

# ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

## MINUTES OF 206<sup>th</sup> MEETING, May 23, 2025

Illinois Department of Natural Resources, Director's Boardroom

One Natural Resources Way, Springfield, IL 62702

and remotely via WebEx

Approved at the 207<sup>th</sup> meeting, August 22, 2025

BOARD MEMBERS PRESENT: Dr. Angelo Capparella, Ms. Samantha Chavez, Dr. Janice Coons, Dr. Michael Dreslik, Dr. Jeremie Fant, Dr. Joyce Hofmann, Ms. Ann Marie Holtrop, Mr. Randy Schietzelt, Dr. Tih-Fen Ting, and Dr. Philip Willink.

OTHERS PRESENT: Heather Osborn (IDNR Division of Natural Heritage ITA Coordinator), Brian Metzke (IDNR Division of Natural Heritage, Aquatic Ecologist), Natalia Maass (IDNR Division of Natural Heritage Database Program), Valerie Njapa (INPC), Trent Thomas (IDNR Fisheries), Sam Strain (IDNR – Chief of Staff), Todd Strole (IDNR – Deputy Director), Michael Redmer (semi-retired US Fish and Wildlife Service), Patty Wetli (WTTW news), Alysha Davis, Calvin Beckmann (Chief of Parks and Recreation – IDNR), Gretel Kiefer (Chicago Botanic Garden – Plants of Concern), Leon Hinz (IDNR), and John Spaeth (EDGE Engineering and Science).

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

Chair Hofmann called the meeting to order at 10:02 A.M. and conducted the roll call. Nine voting Board members were in attendance, constituting a quorum. Dr. Hofmann welcomed the visitors and asked them to introduce themselves.

### 2. Adoption of Agenda

Mr. Schietzelt moved that the agenda be adopted with one correction (the date in Item #14 is August 22 instead of August 23). The motion was seconded by Dr. Dreslik. The motion passed unanimously.

### 3. Approval of Minutes from the 205<sup>th</sup> Meeting on February 21, 2025

Draft minutes of the 205<sup>th</sup> meeting had been distributed to Board members prior to the meeting by email. Dr. Coons moved that the minutes of the 205<sup>th</sup> meeting be approved as presented. Dr. Capparella seconded the motion, and it passed unanimously, with one abstention from Dr. Fant. The minutes will be posted on the website.

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

The Department's report was distributed to the Board at the meeting. Ms. Holtrop highlighted a Rare Plant Recovery Meeting in Springfield to begin working on the rarest plant species in the

state and determine how to prevent their extirpation. This was a kick-off meeting. In the future there will be surveys and other conservation activities. They are now reassessing strategies and rescue efforts.

Dr. Fant wondered if IDNR was considering seed banking, mentioning that the Chicago Botanic Garden already has one. Ms. Holtrop replied that IDNR was thinking about it and how to do it. They are considering working with the Illinois Natural History Survey (INHS) to get assistance in developing protocols. Dr. Fant continued by saying that the Center for Plant Conservation has written protocols. Ms. Holtrop clarified that Phil Cox is the lead, and he may already know about this. Dr. Coons was curious about who was present at the meeting. Ms. Holtrop answered that this was an initial internal IDNR meeting, and that they would reach out to other organizations at a later date.

IDNR recently acquired another 180 acres of land valued over \$2,000,000.

IDNR's Prescribed Fire Workgroup is revising their policy and procedure.

Two Administrative Rules, one regarding how to post incidental taking of endangered or threatened species and another regarding regulations for exotic weeds, have been posted in the Illinois Register. The Administrative Rules for the revised lists of Illinois endangered and threatened species should be going to the Joint Committee on Administrative Rules fairly soon.

Many IDNR staff have been busy with prescribed burns.

Not mentioned in the report is the freezing of funding for an Illinois chorus frog project.

IDNR continues to work on their revised Endangered Species Recovery program. There are 74 species in the program, with work ranging from producing Species Status Assessments to recovery plans. There are now six requests for resources, which is the last step.

Dr. Coons mentioned that she would like to see the IDNR report earlier. There is a lot of great information in these reports, but one needs time to digest it all. Ms. Holtrop will aim to get the report to the Board earlier.

Ms. Chavez asked if the 74 species are on the IDNR website. Ms. Holtrop replied that those with a completed Species Status Assessment should be. Others are in preparation.

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

An INPC report was distributed to the Board prior to the meeting via email. Mr. Strole highlighted that two new Commissioners were appointed in April – John Rogner and Connie Carroll-Cunningham. All INPC commissioners are now on current terms.

Interviews were held for two Natural Resource Advanced Specialists to backfill Kelly Neal's position (permits and management plan review). Offers have been made, and acceptance is pending. The posting for the Executive Director position will be pursued when these two positions have been filled.

There is a Notice of Funding Opportunity for the next round of Natural Areas Stewardship Grants.

INPC was involved with 23 biological surveys and about 137 prescribed burns. It was a busy fire season.

A full list of threats to Nature Preserves is included in the report.

