

Illinois Nature Preserves Commission
Special Meeting Minutes
January 25, 2016

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL

Welcome, Introduction and Meeting Purpose

The Illinois Nature Preserves Commission and staff held a special meeting on Monday, January 25, 2016 at 2:00 p.m. at the Illinois Department of Natural Resources, Lake Level Rooms B and C, One Natural Resources Way, Springfield, Illinois.

The meeting was called to order at 2:00 p.m. by Chair Dann.

Commissioners Present: George Covington, Donnie Dann, Pen Daubach, William McClain, Deborah Stone, David Thomas.

Commissioners Absent: Abigail Derby Lewis, Jo-Elle Mogerman, Charles Ruffner

Others present: Randy Heidorn, Marni English, Kelly Neal, Valerie Njapa, Sree Vidya Guntaka, Tom Lerczak, Kim Roman, John Nelson, Steve Byers, Debbie Newman, Angella Moorehouse, Bob Edgin, Illinois Nature Preserves Commission (INPC) Staff; Director Wayne Rosenthal, Jason Heffley, John Wilker, Ann Holtrop, Tim Schweizer, Michelle Simone, Bridget Henning, Andrew Hulin, Keith Shank, Dave Horvath, Sheldon Fairfield, Natalia Jones, Illinois Department of Natural Resources (IDNR); Jeannie Barnes, Illinois Natural History Survey (INHS)

Director Emeritus Heidorn indicated the purpose of the special meeting in January is usually for training purposes to go over aspects of INPC operations, Illinois Natural Areas Inventory (INAI) and other related issues. At the January 2015 meeting we focused on strategic planning. This meeting John Wilker will talk about the INAI and how it relates to the Commission's programs and Division of Natural Heritage (DNH). We will go over the strategic plan and how we are operating with vacancies. There will be opportunity for Commissioners to interact with the IDNR Director.

Division of Natural Heritage, Natural Areas Program

John Wilker reported that with Bob Szafoni's retirement, Michelle Simone would be overseeing the Natural Areas Acquisition Fund (NAAF) projects and working with staff to develop projects and specifications for those projects. Eric Smith will be overseeing the three State Wildlife Grant (SWG) projects and working in cooperation with Michelle Simone on this. Bob Szafoni will return on a 75-day contract to give assistance but his main focus will be to create an INAI training package for field staff.

John presented the exploration of the relationship of Element Occurrences (EO's), INAI's and protected lands, in terms of ownership and the INPC and how they all mesh and explained the tools used. (Appendix I)

Tom Lerczak asked John to explain the difference between the source feature and an EO.

John answered the source feature is an actual observation which is put on the landscape and our database. Based on Nature Serve rules and our professional opinions, we accumulate those source features into a larger EO, which should represent a population. Source features are where you actually observe something in the field. Occurrences represent a population.

Commissioner Daubach asked if any are permanently protected under INPC programs or private organization conservation easements.

John answered yes.

Commissioner Thomas asked why aquatic species are not being protected.

John answered our tools are better suited for terrestrial systems. He suggested thinking outside the box if we are interested in protecting all of the listed biodiversity in the state. We need to be asking ourselves these questions. Good question.

Commissioner Dann asked John if a third round would be appropriate to embrace all these source features that were skipped.

John answered when we first began talking about an INAI update, talking to field staff, we were under the impression that the update would look at larger landscape type questions. He thought looking at these type of things would benefit us.

Commissioner Covington asked why property owned by IDNR is not protected.

John answered there are different groups within IDNR and we try to understand each group's perspective. Some divisions want to get people out on the property to develop constituents who take pride in what we have and other divisions want to hunt the properties or use it in other ways. Sometimes there is conflict and it takes negotiation. The Natural Area Preservation Specialists (NAPS) have dealt with landowners for decades, in some cases, before the landowner gets comfortable enough to enroll their property in the nature preserves program. IDNR is a landowner too but have more things pulling us in different directions than a private landowner so negotiations are complicated.

Debbie Newman asked if INPC sites included Natural Heritage Landmarks (NHL).

John answered that it does include NHL's because they are considered Category III in the Natural Heritage Database.

Randy Heidorn answered that because of the way the money was allocated, NHL's were not eligible for stewardship dollars. Even though the percentage includes NHL's, there was no money going to NHL's in that.

Keith Shank commented that consultation does apply to plants. The plants are owned by the landowner who determines their fate; whereas, animals belong to the State.

John indicated animals are what they looked at.

Randy Heidorn asked if this is just the Endangered Species Consultation not the Natural Areas Consultation.

