

ILLINOIS NATURE PRESERVES COMMISSION  
 Minutes of the 212<sup>th</sup> Meeting  
 September 11, 2012

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Illinois Nature Preserves Commission  
Minutes of the 212<sup>th</sup> Meeting  
(Approved at the 213<sup>th</sup> Meeting)

Monroe County Annex  
901 Illinois Avenue  
Waterloo, IL 62298

Tuesday, September 11, 2012

212-1) Call to Order, Roll Call, and Introduction of Attendees

At 9:10 a.m., pursuant to the Call to Order of Chair Rosenthal, the meeting began.

Randy Heidorn read the roll call.

Members present: Dennis Clark, Richard Keating, William McClain, Lauren Rosenthal, and David Thomas.

Members absent: George Covington, Donnie Dann, Mare Payne, and Jill Riddell.

Others present: Steven Byers, Bob Edgin, Tom Lerczak, Kelly Neal, John Nelson, Debbie Newman, Debbie Reider, Kim Roman, Jenny Skufca, and Mary Kay Solecki, Illinois Nature Preserves Commission (INPC); Jeanne Barnes, Don McFall, Penny Snyder, Office of Resource Conservation (ORC), Illinois Department of Natural Resources (IDNR); Anne Mankowski, Endangered Species Protection Board (ESPB), IDNR; Fran Harty, The Nature Conservancy (TNC) and INPC Consultant; Jim Anderson, Lake County Forest Preserve District (LCFPD); Erik Neidy, Forest Preserve District of DuPage County (FPDDC), representing the proposed Springbrook Prairie Nature Preserve; Bill Kleiman, TNC, representing the proposed Nachusa Grasslands Nature Preserve; Joyce Blumenshine, Illinois Chapter Sierra Club; Ralph Buettner, Clifftop; Catherine Higgins and Willie Spraggins, S & H Ranch and Resort; Jim Pflasterer, Salt Lick Point; Roger Beadles, Judy Faulkner Dempsey, Paula McClain, Dee Neidy, Brian Pantler, and George Rose.

Chair Rosenthal thanked Debbie Newman for leading the field trip on September 10, 2012 at Salt Lick Point Land and Water Reserve.

212-2) Adoption of Agenda

Chair Rosenthal stated that Item 11 was deferred at the landowner's request.

It was moved by McClain, seconded by Thomas, and carried that the Agenda be adopted as amended.

212-3) Approval the 211<sup>th</sup> Meeting Minutes, May 8, 2012; Task Force Meeting Minutes, July 11, 2012; and Nominating Committee Meeting Minutes, July 11, 2012

Randy Heidorn stated that there is one correction to the 211<sup>th</sup> Meeting Minutes. The affiliation for Elizabeth Kessler and Val Siler should be changed from the McHenry County Forest Preserve District to the McHenry County Conservation District.

It was moved by Keating, seconded by Clark, and carried that the 211<sup>th</sup> Meeting Minutes, May 8, 2012; Task Force Meeting Minutes, July 11, 2012; and Nominating Committee Meeting Minutes, July 11, 2012 be approved with the correction as presented to the 211<sup>th</sup> Meeting Minutes.

212-4) Proposed 2013 Meeting Schedule

January 29, 2013 – Rochester Public Library, Rochester  
May 7, 2013 – Northeastern Illinois, location to be determined  
September 10, 2013 – Southern Illinois, location to be determined

The meeting locations for the May and September, 2013 meetings will be published in the near future.

It was moved by Clark, seconded by Thomas, and carried that the 2013 meeting scheduled be approved as presented.

212-5) Election of Advisors and Consultants

Chair Rosenthal stated that the Commission currently has ten advisors which include three statutory advisors. The statutory advisors are Marc Miller, Director of the IDNR, Dr. Brian Anderson, Illinois Natural History Survey, and Dr. Bonnie Styles, Illinois State Museum. The current advisors are Dr. Mike Demissie, Illinois State Water Survey; Dr. Tomas Emerson, Illinois State Archaeological Survey; Chuck Giger, Illinois Historic Preservation Agency; Dr. Manohar Kulkarni, Illinois Sustainable Technology Center; Dr. E. Donald McKay, III, Illinois State Geological Survey; Dr. Gary Miller, Prairie Research Institute; and Dr. William W. Shilts, Prairie Research Institute.

It was moved by Thomas, seconded by Keating, and carried that the following be elected as advisors to the Illinois Nature Preserves Commission: Dr. Mike Demissie, Dr. Thomas E. Emerson, Chuck Giger, Dr. Manohar R. Kulkarni, Dr. E. Donald McKay, III, Dr. Gary Miller, and Dr. William W. Shilts.

Chair Rosenthal stated that the Commission currently has 16 consultants: Gerald Adelman, Jill Allread, Marilyn Campbell, Tom Clay, Harry Drucker, Kenneth Fiske, Dr. Ronald Flemal, Fran Harty, James Mann, Jerry Paulson, Joseph Roth, Bruce Ross-Shannon, John Schwegman, Valerie Spale, Leslee Spraggins, and John White.

Chair Rosenthal stated that the nominating committee has been advised that Leslee Spraggins has taken a new position with TNC and has moved to Washington, D.C. Ms. Spraggins felt that, due to her new responsibilities, she would be unable to continue as a consultant to the INPC.

It was moved by McClain, seconded by Clark, and carried that the following be elected as consultants to the Commission: Gerald Adelman, Jill Allread, Marilyn Campbell, Tom Clay, Harry Drucker,

Kenneth Fiske, Dr. Ronald Flegal, Fran Harty, James Mann, Jerry Paulson, Joseph Roth, Bruce Ross-Shannon, John Schwegman, Valerie Spale, and John White.

212-6) INPC Staff Report

The INPC staff report is attached as Exhibit A.

Kelly Neal highlighted a few of the stewardship and monitoring efforts contained in the staff report.

Jenny Skufca highlighted a few defense items contained in the staff report.

212-7) IDNR Staff Report

Don McFall presented the IDNR staff report which is attached as Exhibit B.

212-8) Endangered Species Protection Board Report

Anne Mankowski presented the Endangered Species Protection Board report which is attached as Exhibit C.

Chair Rosenthal reported that at the 211<sup>th</sup> Meeting of the INPC, held on May 8, 2012, at the Jarrett Prairie Center, Byron, legal protection was completed by the Commission for 15 tracts of land totaling 2,654.2 acres. One of these areas is owned by private individuals or not-for-profit corporations who donated the value of the protection agreement to the public. This private land was permanently preserved without further acquisition of the land by the state. The dollar value of the tract of private land is \$239,600 based on conservative estimates of the fair market value of the land. The private land protected without state acquisition at INPC's 211<sup>th</sup> Meeting was Eagles Nest Land and Water Reserve, Jo Daviess County. Protection of this land came about because the Commission has eight staff in the field working with private landowners. There are now 363 dedicated nature preserves in 83 counties totaling 52,215.465 acres and 166 land and water reserves in 67 counties totaling 47,639.856 acres.

Randy Heidorn stated that the registration agreements for today's land and water reserve presentations have been signed and executed by the landowners as required by administrative rule.

212-9) Coles Co. – Embarras Ridges Land and Water Reserve, Registration

Mary Kay Solecki presented a proposal on behalf Grand Prairie Friends for the registration of Embarras Ridges as an Illinois land and water reserve. Embarras Ridges, located approximately 3.5 miles south of Charleston in east-central Illinois, is a 141-acre site that harbors a large expanse of dry-mesic and mesic upland forest (~136 acres) and approximately five acres of ridgetop fields. The site is owned by Grand Prairie Friends which acquired it in 2012 for conservation purposes with donations from members and friends and grants from the Illinois Clean Energy Community Foundation, the Grand Victoria Foundation, and the Lumpkin Family Foundation. Embarras Ridges qualifies as a land and water reserve because it is a forest over 100 acres in size that supports 17 species of birds that are either moderately or highly sensitive to forest fragmentation, and it provides habitat for the state-threatened

fibrous-rooted sedge (*Carex communis*). The site lies within the Grand Prairie Section of the Grand Prairie Natural Division and is adjacent to the 202-acre Warbler Woods Nature Preserve. Embarras Ridges is composed of steep hills and ravines cloaked with dry-mesic and mesic upland forest that harbors a diverse assemblage of native plants and a rich assortment of migratory and breeding birds including seven bird species in greatest need of conservation as identified in the Illinois Wildlife Action Plan (IWAP). This area is part of an extensive woodland corridor that covers more than eight miles of dissected hills along the Embarras River near Charleston, and it is an important link in a chain of conservation lands in this corridor. Embarras Ridges is within the Embarras Ecosystem Partnership and the middle and lower part of the Embarras River watershed which is recognized as a Resource Rich Area by the IDNR's Conservation 2000 Ecosystem Program. Conservation of this area supports action steps identified for the forest campaign and the streams campaign in the IWAP.

Ms. Solecki explained the existing utility easement and presented the allowable uses and reserved rights for the site which are explained in detail in the registration proposal.

It was moved by McClain, seconded by Thomas, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Embarras Ridges in Coles County as an Illinois land and water reserve, as described in the proposal presented under Item 9 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2198)

212-10) Kankakee Co. – Additions to Sweet Fern Savanna Land and Water Reserve, Registration

Kim Roman presented a proposal on behalf of Dr. Marianne Hahn to register two tracts totaling 3.4 acres as additions to Sweet Fern Savanna Land and Water Reserve. Sweet Fern Savanna Land and Water Reserve, located in the Kankakee Sand Area Section of the Grand Prairie Natural Division, was originally registered by Dr. Hahn in 2001, and was 62 acres in size. Subsequent additions to the Land and Water Reserve, registered by both Dr. Hahn and the Illinois Chapter of The Nature Conservancy (TNC) (occurring in 2005, 2006, 2007, 2008, and 2010), have increased the size of protected property to approximately 123 acres. Sweet Fern Savanna Land and Water Reserve is recognized on the 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*), regal fritillary butterfly (*Speyeria idalia*), and a reptile. Sweet Fern Savanna also provides habitat for an additional 23 insect species and 10 vertebrate species listed in the IWAP as being in greatest need of conservation. The registration of these additions will increase the total amount of protected land to 126 acres, protect and buffer habitat for many species in greatest need of conservation, protect a known occurrence of the state-endangered crowded oval sedge (*Carex cumulata*), buffer high-quality natural communities, and promote more efficient management of the Land and Water Reserve.

Ms. Roman presented the allowable uses for the site which are explained in detail in the registration proposal.

It was moved by Clark, seconded by Thomas, and carried that the following resolution be adopted:

The Commission grants approval for registration of additions to Sweet Fern Savanna Land and Water Reserve in Kankakee County as described in the proposal presented under Item 10 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2199)

212-11) McHenry Co. – Peter and Pat Stamas Addition to Black-Crown Marsh Land and Water Reserve, Registration

Item was deferred at the landowner's request.

212-12) DuPage Co. – Springbrook Prairie Nature Preserve, Dedication

Erik Neidy presented a proposal on behalf of the FPDDC for preliminary approval for dedication of 1,589 acres of Springbrook Prairie Forest Preserve as the Springbrook Prairie Nature Preserve. The proposed Springbrook Prairie Nature Preserve lies within the boundary of the Springbrook Prairie INAI site (#1516) and consists largely of restored prairies and wetlands. Other communities include graminoid fen and old field plant communities and a low-gradient small stream and artificial impoundment. The proposed nature preserve is located in the Morainal Section of the Northeastern Morainal Natural Division in west-central DuPage County. This INAI site has been recognized as a Category II site because of the presence of endangered or threatened species that include the state-endangered northern harrier (*Circus cyaneus*), short-eared owl (*Asio flammeus*), upland sandpiper (*Bartramia longicauda*), and black-crowned night-heron (*Nycticorax nycticorax*), and state-threatened least bittern (*Ixobrychus exilis*). FPDDC staff has also documented the presence of 12 additional state-listed bird species that include the American bittern (*Botaurus lentiginosus*), king rail (*Rallus elegans*), barn owl (*Tyto alba*), black rail (*Laterallus jamaicensis*), black tern (*Chlidonias niger*), little blue heron (*Egretta caerulea*), osprey (*Pandion haliaetus*), Mississippi kite (*Ictinia mississippiensis*), black-billed cuckoo (*Coccyzus erythrophthalmus*), cerulean warbler (*Dendroica cerulean*), loggerhead shrike (*Lanius ludovicianus*), and yellow-headed blackbird (*Xanthocephalus anthocephalus*). Suitable breeding habitat (primarily wetlands and grasslands) exists for nearly all these species, except for the cerulean warbler, and should be considered either confirmed or potential breeding birds at this site. FPDDC staff has also documented the presence of three state-listed plant species that are considered introduced to the site and include the hairy umbrellawort (*Mirabilis hirsuta*), red pine (*Pinus resinosa*), and balsam poplar (*Populus balsamifera*). Protection of this large mosaic of restored wetlands and grassland at the proposed Springbrook Prairie Nature Preserve is consistent with several elements of the wetland and grassland campaigns in the IWAP and provides critical habitat for 63 species of wildlife identified in the IWAP as species in greatest need of conservation. Protection of this site also supports a key element of the IWAP for the Northeastern Morainal Natural Division which is to restore and manage 10-12 sites with grass cover (> 65%) that are greater than 500 acres in size.

Mr. Neidy presented the allowable uses and reserved rights for the site which are explained in detail in the dedication proposal.

It was moved by Clark, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of Springbrook Prairie in Marshall County as an Illinois nature preserve, as described in the proposal presented under Item 12 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2200)

212-13) Lake Co. – William G. Wells and Pleasant Hill Wetland Buffer Additions to Dokum Mskoda Sedge Meadow Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Conserve Lake County (formally Liberty Prairie Conservancy) and the Pleasant Hill Homeowners Association for preliminary approval for dedication of the William G. Wells (8.5 acres) and Pleasant Hill Wetland (12 acres) as buffer additions to Dokum Mskoda Sedge Meadow Nature Preserve. Dokum Mskoda Sedge Meadow Nature Preserve and the proposed buffer additions are located in the Morainal Section of the Northeastern Morainal Natural Division in east-central Lake County. The proposed buffer additions lie within the boundary of the Oak Grove Botanical Area INAI site (#0654) that consists of 401 acres of open space extending along the headwaters of the Middle Fork of the North Branch of the Chicago River. Oak Grove Botanical Area has been recognized as a Category II INAI site because of the presence of a relatively large and stable population of a state-endangered and federally listed plant species. The proposed buffer additions include grade C/D sedge meadow and grade C/D wet-mesic and mesic prairie. The prairies at this site are ranked first for conservation in the Chicago Wilderness Biodiversity Recovery Plan, and the wetlands have been included on the Advanced Identification (ADID) for Lake County in recognition of their high biological and functional value. Protection of the proposed buffer additions is consistent with recommendations of the “*North Branch of the Chicago River Open Space (Green Infrastructure) Plan*,” with elements of the IWAP, and will increase the size of Dokum Mskoda Sedge Meadow Nature Preserve from 92.76 to 113.26 acres.

Mr. Byers presented the allowable uses and reserved rights for the site which are explained in detail in the dedication proposal. He also stated that it is anticipated that this property will be conveyed to the Pleasant Hill Homeowners Association in the near future.

It was moved by Thomas, seconded by Clark, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of the William G. Wells and Pleasant Hill Wetland buffer additions to Dokum Mskoda Sedge Meadow Nature Preserve in Lake County, as described in the proposal presented under Item 13 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2201)

212-14) Lee and Ogle Co. – Nachusa Grasslands Nature Preserve, Dedication

Bill Kleiman presented a proposal on behalf of TNC for preliminary approval for dedication of approximately 987.76 acres of land to be known as Nachusa Grasslands Nature Preserve. At nearly 1,000-acres, the proposed nature preserve represents the “core area” of a much larger functionally restored prairie ecosystem that is managed by TNC and its volunteers. This larger area currently

encompasses more than 3,000 acres of restored prairies, oak savannas, woodlands, and wetlands. Together, these lands represent one of the largest prairie landscapes in Illinois. The area proposed for dedication lies within the Nachusa Grasslands INAI site (#0685) which encompasses over 5,000 acres of natural communities and agricultural lands and is located within the Oregon Section of the Rock River Hill Country Natural Division. This INAI site is recognized for its numerous high-quality relict natural communities, extensive grassland habitat, and suitable habitat for several state-listed plants and animals. The proposed Nachusa Grasslands Nature Preserve contains a rich diversity of plant species found in several restored high-quality relict natural communities and outstanding examples of re-created prairie natural communities. A unique component of this dedication proposal is the planned reintroduction of a bison herd as part of the management plan for the nature preserve. TNC's management of remnant and restored prairies and savannas at Nachusa Grasslands most directly advances the farmland, prairie, wetland, and forests campaigns of the IWAP, including reintroducing prescribed fire as a natural process, controlling invasive species, and restoring and managing high-quality natural communities.

