

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF THE 151st MEETING

MIDEWIN NATIONAL TALLGRASS PRAIRIE, WILMINGTON, IL

12 AUGUST 2011

(Approved at the 152nd meeting, November 18, 2011)

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

BOARD MEMBERS ABSENT: None.

BOARD MEMBER VACANCIES: One.

OTHERS PRESENT: Ms. Maggie Cole, Dr. James Herkert, Mr. Don McFall, and Mr. Brad Semel (Illinois Department of Natural Resources, Office of Resource Conservation); Lenore Beyer-Clow (Openlands) and Mr. Steve Byers (Illinois Nature Preserves Commission); and, Ms. Anne Mankowski (Endangered Species Protection Board).

151-1 Call to Order Welcome and Introduction of Guests

Chair Gooch called the 151st meeting of the ESPB to order at 10:00 A.M. and asked Secretary Clemetsen to call roll. He then noted that there was a quorum and asked meeting attendees to introduce themselves.

151-2 Adoption of Agenda

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

151-3 Approval of Minutes of Previous Meeting

Chair Gooch asked for a motion to approve the minutes of the 150th meeting. Vice-chair Kruse **moved** to approve the minutes of the 150th meeting and Secretary Clemetsen seconded the motion. Chair Gooch noted that there was error in the numbering of agenda items beginning after item number 150-13, and Ms. Mankowski indicated she would correct the numbering in the final document. Chair Gooch asked for any other corrections to the minutes, noted there was none, and asked Vice-chair Kruse and Secretary Clemetsen if they accepted the amendment. They acknowledged acceptance and the Board unanimously **approved** the minutes with amendment.

151-4 ESPB Staff Report

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

151-5 IDNR Staff Report

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

151-6 INPC Staff Report

Steve Byers, from the Illinois Nature Preserves Commission, gave a report (Attachment C).

151-7 ESPB Budget

Ms. Mankowski provided to members copies of the ESPB FY2012 spend plan, and the ESPB FY2013 budget request for Board consideration and approval. Secretary Clemetsen **moved** to approve the FY2013 budget request, Dr. Walk seconded the motion, and the Board **approved** it unanimously. Chair Gooch asked Ms. Mankowski to forward the budget request to IDNR Director Marc Miller.

151-8 Board Appointments

Ms. Mankowski reported that letters of support from the Board and IDNR Director Miller for reappointment of Ms. Masi and Dr. Taft and for appointment of Dr. Brooks Burr have been sent to Governor Quinn. She stated that the Board has not received notification of any action by the Governor's Office.

151-9 Executive Committee Election

Chair Gooch reviewed that according to the Board's policy manual, election of executive committee members is supposed to take place "at the first meeting after June 30, 2011". He noted that the current executive committee consisted of Mr. Gooch as Chair, Mr. Kruse as Vice-chair, and Mr. Clemetsen as Secretary. Dr. Taft suggested that current members be asked if they wished to continue serving in those roles. Each member indicated their willingness to continue serving. Dr. Walk **moved** to approve the reelection Mr. Gooch as Chair, Mr. Kruse as Vice-chair, and Mr. Clemetsen as Secretary, Ms. Masi seconded the motion, and the Board **approved** it unanimously.

151-10 ESPB Research and Strategic Funding Program

Ms. Mankowski reported that there were no research and strategic funding program activities since the May 13, 2011 meeting.

151-11 Possible ESTAC Manual – ESTAC Establishment for next List Revision Cycle

Chair Gooch introduced this agenda item by explaining that Ms. Mankowski had drafted a possible manual for the Board's Endangered Species Technical Advisory Committees (ESTACs) based on Board discussion and policy and he reviewed that there is no provision in the Endangered Species Protection Act regarding ESTACs; rather, they are unofficial committee authorized by the Board to advise the Board.

Ms. Mankowski reviewed that originally, the sole function of the ESTACs was to assist the Board with the revision of the Illinois List of Endangered and Threatened Species and that when the Board lost staff, the Board began looking to ESTACs for input on many more matters. She explained that in conducting the administration of the very end of the last list revision and then engaging with ESTACs in varying capacities since then, she became aware that the understanding and agreement by ESTAC members of the roles, functions, and relationships of and between the Board, ESTACs, and IDNR, was quite varied, which resulted in confusion and in some instances inappropriate or even misrepresented conveyance of information or recommendations. There was Board discussion clarifying that the Board wants the ESTACs to maintain open discussion about biological issues as it reviews listing recommendations, but that the ESTACs should not serve as forums for debate about laws and policies. Ms. Mankowski added that she thought an ESTAC member manual might help clarify things by providing everyone the same basic information so that everyone understands the relationships and their individual role. Chairman Gooch commented that such a manual would also be used for new

members, since according to the Board's policy, the ESTACs should be reviewed and established at the beginning of each listing cycle, so the Board could consider this an opportunity to start with a clean slate.

The Board engaged in further discussion about the process for establishing and convening ESTACs and Chair Gooch asked Ms. Mankowski to make revisions to the draft ESTAC member manual to reflect the discussion and that the Board could discuss the matter again at its next meeting. He added that discussion in a Board meeting may not be the most efficient way to address this issue and he thought it may be more appropriate to identify a committee to work with Ms. Mankowski in developing a framework for establishing and convening the ESTACs for the next list revision.

151-12 Species Updates

Items 1 – 8 were included in Ms. Mankowski's written report submitted to the Board prior to the meeting. Item 9 was reported by Ms. Masi. Items 10 - 19 were submitted by Joe Kath (IDNR) and are presented as received. Items 20 and 21 were reported by Ms. Ross and Item 22 as reported by Mr. Byers.