John answered that was correct.

Commissioner Thomas asked how you go from a source feature to an element occurrence.

Jeannie Barnes answered birds are different because they only track nesting records. So if we had a Bald Eagle nest there would only be one point there. For it to be bigger, that bird would have to go a half mile or some distance away and build another nest and that would be another point. Those two points would be a part of that EO. In Northeastern Illinois, there are a lot of marshes with nesting water birds such as Yellow-headed Blackbirds and American Bitterns, and we end up with a lot of large EOs there. Some

overlap more than one INAI site which is why John used the source features to do the analysis.

Commissioner Thomas asked if you have ten wetlands in an area and you find two American Bitterns, for the source, does it include all ten even though you haven't found it at all ten, or just the two.

Jeannie answered that it is just the two where we know they are. Some of them can become very large EOs because the marshes are so close together. You can end up with five or more source features covering a large EO. The individual locations are what is part of the EO. The EO as part of our records is considered one EO with one number.

Keith Shank answered with an example of the Blanding's turtles at Pratts Wayne Woods in DuPage County, where there is one EO with forty-eight source features. It makes it complicated in consultation when we look at the file data for the EO, it will have the most recent observation but in those forty-eight source features some of those might be historical. We have to drill down to the individual source feature to see if our project is next to something we've seen in 1991 or 2006. That helps us judge the aggregation of the forty-eight.

Commissioner Thomas commented he could see how difficult it could be to deal with a mobile population expanding in one area and disappearing in another area.

Commissioner McClain asked how much effort or stewardship is being directed towards plants and animals that have special management needs.

John Wilker answered from a statewide perspective we do not have all the information we should have at our fingertips. We are working on a couple projects that might allow us to do that at some point. He understands the need for these types of analysis. He said we also have to ask ourselves if we are going to make an effort to manage it on property that we do not have control over, which at this time is unlikely.

Commissioner Thomas asked if we should be looking at another category or system to be identifying some of the highly diverse and unique aquatic sites we have that maybe we should be looking at protecting. He commented there are a whole series of more complicating factors with aquatics and it isn't just what happens at the site but what happens upstream.

Chief Holtrop answered that she and John Wilker have discussed this and agreed with Commissioner Thomas. Right now for streams to get on the INAI, would be under the Category VI, unusual concentrations of flora and fauna, typically large mussel beds. We have talked about options for spawning habitat or certain life stages of fishes. A recent project that we funded under a State Wildlife Grant was called the Stream Priority Project and the idea was to build the aquatic community classes that would mimic Category I. That project is just coming to an end and getting the report together will give her and John the opportunity to see if any of that will fit with the inventory. It might be they need a different tool for aquatics, especially with vegetation criteria that drives the natural community definitions. Aquatic sites in Illinois do not have a lot of vegetation. We should be able to define what a high quality community is for aquatics and see if that fits with this inventory.

John answered that just because we use plants for terrestrial communities for an indicator, it does not mean we would not use another metric for aquatics.

Randy Heidorn commented that the bias towards spending money on IDNR land came about because of bias on available funding. IDNR owns fifty-four percent of the area in the nature preserves system. Thirty percent are owned by conservation districts and county forest preserve districts which have a much stronger funding source than IDNR. IDNR's only source of money to manage their land is NAAF and State Parks money. It was felt they were given a special dispensation out of NAAF because they cannot go to not-for-profits for grants. This is why there has always been bias towards spending NAAF stewardship on IDNR land versus other land.

John illustrated what Randy said, saying there was a conservation district in Northern Illinois that was going to spend \$15.4 million on one site to benefit the Hine's Emerald Dragonfly. We have a hard time getting \$1 million in NAAF stewardship. In looking at the data if there is one particular community and one representative of that community in the state that needs work, perhaps IDNR should not exclude that.

Steve Byers commented that he appreciated that we have partners able to manage their properties. There are other landowners (i.e. park districts, communities, private individuals) that own features that have made a commitment to protect these communities but do not have the skill set, people, or funding to assist with management. He said he explains and reminds these landowners they made a commitment to dedicate their sites as a nature preserve.

Randy Heidorn commented that when you look at the numbers in terms of acreage, the private land is a very small acreage of the overall natural areas acreage. A large group we have available but have not developed a good program with to support INPC's efforts is the land trusts. They consist of ten percent of the area of the nature preserve system and that percentage is growing.

Commissioner Daubach commented that we need to consider numbers of private landowners and private land trusts will seek nature preserves protection because they receive assistance and advice from the NAPS for stewardship. Perhaps we need to consider looking at rearranging priorities and make a category of INPC protected properties that are not tax payer funded. She suggested we keep in mind the importance of being able to offer stewardship help to private groups and private landowners.

