*), narrow leaved sundew, (*Drosera intermedia*), northern cranesbill (*Geranium bicknellii*), old plainsman (*Hymenopappus scbiosaeus*), shore St. John's wort (*Hypericum adpressum*), Carey's smartweed (*Polygonum careyi*), bristly blackberry (*Rubus setosus*), eastern blue-eyed grass (*Sisyrinchium atlanticum*), primrose violet (*Viola primulifolia*), orange-fringed orchid, (*Platanthera ciliaris*) and regal fritillary butterfly (*Speyeria idalia*); dry and dry-mesic sand savanna, sand flatwoods and sand prairie.
- B. Other Protection Activities:
1. John Nelson agreed to terminate the Pine Cliff Natural Heritage Landmark (NHL) in Lee County at the request of the landowners due to an impending sale of property to another party.
  2. Tom Lerczak:
    - a. Obtained landowner signatures to enrolled Bluff Springs Sand Pond (43 acres) as a NHL.
    - b. Submitted a status report on the Mason County Sand Areas Conservation Opportunity Area (COA) Action Plan.
    - c. Compiled a listing of significant conservation opportunities in the Funks Grove area and the Mackinaw River corridor to be used for prioritization of 2008-2009 goals and objectives.
  3. Mary Kay Solecki
    - a. Worked on protection of the Sangamon River corridor in two counties in conjunction with the Land Conservation Foundation (LCF) and TNC. Assisted the LCF with its project to contact approximately 166 riparian landowners along 27 miles of the Sangamon River and acquire conservation easements where possible. Reviewed a grant proposal to acquire the easements.
    - b. Updated implementation strategy for a Vermilion River COA.
  4. Debbie Newman compiled a report for, attended, and participated in a Northern Ozark Natural Division Illinois Wildlife Action Plan COA Partners meeting.
  5. Judy Faulkner Dempsey worked with Lafarge North America Corporation on the final dedication document for Lafarge Limestone Glade NP.

## II. Inventory and Monitoring:

- A. Staff provided information regarding community types for the Illinois Natural Areas Inventory (INAI) update.
- B. Bob Edgin and Samantha Adams participated in the Christmas Bird Count at Prairie Ridge State Natural Area.
- C. Angella Moorehouse:
  - 1. Assisted researcher Mike Jones with information for a report on the status of a rare plant, stick leaf.
  - 2. Participated in the Christmas Bird Count for the Keokuk, Iowa Count Circle which included a bird census of the Cedar Glen Kibbe INAI Macrosite and surrounding areas.
  - 3. Conducted three midwinter bald eagle surveys along the Mississippi River for both Iowa and Illinois, including areas in Hancock, Henderson and Mercer counties.
- D. Samantha Adams assisted a District Heritage Biologist with a bald eagle survey along the Ohio River.
- E. Jason Inczauskis assisted the McHenry County Conservation District (MCCD) with mussel and gypsy moth surveys.

## III. Land Acquisition:

- A. Steven Byers continued meetings with staff of US Fish and Wildlife Service (USFWS), Openlands Project, MCCD, and Friends of Hack-ma-tack to bring a USFWS refuge to northeastern Illinois.
- B. Kim Roman met with the landowner of a Pembroke natural area; coordinated with TNC for the acquisition.

## IV. Defense Program:

- A. INPC program staff responded to 11 reviews for IDNR's Comprehensive Environmental Review Program (CERP), and three reviews for the IDNR's Consultation Program.
- B. Jenny Skufca presented to the State's Interagency Coordinating Committee on Groundwater regarding the implications of Class III Special Resource Groundwater designations for Illinois NPs.
- C. Threats to sites within INPC programs:
  - 1. **Site: Argyle Hollow Barrens NP, McDonough Co. – Angella Moorehouse, Jenny Skufca**
    - a. **Issue:** Proposed road work within Argyle Lake State Park that may affect the NP.
    - b. **Threat:** Work will reportedly be conducted along the border of the NP. Staff are concerned that the work may intrude into the NP, causing erosion and damage to the sensitive oak barrens community.
    - c. **Status:** Jenny Skufca attended a meeting on January 20, 2009, to review plans. A CERP has yet to be submitted to IDNR for this project.
  - 2. **Site: Bluff Spring Fen NP, Cook Co. – Steven Byers, John Nelson**
    - a. **Issue:** Routing of water from Gifford Lake and "finger lakes" located adjacent to Bluff Spring Fen is currently under consideration by the FPDCC. Options include surface conveyance of water from Gifford Lake or conveyance of the water via a pipe.
    - b. **Threat:** Conveyance of the water in an open swale represents a threat to the groundwater chemistry upon which the fen wetlands are dependent. Randy Locke and Jim Miner, Illinois State Geological Survey (ISGS) have both recommended the "piping" alternative. The open swale alternative also threatens a previously permitted project to restore surface and groundwater hydrology (and fen wetlands) by filling a shallow gravel pit lake.
    - c. **Status:** Worked with consultants and representatives of Bluff City Material and Vulcan Materials in the revision of stormwater engineering plans. The plans will be reviewed during a meeting scheduled for February 3, 2009. The FPDCC has signaled their support for plan to bury pipe (the preferred alternative). The agencies currently addressing permitting issues to do so.
  - 3. **Site: Old Plank Road Prairie NP, Cook Co. – Kim Roman**
    - a. **Issue:** During a regular visit in September, 2008, INPC staff discovered an encroachment into the NP.
    - b. **Threat:** Approximately one-tenth of an acre was impacted by earth moving and siltation. A subcontractor, performing work on behalf of a pipeline company, was responsible for the violations.
    - c. **Status:** INPC staff met with Kinder-Morgan (the owner/operator of the pipeline) and developed a plan to restore the NP. The bare soil was seeded with an annual cover crop, and new boundary signs were posted. In addition, a consulting firm will apply herbicide to all invasive exotic species three times during the growing season of 2009 on two acres of the NP.
  - 4. **Site: Boone Creek Fen Nature Preserve, McHenry Co. - John Nelson**
    - a. **Issue 1:** Planning of a new public works facility in an old gravel pit adjacent to the designated Class III Ground Watershed to Boone Creek Fen.
    - b. **Threat 1:** Potential for groundwater contamination is high, especially due to the proposed methods for storage and loading of road de-icing salt.

- c. **Status 1:** IDNR consultation is open. IDNR and INPC staff met with consultants and public works staff on October 23, 2008. The project is on-hold due to budget constraints.
  - d. **Issue 2:** Sand and gravel mining and construction of a minor league baseball stadium on land adjacent to the Class III Ground Watershed to Boone Creek Fen.
  - e. **Threat 2:** Potential groundwater connection to the Class III Ground Watershed.
  - f. **Status 2:** IDNR consultation was terminated for the mining portion of the project. IDNR consultation remains open for the baseball stadium portion of the project. INPC staff attended and testified at the Planning Commission public hearing in Woodstock. The Planning Commission approved both plans with numerous conditions, including groundwater protection, wetland protection, and groundwater studies.
5. **Site: Black-Crown Marsh LWR, McHenry Co. - John Nelson**
- a. **Issue:** The Village of Lakemoor issued a conditional use permit for development and operation of a new public works facility adjacent to the LWR. Work began prior to the IDNR consultation in September, 2008.
  - b. **Threat:** Main issue is the storage of road salt adjacent to the LWR and other wetlands located downstream at Moraine Hills State Park. The location of a salt storage facility in such an environmentally sensitive area requires careful planning and operational safeguards.
  - c. **Status:** IDNR consultation staff and INPC staff met with the Village of Lakemoor staff and legal counsel on November 19, 2008. Consultation remains open, and the facility planning is under revision. A letter dated January 12, 2009, from the attorney representing Village of Lakemoor was received by the INPC. The letter stated their belief that the salt recommendations would be heeded, and the IDNR consultation was not required. Monitoring by staff will continue as project proceeds.

