

Illinois Nature Preserves Commission
Minutes of the 216th Meeting
(Subject to approval at the 217th Meeting)

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

Tuesday, January 28, 2014

216-1) Call to Order, Roll Call, and Introduction of Attendees

At 10:05 a.m., pursuant to the Call to Order of Vice Chair Dann, the meeting began.

Randy Heidorn read the roll call.

Members present: George Covington, Donnie Dann, Dr. Pen DauBach, William McClain, and Dr. Jo-Elle Mogerman.

Members absent: Dennis Clark, Dr. Abigail Lewis, Dr. Charles Ruffner, and Dr. David Thomas.

Commissioner Dann welcomed Dr. Jo-Elle Mogerman to the Commission. She replaces Jill Riddell. Commissioner Dann stated that Commissioner Lewis and Commissioner Ruffner were appointed to the Commission on January 24, 2014, and they were not able to attend today's meeting.

Others present: Steven Byers, Meagan Collins, Bob Edgin, Tom Engbrecht, Tom Lerczak, Angella Moorehouse, Kelly Neal, Debbie Newman, Kim Roman, Jared Ruholl, and Mary Kay Solecki, Illinois Nature Preserves Commission (INPC); Bridget Henning, Jim Herkert, Ann Holtrop, Don McFall, John Wilker, Nancy Williamson, and Laurel Wilson, Office of Resource Conservation (ORC), Illinois Department of Natural Resources (IDNR); Ray Geroff, Conservation Reserve Enhancement Program (CREP), IDNR; Stefanie Fitzsimons, Kay McCloskey, Omer Moore, and Tim Schweizer, Office of Realty and Environmental Planning (OREP), IDNR; Dr. Hal Hassen, Cultural Resource Management Program, IDNR; Anne Mankowski, Endangered Species Protection Board (ESPB) and INPC Advisor, IDNR; Debbie Reider, Office of Legal Counsel, IDNR; Sue Dees Hargrove, Illinois Department of Transportation (IDOT); Dawn Cobb, Illinois Historic Preservation Agency (IHPA); Brian Anderson, Illinois Natural History Survey (INHS) and INPC Advisor; Jeannie Barnes, INHS; Tom Clay, Illinois Audubon and INPC Consultant; Thomas Emerson, Illinois State Archaeological Survey (ISAS) and INPC Advisor; Fran Harty, The Nature Conservancy (TNC) and INPC Consultant; Joann and Mike Fricke, representing the proposed Illinois Ozarks Nature Preserve; George Rose, Friends of the Sangamon Valley; and Jackie Dann.

216-2) Adoption of Agenda

It was moved by McClain, seconded by Covington, and carried that the Agenda be adopted.

216-3) Approval the 215th Meeting Minutes, September 10, 2013

It was moved by Covington, seconded by DauBach, and carried that the 215th Meeting Minutes, September 10, 2013 be approved.

Commissioner Dann stated that at the 215th Meeting of the INPC, held on September 10, 2013, at the Giant City State Park Lodge, Makanda, Illinois, legal protection was completed by the Commission for seven tracts of land totaling 606 acres. Three of these areas are owned by a not-for-profit corporation or private individuals 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 tracts of private land is \$281,900 based on conservative estimates of the fair market value of the land. Private lands protected include an addition to Sweet Fern Savanna Land and Water Reserve, Kankakee County; Hopkins Park Savanna Nature Preserve, Kankakee County; and Johns Mound Group Land and Water Reserve, Winnebago County. Protection of this land came about because the Commission has eight staff in the field working with private and public landowners. There are now 373 dedicated nature preserves in 84 counties totaling 56,746.005 acres and 172 land and water reserves in 66 counties totaling 48,675.188 acres.

216-4) 2014 Meeting Schedule

May 6, 2014, 9:00 a.m. - Four Rivers Environmental Education Center, Grand Hall, Channahon
September 9, 2014, 10:00 a.m. - Ballard Nature Center, Altamont

216-5) INPC Staff Report

The INPC staff report is attached as Exhibit A.

Randy Heidorn stated that two new Commissioners were appointed on January 24, 2014. Dr. Charles Ruffner is a Professor of Forestry at Southern Illinois University, and he replaces Mare Payne. Dr. Abigail Lewis is from the Chicago Field Museum and replaces Lauren Rosenthal.

Supplemental applications have been sent to the applicants that have been deemed qualified to fill the INPC Natural Area Defense Specialist position. Mr. Heidorn stated that the posting for the Office Specialist position should be going out in the near future, and it is hoped that the position will be filled as soon as possible.

Mr. Heidorn presented Debbie Newman with a plaque and a pin to recognize her 25 years of service to the State of Illinois.

Mr. Heidorn provided the Commissioners with a copy of the finalized administrative rules for the Natural Heritage Database. The Commission was given the responsibility, as a part of the IDNR sustainability package, to develop rules for charging fees to recoup the cost of the database. The Commission approved the rules at the May, 2013 meeting, and the rules have gone through the Joint Committee on Administrative Rules process, and they were approved on January 9, 2014. He stated that he wanted to recognize Tara Kieninger for her hard work on this project. The rules entitled Title 17, Part 4020 Inventories, Registers and Records are attached as Exhibit B.

Mr. Heidorn stated that Fran Harty, TNC and INPC Advisor, was the recipient of the George B. Fell Award at the Natural Areas Conference in October, 2013. This is the Natural Areas Association's highest honor.

216-6) IDNR Staff Report

Don McFall presented the IDNR staff report which is attached as Exhibit C. Mr. McFall highlighted the items on this report, including the land acquisitions accomplished since the Commission's last meeting in September, 2013.

Mr. McFall stated that applications for the Wildlife Preservation Fund are due April 1, 2014. Applications can be submitted on line through the IDNR website. Small projects are \$2, 000 or less, and large projects are also being funded.

Commissioner Dann stated that the work done by staff over the years has developed lasting impressions on landowners. A private landowner decided to leave his land to the IDNR after working with staff.

Commissioner McClain stated that it was gratifying to see the addition to Wilmington Shrub Prairie because this was a unique community.

216-7) Endangered Species Protection Board Report

Anne Mankowski presented the ESPB report which is attached as Exhibit D.

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

216-8) Iroquois Co. – Additions to Iroquois Sands Land and Water Reserve, Registration

Kim Roman presented a proposal on behalf of the Friends of the Kankakee for registration of three separate tracts, totaling approximately 1.8 acres, comprised of mesic to wet-mesic sand prairie and sand flatwoods, as additions to Iroquois Sands Land and Water Reserve. Iroquois Sands Land and Water Reserve is located in the northeastern corner of Iroquois County, and is owned and managed by Friends of the Kankakee, Incorporated. Approximately 70 acres of the site was registered in 2006, and an additional 1.5 acres were registered in 2008. Iroquois Sands is comprised of dry-mesic sand savanna, sand flatwoods, sand prairie, and old field, and it provides habitat for the state-endangered crowded oval sedge (*Carex cumulata*), shore St. John's wort (*Hypericum adpressum*), Carey's heartsease (*Polygonum careyi*), eastern blue-eyed grass (*Sisyrinchium atlanticum*), highbush blueberry (*Vaccinium corymbosum*), primrose violet (*Viola primulifolia*), a state-threatened regal fritillary butterfly (*Speyeria idalia*) and a reptile, and at least seven wildlife species in greatest need of conservation. This site and its proposed additions lie within the Kankakee Sand Area Section of the Grand Prairie Natural Division of Illinois, and are in very close proximity to three other sites permanently protected in the Illinois Nature Preserves System. The proposed additions have been disturbed by past agricultural use. Despite past disturbances, they have succeeded to mesic to wet-mesic sand prairie and sand flatwoods communities, both dominated by native species. Registration of these lots protects native habitat, buffers the existing Iroquois Sands Land and Water Reserve and the state-listed species within it, and promotes continuity of natural features on this significant landscape. Registration of these tracts will bring the total registered acreage of this site to approximately 73 acres.

It was moved by Covington, seconded by DauBach, and carried that the following resolution be adopted:

The Commission grants approval for the registration of the additions to Iroquois Sands Land and Water Reserve in Iroquois County, as described in the proposal presented under Item 8 of the Agenda for the 216th Meeting.

(Resolution 2275)

216-9) Lake Co. – Buffer Addition to Reed-Turner Woodland Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Long Grove Park District (LGPD) for preliminary approval for dedication of three parcels totaling 4.318 acres as a buffer addition to Reed-Turner Woodland Nature Preserve. The proposed buffer addition consists of grade B/C dry-mesic upland forest and provides habitat for the state-threatened pale vetchling (*Lathyrus ochroleucus*). Reed-Turner Woodland and the proposed buffer addition are located in the Morainal Section of the Northeastern Morainal Natural Division in southern Lake County. The LGPD reserves the right to maintain the existing trail system that currently occurs within the proposed buffer addition and to provide appropriate, compatible amenities with the approval of the Commission. In addition, the LGPD is bound by the terms of the plat of survey for the Woodland Ridge Subdivision to provide for ingress, egress, and public utilities. The most obvious feature is a gravel lane that is approximately 14 feet wide that provides vehicular access to Lot 2 and to Lot 3 of the Woodland Ridge Subdivision. The current configuration of the gravel lane will not be altered without the approval of the Commission. Protection and management of the proposed buffer addition to Reed-Turner Woodland Nature Preserve support elements of the Forests Campaign identified in the IWAP that includes efforts to restore and manage high-quality examples of all forest communities and a recommendation to contribute to ecological connectivity among forests and other habitat patches. Formal protection of these parcels will increase the size of Reed-Turner Woodland Nature Preserve from 38.216 to 42.5334 acres and further protect the Nature Preserve from incompatible land use changes.