Mr. Kleiman discussed the power line right-of-way. John Nelson presented the reserved rights and allowable uses for the site which are explained in detail in the dedication proposal.

It was moved by McClain, seconded by Keating, and carried, with Thomas voting present, that the following resolution be adopted:

The Commission grants preliminary approval for dedication of Nachusa Grasslands in Lee and Ogle counties as an Illinois nature preserve, as described in the proposal presented under Item 14 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2202)

212-15) McHenry Co. – Addition to the Proposed Slough Creek Fen Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the McHenry County Conservation District (MCCD) for preliminary approval of an addition to the proposed Slough Creek Fen Nature Preserve. The MCCD received preliminary approval for dedication of 40.5 acres of Slough Creek Fen as an Illinois nature preserve at the Commission's 209<sup>th</sup> Meeting in September, 2011 (Resolution 2155); however Slough Creek Fen has not yet been presented to the Commission for final approval. The MCCD is now seeking preliminary approval for dedication of an additional 35.2 acres as part of the proposed Slough Creek Fen Nature Preserve. Slough Creek Fen and the proposed addition are located in the Morainal Section of the Northeastern Morainal Natural Division in central McHenry County. The proposed addition encompasses a small portion of the Standlee Fen INAI site (#1614) and consists of grade C mesic savanna. Mesic savanna is considered of global significance and a conservation priority by Chicago Wilderness. Protection and stewardship of the proposed addition supports action #2b of the forest campaign of the IWAP that calls for "...ecological connectivity among forests and other habitat patches." Slough Creek Fen and the proposed addition are also located within the Lake-McHenry Wetlands Complex Conservation Opportunity Area and MCCD's Queen Anne Macrosite.

Mr. Byers presented the reserved rights and allowable uses for the site which are explained in detail in the dedication proposal.

It was moved by Thomas, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of an addition to the proposed Slough Creek Fen Nature Preserve in McHenry County, as described in the proposal presented under Item 15 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2203)

212-16) Saline Co. – Pruett Woods Nature Preserve, Dedication

Bob Edgin presented a proposal on behalf of Joseph P. and Norma L. Hart for preliminary approval for dedication of 17.08 acres as Pruett Woods Nature Preserve. Pruett Woods is located 2.6 miles east of Harrisburg in the Bottomlands Section of the Wabash Border Natural Division. This site is identified as Hart Woods INAI site (#0103), a grade B forest, and is one of only two remaining examples of wet-mesic floodplain forest included on the INAI in the Wabash Border Natural Division. Sweet gum (*Liquidambar styraciflua*), swamp white oak (*Quercus bicolor*), and pin oak (*Q. paulstris*) are the predominant canopy species with several trees of these species exceeding 30 inches in diameter. Less common canopy trees are hackberry (*Celtis occidentalis*), green ash (*Fraxinus pennsylvanica*), black gum (*Nyssa sylvatica*), and shumard oak (*Q. shumardii*). This site has been enrolled in the Illinois Natural Heritage Landmark program as Pruett Woods since January 31, 2002. The IWAP would be supported by this dedication through the forest campaign.

It was moved by Keating, seconded by Clark, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of Pruett Woods in Saline County as an Illinois nature preserve, as described in the proposal presented under Item 16 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2204)

212-17) Cook Co. – Addition to Sundrop Prairie Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of TNC for final approval for dedication of seven lots totaling 0.591 acres as an addition to Sundrop Prairie Nature Preserve. Sundrop Prairie Nature Preserve is one of five prairies collectively referred to as the Indian Boundary Prairies located in southern Cook County in the Chicago Lake Plain Section of the Northeastern Morainal Natural Division. Of the 508.1 acres of the Indian Boundary Prairies that have been included on the INAI, 418.35 acres have been dedicated as part of the Illinois Nature Preserves System. The proposed nature preserve addition lies within the boundary of the Sundrop Prairie INAI site (#1575) and includes grade C mesic prairie. Dedication of this addition is consistent with the recommendations of an approved Site Design Plan prepared for the Indian Boundary Prairies by TNC, will protect mesic prairie considered a conservation priority by Chicago Wilderness, and supports elements of the grassland campaign identified in the IWAP. With final approval of this proposed addition, Sundrop Prairie Nature Preserve will increase

from 90.84 acres to 91.431 acres. The seven lots received preliminary approval for dedication at the Commission's 145<sup>th</sup> Meeting in October, 1994 (Resolution 1249).

It was moved by Keating, seconded by Clark, and carried, with Thomas voting present, that the following resolution be adopted:

The Commission grants final approval for dedication of an addition to Sundrop Prairie Nature Preserve in Cook County, as described in the proposal presented under Item 17 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2205)

212-18) Lake Co. – Buffer Addition to Liberty Prairie Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of Libertyville Township for final approval for dedication of 11.07 acres as a buffer addition to Liberty Prairie Nature Preserve. Liberty Prairie Nature Preserve and the proposed buffer addition are located in the Morainal Section of the Northeastern Morainal Natural Division in east-central Lake County. When the proposed buffer addition was granted preliminary approval for dedication, the land was still being farmed. Since that time, the farm lease has expired, and Libertyville Township has been actively restoring the proposed buffer addition. The proposed buffer addition includes a regional trail that once extended through Liberty Prairie Nature Preserve. The rerouted trail is safer for public use and has eliminated the direct and indirect impacts the trail once had on the high-quality prairie. The proposed buffer addition lies adjacent to Liberty Prairie Nature Preserve and includes elements of good preserve design. Protection and stewardship of Liberty Prairie Nature Preserve and the uplands surrounding the site (which include this proposed buffer addition) supports elements of the grassland campaign identified in the IWAP. With final approval of this proposed buffer addition, Liberty Prairie Nature Preserve will increase in size from 66.069 acres to 77.139 acres. The proposed buffer addition received preliminary approval for dedication at the Commission's 176<sup>th</sup> Meeting in August, 2002 (Resolution 1666).

It was moved by Clark, seconded by Thomas, and carried that the following resolution be adopted:

The Commission grants final approval for dedication of a buffer addition to Liberty Prairie Nature Preserve in Lake County, as described in the proposal presented under Item 18 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2206)

A lunch break was taken from 12:00 p.m. – 12:45 p.m.

212-19) Marshall Co. – Buffer Addition to Hopewell Hill Prairies Nature Preserve, Dedication

Thomas Lerczak presented a proposal on behalf of Maury Brucker and Emiko Yang for final approval for dedication of lot #108 (2.05 acres) as a buffer addition to Hopewell Hill Prairies Nature Preserve. Hopewell Estates Hill Prairies Natural Area INAI site (#0231) is located within the village of Hopewell,

approximately 20 miles northeast of Peoria in the Grand Prairie Section of the Grand Prairie Natural Division. Lot #108 is composed of grade C dry-mesic upland forest with species such as red oak (*Quercus rubra*), white oak (*Q. alba*), shagbark hickory (*Carya ovata*), and redbud (*Cercis canadensis*). Further into the lot, as the ground slopes downward toward a deep ravine system, the community tends to become more mesic, with fern species present (e.g., Christmas fern [*Polystichum acrostichoides*]) as well as sugar maple (*Acer saccharum*) and American basswood (*Tilia americana*). After a recent botanical survey was done at the site, a healthy population of the state-threatened fibrous-rooted sedge (*Carex communis*) was found on the site. Though lot #108 does not contain hill prairie remnants, it is necessary to protect as much of the natural area's intact grade C forest as possible in order to capture the hill prairie-forest ecological complex. The IWAP would be supported by this dedication through the forest, farmland and prairie, and invasive species campaigns. Eight bird species observed on lot #108 are listed in the IWAP as species in greatest need of conservation. If approved, the proposed buffer addition would increase the size of Hopewell Hill Prairies Nature Preserve to 10.85 acres. The site received preliminary approval for dedication at the Commission's 211<sup>th</sup> Meeting in May, 2012 (Resolution 2182).

It was moved by Keating, seconded by Thomas, and carried that the following resolution be adopted:

The Commission grants final approval for dedication of a buffer addition to Hopewell Hill Prairies Nature Preserve in Marshall County, as described in the proposal presented under Item 19 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2207)

212-20) Cook Co. – Correction of the Legal Description for an Addition to Gensburg-Markham Prairie Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of TNC to correct the legal description for an addition to Gensburg-Markham Prairie Nature Preserve. The Natural Land Institute (NLI) received final approval for dedication of eight lots as an addition to Gensburg-Markham Prairie Nature Preserve at the Commission's 161<sup>st</sup> Meeting in October, 1998 (Resolution 1451), and the dedication document was recorded in Cook County on January 29, 1999. Subsequently, the parcel was conveyed to TNC, and an error in the legal description was found. The Commission was notified by TNC and NLI that the aforementioned dedication document contained an error in the legal description, thereby invalidating that original dedication document. The legal description has been corrected, and a new dedication document has been signed by the landowner. The new dedication document needs to be approved by the Commission and re-recorded.

It was moved by Thomas, seconded by Clark, and carried that the following resolution be adopted:

The Commission grants approval for the correction of the legal description for an addition to Gensburg-Markham Prairie Nature Preserve in Cook County, as described in the proposal presented under Item 20 of the Agenda for the 212<sup>th</sup> Meeting. The new dedication document will be re-recorded with the Cook County Recorder's Office.

(Resolution 2208)

212-21) Lake Co. – Woodland Restoration at Five Nature Preserves Owned by the Lake County Forest Preserve District

Jim Anderson, LCFPD presented a proposal for woodland restoration at five nature preserves owned by the LCFPD. The LCFPD believes that one of the most difficult and pressing issues that faces management and restoration of wooded ecosystems in Illinois is developing and implementing a sound strategy to sustain oak regeneration in historically oak-dominated woodland and forest communities while preserving the existing diversity that is present in these ecosystems today. The LCFPD also believes that unless an effort is made to address oak regeneration failures, the decrease in historical oak dominance may become precipitously worse in the future. The LCFPD's Southern Des Plaines River Preserves (SDPRP) represent some of the highest quality natural areas within Lake County's Forest Preserve system. Five of the six SDPRP sites have nature preserve status and protection. These sites are located in the Morainal Section of the Northeastern Morainal Natural Division. Monitoring of wildlife and plants at these sites has shown that the District's restoration and management actions which include the reintroduction of fire, control of white-tailed deer populations, and removal of invasive species have improved the quality of these nature preserves. A study of current vegetation patterns at these sites indicates a need to implement a second phase of restoration focused specifically on restoring canopy and sub-canopy structure and composition to facilitate the regeneration of desirable shade-intolerant trees, especially oaks, native shrubs and a healthy diverse native flora. The most significant conservation concerns at SDPRP sites, based on current data, indicate that in these woodlands there is a lack of native shade intolerant tree regeneration, loss of native tree and shrub diversity, lack of diversity and abundance of the herbaceous layer, and loss of micro-habitats which lead to the overall loss of biodiversity of plants and animals. This proposed second phase of woodland restoration represents a long-term, science-based initiative to restore mixed-hardwood woodland communities in Lake County. The LCFPD proposes the following: Year 1: Removal of a portion (60-90% depending on plant community type) of non-oak, shade tolerant understory trees and shrubs; Year 2: Planting of native trees or seeds and herbaceous seeds in areas where the canopy has been thinned; Year 5-10: Adaptive management to make determinations of need for and implementation of further thinning and plantings. Phase II restorations are proposed for Elm Road Woods Nature Preserve (INAI #1555), Grainger Woods Nature Preserve (INAI #0667), Lloyd's Woods Nature Preserve (INAI #0663), and MacArthur Woods Nature Preserve (INAI #1003) for the winter 2012-2013. The Phase II woodland restoration for Edward L. Ryerson Nature Preserve (INAI #1007) is proposed for the winter of 2013-2014.

Kelly Neal presented the INPC staff recommendation, and it is attached as Exhibit D.

It was moved by McClain, seconded by Clark, and carried that the following resolution be adopted:

The Commission grants approval for the woodland restoration at Elm Road Woods Nature Preserve, Grainger Woods Nature Preserve, Lloyd's Woods Nature Preserve, MacArthur Woods Nature Preserve, and Edward L. Ryerson Nature Preserve in Lake County, as described in the proposal presented under Item 21 of the Agenda for the 212<sup>th</sup> Meeting, subject to the stipulations outlined in the staff recommendation.

(Resolution 2209)

212-22) Lake Co. – Dam Removal at Two Nature Preserves Owned by the Lake County Forest Preserve District

Jim Anderson, LCFPD, presented a proposal for the dam removal at two nature preserves [MacArthur Woods Nature Preserve (INAI #1003) and Lloyd's Woods Nature Preserve (INAI #0663)]. The LCFPD proposes to remove two low-head dams (24'long x 2.4'tall x 148'wide and 32'long x 2.6'tall x 140'wide, respectively) on the Des Plaines River adjacent to the Nature Preserves to improve habitat quality, restore natural riverine hydraulics, allow the passage of riverine fishes, reduce trapping of bedload material, improve navigability for paddlers, and eliminate public safety hazards. This proposal is recommended by the Chicago District of the U.S. Army Corps of Engineers (USACOE) as part of its Upper Des Plaines River Phase II Flood Reduction and Ecosystem Restoration Study. The proposed bank to bank dam removals also support a regional northeastern Illinois effort to defragment the upper Des Plaines River, and these are the last two dams remaining along the River in Lake County. Both concrete dams were designed and built for use as fords for agricultural purposes, such that livestock could cross the River. Neither dam is eligible for the National Register of Historic Places. The riparian corridor at both sites is comprised of degraded floodplain forest with dominant species including box elder, sugar maple, silver maple, riverbank grape, garlic mustard, and reed canary grass. Recent surveys conducted by the USACOE, state, and local agencies found no federal or state listed species or viable critical habitats within the restoration sites. Bank stabilization and restoration will occur at each of the Nature Preserves. The INPC approved the removal of a similar dam at Edward L. Ryerson Nature Preserve (the first dam removed on the upper Des Plaines River) at its 203<sup>rd</sup> Meeting in September, 2009 (Resolution 2052).

Jenny Skufca presented the INPC staff recommendation, and it is attached as Exhibit E.

Randy Heidorn noted that, if approved, this would be the third request for dam removal to restore hydrology that has been brought before the Commission. Once an activity has been approved three times by the Commission, such future activity can be approved at the INPC staff level. Mr. Heidorn assured the Commissioners that a future request for dam removal would be brought before the Commission if staff felt there was an issue that would require Commissioner approval.

It was moved by Keating, seconded by Thomas, and carried that the following resolution be adopted:

The Commission grants approval for the removal of the dam at MacArthur Woods Nature Preserve and at Lloyd's Woods Nature Preserve in Lake County, as described in the proposal presented under Item 22 of the Agenda for the 212<sup>th</sup> Meeting, subject to the stipulations outlined in the staff recommendation.

(Resolution 2210)

212-23) McHenry Co. – Request for Continued Use of an Equestrian Trail at Black-Crown Marsh Land and Water Reserve

Don McFall presented a proposal on behalf of the IDNR for the continued use of an equestrian trail at Black-Crown Marsh Land and Water Reserve. The establishment of a limited trail system for horseback

access with the stipulation of a three-year evaluation period prior to final approval was approved at the 191<sup>st</sup> INPC Meeting in August, 2006 (Resolution 1910). The IDNR, landowner of Black-Crown Marsh Land and Water Reserve, was to monitor the impacts of the trail programs and provide its findings annually to the Commission. After the completion of the three-year trial period, the IDNR was to prepare a summary report and ask for final approval of the trail. In 2007, the equestrian trail system and associated parking was established following the IDNR Conservation Reserve Enhancement Program (CERP) reviews and guidelines: A three-year evaluation of the compatibility of equestrian use with natural resource features of the Land and Water Reserve was done. A small gravel parking lot of 5,552.3 ft<sup>2</sup> was developed immediately adjacent to Wegner Road to allow trailer access. A two-segment perimeter trail (north loop 1.77 miles and south loop 0.76 miles) was established using a combination of existing grassed farm road, establishment of a grassed trail segment bordering the existing corn field, and routing of the trail through abandoned hay field (south loop). Hydric soils were avoided. Access to the south loop was limited (closed) during the peak migration periods of 15 March to 15 May and 1 October to 30 November, or at other times deemed necessary to protect sensitive resources (e.g., excessive rains, rare occurrence of migrating or nesting species) and to comply with INDR horse trail policy. Documented evidence of avian disturbance would jeopardize continuation of the program. Foot traffic was prohibited. The IDNR is now requesting the continued use of the horse trail system at this site.