#### V. Stewardship Program:

- A. Randy Heidorn continues to guide the development and review of the Illinois Prescribed Fire Act administrative rule development as co-chair of the IDNR's Wildland Fire Task force.
- B. Stewardship planning:
  - 1. Kelly Neal reviewed 12 management schedules and two unscheduled management actions.
  - 2. Judy Faulkner Dempsey and Randy Heidorn participated in multiple discussions with the Joint Venture Partnership on the Cache River, including a meeting in Champaign at the Illinois State Water Survey (ISWS) office to get information from the ISWS on the reconnection study of the upper and lower Cache River.
  - 3. Tom Lerczak met with IDNR site superintendents (Doug Jallas, Billy Lowe) to discuss management plans for IDNR-owned NPs and LWRs and protection options for unprotected IDNR-owned natural areas (part of a focus on the Mason County Sand Areas COA).
  - 4. Mary Kay Solecki:
    - a. Assisted with stewardship plans at Embarrass River LWR (vernal ponds for herpetofauna habitat), Little Vermilion River LWR (vernal ponds for herpetofauna habitat), and Kinney's Ford Seep LWR (hydrological restoration).
    - b. Assisted IDNR/Illinois Department of Transportation staff with assessment of possible impacts of culvert replacement on state-endangered Sangamon phlox that occurs in vicinity of culvert work site along highway in Champaign County and made partial arrangements for possibly transplanting Sangamon phlox if any occur within project area.
  - 5. Staff prepared or updated burn plans for over 22 sites.
  - 6. New or update management plans were prepared by staff at ten sites including the following:
    - a. Walden West LWR
    - b. Chandlerville Cemetery Hill Prairie LWR
    - c. Hopewell Hill Prairies NP
    - d. Oak Bluff Savanna NP
    - e. Sandy Creek Bluffs LWR
    - f. Bill and Mike's Hill Prairie NHL
    - g. Woodyard Memorial Conservation Area LWR
    - h. Fairchild Cemetery Prairie/Savanna NP
- C. Stewardship project implementation: Staff continued to coordinate and administer stewardship projects funded by the Landowner Incentive Program (LIP), State Wildlife Grant (SWG), Wildlife Habitat Incentive Program (WHIP), EPA 319 Grant, Natural Areas Acquisition Fund (NAAF), and INPC operations fund. Sites where this kind of work occurred include:
  - 1. Culp Conservancy Woods LWR
  - 2. Dirksen-McNaughton Woods LWR

3. Ren-Dill Shale Glade NP
  4. Faulkner-Franke Pioneer Railroad Prairie NP
  5. Circle B Ranch LWR
  6. Degognia Canyon LWR
  7. Maze Woods LWR
  8. Wilmington Shrub Prairie NP
  9. Hybernia NP
  10. Fox River Country Day School (INAI site)
  11. Trout Park NP
  12. Trout Park River's Edge (INAI site)
  13. Dixie Fromm Briggs Prairie NP
  14. Exner Marsh NP
  15. Wolf Road Prairie NP
  16. Loda Cemetery Prairie NP
  17. Mt. Palatine Cemetery Prairie NP
- D. Land management conducted by staff:
1. Bob Edgin assisted with beech bark disease monitoring at Robeson Hills NP and American Beech Woods NP (with Samantha Adams). Mr. Edgin also prepared an alert that was sent out to other staff and landowners to inform them to be on the look out for this new invasive.
  2. Samantha Adams assisted with installation of hunter parking lots on the Mark 40 and YFM tracks at Jasper County Prairie Chicken Sanctuary NP.
  3. Staff installed firebreaks at several sites including:
    - a. Lost Creek Marsh LWR
    - b. Beall Woods NP
    - c. Beadles Barrens NP
  4. Staff conducted prescribed burns at several sites, including:
    - a. Queen Anne Prairie - Eckert Cemetery NHL
    - b. Illinois Beach NP
    - c. Reed-Turner Woodland NP
    - d. Black Hawk Forest NP
    - e. Short Pioneer Cemetery Prairie NP
    - f. Sibley Grove NP
  5. Staff conducted invasive species control and other stewardship activities at 20 sites, including:
    - a. Long Run Seep NP
    - b. Dixie Fromm Briggs Prairie NP
    - c. Sleepy Hollow Ravine NP
    - d. Bluff Spring Fen NP
    - e. Green Prairie NHL
    - f. Allison Gravel Prairie NHL
    - g. Salt Lick Point LWR
    - h. Des Plaines Dolomite Prairie LWR
    - i. Grant Creek Prairie NP
    - j. Superior Street Prairie LWR
    - k. Doris Westfall Prairie Restoration NP

#### **VI. Illinois Nature Preserves Commission Operations:**

Jenny Skufca coordinated the staff effort with Deborah Stone and Randy Heidorn to develop a photo contest to celebrate the 500<sup>th</sup> protected site. She developed a work plan, rough budget, and met with *Outdoor Illinois* editor Kathy Andrews regarding coordination of an INPC category within the magazine's existing annual photo contest.

#### **VII. Training, Presentations, and Meetings Attended:**

Angella Moorehouse:

- A. Gave a presentation on the INPC Action Goals for Siloam Springs COA at the annual meeting of the La Moine River Ecosystem Partnership in Macomb and at the annual meeting of Western Prairie Audubon.
- B. Assisted staff from Augustana College and Rock Island Office, Natural Resource Conservation Service in plans for the upcoming Hill Prairie Conference to be hosted by Augustana College.

**Illinois Endangered Species Protection Board staff report  
for the 141<sup>st</sup> Meeting, February 20, 2009**

Submitted by Anne Mankowski, Director

The Board currently only has one staff, its Director. All activities were conducted by Ms. Mankowski, unless otherwise noted. Because the Board has reduced staff, and had been without any fulltime staff from 2002-2007 and then without any staff from 2007-2008, Ms. Mankowski has not been able to complete all required work in the course of a 40-hour work week. Since beginning her appointment on November 3, 2008, Ms. Mankowski has donated the following "volunteer hours" toward ESPB duties: November = 24.5; December = 21.75; January = 52.5; and, February (through the 16<sup>th</sup>) = 48.0.

**1. ESPB Recommendation to the Governor of Illinois for the appointment to the ESPB of Dr. Joyce Hofmann**

Prepared and sent the letter of recommendation from Chairman Gooch and supporting documentation.

**2. ESPB Resolution to the Illinois Pollution Control Board**

Issued correspondence to the Illinois Pollution Control Board to post as public comment the ESPB's 11/14/08 resolution supporting the upgrading of water-quality standards for the Lower Des Plaines River and Chicago area waterways. The Lower Des Plaines River supports populations of three listed species, the River Redhorse (*Moxostoma carinatum*, state threatened), Pallid Shiner (*Notropis amnis*, state endangered), and Blacknose Shiner (*Notropis chalybeus*, state endangered). The Board's resolution was posted as a public comment by the Illinois Pollution Control Board on 12/02/08. A public comment from the IDNR also supporting the upgrade to water quality standards was posted by the IPCB on 01/09/09.

**3. ESPB WPF FY08 Research Projects**

- Distributed reports for review to the Board and ESTACs.
- Distributed final reports to the Board, ESTACs, and DNR Natural Heritage Database and field staff.
- Prepared vendor payment forms for DNR Grants staff.
- Prepared and administered multiple contract modifications for DNR Grants staff.
- Coordinated ESPB WPF budget review with DNR Grants staff.
- Prepared draft spreadsheet of all ESPB funded and administered research projects.

**4. ESPB WPF FY09 Research Projects**

- Prepared and sent out the FY09 ESPB WPF Request for Proposals. The RFP went to 82 researchers at 36 institutions or organizations.
- Responded to 8 RFP inquiries from researchers.
- Prepared and mailed the review package for Board members including copies of 9 proposals received, spreadsheet summarizing proposals received, spreadsheet of current (FY08 and before) project status, and ESPB WPF allocation balance.

**5. ESPB 5-Year List Review and ESPB Proposed Changes to the List Public Hearing Record (Jan 23-Feb 6, 2009)**

This will be the sixth revision of the List, with previous revisions culminating in 1980, 1989, 1994, 1999, and 2004.