It was moved by McClain, seconded by Mogerman, and carried that the following resolution be approved:

The Commission grants preliminary approval for dedication of a buffer addition to Reed-Turner Woodland Nature Preserve in Lake County, as described in the proposal presented under Item 9 of the Agenda for the 216th Meeting.

(Resolution 2276)

216-10) Lake Co. – George M. Covington Buffer Addition to Grainger Woods Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of George Covington for preliminary approval for dedication of 18.2 acres as a buffer addition to Grainger Woods Nature Preserve. Grainger Woods Nature Preserve was granted final approval for dedication at the Commission's 204th Meeting in January 2010 (Resolution 2061). Grainger Woods Nature Preserve and the proposed buffer addition are located in the Morainal Section of the Northeastern Morainal Natural

Division in southern Lake County. The proposed buffer addition includes grade C northern flatwoods, grade C wet-mesic upland forest, grade D wet prairie, and an old field. Approximately 8.3 acres of the proposed buffer addition are located within the Grainger Flatwoods Illinois Natural Areas Inventory (INAI) site (#0667). The state-threatened brome hummock sedge (*Carex bromoides*) has been recorded from the proposed buffer addition. Mr. Covington conveyed a Grant of Conservation Right and Easement to the Lake County Forest Preserve District (LCFPD) in May 2013. The “Conservation Purposes” pertain to preservation of natural plant and animal communities. The easement provides the Grantee (LCFPD) with the right to preserve and protect the native flora, fauna, soils, water table and drainage patterns, and other conservation values. The Grantor reserves the right to construct a shed, use an all-terrain vehicle to facilitate access for the physically impaired, construct a foot trail, place ten beehives on the property, and maintain the existing unpaved driveway. Mr. Covington may adopt and use an adaptive management approach to restoration and management of the proposed buffer addition to achieve and maintain the conservation values of the property. The management approach provides both the owner and the Grantee the right to monitor plants, wildlife, or surface and ground water hydrology as may be necessary to achieve the conservation values of the property. Protection and stewardship of the proposed buffer addition supports several elements of the IWAP; specifically the forests campaign and efforts to “...restore and manage high-quality examples of all forest communities.” The wet-mesic upland forest and the northern flatwoods communities located in the proposed buffer addition are considered critically imperiled globally and imperiled globally, respectively, by the Chicago Region Biodiversity Council. Results of the initial INAI revealed the presence of only 61 acres of high-quality wet-mesic upland forest and 86 acres of high-quality northern flatwoods. Protection of the proposed George M. Covington buffer addition will increase the size of Grainger Woods Nature Preserve from 169.4 acres to 187.6 acres and further buffer the Nature Preserve from incompatible land use changes.

Mr. Byers discussed the reserved rights for the site which are explained in detail in the dedication proposal. Mr. Byers stated that Mr. Covington has conveyed a grant of conservation easement to the LCFPD, and that entire easement was included in the dedication proposal. The grant of conservation easement was put together to preserve the natural plant and animal communities that occur at this site. The grant of conservation easement also identified some of the rights that were conveyed to the grantee, LCFPD. Mr. Byers stated that he has coordinated this request for dedication with the LCFPD.

It was moved by DauBach, seconded by McClain and carried, with Covington abstaining, that the following resolution be adopted:

The Commission grants preliminary approval for dedication of the George M. Covington buffer addition to Grainger Woods Nature Preserve in Lake County, as described in the proposal presented under Item 10 of the Agenda for the 216th Meeting.

(Resolution 2277)

216-11) Monroe Co. – Illinois Ozarks Nature Preserve, Dedication

Debbie Newman presented a proposal on behalf of Mike and Joann Fricke for preliminary approval for dedication of 34.18 acres of land as Illinois Ozarks Nature Preserve. A portion of the proposed nature preserve is registered as the Martha & Michelle Prairies Land and Water Reserve. The Frickes are strengthening and expanding this original land and water reserve with the proposed Illinois Ozarks Nature Preserve. The proposed area includes 31.79 acres of nature

preserve (including all of the 20-acre Martha & Michelle Prairies LWR), 2.39 acres of buffer, and a 10-foot wide driveway access easement. The site is comprised of 1.75 acres of grade A loess hill prairie, 0.25 acre of grade C hill prairie, 0.5 acre of grade B limestone glade intermingled with approximately 31 acres of grade C mature second growth dry-mesic and dry upland forest. The proposed site is part of the 724-acre Potato Hill INAI site (#200) located in the Northern Section of the Ozark Natural Division. The proposed nature preserve also contains populations of the state-endangered woolly buckthorn (*Bumelia lanuginosa*), state-threatened bluehearts (*Buchnera americana*), occurrences of a state-threatened reptile, and several species of greatest need of conservation) listed in the IWAP. Besides protecting the loess hill prairie and limestone glade natural communities and several state-listed species, dedication of this site supports several campaigns identified in the IWAP, including the Forests, Invasive Species, and Land and Water Stewardship campaigns. The site is located within IWAP's Bluff Corridor Conservation Opportunity Area, and the Southwestern IWAP partnership. This site is part of a large complex (more than 1200 acres) of preserved lands in the bluffs of western Monroe County.

Ms. Newman stated that this site has had a long history of disturbance. There is a 50-foot wide pipeline easement which bisects the middle of the proposed nature preserve. Gulf Pipeline Company owned this pipeline at one time, and it did have gas running through it at one time. The pipeline was sold to MCI Worldcom, and a fiber optic cable was put through the pipeline. They do have the right to lay, maintain, and operate adjacent to and parallel with, within that easement, and add additional lines of pipe if they ever were to choose to do so. If they choose to do so, they agree to bury the pipeline so there is no interference with the surface and to pay damage to any of the land owned by the Grantors. She stated that it was her understanding that MCI Worldcom has gone out of business, and the company providing the title commitment has not been able to determine who exactly owns this pipeline because corporate things are not always filed at the courthouse. The company providing the title commitment believes that the pipeline is now owned by an energy company, and with all of the natural gas interest, there is a possibility that a pipe could be laid in the future. A neighbor maintains the easement at a width of approximately 20 feet.

Ms. Newman stated that logging was done at this site years ago, and there are a couple of logging roads that are used to maintain permanent firebreaks and access for maintenance.

In the early 1900s, this was slated for a subdivision. The area was platted, and pins were put in, but the subdivision was never developed. It eventually sold to another landowner, and the site was put into the Natural Heritage Landmark Program. The site was eventually sold to another landowner, and a home was built. The driveway was built in the early 1900s. A path was built to access the back of the pipeline. This path will continue to be maintained.

There is also a quarter acre of grade C hill prairie adjacent to the pipeline grade A prairie. The landowners previous to this mowed and spot sprayed part of the grade A prairie to put in a deer food plot. The current landowners are in the process of restoring that area. There is a mowed area by the other prairies to the furthest southern portion of the property that was a food plot, and now it is a half-acre of flat mowed area. The landowners reserve the right to continue to mow this area. This area is used for staging prescribed burns of the site.

Ms. Newman discussed the reserved rights for the site which are explained in detail in the dedication proposal. A lot of cutting is being done at this site in order to restore the hill prairies, and the landowner would like to remove the wood for personal use only. The removal of the

wood would be of a benefit to the restoration efforts. The landowner would also like to maintain the 10-foot wide driveway which is in the buffer area. There is also a large metal sculpture of a dinosaur in the buffer area that the landowners would like to leave in place.

Ms. Newman stated that the mineral rights for this property were severed years ago, and were owned by Columbia Quarry Company. Columbia Quarry Company has gone out of business. The Village of Valmeyer bought the property across the road, now the Salt Lick Point Land and Water Reserve, and it acquired all the mineral rights that Columbia Quarry Company owned. She stated that she has been unable to determine if the Village owns the mineral rights for property owned by the Frickes or if the rights went to the Beelman Trucking Company. Regardless which of the two own the mineral rights, it is felt that there will not be any problems from disturbance because it is not a fracking area, and limestone quarrying does not occur here anymore. She stated that she will be contacting the Village of Valmeyer to see if they will dedicate the mineral rights.

Commissioner DauBach stated that she knows how hard the Frickes have worked on their property, and she has even helped a little. It is a showcase of what dedicated landowners and stewards can do. She stated that Ms. Newman showed them the way by educating them, and she felt that she has done a wonderful job.

Joann Fricke stated that they are really determined to keep the bluffs preserved for future generations. They have learned a lot in the last six and a half years about land conservation.

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

The Commission grants preliminary approval for dedication of Illinois Ozarks in Monroe County as an Illinois nature preserve, as described in the proposal presented under Item 11 of the Agenda for the 216th Meeting.