Kelly Neal presented the INPC staff recommendation, and it is attached as Exhibit F.

It was moved by Thomas, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants approval for the continued use of an equestrian trail at Black-Crown Marsh Land and Water Reserve in McHenry County, as described in the proposal presented under Item 23 of the Agenda for the 212<sup>th</sup> Meeting, subject to the stipulations outlined in the staff recommendation.

(Resolution 2211)

212-24) McLean Co. – Request to Construct Two New Buildings within Thaddeus Stubblefield Grove Nature Preserve

Thomas Lerczak presented a proposal on behalf of the Sugar Grove Foundation for approval to construct two new buildings within the Funks Grove Cemetery Association-owned buffer addition to Thaddeus Stubblefield Grove Nature Preserve. Currently, the 24-acre buffer addition is occupied by a portion of the Sugar Grove Nature Center complex, which includes a portion of the Center's parking lot, a corn crib, a maintenance building, a nature center and office, and an observatory. The remaining portion of the buffer addition consists of a tallgrass prairie restoration with a small stream and riparian vegetation. The proposed location of the two buildings, a maple sap/honey house and an observatory, would be within the existing footprint of the Sugar Grove Nature Center complex within the buffer addition and would not disrupt natural or restored plant communities. Provisions for developing the nature center for restoration and educational activities were included in the original preliminary dedication proposal approved at the Commission's 138<sup>th</sup> Meeting in March, 1993 (Resolution 1167). The rules for management of nature preserves state that service areas for management and/or visitor facilities may be

management of nature preserves state that service areas for management and/or visitor facilities may be established in dedicated buffer areas. Final designs of the buildings and their exact placements will be subject to INPC staff approval.

Kelly Neal presented the INPC staff recommendation, and it is attached as Exhibit G.

It was moved by Keating, seconded by Clark, and carried that the following resolution be adopted:

The Commission grants approval for the construction of two new buildings within Thaddeus Stubblefield Grove Nature Preserve in McLean County, as described in the proposal presented under Item 24 of the Agenda for the 212<sup>th</sup> Meeting, subject to the stipulations outlined in the staff recommendation.

(Resolution 2212)

212-25) Request from the Office of the Attorney General to Review the Illinois Department of Natural Resources Consultation at Rice Lake Conservation Area Environmental Management Program and Mississippi Sand Mining Permit at Ernat's Marsh Illinois Natural Areas Inventory Site

Randy Heidorn stated that Assistant Attorney General Thomas Davis sent a letter to the INPC requesting the INPC review IDNR consultation procedures as they apply to two specific IDNR decisions. The IDNR has provided a written response to Mr. Davis' concerns and is attached as Exhibit H. Mr. Heidorn stated that the site in question is an INAI site, however, it is not part of the INPC system.

After some discussion, it was decided that since the site in question was not under the protection of the INPC system, no action was needed by the Commission.

212-26) Election of Officers

Chair Rosenthal stated that the nominating committee was pleased to offer in nomination the following individuals: for Chair, Commissioner Thomas; Vice-Chair, Commissioner Dann; and for Secretary, Commissioner Covington.

There were no other nominations from the floor.

It was moved by McClain, seconded by Clark, and carried that the following Commissioners be elected as Officers of the Illinois Nature Preserves Commission: David Thomas as Chair, Donnie Dann as Vice-Chair, and George Covington as Secretary.

Randy Heidorn presented Commissioner Rosenthal with a cardinal vase and thanked her for her service as Chair of the INPC.

212-27) Natural Areas Acquisition Fund Fiscal Year 2013 Stewardship Proposals

Don McFall gave a presentation regarding the Natural Areas Acquisition Fund (NAAF) and the proposed stewardship projects. The Natural Areas Stewardship project uses monies provided by the Natural Areas Acquisition Fund (NAAF) to support management activities on both state and non-state-owned nature preserves and land and water reserves. The FY13 ORC spending plan is not yet finalized, so amounts available for Natural Areas Stewardship are not yet known. The IDNR intends to fund as many submitted proposals as funds will permit. The IDNR requests approval of the FY13 NAAF Stewardship Proposal list in anticipation of available funding. The Commissioners were provided with a list of the 24 projects.

Sites/Locations	Region	County	Activity	Amount
<b>DNR</b>				
Harlem Hills NP	1	Winnebago	Exotic control (herb)	\$9,500
District 2 & 3 NP, LWRs	1	Various	Exotic / Invasive control	\$30,000
District 5 & 6 NPs, LWRs	1	Various	Exotic / Invasive control	\$25,000
Volo/COL/Harlem Hills/Redwing Slough NP/LWR	1, 2	Lake, McHenry, Winnebago	Exotic control	\$45,000
Des Plaines Dolomite Prairie LWR	2	Will	Exotic control (herb and woody)	\$9,000
IL Beach / North Dunes NPs	2	Lake	Exotic control	\$25,000
Middle Fork Woods NP	3	Vermilion	Exotic control	\$16,000
Becker NP (Leesville Savanna)	3	Iroquois	Exotic / Invasive control	\$15,000
Sunbury RR Prairie NP	3	Livingston	Rx firebreak establishment	\$9,000
<b>Sites/Locations</b>	<b>Region</b>	<b>County</b>	<b>Activity</b>	<b>Amount</b>
<b>DNR</b>				
McAdams Peak LWR	4	Jersey	Invasive / Exotic control; prairie planting	\$9,000
Chauncey Marsh NP / LWR	5	Lawrence	Invasive woody control	\$9,500
Dean Hills / Rock Cave NPs	5	Effingham/Fayette	Invasive woody control	\$6,500
Various NPS, LWRs	5	Various	Rx firebreak establishment	\$8,000
Flag Pond LWR	5	Clay	Prairie planting	\$9,405
Various NPs, LWRs	5	Various	So IL Invasive Sp Strike Team	\$76,000
Prairie Ridge SNA	5	Jasper/Marion	Exotic control	\$7,500
Prairie Ridge SNA	5	Marion	Invasive brush control	\$30,000
Prairie NPs, LWRs	1	Ogle, Stephenson, Lee,	Exotic / invasive control	\$15,000
NE IL Fen NPs, LWRs	2	Cook, Kane	NE IL Fen Restoration	\$8,000
Sibley Grove NP	3	Ford	Exotic/invasive woody control	\$9,000
Anderson Prairie LWR	4	Christian	Invasive woody control	\$4,000
North Elkhart Hill LWR	4	Logan	Exotic control	\$5,000
Krueger Spelological NP	4	Monroe	Exotic control	\$7,500
Bluff Corridor HP NPs / LWRs	4	Monroe, Randolph	Rx firebreak and crew	\$5,700
<b>24 Projects on INAI sites</b>				<b>\$393,605</b>

It was moved by Rosenthal, seconded by Clark, and carried that the following resolution be approved:

The Commission approves the Fiscal Year 2013 Natural Areas Acquisition Fund stewardship expenditures as presented under Item 27 of the Agenda for the 212<sup>th</sup> Meeting.

(Resolution 2213)

212-28) Review of Closed Meeting Minutes

Randy Heidorn stated that there were four sets of minutes regarding land acquisition from closed meetings of the Commission. The meeting dates were August 2, 2005, May 2, 2006, May 6, 2008, and May 5, 2009. These meetings were closed in accordance with the Open Meetings Act to discuss the purchase of real property. Section 2.06 of the Open Meetings Act provides that public bodies, "shall periodically, but no less than semi-annually, meet to review minutes of all closed sessions. At such meetings, a determination shall be made and reported in an open session that: 1. the need for confidentiality still exists as to all or part of those minutes, or 2. that the minutes or portions thereof no longer require confidential treatment and are available for public inspection."

It was moved by Keating, seconded by Rosenthal, and carried that the following resolution be adopted:

In accordance with the Open Meetings Act, the closed session minutes from the August 2, 2005, May 2, 2006, May 6, 2008, and May 5, 2009, meetings will remain confidential but will be reviewed semi-annually to ascertain the need to be kept confidential.

(Resolution 2214)

212-29) Public Comment Period

Joyce Blumenshine, volunteer member of the Illinois Chapter Sierra Club, addressed the Commission regarding issues raised in Agenda Item 25. She stated that she now understood that it was not within the Commission's legal purview to take action to protect the areas involved in the project, however, there should be concerns related to the sand mine. The mine is located on the immediate east side of Starved Rock State Park. She was concerned that the blasting could affect the delicate bluffs, sheer cliffs, and the beauty that is the treasure of Starved Rock, and she has been unable to find any evidence which shows that the IDNR did any research on blasting impacts on the State Park. She also felt there would be impacts to the wildlife and the public who use that Park. She stated that it was her opinion that this mine would destroy Ernat's Marsh, and there would be discharges that would go to the creek and into the Park. She also felt that there would be long-term, negative impacts on the Park. She asked that the Commission reconsider this issue and get a second opinion of IDNR's letter.

212-30) Other Business

There was no other business.

212-31) Adjournment

It was moved by Keating, seconded by Rosenthal, and carried that the meeting be adjourned at 2:15 p.m.

Illinois Nature Preserves Commission  
One Natural Resources Way  
Springfield, IL 62702  
217/785-8686

STAFF REPORT FOR THE 212TH MEETING OF THE  
ILLINOIS NATURE PRESERVES COMMISSION  
Reporting Period: April 9 - August 6, 2012

Exhibit A

**KEY**

**NP** = Nature Preserve

**LWR** = Land and Water Reserve

**NHL** = Natural Heritage Landmark

**INAI** = Illinois Natural Areas Inventory

**INPC** = Illinois Nature Preserves Commission

**SP** = State Park

**COA** = Conservation Opportunity Area

**FPD** = Forest Preserve District

**IDOT** = Illinois Department of Transportation

**AREAS**

Area 1 - John Nelson

Area 3 - Kim Roman

Area 5 - Thomas Lerczak

Area 7 - Debbie Newman

Area 2 - Steven Byers

Area 4 - Angella Moorehouse

Area 6 - Mary Kay Solecki

Area 8 - Bob Edgin

**INPC OPERATIONS**

INPC staff have begun a new system of mapping legal descriptions for proposed NPs and LWRs, with the assistance of a volunteer, to ensure accuracy of legal descriptions and corresponding NP and LWR maps.

Mary Kay Solecki continues to review protection proposals for inclusion in the INPC agenda in absence of a Natural Areas Protection Manager.

**OUTREACH/PARTNERSHIP/VOLUNTEER COORDINATION/MEETINGS ATTENDED**

**INPC staff prepared for and participated in:**

The announcement by U.S. Secretary of the Interior, Ken Salazar, of the establishment of Hackmatack National Wildlife Refuge and the announcement of 12 new Millenium Reserve conservation projects in the Calument Region. Steven Byers played a critical role in bringing these projects to this point.

**Area 1**

Participated in a Middle Rock River Conservation Partnership Meeting.

**Area 2**

Hosted a collaborative meeting with FPD of Cook County senior staff and ecologist team regarding the role and mission of the INPC. Kim Roman, Jenny Skufca, and Kelly Neal relayed in a series of PowerPoint presentations how the Commission addresses threats to NPs and management issues.

Participated in a scoping meeting on potential routes of IDOT's FAP420 Richmond Bypass which may impact areas included in INPC programs.

**Area 4 (Angella Moorehouse)**

Attended meetings with the Interstate Resource Conservation and Development Council, Upper Mississippi River Conservation Opportunity Area, and Riverbend Stewards.  
Led field trip to four cemetery NPs for Illinois Audubon Society.  
Led a field trip to Geneseo Fen INAI for the Izaak Walton League and Henry County Natural Areas Guardians.

**Area 6**

Assisted Grand Prairie Friends with preparing site inspection document needed for land trust certification.

**Area 7**

Attended a Salt Lick Point Volunteer Committee meeting.  
Attended a Prairie Du Rocher Volunteer Fire Department meeting for new volunteers.  
Reviewed a nomination for the Volunteers' Governors Hometown Award.

**PROTECTION**

Discussion of protection options with landowners or potential funders.

**Area 1**

Landowner in Lee County regarding dedication

Landowner in Ogle County regarding registration

**Area 2**

Addition to Wolf Road Prairie NP, FPD Cook County  
 Green Lake Savanna addition to Sand Ridge NP, FPD Cook County  
 Discussions regarding final dedication of the proposed Openlands  
 Lakeshore, Bluff and Ravine NP  
 Alden Sedge Meadow, McHenry County Conservation District

**Area 3 (Kim Roman)**

Addition to Messenger Woods NP  
 Two privately owned INAI sites

Addition to Skokie River NP, Lake Forest Open Lands Assoc.  
 Belleau Woods, FPD DuPage County  
 Addition to Trout Park NP, City of Elgin  
 Forested Fen INAI, Kane Co.  
 Berkeley Prairie, Lake County FPD

**Area 6**

Noel's Woods NHL  
 Allerton Park INAI

**OTHER LANDOWNER CONTACTS (includes acquisition)**

**Area 1**

Black-Crown Marsh NP - acquisition  
 White Pines Forest NP  
 Bothe Prairie INAI

**Area 4**

Black Hawk Forest NP  
 Josua Lindahl Hill Prairies NP  
 Stony Hills NP  
 Cedar Glen NP  
 Fall Creek Gorge LWR  
 Grubb Hollow Prairie NP  
 Twin Culvert Cave NP  
 Short Fork Seep NP  
 Thistle Hills LWR  
 Forest Park South NP  
 Brownlee Cemetery Prairie NP  
 Spring Grove Cemetery Prairie NP  
 Munson Township Cemetery Prairie NP  
 Greenlee Cemetery Prairie NP  
 Brimfield Railroad Restoration Prairie NP  
 Elton E. Fawks Bald Eagle Refuge NP  
 Cecil White Prairie LWR  
 Jamar Haven LWR  
 Springdale Cemetery NHL  
 Loud Thunder INAI  
 Indian Bluff Hill Prairie INAI  
 Cedar Glen INAI  
 Mississippi River - Andalusia Slough INAI  
 North New Canton Hill Prairie INAI  
 Geneseo Fen INAI  
 Long Island INAI  
 Berridge Sedge Meadow  
**Area 5 (Tom Lerczak)**  
 Fon du Lac Seep LWR  
 Carpenter Park NP  
 Matanzas Sand Prairie NHL  
 Mackinaw River LWR  
 Chinquapin Bluffs LWR  
 Excell Sand Prairie NHL  
 Quiver Prairie INAI  
 Thaddeous Stubblefield Grove NP

**Area 5 Continued**

Dirksen-McNaughton Woods LWR  
 Independence Park Woods LWR  
 Black Partidge Park Woods LWR  
 Crevecoeur NP  
 Sandra Miller Bellrose NP  
 Hopewell Hill Prairies NP  
 Coon Hill Prairie NHL  
 Bois du Sangamon NP  
 Thomas W. and Elizabeth Moews Dore Seep NP  
 Funks Grove LWR

**Area 6**

Potential acquisitions near:  
 • Walnut Point SP  
 • Upper Embarrass Woods NP and LWR

**Area 7**

Thompson Property  
 Martha and Michelle Prairie LWR  
 Prairie of the Rock NP  
 Prairie of the Rock Overlook LWR  
 Brickey-Gonterman Memorial Hill Prairie NP  
 Katelyn's Woods LWR  
 DesPain Wetlands LWR  
 Heather's Hollow NHL  
 Blufftop Acres LWR  
 William A. DeMint Memorial Hill Prairie NP  
 Harry's Prairie NHL  
 Armin Krueger Speleological NP  
 White Rock NP  
 White Rock LWR

**Area 8 (Bob Edgin)**

Beadles Barrens NP  
 Lost Creek Marsh INAI site  
 Horn Prairie Grove LWR  
 Little Rock Farm INAI site  
 Marjorie J. Brines White Oak Woods LWR  
 Edward V. Price Woods LWR  
 Maxine Loy Property

**EASEMENT/DEDICATION MONITORING/BOUNDARY SURVEYS**

**Area 4**

Cedar Glen NP  
Stony Hills NP  
Jamar Haven LWR  
Spring Grove Cemetery Prairie NP  
Brownlee Cemetery Prairie NP  
Munson Township Cemetery Prairie NP  
Greenlee Cemetery Prairie NP  
Cedar Glen LWR  
Thistle Hills LWR  
Fall Creek Gorge LWR