Chair Dann commented that these are the kind of individuals we would like to incentivize as examples to the broader community this is important and we should be protecting it. To the extent that we can be encouraging that, we should. He concurred with what Steve Byers said.

John Wilker answered from a program stand point we have limited resources. We do not have enough money to do what we need to do on the landscape. He would like to get to where we can identify absolute critical properties and only fund those for that time. He would like to develop a much fuller gap list that will help us answer these types of questions and prioritize these things more strategically.

Debbie Newman asked why we are not looking at ecological priorities.

John Wilker answered that Bob Szafoni did not implement stewardship on his own. He did it with and relied on Division of Heritage Biologists (DHB's) and NAPS to use their individual site understanding to provide him with their list of projects. He does not get anything that falls off his priority list. He is only putting the projects you provide through the process so that NAPS and DHB's can implement them on the ground.

Randy Heidorn commented we do not have enough dollars going into the contractual work or putting as much work on the ground as we can. The end result is we consistently built our fund balances up and that makes us a target for the money being diverted. We could do much better if we were able to focus our money towards all the stewardship that is available.

Commissioner McClain commented that plant communities are changing for the worst. This is occurring statewide. It is critical that there be some sort of management to maintain it. Money has always been a problem but unfortunately the communities suffer not getting the attention they need.

John Wilker commented that the last round of the INAI update showed that sites that have a certain level of management are maintaining their diversity and in many cases increasing their diversity and natural quality. We are trying to do the best we can with what we have.

John Nelson asked if NAPS are supposed to be developing proposals even though we do not have a budget.

John Wilker answered developing a proposal is not getting contractors to bid. We have FY16 projects approved by INPC and will move forward when we get a budget. Once we get a budget and approval to move forward, we will expect you to move forward with implementation. He did not feel that the lack of implementation this year will stop us from developing the next sweep of projects for FY17. The time frame is the end of June.

Keith Shank answered Commissioner Covington's question regarding why we do not have more protected department properties by saying that this department has over 700 statutory mandates from the General Assembly. A lot of those are not well aligned with conservation goals. We have a mandate to provide off-road vehicle recreation and equestrian recreation which are challenging to provide without details and environmental values. Conditions under which many of our lands are acquired have restrictions on them. For those acquired with Federal funds, there are certain activities we must allow such as hunting and fishing. Openland Trust funds require certain types of public recreation that may or may not be compatible with types of dedications. There are many things that have to be balanced on an IDNR property. The General Assembly mandated we remove a certain amount of acreage from a State Park to facilitate homeland on the neighboring property. These are the types of things that we are handed from time to time. We have to look down the road in the future at a parcel and all the elements of acquisition of a parcel and its management that may or may not facilitate dedication or registration. There is a lot to be balanced on many of these properties. Not every property has the source features and element occurrences.

John Wilker commented even with those it does not require ATV access on every single acre of IDNR. He felt the Commission provides a prioritization for sites and did not think it was too much for ten to twenty percent of IDNR property to be prioritized specifically for natural resources.

Keith Shank agreed. He commented that the Federal Endangered Species Act makes endangered species conservation the number one priority of the Federal Government. Our state statute establishes no priority, it is just another job we do. A policy determination leads to what gets prioritized and why. Everyone in the agency has different priorities. He commented the reason for fifty-seven percent of the consultations being from Northeastern Illinois is because it is where the economic activity occurs.

Commissioner Stone asked whether the analytical frame work is already going on, if it is laid out in detail or has the potential of being developed into a tool.

John Wilker answered it has been his goal and a goal on INPC's Strategic Plan to do a comprehensive gap analysis. If we worked together to figure out a frame work we could come up with a product that would be good for INPC and Natural Heritage in terms of strategic implementation.

Debbie Newman commented that in the Illinois Natural Areas Preservation Act, it says that the public government agency will dedicate INAI sites which to her should be a priority.

John Wilker indicated they are actively negotiating with the Office of Land Management (OLM) and Office of Realty and Environmental Planning (OREP) over the details within the land and water reserve agreement. There are some IDNR staff who are uncomfortable with the language and are looking to develop that language to satisfy IDNR and INPC. OLM wants to encourage as much recreation on the property as they think they can and we want to restrict activities on the property to those that we think will not affect the features. As they develop a registration agreement for the INPC, they will bring it forward.

A break was taken from 3:30 p.m. to 3:40 p.m.