(Resolution 2278)

216-12) Whiteside Co. – Hahnman Sand Prairie Nature Preserve, Dedication

Angella Moorehouse presented a proposal on behalf of Greg Wahl for preliminary approval for dedication of 14.6 acres as Hahnman Sand Prairie Nature Preserve. Hahnman Sand Prairie is a high quality sand prairie located in southeastern Whiteside County which provides site suitable habitat for the state-endangered plains sedge (*Carex heliophila*) and four state-threatened species: broomrape (*Orobancha ludoviciana*), western hognose snake (*Heterodon nasicus*), regal fritillary (*Speyeria idalia*), and a reptile. The area proposed for dedication includes the only recently documented (since 1980s) population of the plains sedge within the State. The site was added to the INAI (#003) in 2013, Category II. The proposed nature preserve is located within the Green River Lowland Section of the Grand Prairie Natural Division of Illinois and is within the Grand Prairie State Acres for SAFE Focus Area identified by the Farmland and Prairie Campaign of the IWAP. The site also provides habitat for at least 13 species of greatest need of conservation as identified by the IWAP.

Ms. Moorehouse discussed the reserved rights for the site which are explained in detail in the dedication proposal. The landowner reserves the right to maintain the existing roads. There are some high tension power lines that go over the top of the grade A sand prairie. She stated that one of the reasons the landowner is anxious to protect this site is because there is interest in wind

power, and Main Stream Renewable Power wants to put a lot of wind turbines in this area because the area is flat. Main Stream Renewable Power has an agreement with Common Wealth Edison to tie into the power lines. To do so, they would have to create a substation in Whiteside County which requires permission from the Whiteside County Zoning Board. Mr. Wahl and some of his neighbors have been working with the County Board to get them to protect this area and not allow any substations near this high quality prairie. Mr. Wahl is not opposed to wind power, but he does not want to disturb the high quality natural communities. The Whiteside County Zoning Board has enacted an ordinance that will prevent any substations or wind turbine construction within a half mile of Mr. Wahl's property. He is interested in the nature preserve protection because he feels it will give him additional strength for his case that they should not tie into the power lines at this location. A title search will be completed before the site is brought before the Commission for final approval.

Commissioner Dann asked why the Zoning Board chose the half mile restriction because everything he has read indicates that a minimum of a mile and half has been proposed for a wind turbine.

Ms. Moorehouse stated that she did not know the reasoning behind the Zoning Board's decision.

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

The Commission grants preliminary approval for dedication of Hahnman Sand Prairie in Whiteside County as an Illinois nature preserve, as described in the proposal presented under Item 12 of the Agenda for the 216th Meeting.

(Resolution 2279)

216-13) McHenry Co. – Buffer Addition to Oakwood Hills Fen Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Village of Oakwood Hills for final approval for dedication of 17.8 acres as a buffer addition to Oakwood Hills Fen Nature Preserve. Oakwood Hills Fen Nature Preserve was granted final approval for dedication at the Commission's 108th Meeting in March 1986 (Resolution 886). Both the Nature Preserve and proposed buffer addition are located in the Morainal Section of the Northeastern Morainal Natural Division in southeastern McHenry County. The proposed buffer addition lies adjacent to the Bates Fen INAI site (#0708). This INAI site includes both Oakwood Hills Fen Nature Preserve and Bates Fen Nature Preserve which support a variety of high-quality wetland communities. The proposed buffer addition is located on a steep east-facing slope overlooking Oakwood Hills Fen Nature Preserve and consists of grade C/D dry-mesic forest that serves as an important recharge zone for the graminoid fens arrayed along the toe of the slope in the Nature Preserve. The Village of Oakwood Hills reserves the right to maintain a sledding hill and an existing network of trails, continuation of the forest restoration plan as resources become available, and to restore a ravine system as resources become available. Dedication of this site as a buffer addition to Oakwood Hills Fen Nature Preserve is consistent with recommendations from the IWAP that call for improving "...the condition of existing natural and artificial wetlands" and a recommendation to enhance "...ecological connectivity among forests and other habitat patches." Although no wetlands occur on the site, protection of the steep slopes overlooking the wetlands will provide better infiltration and less disruption of the surface and groundwater hydrology upon which the fen wetlands in the Nature Preserve are dependent.

Protection of this site is also consistent with the Silver Creek Watershed Plan and will increase the size of Oakwood Hills Fen Nature Preserve from 14.819 acres to 32.819 acres. The site received preliminary approval for dedication at the Commission's 215th Meeting in September, 2013 (Resolution 2257).

It was moved by Covington, seconded by Mogerma, and carried that the following resolution be adopted:

The Commission grants final approval for dedication of a buffer addition to Oakwood Hills Fen Nature Preserve in McHenry County, as described in the proposal presented under Item 13 of the Agenda for the 216th Meeting.

(Resolution 2280)

216-14) Washington Co. – Bohbrink Woods Nature Preserve, Dedication

Debbie Newman presented a proposal on behalf of the IDNR for final approval for dedication of 10 acres near Nashville in southwestern Illinois as Bohbrink Woods Nature Preserve. The site is comprised entirely of grade B southern flatwoods natural community and is located in the Mount Vernon Hill Country Section of the Southern Till Plain Natural Division. The site is one-half of the Bohbrink Woods INAI site (#0868). Approximately 657 acres of grade A or B southern flatwoods remain in Illinois with only portions of eight of the 18 remaining sites having protection status. In addition to protecting the rare southern flatwoods natural community, dedication of Bohbrink Woods supports several campaigns identified in the IWAP, including the Forests, the Invasive Species, and the Land and Water Stewardship campaigns. The site received preliminary approval for dedication at the Commission's 215th Meeting in September, 2013 (Resolution 2259).

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

The Commission grants final approval for dedication of Bohbrink Woods in Washington County as an Illinois nature preserve, as described in the proposal presented under Item 14 of the Agenda for the 216th Meeting.

(Resolution 2281)

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

216-15) Historic Properties in the Illinois Nature Preserves Commission System Protection Guideline

Dr. Hal Hassen gave a presentation on the proposed protection guidelines for historic properties in the Illinois Nature Preserves System. The proposed protection guidelines discuss the value of historic properties pursuant to the Illinois Natural Areas Preservation Act and identifies procedures for including archaeological site assessments and protection in both nature preserve and land and water reserve nominations and management plans. These procedures are internal to the INPC and do not affect future interaction with the Illinois Historic Preservation Agency pursuant to the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3425) or the

Human Skeletal Remains Protection Act (20 ILCS 3440). Historic properties (significant archaeological sites and historic standing structures eligible for inclusion onto the National Register of Historic Places) are an important part of the Illinois landscape. These resources extend back in time to the first prehistoric inhabitants of Illinois, about 12,000 years ago and may be as recent as only 50 years ago. Historic properties may occur anywhere in Illinois. The Illinois State Agency Historic Resources Protection Act (20 ILCS 3040) and the Archaeological and Paleontological Resources Protection Act (20 ILCS 3425) protect historic properties, but this protection is afforded mostly to historic properties on public lands. Protection is extended to lands owned and managed by the State of Illinois, local municipalities, and units of local government or undertakings by state agencies regardless of land ownership. The Human Skeletal Remains Protection Act (20 ILCS 3440) protects from disturbance all human graves and grave markers found both in and outside prehistoric mounds and in unregistered cemeteries over 100 years old regardless of ownership. There is little protection for historic properties on private land, with the exception of human graves. Although landowners may exercise measures to protect historic properties on their property, these actions may not provide long-term protection once the property is sold. The inclusion of historic properties within either nature preserves or land and water reserves can ensure the long-term protection of these important resources especially when located on private property. Both nature preserves and land and water reserves provide a unique avenue for protecting historic properties.

Dr. Hassen stated that for the last few years the biologists from the INPC have been coming to the Cultural Resource Management Program within the IDNR to seek guidance on archeological sites that may be located on properties that will be brought before the Commission for protection within the Nature Preserves System. Dr. Hassen stated that the Cultural Resource Management Program has been in existence for 24 years, and he is the staff for this program. He stated that he is professional archeologist. Anytime the IDNR does anything that affects the landscape, he has to review it to determine if that undertaking will adversely affect archeological sites or historic structures. He also provides technical assistance to the U.S. Fish and Wildlife Service, along with what is done for the INPC. Management strategies are also developed for those properties, whether they are archeological habitation sites, rock shelters, prehistoric mounds, or significant structures. Over the last several years a program was initiated where staff document, preserve, and repair cemeteries that are located on IDNR property. IDNR owns approximately 30 cemeteries state-wide. The INPC also manages approximately 30 historic cemeteries state-wide. When a biologist has a property that will be brought before the Commission, he is asked if there are any archeological sites or potential for any archeological sites. When the database is checked, we look for archeological sites, cemeteries, and historic plats are used to evaluate the property. Dr. Hassen stated that access to this database is restricted to him within the building. Other professional archeologists have access to the database. Dr. Hassen stated that once a prescribed fire has occurred at a cemetery, he will sometimes go out to the site and identify markers that perhaps no one knew about or identifies grave shafts that do not have markers. The markers can also be repaired by putting the markers that have fallen over back upright. Broken markers can also be put back together. Even if the cemetery is not owned by the IDNR, but is in the Nature Preserves System, we can go out and work with the landowner or community to do this.