**Area 5**

Carpenter Park NP  
Fon du Lac Seep LWR  
Bennett's Terraqueous Gardens NP  
Cooper Park Wetlands LWR  
Ridgetop Hill Prairie NP  
Chinquapin Bluffs LWR  
Chandlerville Cemetery Prairie NHL  
Charles "Chinee" Colvin Sand Prairie LWR  
Illinois River Sand Areas LWR  
Thaddeus Stubblefield Grove NP  
Funks Grove LWR  
Mettler Woods NP  
Mackinaw River LWR  
Black Partidge Park Woods LWR  
Crevecoeur NP  
Merwin Savanna NP  
Independence Park Woods LWR

**Area 8**

Schulte Woods NP  
Edward V. Price Woods LWR  
Wise Ridge LWR  
Lost Creek Marsh NP and LWR

**BIOLOGICAL INVENTORIES**

**Area 1**

Freeport Prairie NP  
Wilson Prairie NP  
Foley Sand Prairie NP  
Ryan Wetland and Sand Prairie LWR  
Wapellow LWR  
Apple River Canyon LWR

**Area 3**

Goose Lake Prairie NP  
Collins Station Prairie INAI

**Area 4**

Harry N. Patterson Savanna LWR  
Cedar Glen NP  
Mississippi River Sand Hills NP  
Grubb Hollow Prairie NP  
Williams Creek Bluff LWR  
Samuel Barnum Mead Savanna NP  
North New Canton Hill Prairie INAI  
Mississippi River-Nauvoo INAI

**Area 5**

Riverside Park

**Area 6**

Russell M. Duffin NP  
Rock Cut Botanical Area INAI  
Howard's Hollow Seep NP  
Middle Fork of Vermilion River  
Noel Woods NHL

**Area 7**

Salt Lick Point LWR  
Rock Castle Creek INAI  
Harry's Prairie NHL  
Prairie of the Rock Overlook LWR  
Prairie of the Rock NP

**Area 8**

Beall Woods NP  
Jimtown Mussel Bed INAI  
Big Creek Woods Memorial NP  
Dean Hills NP  
Martin T Snyder Memorial NP  
Red Hills Seep Springs LWR  
Robeson Hills LWR  
Little Rock Farm INAI Site

**INAI UPDATE**

**Area 1** - 8 sites  
**Area 4** - 6 sites  
**Area 6** - 1 site  
**Area 8** - 14 sites  
**Total = 29**

**STEWARDSHIP**

Planning, consulting, work conducted, administered or completed

**Area 1**

Boone Creek Fen NP  
Boloria Fen and Sedge Meadow NP  
Ayers Sand Prairie NP  
Pine Rock NP  
Freeport Prairie NP

**Area 2**

Eastern Prairie Fringed Orchid NP  
Bluff Spring Fen NP  
Wolf Road Prairie NP  
Thorton-Lansing Road NP  
Forested Fen INAI  
Trout Park NP  
Fox River Fen NP  
Sleepy Hollow Ravine NP  
Nelson Lake Marsh NP  
Queen Anne Cemetery NHL  
Sterne's Fen NP  
Glacial Park NP  
Fel-Pro Triple R Fen NP  
Bates Fen NP  
Lyons Prairie and Marsh NP  
Oakwood Hills Fen NP

**Area 3**

Superior Street Prairie LWR  
Messenger Woods NP  
Des Plaines Dolomite Prairies LWR  
Grant Creek Prairie NP  
Old Plank Road Prairie NP  
Sweet Fern Savanna LWR  
Voight-Pauper Cemetery Prairie NP  
Goose Lake Prairie NP  
Long Run Seep NP  
Hildy Prairie NP  
Short Pioneer Cemetery Prairie NP  
Burnham Greenway

**Area 4**

Black Hawk Forest NP  
Josua Lindahl Hill Prairies NP  
Stony Hills NP  
Jamar Haven LWR  
Cedar Glen NP  
Cecil White Prairie LWR  
Munson Township Cemetery Prairie NP  
Brownlee Cemetery Prairie NP  
Harry N. Patterson Savanna LWR  
Grubb Hollow Prairie NP  
North New Canton Hill Prairie INAI  
Mississippi River - Andalusia Slough INAI  
Andress Hill Prairie  
Upper Mississippi COA

**Area 5**

Dirksen-McNaughton Woods LWR  
Black Partidge Park Woods LWR  
Chinquapin Bluffs LWR  
Mackinaw River LWR  
Crevecoeur NP

**Area 6**

Rocky Branch NP  
Woodyard Memorial Conservation Area LWR  
Riverbend LWR  
Edgewood Farm LWR  
Jasmine Hollow LWR  
Baber Woods NP  
Prospect Cemetery Prairie NP

**Area 7**

Brickey-Gonterman Memorial Hill Prairie NP  
White Rock LWR  
Salt Lick Point LWR  
Martha and Michelle Prairie LWR  
Harry's Prairie NHL  
DesPain Wetlands LWR  
Storment Hauss NP  
Prairie of the Rock NP  
Prairie of the Rock Overlook LWR  
Blufftop Acres LWR  
Horse Creek Glade NHL

**212th Meeting - Illinois Nature Preserves Commission (INPC) Review of IDNR (IDNR)Ecological Compliance and Assessment Tool (EcoCAT) and Comprehensive Environmental Review Program (CERP) submittals**  
**Reporting period: April 9, 2012 - August 6, 2012**

**EcoCAT Consultations:**

<u>Site</u>	<u>County</u>	<u>Proposed project under review</u>	<u>INPC recommendation or resolution</u>
Barber Fen Nature Preserve (NP)	McHenry	Proposed sediment de-watering facility (dredge material from Wonder Lake) has potential to change groundwater hydrology of NP.	INPC consultants at the Illinois State Geological Survey (ISGS) have recommended groundwater well installation locations to discern flow direction, quality, and quantity.
Kettle Moraine NP	McHenry	Proposed Clean Construction and Demolition Debris (CCDD) dumping into a gravel pit within approximately 400 feet of the high-quality marsh. Adjacent neighbor also proposes new recreational uses for the property which have the potential to impact state-listed bird and reptile species.	Groundwater well installation was recommended to determine flow direction. The INPC provided comments related to lighting, noise, hydrology, and impact to state-listed species.
Lake in the Hills Fen NP	McHenry	Proposed convenience store and gas station is in near proximity of the NP and within the Class III groundwater recharge of the NP.	Due to groundwater contamination concern, the INPC recommended choosing another location. Developer decided to withdraw the proposal.
Kishwaukee Fen NP	McHenry	Zoning reclassification to allow additional structures on a nearby site which is hydrologically connected to the NP.	Recommendations to follow local stormwater regulations and provide protection for a state-listed reptile.
Springbrook Prairie (proposed NP)	DuPage	Proposed WalMart to be located adjacent to the proposed NP.	Recommendations submitted to reduce impacts to hydrology, impacts from lighting, and increased garbage.
Salt Lick Point Land and Water Reserve (LWR)	Monroe	Adjacent neighbor, Fountain Water District, proposes to install a 50'x50' water containment structure.	Proposed structure will not encroach on the LWR boundary.

<u>Site</u>	<u>County</u>	<u>Proposed project under review</u>	<u>INPC recommendation or resolution</u>
Fairmont City Site Illinois Natural Areas Inventory (INAI) site	St. Clair	Proposed construction of a recreational lake.	The INAI site will be avoided. Recommendations for the protection of state-listed species were provided.
26 NPs/LWRs	13 county swath from Adams County (west) to Clark County (east)	Ameren Transmission - IL Rivers Project Corridor	Ameren's consultant, ERM, stated that all INPC sites will be avoided by current alignment alternatives under consideration.
<b>CERP submittals:</b>			
<u>Site</u> North Dunes NP	<u>County</u> Lake	<u>Proposed project under review</u> Proposed shoreline revetment and underwater reef installation.	<u>INPC recommendation or resolution</u> Following extensive consultation with the ISGS, the INPC does not oppose the project, however, the INPC stipulated that 80,000 cubic yards of sand nourishment per year should be placed on the feeder beach in perpetuity to ensure the sustainability of the NP and shoreline southward.
Wingate Prairie NP	McHenry	Open Space Lands Acquisition and Development (OSLAD) project - landowner, Crystal Lake Park District, proposes upgrades to trails and kiosks.	Landowner will work closely with local INPC staff on placement and materials of the trail, interpretive signs, and seating due to actions proposed within the NP boundary.
Burnham Prairie NP	Cook	OSLAD project - landowner, Forest Preserve District of Cook County, proposes a trail and kiosk.	OSLAD program agreed to allow the trail on adjacent undedicated property.
Iroquois County State Wildlife Area LWR	Iroquois	Hydrological restoration from drainage ditches to natural community structure and ecosystem function.	Contractor will coordinate the project with the IDNR District Heritage Biologist and will follow Site Specific Job Specifications as prepared by the landowner (IDNR). The INPC is supportive of this project.

<u>Site</u>	<u>County</u>	<u>Proposed project under review</u>	<u>INPC recommendation or resolution</u>
Upper Sangamon River LWR	Piatt	Hydrotesting of a natural gas pipeline requiring use of the LWR outside of easement right-of-way (ROW).	Uses were determined to be in accordance with current management of the grassland. Best management practices for the hydrotesting phase were recommended, and disposition of the site at project completion were agreed to.
Cedar/Draper's Bluff LWR	Union/ Johnson	Pipeline maintenance within the easement ROW.	IDNR/INPC staff provided best management practices and protection strategies, including a specified seeding list.
Cache River LWR	Johnson	Levee maintenance at the Wetlands Center.	Project allows the landowner (IDNR) to manage this wetland independently, enhancing the ability to maintain desirable water levels which will benefit the LWR and ensure that adjacent neighbors' drainage is not impacted.

212th Meeting - Threats to Sites within INPC programs:

**Foley Sand Prairie NP, Lee County – John Nelson, Jenny Skufca**

**Issue:** Proposed wind farm construction and operation. Mainstream Power USA proposes to construct a major wind energy generation facility in Lee, Whiteside, and Bureau counties.

**Threat:** Wind turbines (up to 520 feet high) are proposed for locations which will result in shadow flicker, noise, ground vibration, and obtrusive visibility within the NP. Flicker, noise, and vibration have the potential to alter animal behaviors which could shift the existing balance of flora and fauna within the NP.

**Status:** Ongoing. The Illinois Department of Natural Resources (IDNR) consultation letter sent to Lee County recommended a one-mile setback from the NP boundaries, which would eliminate the three nearest wind turbines (700 feet, 1400 feet, and 4200 feet from the NP). The INPC has submitted letters to the Lee County Zoning Office on December 22, 2011, and July 3, 2012, outlining the INPC's wind project review protocol and urging a greater setback from high quality natural areas.

**Mississippi Palisades Bluff INAI and Sentinel NP, Carroll County – John Nelson, Jenny Skufca**

**Issue:** Proposed widening of IL-84 along the western boundary of the INAI site and NP.

**Threat:** Potential shaving of the bluff in two locations. No rock shaving is proposed within the NP boundary. Element occurrence records for state-listed plants and animals in the vicinity.

**Status:** New. INPC staff are working closely with IDNR staff and Illinois Department of Transportation to ensure no impact to any state-listed species.

**Middlefork Savanna NP, Lake County – Steven Byers, Jenny Skufca**

**Issue:** An adjacent landowner, Knollwood Golf Club, dredged a golf course pond and piped sediment into the NP owned by the Lake County Forest Preserve District.

**Threat:** Direct and indirect impact to aquatic resources/ephemeral ponds in NP and at the Knollwood Club. The U.S. Army Corps of Engineers determined wetlands are "jurisdictional."

**Status:** Ongoing. As of August 9, 2012, a Complaint has been drafted and approved by the Office of the Attorney General. The INPC is awaiting notice from that Office of a pre-filing meeting to be held with the alleged responsible party.

**Bliss Woods NP, Kane County – Steven Byers, Jenny Skufca**

**Issue:** An unknown amount of lead shot has been deposited in the NP by years of trap/skeet shooting at nearby former Aurora Sportsman's Club.

**Threat:** Lead shot poses a threat to humans and the environment.

**Status:** Ongoing. Further sampling has been conducted by a consultant for the NP landowner, Forest Preserve District of Kane County. INPC staff has provided the sampling data to the Illinois Environmental Protection Agency and is coordinating with the U.S. Army Corps of Engineers. A referral to the Office of the Attorney General has been forwarded by IDNR's Office of Legal Counsel.

**Bluff Spring Fen NP, Cook County – Steven Byers, Jenny Skufca**

**Issue:** The Bluff Spring Fen Protection Plan (approved June 30, 2003) between the INPC and Bluff City Materials, Inc. calls for conveyance of surface water from Gifford Lake to Poplar Creek through proposed stormwater piping.

**Threat:** Surface water represents a threat to this groundwater-dependent wetland.

**Status:** Ongoing. INPC staff and consultants from the Illinois State Geological Survey have called a meeting to be held on September 25, 2012, with the Forest Preserve District of Cook County (landowner of the NP), Bluff City Materials, Vulcan Materials, and community representatives from Bartlett and Elgin to discuss the status of construction permitting and associated expirations; current groundwater monitoring efforts; any outstanding monitoring and modeling issues; the stormwater piping project timeline, cost estimates, and potential constraints.

**North Dunes NP, Lake County – Steven Byers, Randy Heidorn**

**Issue:** The Lake County Public Water District proposes using a portion of the NP for water distribution infrastructure. The NP is owned by the IDNR.

**Threat:** Actions as proposed would constitute a taking of the NP.

**Status:** New. Correspondence between the Lake County Public Water District and a local Senator has been provided to the IDNR for response. INPC staff believes that viable options exist that would not require taking of dedicated areas.

**Tallmadge Sand Forest LWR, Kankakee County – Kim Roman, Jenny Skufca**

**Issue:** Eighty-eight white oak trees were removed from within the LWR.

**Threat:** Direct impact to the LWR. Unauthorized removal of trees, over 4,000 feet of up to 18-inch ruts were created throughout the interior of the LWR, and signs were removed.

**Status:** Ongoing. The INPC has learned that an IDNR field staff has been deposed related to litigation in process by the LWR landowner, The Nature Conservancy. The IDNR Office of Legal Counsel and the INPC are now awaiting approval of a Complaint for Injunction and Civil Penalties and A Motion to Intervene by The Office of the Attorney General.

**Short Fork Seep NP, McDonough County – Angella Moorehouse, Jenny Skufca**

**Issue:** The landowner discovered that herbicide associated with power line vegetative maintenance had been used within the NP.

**Threat:** Direct impact to flora in the NP causing damage to the vegetation and soils within the high quality portion of seep/sedge meadow of the NP.

**Status:** Ongoing. As of August 20, 2012, INPC staff has reviewed and signed Interrogatories as directed by the Office of the Attorney General.

**Crevecoeur NP, Tazewell County – Thomas Lerczak**

**Issue:** At least three adjacent landowners are potentially encroaching on the NP boundary.

**Threat:** Unauthorized use of the NP.

**Status:** The NP landowner, Village of Crevecoeur, has agreed to approach the landowners. INPC staff is working with Village staff to determine the surveyed boundary, remove encroachments, and install posting.

**Kinney's Ford Seep LWR, Vermilion County – Mary Kay Solecki, Kelly Neal, Jenny Skufca**

**Issue:** Under a 2008 agreement with the IDNR (landowner of the LWR), a local township road commissioner was permitted to stockpile soil in a designated location within Middle Fork State Fish and Wildlife Area for retrieval at a later date.

**Threat:** The designated location was inadvertently within the LWR. Placement of the soil within the site was an unauthorized use. The lack of erosion control has the potential to impact habitat of a state-threatened species.

**Status:** Ongoing. The INPC submitted a memorandum to the IDNR on August 12, 2009, requesting that the soil piles be removed from the LWR. On August 6, 2012, the INPC learned that the IDNR has been unsuccessful in getting the township road commissioner to remove the stockpiled soil. The IDNR is undergoing internal discussions to determine appropriate action.

**Prairie Ridge LWR, Jasper County – Bob Edgin**

**Issue:** A 4.9-acre fire occurred on the Hunt Tract of the LWR.

**Threat:** Unauthorized trespass as confirmed by ATV tire tracks within a vernal pond was likely the cause.

**Status:** New. The IDNR Conservation Police responded. The matter remains under investigation.

**John M. Olin NP, Madison County – Debbie Newman, Jenny Skufca**

**Issue:** Neighboring landowner has cleared approximately three acres of timber along Hop Hollow Creek, which forms a portion of the NP boundary.

