

**ILLINOIS NATURE PRESERVES COMMISSION AGENDA
TWO HUNDRED FORTY-THIRD MEETING**

Illinois Department of Natural Resources
Lake Level Conference Rooms
One Natural Resources Way
Springfield, IL 62702

January 24, 2023, 10:00 AM
In-person meeting with WebEx option

*Documentary Material Enclosed

Item 1: Call to Order, Roll Call, and Introduction of Attendees

Item 2:* Adoption of Agenda

Item 3:* Approval of Minutes for the 242nd Meeting September 13, 2022

Note: Share Accomplishments Summary of the 242nd INPC Meeting

Note: Share Resolutions for Commissioners Dann, McClain, Ruffner, and Stone

Motion to add Dr. Charles Ruffner as a Consultant to INPC

Item 4: Next Meeting Dates and Locations

244	May 9, 2023	Lost Valley Visitor Center Richmond, IL
245	September 12, 2023	Monroe County Annex Building Waterloo, IL

Item 5:* INPC Staff Report

REPORT
Todd Strole, Executive Director
Illinois Nature Preserves Commission

Item 6: IDNR Staff Report

REPORT
Ann Marie Holtrop
Division of Natural Heritage

Item 7:* Endangered Species Protection Board Report

REPORT
Dr. Joyce Hofmann
Endangered Species Protection Board

Item 8:* Friends of Illinois Nature Preserves Report

REPORT

Amy Doll, Director
Friends of Illinois Nature Preserves

Item 9:* Cook Co. – Poplar Creek Land and Water Reserve, Registration

The Forest Preserves of Cook County (FPCC) owns and manages Poplar Creek Forest Preserve (also known as Carl Hansen Woods Forest Preserve), which surrounds Shoe Factory Road Nature Preserve near northwest suburban Hoffman Estates, Illinois. It is proposed that 572.14 acres of this site be registered as a Land and Water Reserve, hereafter referred to as Poplar Creek Land and Water Reserve (Poplar Creek LWR). This area, located in the Morainal Section of the Northeastern Morainal Natural Division of Illinois, is the highest quality portion of the 4,430-acre complex of Arthur Janura block of forest preserves. Despite the fact that it was previously disturbed for various uses, including agriculture (with drain tiling), excavation of a fishing lake and construction of a dam at its southern shore, small remnant portions of the site remain intact and much of the disturbed area has been successfully restored. The site supports the federally endangered rusty patched bumble bee (*Bombus affinis*); the state-endangered Blanding’s turtle (*Emydoidea blandingii*); the state-threatened mussels elipse (*Venustaconcha elipsiformis*) and slippershell (*Alasmidonta viridis*); and the state-threatened plants, early lady’s tresses orchid (*Spiranthes lucida*) and dwarf bur reed (*Sparganium emersum*). At least 27 wildlife Species of Greatest Conservation Need (SGCN), as identified in the Illinois Wildlife Action Plan (IWAP) Implementation Guide Appendix 1 [2018], occur here, including 16 grassland and savanna bird species sensitive to habitat fragmentation (Herkert et al. 1993) and at least two mussel species with rare and declining populations due to habitat vulnerability. The proposed Poplar Creek LWR buffers and extends the rare gravel hill prairie community already preserved in the adjacent 9-acre Shoe Factory Road Nature Preserve. The Poplar Creek LWR site is open to the public and its uses and management will be consistent with the long-term preservation of the site’s natural resources. Registration of the Poplar Creek LWR will help legally protect the significant restoration efforts invested here in perpetuity. Staff of the FPCC and INPC recommend approval for registration of this site into the Illinois Nature Preserves System.

REPORT

Rebecca Collings, Senior Resource Ecologist
Monica Mueller, Regional Ecologist
Forest Preserves of Cook County

ACTION TO BE CONSIDERED

Approval for Registration

Item 10:* Kankakee Co. – Addition to Sweet Fern Savanna Land and Water Reserve, Registration

