

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF THE 148th MEETING

MIDEWIN NATIONAL TALLGRASS PRAIRIE, WILMINGTON, IL

12 November 2010

(Approved at the 149<sup>th</sup> meeting, February 25, 2010)

BOARD MEMBERS PRESENT: Chairman Dan Gooch, Vice-chair Glen Kruse, Secretary John Clemetsen, Ms. Susanne Masi, Dr. Mike Retzer, Ms. Laurel Ross, Dr. John Taft, Dr. Joyce Hofmann, Dr. Jeff Walk, and Mr. John Rogner.

BOARD MEMBERS ABSENT: none

BOARD MEMBERSHIPS VACANT: none

OTHERS PRESENT: Dr. Jim Herkert and Mr. Don McFall (Illinois Department of Natural Resources – Office of Resource Conservation); and, Mr. Randy Heidorn (Illinois Nature Preserves Commission).

148-1 Call to Order, Welcome and Introduction of Guests

Chairman Gooch called the 148th meeting of the ESPB to order at 10:00 A.M. and asked for members to call roll by introducing themselves. He then noted that there was a quorum and asked meeting attendees to introduce themselves.

148-2 Adoption of Agenda

Chairman Gooch asked if there were any changes to the agenda. None were noted and Dr. Retzer moved to adopt the agenda, Dr. Walk seconded the motion, and it was approved unanimously.

148-3 Approval of the Minutes of Previous Meeting

Chairman Gooch asked for a motion to approve the minutes of the 147th meeting.

Dr. Walk moved to adopt the minutes of the 147<sup>th</sup> meeting and Vice-chair Kruse seconded the motion. Ms. Masi noted corrections to two species entries under item #13 under 147-10 Species Updates. Dr. Hofmann noted that a page number reference had been left out of item #4 under 147-4 ESPB Staff Report. Chairman Gooch confirmed that Dr. Walk and Vice-chair Kruse accepted the amendments and the Board unanimously approved the minutes as amended.

148-4 ESPB Staff Report

Ms. Anne Mankowski, Director of the Illinois Endangered Species Protection Board, gave her report (Attachment A).

148-5 IDNR Staff Report

Mr. Don McFall, Chief of the Division of Natural Heritage, gave his report (Attachment B).

148-6 INPC Staff Report

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

148-7            ESPB Budget

Ms. Mankowski gave a report about the Board's budget. The Board's FY11 budget line of \$118,000 is included in the IDNR appropriation that was signed by the Governor on 07/01/10. The IDNR is still awaiting approval by the Governor's Office of Management and Budget of a spending plan/management plan before it can begin spending of its appropriated budget; this applies to the Board's budget, as well. The FY12 budget request approved by the Board at its 147<sup>th</sup> meeting was delivered to IDNR Director Marc Miller, Assistant Director John Rogner, Chief Fiscal Officer Ellen King-Pietrzak, and ORC Director Dr. James Herkert.

148-8            ESBP Member Appointments

Chairman Gooch reviewed that since the 147<sup>th</sup> meeting, Mr. John Clemetsen's re-appointment and Ms. Laurel Ross' appointment were confirmed by the Governor's Office. Chairman Gooch then formally welcomed Ms. Ross to the Board.

Chairman Gooch moved to approve Resolution 148-8 thanking Marilyn Campbell for Service and read the resolution (Attachment D). Secretary Clemetsen seconded the motion and it was passed unanimously.

Chairman Gooch then noted the need to elect a Vice-chair to fill the vacancy created by Ms. Campbell's departure from the Board. He asked if any members were interested in service as Vice-chair. Mr. Kruse indicated his interest. Secretary Clemetsen moved to nominate Mr. Kruse as Vice-chair and Ms. Masi seconded the motion. Chairman Gooch asked if there were any other nominations or discussion, noting none he asked for a vote, and the Board unanimously approved Mr. Kruse as the new Vice-chair.

148-9            Ethics Training for Appointees to State of Illinois Boards and Commissions

Ms. Mankowski noted that Board members and staff completed the subject training by the required deadline of October 1, 2010.

Chairman Gooch reviewed that Board members are required to periodically document and submit for the Board's files an accounting of the time they spend on Board business. He indicated that the current form is cumbersome and that he would draft and send to Ms. Mankowski for distribution to members a new form for Board members to document their time donated in the course of Board business.

148-10          Pending Amendments to 17 Ill. Adm. Code 1010 Illinois List of Endangered and Threatened Fauna

Ms. Mankowski reviewed pending amendments to the Administrative Rule.

The first set of amendments were relative to the USFWS treatment of Shovelnose Sturgeon (*Scaphirhynchus platorynchus*) as threatened due to similarity of appearance (S/A) to the Federally endangered Pallid Sturgeon (*S. albus*).

Changes are as follows:

Section 1010.25 Criteria Used For Listing

- a) A species shall be included on the Official List when one or more of the following criteria exist:
  - 1) Species or subspecies designated as federally endangered or threatened.

- ~~included in the Federal List of Endangered or Threatened species~~
- 2) Species proposed for Federal Endangered or Threatened status ~~which~~ that occur in Illinois.
  - 3) Species that ~~which~~ formerly were widespread in Illinois but have been nearly extirpated from the State due to habitat destruction, collecting, or other pressures resulting from the development of Illinois.
  - 4) Species that ~~which~~ exhibit very restricted geographic ranges of which Illinois is a part.
  - 5) Species that ~~which~~ exhibit restricted habitats or low populations in Illinois.
  - 6) Species that are significant disjuncts in Illinois, i.e., the Illinois population is far removed from the rest of the species' range.
- b) A species will be removed from the Official List if it no longer fulfills one or more of the criteria in subsection (a), except for a species that no longer fulfills the criteria because it no longer inhabits Illinois. The determination will be made pursuant to Section 7 of the Endangered Species Protection Act [520 ILCS 10/7].

These amendments to the criteria language of Section 1010.25 a)1) are necessary so that it mimics the language used in the Illinois Endangered Species Protection Act to include “species designated” as federally endangered or threatened and not “species included on the federal list of endangered and threatened species”, as currently worded.

Listing criteria relevant to federally endangered or threatened species in the IL Endangered Species Protection Act (520 ILCS 10/7) states that... *“Any species or subspecies of animal or plant designated as endangered or threatened by the Secretary of the Interior of the United States pursuant to the Endangered Species Protection Act of 1973, P.L. 93-205, as amended, shall be automatically listed as an endangered or threatened species under this Act and thereby placed on the Illinois List by the Board without notice or public hearing.”*

Listing criteria relevant to federally endangered or threatened species in 17 ILL. ADM CODE CH. 1, SEC. 1010.25 a)1), states that *“(a) A species shall be included on the Official List when one or more of the following criteria exists: 1) Species included in the Federal list of Endangered or Threatened species.”*

The Federal List of Endangered and Threatened Species includes entries for species that are treated as endangered or threatened due to similarity of appearance (S/A) to endangered or threatened species, even though the S/A species are not themselves listed. The S/A species do not meet the federal definitions of endangered or threatened species and do not receive standard protections afforded federally endangered or threatened species. The S/A species are allowed under provision 4e in the Endangered Species Act and protections are outlined as special rules regulating take (Section 4(d)) specific to the affected species.

The USFWS recently issued a final rule, to become effective 10/01/10, for the treatment of shovelnose sturgeon (*Scaphirhynchus platyrhynchus*) as threatened due to similarity of

appearance to the endangered pallid sturgeon (*S. albus*). The special rules regulating take prohibits take of any shovelnose sturgeon, shovelnose-pallid hybrids, or their roe when associated with or related to a commercial fishing activity in those portions of its range that commonly overlap with the range of the endangered pallid sturgeon. In Illinois, the range includes the Mississippi River downstream from the Melvin Price Locks and Dam (Lock and Dam 26). All otherwise legal activities involving shovelnose sturgeon and shovelnose-pallid sturgeon hybrids that are conducted in accordance with applicable State, Federal, tribal, and local laws and regulations are not considered to be take under this regulation. Under this designation, no protections are extended to designate critical habitat, the recovery planning process, or consultation requirements.

The shovelnose sturgeon is not designated as federally threatened and does not meet the criteria for a federally threatened species. The intent of the federal regulation is not to provide federally threatened species status protections to the shovelnose sturgeon, but to impose restrictions on an activity (commercial fishing) in the shared area to limit the potential for taking a pallid sturgeon during that activity. According to the criteria set forth in the IESPA, the shovelnose sturgeon would not trigger an automatic listing in Illinois because it is not designated federally threatened. For these reasons, the IL Endangered Species Protection Board recommends against adding the species to the Illinois List and further recommends amending the language of 17 ILL ADM CODE CH. 1, SEC. 1010.25 a)1) as indicated above to eliminate confusion about whether there should be an automatic addition to the Illinois List of endangered and threatened species when a species that is not federally designated as threatened or endangered, but is federally treated as endangered or threatened due to similarity of appearance to an endangered or threatened species, is included on the federal list of endangered and threatened species.

The Illinois DNR will allow the State of Illinois to comply with and enforce the federal intent of the upcoming regulations by enacting emergency Administrative Rule changes to commercial fishing regulations that will prohibit take of shovenose sturgeon and shovelnose-pallid hybrids in the area of the Mississippi River identified in the federal regulation.

Chairman Gooch reviewed that the Board had approved via email the amendments to criteria language in the Ad Rule and indicated the need to ratify the action during the November 12, 2010 meeting. Vice-chair Kruse moved to ratify the approval of the amendments, Dr. Walk seconded the motion, and it was approved unanimously.

The final amendment was for the addition of a mussel, Northern Riffleshell (*Epioblasma rangiana*), as Federally - and Illinois - Endangered.

The Northern Riffleshell is federally endangered, but was previously not included in the *Illinois List of Endangered and Threatened Fauna* because the species was considered extirpated in Illinois prior to the federally endangered listing (1993) and so was not added to the Illinois list upon the federal designation since a species must be extant in the state to be added to the Illinois list.

The IDNR has been in ongoing negotiations with the USFWS to reintroduce Northern

Riffleshell specimens into the Vermilion drainage in Illinois, which is an historic location for the species. During September, 2010, the IDNR completed the placement of Northern Riffleshell specimens into two stream reaches of the Vermilion drainage in Illinois (work took place from Sept. 15 – 16). Upon that reintroduction, the species became an Illinois endangered species and now needs to be added to the Illinois list as “Illinois endangered” and “Federally endangered”, since federally designated endangered and threatened species that occur in the state are automatically listed as Illinois endangered or threatened and added to the Illinois list without notice or public hearing (Illinois Compiled Statutes -520 ILCS 10/7).

Ms. Mankowski noted that according to the Illinois Endangered Species Protection Act, all federally designated endangered and threatened species are automatically listed as endangered or threatened under the ESPA and placed on this Illinois List by the Board without notice or public hearing, regardless of whether they occur in Illinois, and that includes species such as polar bears and penguins, but the Illinois List (the Ad Rules and the Board’s checklist) has never actually included those species. Vice-chair Kruse added that possession of such species still requires an IDNR endangered species possession permit. Chairman Gooch recommended that the Board add clarifying language about federal species to future published lists. It was agreed that the Board would, during its strategic planning session in February 2011, review the Act and consider additional changes to recommend to the IDNR.

148-11            ESPB Research Program – (FY08 and FY09 projects, FY10 and FY11 cycles – status review)

Ms. Mankowski reviewed the status of existing contracts and updates on recently received reports (Attachment E).

Ms. Mankowski reviewed that the Board had at several recent meetings engaged in discussion about how to identify priority research topics to send out in an RFP and then, from proposals received, how to select projects to recommend for funding. She noted that she had been in consultation with IDNR legal and procurement staff about the Board’s process and maintaining compliance with new procurement rules that came with the passing of SB51. In response to questions that came up at the 147<sup>th</sup> meeting, she informed the Board that all portions of an umbrella institution, such as the individual campuses of the University of Illinois are considered one entity, so Board members affiliated with any portion of the U of I would need to recuse themselves when any U of I proposal was in play, and that members who needed to recuse themselves would need to recuse themselves from all aspects of decision making with regard to proposals and contracts – discussion, ranking, voting, etc. The Board agreed to discuss the matter further at its strategic planning session in February 2011. Vice-chair Kruse suggested that he assist Ms. Mankowski in consulting with IDNR legal and procurement staff prior to the strategic planning session. Ms. Mankowski welcomed the suggestion and Chairman Gooch approved it.

148-12            Species Updates

Items 1 - 11 were included in Ms. Mankowski’s written report submitted to the Board prior to the meeting. Item 12 was reported by Ms. Masi. Items 13 – 23 were reported by Joe Kath (IDNR Endangered Species Manager) and are presented as received.

(Items 1 – 11 are reported by Anne Mankowski)

1. **Species listings and status changes that have already received preliminary approval by the Board.**

A public hearing and consideration of comments received is required prior to the Board making a final approval of a listing recommendation for a state-listed species. As discussed at the 147<sup>th</sup> meeting, due to the administrative burden associated with conducting a public hearing and making amendments to Ad Rules, the Board agreed to wait until after it had an opportunity to review the IDNR's forthcoming *Peregrine Falcon Post-delisting Management and Monitoring Plan* (see #3) and re-evaluate that species before scheduling public hearings and how to proceed with any proposed interim list changes. Species status changes for which the Board has already made preliminary approval include:

*Penstemon brevisepalus* (short-sepaed beard tongue) – proposed to be de-listed.

*Mentzelia oligosperma* (stickleaf) – proposed as endangered.

*Utricularia subulata* (hair bladderwort) – proposed as endangered.

Additionally, in 2009 the Board de-listed *Isotria medeoloides* (Small Whorled Pogonia). Based on a review of the Illinois Endangered Species Protection Act and Ad Rule for the list of Illinois endangered and threatened flora, it appears the Board does not actually have the authority to remove a federal species from the Illinois list. Board staff recommends the species is re-listed as Illinois endangered when the Board proceeds with other plant list changes. This action does not require a public hearing by the Board.

2. Ms. Mankowski continues working with the USFWS Rock Island Field Office, IDNR, and several other partners on a draft of a *Decurrent False Aster (Boltonia decurrens – federally and IL threatened) Conservation Agreement/Management Agreement for Managed Lands in the Illinois River and Mississippi River Floodplains*. The agreement will cover multiple partners across two states (Illinois and Missouri). The agreement details management, monitoring, and reporting strategies to be followed by respective land managers. It is intended that recovery will be achieved by insuring that “core” sub-populations remain along the continuum of the three river pool floodplains by managing for *B. decurrens* on the subject lands. The recovery team and others held a *Boltonia decurrens* (Decurrent False Aster) annual workshop in September to coordinate field work and also discussed the draft conservation agreement.

3. As outlined in several 2009 Board meetings, the Board and IDNR are working together to develop and coordinate materials necessary to re-evaluate the listing status of the **peregrine falcon (*Falco peregrinus*)**. At the request of the Board, the IDNR is preparing a *Post de-listing management and monitoring plan for the peregrine falcon*. A first draft was tentatively planned for July 2010, but the IDNR informed the Board that it would not make its anticipated timeline and as of this writing, the IDNR has not completed a first draft. The Board agreed that it would await finalization and Board approval of that plan prior to reconsidering the listing status of the peregrine falcon. The Bird ESTAC has received copies of 2009 breeding season and population viability assessment data and the Board will ask that the Bird ESTAC also participate in the Board's review of the IDNR plan.