**Threat:** Changes to the surface hydrology of the NP may occur when precipitation returns due to large piles of timber placed along the Creek and across the Creek. Within a short distance of the clearing, the Creek outfalls to the Mississippi River.

**Status:** New. The matter has been referred to IDNR's Office of Legal Council.

**White Rock LWR and Salt Lick Point LWR, Monroe County – Debbie Newman, Jenny Skufca**

**Issue:** Proposed wind farm construction and operation. The developer, Admiral Parkway, proposes to construct a commercial wind energy generation facility near Valmeyer, within one mile of the LWRs.

**Threat:** Wind turbines may result in shadow flicker, noise, ground vibration, and obtrusive visibility from points within the LWRs. Flicker, noise, and vibration have the potential to alter animal behaviors which could shift the existing balance of flora and fauna within the LWRs.

**Status:** Ongoing. The IDNR is near completion of its consultation recommendations to Monroe County which will include the applicant seeking Incidental Take Authorization (ITA) for 14 state-listed endangered or threatened animals. Admiral Parkway's consultants are conducting faunal surveys of the area proposed for turbines. The U.S. Fish and Wildlife Service has issued a technical assistance letter under Section 9 of the Endangered Species Act suggesting that the developer relocate the project due to the presence of three federally-listed species.

**Illinois Department of Natural Resources  
report to the Illinois Nature Preserves Commission  
at the 212<sup>th</sup> meeting, September 11, 2012**

**Personnel**

District Heritage Biologist Ed Anderson retired May 31. Ed was with Natural Heritage for 27 years, most recently in northwestern Illinois. Marty Kemper retired May 31. Marty was with DNR for more than 30 years, the last four as a district heritage biologist in southwestern Illinois. Ben Dolbeare retired June 30. Ben was the Invasive Species program manager in Natural Heritage. There are no immediate plans to fill the vacancies left by Ed, Marty or Ben's retirements.

DNR posted the Endangered Species Program Manager job opening July 20. The last day to apply was August 2. This is the position formerly held by Glen Kruse. It has been vacant since Glen became the Natural Heritage Division Chief in 2005.

Stefanie Fitzsimons completed her one year natural heritage internship August 7. There won't be a resident intern program in 2012 due to the tight budget. We're exploring ways to return the program in 2013. The resident intern is a one-year, paid, full-time position with DNR where students working on a Masters degree in biology gain work experience by assisting Natural Heritage Biologists or Nature Preserves Commission Preservation Specialists in the field. There have been 64 resident interns since the program began in 1993. The intern program is funded by the Natural Areas Acquisition Fund (NAAF).

Chris Evans began work August 27 as the Illinois Wildlife Action Plans Invasive Species Campaign coordinator. DNR received a federal SWG grant to obtain Chris' services for the next three years. He will work closely with Jody Shimp, the DNR's Invasive Species Campaign lead.

**Natural Heritage Database fee**

DNR's Sustainability Package of new user fees is now working its way through the legislative process. The Sustainability Package includes a fee for data requests from the natural heritage database. The fee will be authorized in the Natural Areas Preservation Act by amending the act. Fees collected will be deposited into the Natural Areas Acquisition Fund and used to support the database. Database staff fill about 400 data requests per year.

**Illinois Natural Areas Inventory (INAI)**

The 60<sup>th</sup> Natural Areas Evaluation Committee (NAEC) meeting was held May 15<sup>th</sup>, the 61<sup>st</sup> meeting July 17<sup>th</sup> and the 62<sup>nd</sup> meeting Aug 21<sup>st</sup>, 2012. At these three meetings, Category I status was given to 18 sites as a result of the INAI Update. 17 of these were new sites. This represents an additional 373.2 acres of high quality natural communities added to the INAI in 5 different community classes. 2 other new sites were tabled in order to either modify the existing nomination packet or to gather more information.

Other actions taken at the NAEC included a boundary expansion of a river segment to include new sample locations with high mussel diversity as well as a reassessment of several sites containing gravel hill prairies and reassignment of the natural communities designations to dry-gravel prairies to more accurately reflect the landscape position and

community descriptions within the INAI Standards and Guidelines.

The Division of Natural Heritage has made the review of nominations from the recently completed INAI Update a priority workload item for this field season. The NAPS were also directed to make assisting in the review of the nomination packets a work priority. To date, the field review is progressing well with approximately 2/3rds of 63 nominations which needed field review either approved (14), denied (12) or in the process of being modified (19). Natural Areas Program staff has visited in excess of 30 sites this field season to assist in the field review process. The field review stage is critical for the INAI. The Update team conducted the field work and provided the IDNR the necessary information for the NAEC to take action on individual sites. Nevertheless, the Natural Heritage and INPC field staffs also have valuable experience with INAI natural communities and this field review allows the staff the ability to make comments and adjust the nominations as necessary based upon their experience. Just under ½ of the nomination packets reviewed so far this field season require some modification. This is not an indictment of the work of the Update staff but reflects the quality control as well as an enhancement of the work product from the Update. The field review adds a seasoned perspective as well as increased value to the high quality product that we continue to receive from the Update team. However, the number of sites requiring modification to the nomination packet will slow down the process of NAEC approval of nominations.

The Illinois Natural History Survey has finished processing nomination packets from INAI Update Region 1 and 3. However, the Natural Areas Program hasn't reviewed and verified the numbers of sites yet so those numbers are not reflected in the table below showing the number of sites within the various review stages. As a result, the number of sites within the "INHS processing" stage should be significantly lower. As the program reviews and process those sites, they will be added to the "Field Review – SharePoint" stage.

<b>Stages</b>	<b># of Sites</b>
INHS processing	81
Field Review – SharePoint	23
INAI – Accepted Field Review - In	37
Process	18
Field Review - Declined	12
INAI – Pending	4
<b>Grand Total</b>	<b>175</b>

While all NAPS have assisted in the field review process, DNR would like to thank Bob Edgin, John Nelson, Angella Moorehouse and Debbie Newman for their expertise and valuable comments during site reviews.

### **Shawnee National Forest natural areas**

The US Forest Service published their revised Invasive Species Management Environmental Assessment for the Shawnee National Forest. The EA is out for a 30 day public comment period. This is a second round for public comments. In this revised EA, the Forest believes it has addressed all of the major concerns brought out during the first

public review. After 30 days, hopefully, the Forest Supervisor will be able to make a decision to proceed. The proposed action is to take a dual approach to the control of invasive species:

**1. Forest-wide treatment with prescribed fire and manual, mechanical and/or chemical control methods of all known sites of the four highly invasive species: Amur honeysuckle, Chinese yam, garlic mustard and kudzu.**

**2. Management of 23 natural areas and their treatment zones, including control of invasive species, through the use of prescribed fire and manual, mechanical and/or chemical control methods.**

Many of these areas include some of the highest quality (all INAI's) barrens, glades and woodland communities on the Forest.

Project details and maps are located at:

<http://www.fs.usda.gov/detail/shawnee/home?cid=STELPRDB5343686>

This process was started in 2001. If approved, the Forest will be able to carry-out some important and needed work on their highest quality sights improving habitat for many rare and declining species.



**ILLINOIS ENDANGERED SPECIES  
PROTECTION BOARD**

*One Natural Resources Way, Springfield, Illinois 62702 - 1271, (217) 785-8687; FAX (217) 785-2438*

**Illinois Endangered Species Protection Board report  
for the September 11, 2012 Illinois Nature Preserves Commission meeting**

Submitted by Anne Mankowski, Director

The Board held its 153<sup>rd</sup> meeting on February 17, 2012, its 154<sup>th</sup> meeting on May 11, 2012, a special meeting on May 16, 2012, and its 155<sup>th</sup> meeting on August 10, 2012. Board actions from those meetings and other activities since Ms. Mankowski's last report to the INPC's in January 2012, included:

**1. Five-year review and revision of the Illinois List of Endangered and Threatened Species**

The Board is working on its required 5-year review of the Illinois List. The Board is required by law to base its listing decisions on scientific evidence. The process usually takes about two years and should conclude in 2014. The current schedule is to review List revision recommendations for approximately one taxonomic group at each Board meeting through 2013. The Board may make preliminary approvals as we move through the process and will conduct a confirming preliminary approval for the entire List when all groups have been completed and prior to holding its required public hearing, which is anticipated for sometime at the end of CY2013 or beginning of CY2014. Following the public hearing, the Board considers comments and evidence received, makes any adjustments to the List that it feels necessary based on those comments and evidence, and approves a final List. The List then moves to the Illinois Administrative Rule amendment process at the Illinois Department of Natural Resources (IDNR). The Board reviewed birds in May and mammals were reviewed in August. Amphibians and reptiles are scheduled for review at the Board's November meeting.

**2. ESPB annual self-evaluation**

The Board conducted its annual self-evaluation at the 154<sup>th</sup> meeting. The evaluation reviews the Board's performance toward its statutory mandates under the Illinois Endangered Species Protection Act (ESPA) and business practices including reviewing its mission and purpose, building a competent board, ensuring ethical and legal integrity,

**3. ESPB publication - ESPB Biennial Report of Accomplishments – July 2010-June 2012**

The Board approved the subject report at its 155<sup>th</sup> meeting. Under the ESPA, the Board is required to produce and make available a report of accomplishments biennially. The current report was recently posted to the Board's website.

**4. ESPB publication - The Illinois Endangered Species Protection Act at Forty – a Review of the Act's Provisions and the Illinois List of Endangered and Threatened Species**

2012 marks the 40<sup>th</sup> anniversary of the enactment of the Illinois Endangered Species Protection Act. In May of 2011, ESPB Chair Dan Gooch assigned to Ms. Mankowski the task of producing the subject report. She has concluded work on the document and it is expected to be published soon to the Board's website. Ms. Mankowski will send email notice when the report is available.

**5. ESPB resolution in support of House Bill 4193 and IDNR sustainability funding**

The Board approved at a special meeting held May 16, 2012 a resolution supporting measures by the Governor and Legislature to sustain funding for the Department, including House Bill 4193, which would benefit all Department functions and should include some dedicated increase to resources directed to Board and Department duties involving the State's endangered and threatened species and their habitats. Part of the proposed legislation includes proposed fees for Natural Heritage (Biotics 4) Database data

requests. Over 90% of requests to the Database are for endangered and threatened species information, so it is hoped that fees going toward the administration of the Database will include funding for surveys to update occurrence records.

#### **6. ESPB-lead project to update endangered and threatened animal occurrence records that are greater than 10 years old**

Ms. Mankowski is the project manager on a FFY2012 USFWS State Wildlife Grant for the subject project. As of December 2011, there were 4,960 endangered and threatened species animal occurrences in the Database and 34% had not been re-visited/re-surveyed within the last 10 years. The project will address IDNR administrative regions 1-4 (Region 5 is being addressed under a separate project) and may update as many as 500 records. The project will not initiate survey work until the 2013 field season or later.

#### **7. Meetings and Presentations**

Ms. Mankowski participates in IDNR ORC twice-monthly administrative meetings.

Ms. Mankowski participated in the 59<sup>th</sup>, 61<sup>st</sup>, and 62<sup>nd</sup> Natural Areas Evaluation Committee (NAEC) meetings held at IDNR headquarters March 20, July 17, and August 21<sup>st</sup>, 2012, respectively. The ESPB is a voting member of the NAEC.

Ms. Mankowski attended the February 7, 2012 meeting of the Illinois Wildlife Action Team held at IDNR Headquarters in Springfield, Illinois. The Board is a voting member of the team.

Ms. Mankowski gave a March 14, 2012 presentation about the history of the Illinois List of Endangered and Threatened Species to Sangamon River Audubon and Macon County Trails Conservancy

#### **8. Coordination with IDNR and INPC:**

Ms. Mankowski coordinated with the Endangered Species Program and Div. of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, Office of Legal Counsel, Office of Public Services, Media Relations, and Illinois Nature Preserves Commission, on multiple matters, including:

- Met with IDNR ORC Director, Jim Herkert, to review ESPB/IDNR coordination of endangered and threatened species work.
- Met with and provided assistance to IDNR Office of Legal Counsel in reviewing the Illinois Endangered Species Protection Act and the administrative rules that support it as they relate to various endangered and threatened species issues.
- Provided recommendations to IDNR Natural Heritage for the management of the Eastern Woodrat (*Neotoma floridana*) on private property.
- Provided guidance to IDNR Natural Heritage regarding recovery planning for Wild Hyacinth (*Camassia angusta*).
- Provided review and comments to INPC staff Bob Edgin on an annual report for recovery activities for Royal Catchfly (*Silene regia*) in the Prairie Ridge Conservation Opportunity Area.
- Provided comments to IDNR ORC Director, Jim Herkert, regarding USFWS CY2011 permit activities and CY2012 proposed permit activities for work involving the Ornate Box Turtle (*Terrapene ornata*) in northwestern Illinois.
- Continued project management of the Illinois Barn Owl (*Tyto alba*) recovery project. A report of 1<sup>st</sup> year accomplishments has been posted on the ESPB webpage.
- Continued project management for the development of a Blanding's Turtle (*Emydoidea blandingii*) recovery plan.
- Provided review, comments, and questions to IDNR on eight draft incidental take authorizations:

Loon Lake Management Plan, Lake County, involving Blackchin Shiner (*Notropis heterodon*), Blacknose Shiner (*Notropis heterolepis*), Iowa Darter (*Etheostoma exile*), Starhead Topminnow (*Fundulus dispar*), and Mudpuppy (*Necturus maculosus*); Walnut Ridge Windfarm, Lee County, involving Ornate Box Turtle (*Terrapene ornata*); and, Dundee Road Bicycle/Pedestrian Path, Cook County, involving Eastern Massasauga Rattlesnake (*Sistrurus c. catenatus*); TR 603 over Brushy Creek, Williamson County, involving Indiana Crayfish (*Orconectes indianensis*); TR 97 over Haney Creek, Hardin County, involving Indiana Crayfish (*Orconectes indianensis*); High-Speed Rail Demonstration Project from Dwight to Pontiac, Livingston County, involving Eryngium Stem Borer (*Papaipema eryngii*); Clay mining in Pulaski County, involving Spotted Dusky Salamander (*Desmognathus conanti*); and, FAP 301 (US 20) over Rock River, Winnebago County, involving the Black Sandshell (*Ligumia recta*).

- Handled an average of over 100 phone and email requests each quarter for ESPB and E&T information from the public and other state and federal agencies including referring those related to IDNR E&T consultation, incidental take, data, and permit programs, etc.

### **9. Coordination with other Agencies**

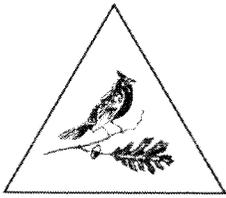
Ms. Mankowski provided a letter of support to the Shedd Aquarium for their Great Lakes initiative, *Keep the Lakes Great: Implementing an Integrated Model of Mission*, which will contribute to much-needed scientific research and conservation awareness and programming in the Great Lakes region. Ms. Mankowski is leading coordination between the ESPB, IDNR, and the Shedd Aquarium for a partnership that includes a significant commitment by the Shedd to increase Illinois endangered and threatened aquatic species research and monitoring in northern Illinois. The Shedd hired a full-time staff person dedicated to the partnership project and began field work this summer.

Ms. Mankowski participated in a USFWS-led conference call to coordinate annual Illinois/USFWS threatened and endangered species activities.

Ms. Mankowski provided to Elliot Brinkman of the Prairie Rivers Network background information about the Barn Owl (*Tyto alba*) recovery in Illinois as part of a package of information that Mr. Brinkman was preparing for use in meetings on Capitol Hill to discuss successes of the USFWS State Wildlife Grant program.

### **10. 156th meeting of the Illinois Endangered Species Protection Board**

The 156<sup>th</sup> meeting of the Illinois Endangered Species Protection Board will be at 9:30 A.M. on November 9, 2012 at Midewin National Tallgrass Prairie.



# memorandum

EXHIBIT D

To: Commissioners  
From: Kelly Neal, Jenny Skufca, Randy Heidorn  
Date: August 29, 2012  
Subject: Staff Recommendation Regarding Item 21 – Woodland Restoration at Five Nature Preserves Owned by the Lake County Forest Preserve District

**Background:**

Oak (*Quercus spp.*)/hickory (*Carya spp.*) forests are the predominant forest type in Illinois (Holzmueller and Groninger 2010) and in the Southern Des Plaines River Preserves (SDPRP) located in Lake County (Maurer 2012). Holzmueller and Groninger (2010) describe the importance of these forests in Illinois as a reservoir for biological diversity, specifically the many wildlife species dependent upon oak/hickory forests for food and habitat. They further describe Illinois' oak resource as one in decline, characterized by numerous large, mature trees but with an understory increasingly dominated by non-oak species. Holzmueller and Groninger (2010) conclude that "maintaining a healthy oak resource will be dependent on a successful seedling regeneration and sapling development, processes presently not functioning adequately across most forest acreage."