Over the last several years, we have demonstrated that both natural resources and cultural resources can be jointly managed within the Nature Preserve System. Even though there is specific language allowing the INPC to nominate properties based on their archeological resources, we have only been doing that for the last few years. Some properties have been and can be nominated solely for the cultural resources. He felt it was important that it is understood how valuable that is to the archeological community. Even though there are State historic

preservation laws, the INPC's rules are tougher. When archeological sites are damaged due to vandalism, it can be very difficult to prosecute the person or persons through the State archeological laws. The INPC is more aggressive in the prosecution of those responsible for the damage, and putting sites into the Nature Preserves System is a valuable tool for the preservation of these sites. Even if the archeological feature is not the main reason for bringing the site before the Commission, it should be incorporated into the documentation process.

Dr. Hassen stated that he is the only person within the IDNR doing this type of work, and he would like to plan for the future. He suggested that the Commission develop a relationship and partnership with the Illinois State Archeological Survey (ISAS). The ISAS has regional archeologists that can work with the Commission's regional biologists. Partnerships can be developed to identify and preserving significant archeological sites. In the long term we can also develop training so that biologists can begin to recognize prehistoric mounds, rock shelters, and possibly rock art. This training has been done with some of the biologists, and it has been successful.

Dr. Hassen stated that it was his opinion that the Cultural Resource Management Program can and should continue to be the central point for working with the Commission and working with the field biologists when they begin to identify properties that are going to be brought before the Commission. At the same time, having a partnership with the ISAS gives the field biologist a regional presence that he is not able to provide. In a few instances, a regional biologist has worked with the ISAS, but he would like to see a more formal guideline be established by having an agreement between the Commission and the ISAS.

Commissioner Covington asked about the relationship between the Cultural Resource Management Program and the IHPA.

Dr. Hassen stated that the IHPA is responsible for implementing the various federal and state preservation laws. When the IDNR has an undertaking, such as building a parking lot, and that parking lot is going to adversely affect a significant archeological site, the IDNR is required to keep documentation and seek counsel from the IHPA. The IHPA is required to review and comment on the project. The IHPA's recommendations are advisory. If the IDNR disagrees with those recommendations, there is a process for dealing with that. There are programmatic agreements that allow for exemptions for certain things from the IHPA's immediate review. The Cultural Resource Management Program has a close working relationship with the IHPA.

Commissioner Covington asked about Dr. Hassen's relationship with sites within the Nature Preserves System that are not on IDNR-owned land.

Dr. Hassen stated that the archeological sites on privately owned land have limited protection. If there is a burial site, the IHPA does have a role. If there is a habitation site with no burials, the landowner can technically do anything to the land. If the site has been designated as a nature preserve or land and water reserve, the landowner cannot do anything to the site. If a local municipality owns a known documented archeological site, it is required to consult with the IHPA. This is where the value of the Nature Preserves System comes to the forefront. It serves to protect archeological sites on private land.

Randy Heidorn stated that the protection guidelines were developed to take the current practice and put it into a written document to be used to determine the eligibility of a site for dedication or registration. It also sets the Commission in a direction for the future.

Mr. Heidorn stated that comments were received on this subject from Joe Roth, INPC Consultant. Mr. Roth expressed some concern that this would increase or change the focus of the Commission to more of an archeological perspective by adding an additional task or goal for the Commission. Mr. Heidorn stated that this was never the intention. This was more of an opportunity to put in writing what is currently being done and to make sure that when the INPC protects sites that have an archeological feature it is taken into consideration and provides guidance to achieve that protection.

Commissioner Covington asked if an archeological evaluation of a site is performed before it is brought to the Commission for approval.

Dr. Hassen stated that an archeological survey is not done for those sites that will be brought before the Commission. There have been instances when a site has been brought to his attention by INPC staff that has had a highly significant finding, and he can go out and verify that it is there.

It was moved by DauBach, seconded by Covington, and carried that the following resolution be adopted:

The Commission grants approval of the protection guidelines for historic properties in the Illinois Nature Preserves System, as described in the proposal presented under Item 15 of the Agenda for the 216th Meeting.

(Resolution 2282)

216-16) Update on Development of a Joint INPC/ESPB/IDNR Animal Translocation Policy

Kelly Neal presented an update on the progress to develop a joint INPC/ESPB/IDNR animal translocation policy. At the 215th Meeting of the INPC, May 2013, Commissioners directed staff to draft a joint animal translocation policy that would allow for staff level review/approval of requests to translocate animals into INPC sites. She stated that she continues to work with Jim Herkert, IDNR, and Anne Mankowski, ESPB, on details of a policy. The group has met with IDNR Office of Legal Counsel staff for their input, and the draft of changes to the Endangered Species Administrative Rule, to include "Translocation Permits," has been submitted to the Office of Legal Counsel. Changes to the Administrative Rule will need to be approved by the ESPB. The group still intends to use the biological features of the ESPB's Animal Translocation Policy as a framework for the policy. Participants continue to refine the details focusing on the work flow process, and balancing appropriate approvals and reviewers for specific situations.

No action on this matter was required by the Commission at this time.

216-36) Public Comment Period

There was no public comment.

216-37) Other Business

There was no other business.

216-38) Adjournment

It was moved by Covington, seconded by DauBach, and carried that the meeting be adjourned at 1:10 p.m.

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



Illinois Nature Preserves Commission

memorandum

To: Commissioners

From: Randy Heidorn, Kelly Neal

Date: January 10, 2014

Subject: Staff Report for the 216th Meeting of the Illinois Nature Preserves Commission
Reporting Period: August 15, 2013- December 23, 2013

KEY TO ABBREVIATIONS

INPC = Illinois Nature Preserves Commission
IDNR = Illinois Department of Natural Resources
ESPB = Endangered Species Protection Board
INHS = Illinois Natural History Survey
TNC = The Nature Conservancy
FPD = Forest Preserve District
NP = Nature Preserve
SP = State Park
INAI = Illinois Natural Areas Inventory

ORC = Office of Resource Conservation
DNH = Division of Natural Heritage
ISGS = Illinois State Geological Survey
CMS = Central Management Services
TNI = The Nature Institute
PD = Park District
NHL = Natural Heritage Landmark
LWR = Land and Water Reserve
NAAF = Natural Areas Acquisition Fund

AREAS/PROJECTS

Area 1 - John Nelson
Area 2 - Steven Byers
Area 3 - Kim Roman & Tom Engbrecht
Area 4 - Angella Moorehouse & Jared Ruholl
Stewardship Project - Kelly Neal

Area 5 - Thomas Lerczak
Area 6 - Mary Kay Solecki
Area 7 - Debbie Newman
Area 8 - Bob Edgin & Meaghan Collins

INPC OPERATIONS

- Staff changes:
 - Jenny Skufca, INPC Natural Area Defense Specialist accepted a position as Endangered Species Project Manager within the IDNR DNH She began on September 1, 2013, but continues to play a coordination role for the INPC Class 3 Groundwater project.
 - Debbie Reider, INPC Office Specialist accepted a position as Executive Secretary 2 in the IDNR Office of Legal Counsel effective January 1, 2014.
 - The following Natural Heritage Resident Interns were hired and assigned to INPC Area Staff: Tom Engbrecht, assigned to Kim Roman, Jared Ruholl, assigned to Angella Moorehouse, and Meaghan Collins assigned to Bob Edgin.
- Hiring efforts:
 - The INPC Natural Areas Defense Specialist position was posted in September with the posting expiring on October 1. CMS is evaluating and scoring applications with no movement since October 21.
 - The paperwork to post the INPC Office Specialist was submitted to ORC on December 12, 2013.
 - The paperwork clarifying the job title and description of the Natural Areas Protection Program Manager from a Natural Resource Manager 1 to a Natural Resource Manager 2 (NRM2) was submitted to IDNR Human Resources in October 2013.
- FY 2015 Budget Discussions:
 - At the direction of Chair Thomas, Randy Heidorn prepared FY2015 budget “ask” documents (attached). These documents are designed for commissioner use and lay out recommended priorities

for the coming fiscal year.

- Based on revenues received so far in FY2014, NAAF should be able to support filling seven additional vacancies for the INPC and DNH. Staff is recommending hiring a Natural Areas Protection Program Manager (NRM2), a Deputy Director for Operations (formerly Deputy Director for Stewardship, NRM2) to supervise field staff, and filling Area 9 Natural Areas Preservation Specialist (Natural Resources Advanced Specialist) in the INPC, and hiring an Invasive Species Program Manager, Sanctuary Manager and two additional District Heritage Biologists in addition to filling the recent vacancies in INPC.
- Chair Thomas and Vice Chair Dann met with IDNR Director Miller on December 2, 2013 and presented our requests for these hires and additional land acquisition. Director Miller though non-committal, was supportive.
- Kelly Neal, Mary Kay Solecki and Tom Lerczak continue to fill in for missing administrative staff maintaining petty cash, INPC wide procurement, review of documents for meetings and processing of post meeting documents for dedications and registrations.
- Randy Heidorn continues to handle personnel and other administrative matters including all hiring, evaluations and budget preparations and execution. He also is coordinating INPC's response to threats to protected INPC sites.
- Appointments:
 - Dr. Jo-Elle Mogerman was appointed to replace Jill Riddell as of September. Commissioner Mogerman serves as the Vice-President for Institutional Planning and Inclusion at Brookfield Zoo.
 - A letter has been sent from the directors of the INHS and State Museum to the Office of the Governor recommending the re appointment of Commissioner Dann, and Commissioner McClain and the appointments of replacements for Commissioner Rosenthal and Commissioner Payne who are not eligible for reappointment. This is consistent with the process for appointment in statute.