(Items 1 – 8 are reported by Anne Mankowski, ESPB)

1. Species listings and status changes that have already received preliminary approval by the Board – keeping this entry in Species Updates as an earmark. 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 147th 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. Angella Moorehouse, INPC Natural Areas Preservation Specialist in Macomb, Illinois provided an update on surveys for the **Illinois Bunchflower (*Melanthium virginicum*)** at sixteen sites across three counties. Although she noted increased habitat destruction at several sites, she reported that it was a pretty good year for the plant. In annual surveys since 1998, Ms. Moorehouse reported a high of 4,200 plants in 1998, a low of 130 plants in 2009, and this year recorded 1,978 plants.

3. As outlined in several 2009 and 2010 Board meetings minutes, 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*. The Board agreed that it would await finalization and Board approval of the plan prior to reconsidering the listing status of the peregrine falcon. As of this writing, the IDNR has not completed a draft of the 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). During 2010, the recovery team placed 42 new nest boxes in 19 counties and monitored 50 existing boxes for activity. The increased nesting opportunities resulting from the nest box placements appear to be working for the barn owl: For the period of 1990-2009, there were 38 barn owl nesting records from 31 counties, with the one-year high being 8 active nests in 2009, while in 2010 the recovery team documented 21 new nesting records in 17 counties. Preliminary data for 2011 field work indicates that at least 75 nest boxes were checked, 32 new boxes were placed, and 19 active nesting records (14 in nest boxes) have been documented in Regions 4 and 5, so far this.

5. Ms. Mankowski completed administration necessary to fully execute a contract with Northern Illinois University for development of an Illinois Recovery Plan for **Blanding's Turtle (*Emydoidea blandingii*)**. Ms. Mankowski and IDNR Wildlife Resources Regional Administrator, Dan Ludwig, will be working cooperatively on the project. The production of a recovery plan will follow the IDNR ORC recovery planning process with opportunity for review by partners and stakeholders and a final plan being approved by the IDNR and ESPB.

6. **U.S. Fish and Wildlife Service Strengthening the Listing Program Work Plan.** In a news release dated July 12, 2011, the USFWS announced that it had reached a settlement and developed a workplan to address a backlog of species listing reviews/petitions. A multi-year work plan was first developed through an agreement with the plaintiff group WildEarth Guardians (WEG) and filed into a consolidated Multi-District Litigation (MDL) case in the U.S. District Court for the District of Columbia on May 10, 2011. If approved by the Court, the plan will enable the agency to systematically, over a period of six years, review and address the needs of more than 250 candidate species to determine if they should be added to the Federal Lists of Endangered and Threatened Wildlife and Plants. The complementary agreement announced today with plaintiff group Center for Biological Diversity (CBD) reinforces that multi-year work plan and includes additional scheduling commitments for a small subset of the actions in the work plan. In addition to addressing the needs of candidate species, the work plan, if approved by the Court, will provide state wildlife agencies, stakeholders, and the public clarity and certainty about when listing determinations will be made. More information about the listing work plan and the Service's Endangered Species program can be found at http://www.fws.gov/endangered/improving_ESA/listing_workplan.html.

7. Species for which the US Fish and Wildlife Service conducted information requests and/or outreach during this quarter included:

- **Clubshell (*Pleurobema clava*)** - not known to be extant in Illinois; federally endangered; undergoing a five-year review.
- **Northern Riffleshell (*Epioblasma rangiana*)** – Illinois endangered following USFWS-led reintroduction into IL; federally endangered; undergoing a five-year review.
- **Golden-winged Warbler (*Vermivora chrysoptera*)** – not listed in Illinois; not federally listed; being considered for possible federal listing as endangered or threatened.
- **Northern Long-eared Bat (*Myotis septentrionalis*)** – not listed in Illinois; not federally listed; being considered for possible federal listing as endangered or threatened.
- **Eastern Small-footed Bat (*Myotis leibii*)** – not listed in Illinois; not federally listed; being considered for possible federal listing as endangered or threatened.
- **Big Brown Bat (*Eptesicus fuscus*)** – not listed in Illinois; not federally listed; advanced information requests.
- **Little Brown Bat (*Myotis lucifugus*)** – not listed in Illinois; not federally listed; advanced information requests.
- **Tri-colored/Eastern Pipistrelle Bat (*Pipistrellus subflavus*)** – not listed in Illinois; not federally listed; advanced information requests.
- **Southeastern Myotis Bat (*Myotis austroriparius*; IL E)** – Illinois endangered; not federally listed; advanced information requests.
- **Cave Myotis Bat (*Myotis velifer*)** – not present in Illinois; not federally listed; advanced information requests.

8. Board staff reviewed and provided comment on two draft incidental take authorizations during the last quarter:

- Arenzville water pipeline project, Cass County (**Illinois Chorus Frog - *Pseudacris illinosensis***);
- UIUC bridge replacement and road repair project, Piatt County (**Kirtland's Snake - *Clonophis kirtlandii***; **Eastern Massasauga Rattlesnake - *Sistrurus catenatus***; and, **Mudpuppy - *Necturus maculosus***)

(Item 9 was reported by Ms. Masi.)

9. Ms. Masi provided the following update about the Plants of Concern program in northeastern Illinois.

Thanks to IDNR/Wildlife Preservation Fund for the recent award of the large grant to POC, and to IDNR staff members and IESPB members for their ongoing support of POC.

Achievements and statistics from the 2010 monitoring season were recently submitted in a report to the WPF.

164 species monitored (118 Illinois listed species; the others rare in NE IL)
497 Element Occurrences monitored
194 sites monitored
69 landowners involved
238 trained volunteers participated

POC now monitors in 8 counties in NE IL. Kendall County, in its third POC year, now has 6 volunteers in the program in 2011. Kankakee County was added in 2011 with 2 volunteers at Carl Becker Nature Preserve.