- Responded to 32 inquiries prior to the public hearing;
- Provided updates to the Board and ESTACs of comments received prior to the January 23<sup>rd</sup> hearing;
- In coordination with DNR Legal, administered the Board and ESTAC response to a 01/15/09 FOIA request;
- Prepared all materials for distribution at the public hearing and posting to the ESPB webpage;

- Prepared and arranged for the public notice publication in the state newspaper, the Arlington Heights Daily Herald;
- In coordination with DNR and CMS media relations staff, prepared the DNR news release;
- Provided ESPB, ESTAC, FOIA, and media relations information to administrative representatives from the Field Museum and the Illinois Natural History Survey;
- Board member, Dr. Jim Herkert, conducted three radio interviews, one each for Tri-State Public Radio in Macomb, WILL Radio in Champaign, and The Environment Report (Public Environmental Radio) in Chicago.
- Arranged for the services of a court reporter (DNR Division of Natural Heritage paid for that service);
- Arranged for the meeting room and staffed the registration desk;
- Conducted two media interviews, one with the State Journal Register (ESTAC member, Dr. Mike Ward, also participated), and one with the Peoria Journal Star;
- Printed, compiled, annotated, prepared cover pages for, scanned hard copies, prepared electronic files, and posted to the ESPB webpage the public hearing record of 97 comments received, nearly 1,400 pages;
- Reviewed all pre-hearing and hearing record comments and provided draft summaries to the Board and ESTACs, for use in their reviews;
- Responded to 14 inquiries following the posting of public comments to the webpage;

**6. ESPB Biennial Report for JULY 2006 – JUNE 2008 (With addenda covering biennia July 2002 – June 2006).**

Completed and distributed to the Board, a first draft of the subject report and will distribute a proposed final draft for Board review prior to the May 15, 2009 ESPB meeting.

**7. ESPB webpage on the DNR website**

Updated Board member and staff information on the webpage. Posted an announcement of our 2009 meetings. Posted all materials for the Proposed Changes to the List Public Hearing and Hearing Record (Jan 23-Feb 6, 2009). Will begin working on posting meeting agendas and minutes following the February 20, 2009 meeting. Director Mankowski has received a good deal of positive feedback about these updates and improvements to the webpage, and of course, requests for more information to be made available.

**8. Illinois Fish and Wildlife Action Team**

Represented the ESPB and provided a report at a January 21, 2009, Illinois Fish and Wildlife Action Team meeting at the DNR Headquarters. The primary purpose of the meeting was to review the status of a SIU project to prioritize and further delineate Conservation Opportunity Areas.

**9. Illinois DNR Natural Areas Evaluation Committee**

Represented the ESPB at the January 6, 2009 51<sup>st</sup> meeting of the Natural Areas Evaluation Committee. The NAEC approved the addition of one new site (a recently registered Land and Water Reserve that includes a population of the state threatened *Solidago scaiphila*) and boundary modifications to six existing INAI sites.

**10. Illinois Nature Preserves Commission**

Represented the ESPB and provided a report to Commissioners at the January 27, 2009 Illinois Nature Preserves Commission meeting at the DNR Headquarters.

**11. ESPB Coordination with DNR**

- Represented ESPB in several DNR ORC planning and budget exercises associated with the changing administration; responded to several information requests from the DNR Director's office; preparing an ESPB transition document for the new administration.
- Fielded and referred 17 permit, data, and consultation calls and emails to respective programs at DNR; Endangered Species Program ORC; Natural Heritage Database ORC; Impact Assessment Section OREP.

- Coordinated with the Endangered Species Program ORC, Division of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, and Office of Legal Counsel on multiple matters, including:

- ITA Conservation Plan for Franklin's Ground Squirrel, Will County;
- DNR consultation on USACE 404 permit application in Will County;
- DNR consultation on a Deer Grove Highway project, Cook County;
- DNR consultation for a building permit in Monroe County;
- ESPB reference material copies for use by Impact Assessment Section;
- ESPB resolution supporting upgrading of water quality standards to the Lower Des Plaines River and Chicago area waterways;
- DNR vegetation management prescription review via CERP to mitigate potential impacts to the food plants, and consequently the regal fritillary;
- DNR and public comments about the ESPB November 14, 2008 proposed changes to the List;
- Participated with Endangered Species Program ORC in a USFWS conference call about listing the gray wolf.
- Conferred with Endangered Species Program ORC, Legal Counsel, and USFWS about current protections afforded the copperbelly water snake and potential renewal of the USFWS multi-state, interagency Cooperative Agreement.
- Conferred with Natural Heritage Database ORC staff about the request for Board/ESTAC participation in developing state-ranks for listed species and developing/evaluating buffer areas for element occurrences.
- Provided follow-up assistance multiple times to OREP (Contaminant Assessment and Natural Resource Damage Program) on projects for which I was the project manager in my previous position with IDNR.

## **12. Field Work**

Participated in the January 2009 Mid-winter Bald Eagle Count, tallying 511 (367 adult and 144 immature) eagles along three routes that included about 152 miles along the Mississippi River in Mercer, Henderson, and Hancock Counties. There was a fair amount of ice along most of the routes and flood damage especially in the downstream reaches.

## **13. Other General Administration and Clerical Work**

- Prepared and routed Board member and staff travel vouchers.
- Coordinated Board member and staff ethics certification.
- Regularly distributed information to Board and ESTAC members via internet and hardcopy mailings.
- Various activities related to administration of the public hearing.
- Prepared and distributed to Board members draft minutes from the 140<sup>th</sup> and 129<sup>th</sup> meetings.
- Arranged for ID badges for Board members Masi and Taft.
- All responsibilities involved with moving into the office and coordinating IT and phone hook-up.
- Responded to multiple requests for information and/or ESPB reference materials.
- All aspects of preparation for the February 20, 2009 141<sup>st</sup> ESPB meeting, in Champaign.

**Report on the ESPB research program to address the status, conservation,  
and/or recovery of Illinois endangered or threatened species**

February, 2009

The ESPB Research Program has funded approximately 70 projects addressing the status, conservation, and/or recovery of Illinois endangered or threatened species over 22 years. When the ESPB has a budget, part of the budget is used to fund these research projects and the program is also funded from a \$25,000 annual allocation from the Illinois Wildlife Preservation Fund, which receives contributions from a tax form check-off. The WPF annual allocation has been the sole source of funding for this program since 2002 when the Board's budget was eliminated.

### **Currently Funded Projects**

There were 11 projects approved for funding by the ESPB, or rolled over from the previous year, in the FY08 cycle. Table 1 includes a list of all FY08 projects and their status. Final reports were recently received for four projects and brief summaries for those are provided below.

### **Brief Summaries for Recently Received FY07 and FY08 Project Reports**

#### Reproductive Success of Sandhill Cranes in Northeastern Illinois, Dr. Mike Ward, RC07E02W

This study investigated the survival of colts in northeastern Illinois in light of anecdotal evidence suggesting that they are disappearing before they are independent and in relation to separate research by the author documenting that sandhill cranes are increasing at a rate of 33.3% per year over the last quarter century in this part of the state. Model analysis in the current study suggested that survival is constant for colts from day 1 through day 66. However, colt detectability decreased from 38% when colts were smaller and less mobile and vegetation was less dense to about 18% at the end of the breeding season when colts were able to walk for significant distances and vegetation was dense, so that there was only an 18% chance of locating a colt if it were still alive toward the end of breeding season. Based on these variables, it appears that the rapid increase in sandhill cranes in northeastern Illinois is not due to local reproduction, but more likely immigration from other populations. Survival of colts was low, but it may be enough to maintain the population in the absence of immigration. The author noted that results presented in this report are preliminary and recommends additional research to verify the survival rate estimated in this study as well as to investigate the roles of landscape and habituation in colt survival.

