



## President's Message, *Jim Lamer*

I am humbled and honored to serve as this year's President of the Illinois American Fisheries Society. I benefit from the wisdom and ideals of the 55 men and women that served before me and will try my best to uphold and build upon the values they bestowed upon the chapter. Like many of you, I was compelled to fisheries by my love of fish and fishing and the excitement that a new fish or new discovery on the water brings. I had my first exposure to big river fish and fisheries science at INHS in Alton and I was "hooked" from then on out. Even though more and more of my time is living vicariously through my student's pictures and adventures, I am just as excited about my job as I was on day one. We are a fortunate group to get paid to do what we love. My twelve years as an ILAFS member have been extremely rewarding by building collaborations, being exposed to research and management in the state, and networking as a student, technician, and now in my position at WIU, and I am very proud to be able to serve at this level and give back to this great organization.

I thank my predecessor, Steve Pescitelli for his easy-going nature and strong leadership in 2016. Steve was responsible for this past year's management session, which I foresee becoming an important part of our annual meetings to communi-

cate the status of Illinois' fisheries and benefit the next generation of fisheries biologists. Under Steve's guidance, the first annual ex-com retreat was held at the Kibbe station to discuss officer roles and brainstorm ideas for the betterment of the chapter (and then celebrate the day's accomplishments with fried fish and cold libations). Greg Whitledge has taken the reigns as president-elect and we welcome Phil Willink as our new secretary – needless to say the chapter is in good hands and we are lucky to have them. I now have a much deeper appreciation of what goes into making our annual meetings run so smooth and thank Rich Lewis for keeping our books so tidy, Brian Metzke for his institutional knowledge of the chapter and being the target of our constant barrage of questions



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### Chapter Objectives:

- Promotes training of fisheries professionals.
- Provides education outreach to the citizens of Illinois.
- Fosters research in fisheries and aquatic sciences.
- Provides sound fisheries policy information.
- Enhances communication and synergistic relationships amongst fisheries professionals.

## Chapter Officers and Chairpersons

President: Jim Lamer

President-Elect: Greg Whittleage

Secretary: Phil Willink

Treasurer: Rich Lewis

Past President: Steve Pescitelli

Excom Members at Large: Karen Rivera/Kevin Irons

Committee Chairpersons:

Archival: Nathan Grider

Arrangements: Brian Metzke

Awards: Nerissa McClelland

Continuing Education: Ben Lubinski

Environmental Concerns: Rob Colombo/Karen Rivera

IL Environmental Council: Diane Shasteen

IL Wildlife Action Team: Trent Thomas

Membership: Brian Metzke/Josh Sherwood

Newsletter: Brian Metzke/Jason DeBoer

Raffle: Blake Ruebush

Resolutions: Rob Hilsabeck

Student Concerns: Dan Grigas

Student Subunits:

Eastern Illinois: Bethany Hoster

Southern Illinois: Aaron Schiller

University of Illinois: Emily Reed

Western Illinois: Ashley Stanley

Website: Jessica Thornton

NCD Committee Reports Representatives:

Centrarchid: Nathan Lederman

Esocid: Rob Colombo

Ictalurid: Jeremy Tiemann

Rivers and Streams: Trent Thomas/Steve Pescitelli

Walleye: Jason DeBoer/Mike Garthaus

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If you or someone you know is interested in supporting our organization, please contact the membership committee chairman, Brian Metzke (brian.metzke@illinois.gov), for more information.

## President's Message

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as well as securing the excellent venue this past meeting, Blake Ruebush for doing another phenomenal job on the raffle, Nerissa McClelland and Dan Grigas for always making sure the student awards and judging are executed flawlessly, and a multitude of others that come together to make this event a year after year success. I am proud to be in the midst of good people and good fisheries biologists and grateful to be able to serve in this capacity. The student subunits continue to battle it out for the coveted traveling trophy and in the process, help Blake secure high quality prizes for our raffle. Their level of involvement in the chapter, enthusiasm, quality research, and outreach in the state bodes well for the future of our fishery.

