

ILLINOIS NATURE PRESERVES COMMISSION

Minutes of the 229th Meeting
(Approved at the 230th Meeting)

The DeSoto House
230 S. Main St.
Galena, IL 61036

Tuesday, May 8, 2018

229-1) Call to Order, Roll Call, and Introduction of Attendees

Commissioner Dann called the meeting to order at 10:00 a.m. and Tom Lerczak read the roll call.

Commissioners Present: George Covington, Donnie Dann, Abigail Derby Lewis,
William McClain, Jo-Elle Mogerman, Charles Ruffner, David Thomas

Commissioners Absent: Pen Daubach, Deborah Stone

Commission Advisors Present: Dr. Joyce Hofmann,
Illinois Endangered Species Protection Board

Commission Consultants Present: Fran Harty, The Nature Conservancy; Kerry Leigh, Natural
Land Institute; Joe Roth.

Others Present: Marni English, John Nelson, Steven Byers, Valerie Njapa, Tom Lerczak, Kelly
Neal, Angella Moorehouse, Heather Osborn, Kim Roman, Kevin Sierzega and
Debbie Newman, Illinois Nature Preserves Commission (INPC); Ann Holtrop,
Beth Weber, Dawn Cobb, Brad Semel, IDNR Division of Natural Heritage
(DNH); Connie Waggoner and Pat Brannan, IDNR, Office of Realty and
Environmental Planning; Chris Young and Nancy Williamson, IDNR, Office
of Resource Conservation (ORC); Dawn Cobb, IDNR Impact Assessment
Section; Ben Haberthur, Forest Preserve District of Kane County; Jill Kennay,
Natural Land Institute; Andrew Ezwak and Sarah Surroz, Openlands; Kathleen
O'Connor, Libertyville Township; Sue Harney, Trish Glees, Kathie Meyer,
June Keibler, Steve Keibler, Dundee Township; Brooke Thureau, The Nature
Conservancy; Steve Barg and Justin Dillard, JoDaviess Conservation
Foundation; Pat Shaw and Mary Sue Glosser, landowners; Jackie Dann

Commissioner Dann announced Item 10 has been removed from the Agenda due to documents not being fully
executed for signatures.

229-2) Adoption of Agenda

It was moved by Commissioner Stone, seconded by Commissioner Derby Lewis, and carried
that the Agenda be adopted.

Item 3 was skipped and picked up after Item 5.

229-4) Next meeting date and location

September 11, 2018

Cache River Wetlands Center, Cypress, IL

Commissioner Dann read the following:

“RESOLUTION IN RECOGNITION OF KENNETH FISKE

The Illinois Nature Preserves Commission wishes to recognize the outstanding contributions of Kenneth Fiske to the conservation community in Illinois and his tireless leadership for conservation in McHenry County, Illinois.

Among Kenneth’s many accolades were his efforts to pass legislation enabling creation of Conservation Districts in Illinois and his leadership as the first Executive Director of the McHenry County Conservation District. During his tenure as Executive Director, 2900 acres of land were purchased by the District. Kenneth was inducted into the Illinois Outdoor Hall of Fame in 2004 and was recognized that same year as “Volunteer of the Year” by both The Nature Conservancy and the National Fish and Wildlife Foundation.

Kenneth’s legacy of leadership in conservation included serving on the Boards of Openlands and the McHenry County Soil and Water Conservation District. Kenneth also served as the Chair of the Illinois Nature Preserves Commission from July 1984 to June 1985 and continued to provide his acumen and expertise to the Commission as a Consultant for 31 years.

Be it resolved on this day, May 8, 2018, the Illinois Nature Preserves Commission publicly recognizes Kenneth Fiske for his lifetime of contributions to conservation in McHenry County, and indeed throughout Illinois for the leadership he provided the Illinois Nature Preserves Commission. His legacy as a “conservation leader” will endure. And for those who knew him, so too will his warm smile, sense of humor, and passion for conservation.

By Resolution of the Illinois Nature Preserves Commission, May 8, 2018.”

Introduction of attendees.