The Lake County Forest Preserve District (LCFPD) believes that one of the most difficult and pressing issues that faces management and restoration of wooded ecosystems in Illinois is developing and implementing a sound strategy to sustain oak regeneration in historically oak-dominated woodland and forest communities while preserving the existing diversity that is present in these ecosystems today. The LCFPD also believes that unless an effort is made to address oak regeneration failures, the decrease in historical oak dominance may become precipitously worse in the future. The LCFPD's SDPRP represent some of the highest quality natural areas within Lake County's forest preserve system. Five of the six SDPRP sites have nature preserve status and protection. These sites are located in the Morainal Section of the Northeastern Morainal Natural Division.

Monitoring of wildlife and plants at these sites has shown that the LCFPD's restoration and management actions, which include the reintroduction of fire, control of white-tailed deer populations, and removal of invasive species, have improved the quality of these nature preserves. The most significant conservation concerns at the SDPRP sites, based on current data, indicate that in these woodlands there is a lack of native shade intolerant tree regeneration, loss of native tree and shrub diversity, lack of diversity and abundance in the herbaceous layer, and loss of micro-habitats which lead to the overall loss of biodiversity of plants and animals.

A study of current vegetation patterns at these sites (Fahey, 2012) indicates the composition and structure of the oak/hickory forests at the SDPRP is now different from Presettlement Land Survey data from the region with more trees/hectare and increased dominance by sugar maple (*Acer*

*saccharum*) and decreased importance of oaks. In dry-mesic forests within SDPRP, oak seedlings comprise less than 2% of the herbaceous layer cover and represent only 0.2 % of all tree saplings. In mesic forests and northern flatwoods, oak seedlings comprise 2% and 3% of the herbaceous cover, respectively, but oaks are not represented in the sapling layer. The LCFPD also documented that the average levels of canopy openness and percent of light transmitted to the understory in these sites are 10.9% and 15.6% respectively. These values are well below the thresholds necessary for oak generation and survival (30% of total radiation transmitted through the canopy to the understory). Maurer (2012) concludes: “Unless there is a significant canopy disturbance in these sites in the near future, there is likely to be a complete shift in dominance away from white (*Q. alba*) and red oak (*Q. rubra*) and toward sugar maple over the next 50-100 years with the loss of canopy oaks.”

The LCFPD’s analysis of woodland composition and structure at SDPRP sites (Fahey, 2012) indicate the need to implement a second phase of restoration focused specifically on restoring canopy and sub-canopy structure and composition to facilitate the regeneration of desirable shade-intolerant trees (especially oaks), native shrubs, and a healthy diverse native flora.

**Proposal/Request:**

The LCFPD proposes a second phase of woodland restoration representing a long-term, science-driven initiative to restore mixed-hardwood woodland communities in Lake County. The following is proposed for Phase II: Year 1: Removal of a portion (60-90% depending on plant community type) of non-oak, shade tolerant understory trees and shrubs (< 65 cm DBH in dry mesic communities, < 35 cm in flatwoods); Year 2: Planting of native trees or seeds and herbaceous seeds in areas where the canopy has been thinned; Year 5-10: Adaptive management to make determinations of need for and implementation of further thinning and plantings. Phase II restorations are proposed for Elm Road Woods Nature Preserve (INAI #1555), Grainger Woods Nature Preserve (INAI #0667), Lloyd’s Woods Nature Preserve (INAI #0663), and MacArthur Woods Nature Preserve (INAI #1003) for the winter 2012-2013. The Phase II woodland restoration for Edward L. Ryerson Nature Preserve (INAI #1007) is proposed for the winter of 2013-2014.

**Legal Authorities and Responsibilities:**

The Natural Areas Preservation Act (Act) states: “Any person who, directly or through an employee or agent, (a) willfully kills, injures, disturbs or removes any animal or plant or willfully damages, destroys or removes any object, or attempts to do any of the preceding, on a dedicated area, except as provided by rule for scientific research or for management to preserve or restore natural conditions, ... or (c) otherwise violates this Act or any rule is guilty of a Class A misdemeanor...” [525 ILCS 30/23]

Rules for Management of Nature Preserves - Management of Vegetation and Wildlife [Section 4000.425] states:

“a) Control of plant succession

- 1) Control of plant succession by deliberate chemical or mechanical manipulation may be undertaken to preserve or restore a presettlement natural community or a threatened or endangered species.
- 2) Plant succession control measures may be undertaken as provided in the master plan or management schedule. Control measures shall be applied with caution and only to such part

of the area as is necessary. Control measures shall be undertaken only with prior observation and study of the area and with scientific evidence of necessity. Control measures shall be followed by observation and reporting of results. The master plan or management schedule may allow employment of prescribed burning, mowing, grazing, cutting of shrubs and trees, girdling of trees, handpulling or cutting of invasive herbaceous species, application of herbicide as specified, and other management practices to alter plant succession.

3) Vegetation may be managed as specified in the master plan or management schedule. Allowable practices include but are not limited to the following:

A) Plant species not native to the site or vicinity may be eliminated by cutting, girdling, grubbing, or basal or foliar application of specified herbicide;

B) The use of prescribed burning in fire-maintained communities so long as the time of burning during the year, the frequency of burning, and the fractional amount of the area that may be burned each year has been reviewed and approved by the Commission pursuant to Section 4000.435;

C) Invading native woody species may be eliminated or controlled by cutting, girdling, grubbing, or basal application of specified herbicide.

b) Control of noxious species

Species of plants and animals which are noxious in fact or law (Illinois Noxious Weed Act, 8 Ill. Adm. Code 220) shall be controlled as provided in the master plan or management schedule.

c) Control of exotic species

1) Control of exotic plants may be undertaken by control of plant succession or other management practices as provided in subsection (a) of this Section.

2) Control of exotic animals may be undertaken as provided in the master plan or management schedule.

d) Control of natural populations

There shall be no action to increase or reduce populations of native plants or animals or to restrict movement across boundaries of a preserve, except for the purposes of controlling an animal overpopulation that is altering the natural character of the preserve, or to restore degraded natural communities as provided in subsections (a) and (e) of this Section. Any such measures to be applied must be in accordance with the master plan or management schedule.

e) Management of endangered and threatened species and species of management concern

1) Habitat manipulations and protective measures in favor of particular species shall be undertaken only as provided in the master plan, management schedule, or as approved by the Commission after consultation with the Department and the Endangered Species Protection Board. Approval will be based upon evaluation of generally accepted management practices or upon a proposal submitted to the Commission which describes the proposed activities, species' life history and habitat requirements, and characteristics and objectives of the preserve.

2) Control of plant succession in favor of particular species shall be as provided in subsection (a) of this Section.

f) Introduction of plants and animals

No plants or animals or their reproductive bodies shall be brought into a nature preserve or moved from one place to another within a preserve except for the purposes of restoring degraded natural communities to the extent they are historically known or protecting or enhancing populations of endangered or threatened species. Such introduction shall be carried out as provided in the master plan, management schedule, or pursuant to Section 4000.160.”

**Analysis:**

The degree to which native mesophytic tree species are proposed to be removed is a departure from management practices typically employed within Illinois Nature Preserves Commission (INPC) sites. Various studies and literature document the decline in oak regeneration and the need to enhance such regeneration. The LCFPD believes that further actions beyond traditional management practices are required to limit further decline of oak species and to potentially increase oak regeneration.

The Rules for Management state that “control measures shall be undertaken only with prior observation and study of the area and with scientific evidence of necessity.” The LCFPD has well documented its scientific observations of conditions at the SDPRP sites and the efforts to manage its sites through traditional management practices. The LCFPD has also documented the conditions that it believes necessitate understory tree thinning to allow light for oak regeneration. The Rules for Management also allow for:

- elimination or control of invading native woody species.
- reduction of native populations to restore degraded natural communities.
- management of species of management concern (oaks) by control of plant succession in favor of particular species.

The LCFPD’s proposal has been reviewed by several INPC staff members, as well as the IDNR’s Natural Areas Program Manager. All are in agreement for the need to increase oak regeneration. While removal of up to 90% of the sub-canopy structure is significant, it is agreed that opening up the understory to this extent to allow for increased light for oak regeneration can be an acceptable method and can provide needed information on methodologies to increase oaks in the understory of woodlands. The primary concern expressed by most staff is that by opening the canopy to the extent proposed, it will have the potential to allow for an explosion of the seed bank, as well as a rapid increase/colonization in r-selected species (high seed production and rapid reproduction).

In a letter from Jim Anderson, dated August 21, 2012, the LCFPD has responded to this concern stating “All of these different clearing techniques are being done in small blocks of the preserve(s) to evaluate these efforts over time. Intense monitoring by the District and the Morton Arboretum will document the effects of the removal methods. Documenting the results will provide the District a means to adapt its management techniques to improve the quality of the woodlands and the regeneration of oak community species. If high densities of un-desirable woody species occur the District will implement its Small Invasive Trees and Shrub (SITS) program to control them. The District has documentation and experience on other clearing projects of troublesome woody and herbaceous species and will implement control of these species if they appear in or near the project area.”

The LCFPD does have a long and well documented successful record of managing oak woodland ecosystems. Additionally, INPC staff believes that concerns can be addressed by ongoing communication between LCFPD, INPC and IDNR staff, and the use of adaptive management strategies will be used to address issues as they arise.

**Recommendation:**

INPC staff recommends approval of the SDPRP Woodland Restoration Plan with the following conditions:

- There will be no negative impacts to threatened or endangered species.
- The LCFPD will continue its proactive efforts to educate the public regarding the project.
- Management plans for the five nature preserves in the SDPRP will be updated to include the provisions of the SDPRP Woodland Restoration Plan.
- An interim annual report from the LCFPD will be submitted to the INPC (after 2013 growing season) that tracks the status of the project, reports on any unforeseen developments (response of wildlife or invasive species, etc.) stemming from the project, and plans for the next calendar year.
- From Year 2 through Year 5 annual assessments will be done of the spread of non-desirable species in cleared areas and respond accordingly (i.e. SITS).
- Beginning in fall of 2013, then annually as needed, coordination meetings between LCFPD, INPC and IDNR staff will be held for discussion of adaptive management strategies to address any issues, as well as sharing of information for the benefit of oak woodlands throughout the state.

**Literature Cited:**

Holzmueller, E.J. and J.W. Groninger. 2010. Illinois Statewide forest resource assessments and strategies. Illinois Department of Natural Resources. Springfield, IL. 31 pp.

Maurer, D. 2012. Southern Des Plaines River Preserves – woodland restoration plan. Lake County Forest Preserve District. Libertyville, IL. 50 pp.

Fahey, Robert T. 2012. Analysis of composition, structure and drivers of vegetation patterns in the Southern Des Plaines Project Area. The Morton Arboretum, IL. 100 pp.



Illinois  
Nature  
Preserves

Commission

memorandum

To: Commissioners

From: Jenny Skufca, Kelly Neal, and Randy Heidorn

Date: August 29, 2012

Subject: Staff recommendation regarding Item 22 - a proposal submitted by Lake County Forest Preserve District for the removal of two low-head dams at MacArthur Woods Nature Preserve and Lloyd's Woods Nature Preserve, Lake County.

**Background:**

The 491-acre MacArthur Woods Nature Preserve was dedicated July 27, 1981, as the 87<sup>th</sup> Illinois nature preserve (INAI #1003). Primary ownership for the Nature Preserve lies with the Lake County Forest Preserve District (LCFPD) with a 3.5-acre buffer owned privately. The 153.419-acre Lloyd's Woods Nature Preserve was dedicated November 9, 1982, as the 99<sup>th</sup> Illinois nature preserve (INAI #0663) and is entirely owned by the LCFPD. Both Nature Preserves lie along the Des Plaines River in Lake County within the Morainal Section of the Northeastern Morainal Division of Illinois and contain high-quality mesic upland forest, mesic floodplain forest, and northern flatwoods natural communities. The LCFPD owns only the eastern side of the Des Plaines River at MacArthur Woods Nature Preserve. The LCFPD owns both sides of the River at Lloyd's Woods Nature Preserve. The two Nature Preserves, although not contiguous, are recognized as constituting some of the largest remaining undeveloped tracts of original forest covering the eastern edge of the Des Plaines River valley.

**Proposal:**

The LCFPD proposes to remove the low-head dams adjacent MacArthur Woods Nature Preserve (dam known herein as MWD) with a 24' width x 2.4' height x 148' length and adjacent Lloyd's Woods Nature Preserve (dam known herein as CDWD<sup>1</sup>) with a 32' width x 2.6' height x 140' length on the Des Plaines River to restore habitat quality and natural riverine hydraulics, allow

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<sup>1</sup> Nature Preserve is located within Captain Daniel Wright Woods Forest Preserve and these acronyms are used to be consistent with the report entitled "Planning Assistance to States Recommendations for Removal of the Wright Woods and MacArthur Woods Dams: Integrated Feasibility Report and Environmental Assessment, July 2012 (Draft)" previously provided to Commissioners.

the passage of riverine fishes, reduce trapping of bedload material, improve navigability for paddlers, and eliminate public safety hazards. This proposal is recommended by the Chicago District of the U.S. Army Corps of Engineers (USACOE) as part of its Upper Des Plaines River Phase II Flood Reduction and Ecosystem Restoration Study. The proposed bank to bank dam removals also support a regional northeastern Illinois effort to defragment the upper Des Plaines River, and these are the last two dams remaining along the River in Lake County. Both concrete dams were designed and built around 1939 for use as fords for agricultural purposes, such that livestock could cross the River. Neither dam is eligible for the National Register of Historic Places. The riparian corridor at both sites is comprised of degraded floodplain forest with dominant species including box elder (*Acer negundo*), sugar maple (*Acer saccharum*), silver maple (*Acer saccharinum*), riverbank grape (*Vitis riparia*), garlic mustard (*Alliaria petiolata*), and reed canary grass (*Phalaris arundinaceae*). Recent surveys conducted by the USACOE, state, and local agencies found no federal or state listed species or viable critical habitats within the restoration sites. Access to both dams will occur from the west side of the River. The removal of the MWD will occur on permitted access from a private property owner. Access for the removal of the CDWD will begin on private property, but will require a short crossing on dedicated property of degraded quality to access the Des Plaines River Trail, which will then allow direct access to the dam. Staging of heavy equipment will occur off of INPC-protected lands.

The LCFPD's preferred method for full dam removal, pending USACOE approval, would be to enter the water with equipment atop the concrete dams utilizing the dams' fords as work platforms to minimize machinery contact with the river bottom. A small notch would be made on one end to drop the pool, which would cease flow over the dams' crest. All material would be removed before falling into the River and neatly plucked from the stream without disrupting natural substrates. Cofferdams or water diversion structures may not be necessary for removal. Hydrologic and hydraulic analyses were performed to investigate the impacts of removing the two small dams. The proposed removals were modeled to determine any floodplain impacts. The models demonstrated that the structures do not currently have significant impacts on flood stages or velocities. Their removals are likewise expected to have minimal impact on flooding. Impacts to the surrounding channel post-removal are not anticipated. Because of the small impoundment areas and limited accumulation of sediment above the dams, the projects will not have an impact on river turbidity in the long term. Sediment will not be mechanically dredged from the River bed during construction. Bank stabilization and restoration will occur at each of the Nature Preserves. Short term impacts during construction will be mitigated with appropriate Best Management Practices (BMPs) such as construction during low-flow conditions, immediate streambank stabilization, restoration of exposed areas, and the utilization of non-erodible materials, such as glacial boulders and cobble.

The LCFPD proposal includes full compliance with all required permits after preliminary permission from stakeholders has been received.

**Legal Authorities and Responsibilities:**

The Rules for Management of Nature Preserves, Approval of Specific Management Activities (17 Ill. Adm. Code 4000.160) state, "Management activities...may be approved by the Commission upon written request of the owner...If the Commission determines that the proposed activity will enhance the natural features of the preserve, consistent with the proposal for dedication, the Commission shall approve the request."

In addition, under Section 4000.440 of the Rules, "...Water levels which have been altered by artificial means...may be changed if identified in the master plan or management schedule as essential for the maintenance and restoration of natural conditions..."