Monitoring highlights for 2011 thus far:

- New population of *Melanthium virginicum* in Kane County observed a second year.
- New populations of *Cypripedium candidum* and *Ranunculus rhomboideus* located in McHenry County.
- Dan Fink, Masters student at NEIU, is doing his thesis on the range and status of *Sarracenia purpurea* in northern Illinois (chiefly McHenry County.) This research grew out of Dan's participation in Plants of Concern.
- 76 volunteers attended the spring training workshops.
- *Spiranthes lucida* on a private site in Kane County not seen since 2009. One of three populations in the State.
- Illinois Beach State Park was closed for some period of time in mid-summer, preventing monitoring. (Discussion followed that would allow for monitors to enter the site as researchers, not as general public.)

(Items 10 – 19 were submitted by Mr. Joe Kath, IDNR, and are presented as submitted.)

**Illinois Department of Natural Resources
Species Update Report to the Illinois Endangered Species Protection Board
at the 151st meeting, August 12, 2011**

10. Eastern small-footed bats (*Myotis leibii*) discovered in southern Illinois

The following is from an e-mail string sent by Joe Kath of the IDNR on 27 July 2011: My friend and colleague Dr. Tim Carter is down with some grad students in southern Illinois doing some work for the Shawnee. Yesterday (7/26/11) near Lusk Creek Canyon in Pope County they travelled to a barrens outcrop and began to search for the eastern small-footed bat (*Myotis leibii*). This animal is unique in that they often roost during the day under rock slabs and between rock crevices at or near the top of bluff outcrops. Two years ago, an SIU grad student (Brad Steffen) was at the same very location and just happened to flip over some rocks while taking a break and found 2 *leibii*. This was the first documented record ever in Illinois of this species, although its historic range in most literature does extend across extreme southern Illinois. Hofmann's Field Manual of Illinois Mammals (July, 2008) lists this as a "species of possible occurrence in Illinois". Despite thousands of hours of mist netting in and around the Shawnee over the past several decades, not a single *leibii* has been officially documented. Yesterday (7/26), Carter and his crew returned to Steffen's original location and in the course of 90 minutes, they discovered 10 *leibii* – adults and juveniles of both sexes which supports active reproduction. This is an amazing find and I agree fully with Tim and Brad that where there are 10 animals, there are likely 5 to 10 fold in close proximity. Today they will travel to similar habitats in the Shawnee and investigate. Tim and I both agree that by working with Forest Service GIS staff we can identify similar habitat and start to initiate formal surveys. I will work with the FS and others to discuss implementation of a comprehensive search.

11. USFWS 90-day Petition Finding for: Eastern small-footed bat and Northern long-eared bat

On 28 June, 2011, the U.S. Fish and Wildlife Service (Service) announced that eastern small-footed and northern long-eared bats may warrant federal protection as threatened or endangered species, following an initial review of a petition seeking to protect the species under the Endangered Species Act (ESA). The Service will initiate a more thorough status review for both bats to determine whether these species should be added to the federal list of endangered and threatened wildlife.

This decision, commonly known as a 90-day petition finding, is based on scientific and commercial information about the species provided in the petition requesting protection of the species under the ESA. The petition finding does not mean that the Service has decided it is appropriate to protect the eastern small-footed and northern long-eared bats under the ESA. Rather, this finding is the first step in a process that triggers a more thorough review of all the biological information available. Comments must be received within 60 days, on or before August 29, 2011. The Service will post all comments on <http://www.regulations.gov>.

In addition, the Service is proactively collecting information on several other bat species believed to be susceptible to white-nose syndrome to determine if, in addition to existing threats, the disease may be increasing the extinction risk of these species. These species include the: little brown bat, big brown bat, tri-colored bat (eastern pipistrelle), cave myotis and southeastern myotis.

12. Joe Kath to speak at The Field Museum – Program Entitled “The Battle for Bats” – See Summary Below

What has killed over a million North American bats and keeps killing more every year?

How does the loss of these bats affect you, the environment and the economy?

What's being done about it?

- Dr. Merlin Tuttle, Founder of Bat Conservation International and International Year of the Bat Ambassador. Merlin is an ecologist, award-winning wildlife photographer and leading conservationist who has studied bats and championed their preservation for more than 40 years.
- *The Battle for Bats*, a short documentary about Whitenose Syndrome produced by Ravenswood Media.

- Presentations by leading bat biologists, conservationists and government wildlife officials working to control the disease that biologists say is causing “the most precipitous wildlife decline in the past century in North America.”

- Live Bats!

Join us for this half-day symposium to learn more about bats and get answers to these questions. Saturday, October 15, 2011; 1 pm – 5 pm; The Field Museum of Chicago - James Simpson Theater For more information go to: batcon.org/yotb

13. Alligator Snapping Turtle (AST) Recovery Plan – Update

In late summer/early fall, the IDNR will receive approximately 100, 2-year old ASTs from the Tishomingo National Fish Hatchery in southwestern Oklahoma. Tishomingo has graciously offered these animals to Illinois for our Recovery Program free of charge. IDNR staff will travel to Tishomingo to pick these animals up and transfer them safely back to Illinois. As a token of our appreciation, \$1000.00 from the Illinois Wildlife Preservation Fund will be donated to Tishomingo’s AST breeding Program.

In addition to the one-half acre breeding/holding pond being constructed at Logan Hollow Fish Farm in Union County, Illinois, the Unimin Minerals Corporation (Tamms/Elco Plant) once again graciously offering their assistance with our conservation and recovery efforts in Illinois – this time with the AST. They have already cleared an area near Bass Hill in southern Illinois and will create another one-half acre pond for us. They have already stockpiled dead timber to use as structure in the pond. The area is owned by Unimin and secured with a locked access gate. Ironically, the St. Louis Zoo has also recently agreed to donate nine (9) ASTs ranging in age from hatchlings to 6 years old. They have agreed to provide us with offspring for the foreseeable future, free of charge.