229-5) INPC Staff Report

APPENDIX I

Tom Lerczak reported the name change of the Hallow Hill Family Tree Farm and Artist Retreat Land and Water Reserve to the Hegner Family Tree Farm and Artist Retreat Land and Water Reserve.

Tom reported on the following:

- He indicated that INPC Area 6 position has been posted.
- Tom extended his appreciation to Valerie Njapa, Kelly Neal and Marni English for working together taking on tasks that would normally be handled by the INPC Director.

- His previous intern, Justin Dillard, whose internship ended February 2018, became the new Land Stewardship Manager for the JoDaviess Conservation Foundation on April 9, 2018.
- Angella Moorehouse has been coordinating with the Fish and Wildlife Service to do surveys and monitoring on the newly-listed, rusty patch bumble bee.
- Debbie Newman stands out in working with and coordinating volunteer groups in her area. She has been spending time doing trail building workshops with volunteers. She has been engaged in outreach activities such as the Vital Lands Summit, Champaign, IL, and Biodiversity Bi-State Group for Land Conservation Planning, St. Louis, MO. Debbie also runs the INPC's Facebook page.
- Without a capital budget, John Nelson has been able to complete \$35,000 of stewardship projects in his area and Steve Byers, \$30,000 in his area, from INPC's operational budget.
- Bob Gillespie has stepped into Bob Edgin's roll very well, completing prescribed burns. He also assists with the Prairie Ridge SNA and with the prairie chicken viewing.
- Kevin Sierzega has been working with IDNR staff doing biological monitoring of various species of conservation interest, especially bats. He has performed numerous prescribed fires and working with the U.S. Forest Service performing prescribed fire in the Shawnee National Forest.
- Tom Lerczak has been doing a lot of Springfield administrative work such as placing the FY18 herbicide order and getting it distributed; ordering boundary/entrance signs and monitoring the INPC's operational budget. He announced his retirement at the end of June 2018.
- Kim Roman has been working with the Illinois Department of Agriculture (IDOA) on the gypsy moth issues at Pilcher Park.

Kim Roman explained about the BTK application for treatment of gypsy moth at Pilcher Park as being acceptable since it was a pre-existing issue pending the approval of Pilcher Park as a nature preserve. With the impacts that BTK can have on lepidoptera, Kim and Kelly Neal worked with the Joliet Park District and they agreed to conduct two years of monitoring of lepidoptera, this summer and next summer, as well as a breeding bird survey, which the Joliet Park District will pay for.

She indicated progress is being made to make Gypchek available which is a virus that is specific in treating gypsy moth species and does not impact species. However, Gypchek is limited in its production and the federal government only makes enough to cover 25,000 acres across the United States.

INPC does not have a formal management guideline in place for treating gypsy moths but is working towards that. Kim indicated she would like to work with IDNR to create a tiered approach for best management practices with the use of Gypchek on nature preserves, INAI sites and other publicly owned natural areas; as well as, facilitate more monitoring for lepidoptera and bird surveys.

Commissioner Dann asked if the use of pheromones has been attempted.

Kim answered that they are effective only when the gypsy moth counts are low. Pheromones are not effective at Pilcher Park due to the large gypsy moth population. She also indicated that pheromones are the ideal treatment by IDOA, is inexpensive and effective where there are smaller numbers. Gypchek would be ideal in nature preserves.

Commissioner Derby Lewis commended Kim, Angella and Kelly for their hard work on learning about how to treat the gypsy moth. She feels that it is imperative to have a formal management policy and suggested using a consultant to help develop a management policy if there are staff limitations in doing this.

Commissioner McClain asked if there was any baseline data for lepidoptera at Pilcher Park.

Kim answered that there has only been a handful of moths and butterflies identified at a bio blitz a few years ago.

Commissioner McClain asked if follow up on the lepidoptera was prior to treatment or after.

Kim answered that George Durkowitz started doing some monitoring prior.

Commissioner McClain asked if gypsy moths reach a growth cycle reaching high point or zenith and then diminish after they have invaded an area.

Kim answered that she has read that gypsy moths tend to be cyclical about every seven years and explode and crash but they do a lot of damage before they crash.

Commissioner Thomas commented that there is a lot of data on gypsy moths out east.