4. Ms. Mankowski continues project management of an IDNR SWG grant for the recovery of the **barn owl (*Tyto alba*)** in Illinois (T-35-P-1). The recovery planning team (Anne Mankowski, Dr. Jeff Walk, Terry Esker, Maggie Cole, and Mark Alessi), with Dr. Walk as the primary author, have completed what should be a final draft that is currently being routed at IDNR for approval and then will come to the Board for approval at the 148<sup>th</sup> meeting, to be held November 12, 2010. At the 148<sup>th</sup> meeting Dr. Walk will make a presentation to the Board and request Board approval of the plan to include sign-off by Chairman Goch.

5. Ms. Mankowski worked with IDNR Natural Heritage staff, Don McFall and Bob Szafoni, to develop a proposal necessary for state approvals pursuant to the *ESPB Policy on Translocation of Endangered and Threatened Animal Species* as part of a federal recovery project for the translocation of **Northern Riffleshell (*Epioblasma rangiana*)** specimens into stream reaches of the Vermilion River drainage in Illinois.

The federal recovery plan for the Northern riffleshell (*Epioblasma rangiana*), approved by USFWS in

1994, identified a recovery objective of establishing viable populations of riffleshells in ten separate river drainages. Population augmentations and reintroductions are needed to achieve this objective and the Vermilion River in Illinois was identified as a candidate for reintroduction in the recovery plan (USFWS 1994). Joe Kath, IDNR Endangered Species Manager, worked with USFWS staff on the planning for Illinois reintroductions over several years. A recent salvage activity on the Alleghany River in Pennsylvania provided the immediate opportunity for a one-year pilot project to translocate specimens to Illinois. Mr. Szafoni led field activities for IDNR and specimens were pit-tagged and placed in subject streams on September 15 and 16, 2010. All introduced individuals and sites will be monitored several times over the field season during the first year and then approximately twice/year for an additional five years with a subset of relocated individuals being dug-up to determine and quantify survivorship and assess success of the effort.

The Northern riffleshell was deemed extirpated from Illinois prior to the federal listing and so was not previously added to the Illinois list. An amendment adding the Northern riffleshell (*Epioblasma rangiana*) to the List of Illinois Endangered and Threatened Animals (IL ADMIN CODE 1010) was included in the recent amendment covering language changes to allow distinction with respect to the federal similarity of appearance listing and should become official soon. This action does not require a public hearing by the Board.

6. Brad Semel, Natural Heritage Biologist, provided Ms. Mankowski with information about continuing work for conservation of the only remaining nesting colony of **Common Tern (*Sterna hirunda*)** in Illinois. Mr. Semel has worked for years with the *Naval Station Great Lakes* to manage the habitat on their property. Recently the National Audubon Society acknowledged the Navy in their conservation efforts by designating the *Naval Station Great Lakes* as an Important Bird Area (IBA). Mr. Semel copied Ms. Mankowski on a letter of commendation that he sent to Captain John Malfitano, thanking the Navy for their dedicated cooperation in protecting and managing the site, informing him of the IBA designation, and requesting an opportunity to schedule an IBA designation ceremony to allow an opportunity to publicly recognize the efforts of the *Naval Station Great Lakes*. They have not yet identified a date, but will try to schedule the ceremony for sometime in April 2011.

7. Ms. Mankowski attended a meeting of the **Eastern Massasauga (*Sistrurus catenatus catenatus*)** Recovery Team at Midewin National Tallgrass Prairie in Wilmington, Illinois, on October 5<sup>th</sup>. The team reviewed recent activities and the status of the draft *Illinois Eastern Massasauga (Sistrurus catenatus catenatus) Species Recovery Plan*. The team hopes to sometime soon begin circulating the draft at IDNR as per the ORC Recovery Planning Process. Ms. Mankowski provided suggested comments and edits on the current draft and will also coordinate review with the Board and Herp ESTAC when the draft reaches IDNR.

8. The USFWS recently issued a final rule, to become effective 10/01/10, for the treatment of shovelnose sturgeon (*Scaphirhynchus platyrhynchus*) as threatened due to similarity of appearance to the endangered **pallid sturgeon (*S. albus*)**. The special rules regulating take prohibits take of any shovelnose sturgeon, shovelnose-pallid hybrids, or their roe when associated with or related to a commercial fishing activity in those portions of its range that commonly overlap with the range of the endangered pallid sturgeon. In Illinois, the range includes the Mississippi River downstream from the Melvin Price Locks and Dam (Lock and Dam 26). All otherwise legal activities involving shovelnose sturgeon and shovelnose-pallid sturgeon hybrids that are conducted in accordance with applicable State, Federal, tribal, and local laws and regulations are not considered to be take under this regulation. Under this designation, no protections are extended to designate critical habitat, the recovery planning process, or consultation requirements.

The Illinois DNR will allow the State of Illinois to comply with and enforce the federal intent of the upcoming regulations by enacting emergency Administrative Rule changes to commercial fishing regulations that will prohibit take of shovelnose sturgeon and shovelnose-pallid hybrids in the area of the Mississippi River identified in the federal regulation.

9. **Bats / White-Nose Syndrome** - Randle Jurewicz, Wisconsin Department of Natural Resources, Endangered Resources Program, provided an update on two of the following emergency rules at the October 2010 USFWS Region 3 Endangered and Threatened Species Coordinators Meeting and then provided Ms. Mankowski additional information afterwards. The last entry is from a newspaper article indicating the some provisions were scaled back for the emergency rule regarding management of WNS in bats.

Wisconsin very recently filed emergency orders to list four bat species (big brown – *Eptesicus fuscus*, little brown – *Myotis lucifugus*, long-eared – *Myotis septentrionalis*, and Eastern pipistrelle- *Pipistrellus subflavus*) as state-threatened due to overall declines in the populations at the national level and the immediate threat of white-nose syndrome (WNS) in WI, to list *Geomyces destructans* as an prohibited invasive species, and to approve management actions to control WNS.

Emergency Rule (approved) - Four Bats listed as State-threatened

This listing of the four bat species is accompanied by a Broad Incidental Take Permit, as provided for under s. 29.604, Wis. Stats., that allows for the incidental taking of state listed (threatened or endangered) cave bats in Wisconsin that may occur as a result of specific public health concerns, bat removals, building demolitions, forestry activities, bridge demolitions, miscellaneous building repairs and wind utility development projects. Take will be minimized by following specific minimization measures and the Department has concluded that the projects covered under this permit are not likely to jeopardize the continued existence and recovery of the state population of these bats or the whole plant-animal community of which they are a part; and has benefit to the public health, safety or welfare that justifies the action.

Emergency Rule (approved) - *Geomyces destructans* listed as a prohibited invasive species

Existing rules ban the transportation (including importation), possession, transfer (including sale) and introduction of invasive species that are listed or identified as "prohibited", with certain exceptions. Transportation, possession, transfer and introduction without a permit are exempt if the department determines that the transportation, possession, transfer or introduction was incidental or unknowing, and was not due to the person's failure to take reasonable precautions. Existing rules authorize the department to enter property with the permission of the owner or person in control of the property and, if permission cannot be obtained, to seek an inspection warrant from the Circuit Court. Entry is only for the purpose of inspection, sampling or control of prohibited invasive species. The listing of the fungus that causes WNS may result in the need for cavers to decontaminate caving equipment or avoid environmentally sensitive areas. The current rules also allow the department to enter into consent orders with persons who own, control or manage property where prohibited invasive species are present to implement approved control measures, and to issue unilateral orders for control purposes unless the person was not responsible for the presence of the prohibited invasive species. If a control order is not complied with and the department undertakes control measures, the current rules allow for cost-recovery by the department for the expenses it incurred. WDNR has had excellent cooperation from cave owner thus far in voluntary work to protect bats from WNS. These rule provisions allow regulation and unilateral action so that one person or party is not able to undo the positive actions by many and put Wisconsin bat populations at risk.

Emergency Rule (revised version approved – exempting commercial caves from decontamination and closure and will be reviewed again in December) Regarding the Management of white-nose syndrome in bats

*Excerpted from the proposal:*

To most effectively manage WNS, the department proposes the following additions to ss. NR 40.04 and 40.07, Wis. Adm. Code, related to early detection of WNS and prevention of the spread of *G. destructans* due to anthropogenic activities:

1. For purposes of early detection, with permission or pursuant to an inspection warrant, department staff may access caves and mines in order to monitor, survey, and inspect for the presence of *G. destructans*.

2. Equipment, gear, clothing and other objects may not be brought or placed into or near a cave or mine if they have been in or near a cave or mine located outside of Wisconsin.
3. Equipment, gear, clothing and other objects that have been in or near a cave or mine in the state must be decontaminated following department-approved WNS decontamination protocols before they can be brought into another state cave or mine.
4. All equipment, gear, clothing and other objects that have been in or near a cave or mine in Wisconsin must be decontaminated immediately upon exit.
5. All equipment, gear, clothing and other objects that will be or have come in contact with bats (including, but not limited to nets, traps, weighing tubes, bat bags, wing punches, rulers, clothing, gloves, electronic equipment and exclusion materials) and all individuals handling bats must be decontaminated prior to and immediately after contact.
6. In the unlikely event that a cave or mine owner refuses to take requested actions to restrict access to caves/mines to either humans or bats, the department may issue an order requiring such action and if compliance is not forthcoming may take such actions itself pursuant to an inspection warrant.

*Excerpt from Associated Press, October 27, 2010 –*

The WI Department of Natural Resources' board on Wednesday scaled back emergency provisions to stave off a deadly bat disease, refusing to allow the agency to close commercial caves or force cave-goers to decontaminate themselves for the next six weeks. The DNR had proposed a set of emergency provisions last week that would have granted the agency the power to inspect caves and mines for the fungus that causes white-nose syndrome. The regulations also required cave and mine visitors to decontaminate themselves, banned out-of-state cave and mine equipment in Wisconsin and allowed the DNR to unilaterally close caves and mines to bats or humans. The Natural Resources Board, though, tweaked the provisions under pressure from cave owners and spelunkers, who complained the DNR was moving too fast and didn't inform them of the rules' details. Board member Preston Cole chastised agency staff and told them to "overcommunicate" with stakeholders. In the end, the Board approved the rule with an amendment exempting commercial caves from decontamination and closure until the board meets in December to consider permanent white-nose rules. Board member John Welter said the science behind the rules looked good but the DNR created a problem for itself by not reaching out to stakeholders with more urgency.

**Information from USFWS Website at <http://www.fws.gov/whitenosesyndrome/>**

- USFWS seeks comment on national plan to combat deadly white-nose syndrome in bats (Oct. 27, 2010)
- USFWS Awards \$1.6 Million in Grants to Research and Manage the Spread of White-Nose Syndrome (October 6, 2010) (See below for list of projects)
- National Wildlife Refuge System closes caves to slow spread of white-nose syndrome (September 13, 2010)
- Forest Service Issues Emergency Order to Close Caves and Abandoned Mines to Protect Bat species from WNS (July 27, 2010)

**USFWS GRANT AWARDS OCTOBER 2010**

**Development of DNA-based detection techniques capable of differentiating Gd from closely related non-pathogenic Geomyces species**

Daniel Lindner, Ph.D., US Forest Service; Andrea Gargas, Ph.D., Symbiology, LLC; Jeffrey T. Foster, Ph.D., Northern Arizona University; Jessie Glaeser, Ph.D., US Forest Service  
Total Amount of Request: \$231,340

**Evaluating the pathogenicity of North American and European strains of Gd in cave bats, tree bats, and other mammalian hibernators**

Craig Willis, Ph.D., University of Winnipeg; David Blehert, Ph.D. and Paul Cryan, Ph.D. – US Geological Survey; Vikram Misra, Ph.D., University of Saskatchewan; and DeeAnn Reeder, Ph.D., Bucknell University.

Total amount of the request: \$293,701  
Total amount of the project: \$495,901

Who will survive? Exploring individual, sex, and species differences in susceptibility and resistance to WNS

DeeAnn Reeder, Ph.D., Bucknell University; Craig Willis, Ph.D. and Jens Franck, Ph.D., University of Winnipeg.

Total amount of the request: \$415,469

Total amount of project: \$551,664

Natural history of Geomyces in cave environments: phylogeny, ecosystem activities, natural and anthropogenic transport

Hazel Barton, Ph.D., Northern Kentucky University

Total amount requested: \$271,182

Fine-scale population structure in Gd: fungal genetics for understanding dispersal, transmission, and effects of WNS

Jeffrey Foster, Ph.D., Northern Arizona University

Total amount requested: \$142,222

A transcriptome approach to study the host-pathogen interactions in WNS

Donna E. Akiyoshi, Ph.D., Tufts Cummings School of Veterinary Medicine;

Hilary Morrison, Ph.D., The Marine Biological Laboratory; Alison Robbins, DVM, Tufts Cummings School of Veterinary Medicine.

Total amount requested: \$222,078

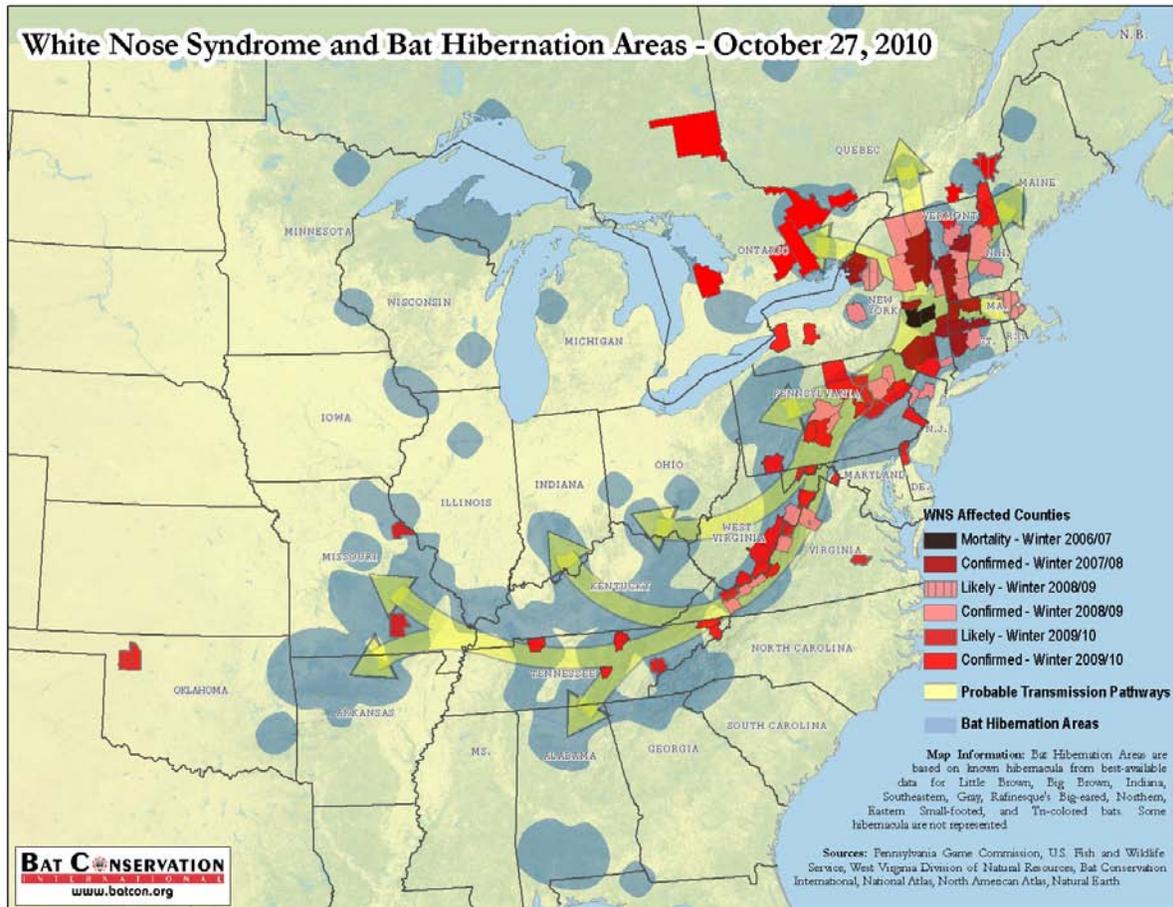
**Information From Bat Conservation International Website at**

**<http://www.batcon.org/index.php/what-we-do/white-nose-syndrome.html>**

Recent updates

- WNS fungus recently discovered on a new species in Virginia, the southeastern myotis.
- WNS fungus found in western Oklahoma on a new species - the cave myotis.
- WNS-associated fungus detected on federally endangered gray bats in Missouri.