INPC Strategic Plan

Randy Heidorn reported on the Strategic Plan and how the dashboard works.

Commissioner Thomas asked with the budget situation and staffing, if there was a way to reflect problems with completing a project in the dashboard.

Randy Heidorn answered it would capture that when staff evaluate an objective and feel it is not where it is supposed to be, they give it a different score and if it is not on schedule it will give it a red.

Steve Byers asked if this plan is to be updated and presented at every meeting.

Randy answered that when staff complete the dashboard page of the staff report form, Marni puts it into the spreadsheet. Tom, Valerie and Kelly also add information into the spreadsheet as well as the INPC Director.

Commissioner Thomas asked if the succession strategy would be shared with the Commission.

Randy answered there is not a succession plan in place right now. He asked Commissioners if the dashboard will serve their purposes.

Commissioner Dann answered with the budget impasse it was impossible to evaluate.

Randy asked the Commissioners if they should wait to utilize this dashboard.

Commissioner Daubach answered it is a fine schematic and good way to move forward to see how the strategic planning is working and meeting goals. She felt as we make progress using it, it will be a helpful tool.

Commissioner Thomas commented it would help the Commission to understand when certain positions do not get filled in a timely basis or with the quality staff that you need some things will fall off or drop way behind. What are those things that the Commission could be helpful with?

Randy commented there are a lot more details behind the “lights.” Maybe the approach would be when there is a “red,” we bring forward those strategies. He asked the Commissioners if it would help to present the information behind why it’s “red.”

Commissioner Dann answered absolutely and asked what we can do to fix it.

Commissioner Thomas commented that we put things in the strategic plan that are valuable things to do but the reality may be we are not able to do them in the next two years. Listing things that we would like to do that may not be possible due to financial or staffing constraints would be helpful.

Commissioner Stone commented that putting the details in the staff report rather than going through slides at every meeting may be a good approach.

Randy answered the plan was only to look at the slides once a year. He asked if expanding the staff report to include more slides to show the details that are “red” would address concerns.

Commissioner Daubach commented that she looks at the slides as quantitative data. Going through them in a meeting and talking about them and seeing what we can do is where the qualitative data comes into play. She preferred seeing them on the once-a-year basis.

Commissioner McClain commented that it is quite thought provoking. There are certain activities that would not cost any money if they would begin. The absence of management is as serious a threat as

someone coming in with a bulldozer. He asked if there is some sort of a gap analysis for management.

John Wilker answered, in his perspective, that would be included.

Commissioner Daubach commented that this is difficult to get used to because of the alarming number of red dots. When we review this at the January 2017 meeting, it will be more meaningful.

Randy asked if with the staff reports, they also wanted the two pages he gave this time.

Commissioner Stone asked how often staff will be refreshing the data in the spreadsheet.

Randy answered at each meeting and that it would be attached to each staff report.

Valerie Njapa asked if it would make sense to include all the detail at the January meeting and condense it for the other two meetings.

Randy answered either one is very doable.

Commissioner Dann commented he would like to see it current as of now.

Randy answered that it would be.

Randy reported on where we are right now and how we got here.

(Appendix II)

INPC Staff Transitions

Randy Heidorn reported where we are and how we got here.

In 2005, we lost the Natural Areas Protection Program Manager when Don McFall left to join Realty. Commissioner Stone was the INPC Director and IDNR Deputy Director at the same time.

In 2006, the Natural Areas Operations Manager became vacant when Randy became the INPC Assistant Director.

In 2010, we lost the INPC Area 9 Natural Areas Preservation Specialist (NAPS) which covered thirteen counties in southern Illinois.

In 2011, Commissioner Stone left IDNR and Randy became INPC's Acting Director for a year and a half until 2012 when he became the INPC Director.

And in December 2015, the INPC lost their Director and Area 7 NAPS due to his and Mary Kay's retirements.

Currently vacant are the positions of Director (Natural Resource Manager III); Natural Areas Protection Program Manager (NRM II) which is not actively moving forward because if layoffs happen it will be backfilled; Nature Preserves Operations Program Manager (NRM II), which handles stewardship and field staff supervision; and the Area 7 and Area 9 NAPS.

The Area 9 NAPS position has been posted and applications received but are waiting for the hiring freeze to be lifted before we can move forward.

Randy agreed to take a part-time position with INPC until the position of Director is filled. Jim Herkert is the supervisor for Springfield INPC staff and field staff.

Tom Lerczak has agreed to be the first Rotating Administrative Trainee (RAT), and he serves as the coordinating person handling a lot of the things a supervisor would. The RAT serves in six month intervals.