OUTREACH/PARTNERSHIP/TRAINING/VOLUNTEER COORDINATION/MEETINGS ATTENDED

- Staff purchased and distributed copies of the Illinois Audubon Society's magazine which exclusively focused on the 50th Anniversary of the INPC. Compiled with the help of Debbie Newman, this publication included the INPC staff stories written in 2011 and 2012 along with pieces focusing on INPC programs and successes in general.
- Several staff and commissioners attended the 40th Natural Areas Conference co-hosted by the Natural Areas Association (NAA) and Chicago Wilderness in Chicago October 1-4, 2013. INPC Highlights of the conference included:
 - A day-long symposium sponsored by IDNR that presented the findings of the INAI Update
 - Randy Heidorn convened the conference as Interim President of the Board of Directors of the Natural Areas Association (NAA) and gave a plenary address on the state of natural areas conservation. A focus of this talk was the 50th Anniversary of the INPC.
 - John Nelson gave a presentation on hydrologic restoration at Bluff Spring Fen NP which was Co-presented with Matt Vondra of Bluff City Materials.
 - Steve Byers led a tour of fen wetlands and a presentation about Bluff Spring Fen NP.
 - Kim Roman led a tour at Sweet Fern Savanna LWR and discussed partnerships in the Kankakee Sands.
 - Fran Harty, Consultant to the INPC, was awarded the George B. Fell Award, the NAA's highest honor.
 - Randy Heidorn was elected to a two-year term as President of the NAA Board of Directors.
- Randy Heidorn, Steve Byers, Angella Moorehouse and Debbie Newman along with Commissioner McClain and Commissioner DauBach participated in Vital Lands Summit in Springfield.
- All INPC staff participated in the day and a half long DNH staff meeting held at Giant City SP.
- Kim Roman and Kelly Neal attended the Hine's Emerald Dragonfly (*Somatochlora hineana*) supporting partners meeting.
- Recently hired Graduate Resident Interns completed required basic training for field employees as needed including a general orientation, basic wildland fire courses and pesticide applicator licensing.

- Randy Heidorn:
 - Chaired the Ninth Meeting of the Illinois Prescribed Burn Manager Certification Board representing the INPC.
 - Attended and presented a report to the ESPB regular meeting.
- Kelly Neal participated in Network for Nature meeting for Volunteer Stewardship Network leaders at meetings in central Illinois and in northern Illinois. Mary Kay Solecki also participated in the central Illinois meeting.
- Kim Roman met with Field Museum staff to discuss partnerships in Kankakee Sands and developing a Kankakee Sands field guide for landowners.
- Angella Moorehouse and Jared Ruholl attended
 - The River Bend Wildland Trust Banquet Meeting in Rock Island where Moorehouse gave a presentation highlighting the success of the 2013 Milan Bottoms Bio Blitz.
 - A meeting in Burlington, Iowa to discuss plans for the Upper Mississippi River Pool 19 spill mitigation preparedness.
- Jared Ruholl gave a talk on invasive species for the Western Illinois University brown bag lunch (environmental talks) series for the Macomb and Quad Cities campuses.
- Angella Moorehouse met with River Bend Wildland Trust to assist in the preparation of a strategic plan to assist the start up of the newly formed land trust.
- Tom Lerczak
 - Was interviewed about Illinois River wetlands by Judy Valente, WGLT, Bloomington, for *Unknown Illinois*.
 - Met with and made a presentation to University of Illinois Extension Master Naturalist group to recruit volunteers.
- Mary Kay Solecki participated in land trust accreditation meeting with Grand Prairie Friends Board and staff of Land Trust Alliance.
- Debbie Newman gave presentations on the 50th Anniversary of the INPC for TNI's Autumn Open House, Kaskaskia Valley Audubon Society and several newsletters.

PROTECTION

Discussion of protection options with the following landowners and potential funders:

Area 1

- | | |
|---|--|
| <ul style="list-style-type: none"> • Jo Daviess Conservation Foundation • Land Conservancy of McHenry County • IDNR • TNC | <ul style="list-style-type: none"> • Winnebago County FPD • Franklin Creek Land Preservation Committee • Two private landowners |
|---|--|

Area 2

- | | |
|---|--|
| <ul style="list-style-type: none"> • Long Grove PD • Village of Oakwood Hills | <ul style="list-style-type: none"> • Two private landowners |
|---|--|

Area 3

- | | |
|--|---|
| <ul style="list-style-type: none"> • Joliet PD • Illinois Clean Energy Foundation • TNC • FPD of Will County • FPD of Cook County | <ul style="list-style-type: none"> • Friends of the Kankakee • IDNR • Kankakee Valley FPD • Twelve private landowners |
|--|---|

Area 4

- | | |
|--|---|
| <ul style="list-style-type: none"> • Pheasants Forever • Quad Cities Conservation Alliance | <ul style="list-style-type: none"> • Prairie Land Conservancy. • Six private landowners |
|--|---|

Area 5

- Seventeen private landowners

Area 6

- | | |
|---|---|
| <ul style="list-style-type: none"> • Grand Prairie Friends • IDNR | <ul style="list-style-type: none"> • Five private owners of INAI sites contacted |
|---|---|

Area 8

- Three private landowners

EASEMENT/DEDICATION MONITORING/BOUNDARY SURVEYS **Boundary monitoring took place at the following protected areas:**

Area 2

- Reed-Turner Woodland NP

- Oakwood Hills Fen NP

Area 3

- Long Run Seep NP

- Superior Street Prairie LWR

Area 5

- Dirksen-McNaughton Woods LWR
- Mt. Palatine Cemetery Prairie NP
- Funks Grove LWR
- Sand Creek Bluffs LWR
- Crevecoeur NP
- Carpenter Park NP
- Anderson Prairie LWR

- Mettler Woods NP
- Fondulac Seep NP
- Myer Woods NP
- McCune Sand Prairie LWR
- Chinquapin Bluffs LWR
- Ridgeway Hill Prairie NP
- Thomas W. and Elizabeth Moews Dore Seep NP

Area 6

- Barnhart Prairie Restoration NP

Area 8

- Beadles Barrens NP
- Big Creek Woods Memorial Woods NP
- Robeson Hills NP & LWR
- Emma Vance Woods NP
- Karcher's Post Oak Woods NP
- Lost Creek Marsh NP & LWR
- Pruett Woods NP
- Robert Ridgway Grasslands NP
- Schulte Woods NP

- Culley Barrens LWR
- Edward V. Price Woods LWR
- Horn Prairie Grove LWR
- Karl Bartel Wildlife Sanctuary LWR
- Marjorie J. Brines White Oak Woods LWR
- P & E Refuge LWR
- Padgett Brothers Sweet Gum Woods LWR
- Padgett Pin Oak Woods LWR
- Richard R and Jean W Graber Grasslands LWR

BIOLOGICAL INVENTORIES

Routine inventories were conducted at the following sites (target group of species or species if applicable):

Stewardship Project

- Attended Plants of Concern Advisory Group meeting.

Area 1

- Nachusa Grasslands (herpetological)

Area 2

- Forested Fen INAI site (botanical)
- Trout Park NP (botanical)

- Trout Park River's Edge INAI site (botanical)

Area 3

- Blackball Mines-Pecumsaugen Creek NP (white nose syndrome in hibernating bats)

- Gooseberry Island NP (Kankakee mallow [*Iliamna remota*])

Area 4

- Cedar Glen NP (bird)
- Mississippi River – Nauvoo INAI (bird)
- West Bushnell Railroad Prairie INAI (bunchflower)
- Tartan Bluff Hill Prairie NHL (botanical)

- Cedar Glen NP (bunchflower [*Melanthium virginicum*])
- Sciota Railroad Prairie INAI (bunchflower)
- Bald Bluff Hill Prairie INAI (botanical)

Area 5

- Revis Hill Prairie NP (botanical)

Area 6

- Embarras River INAI site (botanical, mussel)

- Jean Claude Spitler Woods INAI site (botanical)

Area 7

- Salt Lick Point LWR (Missouri coneflower (*Rudbeckia missouriensis*) and woolly buckthorn (*Bumelia lanuginosa*))

Area 8

- Lawrenceville (leather flower [*Clematis viorna*])
- Embarras River Bottoms State Habitat Area (SHA) – Assisted Office of Realty and Environmental Planning (OREP) with establishing and sampling 10 permanent monitoring stations
- Stephen A. Forbes SP – Vegetation sampling of barrens following repeated prescribed burning

- Ellery Woods INAI site (grass-leaved lily [*Stenanthium gramineum*])
- Little Grand Canyon - Cedar Creek INAI site (buffalo clover [*Trifolium reflexum*])
- Simpson Barrens INAI site - (buffalo clover and climbing milkweed [*Matelea obliqua*])
- Giant City SP - (buffalo clover)

INAI UPDATE

The following sites were evaluated by INPC staff for inclusion in the INAI:

Area 1

- Whiteside 003 (Hahnaman Sand Prairie)

Area 4

- Mercer County site

- Rock Island County Site

Area 5

- Letcher Basin ParkLands Foundation site

Area 6

- Jean Claude Spitler Woods (AKA Johnson Woods)

Area 7

- Jersey County # 122
- Jersey County # 123

- Jersey County # 125

**STEWARDSHIP
Planning**

Stewardship Project

- Attended Chicago Wilderness meeting on seed/plant sourcing in context of climate change.