See most recent distribution map below.



Following Ms. Mankowski’s presentation on this topic, the Board engaged in discussion. Dr. Walk asked if and how Illinois is monitoring for the presence of White Nose Syndrome (WNS). Dr. Hofmann explained that Joe Kath would be the best person to provide that information, but she knew that multiple researchers were working together on a plan to monitor, sample, and conduct pathology on samples, from multiple populations over the winter. She confirmed that there were currently no occurrences of WNS from Illinois.

John Rogner noted that Wisconsin had listed the four species based on the threat of WNS even though there was no known occurrence in Wisconsin and asked if the Board would consider any similar preemptive listing of any species in Illinois. He asked Dr. Hofmann if she could speak to any changes in Illinois status for the four species that Wisconsin listed. Dr. Hofmann said she believes that big brown bats are stable and she is a bit uncertain about little brown bats. She did not address the other species. Ms. Mankowski reviewed that she had previously coordinated with nine other states to discuss listing status considerations for currently unlisted bat species due to potential threat from the advance of WNS. Most of the responding states indicated they were not considering listing at the time because the state does not allow listing out of “fear” or “anticipation” of decline and WNS had not been documented in the state or shown to be reducing bat numbers in the state. Although not cited as a reason for not listing, some states also noted that because they deal with so many nuisance bat incidents (in dwellings), they are sensitive that listing may cause significant regulatory and enforcement issues; for example, Illinois licensed nuisance wildlife control permittees handled nearly 7,000 bats in 2008. She noted that while it appears that Wisconsin is trying to get ahead of the advance of WNS with the listings, it should also be acknowledged that Wisconsin’s incidental take legislation allows for establishing standards and conditions that allow for exemptions and more adaptive administration of some of the nuisance bat issues than other states, including Illinois.

Dr. Hofmann and Ms. Mankowski reviewed that in June, the Center for Biological Diversity filed a formal notice of intent to sue Interior Secretary Ken Salazar for not acting quickly enough to give endangered species protections to two bat species (Eastern small-footed, *Myotis leibii*, and Northern long-eared bat, *Myotis septentrionalis*) hit hard by white-nose syndrome.

Dr. Hofmann reviewed which species of Illinois bats might be affected by WNS. She noted that four species of bats were already listed in Illinois and the other cave-dwelling species were big brown, little brown, Northern, and Eastern Pipistrelle. She added that at this point it is unclear whether WNS will also pose a threat to tree bats in the future.

Mr. Rogner suggested that the Board should compile similar information to what Wisconsin used to make its decision about listing. Dr. Hofmann indicated that most states, including Illinois, may have pretty good status information for listed species, but maybe not for unlisted species. Ms. Mankowski passed around a copy of the Wisconsin Ad Rule and noted some of the parameters they considered – WNS confirmed within so many miles of the state, the known rate of spread, known mortality of affected colonies, etc.

Dr. Herkert interjected that he thought the most prudent strategy at this time was for the state to develop a plan for dealing with WNS and then evaluate endangered species in the context of that plan – such as the potential impacts of all potential incidental take applications that would result. He noted again that the Wisconsin and Illinois incidental take processes are very different.

Dr. Retzer suggested that the Mammal ESTAC review species information and make recommendations about what to do about WNS for the Board to consider passing along to the IDNR. Chairman Gooch asked Ms. Mankowski to ask the ESTAC for such recommendations and suggested the topic be an agenda item for the next meeting.

10. Whooping Cranes (From Website: <http://www.bringbackthecranes.org/>)

### **Whooping Crane Eastern Partnership**

*Dedicated to reintroducing a migratory population of the whooping crane to eastern North America*

#### **Late October 2010 Project Update**

#### **October 2010 Population Status**

As of late October 2010 there are approximately 96 wild birds in the Eastern Migratory Whooping Crane population, consisting of 52 males, 42 females and 2 recently fledged chicks, which are both females. The most recent known locations of all birds are shown in the map below. At least 83 whooping cranes were present in 10 Wisconsin counties, with one bird in Indiana, one in Michigan, and 11 others whose current locations are unknown.

#### **2010 Ultralight Cohort**

On October 10, eleven young whooping cranes departed from Wisconsin led by ultralight aircraft, to their migration destinations of St. Mark's National Wildlife Refuge (NWR) and Chassahowitzka NWR in Florida. As of October 26, the birds have traveled about 130 miles and are currently in northern Illinois. For daily updates on the progress of the ultralight cohort, see the Operation Migration web site at [http://www.operationmigration.org/Field\\_Journal.html](http://www.operationmigration.org/Field_Journal.html), or, to view the live video broadcasts via OM's CraneCam and TrikeCam go to <http://www.operationmigration.org/crane-cam.html>

#### **2010 DAR Cohort**

There are currently eleven birds in the Direct Autumn Release (DAR) program, and all of the birds were recently banded and received radio transmitters. Beginning late this week they will be released in groups of three to four near suitable older cranes near the Necedah NWR rearing site. These DAR birds will be carefully monitored during the fall migration to track their locations and ensure their continued progress towards their wintering areas.

#### **Reporting Sightings**

Please be on the alert in the weeks ahead for migrants and wintering birds in your state, and pass any sightings on to us through the whooping crane reporting web site we have established for that purpose: <http://www.fws.gov/midwest/whoopingcrane/sightings/sightingform.cfm>. Wild whooping cranes in this project typically winter in Florida, Alabama, Georgia, South Carolina, Tennessee and sometimes Indiana. The link above provides a public reporting form on a site maintained by the U.S. Fish and Wildlife Service (FWS). When a report is submitted, the information goes simultaneously to multiple partners including the biologists who are tracking the birds, FWS, Wisconsin Department of Natural Resources, International Crane Foundation, and Operation Migration.

11. Board staff reviewed and provided comment on five incidental take conservation plans and/or authorizations during the last quarter:

- Sangamon Valley Trail, Sangamon County (*Franklin's Ground Squirrel – Spermophilus franklinii*);
- Kickapoo Rail Trail, Champaign and Vermilion Counties (*Franklin's Ground Squirrel – Spermophilus franklinii*);
- Kaskaskia Road FAS 856, Monroe County (**Narrowmouth Toad – *Gastrophryne carolinensis***);
- Kishwaukee Road (CH 3) over the Kishwaukee River, Winnebago County (**Black Sandshell - *Alasmidonta viridis***);
- Big Timber Road, Tyler Creek Bridge, Kane County (**Black Sandshell - *Alasmidonta viridis***)

(Item 12 was reported by Susanne Masi.)

12. Susanne Masi reported that the Plants of Concern Program documented that the known population of *Utricularia subulata* (**hair bladderwort**) is persisting and appears healthy for the third year in a row. For 2010, the program reported on 115 listed species, that involves 280 element occurrences reported to the Illinois Natural Heritage Database and 207 volunteers were involved in the program.

(Items 13 – 23 were submitted by Mr. Joe Kath and (presented as submitted). Mr. Don McFall, Division of Natural Heritage Chief presented highlights of the report to the Board.)

### **13. White Nose Syndrome (bats):**

Comments Sought on Plan to Combat Deadly White-Nose Syndrome in Bats White-nose syndrome (WNS) has killed more than a million bats in the Northeast and has spread to 11 or more states in less than four years since its discovery near Albany, New York. The U.S. Fish and Wildlife Service, in collaboration with other federal and state agencies, and tribal governments, is proposing a coordinated national management plan to address this critical environmental issue. The proposed plan is available for review and comment beginning October 28, 2010.

The proposed plan, a joint federal-state effort, provides a framework for WNS investigation and response. A subsequent implementation plan will identify specific actions, the entities responsible for implementation of each action, and estimated costs. More than 50 agencies, organizations and individuals are working in concert on the white-nose syndrome response, said WNS National Coordinator Jeremy Coleman, Ph.D., of the Service. The national management plan will help guide our use of limited resources wisely and efficiently in addressing this urgent threat to bats and to our environment.

The Service will accept public comments on the proposed plan through December 26, 2010, to gather additional scientific and commercial information for consideration before the plan becomes final.

The document and additional information about WNS are available online at <http://www.fws.gov/WhiteNoseSyndrome/>

Comments may be submitted by e-mail to [WhiteNoseBats@fws.gov](mailto:WhiteNoseBats@fws.gov), by mail to WNS National Coordinator, New York Field Office, 3817 Luker Road, Cortland, NY 13045-9348, or by fax to 607-753-9699.

The proposed plan includes an overall strategy for investigating the cause of WNS and finding a way to manage it. The plan identifies key actions and the roles of federal and state agencies and other entities in addressing WNS nationally. It identifies seven focus areas of responsibility — communications, scientific and technical information dissemination, diagnostics, disease management, research coordination, disease surveillance, and conservation and recovery of affected species.

[Information from USFWS WNS listserv]

#### **14. White Nose Syndrome – Recent Rules Proposed by State of Wisconsin – Cavers Oppose!:**

Within the past month, Wisconsin's DNR introduced two emergency orders to their Natural Resources Board for approval. One gives the state's 4 cave bat species Threatened status, and the second designates the WNS fungus, *Geomyces destructans*, as a prohibited invasive species, giving the state the authority to ban the transportation, importation, possession, transfer, sale and introduction of *Gd*.

From Cave Organizations in Wisconsin, Minnesota, and Illinois came the following startling statement: "I am a simple layman, but I find this management plan to be illogical, unworkable, and pretty much unsupportable by existing scientific knowledge. While Wisconsin's WNS management plans may not directly affect you - what happens in Wisconsin may not stay in Wisconsin."

\*With this unfounded opposition came the following unfortunate results:

The Department of Natural Resources' board on Wednesday scaled back emergency provisions to stave off a deadly bat disease, refusing to allow the agency to close commercial caves or force cave-goers to decontaminate themselves for the next six weeks. The DNR had proposed a set of emergency provisions last week that would have granted the agency the power to inspect caves and mines for the fungus that causes white-nose syndrome. The regulations also required cave and mine visitors to decontaminate themselves, banned out-of-state cave and mine equipment in Wisconsin and allowed the DNR to unilaterally close caves and mines to bats or humans. The Natural Resources Board, though, tweaked the provisions under pressure from cave owners and spelunkers, who complained the DNR was moving too fast and didn't inform them of the rules' details. Board member Preston Cole chastised agency staff and told them to "over communicate" with stakeholders. Laurie Osterdorf, administrator of the DNR's Land Division, apologized. She said agency staff was trying to get a lot done. "We'll strive to do better," she said. The DNR has been scrambling to prepare for the onset of white-nose syndrome.

The white-nose fungus grows on hibernating bats, causing them to wake up and starve to death. The disease has killed more than a million bats in 14 states and two Canadian provinces over the last four years. Researchers believe the disease is transmitted from bat to bat, from contaminated caves to bats. The U.S. Fish and Wildlife Service in September closed caves on its refuge system to prevent humans from spreading the fungus. The disease hasn't turned up in Wisconsin yet, but it has been detected within several hundred miles of the state. DNR biologists believe it may already have infected state bats, which have just begun to hibernate. The board last month adopted emergency rules that added four cave bat species to the state's threatened list and classified the white-nose fungus as an invasive species. The agency released a second round of emergency rules last week with the inspection, decontamination and closure provisions.

[Information from WDNR bat biologist, Dave Redell, and WDNR Office of Public Affairs]

#### **15. Northern Riffleshell Release Update:**

The federal recovery plan for the northern riffleshell (*Epioblasma torulosa rangiana*), approved by USFWS in 1994, identified a recovery objective of establishing viable populations of riffleshells in ten separate river drainages. Population augmentations and reintroductions will be needed to achieve this objective and the Vermilion River was identified as a candidate for reintroduction in the recovery plan (USFWS 1994).

A current salvage activity on the Alleghany River in Pennsylvania has provided the immediate opportunity for a one-year pilot project to translocate 50 specimens to each of three Illinois, Vermilion River, locations: Jordan Creek of the North Fork Nature Preserve in Vermilion County; Middle Fork River County Forest Preserve in Champaign County; and, the University of Illinois at Urbana-Champaign Richter site on the Salt Fork of the Vermilion River in Champaign County. Partners in the restoration include Illinois Department of Natural Resources, Illinois Endangered Species Protection Board, Illinois Nature Preserves Commission, Illinois Natural History Survey, US Fish and Wildlife Service (Pennsylvania, Ohio and Illinois Field Offices), Ohio Department of Natural Resources, Pennsylvania Department of Conservation and Natural Resources, Ohio State University, University of Illinois at Urbana-Champaign, Outdoor Heritage Foundation, and Vermilion County Conservation District. The potential for future augmentations into Illinois will be evaluated by the riffleshell recovery team in out-years.

Animals proposed for translocation originated from the Alleghany River in Pennsylvania. A range-wide population genetic analysis for the species was conducted by Zanatta and Murphy (2007) and concluded there was minimal risk to extant populations from relocations of individuals between and across populations (report appended). Additionally, since the species is extirpated in Illinois, translocations into Illinois from other populations would present no risk to population genetics. The 50 animals/site is a pilot effort to assess survivability and potential for success of future additional augmentations. The potential for future augmentations into Illinois will be evaluated by the riffleshell recovery team in out-years.

The Jordan Creek of the North Fork Nature Preserve is owned by the Vermilion County Conservation District, is a dedicated Illinois Nature Preserve, and has a management agreement and schedule in place. The Middle Fork River County Forest Preserve is owned by the Champaign County Forest Preserve District and the landowners have approved of the translocation project including allowing related monitoring activities and considering management recommendations made by project team members. Likewise, the University of Illinois at Urbana-Champaign Richter site is owned by the University of Illinois and the landowners have approved of the translocation project including allowing related monitoring activities and considering management recommendations made by project team members.

\*As of September 7, 2010: The 150 individuals for the IL translocation effort were picked up and temporarily housed in a submerged cage in the Salt Fork Vermilion River at the UI Richter Site.

\*As of September 29, 2010: All northern riffleshell (NRS) received from Ohio are out of their holding cage and in the Salt Fork and Middle Fork Vermilion Rivers. We lost 4 more individuals and may have lost 2 more as INHS counted 146 imported but we were only able to account for 144 from the cage when they were PIT tagged. Data and photos from the field events are currently being compiled and available on CD.

Several people provided critical assistance:

- Kevin Cummings and Jeremy Tiemann, INHS (Mussel Transportation Ltd)
- Sarah Bales, INHS (Mussel Enclosure Transport Services, Inc)
- Steve Buck, UI (Mussel Tagging Advanced Specialist)
- Roger Jansen (Mussel Tagging Intern, now Specialist)
- Mary Kay Solecki (Mussel Data Collection and Heirloom Apple Supply Co.)