Sweet Fern Savanna was originally registered by Dr. Marianne Hahn as a Land and Water Reserve (LWR) in 2001 and was 62 acres in size. Subsequent additions to the LWR, registered by both Dr. Hahn and the Illinois Chapter of The Nature Conservancy have increased the size of the Land and Water Reserve to 166 acres. Sweet Fern Savanna LWR is recognized on the Illinois Natural Areas Inventory (INAI #1581) for its high-quality dry-mesic sand savanna and

for the habitat it provides for 15 state-threatened or endangered plants, and the state-threatened black-billed cuckoo (*Coccyzus americanus*), ornate box turtle (*Terrapene ornata*), and regal fritillary butterfly (*Speyeria idalia*). Sweet Fern Savanna also provides habitat for hundreds of wildlife species, including an additional six insect species and 17 vertebrate SGCN. This proposal is for the registration of a 2-acre tract comprised of an old homesite and successional field supporting numerous state-listed species, including crowded oval sedge (*Carex cumulata*), northern cranesbill (*Geranium bicknellii*), old plainsman (*Hymenopappus scabiosaesus*), shore St. John's wort (*Hypericum adpressum*), eastern blue-eyed grass (*Sisyrinchium atlanticum*), and dozens of other species representative of the Kankakee Sands Area Section of the Grand Prairie Natural Division of Illinois. Reserved rights and allowable uses within this addition include the possible installation/construction of a shed for storage of tools and materials used for management of the site, a toilet, a kiosk/gazebo with interpretive signs, a small greenhouse, placement of picnic tables, parking for up to 10 vehicles, and the creation of small, rotating garden plots to maintain habitat for disturbance-adapted species. The registration of this addition will protect habitat for many rare, threatened, and endangered plant and animal species; promote good reserve design; and help ensure future uses of the 2-acre parcel are compatible with the long-term preservation of Sweet Fern Savanna LWR and its many inhabitants. Registration of this tract will bring the total registered acreage of the site to 168 acres.

REPORT

Kim Roman
Illinois Nature Preserves Commission

ACTION TO BE CONSIDERED

Approval for Registration

Item 11:* Monroe Co. – Brunt Land and Water Reserve, Registration

The proposed Brunt Land and Water Reserve (LWR) is an extremely important 31.83-acre site that currently contains the only extant population in Illinois of the state-endangered fameflower or large-flowered rock pink (*Phemeranthus calycinus*). This site also currently has the only known population east of the Mississippi River. The small sandstone glade that contains the population is listed on the Illinois Natural Areas Inventory as a Category II site (INAI #1608). The proposed LWR contains most of the glade, approximately 1.5 acres, with about .25-.5 acres of the glade on a neighboring property. The remaining part of the proposed reserve consists of Grade C dry-mesic upland forest. The site is bisected by an unnamed tributary to the South Fork of Horse Creek and also contains an undisturbed sandstone cliff. The proposed LWR is owned by Tim and Stephanie Brunt.

This site is located in the Mt. Vernon Hill Country Section of the Southern Till Plain Natural Division and supports several campaigns identified in the IWAP, including the Forests Campaign, the Invasive Species Campaign, and the Land & Water Stewardship Campaign. The site is located immediately adjacent to IWAP's Karst Conservation Opportunity Area, and the Southwestern Illinois Wildlife Action Plan partnership. Within a 6-mile radius of the proposed reserve are 2,683 acres of INPC-protected or conservation-managed lands.

REPORT

Debbie S. Newman
Illinois Nature Preserves Commission

ACTION TO BE CONSIDERED

Approval for Registration

Item 12:* Edwards Co. – Birks Prairie Nature Preserve, Preliminary Dedication

Roger and Vivian Beadles, landowners of Birk’s Prairie, seek preliminary approval for the permanent dedication of 8.0 acres of reconstructed prairie as an Illinois Nature Preserve. The proposed Birk’s Prairie Nature Preserve is located in the Mt. Vernon Hill Country Section of the Southern Till Plain Natural Division of Illinois in Edwards County. The proposed site contains a Grade C mesic prairie reconstruction and is the only prairie natural community listed on the INAI in this natural division and section. The reconstruction supports a thriving translocated population of the state-threatened grass-leaved lily (*Stenanthium gramineum*) and naturally occurring population of royal catchfly (*Silene regia*). The proposed Birk’s Prairie Nature Preserve is one of only two INAI sites in Edwards County and is located less than one-half mile from Beadles Barrens Nature Preserve (INAI Site #1547).

If dedicated as an Illinois Nature Preserve, Birk’s Prairie will provide permanent protection for INAI Site #1975 and habitat for the state-threatened *Stenanthium gramineum* and state-endangered *Silene regia*. In addition, the proposed Birk’s Prairie Nature Preserve is known to support at least seven SGCN, as identified in the IWAP. Birk’s Prairie Nature Preserve will be one of only two permanently protected sites in Edwards County, and the first prairie natural community to be permanently protected in the Southern Till Plain Natural Division’s Mt. Vernon Hill Country Section. INPC staff recommends, on behalf of Roger and Vivian Beadles, the approval of preliminary dedication of Birk’s Prairie as an Illinois Nature Preserve.