#### Establishing population trends of *Hyla avivoca* in southern Illinois by duplicating the 1995 Redmer, Brown and Brandon survey, John Palis, RC08E02W

The author documented the continued existence of bird-voiced treefrogs at 22 (73.3%) of the 30 known sites previously reported by Burbink et al (1998) and Redmer et al (1999). Based on vocalization scores, and assuming they roughly correlate to breeding population size, 6 sites had very small breeding populations (1-2 or 3-5 individuals) and 7 sites appeared to support large breeding populations (>20 individuals). The largest population based on chorus sizes and area of occupied/suitable habitat was associated with Little Black Slough; the author suggested that the population likely extends via adjacent wetlands, even beyond the currently documented area. This study further confirmed the assumed extirpation of the species from Horseshoe Lake, where Redmer et al (1999) suggested that water-level stabilization and subsequent habitat changes may have rendered habitat unsuitable for the species. The species has not been documented there since 1957, with several surveys between 1992-1998 and the currently reported survey (2008) all documenting no occurrences. The author noted that reasons for non-detection at other locations are unknown and recommended additional research to better understand cause and effect of population trends. The author also stated that comparisons of presence or absence and differences in chorus sizes between the 1990s surveys and the 2008 survey should be interpreted with caution.

Status survey update for listed herptiles for Kidd Lake Marsh, Fults Hill Prairie N.P., and other newly dedicated lands in Monroe County, Robert Weck, RC08E03W

This project surveyed for the coachwhip (*Masticophis flagellum*), eastern narrowmouth toad (*Gastrophryne carolinensis*), flathead snake (*Tantilla gracilis*), Great Plains rat snake (*Elaphe emoryi*), and timber rattlesnake (*Crotalus horridus*) on state-owned and privately protected lands along the Bluff Corridor in Monroe County, Illinois and compared results to data from a 1990-1991 survey by Brandon and Ballard. The author reported 98 individual encounters with 4 of the 5 target species and characterized the timber rattlesnake as rare to uncommon, the eastern narrowmouth toad as common, the Great Plains rat snake as uncommon, the flathead snake as common, and the coachwhip was not encountered, along the bluffs of Monroe County. The Fults Hill Prairie/Kidd Lake Marsh area had the highest concentration of target species, with 58 specimens observed; 47 narrowmouth toads, 10 flathead snakes, and 1 Great Plains rate snake. The vicinity around Salt Lick Point Land and Water Reserve had the second highest concentration of target species, with 3 flathead snakes and 2 rattlesnakes seen within the Reserve. Six additional individuals of the target species (1 flathead snake, 2 timber rattlesnakes, 2 Great Plains rat snakes, and 1 narrowmouth toad) were documented within 1 mile of the Reserve boundary. A total of 47 species were seen in the Bluff Corridor during this study as compared to 50 species documented by Brandon and Ballard in 1991. Brandon and Ballard (1991) encountered 7 species not found in the 2008 survey, including; red-spotted newt (*Notophthalmus viridescens*), tiger salamander (*Ambystoma tigrinum*), long-tailed salamander (*Eurycea longicauda*), stinkpot (*Sternotherus odoratus*), false map turtle (*Graptemys pseudogeographica*), spiny softshell (*Apalone spinifera*), and broad-headed skink (*Eumeces laticeps*). The 2008 study encountered 4 species not found in the 1991 survey; cave salamander (*Eurycea lucifuga*), plain bellied water snake (*Nerodia erythrogaster*), diamondback water snake (*Nerodia rhombifer*), and redbellied snake (*Storeria occipitomaculata*). Some of these additional species were considered rare by the 1991 and 2008 authors.

Status Survey of *Mentzelia oligosperma* (Stickleaf), Mike Jones, RC08E08W

The author reported that historic locations included 15 sites and the current survey relocated populations at only 7 of the historic sites. Angella Moorehouse, Illinois Nature Preserves Commission, found populations at two additional historic locations – for a total of 9 current locations. One population may be protected as a LWR, one population is protected as a DNR-owned Nature Preserve, and two populations occur on sites with relatively informal protection agreements (Natural Heritage Landmark). Population sizes ranged form 6-80 individuals. Stickleaf is a xerophyte found in open habitats associated with limestone cliffs, escarpments, and hill prairies. The species has relatively low-volume seed production, with 1-4 seeds per fruit. The author recommended additional research to better understand the life history of the species and effects upon it from various prairie management methods.

**Summary of Budget for FY09 ESPB WPF Project Cycle.**

- Balance from currently obligated projects = \$1,885.68.
- FY09 WPF allocation = \$25,000.
- In January 2009, the Board received a donation in memory of Mr. Nicholas M. Grom of Antioch, Illinois that will be included in the funds available for ESPB WPF projects = \$245.00.
- **Total balance available for FY09 projects = \$27,130.68.**

**FY09 Request for Proposals**

The FY09 ESPB WPF Request for Proposals identified 14 priority research topics and allowed for the receipt of any additional proposals addressing the status, conservation, and/or recovery of Illinois endangered or threatened species. The RFP went to 82 researchers at 36 institutions or organizations. The Board received nine proposals in response to the RFP. Table 2 lists summary information for all projects approved for consideration and/or inclusion in the FY09 RFP by the Board and proposals received.

**Table 1. Status of Currently Contracted ESPB WPF Projects (02/03/09)**

Contract #	Title	Researcher/ Institution	Award Amount	End Date	Report Status	Payment Status	Amount Paid	Amount Obligated	Running Total Paid and Obligated	Balance <b>\$84,637.68</b>
RC08E02W	Establishing population trends of <i>Hyla avivoca</i> in southern Illinois by duplicating the 1995 Redmer, Brown and Brandon survey	John Palis	\$ 3,402.00	08/31/08	Completed	Paid 07/29/08	\$3,402.00		\$3,402.00	\$81,235.38
RC08E01W	Survey of breeding colonial wading birds of conservation concern in the lower Wabash River drainage in Illinois, with special emphasis on the Little Blue Heron	Three Rivers Environmental Assessments	\$ 18,423.00	10/31/09		The end date for this project has been extended into FY10 due to flooding in the research area.		\$18,423.00	\$21,825.00	\$62,812.38
RC08E03W	Status survey update for listed herptiles for Kidd Lake Marsh, Fults Hill Prairie N.P., and other newly dedicated lands in Monroe County	Robert Weck	\$ 4,852.20	10/31/08	Completed, received 12/22/08	Vendor Payment initiated 01/20/09	\$ 4,620.00 (\$232.20 in supplies not purchased)		\$26,445.00	\$58,192.38
RC08E04W	Genetic variation in <i>Astragalus crassicaerpus</i> var. <i>trichocalyx</i> in Illinois	SIU at Edwardsville, Dept. of Biological Sciences	\$ 2,999.70	06/30/09		Ongoing		\$ 2,999.70	\$29,444.70	\$55,192.68
RC08E05W	Spatial Ecology and Over-Winter Survival of Neonate Eastern Massasauga Rattlesnakes ( <i>Sistrurus catenatus catenatus</i> ) at Carlyle Lake	INRS INHS UIUC	\$ 13,191.00	06/30/09		Ongoing		\$ 13,191.00	\$42,635.70	\$42,001.68
RC08E06W	Conservation genetics of the state endangered spotted turtle, <i>Clemmys guttata</i>	INRS INHS UIUC	\$ 5,000.00	06/30/09		Ongoing		\$ 5,000.00	\$47,635.70	\$37,001.68
RC08E07W	Status, Distribution and Resource Requirements of the Longnose Dace in Illinois	INRS INHS UIUC	\$ 6,450.00	06/30/09		Ongoing		\$ 6,450.00	\$54,085.70	\$30,551.68
RC08E08W	Status Survey of <i>Mentzelia oligosperma</i> (Stickleaf)	Michael Jones	\$ 4,986.00	12/31/08	Completed	Completed	\$ 4,986.00		\$59,071.70	\$25,565.68
RC08E09W	Population Size and Genetics of the Blanding's Turtle at Goose Lake State Natural Area, Grundy County, Illinois	INRS INHS UIUC	\$ 8,318.00	06/30/09		Ongoing		\$ 8,318.00	\$67,389.70	\$17,247.68
RC08E10W	Status Report for Native Populations of Shortleaf Pine ( <i>Pinus echinata</i> )	Michael Jones	\$ 9,632.00	06/30/09		A contract request to extend contract for one year (new end date 06/30/10) initiated on 02/03/09.		\$ 9,632.00	\$77,021.70	\$7,615.68
RC07E02W	Reproductive Success of Sandhill Cranes in Northeastern Illinois	Dr. David Thomas, PI; Dr. Michael Ward, INRS INHS UIUC, INHS	Total = \$ 5,730.00 Balance paid in 01/09 = \$ 3,596.13	End Date 12/31/08	Completed	Completed	\$ 5,730.00		\$82,751.70	\$1,885.68