Steve Buck and Jeremy Tiemann earn special mention. Steve for being so wonderfully helpful and patient with our rather air-raided atmosphere effort - and for dropping whatever he was doing so we could get this done when we had to.

[Information from Jeremy Tieman/INHS, Bob Szafoni/IDNR, and Anne Mankowski/ESPB; Translocation Report-ESPB]

#### **16. USFWS Proposed Listing of Rayed Bean mussel and Snuffbox mussel:**

\*As of November 8, 2010: The U.S. Fish and Wildlife Service (Service), propose to list the rayed bean

(*Villosa fabalis*) and snuffbox (*Epioblasma triquetra*) as endangered throughout their ranges, under Endangered Species Act of 1973, as amended (Act). This proposed rule, if made final, would extend the Act's protection to the rayed bean and the snuffbox. We have determined that designating critical habitat for these species is prudent, but not determinable at this time. The Service seeks data and comments from the public on this proposed listing rule.

**DATES:** The USFWS will consider comments we receive on or before January 3, 2011. The USFWS must receive requests for public hearings, in writing, at the address shown in the *FOR FURTHER INFORMATION CONTACT* section on or before December 17, 2010.

**ADDRESSES:** You may submit comments by one of the following methods:

**Federal eRulemaking Portal:** <http://www.regulations.gov>.

**Follow the instructions for submitting comments on Docket No. FWS-R3-2010-0019.**

**U.S. mail or hand-delivery: Public Comments Processing,  
Attn: FWS-R3-2010-0019; Division of Policy and Directives Management;  
U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222;  
Arlington, VA 22203.**

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

*FOR FURTHER INFORMATION CONTACT:* Angela Boyer at the U.S. Fish and Wildlife Service, Ohio Ecological Services Field Office, 4625 Morse Road, Suite 104, Columbus, OH 43230; telephone 614-416-8993, ext. 22.

[Information from USFWS listserve]

#### **17. Osprey nest platform installation – Mermet Lake Conservation Area (Massac County):**

In mid August, Ameren Power crews spotted an osprey nest on one of their transmission line towers identified as number 37 on their Joppa-Marion 161 kV line located southeast of Belknap, IL. in Massac County. USDA-APHIS come out and verified that it was/is an osprey nest. Apparently the nest was being used last year as well (power crews took photos in July, 2009).

IDNR has been tracking this nest since 2007. Per our DHB, Mark Guetersloh, in late August, 2010 there were 2 birds on the nest.

From communication with Mark: “While they appeared to be fully mature they were very vocal, suggesting young of the year still hanging around the nest waiting for adults to return with food. I am looking into the necessary permits/approval for removal of the nest. I would also like to talk to you about possibly helping us with nest platform installation at Mermet Lake Conservation Area (just a few miles south of the nest on the power-line pole). We have nest platforms, but lack large/very tall poles and equipment for setting these poles. Would Ameren be interested in helping us get this done (poles & installation)? I think it would be very successful and a great benefit to the local osprey population. **[WAY TO GO, MARK!]**

While I would like to see the nest remain, I fully understand the need to remove it if it is a safety or maintenance issue. The young birds should leave the nest by mid-October at the latest. I am awaiting further information regarding the necessary protocols/permits.”

Ameren’s subsequent positive response to IDNR: “We have discussed your request with the regional manager for southern Illinois and he said they would be able to provide a couple of tall poles and installation of them in the Mermet Lake Conservation Area.” In early November (11/04/10) pole placement occurred. Ameren Illinois' role was more of a supporting role. The media work: news release,

advisory and follow up call work were handled by DNR . The Osprey story is a DNR story with a spin on how Ameren Illinois is playing an active role in supporting this important environmental mission.

Ameren used the most accessible spot to host the event/mounting of the platforms. They also provided a large poster and model of what an Osprey looks like for the media along with a fact sheet . All in all, a “win-win” event!

[Information from Mark Guetersloh and Ameren e-mails]

### **18. ESPB and IDNR work on Emergency AD. Rule Proposal for the Shovelnose Sturgeon:**

Under the direct coordination and hard work of ESPB Director, Anne Mankowski, a coordinated effort was undertaken between the ESPB and IDNR in mid September to work with the recent USFWS final rule to treat the shovelnose sturgeon (*Scaphirhynchus platyrhynchus*) as threatened due to similarity of appearance to the endangered pallid sturgeon (*S. albus*). **Many thanks to Anne and the ESPB for their hard work!**

The Federal List of Endangered and Threatened Species includes entries for species that are treated as endangered or threatened due to similarity of appearance (S/A) to endangered or threatened species, even though the (S/A) species are not themselves listed. The (S/A) species do not meet the federal definitions of endangered or threatened species and do not receive standard protections afforded federally endangered or threatened species. The (S/A) species are allowed under provision 4e in the Endangered Species Act and protections are outlined as special rules regulating take (Section 4(d)) specific to the affected species.

The USFWS recently issued a final rule, to become effective 10/01/10, for the treatment of shovelnose sturgeon (*Scaphirhynchus platyrhynchus*) as threatened due to similarity of appearance to the endangered pallid sturgeon (*S. albus*). The special rules regulating take prohibits take of any shovelnose sturgeon, shovelnose-pallid hybrids, or their roe when associated with or related to a commercial fishing activity in those portions of its range that commonly overlap with the range of the endangered pallid sturgeon. In Illinois, the range includes the Mississippi River downstream from the Melvin Price Locks and Dam (Lock and Dam 26). All otherwise legal activities involving shovelnose sturgeon and shovelnose-pallid sturgeon hybrids that are conducted in accordance with applicable State, Federal, tribal, and local laws and regulations are not considered to be take under this regulation. Under this designation, no protections are extended to designate critical habitat, the recovery planning process, or consultation requirements.

The shovelnose sturgeon is not designated as federally threatened and does not meet the criteria for a federally threatened species. The intent of the federal regulation is not to provide federally threatened species status protections to the shovelnose sturgeon, but to impose restrictions on an activity (commercial fishing) in the shared area to limit the potential for taking a pallid sturgeon during that activity. According to the criteria set forth in the IESPA, the shovelnose sturgeon would not trigger an automatic listing in Illinois because it is not designated federally threatened. For these reasons, the IL Endangered Species Protection Board recommends against adding the species to the Illinois List and further recommends amending the language of 17 ILL ADM CODE CH. 1, SEC. 1010.25 a)1) as indicated in #4, to eliminate confusion about whether there should be an automatic addition to the Illinois List of endangered and threatened species when a species that is not federally designated as threatened or endangered, but is federally treated as endangered or threatened due to similarity of appearance to a endangered or threatened species, is included on the federal list of endangered and threatened species.

The Illinois DNR will allow the State of Illinois to comply with and enforce the federal intent of the upcoming regulations by enacting emergency Administrative Rule changes to commercial fishing regulations that will prohibit take of shovelnose sturgeon and shovelnose-pallid hybrids in the area of the Mississippi River identified in the federal regulation.

In order to eliminate the language that is viewed by DNR Legal Counsel as triggering an automatic state listing for the shovelnose sturgeon because the USFWS will include in its list of endangered and threatened species an entry for the shovelnose sturgeon to be treated as threatened due to similarity of appearance to the endangered pallid sturgeon, I will work with Barb Frey to develop an amendment to the Ad Rule that incorporates the change that we discussed in our meeting and is pasted below. This change mimics the language in the IL Endangered Species Protection Act (520 ILCS 10/7) by only addressing “...species and subspecies designated as endangered and threatened...” rather than “species included on

the Federal list...”.

Brief outline of new administrative rule or amendment(s) to existing administrative rules.

Within 17 ILL ADM CODE CH. 1, SEC. 1010.25 a)1), change the wording as follows:

\*First criterion, **current language**:

“Species included in the Federal list of Endangered or Threatened species.”

\*First criterion, **proposed language**:

“Species or subspecies designated as federally endangered or threatened.”

[Information from ESPB – Anne Mankowski]

### **19. Illinois Massasauga Recovery Team meeting at Midewin (10/12/10):**

-Updates/results of surveys in 2010

- a. Dr. Dreslik/INHS: Distributed a report on surveys conducted by INHS/IDNR. Reported on Massasauga surveys conducted by the INHS. Warm weather encouraged early dispersal and early reproduction so the surveys period was shorter but most areas were still surveyed intensively. Most areas had no observed encounters, those in Knox and Warren have become very poor habitat either through succession or cultivation. The report for Carlyle Lake does not contain incidental encounters such as animals turned into DNR, telemetered animals, etc. 2009 has higher numbers than many other years due solely to a Canadian field tech who is exceptionally skilled. Carlyle numbers this year seem good, despite no burns.
- b. USFWS: Added his results to the report. This is the first year for no encounters at Willow Sanders (Dam 1) for over ten years and this is the most search effort ever expended. Gary and Rob found the remains of a dead, dry Massasauga at Willow Sanders.
- c. FPD Cook County: Also surveyed Willow Sanders, Plum Creek, Dam 1, and other places for about 20 hours with no success. A person near the Plum Creek site reported a sauga in a horse corral but it was determined (remotely) to be a northern water snake.

-Discussion of survey longevity after negative results

Team Consensus : If no snakes are found at the end of the 10 year survey pattern, they are functionally extirpated for purposes of management following the protocol outlined here: The year after no snakes are found, survey for 3 consecutive years (surveys are  $\geq 5$  visits / site,  $\geq 1$  hr/acre) skip years 4 and 5, survey year 6, skip year 7, 8, and 9, survey year 10.

-Update on AZA SSP, and captive specimens from Illinois

Lincoln Park Zoo: Report on SSP: 18 zoos participate, lots of interest. More want to be part than there are snakes so we have prioritized zoos that are within the range IA PN MN didn't have any but will soon. TX OK GA will also have snakes but these may not be part of the breeding program but will contribute disease, reproduction, etc, data. No reproduction at any zoo during 2010.

2009 snake was gravid when removed from the wild. Male and female from Cook Co. were put together over the winter, she was gaining weight and had an ultrasound. Two heartbeats were seen but no births occurred. New ultrasound but nothing seen. Surgery ensued but there was nothing seen. The female is recovering, eating well, and seems inclined to breed. The previous offspring are growing well and will soon be dispersed. Dispersal decisions will wait for genetic results, confirmed body size, and health.

Massasaugas on exhibit were observed copulating with no results. They are working to standardize brumation, light cycles, nutrition, vitamin and mineral levels in captive and wild populations.

Northern Illinois University (NIU): Reiteration that there is an MOU that any animals found at any of the Cook Co. sites are removed and taken to the zoo. This will be discussed more later in the meeting for other sites that will have similar *in situ* conservation problems to Cook Co. Other states may be interested in such an MOU. Mike R had such a conversation with a Canadian office, also.

-Status of Illinois' EMR Recovery Plan

Once the plan is approved by the team, it will be distributed through the various agencies (DNR, Board, Commission, designated expert reviewers) for approval simultaneously. 30 day turn around. Return for revisions, Second Review, final, approval and signatures. Review for enactment is likely to happen by

May 2011. Review by outside people can be incorporated but there is not necessarily a public review requirement.

Most of this does not cost much beyond the perpetual items like habitat restoration. Habitat restoration plans are not part of the budget. Habitat was also addressed in the MOU, which went through their respective legal depts. and it was approved. Add wording from the MOU at the beginning of the budget statement to reassure agencies that they are not being put on the hook.

-EMR habitat restoration projects

At Carlyle Lake, Autumn Olive removal is going well with SWIG funding however Japanese stilt grass has been found. *Cericia lespidesesa* has been treated in hibernacula and it is dead for now. Other projects, including some using federal inmates, are progressing well in other areas. The “remove no trees” policy has been changed and a sweetgum stand has been removed, tripling the size of the hibernaculum. 10 million dollars has been set aside to restore the upper Des Plaines which should include some massasauga habitat restoration.

The potential to disable tile at Willow Sanders as investigated by USFWS and FPDCC. A proposal was submitted to NWF and after some back and forth regarding funding, the money has been offered. The agreement has yet to be signed by Cook Co. because of liability issues (flooding of surrounding residences). Final administrative specs have also not been written because of lack of qualified engineers to determine how tiles can be removed. There is a new Illinois law that requires a “prevailing wage” be paid for all restoration work. This will increase the cost of all work significantly.

-Carlyle research trailer(s)

Some FEMA trailers were obtained about a month ago by the Corps for the cost of delivery. They have been hooked up but they have roach infestations. They need pest control and some new siding. There was some confusion about ownership and management; the Corps will retain ownership and make an MOU with the INHS for usage. INHS will take over cost of usage and will set up as a research station. Corp will inspect periodically to ensure maintenance. INHS will promote to agencies for usage. The money came from mitigation charges for the construction of a WalMart. The balance of the money will be given to INHS as a maintenance fund for the trailers.

-*Chrysosporium* fungus infections

Dr. Matt Allender is a wildlife veterinarian at UI-Champaign who got involved with the disease outbreak last year through the INHS. Did PCR on the 3 dead individuals from 2008 and another in 2010. Found an identical fungal infection in all of them. This is worrying because it is a new disease with high mortality. Even if the animal recovers from the infection, scarring prevents normal movement and feeding. Though *Chrysosporium* is found commonly in reptiles and is a problem in captivity, this is the first report of *Chrysosporium* in a wild population that has caused mortality. It appears to be able to infect healthy animals. It first invades skin, the muscle and even bone and causes major damage and scarring. The 4 infected animals came from different hibernacula. Direct contact did not result in spread. It is either a common environmental pathogen or is spread by an insect vector. It does not naturally occur in the environment as far as is known. In white-nose it is more often found in crickets than even in infected caves. Environmental contamination is one of the top things that need to be established. Still, why is it infecting now and not 10 years ago? There are similar cases in rattlesnakes in NH and Mass. But not much rigorous investigation or culturing has been done. In one case that was examined, the fungus was isolated and had caused the same problems. In NH they think 24% of the population is infected but all of this is anecdotal. Are these coincidental findings or factual. Before we make management decisions, we need facts.

From Dr. Allender: “It is my gut that it is not transmitted from snake to snake but I don’t have data for that. We need to look at snakes this spring. Do healthy and sick animals both have it. Is there some other reason that snakes become susceptible? We need to be conservative when bringing animals in before we have this information. In the short term (6-9 months) we should be as conservative as possible. If the population were going to die out before then, I would still bring animals in and just treat more aggressively. We need to have confidence in our testing—one that truly shows an accurate positive AND an accurate negative. Many tests have as much as a 30% false reading, including false negatives. This spring’s work will be very important to see how much of a threat this is. I think it will be a threat but if it will be a significant threat that changes our management approach remains to be seen.”

Dr. Dreslik with the INHS is trying to set up a quarantine site at the INHS but does not have the money. There are obvious parallels to chytrid in herps and whitenose fungus (WNS) in bats. Based on observations from other species and locations, it seems that there is something that is depressing the immune response of the snakes and allowing this keratinophilic fungus to invade.