Kim commented that the explosion of gypsy moths is not always predictable and is why having Gypchek not available is a problem since its production is limited and the amount that would be needed from year to year to treat gypsy moths may not be available.

Commissioner McClain asked from areas that have been treated with BTK, what effects it has had on lepidoptera.

Kim answered that in the literature that species drops out but it isn't clear and she didn't have a good answer. The concern with nature preserves is that in protecting and managing isolated areas where a rare species is wiped out, there is no way for it to repopulate.

Commissioner McClain asked if IDOA was focusing in on any other types of management for other invasive species like gypsy moths.

Kim answered that she did not think so.

Tom Lerczak commented that Valerie Njapa has been the point person for the Class III Groundwater Special Resource. He was recently informed that the February *Environmental Register* indicated that the following nature preserves were classified under the Class III Groundwater Special Resource: Thomas and Elizabeth Moews Dore Seep Nature Preserve, Putnam County; Long Run Seep Nature Preserve, Will County; and Apple River Canyon Nature Preserve, JoDaviess County. He commended Valerie for keeping up with these.

Commissioner Dann commented that he will miss Tom after his retirement and commended him for his contributions on the ground and in addition to undertaking so many administrative duties to keep the Commission running as smoothly as it has.

Tom thanked him and there was a round of applause for Tom.

229-3) Approval of Minutes for the 228th Meeting, January 23, 2018

Commissioner Dann read the following:

At the 228th Meeting of the INPC, held on January 23, 2018, at the Illinois Department of Natural Resources, Springfield, Illinois, legal protection was completed by the Commission for 11 tracts of land totaling 1,105.64 acres. These areas are privately owned by individuals, corporations or non-for-profit groups 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. Lands protected include Warbler Woods North LWR, Lafarge Barker Bluff LWR, Rock Springs LWR, Pilcher Park LWR, an addition to Sweet Fern Savanna LWR, and additions to Wolf Road Prairie NP, Hopewell Hill Prairies NP, Howard D. Colman Dells NP, Singing Woods NP and Severson Dells NP.

Protection of these lands came about because the Commission had eight staff in the field working with private and public landowners. There are 389 dedicated nature preserves totaling nearly 58,879 acres, and with all the approvals of those at the 228th INPC Meeting, the total acres will be nearly 59,283 acres; and there are 188 land and water reserves totaling 52,525 acres.

Commissioner Dann asked for a motion and approval of the 228th Meeting minutes.

It was moved by Commissioner Derby Lewis, seconded by Commissioner Covington, and carried that the minutes from the 228th Meeting be approved.

Chief Ann Holtrop, Division of Natural Heritage, reported. (see attached)

Commissioner Ruffner asked if the books on the nature preserves could be updated or put on the website.

Kelly answered that there is a link to the nature preserves on the website but not yet to land and water reserves.

Commissioner McClain indicated that the last published nature preserves directory was a two-volume set.

Angella commented that those were published in 1993.

Ann provided an update to the public comment from the January 23, 2018, meeting on deer hunting at Revis Hill Prairie Nature Preserve.

Commissioner Dann asked if other than that of the deer hunters objection, if there has been any objection by the community near Revis Hill Prairie NP.

Ann asked Chris Young and he indicated there has not been any issues raised by the community.

Commissioner Derby Lewis asked what the sustainable level is through deer management, and when the sustainable goal is reached, does deer hunting cease and limit it to every other year.

Ann referred the question to Chris Young who answered that the number of permits issued are by county and that he would have to check if there are any site-specific regulations.

Joe Roth asked if there is a woody control part of the deer management that needs answered versus how many hunters or deer but a vegetative management plan.

Ann did not recall this as part of the conversation but would look it up and get a response.

Chris commented that staff expressed concern to him that once you remove the vegetation, what comes in afterwards requires intense treatment and becomes a very large project. He and staff are having discussions on how to handle this.

Dr. Joyce Hofmann reported.

Commissioner Dann commented that there was a perceived threat to the IESPB by a bill that was introduced in the Illinois Legislature to add two non-scientists designated by the Farm Bureau to the IESPB. The sponsor of the bill withdrew it after there was a great deal of out-cry by the conservation community.