One of the strong facets of our chapter is the student mentor relationships that exist, not only between advisors and grad students, but also between the young and seasoned professionals in the chapter. I see it reflected in the quality of student talks and posters from all institutions and I see the positive interactions between professionals and students at every break, poster session, and some deep philosophical life lessons delivered at the socials. Speaking from a not too distant version of myself as a student, the interactions I had with the fisheries professional at ILAFS were revered and instrumental in shaping my career in aquatic ecology. My take home message from this trip down memory lane to fisheries professionals is to continue to engage the students and young professionals at the conference – you are well respected and can influence the incoming school of biologists (by reinforcing good science and the invaluable lessons that come from experience, and discouraging bad habits along the way). My message to students is that even though it may seem a little intimidating or daunting to approach the seasoned biologists, please remember that they were once in your shoes and fisheries folk in Illinois tend to be some of the most easy-going and inviting people you'll ever meet – give it a chance, you won't be disappointed.

I preside over the chapter during challenging times that affect us at a chapter, state, and societal level. Despite and because of these challenges, we must remain positive and ever vigilant as the core principles that compelled us into fisheries in the first place are under attack. It is our job to not only communicate research and scientific findings amongst our peers, but to reach out, engage, challenge, and communicate the value and beauty of science to all the people of Illinois, both young and old, and let them know that science is not bad, academia is not the enemy, and there is common ground (or water) to be had. Informing, sharing, and exposing our passion to the public has never been more important - fishing is our neutral zone and the pure joy and wonder that it instills is capable, more than anything else that I can think of, transcending divisiveness, fostering mutual respect, and enjoying one another and nature, despite our differences. Dan Stephenson's report on the status of ILDNR fisheries was bleak and fisheries management across the state has been reduced and suffers from vacancies that cannot be filled. This frustrates our state biologists on the ground and coupled with current federal hiring limitations, discourages job prospects for our future biologists, forcing them to seek employment out of state. We applaud our ILDNR for going above and beyond to provide a quality fishery to the people of Illinois. Despite the somber state of affairs, I heard glimmers of optimism and hope in Dan's voice and hopefully the reinstatement of state funding and the alleviation of political roadblocks will supply the ILDNR with the workforce and support it deserves, and provide a path for new biologists to contribute to the strong legacy of the ILDNR Fisheries Division. The budget impasse has also been challenging for our Universities in Illinois and has blocked access to sportfish restoration funding to some schools, created apprehension about job security and stymied the ability of our institutions to fully support some of our programs. We hope this too will soon pass and our institutions, student advisors and teachers, and university research programs will recover, perhaps a little bruised, but not broken.

Please come to me or the excom with any ideas you have to improve the society, concerns you're having, or if you have a desire to become involved in the society at some level. Feedback is welcomed and encouraged to make sure all voices are heard within the chapter and that our actions and deliberations reflect your interests as individual members and as a collective. I plan to build on some of the new traditions set forth by Steve and incorporate some of my own along the way. I am not too far removed from student status and come in with a unique perspective regarding student judging of posters and presentations, coming from someone that was judged as a student, has judged students, and is now mentoring students to be judged. I would like to work with the student concerns and awards committees to reevaluate some of our judging criteria to see if there are ways to make the process more objective for the students and judges. Also, I intend to work closely with the other committee chairs to build upon the fine work they are doing.

In closing, we have a strong chapter with a lot of high quality research and fish management taking place. Catfish 2020 is around the corner so there is still time to get those catfish project ideas off the shelves and ready for the meeting – it would be great to see strong representation from Illinois. I look forward to a great year with ILAFS and as field season is upon us, please be safe and enjoy!

Sincerely,  
Jim Lamer

## Annual Conference Recap, *Brian Metzke*

The 55th Annual Conference continued the long tradition of successful Chapter events. One hundred seventeen members attended and were treated to excellent presentations and posters, top-notch food and facilities and entertaining social events. Presentations were anchored by a keynote speaker (Doug Austen, Executive Director of AFS) and a series of invited fisheries management talks that drew upon the knowledge of this state's successful professionals. Twenty-eight additional talks and 16 posters discussed Asian carp, game fish, freshwater mussels, stream fish communities and many other relevant topics.

This year's raffle featured a Pelican kayak and a cooler. More than 100 items were donated for the raffle and approximately \$2300 was raised by ticket sales. As always, raffle proceeds help fund student travel and research awards. Western Illinois University won the Student Subunit donation award, which goes to the subunit that contributes the greatest dollar value of donated raffle items. Thanks to all those that participated in the raffle.



