

ILLINOIS NATURE PRESERVES COMMISSION
Minutes of the 240th Virtual Meeting
(Subject to approval at the 241st Meeting)

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702

January 25, 2022
WebEx meeting due to Covid-19 pandemic

241-1) **Call to Order, Roll Call, and Introduction of Attendees**

Commissioner Covington called the meeting to order at 10:00am and Valerie Njapa read the roll call.

Commissioners Present: George Covington, Dr. Pen DauBach, Donnie Dann, Deborah Stone, William McClain, Dr. David Thomas, Dr. Abigail Derby Lewis, Charles Ruffner

Commissioners Absent: Dr. Jo-Elle Mogerman

Commission Advisors Present: Dr. Eric Schaubert, Illinois Natural History Survey (INHS); Dr. Joyce Hofmann, Endangered Species Protection Board (ESPB)

Commission Consultants Present: Fran Harty; Kerry Leigh, Natural Land Institute (NLI); Randy Heidorn

Others Present: John Rogner, Assistant Director, IDNR; Todd Strole, Valerie Njapa, Kelly Neal, John Griesbaum, Angella Moorehouse, Kim Roman, Sami Childerson, John Nelson, Debbie Newman, Byron Paulsen, Kevin Sierzega, Illinois Nature Preserves Commission (INPC); Chris Young, Office of Resource Conservation (ORC); Ann Holtrop, Jeannie Barnes, John Wilker, Dr. Leon Hinz, Jenny Skufca, Heather Osborn, Ray Geroff, Mark Alessi, Melissa Grycan, Chip O'Leary, Tara Kieninger, Natalia Maass IDNR Division of Natural Heritage; Nathan Grider, IDNR Division of Wildlife; Dawn Cobb, IDNR Office of Realty and Capital Planning; Amy Doll, Eriko Kojima, Matt Evans, Friends of Illinois Nature Preserves; Sarah Livesay, Grand Prairie Friends (GPF); Randy Locke, Eric Plankell, Illinois State Geological Survey (ISGS); Jill Kennay, NLI; Sam Kilgore, The Conservation Foundation (TCF); Frances Kane, Illinois Clean Energy Community Foundation (ICECF); Jim Johannsen, Jo Daviess Conservation Foundation (JDCF); Kaleb Baker, Illinois Audubon Society (IAS); Madelyn Hatch, Samantha Scalice, GPSI Interns; David Holman.

John Rogner, Assistant Director, IDNR, addressed the group stating it gives him great pleasure to introduce and welcome Todd Strole as the Executive Director of the Illinois Nature Preserves Commission. Todd brings a strong set of credentials to this position with 20 years in the Division of Natural Heritage (most recently as the Program Section Manager), over a dozen years with The Nature Conservancy, and he also worked with the Army Corps of Engineers on large floodplain conservation. Todd brings really strong leadership skills to this position.

Many are aware that this position has been vacant since Randy Heidorn retired in 2015. In 2019, Director Callahan and I made a commitment to get this position filled. Although it has taken a bit longer than expected, I am pleased to say we finally got it to the finish line.

John added a profound and sincere thanks to all the staff of the Nature Preserves Commission and all of our Natural Heritage staff who have kept the program running with experience and great passion for this work.

Commissioner Covington agreed and said he is glad Todd is here and is convinced Todd will be a great director.

240-2) **Adoption of Agenda**

It was moved by Commissioner Thomas, seconded by Commissioner Dann, and carried that the Agenda be adopted.

240-3) **Approval of Minutes for the 239th Meeting September 14, 2021**

Commissioner Covington pointed out an error in the 239th Meeting minutes. Page 15, 239-18, Monroe Co. – Stormont Hauss Nature Preserve, Request for New Trailhead Parking Area, 5th paragraph down on the page, minutes read “32 square feet...” this should read “3200 square feet...”.

It was moved as amended by Commissioner Ruffner, seconded by Commissioner Dann, and carried that the Agenda be adopted.

Commissioner Covington read the following:

At the 239th Meeting of the INPC, held on September 14, 2021, at the Illinois Department of Natural Resources, Springfield, Illinois, legal protection was completed by the Commission for three tracts of land totaling 1,200.1 acres. One of the three tracts is privately owned, and the other two are publicly owned. The organization that owns the private site donated the value of the protection agreement to the public. Lands protected include the 11-Parcel Addition to Cache River Land and Water Reserve; the Addition to Nachusa Grasslands Nature Preserve; and the John C. Wilson Woods Addition to Elizabeth Lake Nature Preserve.

Protection of these lands came about because the Commission had eight staff in the field working with private and public landowners. There are 412 dedicated nature preserves totaling 61,839 acres; and there are 201 registered land and water reserves totaling 56,094 acres.

Dr. Leon Hinz shared the following:

Good Morning Commissioners, Advisors, Consultants, Staff, Stakeholders, and Conservation Partners.

Thank you for allowing me a few moments near the start of today's meeting to express some thoughts about my tenure as Acting Director for the past 15 months. While this Temporary Assignment lasted a bit longer than I expected when it began in October of 2020, the time I spent in it has given me a new appreciation for the Illinois Nature Preserves Commission, the Commissioners, and the Staff that act to protect and maintain the Illinois Nature Preserves System. Identifying, protecting, defending, and stewarding natural areas to safeguard Illinois' Natural Heritage is a never-ending challenge that relies on a relatively small number of dedicated staff and volunteers along with the support of many conservation partners (including the IDNR). While this task may seem overwhelming at times, please remember that there are also times to celebrate such as when new sites are dedicated as nature preserves or registered as land & water reserves.

I would like to share with the Commissioners what I believe are three key initiatives that can be completed in the near term that will greatly improve the current implementation of the Nature Preserves System.