**Table 2. ESPB Research Projects Approved and Identified for the FY09 RFP at the 140<sup>th</sup> (11/14/08) ESPB Meeting and Proposals Received (02/03/09).**

ESPB Approved Research Project Title	Proposals Received Investigator (Institution)	Proposal Title	Total Budget Request	Budget Details	Proposed End Date
<b>Plants</b>					
Rarely Seen Illinois Native Plant Species; Their Status and Distribution	Phillippe and Ebinger (INRS INHS UIUC)	Rarely Seen Illinois Native Plant Species; Their Status and Distribution.	\$9,993	First year request of a proposed three-year project. Funding is being matched by IDOT.	First year 12/31/09
<b>Birds</b>					
Loggerhead Shrike Population Study	Wenny and Elbert (INRS INHS UIUC)	Habitat Use, Nest Success, and Natal Philopatry of Loggerhead Shrike in Northwest Illinois.	\$6,053		05/01/10
Barn Owl Survey	None				
Nightjar Survey	None				
Black-billed Cuckoo Status Survey	None				
<i>Unsolicited Proposal</i>	Ward (INRS INHS UIUC), Semel (IDNR), and Fox (UIUC)	Reproductive Success of Sandhill Cranes in Northeastern Illinois.	\$2,200		12/31/09
<b>Reptiles and Amphibians</b>					
Surveys for the Ornate Box Turtle in IL	None	Scott Ballard may apply for FY10.			
Survey and Monitoring of the Smooth Softshell Turtle	Lamer and Jenkins (WIU)	Survey and Monitoring of the Smooth Softshell Turtle ( <i>Apalone mutica</i> ).	\$9,664		11/30/09
Habitat Suitability and Occurrence of Three Reptile Species of Concern; Smooth Green Snake, Slender Glass Lizard, and Eastern Hognose Snake	None				
Conservation Genetics of Jefferson Salamanders	Kuhns (INRS INHS UIUC)	Conservation Genetics of Jefferson Salamanders in Illinois: Implications for Conservation and Recovery.	\$5,995		03/30/10
Reproduction and Recruitment of the Eastern Narrow-Mouth Toad	None				
<i>Unsolicited Proposal</i>	Palis (independent)	Locate Undocumented Populations of Bird-voiced Treefrogs ( <i>Hyla avivoca</i> ) in Southern Illinois.	\$4,900		08/31/10
<b>Fishes</b>					
Status and distribution of the bluntnose darter ( <i>Etheostoma chlorosoma</i> (Hay) and pugnose minnow ( <i>Opsopoeodus emiliae</i> Hay) in Illinois	Cao and Hinz (INRS INHS UIUC)	Assessing the Conservation Status of the Bluntnose Darter and Pugnose Minnow in Illinois using Distribution and Habitat Suitability Modeling.	\$9,976 FY09 = \$4,823 FY10 = \$5,153	First year request of a proposed two-year project. Applicants are agreeable to receiving only an FY09 commitment from the ESPB at this time, with the understanding that they will request the second year funding in the FY10 cycle.	06/30/11
Status and Distribution of the trout-perch ( <i>Percopsis omiscomaycus</i> ) in Illinois	None				
<b>Invertebrates</b>					
Survey of Springtails (Collembola) in Illinois Caves	Soto-Adames and Taylor (INRS INHS UIUC)	Status assessment survey for springtails (Collembola) in Illinois caves.	\$18,652 FY09 = \$4,663 FY10 = \$4,663 FY11 = \$4,663 FY12 = \$4,663	First year request of a proposed four-year project. Applicants are agreeable to receiving only an FY09 commitment from the ESPB at this time, with the understanding that they will request subsequent year funding in the FY10, FY11, and FY12 cycles.	02/28/13
Predacious Diving Beetle Assessment	None				
Status of three <i>Lithasia</i> freshwater snails species in the lower Ohio River basin in Illinois	Tiemann and Cummings (INRS INHS UIUC)	Status of three freshwater snails species in the lower Ohio River basin in Illinois.	\$5,827		06/30/10

**Written summary of any action taken by the Board relative to pre-hearing comments, January 23 – February 6, 2009 hearing record comments, and information presented at the ESPB 141<sup>st</sup> meeting on February 20, 2009 for proposed changes to the List of Illinois Endangered and Threatened Species preliminarily approved at the ESPB 140<sup>th</sup> meeting on November 14, 2008 and as reviewed at the February 20, 2009 meeting.**

Species	Pre-hearing Comment/Information	Board Response/Action
<i>Mentzelia oligosperma</i> (stickleaf)	Pre-hearing comment Following the November 14, 2008 meeting, the ESPB received a report for research it funded in 2008 for a status survey of <i>Mentzelia oligosperma</i> . The number of populations has declined from 15 to 9, population sizes range from 6-80 individuals, and only two populations are protected.	Upon review of the data, the Board made preliminary approval at the February 20, 2009 meeting to add the species as endangered.
<i>Penstemon brevisepalus</i> (short-sepaed beard tongue)	Pre-hearing comment Commenter questioned if extirpated status was confirmed for <i>Penstemon brevisepalus</i> .	The Board asked the ESTAC to confirm its review of the species and the ESTAC recommended further verification of herbarium voucher specimens. The Board removed the species from its currently recommended changes and will reevaluate based upon future recommendations from the ESTAC.
<i>Nerodia erythrogaster erythrogaster</i> (copperbelly water snake)	Pre-hearing comment Commenter noted that in 2006 the ESTAC recommended, and the Board approved, proceeding with a listing recommendation for the copperbelly water snake. Commenter questioned why listing of the copperbelly water snake was not included in the Board's preliminary recommendations?	The ESTAC reviewed information about the species and decided that the lack of new information since surveys were last conducted in the late 1990's, and the likelihood that updated surveys for this taxon will occur in the next five years made it premature to take any action at this time. The Board recommended no action.
<i>Apalone mutica</i> (smooth softshell)	Pre-hearing comment Commenter questioned the proposed listing as endangered of <i>Apalone mutica</i> and submitted three peer-reviewed journal papers (Anderson, et al. 2002; Barko and Briggler 2006; Barko, et al 2004) to advise the Board of relevant data.	The ESTAC is aware of, and has copies of all three publications that the commenter provided. All three address <i>Apalone mutica</i> populations in the Mississippi River. The ESTAC did discuss, and all acknowledged that there is some potential that larger, or at least more widespread populations of <i>A. mutica</i> occur in the Mississippi River, especially in sections where there are widespread sand bars. However, the ESTAC made recommendation based on lack of recent records in inland streams (except the Sangamon), greater threats e.g., siltation, water quality etc., and less capacity to buffer them in smaller systems, and based on this alone. The ESTAC is still comfortable with a recommendation to list. The Board recommended the species be listed as endangered.
<i>Crotalus horridus</i> (timber rattlesnake)	Pre-hearing comment Commenter proposed changing the status of Timber Rattlesnake from threatened to endangered. Provided qualitative comments, but did not provide data. Commenter followed-up with a hearing record comment #6.	The ESTAC reviewed information and decided that the species has clearly declined in historic times, but was not aware of data that could be compared to the surveys of the mid-1990's. Also, the ESTAC is convinced that species is stable over a broad region in the Shawnee Hills. This means that the species does not qualify for endangered status (any species which is in danger of extinction as a breeding species in Illinois). Lastly, the ESTAC recognizes that because the most recent statewide effort to survey this species was conducted in the mid-1990's, they recommend that updated surveys be conducted, hopefully before the next round of listing reviews. The Board recommended no action.