Commissioner Thomas asked how long Randy's temporary contract would last.

Randy answered that it is a 75-day contract according to his own schedule. The plan is to fill the position as soon as possible and then he will act as a mentor to the new director.

Jason Heffley announced their focus was to post the INPC Director position by the end of the week. It would have to go through all of the processes of a bargaining unit position. IDNR will consult with the Commission at the appropriate time.

Randy announced that Commissioner Derby Lewis, Commissioner Covington and Commissioner Ruffner's terms have ended but have been approved for reappointment. At the end of June 2016, Commission Chair Dann, Commissioner McClain and Commissioner Mogerma's terms will end. Commissioner McClain & Commissioner Dann have served six years and are not eligible for reappointment. Commissioner Mogerma is eligible for reappointment. He asked for suggestions to replace Commissioner Dann and Commissioner McClain. Replacements for chair and other officers will need to be found by the September 2016 meeting.

Chairman Dann asked Randy how he would prioritize filling the vacant positions.

Randy answered he felt the Director was needed very soon. Then, the Nature Preserves Operations Program Manager, to have someone working with the field staff. The Area 9 NAPS since we haven't had anyone in that position for a long time. Finally, the Natural Areas Protection Program Manager and the Area 7 NAPS.

Debbie Newman commented that with Bob Edgin planning to retire next year, it would leave twice as many counties for her to oversee.

Randy indicated he thought that was why Bob Szafoni wants to get the Area 7 NAPS position filled in anticipation of that.

Chairman Dann thanked Randy and all Commission staff for the special work they do in this environment and doing it with such dedication.

IDNR Director Wayne Rosenthal

IDNR Director Rosenthal commented that the problem we have with the whole agency is that it has been cut from 2400 people to less than 1200. He indicated 35% of those could leave tomorrow and leave a bigger hole, losing experienced people and getting inexperienced people. He indicated he understood the importance of the INPC. He appreciates all the work that the INPC staff does and the challenges they have to work through. He nominated Randy Heidorn to serve as a Commissioner and said that he was glad to have him come back to help us. He opened the floor to questions.

Commissioner Thomas asked about NAAF funds.

Director Rosenthal indicated NAAF funds are frozen. He felt that the funds should be used for the purpose they were designed. When he was in the legislature he proposed legislation to eliminate all fund sweeps. He felt when you start a fund and sell what it is for, that is what it should be used for and if it is used for a different purpose you are lying to people.

Commissioner Thomas agreed and asked if it was tied to the state budget being finally approved or is

there some possibility either all or some portion of it can be released so some priority purchases can be made.

Director Rosenthal answered he thinks it is all tied together.

Commissioner Covington asked that when there is a budget resolution, if NAAF funds would be restored retroactively.

Director Rosenthal answered until we get there, we do not know.

Chairman Dann commented that it is very reassuring that the IDNR Director is going to back what the Commission and public care about. That the word dedicated has meaning.

Director Rosenthal said it should have meaning. It has a valid purpose.

Commissioner Daubach asked about the bill he introduced to the legislature.

Director Rosenthal answered that it did not go anywhere because the speaker didn't want it to. They like control of all that. It was well received with the public and other members.

Debbie Newman asked how much influence Director Rosenthal has on procurement procedures or if it comes from CMS.

Director Rosenthal answered they would like to streamline all those processes as much as possible. If they can they will but in a lot of cases their hands are tied. He wants to simplify things to make them more user-friendly. He used the example of the previous ten-page volunteer application that has been reduced to one page. Why make it so hard for people who want to help us? A lot of it has to go through our legal staff.

Jason Heffley indicated they have been working with the procurement office to come up with suggestions to take to CMS.

Tom Lerczak commented an example would be if we wanted hire a contractor to cut down one non-native tree, you would have to request bids from every tree contractor in Illinois. Before you only had to request three.

Jason Heffley asked INPC staff to send an email to Karen Rueter with examples of the bid process that is inefficient.

Commissioner Stone expressed appreciation on behalf of the Commission and thanked Director Rosenthal for spending the entire meeting with the Commission, listening and showing he thinks this is important. She indicated the Commissioners will let the people behind the Commission who care know that the Director thinks it is important.

Director Rosenthal commented this is a very big agency. Overall there are a lot of different diverse parts and challenges well worth the efforts. He indicated these are very challenging times and that we would get through it.

Commissioner Daubach thanked Director Rosenthal and everyone applauded.

Commissioner Covington moved to adjourn the Special Meeting and it was seconded by Commissioner Daubach.

The meeting was adjourned at approximately 4:40 p.m.