1. Review and revise the Illinois Natural Areas Plan (1980). This document states a commitment by the State of Illinois to preserve and protect our Natural Heritage for future generations. It is time for a renewed commitment to a 21st Century Nature Preserves System.
2. Review and update the Memorandum of Agreement between the Illinois Nature Preserves Commission and the Illinois Department of Natural Resources (2002). This agreement forms the basis of the working relationship between the INPC and the IDNR to implement the Natural Areas Preservation Act. The current agreement contains some inconsistencies with the Act and existing Administrative Rules and may not reflect best practices.
3. Update the INPC Strategic Plan. The most recent five-year strategic plan was developed for the period 2015-2020. Updating the Strategic Plan would give direction and guidance to staff and volunteers working within the Nature Preserves System.

It has been a pleasure working with each of you and I hope to continue that work in my current position as the Illinois Wildlife Action Plan Coordinator. Integrating the promise of our Nature Preserves System within our State Wildlife Action Plan is one of my goals for future Plan revisions.

At the 239th Meeting of the Illinois Nature Preserves Commission, I reported that the position of Executive Director for the INPC staff had been posted and candidate interviews had been scheduled. As some earlier comments today have indicated, this search was successful, and the position was filled earlier this month.

It is my pleasure to hand over the reins to Todd Strole, the Executive Director of the Illinois Nature Preserves Commission, to present the INPC staff report. Congratulations Todd.

Todd Strole shared the following:

I would like to make a few remarks as this is the first meeting I will attend as the Illinois Nature Preserves Commission's Executive Director.

First, I want to publicly thank Dr. Leon Hinz for his leadership during his temporary assignment as Director. Thank you, Leon. Additionally, all INPC staff have stepped up over the last few years to assist in the absence of a Director. Valerie Njapa has perhaps been the most visible, but all have contributed. Thank you.

The Illinois Nature Preserves Commission has been without a Director since December 2015. The reasons are complicated to say the least, but that era has ended, and we are looking forward.

I am honored to have been selected to serve as the Executive Director for the Illinois Nature Preserves Commission. An organization that was at the forefront of natural areas identification and protection in the country. An organization that to date has permanently protected 613 sites, totaling 117,933 acres.

I am humbled to step into a position occupied by people who have delivered those accomplishments in the past – Karen Witter, Brian Anderson, Carolyn Grosboll, Deb Stone, and Randy Heidorn. The collective contribution they have made to natural areas preservation in the state of Illinois is staggering.

But we are not living in the past. There are new issues, new threats, new technology, new laws, new partners, and a new social culture that while being increasingly connected, is disconnected from the natural world. Methods of the past may need adjustment and creative solutions sought, but what is clear is, we cannot stand still, natural areas are under threat – overuse, lack of stewardship, chemicals, exotics, isolation, and climate change - these need our attention, not just for nature's sake, as noble as that may be, but for a healthy, sustainable society.

Many in this meeting know me, but if you don't, here are a few things that are telling. I am serious about our work, but not always serious. I am an Illinois native from Jasper County. Alum of Eastern Illinois University and Illinois State. I am a husband, father of 3 boys, church member, hunter, hiker, biker; and I am still waiting for the kinks to be worked out of Facebook before I sign up. I have held nearly every position possible in the Division of Natural Heritage. I love the Division, its mission, and its staff – that will not change.

I am a perfectly adequate botanist, adequate birder, adequate auto mechanic, adequate carpenter, plumber, and electrician, and forever fixing something. I have mastered nothing...with the possible exception of bribery with candy.

I hope you find me passionate with a thoughtful approach. Technologically aware, not technologically adept. Approachable to a fault. Committed to Director Callahan's 3 C's - Communicate, Collaborate, and Connect. To do that, I have talked personally to every INPC

staff member, every past director, every current Commissioner. These conversations will continue and if you are attending this meeting, you are fair game.

This will be my approach – I will be a loyal employee for IDNR, dedicated to the Commission’s purposes, but working for the Natural Areas in Illinois – wherever that takes me – whether it be a budget battle, a legislative liaison, a partner party, or carrying a drip torch (one of these I truly love).

Ultimately and together, let’s be purpose driven, to secure for the people of present and future generations the benefits of an enduring resource of natural areas. That’s a good word from the Natural Areas Preservation Act. There are many unprotected natural areas to pursue, but the word enduring troubles me - an enduring resource of natural areas. Protection is an early and important step but delivering an enduring resource of natural areas is a journey.

Enduring requires restoration of natural processes such as fire, flood, and hydrology.

Enduring requires defense against a constant onslaught of invasive species, acute and chronic chemical pollution, and myriad other threats.

Enduring requires genetic transfer in a fragmented landscape and adaption to climate change.

Enduring requires stable funding sources and stable stewardship over time.

Enduring requires the transfer of knowledge among people, horizontal transfer between volunteers, practitioners, and academics; and vertical transfer of information from one generation to the next.

Enduring requires work.

I don’t know who said that many hands make light work – Confucius or Solomon, or maybe it was Grandma, but it is true.

Enduring requires people and lots of them- staff, contractors, environmental organizations, land trusts, volunteers, researchers, and watchful eyes – all communicating, not through FOIA, but by choice in a community of practice built on a culture of radical interdependence and trust that delivers an enduring resource of natural areas.

You can do anything if you have the right tools...my Grandfather was forever saying that. We have a lot to do and if we need a tool, let’s get it.

Commissioner McClain shared that Todd’s comments need to be printed and distributed as it is something that we can all read, be encouraged from, and learn from. He said it absolutely needs to go out from Todd’s desk to others.

Commissioner Covington agreed with Commissioner McClain and also said Todd’s words are inspirational and probably need to be re-read each year as a Commission.

Commissioner DauBach suggested that Todd and Leon each email their comments to everyone.

240-4) **Next meeting dates and locations**

241 st Meeting	May 10, 2022	Starved Rock Lodge
242 nd Meeting	September 14, 2022	Olney Central College

240-5) **INPC Staff Report**

APPENDIX I

REPORT

Todd Strole, Executive Director
Illinois Nature Preserves Commission

Commissioner McClain commented about the cutting of trees and finds it very disheartening and in many cases believes it is deliberate. They are deliberately coming across boundaries, and they know they are doing it. The trees take such a long time to develop to that size. Commissioner McClain continued speaking saying he is especially aware of that having just worked on a manuscript that deals with the growth of trees. He wishes there was a way to curtail this from happening as these lands are so important and vital to our mission, and he truly hates to see them damaged and disturbed.