Species	Hearing Record Period Comment/Information	Board Response/Action
Bald eagle Sandhill Crane Henslow's Sparrow	Oral testimony 1 and written comments 8 and 11 opposed the delisting of the bald eagle, sandhill crane, and Henslow's sparrow.	These comments provided qualitative comments and opinions, but did not provide data to inform the Board about statewide status and distribution for any species to support opposition to the Board's proposed recommendations. Comments noted.
Mississippi Kite	Oral testimony 1 opposed the change in status from endangered to threatened for the Mississippi kite.	These comments provided qualitative comments and opinions, but did not provide data to inform the Board about statewide status and distribution for any species to support opposition to the Board's proposed recommendations. Comments noted.
Bald eagle Sandhill Crane Henslow's Sparrow Mississippi Kite Black-billed Cuckoo Loggerhead Shrike Common Moorhen	Oral testimony 3 supported the delisting of the bald eagle, sandhill crane, and Henslow's sparrow; the change in status from endangered to threatened for the Mississippi Kite; the addition as endangered for the Black-billed cuckoo; and, the change in status from threatened to endangered for the loggerhead shrike and common moorhen.	Commenter did not propose any changes to the Board's recommendations. Comment noted.
Bald eagle	Written comments 5 and 7 opposed the delisting of the bald eagle.	These comments provided qualitative comments and opinions, but did not provide data to inform the Board about statewide status and distribution to support opposition to the Board's proposed recommendations. Comments noted.
Bald eagle	Oral testimony 1 opposed the delisting of the bald eagle. Commenter expressed concern about a several year data gap for nest numbers (Figure 4a), wanted to know where the data comes from, and questioned if those nests being used? Commenter expressed concern about methods used for counting eagles and possible double-counting and if delisting too soon and they have to be put back on the list, in the meantime habitat can be lost. Commenter also expressed concern that numbers of eagle in the Illinois River corridor have not been going up like they have along the Mississippi River.	Figure 4a in the "Additional Bird Info" document posted to the Board webpage does qualify the data as "nests", but the USFWS data used for Figure 4a actually reports breeding pairs and not nests – so the labeling as nests by the Board is not accurate and the data does, in fact, speak to breeding pairs. The source (USFWS) for the data is stated in the document and a weblink is included.  Additionally, during the data-gap years (2000-2005), Illinois nest data from the Illinois Natural Heritage Database documents 78 nests in 2002 and 101 nests in 2004, which supports the same trend-line.  Species assessments by the Board are based on statewide status and the Board uses the best scientific data available from multiple sources. The Board feels its recommendation to delist the bald eagle is supported by sufficient scientific evidence. The commenter did not provide data to inform the Board about statewide status and distribution to support opposition to the Board's delisting recommendation. Comment noted.
Bald eagle	Written comment 94 opposed the delisting of the bald eagle. Commenter expressed concern that all sources of data for Illinois populations (migrant, nesting, and breeding) are inaccurate and grossly overestimate the health of the overall population, especially the percentage of young to adult (references healthy wintering eagle pop of 33% immature to adult ratio, as determined by "our nations researchers in the 1970s"). Provided compilation of commenter's survey data for 48 years of Midwinter Bald Eagle Counts for Illinois and a 2008 Midwinter Bald Eagle Count.	The use of winter counts for assessing status of breeding populations is not straightforward, and indeed may not be entirely relevant. Weather conditions greatly influence the number of eagles observed on winter counts. In addition, we know that in general young eagles go farther south in winter than adults. In a harsh winter, or on a particularly cold or bad weather day during winter, this trend may be exacerbated. In any case, despite the valuable long-term data set, the influence of weather cannot be ignored and thus the application of one-day winter

		<p>counts to breeding status of eagles is problematic. A further complication is that most of the eagles in Illinois in winter are migrants the breed in the upper Great Lakes region. The commenter provided considerable winter count data; however, winter count data used by the Board's in its evaluation does show good numbers of immatures, indicating a healthy age structure (~32% immatures based on 2003-2005 Illinois Midwinter Bald Eagle Count Data and ~38% immatures based on 2009 Illinois Midwinter Bald Eagle Count Data).</p> <p>Although there may be issues with the accuracy of past and current nest monitoring efforts, overall the commenter did not provide the Board with new nest data or information to support opposition to the Board's proposed delisting.</p> <p>Species assessments by the Board are based on statewide status and the Board uses the best scientific data available from multiple sources. The Board feels its recommendation to delist the bald eagle is supported by sufficient scientific evidence. The commenter did not inform the Board with sufficient data in opposition to Board's delisting recommendation. Comment noted.</p>
Bald eagle	<p>Written comment 95 opposed the delisting of the bald eagle. Commenter expressed concern about Illinois River populations, proposed that waiting until the next listing cycle would allow for a better assessment of the true health of the bald eagle in Illinois, and questioned that "Figure 4 B, in the 2009 List Revision Additional Bird Information provided by the Endangered Species Board, clearly shows a dramatic drop in the number of eagles recorded in spring bird counts since 2005".</p>	<p>Although Figure 4B does show a decline from 2006-2008, the long-term increasing trend is still quite strong, because 2006 was a significantly high year. Additionally, the 2008 count included 47 counties, which was a new high for the number of counties included in the Illinois spring bird count, meaning that the number of birds counted (134) were spread over more total party hours.</p> <p>Species assessments by the Board are based on statewide status and the Board uses the best scientific data available from multiple sources. The Board feels its recommendation to delist the bald eagle is supported by sufficient scientific evidence. The commenter did not provide data to inform the Board about statewide status and distribution to support opposition to the Board's delisting recommendation. Comment noted.</p>
Peregrine falcon	<p>Oral testimony 2 and written comments 9, 10, 12-22, 24-40, 43, 49, 52-78, 80, 82-92, 96, and 97 proposed the delisting of the peregrine falcon.</p>	<p>These comments provided qualitative comments and opinions. They do not inform the Board with data about wild Illinois Peregrine Falcon nesting or breeding that addresses ESPB delisting goals. Comments noted.</p>
Peregrine falcon	<p>Written comments/attachments 23, 41-1D, 41-1E, 41-1F, 41-1G, 48-7L, 48-7M, 48-7N, 50-8O, 50-8P, 50-8Q, 50-8S, 51-9T, 51-9U, 51-9V, 79-10A, 93-A1, 93-A2 proposed the delisting of the peregrine falcon.</p>	<p>These comments/attachments did not include any Illinois wild peregrine falcon population data and were not relevant to the proceedings of ESPB Illinois List Revision public hearing. Comments noted.</p>
Peregrine falcon	<p>Written comments/attachments 41-1H, 48-7J, 48-7K, 93-B, 93-C proposed the delisting of the peregrine falcon.</p>	<p>These comments/attachments did not include data about wild Illinois Peregrine Falcon nesting or breeding, or the data did not discriminate between unassisted and assisted fledging, to address ESPB delisting goals and were not relevant to proceedings of ESPB Illinois List Revision public hearing. Comments noted.</p>