Area 1

- Kinnickinnick Creek NP

- Flora Prairie NP

Area 2

- Liberty Prairie Reserve (includes Liberty Prairie NP)

- Somme Prairie NP

Area 5

- Funk's Grove LWR

Area 6

- Jasmine Hollow LWR

- Fairchild Cemetery Savanna NP

Area 7

- John M. Olin NP
- Mississippi Sanctuary NP

- Mill Creek Natural Area

Area 8

- Reviewed state-wide recovery outline for Eryngium stem borer moth (*Papaipema eryngii*)

STEWARDSHIP

Consulting or contract work conducted or administered that was completed:

Area 3

- Long Run Seep NP
- Old Plank Road Prairie NP

Area 4

- Stony Hills NP
- Siloam Springs S.P.
- Robert A. Evers LWR
- Singing Woods NP
- Josua Lindahl Hill Prairie NP
- McFarland Hill LWR
- Short Fort Seep NP

Area 5

- Anderson Prairie LWR
- North Elkhart Hill Grove LWR
- Meredosia Hill Prairie NP

Area 7

- Jennings Family Hill Prairie NP
- Armin Krueger Speleological NP
- Blufftop Acres LWR
- Salt Lick Point LWR
- Horse Creek Glade NHL
- Prairie of the Rock Overlook LWR

Sites where INPC Staff assisted or led prescribed burns:

Area 1

- Wilson Prairie NP
- Beach Cemetery Prairie NP

Area 3

- Green River State Wildlife Area

Area 7

- Martha and Michelle Prairies LWR
- Salt Lick Point LWR

Area 8

- Stephen A. Forbes SP
- Beaver Dam SP

Sites where other land stewardship was completed by staff:

Area 1

- Kettle Moraine NP
- George B. Fell NP
- Boone Creek Fen NP
- Boloria Fen and Sedge Meadow NP
- Spring Hollow Ravine NP
- Pine Rock NP
- Lake in the Hills Fen NP
- Freeport Prairie NP

Area 2

- Sleepy Hollow Ravine NP
- Bluff Spring Fen NP
- Wolf Road Prairie NP

Area 3

- Millhurst Fen NP
- Hildy Prairie NP
- Sweet Fern Savanna LWR
- DesPlaines Dolomite Prairie LWR
- Goose Lake Prairie NP
- Sleepy Hollow Ravine NP
- Callie Mae Spraggins Savanna NP
- Short Cemetery Prairie NP

Area 4

- Harry N. Patterson Savanna LWR
- Stony Hills NP
- McFarland Hill LWR
- Nenawakwa LWR
- Thistle Hills LWR

Area 5

- Fondulac Seep NP
- Independence Park Woods LWR
- Hopewell Hill Prairies NP

Area 6

- Tomlinson Pioneer Cemetery Prairie NP
- Woodyard Memorial Conservation Area LWR
- Prospect Cemetery Prairie NP

Area 7

- Prairie of the Rock NP
- Stemler Cave Woods NP
- Salt Lick Point LWR

Area 8

- Horn Prairie Grove LWR
- Green Prairie NHL
- Robeson Hills NP
- Lost Creek Marsh NP

Threats to Sites Report for the 216th Meeting of the Illinois Nature Preserves Commission (reporting period: September-December 2013)

Rocky Branch NP, Clark County – Mary K. Solecki

- **Issue:** All-terrain vehicle trespass; fencing to prevent trespass was compromised.
- **Threat:** Damage to vegetation, soil compaction, stream impacts.
- **Status:** Ongoing. Fencing will be repaired and additional signs will be installed.

Embarras River LWR, Coles County – Mary K. Solecki, Roger Jansen, Jenny Skufca

- **Issue:** Culvert and road repair planned for Fox Ridge SP. The road is within LWR.
- **Threat:** Impact to natural resources of adjacent forest.
- **Status:** Resolved to minimize impacts to LWR.

Kennicott's Grove NP, Cook County – Steven Byers

- **Issue:** Residential development near NP.
- **Threat:** Proposed development will reduce forest cover and could disrupt surface hydrology upon which this site is dependent.
- **Status:** INPC staff working with IDNR (Endangered and threatened species consultation, developer, Glenview PD) to secure more information about the proposed development and will work with PD and City of Glenview to raise issues and concerns re: the proposed project. .

Karchers Post Oak Woods NP, Hamilton County

- **Issue 1 – Bob Edgin, Randy Heidorn**
 - **Issue:** Ownership of mineral rights and long wall coal mining under/near NP.
 - **Threat:** Direct and indirect impact to terrestrial community.
 - **Status:** Ongoing. Determined that Illinois Audubon Society owned the mineral rights and did not wish to sign lease with coal company. Staff reviewed consultation comments developed by Office of Mines and Minerals and reserved right to review/approve revised mining plan to be submitted by coal company at a later date.
- **Issue 2 – Bob Edgin**
 - **Issue:** Illegal all terrain vehicle access at several points, removal of boundary signs by unknown parties.
 - **Threat:** Direct impacts to terrestrial community.
 - **Status:** Ongoing. Trails were “brushed in” with available dead wood. Boundary survey will be conducted. Signs will be replaced as time permits after boundary survey is complete.

Burlington Prairie NP, Kane County – Steven Byers

- **Issue:** Commonwealth Edison (ComEd) is construction a 345kv electric transmission line across Ogle, DeKalb, Kane and DuPage Counties.
- **Threat:** Transmission line could impact NP.
- **Status:** INPC staff worked successfully with ComEd personnel early in the planning process to preclude routes that would be located near Burlington Prairie NP or nearby Burlington Prairie Forest Preserve. The primary/secondary routes that ComEd will be submitting to Illinois Commerce Commission (ICC) will avoid the NP. INPC staff will monitor and provide input to the ICC as appropriate.

Sun Lake NP, Lake County – Steven Byers

- **Issue:** Water line replacement/installation in existing easement at Sun Lake NP.
- **Threat:** Potential for project to directly or indirectly impact NP.
- **Status:** Project will be confined to existing easement and will adhere to recommendations prepared by Lake County FPD and INPC that will minimize impact; to include directional boring and have plan in place to respond to frac-out. Further guidance provided regarding staging equipment and need to clean equipment/personnel prior to entering site to prevent introduction of weed seeds.

Tomlin Timber NP, Mason County – Tom Lerczak

- **Issue:** Utility line maintenance along NP boundary.
- **Threat:** Excessive cutting of vegetation and herbicide use.
- **Status:** New. Proactive meeting on Nov. 20 with Spoon River Electric Coop, at their request, to outline parameters. Monitoring by INPC staff is ongoing.

Thistle Hills LWR, McDonough County – Angella Moorehouse

- **Issue:** Neighboring landowner is using LWR for leased hunting.
- **Threat:** Illegal hunting – neighboring landowner is accepting money leasing the adjacent reserve without the permission of the landowners, INPC or IDNR.
- **Status:** The owners of the reserve are gathering information and pursuing legal action against the violator at this time.

Salt Lick Point LWR, Monroe County – Debbie S. Newman

- **Issue:** Power line spraying in sensitive area of LWR
- **Threat:** Direct impact to Grade B Prairie and two threatened or endangered plant species at the LWR
- **Status:** Ongoing. Staff of the INPC, Village of Valmeyer, and Salt Lick Point LWR Committee met with representatives of Ameren to examine and discuss the spraying, and potential remediation as well as plans to prevent future spraying.

Upper Sangamon River LWR, Piatt County – Mary K. Solecki, Jenny Skufca

- **Issue:** Storm water drainage system planned for City of Monticello’s Recreation Complex would drain into LWR.
- **Threat:** Increased water and soil erosion in LWR.
- **Status:** Resolved to avoid impact to LWR.

Singing Woods NP, Peoria County - Angella Moorehouse

- **Issue:** Neighboring landowner continues to harvest trees within NP.
- **Threat:** Illegal removal of trees from a NP.
- **Status:** The owners of the preserve, Peoria PD, are pursuing legal action against the violator at this time.

Culley Barrens LWR, Pope County – Bob Edgin

- **Issue:** Unauthorized camping by unknown parties, removal of boundary signs.
- **Threat:** Direct impacts to terrestrial communities.
- **Status:** Ongoing. Landowner notified, tent other camping items removed, signs will be replaced as time permits.

Dirksen-McNaughton Woods LWR, Tazewell County

- **Issue 1 – Tom Lerczak**
 - **Issue:** Utility line maintenance along LWR boundary.
 - **Threat:** Excessive cutting of vegetation and herbicide use.
 - **Status:** Resolved. Site photodocumented on Aug. 16 by INPC staff. No encroachments.
- **Issue 2 – Tom Lerczak**
 - **Issue:** Bridge replacement at Sheridan Road within LWR.
 - **Threat:** INPC-approved disturbance of LWR features.
 - **Status:** Ongoing. Work to begin during summer of 2014. INPC-approved mitigation for disturbance to be coordinated by INPC staff beginning in early 2014.