The AST Recovery Team will examine the final AST population viability analysis (PVA) scenarios created by Dr. Mike Dreslik of the INHS by mid August, 2011 and agree on a final scenario to be implemented by the IDNR. Thus far, the PVA model that appears to be the most popular calls for releasing 75-100 ASTs of mixed age classes (2, 3, and 4 years) to be released each year for eight (8) consecutive years per drainage, at a cost of between \$13,594.00 to \$18,125.00 per year (per drainage).

14. IDNR/INHS Northern Riffleshell and Clubshell Recovery Effort Update

Beginning in late July, 2011, biologists will return to sites in eastern Illinois where endangered northern riffleshell mussels were reintroduced this past year. Prior to release, mussels were PIT tagged and these monitoring efforts will use a new model of PIT tag reader that is submersible and therefore able to more accurately find submerged animals. Results of this monitoring effort should be available this Fall and an update to the ESPB will appear in the Species Update Report at the next official ESPB meeting. These results will help the Department determine future releases in strategic/historic drainages.

15. Franklin’s Ground Squirrel (FGS) – Incidental Take Coordination in the Springfield, IL. Area

Over the past several months, numerous field investigations have been conducted by District Natural Heritage Biologists and local University of Illinois at Springfield (UIS) FGS researchers, namely graduate student, Chris Young (also the editor/photographer for the “Outdoors” section of the Springfield Newspaper: The State Journal Register (SJR)). These surveys have been conducted primarily in and around the right-of-way for the newly opened Sangamon Valley Trail. This bike/walking trail extends from Auburn, north through Springfield, and then northward into the Sherman area. In addition, surveys have been implemented [via IDNR’s Endangered Species Consultation Process and/or the Endangered Species Incidental Take Authorization Process] for many new residential subdivisions being constructed along Springfield’s far west side. Many new colonies of FGS have been found in these areas and the IDNR continues to work with partners such as the City of Springfield, The Springfield Park District, and even IDNR’s bike trail program to minimize impacts and in most instances create new burrow piles/den sites for these animals, which will be protected in perpetuity.

16. Illinois Cave Amphipod – October 2010 through September 2011 Update

*Information reported by Kristen Lundh of the USFWS (Rock Island, IL Field Office): The FWS is working on this year's recovery data call for the Illinois Cave Amphipod (ICA). The following three (3) questions pertain to any new information for this species over the last year (October 2010 - September 2011).

These questions were sent to various researchers/species experts in Illinois currently conducting ICA field activities:

1. Have you perceived any trends in threats to the Illinois cave amphipod over the past year? If so, please explain.
2. Have you identified any new threats to the Illinois cave amphipod over the past year? Please describe.
3. Please describe any trends in population or demographics for the Illinois cave amphipod over the last year.

-No new trend and/or threat information was provided by biologists for the 2010-2011 reporting period.

*Information provided by Dr. Steve Taylor of the INHS, in conjunction with Dr. Frank Wilhelm (University of Idaho): 29 Jun 2011 - Spider Cave - Amphipod collections took place with a 4-5 cm aquarium net held downstream of rocks that were turned over. All amphipods were initially separated by eye and placed into plastic holding trays filled with native cave water. Collections proceeded for approximately 3.5 hours from the entrance upstream to the breakdown terminus. Just downstream of the breakdown 5 sculpin were encountered - this may explain the absence of fauna on the surface of the substrate. A total of 133 *G. acherondytes* were collected, 10 of which (7.5%) were removed for the analysis of stable isotopes to determine diet, trophic position and to examine leg/body isotope ratios. All amphipods except those removed for stable isotope analysis and 40 *G. troglophilus* for growth experiments were returned to the cave stream approximately one-half way between the entrance and the upstream breakdown terminus.

30 Jun 2011 - Snow White Cave - *Gammarus acherondytes* were abundant, Wilhelm found more of them than *G. troglophilus*. All amphipods not needed were returned to the cave stream. No *G. acherondytes* were removed. Researchers exited the cave approximately 45 minutes after entering.

17. Eastern Massasauga Rattlesnake – Update on State of Illinois' Recovery Plan

*Information provided by Dr. Mike Dreslik of the INHS: As of 27 July 2011 – The author(s) of Illinois' Eastern Massasauga Rattlesnake Recovery Plan are nearly wrapped up with our final draft of the recovery plan. In order to finish, the Recovery Team probably needs one more meeting to discuss some items, amend the Plan, and vote it be moved on to review by the ESPB and IDNR for a round of internal review, then out for an external review. The latest version can be found here:

*https://netfiles.uiuc.edu/dreslik/shared/ILEMR_RecoveryPlan_Draft_Compiled_110727.docx

18. Multi-Species Habitat Conservation Plan (HCP) for Wind Energy Development in the Midwest (MSHCP)

*Information provided by Joe Kath and Gary Armstrong (Indiana DNR): This is a step in the right direction as far as Wind Energy issues within USFWS Region 3. At this point, Indiana is the lead State and other states will be brought in as the process continues.

The multi-species habitat conservation plan for wind energy development in the Midwest (MSHCP) was awarded \$3,362,364.00 of federal funds in federal fiscal 2010. The project represents a collaborative effort between the USFWS Region 3 States, the American Wind Energy Association (AWEA), The Conservation Fund (TCF) and the Fish and Wildlife Service (FWS).

Individual states will write grants to review the Habitat Conservation Plan (HCP) draft documents and complete technical investigations. The Service will provide technical assistance to develop HCP documents and grant funds to carry out specific HCP related activities. AWEA members, through contractors, will provide matching funds generated from consulting contracts that provide pre-construction monitoring for wind energy installations. The Conservation Fund (TCF) will provide contract services to develop the Habitat Conservation Plan, Develop National Environmental Policy Act (NEPA) documents relevant to the HCP and a Strategic Habitat Conservation plan relevant to the HCP.