Dr. Hofmann answered that she was aware of it and did not feel it was a threat to the Board but it would have changed the composition of the Board.

229-8) JoDaviess Co. – Addition to Wapello Land and Water Reserve, Registration

John Nelson, INPC and Justin Dillard, JoDaviess Conservation Foundation (JDCF) requested permanent registration of 94.71 acres as an Addition to the Wapello Land and Water Reserve, located in the Wisconsin Driftless Natural Division. The proposed Addition will protect significant Native-American cultural resource features of the John Chapman and Grace Chapman archeological sites. The proposed Addition will also protect approximately ¼-mile of the Apple River Illinois Natural Area Inventory Site (INAI #1647), which was recognized in 2003 by the Illinois Department of Natural Resources (IDNR) as a Category II site that supports suitable habitat for one state-threatened animal. The INAI also designates this same portion of the lower Apple River as a Category VI site - high-quality mussel stream segment. The Wapello Land and Water Reserve and the proposed Addition are within close proximity to numerous other protected lands along the lower Apple River INAI site and the adjacent Hanover Bluff INAI site (#1058). If approved, the total land protected at this site will increase to 173.45-acres. The name “Wapello” is from a Mesquakie Chief for whom the nearby town of Hanover was originally named.

Commissioner Derby Lewis commented that the tour of Wapello Land and Water Reserve was one of the most interesting she has been on since being on the Commission. She commended the JoDaviess Conservation Foundation for what they have done and hope to see it expand.

John commented that it is amazing what they are doing and without taxpayer money.

Commissioner Dann commented that he found it interesting that the purpose of this registration was primarily archaeological but the history elements are a bonus.

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

The Commission grants approval for the registration of an Addition to Wapello Land and Water Reserve, as described in the proposal presented under Item 8 of the agenda for the 229th meeting.

(Resolution 2423)

Steve Barg, Executive Director, JoDaviess Conservation Foundation, thanked the Commission because he felt that this is where the government, private and non-for-profit sides interface in terms of IDNR work, as a whole. It is very important for this reason for the private side and non-for-profit side to have the Commission. He also thanked Ann Holtrop and Chris Young for opening themselves up for this type of partnership.

Steve Byers, on behalf of Patrick P. Shaw, Dundee Township and the Forest Preserve District of Kane County, requested registration of Raceway Woods and Fen Land and Water Reserve. It is a 180.4-acre site owned in part by the Patrick P. Shaw Trust (25.81 acres), Dundee Township (64.39 acres) and the Forest Preserve District of Kane County (90.17 acres). The proposed land and water reserve lies within the larger 313-acre Raceway Woods complex, with most of the balance of the site owned by Dundee Township (67.9 acres) and the Forest Preserve District of Kane County (64.4 acres). Patrick P. Shaw had formerly approved designation of his land as a Natural Heritage Landmark (Shaw Fen and Woods, NHL #158) in 1999 and, in 2014, conveyed a Grant of Conservation Right and Easement to Openlands. The purpose of that easement was to “...ensure that (those properties that do not include homesites) will be retained forever predominantly in its natural, scenic, and open space condition and that the natural flora and fauna...will be preserved to the extent possible.” The proposed Raceway Woods and Fen envelopes the Shaw Woods Illinois Natural Areas Inventory site (INAI # 1771) and includes Grade B and Grade C graminoid fen (20 acres total), Grade B and Grade C mesic woodlands (135 acres total), and a cultural community being restored to prairie (26.4 acres). Raceway Woods and Fen is located in the Morainal Section of the Northeastern Morainal Natural Division in northeastern Kane County, Illinois. The qualifying features for designation of Raceway Woods and Fen as an Illinois land and water reserve include: 1.) inclusion of the Shaw Woods INAI site, 2.) presence of high-quality graminoid fen and mesic woods, 3.) more than 100 acres of mature forest with forest-interior birds, 4.) presence of the State-threatened bunch flower (*Melanthium virginicum*), 5.) presence of a state and federally listed invertebrate, and 6.) presence of a significant archeological site that qualifies for the National Register of Historic Places. Raceway Woods and Fen takes its name in part from the presence of a race track (known as the Meadowdale Raceways) that traverses the proposed land and water reserve. The race track was in operation from 1958 to 1970. Now, the race track serves as a recreational trail. Several rights have been reserved for each of the landowners. Specifically, Patrick P. Shaw has reserved the right to access two homesites (which have been excluded from the boundary of the land and water reserve) along an easement conveyed to Patrick P. Shaw by Dundee Township. The Patrick P. Shaw Trust has further reserved those rights identified in the pre-existing Grant of Conservation Right and Easement conveyed to Openlands. All three landowners reserve the right to adopt an adaptive management strategy (to include monitoring the response of plants and animals), restore surface hydrology, and maintain and provide trail amenities. All three landowners are provided the right to route and construct hiking and biking trails with the permission of the Commission. The Patrick P. Shaw Trust has further reserved the right to offer primitive camping to guests and toroute, construct, and maintain hiking trails. Patrick P. Shaw Trust further reserves the right to maintain a small pond provided that the necessary permits to do so are secured and to control populations of deer and raccoons in accordance with State law. Management priorities include continued efforts to control invasive woody and herbaceous species, use of controlled burns, and continued species enrichment (via seeding and plantings of the prairie restoration). The Patrick P. Shaw Trust reserves the right to implement the management plan that was included in the Grant of Conservation Right and Easement conveyed to Openlands. The Forest Preserve District of Kane County reserves the right to maintain a formal relationship with the Chicago Area Mountain Bikers Association regarding use and maintenance of biking trails and a relationship with the Midwest Racing Preservation Association regarding use of property (showcasing vintage automobiles) within the land and water reserve on portions of the old racetrack near the entrance along Illinois Rte. 31.