At the 203<sup>rd</sup> Meeting of the INPC on September 22, 2009, the Commission approved the removal of the Ryerson dam adjacent to Edward L. Ryerson Nature Preserve (Resolution 2052). This was the first request to restore hydrology through dam removal adjacent to an Illinois nature preserve. The April, 2011 project was reportedly a success. There are no specific INPC management guidelines to provide staff guidance for approval. Therefore, this practice is not considered standard, and INPC procedures require that staff bring this proposal to the Commissioners for approval. Once a type of management, not specifically addressed in the Rules for Management of Nature Preserves (17 Ill. Adm. Code 4000) has been approved by the Commissioners three times, or if the management procedures are incorporated into a management guideline, staff can approve that activity (INPC Resolution 1246).

**Analysis:**

The proposed removals of the MWD and the CDWD will: restore natural riverine hydraulics and provide riverine organisms with free passage; improve and increase aquatic habitat and improve ecological function in the upper Des Plaines watershed to support sustainable populations of diverse and valuable riverine species; reestablish and maintain fluvial connectivity; provide safe fish passage; restore free-flowing conditions; naturalize upstream hydrology and sediment transport; and improve safety for recreational uses within the River segment fragmented for the last 70 years.

The Illinois Department of Natural Resources (IDNR) Division of Fisheries reports positive results with dam removals in northeastern Illinois. For example, in the winter of 2008-2009, the Leonard Dam (3' height x 100' length) on Forked Creek in the Kankakee River watershed was removed. Sampling data collected in early September, 2009 by IDNR fisheries biologists revealed not only an increase in species diversity upstream of the former dam site but also an improvement in the upstream ecosystem in just one season. New riffle habitat appeared and occurrences of habitat-sensitive fish species such as darters (Family *Percidae*) and madtoms (Family *Ictaluridae*) were recorded. Biologists expressed that this result was beyond expectations for river health improvement in a season (Personal communication with Steve Pescitelli, IDNR Streams Ecologist, 2009). Appendix E of the LCFPD's proposal states that 14 species of riverine fish occur in the 1-mile reach below the dams that do not occur in the 1-mile stretch above the dams, and 10 of those 14 species require free-flowing conditions. The

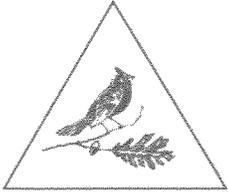
proposed dam removals will increase hydrological connectivity for fish, mussel, and macroinvertebrate species enabling more successful dispersal upstream.

The LCFPD's dam removal proposal supports a long standing regional effort in northeastern Illinois to remove dams to restore fragmented river segments into healthy ecosystems. On November 28, 2000, the INPC and IDNR submitted a letter to then-Executive Director of the LCFPD, Steven K. Messerli, encouraging the District to conduct a feasibility study for the removal of the non-functional low-head dams along the Des Plaines River citing their significant negative impact on aquatic communities, hazards to safety, and contribution to water quality problems.

The removal of all low-head dams on the Des Plaines River main stem is publicly supported by the LCFPD, Cook County Forest Preserve District, IDNR, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service and the USACOE. Other groups who support the proposed ecosystem restoration and dam removals include the Upper Des Plaines River Ecosystem Partnership, Openlands, the Des Plaines River Association, the Des Plaines River Canoe and Kayak group, and the River Rats (a community fishing group) If approved, the INPC would be a partner and stakeholder in the final two dam removals in the upper Des Plaines River within Lake County, as it was in the inaugural Ryerson dam removal.

**Staff Recommendation:**

The MWD and the CDWD dam removal proposals will enhance natural conditions at MacArthur Woods Nature Preserve and Lloyd's Woods Nature Preserve. If approved, implementation dates will depend on permitting and funding. INPC staff recommends that approval be granted for the removal of these upper Des Plaines River low-head dams with the condition that INPC staff review final plans prior to project implementation. Any approval by the INPC would not supersede the LCFPD's obligation to comply with all necessary permitting and regulations.



Illinois  
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# memorandum

EXHIBIT F

To: Commissioners  
From: Kelly Neal, Jenny Skufca, Randy Heidorn  
Date: August 29, 2012  
Subject: Staff Recommendation Regarding Item 23 – Request for Continued Use of an Equestrian Trail at Black-Crown Marsh Land and Water Reserve

**Background:**

Black-Crown Marsh Land and Water Reserve (INAI #1503) is owned by the Illinois Department of Natural Resources (IDNR) and is managed as part of the Moraine Hills State Park complex, located in McHenry County. The primary objectives for establishing the land and water reserve was the protection and management of the palustrine emergent wetland complex and associated uplands for nesting and migratory stopover for Illinois state-threatened and endangered avifauna. At the time of registration, ten state-listed threatened or endangered birds were known to occur at the site. These included the black tern (*Chlidonias niger\**), Forster's tern (*Sterna forsteri*), common moorhen (*Gallinula chloropus\**), American bittern (*Botaurus lentiginosus*), least bittern (*Ixobrychus exilis\**), black-crown night-heron (*Nycticorax nycticorax\**), osprey (*Pandion haliaetus*), yellow-headed blackbird (*Xanthocephalus xanthocephalus\**), pied-billed grebe (*Podilymbus podiceps*) and sand hill crane (*Grus Canadensis*). The pied-billed grebe and sand hill crane were removed from the state's list of endangered and threatened species subsequent to registration. Nesting had been documented for both species and six of the eight remaining state-listed bird species. The area also provides habitat for large numbers of waterfowl and shorebirds during both spring and fall migrations, and the uplands support several species of grassland-dependent birds known to be decreasing in population nationwide, including bobolink (*Dolichonyx oryzivorus*), grasshopper sparrow (*Ammodramus savannarum*) and savanna sparrow (*Passerculus sandwichensis*). A significant number of long-eared owls (*Asio otus*) use the site as a winter roost.

Historic plant communities of the wetland complex included marsh, sedge meadow and mesic prairie communities. However, extensive field tile drainage and open drainage ditches installed in the mid 1800's converted the site from wetland to agricultural production. No extant native upland plant communities remain. The initial registry for this site listed visitor use as restrictive because no public access was available, and most surrounding lands of the INAI site were in private ownership. Developed facilities did not exist, and upland areas were minimal and not conducive for a maintained public trail system. Any visitation program for this natural area was to be consistent with the management goals for the site. Due to the sensitive nature of the resources present, visitor access and potential disturbance was to be limited by seasonal phenology and location. Avoiding disturbance to endangered and threatened avian species, both during the nesting and migratory season, as well as other resident and migratory wildlife, was the primary consideration. Visitor access was to be restricted to the proposed Grand Illinois trail that runs adjacent to the wetland fringe on its southern border, a restrictive waterfowl hunting program, and scheduled naturalist led

walks in areas, all at times when disturbance was minimal.

The establishment of a limited trail system for horseback access was requested by the IDNR, and the proposal was brought forth to the Illinois Nature Preserve Commission (INPC) for consideration. The measure was approved at the 191<sup>st</sup> INPC Meeting in August, 2006 (Resolution 1910), stipulating that a three-year evaluation period be established prior to final approval: “The Commission grants approval of the trail proposal for a three-year trial period as presented under Item 26 of the Agenda for the 191st Meeting. The Illinois Department of Natural Resources will monitor the impacts of the trail programs and provide its findings annually to the Commission. After the three-year trial, the Illinois Department of Natural Resources will prepare a summary report and ask for final approval of the trail.”

In 2007, the equestrian trail and associated parking was established following under the following IDNR Conservation Reserve Enhancement Program reviews and guidelines: “A three-year evaluation of the compatibility of equestrian use with natural resource features of the Land and Water Reserve is proposed. A small gravel parking lot of 5,552.3 ft<sup>2</sup> will be developed immediately adjacent to Wegner Road to allow trailer access (Fig. 1). A two-segment perimeter trail (north loop 1.77 miles and south loop 0.76 miles) will be established using a combination of existing grassed farm road, establishment of a grassed trail segment bordering the existing corn field, and routing of the trail through abandoned hay field (south loop). Hydric soils will be avoided. Access to the south loop will be limited (closed) during the peak migration periods of 15 March to 15 May and 1 October to 30 November, or at other times deemed necessary to protect sensitive resources (e.g., excessive rains, rare occurrence of migrating or nesting species) and to comply with INDR horse trail policy. Documented evidence of avian disturbance will jeopardize continuation of the program. Foot traffic will be prohibited.”

**Proposal/Request:**

The IDNR requests continued use of the horse trail, with the trail system incorporated into the three-year management plan for the site and to be evaluated by the INPC Natural Areas Preservation Specialist and the IDNR District Heritage Biologist (DHB) as directed by the three-year management plan.

**Legal Authorities and Responsibilities:**

The Register of Land and Water Reserves (17 Ill. Adm. Codes, Part 4010) states:

“ S e c t i o n   4 0 1 0 . 2 5 0   A l l o w a b l e   U s e s   c) Cross-country skiing, horseback riding, and bicycling are allowed on registered areas only on designated trails and if provided for in the management program or if approved pursuant to Section 4010.270.

S e c t i o n   4 0 1 0 . 2 7 0   A p p r o v a l   o f   S p e c i f i c  
M a n a g e m e n t   a n d   U s e s

Management and uses not otherwise allowed by this Part may be specifically approved by the Department and the Commission where the management or use is consistent with the management program or for the purposes of restoring a high quality natural community (a plant and animal assemblage that existed in Illinois at the time of settlement by immigrants from Europe), enhancing

populations of threatened or endangered species, or enhancing the opportunity for scientific research.”

**Analysis:**

The management concerns often associated with equestrian use include exotic species introduction, soil erosion, and disturbance to wildlife. These impacts can reduce the quality of the site and threaten the long-term integrity of the resources present.

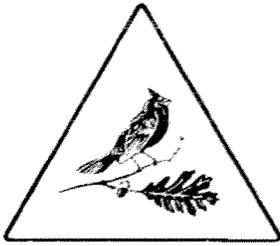
To date, the horse trail at Black-Crown Marsh LWR has had minimal user pressure. Information presented by DHB Brad Semel in the “Black-Crown Marsh Horse Trail Report,” dated May 2012 stated, “The very limited number of equestrian users likely has averted any of these problems at Black Crown Marsh. In fact, over the course of these evaluations, I have never encountered a rider at Black Crown Marsh. Unlike other nearby state parks where equestrian use is permitted and significant damage has resulted, the limited use has resulted in no documented or visible damage to the natural resources.”

Under current conditions, the limited use of the trail by equestrians has shown to have minimal negative impacts to the resources for which the site has been protected. Continued monitoring of avifauna, exotic plant species and soil disturbances should help to indicate if there are any negative impacts as a result of equestrian use.

**Recommendation**

INPC staff recommends continued use of the equestrian trail at Black-Crown Marsh Land and Water Reserve as described in the plan reviewed and approved at the 191<sup>st</sup> INPC Meeting, August, 2006 (Resolution 1910), with the following conditions:

- The equestrian trail be transferred from conditional use status and incorporated into the five-year management plan for the site.
- At a minimum, biannual surveys of wetland dependent birds be conducted at the site.
- The site will be evaluated for introduction of exotic species, erosion of trail surfaces, and disturbance to extant species of concern for which the site was registered (i.e., state-listed avian species).
- The trail system will be evaluated by the NAPS and the DHB every five years as directed in the five-year management plan.
- Evaluation of the trail conditions and impacts to the natural resources will be shared with IDNR Lands staff and will be used in determining continued equestrian use.
- INPC field staff and DHB may review, comment and modify, if necessary, the opening dates and any modifications to trail locations as the site undergoes continued restoration and management modifications (i.e., clearing, seeding, and planting).
- There should be no impacts to the wetland resources or threatened/endangered species from continued use of this trail.
- The trail will be closed and equestrian use be eliminated from the five-year plan if best management practices for soil erosion control are not met, introduction of exotic species that could jeopardize the natural resources of the adjacent Kettle Moraine Nature Preserve or Moraine Hills State Park are introduced through the presence of horses, or impacts are noted to wetland-dependent or grassland avian species of special concern.



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memorandum

To: Commissioners

From: Kelly Neal, Jenny Skufca, and Randy Heidorn

Date: August 6, 2010

Subject: Staff recommendation regarding Item 24 – Request to construct two new buildings within Thaddeus Stubblefield Grove Nature Preserve

**Background:**

Thaddeus Stubblefield Grove Nature Preserve (30 acres), Ewing Grove buffer addition (183.72 acres), and Sugar Grove buffer addition (24 acres) were dedicated on October 22, 1993 as the 232<sup>nd</sup> Illinois nature preserve (Figure 1). Thaddeus Stubblefield Grove Nature Preserve, owned by the Thaddeus Stubblefield Trust, contains approximately 30 acres of grade A mesic upland forest. The Ewing Grove buffer addition, owned by the Illinois Department of Natural Resources (IDNR), is being restored to forest, savanna, and prairie. The Sugar Grove buffer addition, owned by the Funks Grove Cemetery Association, is mostly a tallgrass prairie restoration, but it also contains a small stream with riparian vegetation and developments associated with the Sugar Grove Nature Center (SGNC).

The footprint of the SGNC complex occupies approximately 6.25% in the southwest corner of the Sugar Grove buffer addition and includes a portion of the SGNC's parking lot, a corn crib, maintenance building, SGNC and office, and observatory (Figure 2). Areas between the buildings consist mostly of mowed grass, pathways, and landscaping (Figure 3). Provisions for developing the SGNC for restoration and educational activities were included in the original dedication proposal and management goals, which were approved by the Illinois Nature Preserves Commission at its 138<sup>th</sup> Meeting in March, 1993 (Resolution 1167).

**Proposal:**

The SGNC is proposing to build two new structures, a roll-off-roof observatory and a maple sap/honey house, at two locations within the Sugar Grove buffer addition (Figure 2 and Figure 3). At this point in time, it has not been decided which structure would occupy which location.

Both structures would be wholly within the existing footprint of the SGNC complex (Figure 3). The

sap/honey house would occupy approximately 416 ft<sup>2</sup>. The observatory would occupy approximately 672 ft<sup>2</sup>. Both structures together would occupy approximately 1,088 ft<sup>2</sup>. No natural or restored plant communities would be impacted by the development of either structure. A weedy garden-type planting would be removed at the northernmost location (Figure 3). Building these new structures would not compromise the SGNC's commitment toward maintaining the open prairie character of the area surrounding the nature center complex.

**Legal Authorities and Responsibilities:**

The Natural Areas Preservation Act (Act) states: "A dedicated buffer area shall have the same status and protection under this Act as a nature preserve, including being subject to the provisions of Section 14...." [525 ILCS 30/10]

Section 14 of the Act states: "They [nature preserves] shall be protected, managed and used in the manner provided by rules." [525 ILCS 30/14]

Section 4000.270 in the rules for management of nature preserves states: "Within buffer areas, service areas may be established which provide access and parking, management facilities, and/or visitor facilities." [Illinois Administrative Code, Title 17, Chapter V, Part 4000]

**Analysis:**

The original dedication proposal for the Sugar Grove buffer addition mentioned the presence of "several farm buildings" located in the southwest corner of the buffer that would be used as an educational center. These are the buildings as described in the above "Background" section of this document. Neither the originally approved dedication proposal nor management plan mentioned the possible addition of other buildings in the future.

However in 1995, the proposed plan for the SGNC complex included building two new structures within the footprint of the SGNC complex: a 50' x 30' caretaker home and a 40' x 40' office building, for a total of 3,100 ft<sup>2</sup>. During the planning process for the SGNC complex, the IDNR's Endangered and Threatened Species Protection Program (ETSPP) was consulted. On July 12, 1995, Joe Kath of the ETSPP stated in a letter to Phil Dick of the McLean County Department of Building and Zoning that "the Department does not anticipate that development of the Sugar Grove Nature Center will have an adverse effect on the biological resources present." The letter further stated, concerning the two proposed new buildings, that "...to ensure proper resource protection, please be advised that if and when these additions are approved, that the Sugar Grove Nature Center, in conjunction with the McLean County Department of Building and Zoning, will need to submit an updated Endangered Species Consultation Agency Action report." Despite these plans, the caretaker home and office building, which would have occupied almost three times the area of the proposed roll-off-roof observatory and maple sap/honey house, were never constructed.

It is significant that the existing SGNC's complex of buildings are close together, which makes it convenient for facilitating and coordinating educational programming with large groups. Even though it would certainly be possible to locate the proposed roll-off-roof observatory and maple sap/honey house

within open areas west of and outside of the Sugar Grove buffer addition, it is anticipated that logistical difficulties would become unwieldy if the new structures were located a significant distance from the SGNC's educational activities at the SGNC building.