Specifically for this portion of the HCP grant process, the Indiana Department of Natural Resources, on behalf of the other HCP participants, will implement the contract with The Conservation Fund (TCF) to accomplish a defined scope of work. The product of this contract will be a DRAFT HCP document, with associated Draft NEPA and Strategic Habitat Conservation (SHC) documentation.

Generally, state participation is expected to make the end product better for each participating agency. This is a multi-state grant, so the grant rate is 90% federal. Some \$600,000 has been set aside for state participation.

19. Incidental Take (ITA) Update - As of 28 July 2011

*2 Final ITA's awaiting final signatures by applicant or IDNR

- Allerton Park/University of Illinois/Piatt County (Eastern massasauga, Kirtland's snake, Mudpuppy)
- Dresden Island Hydroelectric/Grundy County (Greater redhorse, River redhorse, Pallid shiner)

*4 Final ITA packages are now complete and signed by the Applicant and the IDNR – filed away

- Arenzville Rural Water Cooperative/Cass County (Illinois Chorus frog)
- Blivin Street Road/McHenry County (Black sandshell mussel)
- Marseilles Lock & Dam Project #13351/LaSalle County (Greater redhorse/River redhorse)
- Scott County Rural Water Cooperative/Scott County – Phase II (Illinois Chorus frog)

*3 ITA packages – officially submitted to IDNR and Final ITAs due on the following dates:

- Lowell Eells Property/Vermilion County (Various mussel species): Still needs mussel survey done on site per conference call with USACOE and USFWS on 07/26/2011.
- Walnut Ridge Wind Farm/Bureau County (Ornate Box Turtle)
- Hickory Hills Road/Wayne County (Little Spectaclecase mussel)

*As of 28 July, three (3) new letters sent to Applicants asking them to formally apply for an ITA:

- FAP 301/IDOT (US 20) – JoDaviess County
- American Wind Energy/Sugar Creek Wind Farm – Logan County
- Affinity Wind Farm – Pike County

REPORT END

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

Thank You – Joe Kath.

(Items 20 and 21 were reported by Ms. Ross.)

20. Ms Ross reported that during the upcoming weekend of August 13 and 14, the annual *Thismia americana* (**Thismia**) hunt would take place in the Calumet area. She noted that in addition to looking for the *Thismia*, which has not been seen in 100 years, the event provides an opportunity to update site species lists and possibly find new occurrences of other rare species.

21. Ms. Ross reported that the Field Museum was partnering with Bat Conservation International to host the “Battle for Bats Symposium” October 15, 2011 at the Field Museum. The symposium is largely focused on the issue of white nose syndrome.

(Item 22 was reported by Mr. Byers.)

22. Mr. Byers reported that McHenry County Conservation District recorded two new populations of **Eastern Prairie Fringed Orchid** (*Platanthera leucophaea*) on property that the district owns and has been restoring for years. One population had 134 flowering individuals this year.

The Board recessed from 11:52 to 11:57 to set up a projector.

151-13 Presentation: "Request for ESPB Support of the Proposed Hackmatack National Wildlife Refuge"

Steven Byers of the Illinois Nature Preserves Commission and Lenore Beyer-Clow of Openlands made their presentation to the Board and requested that the Board take action to support the creation of Hackmatack Refuge. Chair Gooch indicated that Ms. Mankowski had prepared a draft resolution for such support and read it to the Board asking if there was a motion to approve the resolution. Ms. Ross **moved** to approve the resolution and Vice-chair Kruse seconded the motion. Chair Gooch asked if there was any other discussion. Vice-chair Kruse noted that in the third paragraph, the Illinois Department of Resources was referred to only by the acronym "IDNR" and the full name should be spelled out. Chair Gooch asked if there were any other comments or corrections, noted there were none, and asked Ms. Ross and Vice-chair Kruse if they accepted the amendment to the resolution. They acknowledged acceptance, and the Board voted unanimously to **approve** the resolution as amended (Attachment D).

151-14 Next Meeting Information (Midewin Tallgrass Prairie, November 18, 2011)

The Board selected dates for its 2012 meetings and agreed that all meetings would again be held at Midewin National Tallgrass Prairie since it is centrally located for members and reduces the need for overnight travel, thus reducing expenses. The 2012 meeting schedule follows.

All meetings begin at 10:00 AM and will be at Midewin National Tallgrass Prairie.

February 17, 2012

May 11, 2012

August 10, 2012

November 9, 2012

151-15 Public Comment Period (3 minutes per person)

There were none.

151-16 Other Business

There was none.

151-17 Adjournment

Dr. Hofmann **moved** to adjourn, Ms. Masi seconded the motion, and the Board **approved** it unanimously. The meeting was adjourned at 1:15 P.M.

**Illinois Endangered Species Protection Board staff report
for the 151st Meeting, August 12, 2011
Submitted by Anne Mankowski, Director**

The Board currently only has one staff, its Director Ms. Mankowski; all activities were conducted by the ESPB Director, unless otherwise noted. Ms. Mankowski donated the following hours of volunteer time toward ESPB activities: August = 7.5 hours; September = 27.0 hours; October 34.75 hours.

1. ESPB Memberships

Ms. Mankowski completed administration necessary to request IDNR Director endorsement and Governor approval of reappointment for current members that expressed interest in continuing service and a nominated new member who had completed the on-line self-nomination at Appointments.Illinois.gov.

2. ESPB Budget

Ms. Mankowski continues working with IDNR on multiple budget assignments related to FY2012 and FY2013 budgets. She also prepared a proposed ESPB FY2013 budget request for Board approval.

3. ESPB Research/Strategic Projects Program

Ms. Mankowski continues administration of IDNR research projects and assisting IDNR Natural Heritage Database Manager, Tara Kieninger, in working with partner organizations on an ongoing project to conduct surveys to update endangered and threatened animal element occurrence records that are greater than 10 years old.