[Information from EMRT meeting minutes]

## **20. Alligator Snapping Turtle:**

On September 30, 2010, the Alligator Snapping Turtle Recovery Team met at the INHS along with species' experts Dr. Day B. Ligon (Missouri State University, Springfield, Missouri) and Dr. John L. Carr (University of Louisiana at Monroe). These experts were kind enough to travel to our meeting to help us finalize a reintroduction/release strategy that is based upon the most current knowledge of the AST and in essence, help to ensure a successful, long-term recovery program for this reptile. After many hours and computer model simulations using the Vortex program (special thanks to Dr. Mike Dreslik of the INHS), we were finally able to come up with a number of animals that would need to be released each year at each site for "x" number of years to ensure stable population growth and < 5% probability of extinction over the next 50 years. I am working with Dr. Dreslik to finalize our notes and in essence "standardize" this procedure per release site. The plan is to begin releases in 2011. Of the many scenarios analyzed, it appears as though we will get the most for our time by releasing a mixed age class at most sites (i.e. 2, 4, 6, & 8+ year old animals). This may not always be possible, but will help to minimize the time to sexual maturity in the wild. Our goal is to try for no more than 2 release sites per year. Turtles of mixed age class are currently being held at the Jake Wolfe Fish Hatchery and Glen Oak Zoo in Peoria. The plan is to move these animals and the animals in our Springfield breeding pond to a site in southern Illinois where we can establish our own breeding pond. The Springfield pond would not be used anymore. Having a breeding pond on southern Illinois will protect us from the harsher winters we experience in central Illinois. We are looking at a private facility and/or Little Grassy Fish Hatchery. As news develops, I will keep everyone informed.

[Information from Joe Kath]

## **21. Barn Owl recovery work in Illinois:**

In mid September, 2010 the ESPB worked with the IDNR, and the Barn Owl Recovery Team to develop recommendations about issuing IDNR permits for requested activities by outside entities (i.e. FPD of DuPage County and other institutions) and that could also be applied to any other requests for permits to propagate barn owls in Illinois and/or release propagated owls in Illinois.

The following ESPB recommendations were developed in consultation with the Illinois Barn Owl Recovery Team and IDNR.

### A) Captive Propagation and Release

Although the Illinois Barn Owl Recovery Plan is not yet final, the plan describes the demonstrated failure of propagation and release programs to contribute to the recovery of the species. Unless young captive-reared barn owls are necessary for some legitimate, permitted, **captive** use, the recovery team discourages allowing barn owls to breed, or be bred, in captivity. Additionally, the recovery team believes that release of captive-reared birds may interfere with our statewide efforts to recover a wild, sustainable population in Illinois. We do not endorse these activities and recommend against the DNR renewing permits, or issuing new permits, for such work.

### B) Satellite Tracking

Satellite tracking of wild barn owls as part of scientifically-designed effort to track an adequate sample of wild barn owls and statistically address a set of explicit research questions may provide useful information without interfering with recovery efforts. We would endorse this activity and recommend that DNR issue permits for such work if it were supported by a peer-reviewed proposal that demonstrates how this activity contributes to the recovery of the species in Illinois

and is consistent with the recovery plan. The Illinois Barn Owl Recovery Team is willing to review any proposals.

[Information from ESPB-Anne Mankowski]

**22. Northeastern Illinois Asian Carp Barrier – Listed Species Impacts?:** On November 2, Dr. Dan Ludwig of IDNR Region 2 received reports and photographs of several turtles essentially “piling up” along the concrete Asian Carp barrier recently constructed by the Army Corps of Engineers. In essence – this barrier appears to be impeding the movement of turtles, and perhaps other wildlife (including listed species) and the situation requires immediate attention per IDNR Assistant Director, John Rogner. A letter was sent to the Corps on October 1, 2010 and is referenced below:

“The Department has previously commented on two measures proposed by your agency to reduce the risk of fish species including Asian carp from bypassing the existing dispersal barriers in the Chicago Sanitary and Ship Canal (CSSC). The first called for modifications to culverts, ditches, creeks and other low areas where water from the Des Plaines River or the Illinois and Michigan Canal might enter the CSSC during high water events. The second, designated the Interim Risk Reduction Measure, or IRRM, called for the placement of 34,600 feet of concrete barricades and 33,400 feet of chain link fence with ¼ - inch openings along a preexisting recreational trail/road lying between the Des Plaines River and the CSSC.

The Department strongly supports action to prevent further exchange of invasive species between the Great Lakes and the Illinois Waterway. However, due consideration must also be given to avoiding impacts to the many sensitive natural resources documented in the project area.. These include a number of designated Illinois natural areas including Romeoville Prairie, Waterfall Glen, Black Partridge Woods and the Lemont East Geological Area, in addition to numerous federal and/or state threatened and endangered species such as the Hines Emerald Dragonfly (*Somatochlora hineana*), leafy prairie clover (*Dalea foliosa*), white lady’s slipper (*Cypripedium candidum*), buffalo clover (*Trifolium reflexum*), Blanding’s turtle (*Emydoidea blandingii*), spotted turtle (*Clemmys guttata*) and eastern massasauga (*Sistrurus catenatus*) to name just a few. While many of these listed species are restricted to one or more of the identified natural areas, some (e.g. Blanding’s turtle) are highly mobile and may be found in contiguous areas as well.

A primary issue that should be addressed in the NEPA document is the potential for the various risk reduction measures to cause unanticipated adverse impacts to natural communities and/or threatened and endangered species. For example, the almost thirteen-mile-long barrier proposed as the Interim Risk Reduction Measure has the potential to interdict movements by the Blanding’s turtle between dispersed habitat areas adjoining the CSSC including Romeoville Prairie and Keepataw Forest Preserve. Increased isolation of these populations and reductions to their nesting habitat, both potential consequences of the IRRM, can be expected to worsen the species’ decline within the state.”

As of November 8, 2010, IDNR Assistant Director Rogner is working with various IDNR personnel to determine the true seriousness and complexity of this issue. Further details will most likely emerge in the near future.

[Information from Bob Schanzle – IDNR; e-mail correspondences]

**23. Incidental Take (ITA) Update: As of November 8, 2010**

\*3 Final ITA’s sent to applicants and awaiting final signatures by applicant and IDNR

- Tyler Creek/Big Timber Road (Slippershell mussel)
- Kaskaskia Road /Monroe County (Narrowmouth toad)
- Kickapoo Trail (Franklin’s ground squirrel)

\*6 Final ITA packages are now complete and signed by the Applicant and the IDNR

- Sangamon Valley Trail (Franklin’s ground squirrel)
- Kishwaukee Road/Winnebago County (Black sandshell mussel)
- Adams County Electric Cooperative (Multiple species)
- Loon Lakes East and West (Various small fish species)
- IL. 23/Coon Creek (Iowa darter and Spike mussel)

-Nippersink Creek/FAP 303 (Slippershell mussel)

- \*4 New ITA packages – officially submitted to IDNR and awaiting Public Notice Dates or Internal Review
  - Scott County Rural Water Cooperative – Phase II Distribution System (Illinois chorus frog)
  - Blivin Road/McHenry County (Black sandshell mussel)
  - Lowell Eells Property/Vermilion County (Various mussel species)
  - Marseilles Lock & Dam Project #13351 (Greater redhorse and River redhorse)

\*Notification that at least 3-5 more Conservation Plans/Incidental Take Application packages are anticipated for submission by January 1, 2011. **Once again, many are large wind facilities with documented Indiana bat occurrences. Ongoing meetings continue with the USFWS is to try and address this issue and achieve consensus between the 2 agencies as far as recommendations to avoid/minimize take – this is proving to be very complex and arduous.**

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**END**

**As always, if you have any questions, please feel free to contact me via phone or e-mail. Thank you.**

Sincerely  
-Joseph A. Kath-

148-13 Presentation: Illinois Barn Owl Recovery Plan

Dr. Walk made a presentation about the recovery plan and work of the recovery team. He reviewed that the barn owl it is one of the most widely distributed species of birds and that previous land use changes that converted grasslands to other uses contributed to their decline over several decade, but that more recent increases in grassland are now contributing to an increase in barn owl numbers. They are a relatively short-lived species and the young disperse to great distances (up to 1,000 miles). This dispersal can complicate recovery efforts because it can be hard to target where habitat establishment might benefit the species or local population. For these reasons, the recovery team identified a nest box program as the primary recovery strategy.

Dr. Walk reviewed the status review triggers developed by the recovery team:

*Change from Endangered to Threatened in Illinois* – The Illinois Endangered Species Protection Board shall thoroughly evaluate the status of the barn owl and consider a change in status from *Endangered* to *Threatened* when, over the past 5 years, the Biotics 4 database has Element Occurrence Records of 40 active nest sites distributed among at least 15 counties. A nest site active in >1 year of the 5-year interval is considered a single record. The Illinois Endangered Species Protection Board should judge the threats to the population, to nesting sites, and to barn owl habitat are low to moderate, or manageable with existing conservation resources. The reverse of these conditions could be used to consider a change from *Threatened* to *Endangered* should the population's condition degrade at some future point following an improvement in status.

*Removal from Threatened in Illinois (Recovered)* - The Illinois Endangered Species Protection Board shall thoroughly evaluate the status of the barn owl and consider a change in status from *Threatened* to recovered when, over the past 5 years, the Biotics 4 database has Element Occurrence Records of 80 active nest sites distributed among at least 30 counties. A nest site active in >1 year of the 5 year interval is considered a single record. The Illinois Endangered Species Protection Board should judge that the threats to

the population, nesting sites, and barn owl habitat are low. The population should be likely to persist at similar levels with sustainable conservation actions (e.g., nest box maintenance and monitoring program, with responsibility for program continuation assigned to one or more entities). The reverse of these conditions could be used to consider a change to *Threatened* should the population's condition degrade at some future point following recovery.

Dr. Walk reviewed other aspects of the recovery program including habitat establishment and public education and outreach. He concluded his presentation and requested approval of the final recovery plan by the Board, with a signature from Chairman Gooch. Secretary Clemetsen moved to approve the *Illinois Barn Owl Recovery Plan*, Dr. Hofmann seconded the motion, and it was approved unanimously.

148-14 Next Meeting Information

The Board will hold a special meeting to conduct strategic planning at 10:00 A.M. on February 24, 2011 at Midewin National Tallgrass Prairie visitor's center.

The 149<sup>th</sup> meeting of the Illinois Endangered Species Protection Board will be at 10:00 A.M. on February 25, 2011 at the Midewin National Tallgrass Prairie visitor's center.

148-15 Public Comment Period (3 minutes per person)

There were no comments.

148-16 Other Business

Ms. Masi made an announcement about the *Wild Things Stewardship Conference*, sponsored by Chicago Wilderness and Illinois Audubon Chicago Region, which will be taking place March 2, 2011. The previous conference was attended by 1,000 individuals. Ms. Masi will be putting together a panel to discuss current practices and policies regarding collecting and distributing endangered and threatened plant species, or material, such as may be done in restoration sites. Ms. Ross commented that Chicago Wilderness has been discussing development of its own seed (collecting, distribution, handling, etc) policy and was glad to hear about the conference and panel. Dr. Taft commented that he recently completed a survey from Notre Dame about the managed relocation of endangered and threatened plants, which he suggested is a topic the Board may want to think about in the future. Chairman Gooch asked Ms. Masi to report back to the Board about the outcome of the conference and panel discussion.

148-17 Recess to Closed Session to Discuss Personnel Matters

Chairman Gooch asked for a motion to move to closed session to discuss personnel matters. Dr. Walk so moved, Mr. Clemetsen seconded the motion, and the Board approved it unanimously. The Board recessed to closed session from 11:58 A.M. until 12:30 P.M.

148-18 Adjournment

The Board reconvened the regular meeting and adjourned at 12:30 P.M.

**Illinois Endangered Species Protection Board staff report  
for the 148h Meeting, November 12, 2010**

Submitted by Anne Mankowski, Director

The Board currently only has one staff, its Director, contractually employed by IDNR. 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 the last staff report, Ms Mankowski has contributed the following overtime hours toward ESPB and IDNR duties: August = 12.5; September = 31.75; October = 28.00.

**1. Board Member Appointments**

Ms. Mankowski sent to IDNR Director Miller on 08/16/10 the Board's recommendation for appointment of Ms. Laurel Ross. Upon her confirmation, Ms. Mankowski briefed Ms. Ross on Board business and function and sent her a copy of the Board's Policy Manual.

**3. ESPB Budget**

Ms. Mankowski continued working with IDNR on details of the FY11 and FY12 budgets. The IDNR engages in somewhat frequent budget exercises, including budget reduction scenarios. Ms. Mankowski coordinates with the IDNR to provide information relative to the Board's budget. See separate IDNR budget reduction memo for additional details; currently, it does not appear that these reductions will affect the Board, since some are not applicable and we have extenuating circumstances on others. (For example, we reduce travel expenses greatly prior to CY2010 and are statutorily required to meet quarterly, so we may not be able to reduce any further.)

**4. ESPB Research Program**

Ms. Mankowski engaged in fair amount of correspondence related to follow-up for FY11 proposals and FY09 contracts, and general inquiries about the Board's research program. Upon receipt of revised proposals, Ms. Mankowski sent a request for release of funding to DNR Director Marc Miller. If that request is approved, then contracts will be issued for the projects.

**6. ESPB Biennial Report for July 2008 – June 2010**

Ms. Mankowski finalized the document and worked with the IDNR webmaster to post it to the Board's webpage.

**7. ESPB Status and Distribution and Thirty Years of the Illinois List Publications**

Ms. Mankowski continues working on drafts of these publications.

**8. Meetings, Presentations, and other Publications**

Ms. Mankowski attended the 2010 USFWS Region 3 Endangered and Threatened Species Coordinators Meeting in Indianapolis from October 4 – 6.

Ms. Mankowski attended a *Boltonia decurrens* (Decurrent False Aster) annual workshop hosted by the USFWS on September 8, 2010, in Alton, Illinois. The purpose of the workshop is to coordinate annual field work, mostly surveys, for the species. This year the group also discussed aspects of the 5-year review of the recovery plan and the *Draft Decurrent False Aster (Boltonia decurrens – federally and IL threatened) Conservation Agreement/Management Agreement for Managed Lands in the Illinois River and Mississippi River Floodplains*.

Ms. Mankowski attended a meeting of the Eastern Massasauga (*Sistrurus catenatus catenatus*) Recovery Team at Midwin National Tallgrass Prairie in Wilmington, Illinois, on October 12<sup>th</sup>. The team reviewed

recent activities and the status of the draft *Illinois Eastern Massasauga (Sistrurus catenatus catenatus) Species Recovery Plan*. The team hopes to sometime soon begin circulating the draft at IDNR as per the ORC Recovery Planning Process. Ms. Mankowski provided suggested comments and edits on the current draft and will also coordinate review with the Board and Herp ESTAC when the draft reaches IDNR.

Ms. Mankowski attended the September 21, 2010 meeting of the Illinois Nature Preserves Commission in Rockford, Illinois, and presented a report on activities of the Illinois Endangered Species Protection Board.