**Staff Recommendation:**

Because the proposed roll-off-roof observatory and maple sap/honey house are proposed to be located completely within the existing footprint of the developed area for the existing SGNC complex, impacts to protected biological resources are not expected. For this reason, the INPC staff recommends approval of the SGNC's proposal to build a roll-off-roof observatory and maple sap/honey house, where one of the two structures would be located between the existing SGNC and corn crib buildings, and the other structure would be located north of the maintenance building. At the same time, the SGNC should continue to work with the IDNR's consultation process and the McLean County Department of Building and Zoning. Final design parameters will be subject to INPC staff approval.

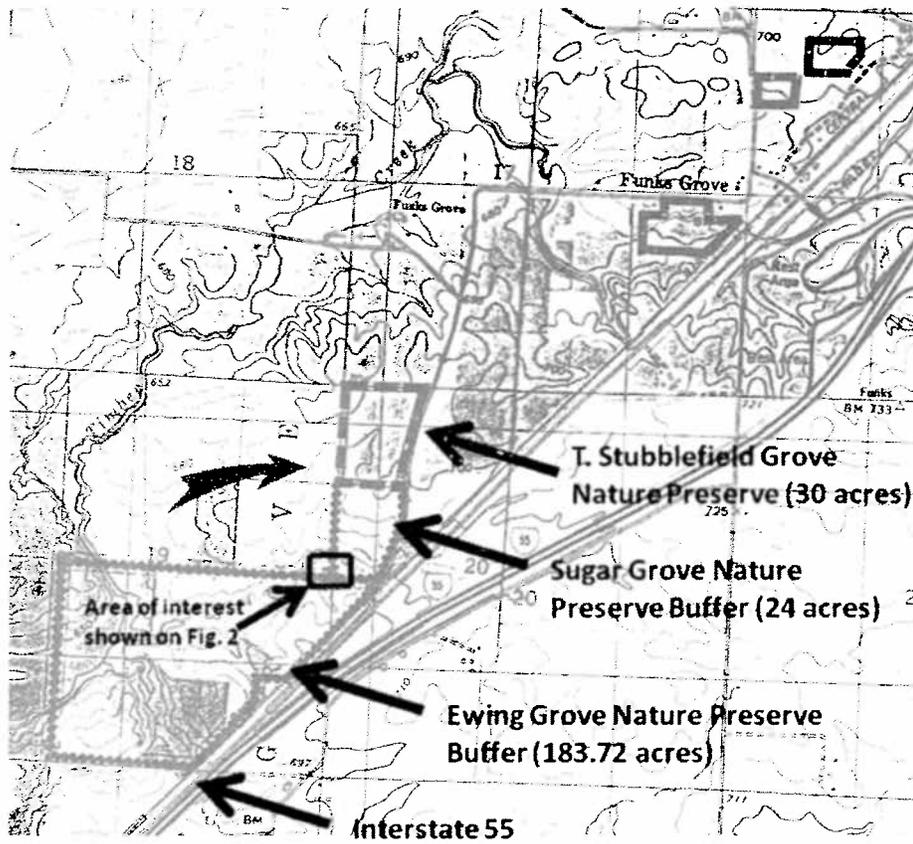


Figure 1. Thaddeus Stubblefield Grove Nature Preserve, Sugar Grove buffer addition, and Ewing Grove buffer addition in McLean County, approximately 12 miles southwest of Bloomington-Normal.

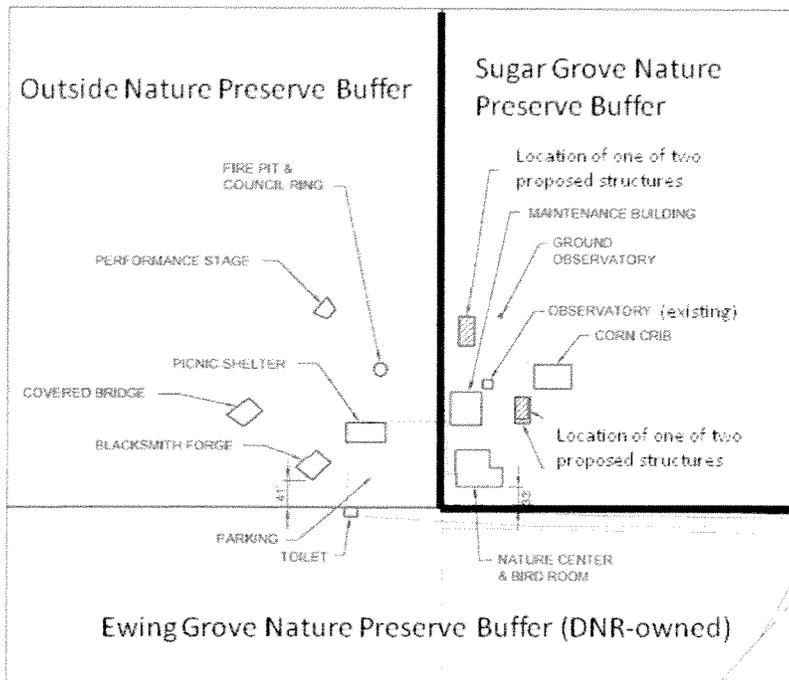


Figure 2. Orientation of buildings at the Sugar Grove Nature Center Complex.

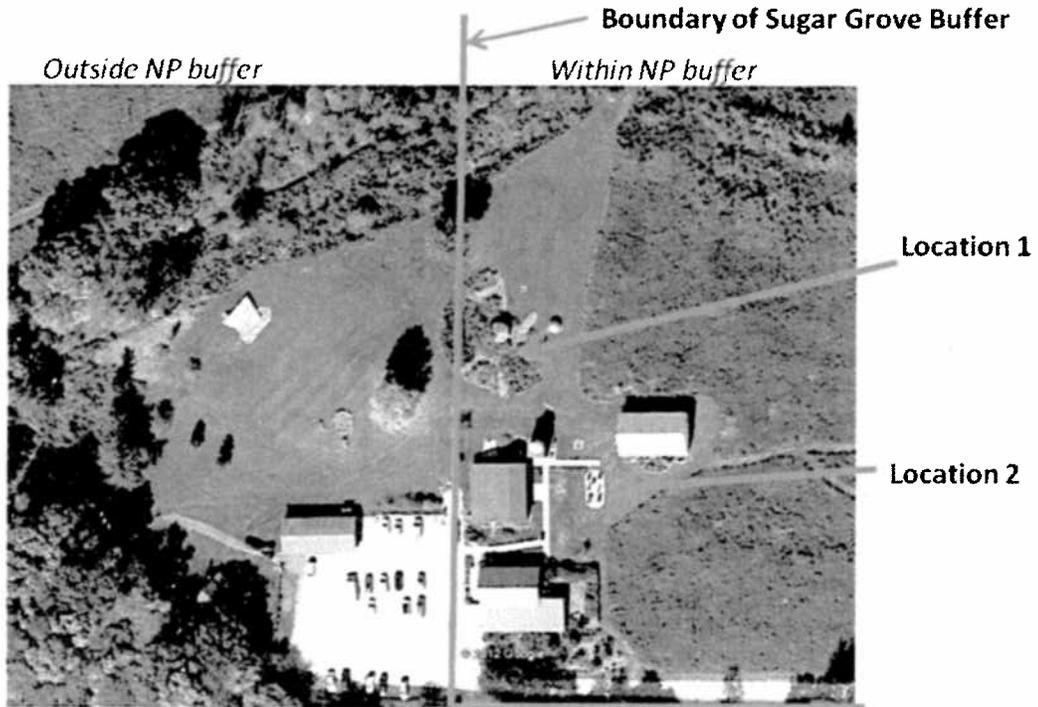
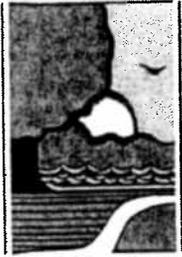


Figure 3. Aerial photograph of the Sugar Grove Nature Center Complex showing locations of the proposed structures.





ILLINOIS  
DEPARTMENT OF  
NATURAL  
RESOURCES

# MEMORANDUM

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to: Randy Heidorn

from: Todd Rettig ✍

date: August 14, 2012

subject: July 3, 2012 Correspondence  
Tom Davis - Consultation

The Office of Realty and Environmental Planning received a copy of a letter from Tom Davis of the Attorney General's Office to you dated July 3, 2012 regarding the consultation process for the Rice Lake Complex Habitat Rehabilitation & Enhancement Project and the Mississippi Sands LLC permit approved by the Office of Mines and Minerals. In both instances the projects were thoroughly reviewed by Office of Realty and Environmental Planning, Impact Assessment Section staff, in coordination with staff from the Office of Resource Conservation and others within the Illinois DNR, for potential impacts to threatened and endangered species as well as other protected natural resources. As a result of both reviews the Illinois DNR made recommendations designed to avoid adverse impacts to protected natural resources. I am pleased to report that in each instance, the recommendations were adopted as part of the project implementation plans.

### Rice Lake Complex Habitat Rehabilitation & Enhancement Project

The Rice Lake Complex Habitat Rehabilitation & Enhancement Project has been on the drawing board since the 1980s. When the project finally moved forward, it was submitted to the Impact Assessment Section for a comprehensive review on March 29, 2010. Staff reviewed the project for any adverse impacts to the Slim Lake Area INAI site, the osprey, and the decurrent false aster (this plant was not known to exist in any of the proposed construction areas but it did occur at Rice Lake SFWA). Staff also looked at impacts to the bald eagle (no longer listed) and the Indiana Bat (not known to be in the area but the Illinois DNR has standard conditions for tree removal on IDNR land).

Staff obtained the Public Review Draft Report on the project from the Illinois DNR's project coordinator in the Office of Resource Conservation. Staff also obtained the list of protective measures that had already been recommended to the USACE by the District Heritage Biologist (DHB) from the area. Staff consulted with the DHB to determine if any additional conditions should be considered; she told him she had no additional measures.

It was determined that the action was unlikely to adversely impact the decurrent false aster because the soil disturbance from construction activities would likely promote and enhance the existence of the plant. The project was also determine not to adversely impact the INAI site because it will allow water levels to be managed, thereby enhancing pool management and maintaining the fishery

used by foraging bald eagles. However, staff recommended the following conditions on the project to avoid the possibility of any adverse impacts to osprey, bald eagles, or Indiana Bats. On April 16, 2010 the consultation review was completed and on April 27, 2010 we received confirmation from the USACE that they would meet all of our recommended conditions for the project.

- Indiana Bats – Staff recognized some of the trees that were to be removed in this project were potential female summer roost trees for Indiana bats. For this reason, removal of trees over 9 inches dbh were recommended to be minimized as much as possible. It was understood that tree removal was necessary, particularly along the river levee. To avoid direct impact to Indiana bats, no trees over 9 inches dbh were recommended to be cut between April 1 and September 30.
- Bald Eagle Nests – Previously there was an active eagle nest approximately 250 yards from an area where trees were to be removed along Slim Lake. The nest had not been rebuilt for the past two years. It was recommended that if an eagle nest is built within ¼ mile of any of the construction areas, Illinois DNR Natural Heritage staff should be contacted for distance and timing recommendations.
- Bald Eagle Winter Night Roost – An active night roost occurs at Rice Lake SFWA. The new drainage channel to be constructed at the north end of the site will be near and within the eagle roost area. The new drainage channel construction will include the removal of approximately twenty silver maple trees within the eagle roost. Staff believed that this tree removal will not cause disturbance to the eagle roost if the construction is conducted outside the time period when the eagles will be using the roost. Therefore, it was recommended no tree removal or construction activities should occur in the eagle roost area between November 15 and March 1.
- Osprey – Ospreys are nesting at adjacent Banner Marsh SFWA and in 2007 there was a report of an unsuccessful osprey nesting attempt at Rice Lake SFWA within the northern EMP project area. There were no current osprey nests known in the project areas. It was recommended that if an osprey nest is built within ¼ mile of any of the construction areas, IDNR Natural Heritage staff should be contacted for distance and timing recommendations.

#### Mississippi Sands, LLC

The Mississippi Sands project was reviewed by two staff, first for the zoning permit and then for the mining permit. Staff reviewed the project for any adverse impacts to threatened or endangered species, Catlin's Marsh, Starved Rock-East and Ernat's Marsh INAI sites. Staff met with project consultants to discuss the mining plans and studies (including a hydro-geologic study) that had already been conducted for the project, talked with the district heritage biologist, and conducted a site visit (no state listed species were observed).

Staff analysis found that adverse impacts to Catlin's Marsh and Starved Rock-East were unlikely. Catlin Marsh is ecologically and geologically similar to Ernat's Marsh. It is spring-fed from the St. Peters Sandstone formation, forming a marsh which then drains over the surface or evaporates. It is the source of the water and the water quality which imparts its character as a natural area. It is not hydrologically connected to the land parcel proposed for mining and thus would not be affected.

Starved Rock East, adjacent to the project site, provides habitat for a number of State-listed plant species that are dependent on limestone substrates or cliff habitats, none of which would be modified by the proposed mining use of the Ernat's parcel. Although dust might have some impact it is unlikely to be appreciably greater than the dust which is already generated by farming operations on the parcel, and is likely to be even less because, unlike farming, mining must conform to dust control air quality standards.

Staff determined that Ernat's Marsh lies within the area targeted for eventual mining on a parcel owned by the mining company. Staff provided recommendations to avoid direct or indirect impacts to Ernat's Marsh by routing any pit discharges around it, rather than through it. The ground water that makes Ernat's Marsh brackish come from particular strata in the bluffs, and the mining should have no effect on the quantity or quality of the water from this source. Routing the drainage around the INAI site (instead of through it, as the current land-owner has done) will not dilute it. The mining company proposes to locate its NPDES discharge point downstream of Ernat's Marsh. Mining will be phased and should not approach any part of the property directly affecting the Marsh for 20 years, at which point a USACE Section 404 permit may be necessary. The mining company made several changes to their site plans to address consultation recommendations before the plan was approved by the County and the same plan was reviewed in conjunction with the application for a mining permit.

#### Consultation Process

The Office of Realty and Environmental Planning receives over 5000 consultation requests each year with 9 staff to conduct those reviews. Even with this number of consultation requests, it is unlikely that all projects subject to the consultation requirement are submitted for review. The Rice Lake and Mississippi Sands projects were both submitted for review and received a detailed review by numerous Illinois DNR staff. Mr. Davis has several disagreements with elements of the process employed by the Illinois DNR to complete consultation reviews. One example is the focus of the July 3<sup>rd</sup> letter on the EcoCAT application and the attempt to distinguish it from the Agency Action Report discussed in 17 Ill. Adm. Code 1075.40(a). Section 1075.40(a) requires the Agency Action Report to include the following:

1. Name and address of agency proposing the action;
2. The responsible person within that agency;
3. The precise location of the proposed action in sufficient detail to determine the presence or absence of a listed species or Natural Area;
4. A brief description of the proposed action; and
5. The starting and ending dates of the proposed action.

In order to use the EcoCAT application to submit a project for consultation the applicant must answer the following questions and provide the following information:

1. Whether the applicant wishes to submit a project for consultation;
2. What state agency or unit of local government action is prompting the consultation request and the contact information for the applicant;
3. Whether the project will receive technical assistance or funding from the State of Illinois;
4. The precise location of the proposed action (County, Township, Range, Section); and
5. A brief description of the proposed action.

After providing this information the EcoCAT application analyzes the site specific information by comparing it against records in the natural heritage database and informs the applicant whether the project is in the vicinity of any protected resources. Section 1075.40(b) requires the Illinois DNR evaluate Agency Action Report to determine whether a protected natural resource is in the vicinity of the project. EcoCAT was designed to perform, and actually performs, this exact function. EcoCAT frees ever more limited personnel resources to perform a detailed review of those projects that occur in the vicinity of a protected natural resource. While EcoCAT is not identified in the Part 1075 regulations, neither is the use of the natural heritage database, the national wetlands inventory, the wetland impact review tool, the detailed impact review tool, or personal computers. These technological improvements allow natural resource professionals at the Illinois DNR to accumulate, organize and analyze large amounts of data in a short period of time providing greater protection to more natural resources across Illinois.

The Office of Realty and Environmental Planning is also in the process of preparing amendments to the Part 1075 regulations, as they have not been updated since their original promulgation in 1990. The amendments will be focused on efforts to improve the efficiency of the consultation process by removing unnecessary and duplicative reviews as well as streamlining the process in an effort to ensure that reviewers have all the information needed to undertake a comprehensive review. It is our goal to have draft amendatory language available by the end of 2012.