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

Chair Hofmann provided a written report on her activities since the last meeting; the report is attached to these minutes. She performed the usual administrative tasks of dealing with email, reviewing draft minutes from the previous meeting, distributing draft ITAs and Conservation Plans to Board members, and distributing materials for the current meeting.

Chair Hofmann prepared and formatted the list of proposed changes to the Illinois List of Endangered and Threatened Species (Illinois List) that had received final approval from the Board and passed this List to IDNR for approval by Director Finnie.

Board appointments for Dr. Capparella, Mr. Schietzelt, and Dr. Willink end in May. Chair Hofmann reminded them that if they have not already done so, they need to re-apply to continue with their appointment.

Elections for Board officers will be held at the upcoming August Board meeting.

There was an online article about endangered species by Patty Wetli of WTTW. Dr. Ting and Dr. Willink were interviewed.

Chair Hofmann will not be present at the November meeting.

7. Status of the Amended Administrative Rules for Endangered and Threatened Fauna and Flora

This was mentioned briefly under item #4. Ms. Holtrop continued by saying that the legal team was doing the final preparation of the two Administrative Rules (one for flora, one for fauna). The Rules will then be published in the Illinois Register. There is a first and second notice, at which time the public can make comments.

8. Approval of Minutes of the Mammal and Fish Endangered Species Technical Advisory Committee Meetings

Chair Hofmann attended the Mammal Endangered Species Technical Advisory Committee (ESTAC) meeting and produced minutes. She highlighted one item for the Board's attention, the tricolored bat. At the time of the ESTAC meeting, there was a proposal from the US Fish and Wildlife Service to federally list this species. However, this has not happened. If the species is listed at the federal level, it will be automatically included on the Illinois List. Otherwise, Illinois may need to act on its own, perhaps even before the next List revision, because the species has experienced a major decline. Chair Hofmann also expressed the opinion that if the wolf is delisted federally, it should not remain on the Illinois List because there is no breeding population in the state. Wolves are also protected under the Illinois Wildlife Code.

Mr. Schietzelt wondered if the Board could actually vote to approve the minutes from ESTAC meetings, since most of the Board members were not actually in attendance. It was proposed that the Board vote to post the minutes online instead of approving them. Mr. Schietzelt motioned that the minutes from the Mammal ESTAC be posted online. Dr. Fant seconded the motion. The motion passed unanimously.

Dr. Willink attended the Fish ESTAC meeting. He noted that there were nine members in attendance, as well as Dr. Hofmann, Ms. Maass (who was incredibly helpful by presenting species summaries and maps), and Mr. Dale Bowman (Chicago Sun-Times reporter).

Some fish species are improving, such as the lake sturgeon, pallid shiner, and bigeye chub. There is hope that perhaps these species could be delisted.

For some species, there is a limited amount of data, such as cisco, harlequin darter, northern madtom, longnose sucker, sturgeon chub, and river chub. These tend to be species living in either Lake Michigan (one of the largest lakes on the planet) or the Mississippi River (one of the largest rivers on the planet). Furthermore, some of these species are small minnows. It is difficult to know exactly what is happening with small fishes living in large bodies of water.

Mr. Bowman wondered if the brook trout could ever be listed as endangered or threatened in Illinois. That would be a tricky situation because it is an incredibly popular sport fish. Technically it could be listed if the data warrant.

It was at this meeting that the first discussions concerning the streamline chub and Tippecanoe darter occurred.

Some species with only a handful of records, such as the northern studfish, were also discussed, but it was decided that individuals had probably just wandered over from nearby states.

Dr. Ting motioned that the minutes from the Fish ESTAC be posted online. Dr. Capparella seconded the motion. The motion passed unanimously.

9. Presentation on Recent Federal Changes Related to Endangered and Threatened Species  
– Dr. Michael Dreslik

The presentation focused on Executive Order (EO) 14720 emanating from the White House. The overall goal of the EO is Zero-Based Regulatory Budgeting to Unleash American Energy. There are many aspects to this. For example, the EO requires all “Covered Regulations” in energy-sector agencies to carry automatic sunset dates unless reauthorized. This schedule is for existing rules to expire one year after the EO effective date; new rules expire in five years unless exempted. Agencies may seek exemptions, but only via documented justification.

It is anticipated that there will be pressure to prioritize economic factors where the Endangered Species Act (ESA) allows, such as critical habitat exclusions. EO reviews may affect how economic rationales are used for conservation regulations. There will be a tension between economic considerations and ESA’s science-based foundation.

There are also included definitional changes. This could result in revised interpretations of the ESA. More specifically, changes to “species,” “critical habitat,” and “take” could limit ESA’s scope.

The species listing process may be slowed by changes in scientific standards, narrowing definitions, process delays, and a shifting of priorities. Economic exclusions could become more frequent. Agencies may create less comprehensive new rules anticipating opposition. Recovery and monitoring programs could be sunsetted.

Land acquisition and use could change, favoring economic development over conservation of habitat.

It is unclear how federal – state partnerships will fare. At the moment there are guidelines on how the federal government interacts with states, other agencies, and with international treaties. There are many questions on what these relationships will look like if this EO is implemented.