REPORT

Sami Childerson
Illinois Nature Preserves Commission

ACTION TO BE CONSIDERED

Preliminary Approval for Dedication

Item 13:* Mason Co. – Addition to Sand Prairie-Scrub Oak Nature Preserve, Preliminary Dedication

The Illinois Department of Natural Resources (IDNR) seeks to dedicate 40 acres as an addition to Sand Prairie-Scrub Oak Nature Preserve, located in the Illinois River Section of the Illinois River and Mississippi River Sand Areas Natural Division in Mason County. The first portion (920 acres) of Sand Prairie-Scrub Oak was dedicated on April 1, 1970 (Meeting #31, Resolution #115), one of only 64 Nature Preserves dedicated prior to the Illinois Natural Areas Inventory (INAI). Another 540-acre parcel was dedicated later that year on October 14, 1970 (Meeting #34, Resolution #145). Finally, 50 acres, from two different parcels, were dedicated as Nature Preserve Buffer on May 23, 2011 (Meeting #208, Resolution #2141). This addition will connect the three previously mentioned dedicated areas. This Nature Preserve is adjacent to the privately-owned 86-acre Bob Spanski’s Walden Too Land and Water Reserve. All these INPC-protected sites lie within the Sand Prairie-Scrub Oak INAI Site #0732. Sand Prairie-Scrub Oak INAI is designated as a Category I natural area due to the presence of Grade B high-quality remnant dry sand prairie and dry sand savanna. The site is Category II due to known specific suitable habitat supporting three state-listed plant species: the state-endangered small burhead (*Echinodorus tenellus*), and state-threatened Hall’s bulrush (*Scheonoplectus hallii*) and umbrella sedge (*Cyperus grayoides*). Altogether, nine listed species have been found at the existing Nature Preserve. Management and use of the 40-acre addition will be consistent with the long-term conservation of Sand Prairie-Scrub Oak Nature Preserve as a whole and to promote the maintenance and management of the unique natural features for

which the site was originally dedicated. The primary management objective for this addition is to maintain and restore natural communities, while providing habitat for the known state-threatened regal fritillary. According to the IWAP, Sand Prairie-Scrub Oak Nature Preserve is within the Mason County Sands Conservation Opportunity Area providing a platform for conservation projects and a priority for implementing action steps. The proposed Addition to Sand Prairie-Scrub Oak protects additional habitat and buffers known habitat for 27 wildlife SGCN.

IDNR reserves the right to (see proposal in large agenda for additional information):

1. Demolish the 800 square-foot pole building and install a (20' x 20') gravel parking lot.
2. Establish a deer control program, if necessary.
3. Remove the pivot point irrigation system.
4. Cap the well head of the pivot point irrigation system.
5. Utilize the site to promote additional populations of threatened or endangered plant species that would occupy dry sand prairie or dry sand savanna habitats.
6. Lightly disk within the 19-acre agricultural field to support disturbance-dependent species.

If approved, the proposed Addition to Sand Prairie-Scrub Oak Nature Preserve will increase the size of the INPC-protected site to 1,550 acres.

REPORT

Eric Smith
Illinois Department of Natural Resources

ACTION TO BE CONSIDERED

Preliminary Approval for Dedication

Item 14*: Will Co. – Addition to Pilcher Park Nature Preserve, Final Dedication

The Joliet Park District (JPD) owns and manages Pilcher Park, a 403-acre natural area that is permanently protected in the Illinois Nature Preserves System. Approximately 293 acres are dedicated as Illinois Nature Preserve; the remaining 110 acres are registered as an Illinois Land and Water Reserve. Pilcher Park is a large and diverse forest complex recognized on the INAI (#0937) for its high-quality mesic upland forest, wet-mesic upland forest, and seep communities representative of the Morainal Section of the Northeastern Morainal Natural Division of Illinois. Other significant features include a Native American burial mound and a reburial site. Pilcher Park is one of northeastern Illinois' premier woodlands with outstanding spring wildflower displays and old-growth trees. More than 270 native plant species have been documented within Pilcher Park, and at least 11 species of birds with moderate to high sensitivity to habitat fragmentation breed on site. In 2021, the Illinois Audubon Society (IAS) purchased a 3.2-acre lot immediately adjacent to Pilcher Park Nature Preserve, with the intent to preserve its natural features and help promote good preserve design. The IAS proposes to dedicate 3 acres of its newly acquired lot as an addition to the existing Pilcher Park Nature Preserve, then transfer title to the JPD. This lot is composed primarily of Grade C dry-mesic upland forest with small areas occupied by forested seeps. The proposed nature preserve addition is very similar in character to the adjoining nature preserve. Final approval of this 3-acre nature preserve addition will permanently protect this forested habitat, buffer the higher quality forest

communities recognized on the INAI within the original nature preserve, and ensure uses are compatible with the site's preservation and management.