4. ESPB 2012 Biennial Report and 40 Years of the Illinois Endangered Species Protection Act Publication

As per Board discussion at the ESPB 150th meeting held May 13, 2011, Ms. Mankowski is working to incorporate into the ESPB 2012 Biennial Report a 40-year review of accomplishments and challenges relative to provisions and requirements of the ESPA.

5. Initial Preparation of Materials for List Review and Revision ending in 2014

Ms. Mankowski is using work described in item #5 above to update and improve the ESPB files on species status and distribution and the history of species listings as part of the initial preparation of materials for the next List review.

6. Meetings, Presentations, and other Publications

Ms. Mankowski participates in IDNR ORC twice-monthly and Natural Heritage monthly administrative meetings.

Ms. Mankowski participated in the 56th Natural Areas Evaluation Committee meeting held June 7, 2011 at IDNR headquarters. The ESPB is a voting member of the NAEC. The meeting included approval of 3 new Category I (high-quality community) sites, 5 new Category II (endangered and threatened species specific suitable habitat) sites, 2 new Category III (IL Nature Preserves and Land and Water Reserves) sites, and 2 new Category VI (unusual concentration of flora and fauna) sites, and discussion about the protocol and criteria for identifying Category II sites.

Ms. Mankowski met twice with IDNR Office of Legal Counsel to provide endangered and threatened species law, policy, and procedure orientation to several new attorneys.

7. 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:

- Coordinated with IDNR Natural Heritage Database Manager, Tara Kieninger, in developing contracts and proposals for projects intended to update historic endangered and threatened animal element occurrence records in the database.
- Provided assistance to IDNR Office of Legal Counsel in responding to a FOIA request for ESPB 2009 public hearing materials.
- Assisted IDNR Chief Legal Counsel in preparing materials for OLC correspondence regarding potential project impacts upon the Spotted Dusky Salamander (*Desmognathus conanti*). The subject project has not yet gone through the incidental take authorization process since a conservation plan has not been publicly noticed, the ESPB has not received a copy of the conservation plan, and the ESPB has not received copy of an IDNR draft incidental take authorization for review and comment.
- Assisted IDNR OLC and Law Enforcement with compilation of information related to a possible violation of the ESA involving collecting without a valid permit.
- Continued project management of the Barn Owl (*Tyto alba*) recovery planning and implementation State Wildlife Grant project (T-35-P-1) and began working on the SWG final report.
- Met with IDNR ORC Director, Jim Herkert, to review ESPB/IDNR coordination of endangered and threatened species work.
- Provided IDNR review and comments of draft documents associated with a USFWS/INDNR-led wind energy multi-state Habitat Conservation Plan.
- Provided review and comments of an IDNR monitoring plan for the Northern Riffleshell (*Epioblasma rangiana*; IL E, Fed E) reintroduction project and a review of the endangered and threatened species translocation approval coordination process between IDNR, ESPB, and INPC that is supposed to precede issuance of permits.
- Provided to IDNR ORC staff a review of the endangered and threatened species translocation approval coordination process between IDNR, ESPB, and INPC that is supposed to precede issuance of permits – in this case for translocation work involving the Black Sandshell (*Ligumia recta*).
- Completed administration necessary to fully execute a contract with Northern Illinois University for development of an Illinois Recovery Plan for Blanding's Turtle (*Emydoidea blandingii*). The production of a recovery plan will follow the IDNR ORC recovery planning process with a final plan being approved by the IDNR and ESPB.
- Provided to IDNR ORC staff information regarding the Illinois and Federal status of the copperbelly watersnake.
- Provided IDNR Forestry staff information regarding IDNR endangered and threatened species consultation contacts and references.
- Provided to INPC staff information regarding endangered and threatened species location and habitat information relative to threats at an Illinois Nature Preserve.
- Communicated with INPC staff about trying to coordinate for a joint ESPB/INPC meeting in September 2011. INPC staff indicated that they were not able to coordinate for that timeframe. Ms. Mankowski will continue to communicate with INPC staff about a possible joint meeting in 2012.
- Provided review, comments, and questions to IDNR on two draft incidental take authorizations: Arenzville water pipeline project involving the Illinois Chorus Frog (*Pseudacris illinosensis*; IL T); and UIUC bridge replacement and road repair project involving Kirtland's Snake (*Clonophis kirtlandii*; IL T), Eastern Massasauga Rattlesnake (*Sistrurus catenatus*; IL E); and Mudpuppy (*Necturus maculosus*; IL T) during the last quarter.
- Fielded and referred 12 requests to IDNR for E&T consultation, incidental take, data, permits, etc.
- Directly responded to 92 requests for ESPB and E&T information from the public and other state and federal agencies.

8. Coordination with other Agencies

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 the five-year review of Clubshell (Fed E, considered extirpated in IL) and

Northern Riffleshell (*Epioblasma rangiana*; Fed E, IL E following USFWS-led reintroduction into IL) mussels; the proposed listing review for Golden-winged Warbler (*Vermivora chrysoptera*), Northern Long-eared (*Myotis septentrionalis*) and Eastern Small-footed (*Myotis leibii*) bats; and advanced information requests for the Big Brown (*Eptesicus fuscus*), Little Brown (*Myotis lucifugus*), Tri-colored/Eastern Pipistrelle (*Pipistrellus subflavus*), Southeastern Myotis (*Myotis austroriparius*; IL E), Cave Myotis (*Myotis velifer*).

- Ms. Mankowski met with Illinois Department of Transportation, IDNR, and INHS staff to discuss a proposal to amend the Illinois Administrative Rule for Incidental Take of Endangered and Threatened Species. Discussion in the meeting determined that more information about results of mitigation activities was necessary before further advancing consideration of the proposal.
- Ms. Mankowski provided information to the Champaign County State's Attorney regarding the IL List of Endangered and Threatened Species, the inclusion of federally endangered and threatened species on the IL List, and IDNR permit requirements related to federally listed species.
- Ms. Mankowski provided information to the IL Department of Economic Opportunity regarding endangered and threatened species consultation and coordination related to a disaster area federal aid application that DCEO was preparing for flood damages in southern Illinois.
- Ms. Mankowski conducted a survey and provided a report for a USGS Breeding Bird Survey route in central Illinois.