Commissioner Ruffner agreed with what Commissioner McClain said. He said, as a forester who is teaching forest measurements, timber trespass is huge. He hopes someone with the protection board is looking into those instances. Are we prosecuting for timber trespass or is it off the table in those instances? Commissioner Ruffner believes if you can get the person who did it, that often leads to the word getting around that we do not appreciate our logs being stolen.

Todd Strole explained that in this particular case, it was mostly small trees in an old field setting on the edge of a nature preserve. So it was not a timber harvest type trespass, it was the expansion of an agricultural field from the neighboring field into the nature preserve. However, timber harvest type trespass is an ongoing issue, and we are dealing with it all of the time. We have to continue to do the best we can.

240-6) **Friends of Illinois Nature Preserves Report**

APPENDIX II

Amy Doll, Director
Friends of Illinois Nature Preserves

Commissioner Covington stated that it is amazing what has been accomplished in such a short period of time since the Friends of Illinois Nature Preserves started.

Commissioner Ruffner asked if Amy knows anything about the Heron Pond 2022 re-dedication? If so, Commissioner Ruffner would like to attend.

Amy Doll explained that Travis is working with IDNR staff and Friends of the Cache River Watershed regarding the Heron Pond re-dedication. The date has been set for April 9, 2022, and information will be sent out by the end of the month, as well as a save the date.

Commissioner Covington asked Amy or Todd if they would like to share a brief explanation of the MOU that has been drafted and is being proposed for approval by the Commission.

Todd Strole shared that he and Amy have been working on the language in a draft MOU that would outline how we would work together, primarily with the Commission, facilitating contact with landowners of land and water reserves and nature preserves, and ensuring that the activities of the Friends groups are in alignment with the management schedules of those nature preserves and land and water reserve they are working at. The MOU advanced enough to have IDNR legal staff review it, and it was approved. Todd asked for a motion from the Commissioners in support of the MOU and also asked for the Chair to sign it.

Amy Doll added that Friends is very excited that this will be the first MOU they will enter into, and she finds it completely appropriate their first is with the Illinois Nature Preserves Commission.

It was moved by Commissioner DauBach, seconded by Commissioner Ruffner, that the following resolution be approved:

The Commission approves the Memorandum of Understanding (MOU) between Illinois Nature Preserves Commission and Friends of Illinois Nature Preserves, as presented under Item 6 of the Agenda for the 240th Meeting.

(Resolution 2547)

240-7) **IDNR Staff Report**

APPENDIX III

REPORT

Ann Holtrop, Chief

Division of Natural Heritage

Commissioner Covington asked Ann that, with the relative boom in real estate that has occurred with the pandemic appearing to be winding down, has the transfer tax increased the amount of money that might be available in the next year or so for natural areas acquisition?

Ann Holtrop replied that the balance in the Natural Areas Acquisition Fund remains strong. Also, if the budget bill passes the way we think it is going to, then we will see an increase in our appropriation and spending authority.

240-8) **Endangered Species Protection Board Report**

APPENDIX IV

REPORT

Dr. Joyce Hofmann

Endangered Species Protection Board

240-9) **Coles Co. - Addition to Embarras Ridges Land and Water Reserve, Registration**

Grand Prairie Friends requested registration of 3 acres as an addition to Embarras Ridges Land and Water Reserve (LWR), which will increase the size of this site from 141 to 144 acres. Embarras Ridges is part of the greater Warbler Woods Illinois Natural Areas Inventory (INAI) site #1585, for Category I: Grade B dry-mesic upland forest; Category II: presence of the State-threatened least bittern (*Ixobrychus exilis*) and formerly State-listed fibrous rooted sedge (*Carex communis*) and false hellebore (*Veratrum woodii*); and Category III: contains one nature preserve (Warbler Woods) and four land and water reserves (Embarras Ridges, Warbler Woods, Warbler Woods North and Warbler Bottoms North). Embarras Ridges provides support for the Streams and Forest and Woodland Campaigns of the Illinois Wildlife Action Plan (IWAP) and provides habitat for at least eight Species of Greatest Conservation Need (SGCN), as identified in the IWAP, including seven birds and one amphibian.

The proposed addition is located in the Grand Prairie Section of the Grand Prairie Natural Division and lies within the ~1000-acre Warbler Ridge Conservation Area (WRCA), which contains six Illinois Nature Preserves Commission (INPC) sites: the five referenced above and Ambraw Woods LWR. This complex of sites occurs within a forested corridor that extends for several miles along the Embarras River corridor, from north of Lake Charleston to south of Fox Ridge State Park.

The proposed addition benefits Embarras Ridges LWR and the greater WRCA by increasing the size of the reserve, removes an inholding, reduces the amount of edge habitat, provides buffer to high quality resources, prevents future development, aids in management activities, and reduces the likelihood of future defense issues.

Commissioner Thomas said he always likes to see sites like this where we begin to fill in some of the gaps and make larger and more extensive protected areas. It is a piece meal approach, but an important one to get larger numbers of areas protected.

Commissioner McClain asked are if there are other areas that will eventually be incorporated in this corridor of preserves along the Embarras.

John Griesbaum answered yes, and Grand Prairie Friends holds several acres within that Warbler Ridge Conservation Area that they do intend to protect in the future.

It was moved by Commissioner DauBach, seconded by Commissioner Thomas, that the following resolution be approved:

The Commission grants approval for the registration of the Addition to Embarras Ridges as an Illinois land and water reserve, as described in the proposal presented under Item 9 of the Agenda for the 240th Meeting.