Peregrine falcon	Written comments/attachments 44-3If, 45-4Ig, 45-4Ih, 45-4Ii, 45-4Ij, 45-4Ik, 46-5-II, 46-5-Im, 46-5In, 46-5Io, 46-5Ip, 47-6Iq, 47-6Ir, 47-6Is, 47-6It, 47-6Iu, 79-10C proposed the delisting of the peregrine falcon.	These comments/attachments included data that was dated outside the 5-year List review period (2004-2009) and were not relevant to proceedings of ESPB Illinois List Revision public hearing. Comments noted.
Peregrine falcon	<p>Written comments/attachments 42-2Ia, 42-2Ib, 42-2Ic, 42-2Id, 42-2Ie, 50-8R, 79-10B, 79-10W, and 81-10 part 2 proposed the delisting of the peregrine falcon. Data provided included “Midwest Peregrine Society Reports 2003-2007”; “Mary Hennen Report for 2008”; a compilation of “Peregrines Illinois Breeding 1986-2008” taken from the Midwest Peregrine Society Reports; “Potential Miss River Peregrine Pairs in Illinois” also taken from the Midwest Peregrine Society Reports; and, “GLFA Written Testimony”.</p> <p><b>Information presented at ESPB 141<sup>st</sup> meeting on February 20, 2009</b>  The GLFA presentation at the February 20, 2009 meeting of the Illinois Endangered Species Protection Board included a resubmission of information taken from the Midwest Peregrine Society Reports and presented as a summary of “Illinois Breeding Season Peregrines” and a listing of “Mississippi River Bridge Peregrines Which Are Or May Very Well Be Illinois”, both compiled from the Midwest Peregrine Society Reports.</p>	<p>The Board and ESTAC have reviewed the comments received and the Board now has some additional information presented by the GLFA at the February 20 meeting.</p> <p>First and foremost the Board wants to emphasize the geographic scope of the decision before the Board. Much of the comments received and information presented at the February 20 meeting related to the federal recovery effort and guidelines. The majority of data is not pertinent to the Board’s listing criteria or recovery guidelines. The responsibility of the Board when it makes its decision is to consider how secure the species is in the state of Illinois now and how secure it will be looking forward. With regard to the USFWS management plan relevant to take, all of those guidelines relate to maintaining the population east of the 100<sup>th</sup> meridian, none of those guidelines speak to what is necessary to maintain a healthy population in Illinois; if the falcon persists east of the 100<sup>th</sup> meridian, but goes extinct in Illinois, the Board has not done its job. So, the Board needs to consider the potential impact of take on the Illinois population.</p> <p>With regard to current Illinois nesting numbers, the Board’s review is a long process and the ESTAC reviewed several years of nesting numbers through 2007, because that was the most recent data available, and the data the ESTAC had and reviewed do not agree with the Midwest Peregrine Society numbers presented by the GLFA. For example, with regard to nesting pairs that are producing young, the ESTAC received numbers from Chicago confirming 12 pairs where the GLFA reports 22 pairs.</p> <p>Some of the numbers presented by the GLFA February 20<sup>th</sup>, included potential Illinois birds, so the ESTAC will need to follow-up on that and verify status for those numbers. The data the ESTAC has that was verified by the Chicago people does not support the delisting criteria. The ESTAC now has data for 2008 and it looks like we may be at the delisting criteria. However, when the Board developed its delisting guidelines in 2000, take was not a factor. Since take is now a factor, the potential impact of take on birds in Illinois needs to be considered.</p> <p>In light of all of this, the Board does not agree with the GLFA assessment that the bird does not qualify with the ESPB criteria for listing as threatened. The ESTAC needs to consider the 2008 data and look at the potential for take and then make a recommendation about</p>

		<p>listing status. The ESTAC and Board did not have sufficient data to support any recommended change during the current 5-Year list revision, but with the recent receipt of the 2008 data, information presented by the GLFA at the February 20 meeting, and information about potential take, will now further review the listing status for the species. The Board recommends no action at this time.</p>
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## **IESPB 01.23.09-02.06.09 Public Hearing Comments List**

(Consult the ESPB webpage to see the documents containing individual comments)

### **Oral Testimony included in the January 23, 2009 Public Hearing transcript document**

1. Jane Ward – Oral Testimony
2. Craig Hendee, Great Lakes Falconers Association – Oral Testimony
3. Maury Brucker – Oral Testimony
4. Vern LaGessee – Oral Testimony

### **Written comments received during the hearing record period of January 23 – February 6, 2009**

5. Gary Gabel
6. Brian Bielema
7. Michelle Smock
8. Elaine Hopkins
9. Adrian Lombard, South African Falconry Association
10. Harry McElroy
11. Carolyn Marsh
12. David Hampton
13. Sharron Flores
14. Tim Hickok
15. Lawrence Miller
16. Bridget Rocheford-Kearney, Wild Raptor Take Conservancy
17. Pavel Yakimov, Bulgarian Association for Conservation of Birds of Prey
18. John Graham, Texas Hawking Association
19. Stuart Rossell
20. Kurt Dorman
21. Roger Tucker
22. David Loy
23. Frank Bond, International Association for Falconry and Conservation of Birds of Prey
  - Attachment: Peregrine 2007 Assateague Island, MD/VA
  - Attachment: Peregrine 2007 Padre Island, TX
24. Keiya Nakajima, The Japan Falconiformes Center
25. Dan McCarron
26. Mike Dupuy
27. Gail Grutzius
28. Brian Payne
29. David Horobin
30. Cathy Blecker
31. Tage Jessen
32. Rich Felder, Great Lakes Falconers Association
33. David Samuels
34. Tom Schultz, Missouri Falconers Association
35. Brandon Borquist, Great Lakes Falconers Association
36. Gyr Ent. Inc. [gyrent@dccnet.com]
37. Andrew Kramer
38. Doug Potter
39. Arnaud Van Wettere
40. Larry Dickerson
41. Rob Sulski, Great Lakes Falconers Association
  - Attachment 41-1D: USFWS Peregrine Delisting 8-25-99
  - Attachment 41-1E: USFWS Peregrine-American Monitoring Plan 2003
  - Attachment 41-1F: USFWS Peregrine Nestling Take Final EA, MP and IG March 2004
  - Attachment 41-1G: Midwest Peregrine Society Project History
  - Attachment 41-1H: Jones-Sulski Peregrine Banding 2000-2008
42. Rob Sulski, Great Lakes Falconers Association
  - Attachment 42-2Ia: Attachment: Midwest Peregrine Society Report 2007

- Attachment 42-2Ib: Midwest Peregrine Society Report 2006
- Attachment 42-2Ic: Midwest Peregrine Society Report 2005
- Attachment 42-2Id: Midwest Peregrine Society Report 2004
- Attachment 42-2Ie: Midwest Peregrine Society Report 2003
- 43. Robert Walter
- 44. Rob Sulski, Great Lakes Falconers Association
  - Attachment 44-3If: Midwest Peregrine Society Report 2002
- 45. Rob Sulski, Great Lakes Falconers Association
  - Attachment 45-4Ig: Midwest Peregrine Society Report 2000
  - Attachment 45-4Ii: Midwest Peregrine Society Report 1999
  - Attachment 45-4Ij: Midwest Peregrine Society Report 1998
  - Attachment 45-4Ik: Midwest Peregrine Society Report 1997
- 46. Rob Sulski, Great Lakes Falconers Association
  - Attachment 46-5Il: Midwest Peregrine Society Report 1996
  - Attachment 46-5Im: Midwest Peregrine Society Report 1995
  - Attachment 46-5In: Midwest Peregrine Society Report 1994
  - Attachment 46-5Io: Midwest Peregrine Society Report 1993
  - Attachment 46-5Ip: Midwest Peregrine Society Report 1992
- 47. Rob Sulski, Great Lakes Falconers Association
  - Attachment 47-6Iq: Midwest Peregrine Society Report 1991
  - Attachment 47-6Ir: Midwest Peregrine Society Report 1990
  - Attachment 47-6Is: Midwest Peregrine Society Report 1989
  - Attachment 47-6It: Midwest Peregrine Society Report 1988
  - Attachment 47-6Iu: Midwest Peregrine Society Report 1987
- 48. Rob Sulski, Great Lakes Falconers Association
  - Attachment 48-7J: Midwest Breeding Peregrines 1987-2007
  - Attachment 48-7K: Berardi and HMANA IBSP Peregrine Counts 2000-2007
  - Attachment 48-7L: USFWS Falconry Take of Raptors from the Wild Final EA 2007
  - Attachment 48-7M: USFWS Peregrine Take of Migrant Peregrine Falcons Final EA and MP 3 December 2008 (should be Aug 2008?)
  - Attachment 48-7N: Federal Register Migratory Bird Permits Falconry Final Rule 8 October 2008
- 49. Karen Young
- 50. Rob Sulski, Great Lakes Falconers Association
  - Attachment 50-8O: USFWS Take of Migrant Peregrines 73 FR 236 12-8-08
  - Attachment 50-8P: Correspondence between Bill Murrin and the Florida Fish and Wildlife Commission.
  - Attachment 50-8Q: Cedar Grove Banding in 1950s
  - Attachment 50-8R: Hennen Report 2008
  - Attachment 50-8S: HWI Autumn 2002 Peregrine Isotope Report
- 51. Rob Sulski, Great Lakes Falconers Association
  - Attachment 51-9T: Peregrine 2007 Assateague Island, MD/VA
  - Attachment 51-9U: Peregrine 2007 Padre Island, TX
  - Attachment 51-9V: Peregrine Monitoring Florida Keys Report May 2004
- 52. Kathleen Lyons
- 54. Steve Watson
- 54. J. Adam Nadler
- 55. Ronald S. Kearney
- 56. Richard M. Borquist
- 57. Mike Bodary
- 58. Spence and Linda Wise
- 59. Jim Robison
- 60. Justin Stovall
- 61. Joe Branham
- 62. Joseph Mullen
- 63. Lee Dvorak