#### **9. Coordination with IDNR and INPC:**

Ms. Mankowski coordinated with the Endangered Species Program ORC, Division of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, Office of Legal Counsel, Office of Public Services, Media Relations, and Illinois Nature Preserves Commission, on multiple matters, including:

- Initiated an effort with IDNR ORC to develop a joint *Policy for the Translocation of Endangered and Threatened Animal Species*. Working together we have identified the need for standardized format and information from applicants seeking an IDNR E&T permit to authorize the translocation of listed animals. We are using the Board's policy as a starting place and will coordinate draft reviews with the Board and the INPC as appropriate.
- Initiated an effort with IDNR ORC to review aspects of the IDNR's E&T permit program to ensure the program is helping to conserve listed species. The effort will involve reviewing permits for one species, the Blanding's Turtle (*Emydoidea blandingii*), as a pilot species and may review additional species. We plan to review and compare information in an applicant's request and permitted activities against the species status and status trends at different sites and statewide. This activity is associated with the bullet immediately above (regarding development of a translocation policy) and if deemed necessary, we will develop specific recommendations to improve the operation and effectiveness of the program.
- Coordinated with IDNR ORC, Legal Counsel, and Law Enforcement staff to review the details and implications of the recent federal regulation (effective 10/01/10) that treats the Shovelnose Sturgeon as threatened due to similarity of appearance to the Pallid Sturgeon. Communicated with several USFWS staff to clarify aspects of the listing action and process. Worked with the same IDNR staff to develop Ad Rule amendments necessary to effectively comply with the federal regulation. During this process it appeared that there was need for an emergency meeting of the ESPB, but coordination between Board staff and the IDNR eliminated that need.
- Coordinated with IDNR ORC and OREP staff to provide comments to the Chicago District of the U.S. Army Corps of Engineers on a National Environmental Policy Act (NEPA) document to address the environmental impacts of measures being considered for implementation in Chicago area waterways to prevent Asian carp from dispersing into the Great Lakes. This document will constitute the *Final Efficacy Study for the Chicago Sanitary and Ship Canal Dispersal Barriers Project*, and may be amended or expanded in the future if changed conditions or new information warrant such action.
- Coordinated with IDNR ORC and OREP staff to provide response to an inquiry by the Southeast Environmental Task Force about their concerns regarding the environmental review performed by IDNR for a proposed Chicago Police Department firing range in the Lake Calumet area.
- Attended meetings and continues participating in an IDNR Incident Command System training committee.
- Continued project management of the Barn Owl (*Tyto alba*) recovery planning and implementation State Wildlife Grant project (T-35-P-1). The recovery plan is nearly final and FY2011 activities will focus on implementation, including box placement and monitoring, and federal aid reporting.
- Worked with IDNR Legal Counsel to complete proposed amendments to the IL E&T Animal List Administrative Rule (Part 1010) to change criteria language to address confusion about federal similarity of appearance listings and to add the Northern Riffleshell (*Epioblasma rangiana*) as federally and Illinois endangered following a reintroduction project in the Vermilion drainage in Illinois.

- Worked with IDNR Natural Heritage staff, Don McFall and Bob Szafoni, to develop a proposal pursuant to the *ESPB Policy on Translocation of Endangered and Threatened Animal Species* as part of a federal recovery project for the translocation of Northern Riffleshell (*Epioblasma rangiana*) specimens into stream reaches of the Vermilion River drainage in Illinois.
- Coordinated with IDNR ORC staff to review Forest Preserve District of DuPage County requests to translocate Blanding's Turtles and Barn Owls and provide the IDNR recommendations regarding the issuance of permits (see also item under #10, below).
- Continued working with IDNR ORC to provide advice to USFWS about research for the ornate box turtle.
- Reviewed and provided comment on five incidental take conservation plans and/or authorizations during the last quarter (see Species Updates).
- Working with IDNR ORC to review a possible take of Franklin's Ground Squirrel (*Spermophilus franklinii*) associated with an incidental take authorization for the Sangamon Valley Trail, Sangamon County.
- Communicated with IDNR ORC, OREP, Legal Counsel, and Law Enforcement about ensuring that takings of listed species are documented and appropriate penalties pursued when the IDNR seeks a settlement from a violator in incidents such as fish kills.
- Assisted in staffing the Division of Natural Heritage tent at the Illinois State Fair.
- Provided IDNR Media Relations staff information and review of a news release about a planned bald eagle nesting platform near Alton, Illinois, that will provide a public education and wildlife viewing opportunity for visitors.
- Fielded and referred 25 requests to IDNR for E&T consultation, incidental take, data, permits, etc.
- Directly responded to 51 requests for ESPB and E&T information from the public and other state and federal agencies

#### **10. Coordination with other Agencies**

- Ms. Mankowski continues working with the USFWS Rock Island Field Office, IDNR, and several other partners on a draft of a *Decurrent False Aster (Boltonia decurrens – federally and IL threatened) Conservation Agreement/Management Agreement for Managed Lands in the Illinois River and Mississippi River Floodplains*.
- Ms. Mankowski coordinated with USFWS staff in planning and preparing materials for the 2010 USFWS Region 3 Endangered and Threatened Species Coordinators Meeting.
- Ms. Mankowski, working with the Board's ESTACs and Tara Kieninger, IDNR Natural Heritage Database Manager, provided data to the USFWS in response to information requests for several species including *Calopogon oklahomensis* (Oklahoma Grass Pink Orchid, IL E, proposed for Federal listing), *Lampsilis higginsii* (Higgins eye, IL E, Fed E), *Discus macclintocki* (Iowa Pleistocene Snail, IL E, Fed E), *Epioblasma triquetra* (Snuffbox, IL E, proposed for Fed E), Rayed Bean, *Cumberlandia monodonta* (Spectaclecase, IL E, under a Fed status assessment), *Plethobasus cyphus* (Sheepnose, IL E, proposed for Fed E), *Villosa fabalis* (Rayed Bean, extirpated from IL, proposed for Fed E), and *Cirsium pitcheri* (Pitcher's thistle, IL T, Fed T).
- Ms. Mankowski accepted a request to provide review of a draft copy of the *Sustainable Natural Areas Vision Plan* being prepared by Dr. Deanna Glosser in conjunction with the Illinois Natural History Survey.
- Ms. Mankowski accepted a request from Dr. Jeff Levensgood at the Illinois Natural History Survey to review a draft copy of a manuscript entitled *Status of Endangered and Threatened Sand Area Species of the Illinois Flora*, by Ebinger et al., that will be submitted for consideration for publication as an INHS Bulletin.
- Ms. Mankowski provided Minnesota DNR Endangered Species Coordinator, Rich Baker, information about and explained the history of the Board and its ESTACs and the list review process. Mr. Baker and the MDNR are evaluating the possibility of establishing ESTACs to assist them in their list review process.
- Ms. Mankowski provided review and comment and met (via phone) with Forest Preserve District of DuPage County, Natural Resource Management Coordinator, Scott Meister, to discuss the

District's requests to translocate Blanding's Turtles and Barn Owls. The District has been a very cooperative and productive longtime partner to the IDNR and the ESPB and while certain aspects of their recent proposals were not recommended for approval, they continue to conduct a great deal of very important conservation work for multiple listed species.

#### **11. Field Work**

None.

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

- Prepared and routed Board member and staff travel vouchers.
- Routed to IDNR Ethics Officer Board member 2010 Ethics Training for Appointees to State of Illinois Boards.
- Completed 2010 Ethics Training for Appointees to State of Illinois Boards and 2010 State University Ethics Training.
- Regularly distributed information to Board and ESTAC members via internet and hardcopy mailings.
- Made updates to the ESPB webpage on the IDNR website.
- All aspects of preparation for the November 12, 2010 147<sup>th</sup> meeting.

**Illinois Department of Natural Resources report for the 148<sup>th</sup> meeting of the  
Illinois Endangered Species Protection Board  
November 12, 2010**

**Lamma Parrack** is the new Conservation Grant Administrator in the Office of Resource Conservation. Lamma will be reviewing and monitoring several Special Fund grants including grants from the Wildlife Preservation Fund that are often used to fund endangered species projects.

In September the **US Forest Service** signed its Decision Memo to burn Cave Hill, Stone Face and Dennison Hollow natural areas on the Shawnee National Forest. With this decision the Forest Service can conduct landscape level burning on these natural areas and work toward recovery of the Meads milkweed population on the Shawnee.

The **Vital Lands Summit** was held October 13-14 in Champaign. This network of Illinois conservation organizations and agencies is coming together to accelerate change in conservation by thinking differently and working to create collaborative steps for conservation action. One of the goals of the Vital Lands conservation community is to integrate the Wildlife Action Plan into conservation work on the ground.

**To:** Members, Illinois Endangered Species Protection Board  
**From:** Kelly Neal, Jenny Skufca, and Randy Heidorn  
**Date:** November 10, 2010  
**Subject:** Illinois Nature Preserves Commission Report for the Nov 12, 2010 meeting of the ESPB.

**I. Inventory and Monitoring:**

- A. John Nelson:
  1. Assisted IDNR with a plant survey of Boone Creek Fen INAI site.
  2. Mapped natural communities at four sites proposed for inclusion into the Illinois NPs System.
- B. Steven Byers coordinated access to Eastern Prairie Fringed Orchid NP for the Illinois Natural History Survey and US Fish and Wildlife Service (USFWS) to conduct a count of plants at that site.
- C. Kim Roman coordinated an ornate box turtle (*Terrapene ornata*) survey in Kankakee Sands.
- D. Kim Roman and Bryan Eubanks assisted with a Blanding's turtle (*Emydoidea blandingii*) survey at an INPC site in Area 3.
- E. Angella Moorehouse:
  1. Assisted Augustana College in a Wildlife Preservation Fund research project documenting the statewide populations of prairie larkspur (*Delphinium carolinianum*, state-threatened) and collecting genetic material to determine differences in disjunct populations of this plant.
  2. Assisted in a research project to document populations of the rare stickleaf (*Mentzelia oligospermum*) found exclusively on hill prairies in far western Illinois.
  3. Collected data on several listed plant species found in western Illinois: blazing star (*Liatris scariosa* var. *nieuwlandii*), Virginia bunchflower (*Melanthium virginicum*), American bluehearts (*Buchnera americana*), slim-leaf milkweed (*Asclepias stenophylla*), and eastern prairie fringed orchid *Platanthera leucophaea*.
- F. Angella Moorehouse and Mitch Lovgren conducted a butterfly survey of Cass County sites.
- G. Tom Lerczak:
  1. Engaged in follow-up contacts with INAI Update staff on the status of recommended sites.
  2. Attended a field evaluation of Sand Ridge State Forest INAI sites with IDNR staff.
- H. Mitch Lovgren:
  1. Submitted four new Element of Occurrence Records (EOR) for threatened and endangered species.
  2. Conducted biological surveys for Illinois mud turtles (*Kinosternon flavescens spooneri*) at sites in Mason and Cass counties.
  3. Conducted a cover-board survey for herptiles at Culp Conservancy Woods LWR.
  4. Conducted a post burn woody vegetation survey at Spring Bay Fen NP with the District Heritage Biologist (DHB).
  5. Continued working with the DHB to update and document new EORs for Hennepin-Hopper Lake to seek expansion of Senachwine Seep INAI.
- I. Tom Lerczak and Mitch Lovgren:
  1. Completed baseline plant inventories at the proposed buffer addition to Sand Prairie-Scrub Oak NP and at Letcher Bottoms.
  2. Completed breeding bird surveys at Walden West LWR; the proposed buffer addition to Sand Prairie-Scrub Oak NP and Letcher Bottoms.
  3. Collected GPS coordinates for a bird survey route on the US Geological Survey's Breeding Bird Survey.
  4. Attended a field evaluation of Sand Ridge State Forest INAI sites with IDNR staff.
- J. Mary Kay Solecki:
  1. Assisted in training volunteers to monitor Sangamon phlox (*Phlox pilosa* ssp. *Sangamonensis*).
  2. Conducted census of orchids and rare sedge at Orchid Hill NHL.
  3. Surveyed two potential natural areas in Edgar County with the landowner and Bob Edgin.
  4. Sampled woody vegetation with Eric Smith in response to wind throw in the forest at Allerton Park.
- K. Debbie Newman:
  1. Developed a volunteer bird monitoring program for volunteers in Kaskaskia Large Forest block (on and near INPC sites), and coordinated education and data collection for the project.
  2. Conducted the annual breeding bird survey route for the USFWS.

- L. Debbie Newman and Mitch Lovgren conducted surveys for the timber rattlesnake at an INAI site in Area 7.
- M. Bob Edgin:
  - 1. Coordinated landowner contacts with INAI Update staff .
  - 2. Conducted eastern ribbon snake (*Thamnophis sauritus*), copperbelly water snake (*Nerodia erythrogaster neglecta*) and vegetation surveys at an INAI site in Area 8.
  - 3. Documented previously unreported populations of the state-endangered tube beard tongue (*Penstemon tubaeiflorus*) at two LWRs.
  - 4. Documented previously unreported populations of the grass-leaved lily (*Stenonatum gramineum*) from one site each in Edwards and Wayne counties.
  - 5. Nominated three new sites for inclusion on the INAI and submitted boundary expansion of Chauncey Marsh Natural Area, all based on the presence of state-listed species.
  - 6. Conducted vegetation sampling at Beadles Barrens NP to determine effectiveness of management activities.
  - 7. Conducted census of royal catchfly (*Silene regiai*) at five sites in Lawrence County.
- N. Judy Faulkner Dempsey arranged for INAI Update staff to evaluate Kerr Canyon in Union County.

## II. Protection Program:

- A. Debbie Reider coordinated final preparation of NHL documents for signature at the 206<sup>th</sup> meeting. The new NHLs are:
  - 1. Carroll T. Cox Forest – Crawford Co. – 91 acres (Edgin)
  - 2. Heather’s Hollow – Monroe Co. – 9.76 (Newman)
- B. Natural areas approved for registration as a LWR at the 206<sup>th</sup> meeting of the INPC include:
  - 1. Lafarge Barker Bluff, Hardin Co., 77.215 acres (Lafarge Midwest, Inc.) high quality, grade A and B limestone glade community and dry upland forest/limestone glade complex of the Lesser Shawnee Hills Natural Division.
  - 2. Canyon Camp addition to Apple River Canyon Land and Water Reserve, Jo Daviess Co., 85.1 acres (Blackhawk Area council of the Boy Scouts of America) Dry and wet cliff communities in the Wisconsin Driftless Natural Division.
  - 3. Wiley addition to Apple River Canyon Land and Water Reserve, Jo Daviess Co., 34.4 acres (Natural Land Institute) upland forest buffering river and cliff communities in the Wisconsin Driftless Natural Division.
  - 4. Skokie River Prairie, Lake Co., 24.2 acres (Village of Lake Bluff [23.7 acres] and Lake Bluff Open Lands Association [0.5 acre] grade C sedge meadow, wet prairie, wet-mesic prairie, and mesic prairie located within the Morainal Section of the Northeastern Morainal Natural Division.
- C. Natural areas given preliminary approval for dedication as NP at the 206<sup>th</sup> meeting of the INPC include:
  - 1. Hildy Prairie, Grundy Co., 8.5 acres (privately owned) provides habitat for a state-endangered flower and a federally-threatened flower in the Grand Prairie Section of the Grand Prairie Natural Division.
  - 2. Gene Korando addition to Lovets Pond Nature Preserve, Jackson Co., 62.39 acres characterized by six natural communities, including pond, shrub swamp, swamp, marsh, floodplain forest, and successional field in the Southern Section of the Lower Mississippi River Bottomlands Natural Division.
  - 3. Addition to Pembroke Savanna Nature Preserve, Kankakee Co., 97 acres (The Nature Conservancy) supports dry and dry-mesic sand savanna, sand flatwoods, and an old agricultural field reverting to wet-mesic sand prairie in the Kankakee Sand Area Section of the Grand Prairie Natural Division.
  - 4. Buffer addition to MacArthur Woods Nature Preserve, Lake Co., 41.5 acres (Lake County Forest Preserve District) upland forest in the Morainal Section of the Northeastern Morainal Natural Division.
  - 5. Buffer addition to Middlefork Savanna Nature Preserve, Lake Co., 115.1 (Lake County Forest Preserve District) acres grade C dry-mesic savanna, grade C/D wet Prairie, Grade C/D sedge meadow and a cultural community located in the Morainal Section of the Northeastern Morainal Natural Division.
  - 6. Buffer addition to Wadsworth Prairie Nature Preserve, Lake Co., 604.1 acres (Lake County Forest Preserve District) grade C dry-mesic savanna, grade C/D freshwater marsh, grade C/D sedge meadow, grade C/D wet, wet-mesic, and mesic prairie, grade C/D graminoid fen and a cultural community undergoing restoration for 25 years located in the Morainal Section fo the Northeastern Morainal Natural Division.
  - 7. Elm Road Woods, Lake Co., 84 acres as NP and 54 acres as buffer (Lake County Forest Preserve District) grade B/C dry-mesic upland forest and grade B/C northern flatwoods in the Morainal Section of the Northeastern Morainal Natural Division.
  - 8. Boger Bog, McHenry Co., 36.9 acres (McHenry County Conservation District) graminoid fen in the Morainal Section of the Northeastern Morainal Natural Division.