(Resolution 2548)

Warbler Bluff is a ~42-acre natural area in Coles County that is owned and managed by Grand Prairie Friends. Warbler Bluff is located in the Grand Prairie Section of the Grand Prairie Natural Division of Illinois and lies within a forested corridor that extends for several miles along the Embarras River, from north of Lake Charleston to south of Fox Ridge State Park. Warbler Bluff protects and buffers approximately 1587 feet of the Embarras River and associated forest habitat. The buffering of the Embarras River by Warbler Bluff provides support for the Streams Campaign of the IWAP; and, for the Forest and Woodland Campaign, this site helps maintain and enhance the composition of forested habitats in Illinois.

The Embarras River is recognized as a high-quality stream by the Illinois Natural Areas Inventory, providing habitat for several threatened or endangered species of fish, reptile, and mussels. State and/or Federally listed aquatic species include, but are not limited to, eastern sand darter (*Ammocrypta pellucidum*), smooth softshell turtle (*Apalone mutica*) and the mussels: monkeyface (*Quadrula metanevra*) and snuffbox (*Epioblasma triquetra*).

Grand Prairie Friends requested registration in perpetuity of the ~42-acre natural area. Registration of this site will protect these, and other, natural resources and benefit current and future visitors, researchers, and residents of Coles County by preserving the unique natural heritage of East Central Illinois.

Commissioner Dann asked how much of the protected areas are contiguous.

John Griesbaum answered there are approximately three or four miles of river frontage that is protected and over 2000 acres within the Charleston Fox Ridge State Park area.

Commissioner Dann asked if they all adjoin.

John Griesbaum said no, there are gaps in the area.

Commissioner DauBach congratulated and praised Grand Prairie Friends for the work they have done.

Sarah Livesay, Executive Director of Grand Prairie Friends, (GPF), thanked John Griesbaum for supporting GPF in all of these efforts. GPF is appreciative of John's continued support and expertise. Sarah continued stating that with dozens of acquisitions in the last five years alone, GPF keeps parsing the properties together. The majority of their sites are contiguous, but as John pointed out, Warbler Bluff and to the south, Warbler Landing, are not contiguous at this time. We continue to move forward to make this happen. She thanked everyone for their support.

Commissioner McClain said he went to Eastern as an undergraduate and at that time, there were no preserves and is delighted to see all of these along the Embarras.

It was moved by Commissioner DauBach, seconded by Commissioner McClain, that the following resolution be approved:

The Commission grants approval for the registration of Warbler Bluff as an Illinois land and water reserve, as described in the proposal presented under Item 10 of the Agenda for the 240th Meeting.

(Resolution 2549)

240-11) **Hancock Co. – Cut Off Road Addition to Cedar Glen Land and Water Reserve, Registration**

The Illinois Department of Natural Resources (IDNR) requested registration of a 12.05-acre addition, known as the Cut Off Road Addition, to Cedar Glen Land and Water Reserve located in the Glaciated Section of the Middle Mississippi Border Natural Division in Hancock County. The Cedar Glen Land and Water Reserve was registered on December 9, 2004, at the 184th Meeting of the Illinois Nature Preserves Commission (INPC), Resolution #1792. While no listed species or high-quality remnant natural communities are known from the Addition, the area will connect the IDNR-owned Cedar Glen Nature Preserve (616.87 acres) and Cedar Glen Land and Water Reserve (269.54 acres) with the privately-owned Crystal Glen Land and Water Reserve (79.5 acres). The IDNR also owns and manages the nearby Mississippi River Sand Hills Nature Preserve (45 acres). All these INPC-protected sites lie within the 3,845-acre Cedar Glen Kibbe INAI site #0565. The Cedar Glen Kibbe INAI site is designated Category I, II, III, IV, and VI due to the presence of Grade A and B high-quality remnant natural community types including dry barrens, dry limestone cliff, dry-mesic sand savanna, high-gradient small stream, sand hill prairie, sand seep, and wet floodplain forest; specific suitable habitat supporting three State-listed plant species: pale false foxglove (*Agalinis skinneriana*), drooping sedge (*Carex prasina*), and Virginia bunchflower (*Melanthium virginicum*); an outstanding exposure of Keokuk Limestone; and, the presence of an unusual concentration of mussels within the river portion of the INAI. The primary management goals within the proposed Addition are restoration of the dry barrens natural communities, improvements to forest habitat to promote the diversity of native forest flora and fauna, and the reduction of gully erosion associated with the steep ravines. The proposed Cut Off Road Addition to Cedar Glen Land and Water Reserve contributes to the goals of the IWAP by supporting focal species of the Forest and Woodland Campaign and the Streams Campaign and contributes to the goals and efforts to control the focal species of the Invasive Species Campaign. If approved, the proposed Cut Off Road Addition to Cedar Glen LWR will increase the size of INPC-protected lands within the INAI site to 1,022.96 acres.

Commissioner Dann asked if it is rattlesnake habitat.

Ray Geroff replied that there are no current records of rattlesnakes at this site.

It was moved by Commissioner Dann, seconded by Commissioner DauBach, that the following resolution be approved:

The Commission grants approval for the registration of the Cut Off Road Addition to Cedar Glen as an Illinois land and water reserve, as described in the proposal presented

under Item 11 of the Agenda for the 240th Meeting.

(Resolution 2550)

240-12) **Jackson Co. – Possum Trot Nature Preserve, Preliminary Dedication**

The Bates family, owners of Possum Trot Farm LLC, requested preliminary dedication of 78 acres of nature preserve (NP) and two acres of NP buffer as the Possum Trot NP in northwestern Jackson County, Illinois. Possum Trot NP lies within the Greater Shawnee Hills Section of the Shawnee Hills Natural Division of Illinois. The proposed 80-acre NP consists of forest natural communities intersected by Reed's Creek and surrounding steep sandstone bluffs. It will permanently protect 60 acres of the currently unprotected 127-acre Reed's Creek Canyon North INAI site #583, designated for Category VI: unusual concentration of vascular flora. The significant feature of the INAI site is the presence of relict northern plant species along the mesic, north-facing cliff communities situated above Reed's Creek. The sandstone cliff community is listed as an exceptional feature. Dedication of these lands supports the IWAP by permanently protecting natural lands that help maintain population viability of native species, including at least 12 confirmed-breeding Species of Greatest Conservation Need (SGCN); by managing these associated habitats to benefit native species; and through ensuring a permanent habitat corridor exists for the adaptation and adjustments of native species to future landscape and environmental changes. The preserve resides within the Hill Prairie Corridor – South Section Conservation Opportunity Area. Within the two acres of NP buffer located along the north boundary of the NP, the landowner reserves the right to maintain a 1.5-acre old field community directly south of the house as a native prairie planting and the right to maintain two pre-existing structures on the property.