Past Presidents at the Annual Conference

A gang of fisheries professionals you wouldn't want to meet in a dark ally



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## Annual Conference Recap

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Memorial tributes were given for Bull Durham, Al Lopinot and Bob Rung during the Wednesday night banquet. Speakers discussed the careers, professional lineages and accomplishments of each man. I think we all gained a better appreciation of the lives touched by these three fisheries greats.



Dan Stephenson leading a tribute during the Wednesday night banquet

The 2017 Annual Conference awards winners have been announced:

- Best Professional Paper: Phil Willink (Shedd Aquarium) - "Morgan Shoal: Underwater Mapping and the Fishes of Chicago's Forgotten Coral Reef."
- Lewis L. Osborne Best Student Paper: Allison Lenaerts (WIU) - "Quantification of Daily Otolith Increments in Young of Year Asian Carp."
- Best Poster: Emily Szott (WIU) - "Reproductive Potential of Silver and Bighead Carp in the Upper Mississippi River."

Congratulations to our winners.

Poster session



**Measures to regulate CAFOs, David Jackson and Gary Marx, Chicago Tribune.**

As pork producers exploit weak laws to build and expand large hog confinements across rural Illinois, neighboring farmers have complained their rights are being trampled while waste spills poison local streams and sickening gases ruin families' lives and property values. But after years of frustration and legislative inaction, lawmakers on Tuesday announced four new bills that would tighten Illinois' lax environmental protections and give local citizens more input in the permitting process, as well as standing to challenge the massive facilities in court. The bills, proposed in response to the Tribune's August investigation, "The Price of Pork," would represent the first significant reforms to Illinois' 1996 Livestock Management Facilities Act, which has been criticized for failing to keep pace with the dramatic growth of swine confinements. Holding thousands of pigs and sometimes producing millions of gallons of manure annually, the operations now account for more than 90 percent of Illinois' \$1.5 billion in annual hog sales. "What is going on in our rural communities and to many of our farmers and farm families is wrong and unjust and we can do better than this for them," Fulton County farmer Craig Porter said Tuesday at a Springfield news conference held by Democratic state Sen. David Koehler of Peoria, a sponsor of two of the bills. Porter described his frustrating efforts to halt a proposed 20,000-head hog operation near his homestead — a facility planned by a Wall Street-traded real estate investment trust and an affiliate of leading pork producer Professional Swine Management. "Repairing the lax rules, ambiguous siting criteria and other large loopholes in the (Illinois law) should have been done years ago to protect family farmers and residents," he said. Flanked by several farm families from across Illinois, Koehler said he and other lawmakers modeled the new bills on existing laws in nearby livestock-producing states such as Iowa, Indiana and Wisconsin. "This is a common-sense approach. This is not radical," Koehler said. One bill would require all confinements to register with the state Environmental Protection Agency. Koehler said he was shocked to learn that state officials have no idea how many large hog confinements are operating in the state, or where many of them are located — a loophole that makes it nearly impossible to monitor and regulate the factory-like operations. "That is something I found alarming. We're going to try and correct that," Koehler said. "We think the state of Illinois needs to have a record of who's doing business in this state. That's not unreasonable. People in rural areas need to know what's really going on in their communities." A second bill would close a frequently used loophole in Illinois law that allows new confinements to be constructed without a permit when they can be deemed an expansion of previous livestock operations. The third would require that facilities file waste management plans before they are constructed, and publicly disclose these plans if county officials and local residents request hearings on the proposed operations. Currently in Illinois, any facility housing up to 12,499 grown pigs can begin operations without disclosing that kind of information. The waste plans concern nearby farmers because the facilities apply stored manure to nearby cropland as fertilizer, and overapplication can lead to toxic runoff and devastate the surrounding environment. Dave Thornton, 45, crosses Jordan Creek on his 10-acre property in Fairmount, Ill., on March 28, 2017. The farmer lives 4 to 5 miles from the sites of two proposed hog confinements and is concerned about toxic runoff from manure into nearby Stony Creek. (Zbigniew Bzdak / Chicago Tribune) And the final bill would give neighbors standing to challenge the Agriculture Department in court if they think mistakes were made in approving a construction permit.