9. Detrana Fen buffer addition to Fel-Pro Triple R Fen Nature Preserve, McHenry Co., 56.2 acres (McHenry County Conservation District) grade B/C graminoid fen and calcareous seep, grade C sedge meadow, freshwater marsh, spring run, and grade C dry-mesic upland forest in the Morainal Section of the Northeastern Morainal Natural Division.
  10. Sweetwater Creek addition and buffer to Boone Creek Fen Nature Preserve, McHenry Co., 24 acres as addition and 5 acres as buffer (privately owned) one of the finest examples of graminoid fen and calcareous seep wetlands within the State.
  11. Mayor Larry Durbin addition to Prairie of the Rock Nature Preserve, Randolph Co., 10 acres (privately owned) grade C dry-mesic upland forest in the Northern Section of the Ozark Natural division.
- D. Natural areas given final approval for dedication as NP at the 206<sup>th</sup> meeting of the INPC include:
1. Addition to Gensburg-Markham Prairie Nature Preserve, Cook Co., 4.344 acres (The Nature Conservancy) Elements of grade A dry-mesic sand prairie, grade B mesic sand prairie, and grade B and grade D sedge meadow occur within the addition and support a federally listed plant species located in the Chicago Lake Plain Section of the Northeastern Morainal Natural Division.
  2. Buffer addition to Beadles Barrens Nature Preserve, Edwards Co., 15 acres (privately owned) grade B dry-mesic barrens and has populations of a state-endangered flower and the state-threatened savanna blazing star within the Mount Vernon Hill Country Section of the Southern Till Plain Natural Division.
  3. Samuel Barnum Mead Savanna, Hancock Co., 9 acres NP with 27.97 acres as buffer (IDNR) high quality savanna remnant located within the Galesburg Section of the Western Forest-Prairie Natural Division.
  4. Lafarge Limestone Glade, Hardin Co., 42 acres (Lafarge North Midwest, Inc.) high quality grade A and B limestone glade community in the Lesser Shawnee Hills Section of the Shawnee Hills Natural Division.
  5. Addition to Carl N. Becker Savanna Nature Preserve, Kankakee Co., 10 acres (The Nature Conservancy) grade B dry and dry-mesic sand savannas and presence of 12 state-listed species in the Kankakee Sand Area Section of the Grand Prairie Natural Division.
  6. Westwood Park addition and buffer to Yonder Prairie Nature Preserve, McHenry Co., 17.1 acres NP with 46.5 acres as buffer (City of Woodstock) part of a larger natural wetland complex consisting of a mosaic of prairies, wetlands, and oak savannas in the Morainal Section of the Northeast Morainal Natural Division.
- E. Steven Byers gave presentations on the proposed Hack-ma-tack National Wildlife Refuge to the McHenry County Conservation District (MCCD) and Natural Areas Volunteers.

### III. Land Acquisition:

- A. Kim Roman and Bryan Eubanks assisted TNC with environmental assessments of tax-delinquent properties in the Kankakee Sands which were purchased at auction by TNC.
- B. Angella Moorehouse provided assistance to local agencies, NGOs (nongovernmental organizations) and volunteers attempting to acquire the eastern portion of Rocky Glen INAI site, Peoria County.
- C. Mary Kay Solecki assisted a private landowner in an effort to acquire land upstream of an INAI river section for conservation purposes.
- D. Debbie Newman:
  1. Worked on acquisition projects for three INAI sites totaling 530 acres in Monroe and St. Clair counties.
  2. Worked with conservation groups, conservation buyers, foundations, and landowners on acquisition projects for four INAI sites totaling 1,010 acres in Monroe and St. Clair counties.
  3. Judy Faulkner Dempsey carried out landowner contact meetings with the owner of an INAI site that is home of the second best population of the state-endangered dusky salamander (*Desmognathus conanti*) in Illinois and coordinated discussions with a not-for profit conservation buyer.

### IV. Defense Program:

- A. Jenny Skufca responded to eight reviews for IDNR's Comprehensive Environmental Review Program (CERP) and 22 reviews for IDNR's consultation program.
- B. Threats to Sites within INPC programs:
  1. **Bluff Spring Fen NP, Cook County – Jenny Skufca, John Nelson, Steven Byers**
    - a. Issue: Salt storage. Up to 50,000 tons of road de-icing salt is being stored on property located immediately south of Bluff Spring Fen NP, owned by Bluff City Materials (BCM).
    - b. Threat: At concentrations above 45 mg/L, chlorides (salt) are a known pollutant that can alter the chemical composition of groundwater that sustains fen wetland systems and are documented to promote a shift from a diverse assemblage of plants to monotypic stands of salt-tolerant plants.

- c. Status: New. An on-site discussion between John Nelson and Matt Vondra of BCM took place on August 11, 2010. Subsequent to that meeting, the INPC sent a letter of objection to BCM. Another meeting occurred on-site on September 7, 2010 to discuss the removal of the salt which included the landowner, FPDCC and INPC staff. The ISGS is deploying additional monitoring equipment to help document changes in water chemistry that may be attributable to the salt storage. On September 14, 2010, Randy Heidorn, Jenny Skufca and a representative of the IDNR Legal Counsel met with Mike Vondra. Mr. Vondra developed plans at the current site and presented them to the INPC in November, 2010. INPC staff is not satisfied with the long term plans and will be providing comments to BCM.
2. **Stone Bridge Reserve LWR, Winnebago County – John Nelson, Jenny Skufca**
    - a. Issue: The landowner of the LWR, Roscoe Township, installed an underground electric line through the LWR.
    - b. Threat: This is an unauthorized use that caused damage to the natural area, including potential damage to a state-listed species.
    - c. Status: Resolved. No restoration plan or procedural agreement was received by INPC as requested. An on-site meeting was held with Roscoe Township, INPC, and NLI representatives on August 26, 2010 to discuss mitigation and future procedures for work within the LWR boundary. The Roscoe Township Supervisor agreed to follow the Administrative Rules for LWRs and to notify all easement holders on any future work within the LWR.
  3. **Hybernia NP, Cook County – Steven Byers**
    - a. Issue: The INPC was recently notified of an intrusion by private landowner into the NP.
    - b. Threat: Direct and indirect impacts to the NP.
    - c. Status: Ongoing. Volunteer steward, Dr. Robert Stanley, is working with the Hybernia Homeowners' Association to address the intrusion. INPC staff will document the intrusion.
  4. **Eastern Prairie Fringed Orchid NP, Lake County – Steven Byers**
    - a. Issue: IDOT intends to widen Route 22. The proposal for dedication of this site provided for this construction to include construction of a berm in order to reduce the width of the road project.
    - b. Threat: Indirect threat posed by sedimentation and subsequent increase in reed canary grass which threatens long-term viability of federally-threatened orchid.
    - c. Status: Ongoing. INPC staff asked to submit a letter to IDOT District 1 Engineer, Peter Harmet, requesting that IDOT purchase the NP fee-title or establish an MOU (memorandum of understanding) with landowner that allows IDOT access of site for monitoring and management. That letter was submitted. INPC staff continues to coordinate access to the site with the landowner.
  5. **Gensburg-Markham Prairie NP, Cook County – Steven Byers**
    - a. Issue: The Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) has developed a drainage plan for the Little Calumet River watershed.
    - b. Threat: The plan could unintentionally inundate portions of Gensburg-Markham Prairie NP.
    - c. Status: Ongoing. INPC staff is working with Dr. Ron Panzer and Karl Gnaedinger to prepare letters to the MWRDGC requesting the removal of the drainage projects adjacent to Gensburg-Markham Prairie from their planning docket. Dr. Panzer documented short-term flooding (some water on streets gone within eight hours) in the area being proposed for the drainage plan (levee and pumping station).
  6. **Fields of Cambridge Sedge Meadow and Prairie (conferred preliminary approval for NP dedication at 204<sup>th</sup> Meeting), Lake County – Steven Byers**
    - a. Issue: Contaminant exiting I-90 and entering adjacent wetland.
    - b. Threat: Indirect impact to the water quality (sedimentation, chlorides, contaminants) impacting population of federally-listed, state-endangered eastern prairie fringed orchid and the proposed NP.
    - c. Status: Ongoing. The Fields of Cambridge Homeowners' Association representative has met with the Illinois Tollway Authority. INPC staff has prepared a letter of support noting ecological value of the site and the need for long-term management to reduce threats caused by sedimentation and contaminants originating from the tollway.
  7. **Middlefork Savanna NP, Lake County – Steven Byers, Jenny Skufca**
    - a. Issue: Adjacent landowner, Knollwood Golf Club, dredged a golf course pond and piped sediment into the NP.
    - b. Threat: Direct impact to the NP flora and fauna. Dredged sediment inundated 1.17 acres of the NP wetland with 4-6" of silt. Some silt has been vacuumed off of the site. The landowner,

- LCFPD, is concerned that any further removal will be more damaging than restorative. No long term plan to manage extended impacts of remobilization of sediment has been developed.
- c. Status: Ongoing. INPC submitted a letter to the Knollwood Golf Club on August 27, 2010 enumerating the impacts, the violations to the Illinois Natural Areas Preservation Act (INAPA), and a recommendation to engage in mitigation strategies with the potential referral to the Illinois Attorney General or the Lake County State's Attorney's Office.
8. **Hickory Creek Barrens NP, Will County - Kim Roman**
    - a. Issue: In 2006, staff discovered approximately three acres of the NP was buried/covered with sediment that originated from an adjacent development site due to a lack of soil erosion controls.
    - b. Threat: Non-native soils cover the forest floor, seep, and ravine bottoms and is expected to affect the native vegetation. Removal of the sediment was believed to be more damaging than allowing the silt to remain.
    - c. Status: Resolved. After referral to the Illinois Attorney General's Office for violations to the INAPA, the two defendants of the complaint for injunction, InSite Real Estate and Larjan Enterprises, provided the landowner, the Forest Preserve District of Will County (FPDWC) \$300,000 to fund management and restoration activities within the unit of the NP impacted by the sedimentation. An INPC-approved management/restoration plan will be implemented over the next five years.
  9. **Goodenow Grove NP, Will County – Kim Roman, Jenny Skufca**
    - a. Issue: IDOT sound wall to be installed along I-394 along the NP boundary.
    - b. Threat: The IDOT right-of-way is adjacent to approximately 100 high-quality forest trees and will likely cause tree mortality. The sound wall will also inhibit management of the site by eliminating access and diminishing safety escape routes.
    - c. Status: Ongoing. INPC and FPDWC (landowner) staff are in consultation with IDOT regarding alternatives.
  10. **Romeoville Prairie NP, Will County – Kim Roman, Jenny Skufca, Kelly Neal**
    - a. Issue: Enbridge pipeline break near the NP boundary.
    - b. Threat: Potential for crude oil to contaminate surface water and groundwater in the NP, owned by the FPDWC, affecting a diversity of flora and fauna, including numerous federally-listed and state-listed species.
    - c. Status: Ongoing. INPC staff is working with the FPDWC, IEPA, IDNR, and ISGS staff to monitor the oil's movement and document any adverse modifications.
  11. **Nenawakwa LWR, McDonough County – Angella Moorehouse, Jenny Skufca**
    - a. Issue: The landowner discovered an encroachment within the LWR.
    - b. Threat: Unauthorized intrusion into the LWR, including tire ruts and large graded area leading to a neighbor's property.
    - c. Status: Ongoing. An on-site meeting was held with landowner, INPC staff, and neighboring landowner's farm manager on May 28, 2010 to discuss drainage issues, damage, and mitigation. Due to farm manager's uncooperativeness, the threat was referred to IDNR's Conservation Police. The McDonough County State's Attorney's Office has proceeded with criminal trespass charges against the tenant farmer of the adjacent land. A trial is pending.
  12. **Short Fork Seep NP, McDonough County – Angella Moorehouse, Jenny Skufca**
    - a. Issue: The landowner discovered that herbicide had been used within the NP, approximately 17 feet from the roadway.
    - b. Threat: Direct impact to flora and fauna in the NP.
    - c. Status: Ongoing. A meeting was held with landowner, INPC staff, McDonough County Power Cooperative and their herbicide contractor, Spoon River Power Cooperative, on August 24, 2010. All parties agreed that the herbicide had not been used cautiously. The INPC will submit a letter to the responsible Power Cooperatives documenting the damage, outlining the violations to the INAPA, and suggesting mitigation strategies. Further, contact has been made with the Illinois Association of Electric Cooperatives to engage communication among the Coops with the INPC to enhance awareness and sensitivity to protected sites.
  13. **Dirksen-McNaughton Woods LWR, Tazewell County – Tom Lerczak**
    - a. Issue: Natural Areas Acquisition Fund (NAAF) funded boundary survey identified multiple encroachments into the LWR by neighbors.
    - b. Threat: Unauthorized boundary intrusions.
    - c. Status: Ongoing. A site visit was made by INPC staff and the landowner (Pekin Park District) on May 28, 2010 to document the encroachments and plan for corrective actions.

14. **Cooper Park Wetlands LWR, Tazewell County – Tom Lerczak**
  - a. Issue: Boundary encroachment identified by INPC staff.
  - b. Threat: Unauthorized intrusion of fill into the LWR to expand a neighbor's parking/storage.
  - c. Status: Ongoing. On August 9, 2010, INPC staff began investigations and communications with the LWR landowner, Fon du Lac Park District, regarding the August 8, 2010 photo-documented boundary encroachments.
15. **Prairie of the Rock Overlook LWR, Randolph County – Debbie Newman**
  - a. Issue: Unknown persons have ridden ATVs all over the site below the hill prairie.
  - b. Threat: ATV damage throughout the site.
  - c. Status: Resolved. INPC staff is working with landowner's tenant farmer and the Prairie du Rocher Police to eliminate the activity. A gate has been installed, and no further ATV use has occurred.
16. **Salt Lick Point LWR, Monroe County – Debbie Newman, Jenny Skufca**
  - a. Issue: Water drainage into the underground quarry and storage businesses which lie beneath the LWR.
  - b. Threat: Solutions proposed by the landowner, Village of Valmeyer, include diverting water on the surface within the LWR using small dams, piping, and hole-filling. Concern that the earthwork would damage the LWR and threaten the state-listed species found there.
  - c. Status: Ongoing. A project was approved at the 205<sup>th</sup> meeting of the INPC on May 4, 2010. Two of the three repairs authorized have been completed. The third repair will be done in September, 2010.
17. **DesPain Wetlands LWR, St. Clair County – Debbie Newman, Jenny Skufca**
  - a. Issue: A neighbor to the LWR had survey done and posted boundaries on the LWR, claiming an additional 30-50' for his property.
  - b. Threat: The neighbor's survey contradicts the LWR landowner's previous survey suggesting encroachment into the LWR.
  - c. Status: Ongoing. A letter was submitted to the LWR neighbor on August 30, 2010, requesting a copy of his survey; and if discrepancies are found, bring the surveyors together. No response has been received.
18. **Stemler Cave NP, Monroe County – Debbie Newman, Jenny Skufca**
  - a. Issue: Maintenance of a powerline that goes across the top of the NP sinkhole.
  - b. Threat: Maintenance is causing some vegetation issues, including destructive cutting and spreading of non-native, invasive plants.
  - c. Status: Ongoing. INPC staff met with the Monroe County Electric Coop on June 9, 2010 to determine alternatives. After INPC staff consulted with the NP landowners regarding alternatives, it was agreed on August 31, 2010 that the Electric Coop will endeavor to acquire the necessary easements from two neighboring landowners and move the powerline off of the NP.
19. **Storment Hauss NP, Monroe County – Debbie Newman**
  - a. Issue: Unknown person dumped barrels and trash into the creek in the NP along the boundary and county road.
  - b. Threat: Introduction of material into the NP.
  - c. Status: Resolved. The NP landowner contacted the County, who then removed the material. INPC staff will be visiting the site and posting additional signs at the site.
20. **Ramsey Railroad Prairie NP, Fayette County – Bob Edgin, Jenny Skufca**
  - a. Issue: A neighbor was mowing a portion of the NP.
  - b. Threat: Unauthorized intrusion and direct impact to the NP.
  - c. Status: Resolved. A charge was filed by the IDNR's Conservation Police Officer with the Fayette County State's Attorney's Office. INPC staff contacted the State's Attorney to further clarify the violations under the INAPA. The neighbor received a fine and a warning to cease and desist any further activity within the NP boundary.