Dedication of the proposed site as an Illinois nature preserve should be considered for the following qualifying features and/or reasons:

1. Permanent protection of ~60 acres of INAI #583;
2. Presence of at least two State-listed species within the preserve (*Carex willdenowii* and *Crotalus horridus*);
3. Confirmed breeding of at least 12 SGCN within the NP;
4. Permanent protection of >80 acres of forest natural communities; and,
5. Support of the IWAP, specifically the following Campaigns: Forest and Woodland; and Invasive Species.

Commissioner McClain asked if there are any cultural resources on the site.

Kevin Sierzega said when the archaeological review was done, no cultural resources were located.

Commissioner McClain commented on how beautiful this site is and is amazed at the variety of habitats and diversity of the plants. He said he's quite pleased to see this nature preserve come up for dedication.

Commissioner DauBach asked if Kevin had surveyed for Cerulean Warblers.

Kevin Sierzega said yes, he did bird counts out there but did not pick any up. He said there may not be enough natural gaps but hopes that with implementation of the management plan and prescribed fire actions, the area will be more attractive to them.

Commissioner DauBach commented that it will be an interesting question to follow up on.

It was moved by Commissioner Ruffner, seconded by Commissioner DauBach, that the following resolution be approved:

The Commission grants preliminary approval for the dedication of Possum Trot as an Illinois nature preserve, as described in the proposal presented under Item 12 of the Agenda for the 240th Meeting.

(Resolution 2551)

240-13) **LaSalle Co. – Marsh Relicts Nature Preserve, Preliminary Dedication**

The Conservation Foundation (TCF) holds a conservation easement on approximately 67 acres of land owned by Alan Marsh, including the 6.4-acre Marsh Relicts INAI site #678. The site lies in LaSalle County within the Grand Prairie Section of the Grand Prairie Natural Division of Illinois. The landowner requested preliminary dedication of 12.3 acres of this land as an Illinois nature preserve. The proposed nature preserve includes the entire Marsh Relicts INAI site, which is recognized for its unusual composition of flora; and it abuts the lower Fox River, also recognized on the INAI, site #1444. The proposed Marsh Relicts Nature Preserve is a refugia for Illinois' relict plant species, including white pine (*Pinus strobus*), Canada yew (*Taxus canadensis*), northern bush honeysuckle (*Diervilla lonicera*), and others along the sandstone cliff and ravine system. The extensive north-facing slope system hosts a diverse assemblage of ferns with at least 14 species documented on site, including the State-endangered long beech fern (*Phegopteris connectilis*). The State-endangered butternut (*Juglans cinerea*) also occurs on site. In addition, the proposed Marsh Relicts Nature Preserve is known to support several Species of Greatest Conservation Need, as identified in the Illinois Wildlife Action Plan, including three bird species. Dedication of this natural area will legally 5 protect this habitat in perpetuity and add to the acreage protected along the lower Fox River corridor.

It was moved by Commissioner DauBach, seconded by Commissioner Thomas, that the following resolution be approved:

The Commission grants preliminary approval for the dedication of Marsh Relicts as an Illinois nature preserve, as described in the proposal presented under Item 13 of the Agenda for the 240th Meeting.

(Resolution 2552)

240-14) **DuPage Co. – Buffer Addition to Brewster Creek Marsh Nature Preserve, Final Dedication**

The Forest Preserve District of DuPage County (FPDDC) requested final approval to dedicate 8.9 acres of natural area as an Illinois nature preserve buffer addition to Brewster Creek Marsh Nature Preserve (BCMNP). The proposed buffer addition lies within the Morainal Section of the Northeastern Morainal Natural Division of Illinois. It is adjacent to BCMNP and a part of the Pratt's Wayne Woods Forest Preserve, owned and managed by the FPDDC. Dedicated in 2013, BCMNP consists of 190.6 acres of nature preserve and 66.2 acres of nature preserve buffer. The proposed buffer addition was acquired by the FPDDC in 2020 and contains approximately 910 linear feet of Brewster Creek, associated floodplain, second-growth woodland, and old field.

BCMNP is currently 256.8 acres (nature preserve and buffer). Preliminary approval for dedication of the proposed buffer addition was granted at the 239th Illinois Nature Preserves Commission meeting (Resolution #2535). With final approval of this buffer addition (8.9 acres), the nature preserve will increase to 265.7 acres. BCMNP was established to protect unique habitats that support wetland and grassland birds, as well as State-listed plant and animal species. Management objectives are to maintain suitable habitat structure for these species and improve native species richness and quality of the natural communities within the nature preserve.

It was moved by Commissioner Stone, seconded by Commissioner Dann, that the following resolution be approved:

The Commission grants final approval for the dedication of the Buffer Addition to Brewster Creek Marsh Nature Preserve as an Illinois nature preserve buffer, as described in the proposal presented under Item 14 of the Agenda for the 240th Meeting.

(Resolution 2553)

240-15) **Jo Daviess Co. – Rutherford Refuge at Twin Bridges Nature Preserve, Final Dedication**

Jo Daviess Conservation Foundation requested final approval for dedication of Rutherford Refuge at Twin Bridges as an Illinois nature preserve. Preliminary approval was granted at the 239th Illinois Nature Preserves Commission meeting (Resolution #2536). Rutherford Refuge at Twin Bridges is located on the eastern edge of the Wisconsin Driftless Natural Division of Illinois in northwestern Jo Daviess County, approximately two miles north-northeast of Apple River Canyon State Park/Nature Preserve/Land and Water Reserve. The site consists of 21.86 acres of proposed nature preserve and 2.18 acres of proposed nature preserve buffer. It has been recognized by the INAI as a Category I for Best-of-Kind Grade C sedge meadow and wet-mesic prairie communities (Rutherford Wetland INAI #1970). Rutherford Refuge contains habitat supporting a least 13 Species of Greatest Conservation Need as defined by the IWAP. Protection and management of the site will serve to help fulfill goals within the Wetlands, Streams, Forest and Woodland, and Farmland and Prairie IWAP campaigns.