64. Roger Chastain, Indiana Falconers Association
65. Karen Karroll
66. Robert Rainey
67. Roy Crowe
68. Eric C. Reeves
69. Ronald French
70. Steve Hein, Center For Wildlife Education, Georgia Southern University
71. Eric Harold
72. Cheryl Doros
73. Michael McCoy
74. Mr. & Mrs. Joseph Occhiuzzo
75. Igor Tavcar, Slovenian Falconers Association
76. Herbert M. Jones
77. Jennifer Boonstra, Northern Illinois Raptor Center
78. S. Kent Carnie
79. Rob Sulski, Great Lakes Falconers Association
  - Attachment 79-10A: A version of Craig Hendee, GLFA 01/23/09 Oral Testimony submitted by Rob Sulski on behalf of Craig Hendee and not the court reporter documentation from the hearing.
  - Attachment 79-10B: Peregrines Illinois Breeding 1986-2008
  - Attachment 79-10C: Hennen 1994 Status of Chicago Peregrine Release Project (should be 1995?)
  - Attachment 79-10W: Potential Miss River Peregrine Pairs in Illinois
80. Rob Sulski
81. Rob Sulski, Great Lakes Falconers Association
  - Attachment 81-10 part 2: GLFA Written Testimony
82. Rick Bohning
83. Judy Lange, Great Lakes Falconers Association
84. Everet Horton
85. Barbara Schmidt
86. Andrew Winter
87. Ray Carr
88. James Ingram, Wild Raptor Take Conservancy
89. Greg Thomas
90. Louis Luksander
91. Eric Edwards
92. Ryan Carpenter
93. Rob Sulski
  - Attachment 93-A: Proposes delisting. Email present qualitative comments, but no data about wild Illinois Peregrine Falcon nesting or breeding.
  - Attachment 93-A1: Migrant Peregrine Monitoring Proposal Figures
  - Attachment 93-A2: Migrant Peregrine Monitoring Proposal Text
  - Attachment 93-B: Berardi and HMANA IBSP Peregrine Counts 2000-2007
  - Attachment 93-C: Jones Sulski Peregrine Banding 2000-2008
94. Terrence Ingram, Eagle Nature Foundation, Ltd.
  - Attachment: Data for 48 years of his Midwinter Bald Eagle Counts for Illinois and his 2008 Midwinter Bald Eagle Count.
95. Joyce Blumenshine
96. Gil Gross
97. Bill Carnes

**Additions, Deletions, and Changes to the Illinois List of Endangered and Threatened Species Approved as Final by the Illinois Endangered Species Protection Board at the 141<sup>st</sup> meeting, February 20, 2009**

**PLANTS**

**ADD AS ENDANGERED**

*Carex plantaginea* (plantain-leaved sedge)  
*Gratiola quartermantiae* (hedge hyssop)

**ADD AS THREATENED**

*Buchnera americana* (blue hearts)  
*Delphinium carolinianum* (wild blue larkspur)

**REMOVE FROM ENDANGERED**

*Hydrocotyle ranunculoides* (water-pennywort)  
*Ranunculus cymbalaria* (seaside crowfoot)  
*Scirpus paludosus* (*Bolboschoenus maritimus*) (alkali bulrush)  
*Carex lucorum* (sedge)  
*Carex striatula* (lined sedge)  
*Isotria medeoloides* (small whorled pogonia)  
*Lathyrus maritimus* (beach pea)  
*Milium effusum* (millet grass)  
*Potentilla millegrana* (cinquefoil)  
*Pycnanthemum albescens* (white mountain mint)  
*Triadenum virginicum* (marsh St. John's wort)

**CHANGE STATUS FROM ENDANGERED TO THREATENED**

*Berchemia scandens* (supple-jack)  
*Cyperus lancastriensis* (galingale)  
*Juncus alpinus* (*Juncus alpinoarticulatus*) (Richardson's rush)

**TYPOGRAPHIC CHANGE**

*Polygonum arifolium* (Halbred-leaved Tearthumb) to Halberd-leaved Tearthumb

**ANIMALS**

**ADD AS ENDANGERED**

**REPTILES**

*Apalone mutica* (Smooth Softshell)

**INVERTEBRATES**

*Lithasia obovata* (Shawnee Rocksnail)  
*Arrhopalites madonnensis* (Madonna Cave Springtail)  
*Diploperla robusta* (Robust Springfly)  
*Prostoia completa* (Central Forestfly)  
*Anthysanella incongrua* (a leafhopper)  
*Centruroides vittatus* (Common Striped Scorpion)

**ADD AS THREATENED**

**AMPHIBIANS**

*Necturus maculosus* (Mudpuppy)

ADD AS THREATENED (continued)

REPTILES

*Terrapene ornata* (Ornate Box Turtle)

BIRDS

*Coccyzus erythrophthalmus* (Black-billed Cuckoo)

REMOVE FROM THREATENED

BIRDS

*Haliaeetus leucocephalus* (Bald Eagle)

*Ammodramus henslowii* (Henslow's Sparrow)

*Grus canadensis* (Sandhill Crane)

CHANGE STATUS FROM ENDANGERED TO THREATENED

BIRDS

*Ictinia mississippiensis* (Mississippi Kite)

CHANGE STATUS FROM THREATENED TO ENDANGERED

FISH

*Lepomis miniatus* (Redspotted sunfish)

BIRDS

*Gallinula chloropus* (Common Moorhen)

*Lanius ludovicianus* (Loggerhead Shrike)

REPTILES

*Emydoidea blandingii* (Blanding's Turtle)

INVERTEBRATES

*Hesperia ottoe* (Ottoe Skipper)

NAME CHANGE

BIRDS

*Nycticorax nycticorax* (Black-crowned Night Heron) to Black-crowned Night-Heron

*Nyctanassa violacea* (Yellow-crowned Night Heron) to Yellow-crowned Night-Heron

*Tympanuchus cupido* (Greater Prairie Chicken) to Greater Prairie-Chicken.

*Sterna antillarum* (Least Tern) to *Sternula antillarum*

REPTILES

*Elaphe emoryi* (Great Plains Ratsnake) to *Pantherophis emoryi*

*Heterodon nasicus* (Western Hognose Snake) to Plains Hog-nosed Snake

*Kinosternon flavescens* (Illinois Mud Turtle) to Yellow Mud Turtle

AMPHIBIANS

*Cryptobranchus alleganiensis* (Hellbender) to Eastern Hellbender

*Pseudacris streckeri* (Illinois Chorus Frog) to *Pseudacris illinoensis*