Commissioner Derby Lewis commended Steve for working with multiple landowners in this way. She asked if there would be any season restrictions with the Chicago Area Mountain Bikers.

Ben Haberthur answered that they do not have a seasonal restriction but do have geographical restrictions to the high-quality areas.

Commissioner Derby Lewis asked if a season restriction would be considered in respect to breeding birds.

Mr. Haberthur answered yes.

The Illinois Nature Preserves Commission recognizes the long-term interest of the Patrick P. Shaw Trust in protection and stewardship of their property. That long-term interest included the sale of 50 acres of the Raceway Woods complex to Dundee Township in 1998. That same year, the Patrick P. Shaw Trust executed an agreement with the Illinois Nature Preserves Commission to recognize the site as the Shaw Fen and Woods Natural Heritage Landmark. In 2014, the Patrick P. Shaw Trust conveyed a Grant of Conservation Right and Easement on all their remaining property (save for two homesites) to Openlands. The Illinois Nature Preserves Commission is pleased to recognize the Patrick P. Shaw Trust for their commitment to the site and recommend registration of 25.81 acres of the proposed Raceway Woods and Fen Land and Water Reserve as the Shaw Fen Conservation Easement and Registration Agreement.

It was moved by Commissioner Covington, seconded by Commissioner Mogerman, that the following resolution be approved:

The Commission grants approval for the registration of 25.81 acres, owned by the Patrick P. Shaw Trust, as Raceway Woods and Fen Land and Water Reserve, as described in the proposal presented under Item 9 of the agenda for the 229th meeting.

(Resolution 2424)

The Illinois Nature Preserves Commission has had a long and productive relationship with Dundee Township dating back to protection of nearby Dixie Briggs Fromm Prairie as an Illinois Nature Preserve. Dundee Township is to be commended for its commitment to protection and stewardship of significant parcels of land in the Township, including Raceway Woods and Fen. The Illinois Nature Preserves Commission is pleased to recommend registration of 64.39 acres owned by Dundee Township as Raceway Woods and Fen Land and Water Reserve.

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

The Commission grants approval for the registration of 64.39 acres, owned by Dundee Township, as Raceway Woods and Fen Land and Water Reserve, as described in the proposal presented under Item 9 of the agenda for the 229th meeting.

(Resolution 2425)

The Forest Preserve District has had a long-standing interest in protection and stewardship of the Raceway Woods Complex and has adopted a resolution supporting registration of Raceway Woods

and Fen as an Illinois land and water reserve. The Illinois Nature Preserves Commission is pleased to recommend registration of 90.17 acres owned by the Forest Preserve District of Kane County as Raceway Woods and Fen Land and Water Reserve.