Commissioner DauBach congratulated Jo Daviess Conservation Foundation (JD CF) on their very first nature preserve. She said they have a lot of land and water reserves. She asked how many acres JD CF is currently working with and protecting.

Jim Johannsen said JDCF owns 10 different sites right now with a total of 1300 acres. Of that 1300, approximately 300 acres are land and water reserves.

It was moved by Commissioner Ruffner, seconded by Commissioner McClain, that the following resolution be approved:

The Commission grants final approval for the dedication of Rutherford Refuge at Twin Bridges as an Illinois nature preserve, as described in the proposal presented under Item 15 of the Agenda for the 240th Meeting.

(Resolution 2554)

240-16) **Lake Co. – Chandler Buffer Addition to Skokie River Nature Preserve, Final Dedication**

Lake Forest Open Lands Association (LFOLA) requested final approval for dedication of approximately 1.5 acres as the Chandler Buffer Addition to Skokie River Nature Preserve, located in the Morainal Section of the Northern Morainal Natural Division of Illinois. Preliminary approval was granted at the 239th Illinois Nature Preserves Commission meeting (Resolution #2537). If approved, the buffer addition will increase the size of the Skokie River Nature Preserve to 140.31 acres.

Skokie River Nature Preserve encompasses a mosaic of wetlands, mesic prairies, and dry-mesic forest within the Skokie River Valley in Lake County, Illinois. Skokie River Nature Preserve is 138.8 acres in size and includes the McLaughlin Prairie and Shaw Prairie, two high-quality mesic prairies. Both of these prairie relicts are recognized on the INAI for Grade A and Grade B mesic prairies. With a boundary update approved in 2002, the INAI now recognizes both prairies as the Skokie River INAI site #0658.

Skokie River Nature Preserve consists of land originally dedicated by The Nature Conservancy and subsequently conveyed to LFOLA, other lands owned by LFOLA, and six privately owned parcels of land dedicated as buffer additions. It is an outstanding example of land protection within the urban landscape via citizen driven conservation.

Commissioner Covington recused himself as he is on the Board of Lake Forest Open Lands Association.

Commissioner Dann asked if the Chandler Addition is in reference to Harry Chandler.

Commissioner Covington said yes, the property was Harry and Kris Chandlers' property and they both passed away a couple of years ago. Their children donated the property to Lake Forest Open Lands.

Commissioner Dann said Harry Chandler was a colleague of his on The Nature Conservancy Board and a terrific guy.

Ryan London stated that this will be the 3rd generation of the Haffner and Chandler family

who have contributed to the ongoing preservation efforts.

It was moved by Commissioner Dann, seconded by Commissioner Ruffner, that the following resolution be approved:

The Commission grants final approval for the dedication of the Chandler Buffer Addition to Skokie River Nature Preserve as an Illinois nature preserve buffer, as described in the proposal presented under Item 16 of the Agenda for the 240th Meeting.

(Resolution 2555)

240-17) **Lee Co. – Gremel Wildlife Sanctuary Nature Preserve, Final Dedication**

The Illinois Audubon Society (IAS) requested final approval for dedication of 392.4 acres as the Gremel Wildlife Sanctuary Nature Preserve. Preliminary approval was granted at the 239th Illinois Nature Preserves Commission meeting (Resolution #2538). The proposed site is located within the Green River Lowland Section of the Grand Prairie Natural Division of Illinois and includes 19.1 acres of nature preserve and 373.3 acres of nature preserve buffer. The proposed nature preserve includes the Augustana Sedge Meadow, INAI site #1828. This natural community was added to the INAI in 2012 as a Category I site for presence of a 1-acre, Grade B sedge meadow. The entire INAI site is 6.56 acres. The larger property surrounding the INAI site has significant ecological value, providing habitat for a wide variety of native plants and animals and offers opportunities for restoration of natural communities that were once widespread in the Green River Lowlands, but are rare today.

The site is located in what was once the largest prairie grove in Lee County. Eolian sand dunes, combined with glacial outwash deposits and basins that formed near the base of the Bloomington Moraine, made this landscape uniquely suited to the growth of trees in what was once a seemingly endless expanse of open prairie in the early 1800s. These same characteristics spared the site from the ravages of the plow that erased from existence the original prairies and “great swamps” of Lee County. Today, relicts of this former timbered grove remain at the proposed Gremel Wildlife Sanctuary Nature Preserve. As restoration efforts unfold across the site, these natural communities will improve in structure and composition. The IAS and its volunteers are managing this site for the benefit all native species of plants and animals and for the benefit of the public who are welcome to visit the site and enjoy its beauty and tranquility.

This nature preserve is named in honor of the late Russ Gremel, who championed and generously funded the purchase of this unique natural area. Russ Gremels’ goal was to provide a sanctuary where young people could learn firsthand about native birds, and nature in general

It was moved by Commissioner Thomas, seconded by Commissioner Dann, that the following resolution be approved:

The Commission grants final approval for the dedication of Gremel Wildlife Sanctuary as an Illinois nature preserve, as described in the proposal presented under Item 17 of the Agenda for the 240th Meeting.