Crevecoeur NP, Tazewell County – Tom Lerczak

- **Issue:** Neighbor encroachments.
- **Threat:** Disturbance of NP features, dumping, unauthorized activities.
- **Status:** Ongoing. At least six different neighbors have been encroaching on the southern boundary of the NP. The Village of Creve Coeur has contacted the three worst offenders. Progress at correcting encroachments is ongoing with one neighbor. However, the other two of the three have continued to encroach. A photodocumented site inspection was conducted on November 8, 2013, with an update report completed and submitted to the Village. The report includes suggestions for further strategies, including firm deadlines and contacting all encroaching neighbors. Monitoring by INPC staff is ongoing.

Independence Park Woods LWR, Tazewell County – Tom Lerczak

- **Issue:** Cilco gas line easement maintenance.
- **Threat:** Soil and vegetation disturbance.
- **Status:** Resolved. Site photodocumented on Oct. 10 by INPC staff. No encroachments.

Fondulac Seep NP, Tazewell County – Tom Lerczak

- **Issue:** Soil erosion and flooding during excessive precipitation events from the NP onto a neighboring property.
- **Threat:** Encroachments from actions by the neighbor to control sedimentation and flooding.
- **Status:** New. A site meeting occurred on Oct. 30 with the NP landowner (Fondulac PD), the neighbor experiencing sedimentation and flooding, and INPC staff. Plans were outlined to improve drainage on the neighbor's property, just outside of the NP boundary. Fondulac PD paid for a professional surveyor to set several markers to clearly define the NP boundary. NP boundary signs were posted at the survey markers. Monitoring by INPC staff is ongoing.

Dry Fork Woods NHL, Wayne County – Bob Edgin

- **Issue:** Replacement of AT&T telecommunications cable.
- **Threat:** Direct impacts to terrestrial community.
- **Status:** Ongoing. AT&T intends to replace telecommunications cable installed in 1960's. Precise location of the cable and intended replacement procedures are yet to be determined. Contact with AT&T was initiated to get specifics.

Romeoville Prairie NP, Will County—Kim Roman

- **Issue:** A salt storage facility is proposed by the Valley View School District, immediately adjacent to the NP, which is owned by the FPD Will County.
- **Threat:** Chloride from the new storage facility can enter the NP through surface and groundwater, and adversely affect plant communities.
- **Status:** New. INPC staff has been engaged in discussions with the project proponent and IDNR, providing input on best management practices, and coordinating a groundwater monitoring plan with the landowner and ISGS.

DesPlaines Dolomite Prairie LWR, Will County—Randy Heidorn, Kim Roman

- **Issue:** Oil Tanking Joliet LLC petitioned IDNR to swap one acre of its land for one acre of the IDNR-owned LWR for private development and use.
- **Threat:** This proposal threatens to take a registered LWR with a listed plant species for a non-conforming use. INPC and IDNR staff strongly opposed the request and advised IDNR against the land swap.
- **Status:** Ongoing. State representative has asked Director Miller for contact information for INPC Chair and Director to discuss this issue. Information has been sent, but no contacts have been made from the State representative.

Black Partridge Park Woods LWR, Woodford County – Tom Lerczak

- **Issue:** Request from the Village of Metamora for a water line easement across the registered reserve along its southern boundary.
- **Threat:** Disturbance of LWR features.
- **Status:** New. An informational meeting occurred on Dec. 18 with the LWR landowners (Metamora PD), Village of Metamora, and representatives from the neighbors to the west of the reserve (Girl Scouts of Central Illinois), where the water line would terminate. Plans are being made for a May 2014 presentation to the INPC.

TITLE 17: CONSERVATION
CHAPTER V: NATURE PRESERVES COMMISSION

PART 4020
INVENTORIES, REGISTERS AND RECORDS

SUBPART A: GENERAL PROVISIONS

Section	
4020.110	Purpose
4020.120	Applicability
4020.130	Definitions
4020.140	Penalties

SUBPART B: DATA REQUESTS AND FEES

Section	
4020.210	General
4020.220	Submitting Data Requests
4020.230	Request Denial
4020.240	Fees
4020.250	Data Updates
4020.260	Exceptions: Discounts and Waivers
4020.270	Collection of Fees

SUBPART C: DATA USE AND LIMITATIONS

Section	
4020.310	Data Use and Limitations

AUTHORITY: Implementing and authorized by Sections 6 and 7 of the Illinois Natural Areas Preservation Act [525 ILCS 30/6 and 7].

SOURCE: Adopted at 38 Ill. Reg. 2879, effective January 10, 2014.

SUBPART A: GENERAL PROVISIONS

Section 4020.110 Purpose

The purpose of this Part is:

- a) To clarify the type of data included in inventories, registers and records compiled and maintained on behalf of the Commission.

- b) To establish and describe fees to recover the actual cost of collecting, storing, managing, compiling and providing access to natural heritage data, including inventories, registers and records required by Section 6.01 of the Act.
- c) To describe the limits on how accessed natural heritage data may be used.

Section 4020.120 Applicability

This Part applies to all natural heritage data compiled and maintained on behalf of the Commission as required by Section 6.01 of the Act.

Section 4020.130 Definitions

As used in this Part, the following terms have the meanings indicated, except where context requires otherwise:

"Act" means the Illinois Natural Area Preservation Act [525 ILCS 30].

"Board" means the Illinois Endangered Species Protection Board created by Section 6 of the Illinois Endangered Species Protect Act [520 ILCS 10/6].

"Commission" means the Illinois Nature Preserves Commission created by Section 4 of the Act.

"Department" means the Illinois Department of Natural Resources.

"Element Occurrence" means an area of land and/or water in which a species is, or was, reported to be present or means a local population.

"Licensee" means any person licensed to use natural heritage data subject to the terms of a Data Licensing Agreement.

"Natural Areas Acquisition Fund" means the Illinois Natural Areas Acquisition Fund established in Section 14 of the Open Space Lands Acquisition and Development Act [525 ILCS 35/14]. The fund is used by the Department for the acquisition, preservation and stewardship of natural areas, including habitats for endangered and threatened species, high quality natural communities, wetlands, and other areas with unique or unusual natural heritage qualities.

"Natural Heritage Data", "Natural Heritage Database" or "Data" means recorded information on the biology, existence and locations of threatened and endangered species and other species; protective status of these species; inventories of natural features, including, but not limited to, the Illinois Natural Areas Inventory sites

and the resources that allow a site to qualify; and means data collected pursuant to 17 Ill. Adm. Code 4010 (Register of Land and Water Reserves). Natural heritage data is owned by the State of Illinois and compiled and maintained by the Department's Natural Heritage Database Program as a service to assist, and in cooperation with, the Commission and the Board. Access to natural heritage data shall be in the form of spatial data, reports or custom data formats subject to Natural Heritage Database Program approval.

"Natural Heritage Database Program" or "NHD Program" means the program within the Department responsible for maintaining the natural heritage data.

"Quadrangle" means one of 1,071 U.S. Geological Survey 1:24,000-scale topographic maps covering the State of Illinois, also known as 7.5-minute quadrangles.

"Person" means any individual, corporation, partnership, firm, organization, association, government entity or agency, or body politic.

"T&E Species" or "Threatened and Endangered Species" means any species or subspecies listed by the Board pursuant to Section 7 of the Illinois Endangered Species Protection Act.

Section 4020.140 Penalties

Any person who violates this Part, falsifies or makes any misrepresentation in the data licensing agreement, required records, or any other information required to be given to the Department shall be subject to the penalties set forth in Section 22 of the Act.

SUBPART B: DATA REQUESTS AND FEES

Section 4020.210 General

- a) A fee will be charged (see Section 4020.240) for compiling and providing natural heritage data for any persons requesting that information for research, educational, environmental, land management, land development and similar purposes. All fees are non-refundable.
- b) The Commission shall, at a regular public meeting held pursuant to 2 Ill. Adm. Code 2150.210 through 2150.280, review natural heritage data fees at least every 5 years to assess whether those fees are meeting NHD Program costs. The Commission shall promulgate any necessary fee changes by modifying this Part in consultation with the Department.

- c) The Commission and Department shall enter into a Data Licensing Agreement with licensees to provide natural heritage data and collect fees pursuant to this Part.
- d) Revenues generated specifically under the natural heritage data fee shall be deposited into the Natural Areas Acquisition Fund and appropriated to the Department for the purpose of collecting, storing, managing, compiling and providing access to support, maintain and update the NHD and its data. Department costs with respect to the NHD include, but are not limited to, personnel, information technology and data collection costs. All fees shall be tracked with a unique identifying code.
- e) Distribution of data to third parties is prohibited.

Section 4020.220 Submitting Data Requests

- a) Requests for natural heritage data shall be submitted via the online system or in writing via mail, electronic mail or fax. Requests should be directed to the Natural Heritage Database Program, Office of Resource Conservation, Illinois Department of Natural Resources, One Natural Resources Way, Springfield IL 62702.
- b) Persons requesting and receiving natural heritage data via written request shall provide the following:
 - 1) Contact information (name, company/organization, address, telephone number, and electronic mail address);
 - 2) Desired data and format;
 - 3) Geographic extent of desired data;
 - 4) Explanation of how the data will be used and who will have access to the data; and
 - 5) Payment of fees in full unless alternate arrangements are made.
- c) All persons requesting and receiving natural heritage data via written request shall first be required to sign a one-year Data Licensing Agreement that dictates the conditions for use of the data. Fees shall be paid in full before natural heritage data is provided unless alternate arrangements are made. Licensing agreements may be renewed on a yearly basis. Distribution of data to third parties, including that from a consultant to client or subcontractor to contractor, is prohibited.