9. Field Work

- Assisted IDNR Natural Heritage Staff with Illinois Barn Owl Recovery Plan implementation activities including nest box placement, monitoring, and site evaluations in IDNR Region 4.
- Conducted a USGS Breeding Bird Survey route in central Illinois.

10. Other General Administration and Clerical Work

- Responded to requests for status and distribution information by two media outlets – the Quad City Times regarding the peregrine falcon and the Southern Illinoian regarding the armadillo.
- Provided permission for Warner Brothers Studios to use the ESPB poster “These Precious Few” in a future Superman movie and related promotion.
- Prepared and routed Board member and staff travel vouchers.
- Regularly distributed information to Board and ESTAC members via internet and hardcopy mailings.
- Made updates to the ESPB webpage on the IDNR website.
- Responded to IDNR requests for establishing ESPB programmatic codes that allow for tracking of time and expenses, especially as they relate to license revenue eligible activities.
- Provides to IDNR ORC, ESPB weekly report for possible inclusion in the weekly IDNR report to the Governor's Office and ESPB bi-weekly highlights for inclusion in IDNR executive staff meeting minutes.
- All aspects of preparation for the August 12, 2011 151st meeting.
- Took six required furlough days.

**Illinois Department of Natural Resources
report to the Illinois Endangered Species Protection Board
at the 151st meeting, August 12, 2011**

Personnel

Diane Tecic, the Natural Heritage Division Regional Administrator for northwestern, southwestern and east central Illinois, accepted another job within DNR with the new Coastal Zone management program in Chicago. Maggie Cole will take over Diane's duties in northwestern Illinois and Jody Shimp will take on east central Illinois. An updated map of the heritage biologist districts is available.

Natural Heritage Resident Interns

Two more natural heritage resident interns started work with DNR since the last Board meeting, bringing the total to 8 interns this year. Samantha Worthington will be working in the Peoria region and Stefanie Fitzsimons will be working in northeastern Illinois. The resident intern is a one-year, paid, full-time position with DNR where students working on a Masters degree in biology gain work experience by assisting Natural Heritage Biologists or Nature Preserves Commission Preservation Specialists in the field. There have been 66 resident interns since the program began in 1993. The intern program is funded by the Natural Areas Acquisition Fund.

Wildlife Preservation Fund

The Illinois income tax "checkoff" fund generated about \$150,000 this year. The fund provides \$25,000 to the Board for status surveys and supports the Boards travel expenses. In addition, nine projects will be funded with the donations including an E and T survey of historic (greater than 10 years) occurrences in northeastern Illinois, restoration of 200 acres of prairie at Prairie Ridge State Natural Area, continuation of Plants of Concern, a study of cave hibernating bats, Earth Day in the Parks, grass and forb seed for DNRs Habitat Team and research on the loggerhead shrike population here at Midewin.

Natural Heritage database

The Heritage database staff had a productive month in July, mapping and/or doing data entry of 178 E and T occurrences, both new and updates.

Illinois Natural Areas Inventory

Five regional ecologists are in the field again this summer updating the Illinois Natural Areas Inventory. A second effort, reassessing the condition of existing Category I (high quality natural community) natural areas, is also continuing.

The 57th Natural Areas Evaluation Committee (NAEC) meeting is scheduled for August 30. At this meeting the committee will evaluate the nominations of 6 new sites resulting from the INAI Update effort. Anne Mankowski represents the ESPB on the NAEC.

New sites from the INAI Update effort continue to be nominated following a set procedure. The Update contract with DNR expires October 31, 2011. While official results are not yet available for this field season, it looks to be the most successful to date. Unfortunately, due to a larger than anticipated number of potential survey sites and resulting landowner contact and scheduling constraints, it appears that areas of the state will not be completely updated by this contract. The Natural History Survey was awarded a \$30,000 Wildlife Preservation Fund grant that will be matched with Foundation money to continue the INAI update on a limited basis within those areas.

To: Endangered Species Protection Board Members
From: Randy Heidorn, Acting Director, Illinois Nature Preserves Commission
Date: August 10, 2011
Subject: Report for August 12, 2011 Meeting of Endangered Species Protection Board

In 2009 the Illinois Nature Preserves Commission (INPC) changed to three meetings a year to reduce costs. Therefore, we have not had a meeting since the last time the Endangered Species Protection Board met in May. Our next meeting is September 20, 2011 at the Lost Valley Visitor in Richmond.

1. Update on Class III Special Resource Groundwater Designation:

Fifteen Illinois Nature Preserves have received Class III Special Resource Groundwater status. Special Resource Groundwater is a unique classification for areas that have either been determined by the Illinois Pollution Control Board to be *“demonstrably unique...or...vital for a particularly sensitive ecological system...or...groundwater that contributes to a dedicated nature preserve...”* (35 Ill. Adm. Code 620.230). As it stands, this designation requires that Class III areas be held to Class I (or drinking water) standards. However, an important distinction is that the Class III designation allows an area to be subjected to adjusted water quality standards if it is found that certain chemical constituents degrade the specific ecological community. So, for example, in a rare and sensitive high-quality fen wetland nature preserve in northeastern Illinois, the INPC could petition the Illinois Pollution Control Board to decrease the allowable concentration of chlorides to sustain this highly adapted ecosystem. In the areas surrounding the nature preserves where the Class III Special Resource Groundwater designation has occurred, the Commission has found that it becomes a useful planning tool for developers and consultants in guiding them from causing harm to our state’s dedicated lands through changes to groundwater quality or quantity. Where a direct threat has occurred to a nature preserve within a Class III, the Illinois Environmental Protection Agency (IEPA) has been quick to respond by referral to the Illinois Attorney General’s Office potentially resulting in immediate injunctive relief.