(Resolution 2556)

240-18) **McHenry Co. – Buffer Addition to Boloria Fen and Sedge Meadow Nature Preserve, Final Dedication**

The Land Conservancy of McHenry County (TLC) requested final approval for dedication of approximately 4.25 acres as a buffer addition to Boloria Fen and Sedge Meadow Nature Preserve, located in the Morainal Section of the Northern Morainal Natural Division of Illinois. Preliminary approval was granted at the 239th Illinois Nature Preserves Commission meeting (Resolution #2539). The original nature preserve was dedicated in 2005, is 36.4 acres in size and is now owned by TLC. In 2006, 6.4 acres were dedicated as buffer by the McAndrews Glen Homeowners Association and in 2010, another 1.5 acres were dedicated as buffer by a private landowner. If approved, this dedication will increase the amount of protected land at the existing nature preserve from 44.3 to 48.55 acres. The proposed buffer addition is located along the southern boundary of Boloria Fen and Sedge Meadow Nature Preserve, and it includes a portion of relict sedge meadow that is contiguous with the high-quality sedge meadow found within the existing nature preserve. The buffer addition also includes part of an artificial spring-fed pond and a drainage feature that conveys water away from the nature preserve to the south through its historic drainage outlet. Additionally, the buffer area includes upland dry-mesic oak woodland. Dedication of the proposed buffer addition will help protect the high-quality fen and sedge meadow found within the existing nature preserve and will allow for better land management and restoration activities and prevent future development. This buffer addition will also expand the visitor trail system.

Boloria Meadows was named in recognition of an abundance of silver-bordered fritillary butterflies (*Boloria selene*) observed inhabiting the fen and sedge meadow in the spring of 2003. TLC is a 501 c3 not-for-profit conservation land trust in McHenry County that owns and manages three dedicated nature preserves: Yonder Prairie, Irish Oaks, and Boloria Fen and Sedge Meadow.

It was moved by Commissioner Derby Lewis, seconded by Commissioner Thomas, that the following resolution be approved:

The Commission grants final approval for the dedication of the Buffer Addition to Boloria Fen and Sedge Meadow Nature Preserve as an Illinois nature preserve buffer, as described in the proposal presented under Item 18 of the Agenda for the 240th Meeting.

(Resolution 2557)

240-19) **Madison Co. – John M. Olin Nature Preserve, Paved Trail and Fencing Projects**

The Nature Institute (TNI) requested approval for two different projects at their privately-owned John M. Olin Nature Preserve. Both projects have been completed, and TNI realizes that these projects should have been coordinated with INPC for review and approval prior to construction. There were no reserved rights for these improvements at the time of dedication. One project is the paving of a trail and the other is a fencing project, both being located within dedicated buffer. The paving project covers a total of 3,028 linear feet and a 0.7-acre area, with approximately 1,218 of the linear feet and 0.28 acres of the area covering a pre-existing

dirt trail. The remainder area involves paving over a pre-existing roadway, with no expansion of the trail's footprint. The purpose of this project is to make the nature preserve more accessible to all individuals, so everyone has the same opportunity to enjoy nature and the experiences TNI has to offer. For the fencing project, TNI installed 250 feet of post and rail within dedicated buffer area: 180 feet at the main entrance and along the trail boundary and 70 feet at the Blue Pool, a prohibited area where there is an abandoned rock quarry. The purpose is to control access to ensure public safety, to keep hikers on the designated trail, and to protect native vegetation alongside the trail. By securing the Commission's approval, these projects can be incorporated into the management plan and maintained into the future. INPC staff support approval for both projects.

Valerie Njapa stated there are two projects being brought to the Commission for approval. The first one is the paved trail project that Angela Moan, with The Nature Institute, just described. More details for that project are: the total length of the trail is 3028 feet or 0.57 miles; the trail is 10 feet wide; and the portion that was dirt and is now paved and is 1218 feet of the total length or 0.23 miles.

For the fencing project, Angela Moan explained that the post and rail were put in alongside the parking lot, which divides where the nature preserve starts and the parking lot ends. This shows visitors where the trailhead begins. This is the main entrance area where 180 feet of fencing was installed. Another 70 feet of fencing was installed at the Blue Pool to keep visitors away from a prohibited area.

Commissioner Covington explained that usually when the Commission is asked to approve a project, we have details in the form of photographs, maps, etc., but we don't have anything to refer to.

Angela Moan said she submitted one map and offered before and after photographs to be presented at a later meeting if needed.

Commissioner Covington asked all the Commissioners for their opinions on this.

Commissioner Derby Lewis said the mode of operation would be to have the information regarding this project ahead of time, but this did not happen. What might be helpful is to think about where the communication breakdown could have happened and whether there is something on the Commission's part that can make sure messaging is bolstered or reinforced. Having said all of that, Commissioner Derby Lewis appreciates and very much encourages the work that was done to make this site accessible and inclusive to a wide range of people who would like to get out, enjoy and connect with this natural area. She continued to say she is very willing to approve today.

Commissioner DauBach commented that she wished approval had been sought. Not because these are bad projects, but because staff would have strongly encouraged a different material be used other than asphalt. She feels The Nature Institute (TNI) missed a good opportunity to help educate the public on the nature of karst and damage to groundwater that asphalt can create. With public education being TNI's strong suit, this is a major lost opportunity.

Commissioner DauBach encouraged Angela Moan and TNI's Board to work with the Commission as partners; that is what the Commission is here for.

Commissioner Stone presented a possible 4th option. Thank the presenter and the organization for the information, but because the action has already happened, the Commission would receive the information for the file as opposed to approving so that there is not a precedent for approving without some of the steps that should have but didn't happen. She said she appreciates the intent, Angela Moan's time, and all of the information shared.

Commissioner Thomas said he liked the 4th option. It is a way of recognizing the Commission has accepted it and there was a presentation but at this point, approval after the fact doesn't seem to be appropriate.

Commissioner Dann agreed with Commissioner Stone's 4th option. He believes this is a violation of the Nature Preserves Act, yet there is no way to deploy punitive action, nor would he want to. The end result is good, but the process was bad.

Commissioner Ruffner asked the staff to tell the Commissioners what they expected them to do.

Todd Strole stated we do have a staff opinion with a recommendation from Valerie Njapa.