Section 4020.230 Request Denial

- a) Requests contrary to the purposes of the Act, or for purposes in violation of the Wildlife Code [520 ILCS 5], the Fish and Aquatic Life Code [515 ILCS 5], or the Illinois Endangered Species Protection Act shall be denied.
- b) If it is determined that a licensee has violated the terms of the Data Licensing Agreement or is in violation of Section 4020.310, all rights to use the data shall be immediately revoked and any future requests for natural heritage data shall be denied.
- c) Natural heritage data are exempt from disclosure as valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss, as allowed by Section 7(i) of the Freedom of Information Act [5 ILCS 140/7(i)].

Section 4020.240 Fees

- a) Base Fee. There will be a base fee for each request in addition to spatial data and report fees. The base fee is \$75 per request.
- b) Spatial Data Fees. Spatial natural heritage data layers will be provided in Geographic Information System (GIS) format.
 - 1) Quadrangle Rate. Fees for spatial natural heritage data will be assessed a fee for each topographic quadrangle. Project sites will be buffered 5 miles and requesters will be charged for each quadrangle intersected. The quadrangle rate fee is \$50 per quadrangle.
 - 2) Linear Rate. Fees for spatial natural heritage data for linear projects measuring greater than 25 miles in length and less than 0.5 miles in width are assessed a fee of \$15 per quadrangle intersected by the project line. Requestors are required to submit their linear project area in GIS format, or else the Quadrangle Rate will apply. Linear project boundaries will be buffered by one mile on each side of the project line and data will be provided for that area.
 - 3) Custom Rate. Fees for custom data requests will be assessed by the NHD Program manager at the time of the request.
- c) Report Fees. Report data will be provided in PDF or Excel format.

- 1) **Quadrangle Reports.** The fee for reports detailing information about the natural heritage data that occurs within a topographic quadrangle is \$50 per quadrangle.
 - 2) **Linear Reports.** The fee for reports detailing information about natural heritage data that occurs in linear project areas measuring greater than 25 miles in length and less than 0.5 miles in width are assessed a fee of \$15 per quadrangle intersected by the project line. Requestors are required to submit their linear project area in GIS format, or else the Quadrangle Report Rate will apply. Linear project boundaries will be buffered by one mile on each side of the project line and report data will be provided for that area.
 - 3) **Species Reports.** The fee for reports detailing information about T&E species is \$25 per element occurrence.
 - 4) **Custom Reports.** Fees for custom report requests will be assessed by the NHD Program manager at the time of the request.
- d) Natural heritage data fees will be capped at no more than \$20,000 per requestor.
 - e) Users of natural heritage data accessed through the Department's EcoCAT system will be assessed a fee of \$25 and the base fee will be waived.

Section 4020.250 Data Updates

Natural heritage data is updated on a daily to quarterly basis, depending on the dataset. Therefore, licensees are encouraged to get updated data as appropriate based on their project parameters. Spatial data updates are free during the one-year Data Licensing Agreement period. The update must be for data within the same portion of the State covered in the Data Licensing Agreement. Licensees are allowed up to 3 data updates in a calendar year and must request their own updates.

Section 4020.260 Exceptions: Discounts and Waivers

- a) No fees shall be charged to the Department, Commission or Board for requests that fulfill the day-to-day operational needs of the Department, Commission or Board, including land management planning, status assessment and land owner contact.
- b) Fees may be waived or reduced in writing under select circumstances, including:

- 1) Written agreements with the Department, Commission or Board in which Department, Commission or Board costs are reimbursed or offset and/or in which the request furthers Department, Commission or Board missions.
- 2) Requests for college students actively working on a thesis or dissertation research project determined by Department, Commission or Board to further Department, Commission or Board missions.
- c) Requesters shall be assessed the base fee even when a discount or waiver is given.
- d) No waiver or reduction of fees shall, in any way, impair the State of Illinois' ownership or licensing rights to the natural heritage data provided.

Section 4020.270 Collection of Fees

- a) Fee payment is expected at the time of the request unless alternate arrangements are made.
- b) Fees may be paid online, when available, or by certified or cashier's check payable to the Illinois Natural Heritage Database Program, to the Natural Heritage Database Program – Office of Resource Conservation, Illinois Department of Natural Resources, One Natural Resources Way, Springfield IL 62702. No cash payments will be accepted.
 - 1) Payment shall not include any other fees or payments due to the Department for any purpose other than the fee due under this Part.
 - 2) Payment of fees shall be deposited in the Natural Areas Acquisition Fund and tracked separately.
 - 3) No fee remitted to the Department under this Part shall be refunded in whole or in part at any time for any reason.
 - 4) Payment of fees that constitutes an overpayment or underpayment will be returned to the data requestor.

SUBPART C: DATA USE AND LIMITATIONS

Section 4020.310 Data Use and Limitations

- a) Natural heritage data is non-transferable and cannot be provided to third parties. Any and all requests for data access from third parties shall be directed to the NHD Program by the licensee. Licensees, such as consultants or subcontractors,

may not provide natural heritage data to third parties, such as a client or contractor. If the third party needs the natural heritage data for a project, the third party must also pay the fee and sign a Data License Agreement.

- b) The accuracy of this data is time-limited as the NHD is updated on a daily to quarterly basis. Licensees are encouraged to get data updates.
- c) If the licensee is a governmental or private entity, the licensee shall ensure that access to the data is limited to those individuals within the entity who require access to the data for the stated project and purpose of the Data Licensing Agreement. The licensee is responsible for ensuring that all such individuals understand and adhere to the terms of the Data Licensing Agreement.
- d) Release of precise species locations may threaten natural heritage resources. Licensees shall take reasonable precautions to ensure the confidentiality of T&E species locations. When precise locations need to be displayed in publicly-accessible documents or websites, species location should be generalized or displayed without species' names when possible.
- e) Licensees must provide the NHD Program with any T&E species information that is collected during the term of the Data Licensing Agreement so as to keep the natural heritage database current. This information includes species location, date observed, names of observers, and number observed.
- f) Licensees shall identify the "Illinois Department of Natural Resources, Illinois Nature Preserves Commission, Illinois Endangered Species Protection Board, and Natural Heritage Database" as the data source on any map or publication and shall include the release date of the data.
- g) Natural heritage data is provided for planning and assessment purposes only. Receipt of the data does not constitute Department, Commission or Board review or authorization of any proposed project and does not exempt the licensee from securing necessary permits and approvals from the Department, Commission, Board or other regulatory agency.
- h) Data maintained by the NHD Program is gained from the best and most recent information available and undergoes quality control and quality assurance. Because environmental conditions change daily, the NHD Program cannot provide a conclusive statement on the presence, absence or condition of significant natural features identified in the NHD and can only summarize the information known at the time of each agreement. An executed Data Licensing Agreement shall not constitute Department, Commission or Board validation of the Licensee's interpretation of the data.

- i) The natural heritage data being provided constitutes a representation of the more extensive information available in manual and electronic files.

**Illinois Department of Natural Resources
report to the Illinois Nature Preserves Commission
at the 216th meeting, January 28, 2014**

Personnel

Duane Ambroz began work as a District Natural Heritage Biologist with the Natural Heritage Division January 16. Duane will cover the 10 county area of northwestern Illinois. Duane is a graduate of Northwestern University, a former resident intern who had been working with DNRs Coastal Zone Management program in northeastern Illinois.

Natural Heritage Resident Interns

Three Natural Heritage Resident Interns began working with Nature Preserves Commission field staff since the last meeting. Tom Engbrecht is working with Kim Roman, Jared Ruholl with Angella Moorehouse and Meaghan Collins with Bob Edgin. New resident interns are working with Division of Natural Heritage biologists as well: Amanda Butera in McHenry County, Laurel Wilson in Peoria County and Tyson Dallas in Ford County. Bridget Henning is at DNR headquarters working with the Endangered Species program and Database program. Interviews for an eighth resident intern will take place in February. This intern will work in southwestern Illinois with Debbie Newman and District Heritage Biologist Mark Phipps.

The Resident Intern program provides 12-month, full-time employment with benefits under the mentoring of Natural Heritage or Nature Preserves Commission staff in field or central office locations. Candidates must be graduate students currently enrolled in a full-time graduate program in plant biology, forestry, zoology or related biological science field and have the approval of their academic advisor.

Land Acquisition

DNR acquired a 226 acre addition to Wilmington Shrub Prairie State Natural Area in Will Co. in August. The owner, Mr. Irving Vesely, left the tract to DNR in his will with the stipulation that the land be restored to prairie. This addition brings the state natural area to 372 acres.

A 27 acre addition to Stemler Cave Woods State Natural Area in Monroe County was acquired in December. Stemler Cave Woods is an area of high quality upland forest in the karst area of southwestern Illinois. The addition brings the site to 387 acres including a 195 acre nature preserve.

A 43 acre addition to Berryville Shale Glade State Natural Area in Union County was acquired in December. Shale glades are a rare natural community type in the Shawnee Hills of southern Illinois. The addition brings the site to 84 acres, all dedicated as nature preserve. The Nature Conservancy is a conservation partner on this project.

24,000 natural area acres have been acquired with the Natural Areas Acquisition Fund since the fund was established in 1989.