#### V. Stewardship Program:

- A. Randy Heidorn and Debbie Reider continued to assist in the coordination of the new Illinois Prescribed Burning Act. Activities included working with the IDNR to trouble shoot and review applications for certification of Prescribed Burn Managers and setting up the first meeting of the Illinois Prescribed Burn Manager Certification Board meeting which will be held on September 28, 2010 in Springfield. The first certificates and ID cards were distributed in the second week of September, 2010.
- B. Stewardship Planning:
  1. Kelly Neal:

- a. Reviewed 25 management schedules, five unscheduled management activities, and four management related CERPs at INPC sites.
- b. Worked with TNC's Volunteer Coordinator and Debbie Reider to purchase tools for volunteer use in stewardship activities.
2. John Nelson:
  - a. Provided management advice to landowners of the following sites: Lee Miglin Buffer Addition to Boone Creek Fen NP, Searls Park Prairie NP, Kinnikinnick Creek NP, Freeport Prairie NP, and Yonder Prairie NP.
3. Steven Byers:
  - a. Updated the five-year management goals and schedule for Bluff Spring Fen NP for the FPDCC.
  - b. Secured funding with the IDNR for stewardship at Wolf Road Prairie NP.
4. Kim Roman conducted an annual meeting with the FPDWC to review status/activities/management issues of all 14 sites enrolled as NPs or LWRs.
5. Angella Moorehouse:
  - a. A grant was awarded for \$120,500 from the US Forest Service to reduce fuel loads within the forest communities at Black Hawk Forest NP and Josua Lindahl Hill Prairie NP.
  - b. Coordinated with IDNR Office of Resource Conservation staff, Prairie Rivers Network, and local partners to develop long-term plans for the Upper Mississippi River Conservation Opportunity Area to achieve goals set by the Illinois Wildlife Action Plan.
6. Tom Lerczak:
  - a. Provided a three-year summary and evaluation of management activities at Walden West LWR to the landowner.
  - b. Completed draft (landowner approval pending) management plan updates for Black Partridge Park Woods LWR, Walden West LWR, Cooper Park Wetlands LWR, and Anderson Prairie LWR.
7. Mary Kay Solecki:
  - a. Participated in a Vermilion River Conservation Opportunity Area meeting.
  - b. Updated management schedules for Edgewood Farm LWR and Warbler Woods NP.
8. Debbie Newman wrote an updated management plan for one site.
9. Judy Faulkner Dempsey attended a meeting with Lake Murphysboro site staff, managers of Lovets Pond NP and the Gene Korando Addition to Lovets Pond NP. Assisted with sign and interpretive information for IDOT and the creation a parking pull-off on State Route 3 which overlooks the Gene Korando addition to Lovets Pond NP.
- C. Stewardship project implementation: Staff continued to coordinate and administer stewardship projects, including the Hill Prairie Project, funded by Landowners Incentive Program (LIP), State Wildlife Grant (SWG), the Wildlife Habitat Incentive Program, an EPA 319 Grant, the NAAF, CW Grants and INPC operations fund. These projects involve meeting with landowners, securing landowner agreements, preparation of grant applications, preparing bid packages, supervising contractors, and assisting in conducting restoration activities. Contractor work included prairie reconstruction and seed purchase, exotics and woody species control, dump cleanup, erosion control, boundary survey, fence construction, sign posting, prescribed burn site preparation, and burn crews. Sites where this kind of work occurred include:
  1. Area 1 (Nelson): Freeport Prairie NP, Kinnikinnick Creek NP, Pine Rock NP, and eight NP sites in the Boone Creek Watershed.
  2. Area 2 (Byers): three sites.
  3. Area 3 (Kim Roman) Contracted and supervised: Sweet Fern Savanna LWR, the proposed Hildy Prairie NP, and Superior Street Prairie LWR.
  4. Area 4 (Moorehouse): Brownlee Cemetery Prairie NP, Spring Grove Cemetery Prairie NP, Root Cemetery Savanna NP, Geissler Savanna LWR, Cecil White Prairie LWR, Stony Hills NP, Jamar Haven LWR, Harper's Woods NP, and Hickory Hills Savanna potential natural area (Siloam Springs).
  5. Area 5 (Lerczak and Lovgren): Ridgetop Hill Prairie NP, Wiegand Prairie NHL, Hopewell Hill Prairies NP, Oak Bluff Savanna NP, Chandlerville Cemetery Hill Prairie LWR, Crevecoeur NP, Dirksen-McNaughton Woods LWR, McCune Sand Prairie LWR, Black Partridge Park Woods LWR and Illinois River Sand Areas LWR, and submitted five new stewardship proposals.
  6. Area 6 (Solecki): Horseshoe Bottom NP, Doris Westfall Prairie Restoration NP, and Baber Woods NP and, Kinney's Ford Seep LWR.
  7. Area 7 (Newman): 11 INPC sites and wrote five updated work orders for Hill Prairie SWG projects.
  8. Area 8 (Edgin): Beadles Barrens NP, Robert Ridgway Grasslands NP, Richard R. and Jean W. Graber Grasslands LWR, and Prairie Ridge State Natural Area LWR.

9. Area 9 (Faulkner Dempsey): Ren-Dill Shale Glade NP, Degognia Canyon LWR, and Faulkner-Franke Pioneer Railroad Prairie NP, one new proposal stewardship submitted.
- D. Land management conducted by staff includes site surveillance, prairie reconstruction and seed purchase, exotics and woody species control, dump cleanup, erosion control, boundary survey, fence construction, sign posting, coordinating and working with volunteers, prescribed burn site preparation, and participating in or leading prescribed burns. Sites where this kind of work occurred and additional management related activities include:
1. Area 1(Nelson): Boone Creek Fen NP, Freeport Prairie NP, Kinnikinnick Creek NP, Brookville Lutheran Cemetery Prairie NP, and Searls Park Prairie NP.
  2. Area 2 (Byers): Wolf Road Prairie NP, Trout Park NP, Trout Park River's Edge, and Forested Fen.
  3. Area 3 (Roman and Eubank):Voight –Pauper Cemetery Prairie LWR, Des Plaines Dolomite Prairies LWR, Grant Creek Prairie NP, Butterfield Creek Headwaters LWR, Old Plank Road Prairie NP, Long Run Seep NP, Wolf Road Prairie NP, Hooper Branch Savanna NP, Hildy Prairie NHL, Superior Street Prairie LWR, Illinois Beach NP, Momence Wetlands NP, and Green River State Wildlife Area.
  4. Area 5 (Lerczak and Lovgren): Walden West LWR, Manito Prairie NP, Witter's Bobtown Hill Prairie NP, Tomlin Timber NP, Long Branch Sand Prairie NP, Sand Prairie-Scrub Oak NP, Miller-Anderson Woods NP, Mettler Woods NP, Wier Hill Prairie NP, and site surveillance at 26 NPs, LWRs and NHLs
  5. Area 6 (Solecki): Warbler Woods NP, Prospect Cemetery Prairie NP, Fairchild Cemetery Prairie/Savanna NP, Embarras Bluffs NHL, Horseshoe Bottom NP, Kickapoo State Park and several INAI sites managed by Grand Prairie Friends.
  6. Area 7 (Newman): DesPain Wetlands LWR, Prairie du Rocher Herp Area INAI site, Horse Creek Glade NHL, Two Branch Peace Prairie LWR, Salt Lick Point LWR, and conducted site surveillance and threatened and endangered species monitoring on 11 sites.
  7. Area 8 (Edgin): Big Creek Woods Memorial NP, Emma Vance Woods NP, Padgett Pin Oak Woods LWR, Horn Prairie Grove LWR, Chauncey Marsh NP, and Beall Woods NP, Carroll T. Cox Forest NHL, Lost Creek Marsh NP and LWR, Ping Prairie at Huskey Hollow NHL, Padgett Brothers Sweet Gum Woods LWR, Lake Sara Flatwoods NHL, Rend Lake and Flag Pond INAI sites including site surveillance.

**Resolution 148-8**  
**Illinois Endangered Species Protection Board**  
**November 12, 2010**

Whereas **Ms. Marilyn F. Campbell** was appointed to the Illinois Endangered Species Protection Board in 2002 and served as a dedicated, loyal, and highly valued Board member until 2010 - some 8 years; and,

Whereas she served as the Board's Vice Chair from 2008 - 2010; and

Whereas she served as a member of the Endangered Species Technical Advisory Committee for Birds during two revisions of the List of Illinois Endangered and Threatened Species, and lent thereto her considerable expertise as a zoologist; and,

Ms. Campbell also served on the Board of Directors of Illinois Audubon and as their Executive Director from 1994 – 2006. During her tenure there she facilitated the execution of many projects, including acquisition of important natural areas, which have contributed to the conservation of some of Illinois' rarest species. In furtherance of the same conservation ethic, she assumed the position of Editor of the Illinois Audubon Magazine in 2006 and continues in that position today;

Now therefore, The Illinois Endangered Species Protection Board resolves to commend Marilyn Campbell and thank her for exemplary service on the Board on behalf of the people of Illinois. The Board further directs that a copy of this resolution and a certificate of recognition and appreciation be transmitted to Ms. Campbell upon its passage.

Passed and approved by the Illinois Endangered Species Protection Board this Twelfth day of November, Two Thousand and Ten.



**Chairman**  
**Illinois Endangered Species Protection Board**

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

Submitted by Anne Mankowski, Director  
for the 148th Meeting, November 12, 2010

The Board administers a research program to answer questions regarding the listing, recovery, and conservation as it relates to those aspects, of Illinois' endangered and threatened species. Since the Board has been without a budget since 2002, it has during that time relied solely on a \$25,000 annual allocation from the Illinois Wildlife Preservation Fund to administer the program. Due to concerns about budget shortfalls, the IDNR was not able to release the FY10 allocation to the Board. The final release of the FY11 allocation from the IDNR to the Board is still pending. Ms. Mankowski engaged in fair amount of correspondence related to follow-up for FY11 proposals and FY09 contracts, and general inquiries about the Board's research program.

### 1) FY08 and FY09 Projects

#### FY08 Projects

| Contract # | Title                                                                                                                                                           | Researcher/<br>Institution                                   | Award<br>Amount | Status |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------|--------|
| 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     | Done   |
| 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    | Done   |
| 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     | Done   |
| RC08E04W   | Genetic variation in <i>Astragalus crassicaerpus</i> var. <i>trichocalyx</i> in Illinois                                                                        | SIU at Edwardsville, Dept. of Biological Sciences            | \$ 2,999.70     | Done   |
| 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    | Done   |
| RC08E06W   | Conservation genetics of the state endangered spotted turtle, <i>Clemmys guttata</i>                                                                            | INRS INHS UIUC                                               | \$ 5,000.00     | Done   |
| RC08E07W   | Status, Distribution and Resource Requirements of the Longnose Dace in Illinois                                                                                 | INRS INHS UIUC                                               | \$ 6,450.00     | Done   |
| RC08E08W   | Status Survey of <i>Mentzelia oligosperma</i> (Stickleaf)                                                                                                       | Michael Jones                                                | \$ 4,986.00     | Done   |
| 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     | Done   |
| RC08E10W   | Status Report for Native Populations of Shortleaf Pine ( <i>Pinus echinata</i> )                                                                                | Michael Jones                                                | \$ 9,632.00     | Done   |
| RC07E02W   | Reproductive Success of Sandhill Cranes in Northeastern Illinois                                                                                                | Dr. David Thomas, PI; Dr. Michael Ward, INRS INHS UIUC, INHS | \$ 5,730.00     | Done   |

#### FY09 Projects

| Contract # | Title                                                                                                  | Researcher/<br>Institution              | Award<br>Amount | Status |
|------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------|--------|
| RC09E01W   | Habitat Use, Nest Success, and Natal Philopatry of Loggerhead Shrike in Northwest Illinois.            | Wenny and Elbert (INRS INHS UIUC)       | \$ 6,053        | Done   |
| RC09E02W   | Conservation Genetics of Jefferson Salamanders in Illinois: Implications for Conservation and Recovery | Kuhns (INRS INHS UIUC)                  | \$5,995         | Done   |
| RC09E03W   | Status assessment survey for springtails (Collembola) in Illinois caves.                               | Soto-Adames and Taylor (INRS INHS UIUC) | \$4,663         | Done   |
| RC09E04W   | Rarely Seen Illinois Native Plant Species; Their Status and Distribution.                              | Phillippe and Ebinger (INRS INHS UIUC)  | \$6,419         | Done   |
| RC09E05W   | Status of three freshwater snail species in the lower Ohio River basin in Illinois.                    | Tiemann and Cummings (INRS INHS UIUC)   | \$3,993         | Done   |

#### FY10 Projects

None

## FY11 Projects

Projects for which the Board is awaiting approval for funding from DNR Director Miller.

| Contract # | Title                                                                                                                                                                                              | Researcher/<br>Institution                                                                         | Award<br>Amount | Status |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------------|--------|
|            | Investigating the role of genetic diversity and pollination biology as potential causes for reproductive failure in <i>Asclepias lanuginosa</i> (wooly milkweed).                                  | Jeremie Fant and David Zaya /<br>CBG and UIC                                                       | \$7,632         |        |
|            | Gene Flow among Populations of the Four-Toed Salamander, <i>Hemidactylum scutatum</i> .                                                                                                            | Abigail J. Maley / INHS/UIUC                                                                       | \$5,000         |        |
|            | Evaluation of Distribution, Movements, and Habitat Use of River Redhorse ( <i>Moxostoma carinatum</i> ) and Greater Redhorse ( <i>Moxostoma valenciennisi</i> ) in the Upper Illinois River Basin. | David H. Wahl / INHS/UIUC                                                                          | \$8,500         |        |
|            | Baseline monitoring and molecular characterization of the state endangered Enigmatic Cavesnail, <i>Fontigens antroecetes</i> (Hubricht 1940)                                                       | Steven J. Taylor, Marlis Douglas,<br>Jeremy Tiemann, and Robert Weck<br>/ INHS/UIUC and individual | \$2,878         |        |