Valerie Njapa stated that INPC staff definitely agree that the proper order of actions that we like to see on projects like this is that they be coordinated with staff, and where necessary, come before the Commission for approval. In this case, approval is being sought so both projects can be included in the Management Plan for future maintenance. Valerie also thanked Angela Moan for coming to the meeting and presenting the information. It has been presented in a way to ask for after the fact approval. Again, this is not the right order, but she is open to whatever option the Commissioners choose to go with. Valerie is hoping for resolution and closure on this agenda item today without deferring to the May meeting. More information can be provided afterwards that show photographs before and after, even though it won't be considered beforehand if a decision is made at this meeting. Both projects have good intentions, and the rules allow for both of these projects. With that, Valerie asked for a determination on the recommendation that she and Debbie put together to approve both projects so they can be incorporated into the Management Plan and be recognized as approved uses and allow for future maintenance.

Debbie Newman said her thoughts mirror what Valerie just said. She and Valerie worked with Angela to bring this to the Commission for approval.

Commissioner Ruffner stated he would like to move that the Commission accept the INPC staff recommendation for approval.

Commissioner DauBach asked if approval is given, does it set a precedent that can come back to haunt us. Commissioner Stone again suggested the 4th option and asked whether that would allow for incorporation of these projects into the Management Plan.

Valerie Njapa replied that she doesn't believe so. Any project brought to the Commission for approval should be reviewed and approved or rejected on its own merits. In this case, if things had gone in the right order, INPC staff believe there would have been support for both projects and would have approved them, according to the rules.

Commissioner Thomas suggested that the motion read that the Commission approves these projects after-the-fact to allow the Management Plan to go forward.

Debbie Newman said this is not just a management objective. INPC staff are also making sure these actions are consistent with the rules. Knowing they are consistent with the rules helps provide support for their approval.

Randy Heidorn stated this is not a precedent, this has happened before.

Valerie Njapa stated that Commissioner Thomas' suggestion to include the verbiage "after-the-fact" in the resolution would memorialize that.

Fran Harty suggested the motion include language that suggests this proposal would have been approved if it was done in the correct order. Then you have a record that you just can't go out and seek forgiveness after the fact no matter what you do, as this was reviewed and considered as a legitimate project. It was done out of order, not by design.

Angela Moan apologized for the mistake. She explained that TNI has their own staff that manage the preserve and they have spent the last year raising capitol for this project. TNI feels terrible, recognizes the mistake and is just asking for forgiveness.

Commissioner McClain said he is personally happy to see the improvements. He said our mission is to try and connect people with nature and this is certainly going to do it in a better fashion than the previous trail. Commissioner McClain said he would be willing to approve it.

It was moved by Commissioner Thomas, seconded by Commissioner Dann, that the following resolution be approved:

The Commission grants after-the-fact approval for the paved trail and fencing projects, as presented under Item 19 of the Agenda for the 240th Meeting.

(Resolution 2558)

240-20) **Public Comment Period (3 minutes per person)**

Kerry Leigh, Executive Director of the Natural Land Institute (NLI) and Consultant to the Commission, welcomed Todd Strole as the new Executive Director of the Commission.

Kerry continued saying the NLI has been stewarding and protecting the Bell Bowl prairie, which is an INAI site, since George Fell and our then Republican governor, stopped bulldozers in late 1970. The ecological destruction of the prairie has now been temporarily halted until March 1st. NLI is grateful to our many partners, especially the Friends of Illinois Nature Preserves, led by Amy Doll, in harnessing and supporting incredible grassroots response. This is no longer a local issue, as recently the airport submitted a motion to dismiss NLI's lawsuit on the grounds that NLI had no standing to sue. A response has been submitted and will be heard in a court in a court status conference on February 17th. We believe that we have a really good case and are prepared for an appeal and for submitting another temporary restraining order, if necessary, before the March 1st deadline, stopping the destruction of a portion of the highest quality of the dry gravel prairie. Because of this tragedy, NLI is requesting that the Commission encourage and work with IDNR to review and amend the existing endangered species consultation administrative rules by making them more robust and more responsive to 21st century threats. Being in the midst of the 6th great extinction means that we all have to work harder and smarter. Kerry suggested a consultation process that includes the following:

1. Significant input by the Regional staff on the ground who are familiar with the area;
2. Several meetings with the applicants;
3. A detailed review of their alternatives;
4. Site visits; and
5. Perhaps most important, not giving an applicant an out by suggesting plant relocation until it is a last-ditch effort. Our genetic biodiversity will not be saved by a few plant relocations.

The intricate web of life that exists in an 8,000-year-old ancient ecosystem should be robustly defended through the consultation process. We would not let the Mona Lisa go to its destruction and ask for a few flecks of paint.

Kerry urged the Commission to work diligently on amending the rules for the consultation process to fit our 21st century challenges and have a draft for public comment by the fall. The Commission's partners are here ready and waiting to assist in this process. This conversation can be useful in determining if a legislative and capacity issue needs to be a next step. Please know that the conservation partners will support the Commission and the agency in doing this work. Thank you.

Commissioner Derby Lewis said we all just heard a really powerful comment to which there was a direct ask, which we don't get that often. There is public comment where there isn't usually a direct ask, but there is a direct ask here. How does the Commission move forward with a response to this request?

Todd Strole committed to staff working on administrative rules. However, he does not think we can work on administrative rules with the speed that would impact this. A project that requires a public comment period and working through a legislative committee takes time which we don't have here. Beyond that, we can commit to working with IDNR on changes to the administrative rule and Todd said he has no problem making that commitment.

Commissioner Derby Lewis commented she is very glad to hear Todd's response and looks forward to any way the Commission can help support that work going forward.

Commissioner DauBach thanked Commissioner Derby Lewis for mentioning this and also thanked Todd for his response. She does feel this needs to be looked at and thanked Kerry for bringing this to the Commission's attention.

Fran Harty suggested that the Commission ask Todd to bring this request to John Rogner or Colleen Callahan. This is important and having the Commission request to work out the administrative rules would be a good thing for the group to do.

240-21) **Other Business**

None

240-22) **Adjournment**

Commissioner Thomas motioned to adjourn. It was seconded by Commissioner Stone and approved.

The INPC 240th Meeting adjourned at 3:05pm