REPORT

Kim Roman
Illinois Nature Preserves Commission

ACTION TO BE CONSIDERED

Final Approval for Dedication

Item 15:* Will Co. – Addition to Sand Ridge Savanna Nature Preserve, Final Dedication

Kankakee Sands is a 555-acre preserve owned and managed by the Forest Preserve District of Will County (FPDWC). It abuts both Wilmington Shrub Prairie and Sand Ridge Savanna Nature Preserves, and shares many of the same natural features of these sites. The FPDWC seeks final approval for the dedication in perpetuity of approximately 398 acres of Kankakee Sands Preserve as an addition to Sand Ridge Savanna Nature Preserve, all located within the Kankakee Sand Area Section of the Grand Prairie Natural Division of Illinois. The proposed nature preserve addition contains approximately 20 acres of sedge meadow included as part of the Wilmington Shrub Prairie INAI Site (#0934). It also includes year-round habitat for three state-threatened species: ornate box turtle (*Terrepene ornata*), eryngium stem borer (*Papaipema eryngii*), and tubercled orchid (*Platanthera flava*); as well as, migratory or winter habitat for three state-listed bird species. The proposed 398-acre nature preserve addition is comprised of many remnant natural communities including sedge meadow, sand prairie, marsh, medium-gradient stream, sand savanna, and former agricultural fields that have been planted to prairie. The proposed nature preserve addition also provides habitat for at least an additional 24 SGCN identified in the IWAP.

Reserved rights include the creation of a new gravel chip trail and for the public to visit with leashed dogs on sanctioned trails. The proposed addition protects known occurrences of rare, threatened, and endangered species; preserves a portion of Wilmington Shrub Prairie INAI site and other natural communities; provides continuity of habitat within the Sand Ridge Savanna-Wilmington Shrub Prairie complex; ensures uses are compatible with conservation of the site's natural resources; and promotes good preserve design within the Illinois Nature Preserves System.

REPORT

Kim Roman
Illinois Nature Preserves Commission

ACTION TO BE CONSIDERED

Final Approval for Dedication

Item 16:* Regulation of Concealed Firearms within Dedicated Nature Preserves

INPC's administrative rules prohibit the possession of all firearms within any dedicated nature preserve or buffer, except for peace officers or as authorized by INPC and the landowner. (See 17 IL Admin. Code 4015.10(g), adopted July 6, 2004.) The Illinois Concealed Firearms Carry Act (430 ILCS 66/1 et seq., enacted 2013) prohibits the possession of concealed firearms within most government buildings and parking areas; however, concealed firearms are allowed on the real property, bikeways or trails in parks regulated by the Illinois Department of Natural Resources. (See 430 ILCS 66/65(a)(3).) A provision within the Concealed Carry Act which prohibited concealed firearms on all property of the Cook County Forest Preserves and not just "sensitive places" such as schools and government buildings, has been ruled unconstitutional

under the Second Amendment as overbroad. (See *Solomon vs. Cook County Board of Commissioners*, USDC NDIL 17-CV-6144, Opinion Sept. 13, 2021.) The *Solomon* decision is premised upon U.S. Supreme Court decisions holding the Second Amendment protects an individual right of private citizens to possess and carry firearms in public places for self-protection.

At the 242nd Meeting on September 13, 2022, the Commission passed a Resolution (#2569) requesting that INPC's Executive Director, with the assistance of IDNR Legal Counsel, make a recommendation for the Commission's consideration at the following meeting. The recommendation was to include whether an amendment to 17 IL Admin. Code 4015.10 is necessary to comply with the Concealed Carry Act and the caselaw, and if so, how to best allow visitors to exercise their rights in dedicated nature preserves while also ensuring the safety and wellbeing of others and the wildlife and natural resources within the preserves. The requested recommendation is contained within the proposed Resolution (included in the large agenda).

REPORT

Renee Snow, General Counsel
John Fischer, Legal Counsel
IDNR Office of Legal Counsel

ACTION TO BE CONSIDERED

Approval of Resolution

Item 17: Public Comment Period (3 minutes per person)

Item 18: Other Business

Items may be discussed, but no final action may occur for items not previously included on the agenda.

Item 19: Adjournment