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## Measures to regulate CAFOs

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Citizens currently have no recourse once the permit is approved, even if they believe the department's decision was flawed. The bill also would double the amount of time local residents have to request an informational hearing and object to a proposed confinement. Such hearings are held if a local county board requests one or if at least 75 citizens petition. But many farmers and small-town residents told the Tribune they felt the meetings were meaningless and their concerns were ignored or ridiculed. Koehler said of the state's booming livestock industry: "We're seeing an increase in activity and an increase in frustration." Both the Illinois Farm Bureau and the Illinois Pork Producers Association declined to comment Tuesday on the four proposed bills, saying they have not reviewed the details of the legislation. The two organizations carry significant political weight in Springfield and in 2014 shot down a similar, ambitious effort to overhaul the livestock act. They, along with other agriculture groups, argue that large livestock confinements provide jobs in rural counties as well as a market for local grain farmers, and help hold down the market price of the most widely consumed meat in the world. The Tribune series sparked calls for reform from lawmakers including U.S. Sen. Dick Durbin as well as local efforts to halt or slow the construction of new facilities. The series found that hog waste spills accounted for nearly half of the 1 million fish killed in Illinois water pollution incidents from 2005 to 2014 and impaired 67 miles of rivers and waterways during that time. Neighboring farmers also said their lives and property values were ruined by noxious gases from the giant confinements. Hog waste releases hydrogen sulfide and ammonia, which can cause respiratory illness when mixed with airborne animal dander and fecal dust, public health studies have found. "Small-town America here in Illinois along with rural families and businesses are being sold out due to the lack of adequate laws for industrial animal confinement operations," said Heidi Foil, whose home and animal care business are located roughly 2 miles from a pair of proposed 20,000-hog confinements in Vermilion County. Foil said at the news conference that she also fears that waste released from the underground storage pits will ruin a stream that runs through her property. She said of Illinois: "We've become a lax and cheap place for mass numbers of these factory farms to set up shop." Matt Howe, an eighth-generation grain and livestock farmer, said he resigned from the Fulton County Farm Bureau's board of directors earlier this year to protest the group's apparent support of a proposed 20,000-head hog confinement about 3,000 feet from his farm and home. "The land that we use is not just a tool to pad portfolios," Howe said. "It's a living, breathing thing rooted in my community." After the news conference, Jennifer Walling, executive director of the Illinois Environmental Council, an advocacy group, said Koehler is working with a coalition of rural legislators to get the agricultural interests to negotiate. She called the bills a solid first step. "There's more we'd like to do, but these are reforms we want to see enacted," Walling said.

## Court Rejects Rule Exempting CAFOs from Reporting, *A. Reilly, E&E News*

A federal court tossed out a 2008 U.S. EPA rule exempting animal feeding operations from reporting pollution discharges. Photo by United States Geological Survey, courtesy of Wikipedia.

In a win for environmentalists, a federal court today tossed a George W. Bush-era rule exempting animal feeding operations from certain pollution reporting requirements. A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit agreed with green groups that lawmakers never intended to give U.S. EPA the authority to exclude those operations. Congress didn't "give the agency carte blanche to ignore the statute whenever it decides the reporting requirements aren't worth the trouble," Judge Stephen Williams, a Reagan appointee, wrote for the court. The court also found that manure storage at livestock operations poses more than a "theoretical" risk to public health.

At issue is a rule that EPA adopted in December 2008 exempting all animal feeding operations from reporting releases of hazardous air pollution from animal waste under the Comprehensive Environmental Response, Compensation and Liability Act. Typically, facilities covered by CERCLA have to report discharges of pollutants above certain thresholds to a National Response Center.

EPA's rule also exempted all but large concentrated animal feeding operations, or CAFOs, from reporting emissions to local and state emergency officials under the Emergency Planning and Community Right-to-Know Act.