Efforts to reduce “regulatory burden” or expedite processes for energy development could affect “best available science” standards, analytical depth, or mitigation protectiveness. Mandated sunset provisions may create uncertainty. Services face a substantial burden reviewing all ESA regulations under deadlines, risking unintended expirations. Changes in one area of the ESA can have cascading effects on the effectiveness of others. EO could influence a *de facto* shift in agency focus on decisions that minimize energy impacts, potentially altering the balance with conservation objectives.

This is but a brief overview of a complex situation. Combined with almost certain litigation opposing some of these changes, it is unclear how any of this will turn out. There is a great deal of ambiguity and uncertainty. It is also unclear how much of this will cascade down to the state level.

Mr. Schietzelt requested clarification regarding the sunset of rules. Dr. Dreslik said the greatest challenge would be the administrative burden.

Ms. Chavez wondered how much critical habitat there is in Illinois. Ms. Holtrop said examples would be habitat associated with the rusty-patched bumble bee and Hine’s emerald dragonfly. Dr. Dreslik commented that designating critical habitat is complicated in even the best of times.

Ms. Chavez then asked that if the US Fish and Wildlife Service begins to focus more on delisting species, would they automatically come off the Illinois List as well. Ms. Holtrop will look into it.

Dr. Ting commented that western states with lots of public land will be more impacted by these changes. There was general agreement that this would be the case.

Dr. Dreslik added that there could be even larger impacts to the National Environmental Policy Act (NEPA).

10. Process for Updating the Petition Forms Used in the Five-Year Review and Revision of the Illinois List of Endangered and Threatened Species

Chair Hofmann encouraged Board members to think about updating the petitions used during the revision process. To this end, she suggested that two Board members work with IDNR to come up with draft versions. Dr. Dreslik volunteered, adding that a petition that complemented IDNR processes would be beneficial. Dr. Ting also volunteered, adding that petitions needed more information on survey effort and increased reporting of negative results. Ms. Holtrop will coordinate. The goal is to have a draft by the November meeting.

11. Topics for Discussion at a Special Meeting of the Board and IDNR Staff

Chair Hofmann encouraged Board members to think about topics relevant to endangered and threatened species and the listing process that they would like to discuss with IDNR staff. The following topics were mentioned:

How to deal with species that are difficult to survey or identify

The underlying philosophy of the Endangered Species Act and the Illinois List of Endangered and Threatened Species

The regulations that are needed to accomplish conservation of listed species

How to decide which species are resident in Illinois (for example, how to deal with range shifts due to climate change)

Criteria to distinguish between endangered and threatened species

How to decide when a reintroduction become native (especially in regard to plants)

Dr. Willink noted that the answers to some of these issues will be taxon specific.

There was a consensus that instead of a convening a special meeting with IDNR staff, a topic or two be discussed at each Board meeting over the next year or two.

12. Public Comment Period

There were no public comments.

13. Other Business

Chair Hofmann reminded Board members to submit their time and travel forms to Nicole Sandidge.

14. Next meeting information (August 22, 2025 at 10 A.M.)

The next meeting will be August 22, 2025 at 10 A.M. Presumably it will be at IDNR in Springfield, IL.

15. Adjournment

Chair Hofmann adjourned the meeting at 11:57 A.M.



# **ILLINOIS ENDANGERED SPECIES PROTECTION BOARD**

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## **Report from the Chair, 23 May 2025**

Joyce Hofmann

### **Activities for the period between the 205<sup>th</sup> and 206<sup>th</sup> Board meetings**

- performed follow-up for 205<sup>th</sup> meeting – arranged for the final agenda of the 205<sup>th</sup> meeting and approved minutes of the 204<sup>th</sup> Board meeting to be posted on the website
- monitored the Board's email account – responded to some messages, forwarded others to appropriate personnel at the Illinois Department of Natural Resources (IDNR)
- reviewed the draft minutes of the Board's 205<sup>th</sup> meeting
- wrote responses to some of the comments from the Division of Natural Heritage about proposed changes to the Illinois List of Endangered and Threatened Species and compiled responses from other Board members into a letter to the Division
- reviewed a draft version of the amended Administrative Rule for Endangered and Threatened Fauna
- wrote draft minutes for the Mammal Endangered Species Technical Advisory Committee (ESTAC) meeting
- compiled draft minutes for the Fish ESTAC meeting with input from Phil Willink and Natalia Maass
- attended the 250<sup>th</sup> Illinois Nature Preserves Commission meeting in Vermilion County on 13 May and presented the report from the Board
- completed mandatory training on Ethics; Harassment and Discrimination Prevention; Diversity, Equity, Inclusion, and Accessibility; LGBTQIA+ Equity and Inclusion; and Security Awareness

- distributed six draft Incidental Take Authorizations and one Conservation Plan to Board members for potential review
- prepared for the 206<sup>th</sup> Board meeting – prepared the notice for the 206<sup>th</sup> meeting, developed a draft agenda for the 206<sup>th</sup> meeting, arranged to have the notice and draft agenda posted on the Board's website and at the IDNR building, and distributed materials for the 206<sup>th</sup> meeting to Board members