- a. **Nature Preserves (NP) with Class III designations:** Boone Creek Fen NP, McHenry Co.; Amberin Ash Ridge NP, McHenry Co. (lies within Boone Creek Fen NP Class III); Pautler NP, Monroe Co.; Stemler Cave NP, St. Clair Co.; Fogelpole Cave NP, Monroe Co.; Julia M. and Royce L. Parker Fen NP, McHenry Co.; Illinois Beach NP, Lake Co.; Bluff Spring Fen NP, Cook Co.; Braidwood Dunes and Savanna NP, Will Co.; Lake in the Hills Fen NP, McHenry Co.; Volo Bog NP, Lake Co.; Elizabeth Lake NP, McHenry Co.; Lockport Prairie NP, Will Co.; Romeoville Prairie NP, Will Co.; Armin Krueger Speleological Area NP, Monroe Co.
- b. **Studies completed by the Illinois State Geological Survey (ISGS) and petitioned to IEPA for review:** George B. Fell NP, Ogle Co.; Spring Grove Fen NP, McHenry Co.; Goose Lake Prairie NP, Grundy Co.; Trout Park NP, Kane Co.; Cotton Creek Marsh NP, McHenry Co.; Gladstone Fen NP, McHenry Co.
- c. **Next studies to be petitioned upon receipt from ISGS:** Searls Park Prairie NP, Winnebago Co.; Sand Ridge NP, Cook Co.; Yonder Prairie NP, McHenry Co.
- d. **Next INPC sites to be studied by ISGS:** Thomas W. and Elizabeth Moews Dore Seep NP, Whiteside Co.; Long Run Seep NP, Will Co.; Apple River Canyon NP, JoDaviess Co.

2. INPC Stewardship Funding Task Force:

At the January, 2011 meeting of the INPC, commissioners established a task force to investigate ways to address a consistent shortfall in meeting stewardship needs of the Nature Preserve System. The Task Force has held meetings in Chicago and in association with the regular INPC meeting in Alton. The Task Force members have concluded that the best way to address the shortfall is to use a strategic approach

that uses existing resources as efficiently as possible, and begins the process of getting and keeping additional resources by building a strong constituency.

- a. INPC staff has been assigned to prioritize its stewardship work based on need, both from a resource perspective and the ability of landowners to steward sites. Fundamental to this is a realization that ultimately it is the landowner's responsibility to manage their land. Also important is that a few landowners (IDNR and county conservation agencies) own most of the significant resources. The largest of these is the IDNR, who as a state agency, has limited potential to raise additional revenue during the current economic climate. This is contrasted to county agencies, that have operating levies, or non-profit organizations who can tap into foundation funds. Similar to the IDNR, many private individuals have only limited resources available for stewardship. Though only a relatively small portion of the system, the private landowner's land might be very significant and have unique resources not found elsewhere in the system. This prioritization, process, amounting to a stewardship triage, will require matching funding sources to sites on a site by site basis and will involve numerous source including Natural Areas Acquisition Fund, farm program, foundation, private donation, land trust, federal dollars, fine dollars and other sources.
- b. Staff is also developing plans for enhancing its efforts to defend the dedications and easements it holds, through increased surveillance of boundaries and resources.
- c. The Task Force has also created a couple of smaller work groups made up of volunteers, staff and limited commissioner involvement that are addressing constituency development and developing a mechanism that can be used to hold funding for stewardship that cannot be swept for other government uses. The former will involve having an annual natural areas conference in Illinois to bring together supporters, owners and managers of the nature preserves system to exchange information on natural areas conservation. The first such conference will be scheduled for late spring or early summer 2012 and will focus on the Illinois Natural Areas Inventory update.

Resolution 151-13

Illinois Endangered Species Protection Board
August 12, 2011

WHEREAS, the Illinois Endangered Species Protection Board is concerned with habitat quality of endangered and threatened species in the State and has a mandate to advise the State on protection of threatened and endangered species; and,

WHEREAS, the National Wildlife Refuge System is a national network of public lands managed by the U.S. Fish and Wildlife Service which are set aside to conserve America's fish, wildlife, and plants; and

WHEREAS, the Illinois Wildlife Action Plan, prepared by the IDNR, provides specific goals for protection of major habitats in the Northeastern Morainal Natural Division of Illinois, identifies specific action items to support the Forest, Farmland and Prairie, Wetlands, and Streams Campaigns, and identifies the Lake-McHenry Wetlands as a Conservation Opportunity Area (COA); and

WHEREAS, the U.S. Fish and Wildlife Service is conducting an Environmental Assessment to determine the feasibility of establishing the Hackmatack National Wildlife Refuge in the morainal topography of northeastern Illinois, a region of the State that supports a high occurrence of endangered and threatened plant and animal species; and

WHEREAS, the proposed Hackmatack National Wildlife Refuge will provide habitat for at least 60 State-listed plant and animal species, support habitat protection goals identified for the Northeastern Morainal Natural Division of Illinois and Campaign action items identified in the Illinois Wildlife Action Plan, and lies within the Lake-McHenry Wetlands COA; and

WHEREAS, the Board finds that designation of the Hackmatack National Wildlife Refuge will serve to assist, protect, conserve, and further management of the State's endangered and threatened species and their habitats;

NOW THEREFORE, the Illinois Endangered Species Protection Board resolves to support creation of the Hackmatack National Wildlife Refuge which would benefit the State's endangered and threatened species and their habitats of the area. The Board further directs that a copy of this resolution be transmitted to the Regional Director of the U.S. Fish and Wildlife Service upon its passage.

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



R. Dan Gooch
Chairman
Illinois Endangered Species Protection Board