The Waterkeeper Alliance, the Humane Society of the United States and other environmental groups filed the lawsuit, arguing that the rule put citizens at risk of breathing harmful ammonia and hydrogen sulfide. The EPA, though, said that requiring producers to report under CERCLA would be burdensome and fruitless because "local response agencies are very unlikely to respond" to reports of pollution. The government also argued that EPA lacked information on how to go about measuring emissions. The EPA noted that the statutes contained unrelated reporting exceptions, including one for releases of engine exhaust. The agency argued that it should be afforded deference under the *Chevron* legal doctrine because there was ambiguity over whether it could carve out new exemptions that weren't specifically written into the statute. But Williams rejected those arguments, writing that Congress didn't mean for EPA to fashion new exemptions. "Read together the statutory provisions set forth a straightforward reporting requirement for any non-exempt release," Williams wrote. "Conspicuously missing," he added, "is any language of delegation, such as that reports be 'as appropriate,' 'effective,' 'economical,' or made 'under circumstances to be determined by the EPA.'" Williams also rejected EPA's arguments that the environmentalists didn't have legal standing to sue because they couldn't show a concrete harm tied to EPA's reporting exemption. He agreed with the environmental groups that they have been harmed because they have been deprived of information about livestock operations ([E&E News PM](#), Dec. 12, 2016).

The judge also slammed EPA's arguments about the fruitless nature of reporting: "We find that those reports aren't nearly as useless as the EPA makes them out to be," he wrote. While acknowledging that it's difficult to measure releases from animal operations because emissions don't come out of a smokestack, Williams wrote that releases can pose a serious risk. "Anyone with a pet knows firsthand that raising animals means dealing with animal waste," he wrote. "But many of us may not realize that as the waste breaks down, it emits serious pollutants — most notably ammonia and hydrogen sulfide." When manure that's sitting in storage is agitated for pumping, it can stir up emissions of the hazardous air pollutants, Williams said. The risk from manure storage "isn't theoretical," Williams wrote. "People have become seriously ill and even died as a result of pit agitation."

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## Court Rejects Rule Exempting CAFOs from Reporting

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Along with vacating the 2008 rule, the court also dismissed as moot a lawsuit by the National Pork Producers Council challenging EPA's decision to require large CAFOs to report under the right-to-know law.

Judges Janice Rogers Brown, a Republican appointee, and Sri Srinivasan, an Obama appointee, heard the case with Williams. In a concurring opinion, Brown said she agreed with the court's finding but said she was skeptical about some of the recent debate in legal circles about the two-step analysis that courts typically undertake under the *Chevron* doctrine.

Under the first step, courts look to whether Congress has been silent or ambiguous on an issue. The second step requires an analysis of whether an agency has acted reasonably. While she agreed that the D.C. Circuit did the proper *Chevron* analysis in the case at hand, Brown said she worried that some scholars advocate leaving out the first step and simply looking at whether a federal agency action is reasonable. "Congress is out of the picture altogether," she wrote. "Agencies are free to experiment with various interpretations, and courts are free to avoid determining the meaning of statutes." "It isn't fair. It isn't nice," Brown wrote, quoting the Frank Sinatra song "Luck Be A Lady." Leaving out the first step, she said, would implicate the separation of powers concerns that Justice Neil Gorsuch — then a judge on the 10th U.S. Circuit Court of Appeals — raised in an August 2016 concurring opinion. Gorsuch, who was sworn in for a seat on the Supreme Court yesterday, has questioned whether *Chevron* is still a valid legal doctrine. Collapsing the two-step analysis, Brown said, was "yet another reason to question Chevron's consistency" with judges' duty to "say what the law is."



## New Look for Chapter Website, *Brian Metzke*

The website committee has been hard at work creating a more informative and appealing website. If you haven't visited the site recently, click on the link below and check it out.

<http://illinoisamericanfisheriessociety.weebly.com>

### Illinois Chapter of the American Fisheries Society

- HOME
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**About Us:**

The Illinois Chapter of the American Fisheries Society is an organization of professionals in fisheries research and management in Illinois. Fisheries are the industry or occupation devoted to the catching, processing, or selling of fish, shellfish, or other aquatic animals. The word is often also used to refer to a place where fish or other aquatic animals are caught for food. Recreational fisheries are termed "sport" fisheries. We are concerned with all of these.

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**Mission:**

The mission of the Illinois Chapter of the American Fisheries Society is the same as the parent society mission. The difference is that it seeks to particularly fulfill those goals here in Illinois as outlined in the objectives.

"...to advance sound science, promote professional development, and disseminate science-based fisheries information for the global protection, conservation, and sustainability of fisheries resources and aquatic ecosystems."  
- AFS Parent Society

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We thank our corporate sponsors for partnering with our organization in conserving fisheries resources. Sponsors help us provide value and support for our members. Please see our [Membership](#) page if your organization or business would like to become a sponsor of the Illinois Chapter of the American Fisheries Society.