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

The Commission grants approval for the registration of 90.17 acres, owned by the Forest Preserve District of Kane County, as Raceway Woods and Fen Land and Water Reserve, as described in the proposal presented under Item 9 of the agenda for the 229th meeting.

(Resolution 2426)

Patrick Shaw commented that he was very excited to have this land protected forever for himself and his family.

Sue Harney, on behalf of Dundee Township, thanked the Commissioners and staff for this dedication. She also thanked Steve Byers who has been working with her and the township for 16 years in helping protect these parcels. Sue thanked Patrick and Mary Sue Shaw; her successor Trish Glee; and the Kane County Board members and staff in collaborating to protect these parcels. She thanked June and Steve Keibler for being her partners, supporters and collaborators.

Ben Haberthur also thanked the Commission on behalf of the Forest Preserve District of Kane County.

229-10) PULLED FROM AGENDA - Sangamon Co. – Sangamon Bottoms Land and Water Reserve, Registration

229-11) Tazewell Co. – Spring Creek Land and Water Reserve, Registration

Tom Lerczak, on behalf of the Fondulac Park District, requested registration of 235.86 acres as the Spring Creek Land and Water Reserve. This site is located within the Fondulac Park District's 344-acre Spring Creek Preserve property in the Grand Prairie Section of the Grand Prairie Natural Division. Spring Creek contains about 222.5 acres of forest supporting breeding populations of 19 bird species recognized as being sensitive to forest fragmentation: yellow-billed cuckoo (*Coccyzus americanus*), hairy woodpecker (*Picoides villosus*), pileated woodpecker (*Dryocopus pileatus*), Acadian flycatcher (*Empidonax virescens*), yellow-throated vireo (*Vireo flavifrons*), red-eyed vireo (*Vireo olivaceus*), tufted titmouse (*Baeolophus bicolor*), white-breasted nuthatch (*Sitta carolinensis*), blue-gray gnatcatcher (*Polioptila caerulea*), veery (*Catharus fuscescens*), wood thrush (*Hylocichla mustelina*), yellow-throated warbler (*Dendroica dominica*), Kentucky warbler (*Geothlypis formosus*), northern parula (*Parula americana*), black-and-white warbler (*Mniotilta varia*), American redstart (*Setophaga ruticilla*), Louisiana waterthrush (*Seiurus motacilla*), ovenbird (*Seiurus aurocapilla*), scarlet tanager (*Piranga olivacea*). This exceeds the criteria for registration as a land and water reserve as stipulated in the Illinois Register (Title 17, Chapter V, Part 4010 Register of Land and Water Reserves) in Section 4010.150.b.3 Eligible Lands and Waters: forests at least 100 acres in size that support breeding populations of area sensitive forest wildlife species. The proposed Spring Creek Land and Water Reserve also

contains two archaeological sites recognized by the Illinois Department of Natural Resources: a mound group (11T4) and prehistoric scatter site (11T125).

Natural communities include old field, dry-mesic upland forest, mesic upland forest, mesic floodplain forest, wet-mesic floodplain forest, and a high-gradient small stream (i.e., Spring Creek and its tributaries). Mesic upland forest (Grade C and D) is the most common type, occurring on more than half of the site. Dry-mesic upland forest (Grade C and D) occurs on the ridge tops. Sugar maple (*Acer saccharum*) is a common species in all upland forest layers. Old fields (13.4 acres) are undergoing natural succession with some supplemental planting of oak species.

Management of this site will initially build on restoration efforts that began in the early 2000s, and will focus on control of non-native and invasive plant species. Later, efforts will be expanded to include focus areas (to be determined) where efforts can be maximized. Protection of the site's archaeological features will be done in consultation with state archaeologists. Existing trails and roads will be maintained as established. Activities allowed by the landowner include hiking, picnicking, camping in designated areas, birding, nature observation and study, scientific research with an INPC special-use permit, and photography.

Commissioner Derby Lewis recommended that the creek crossings be gravel rather than paved.

Tom commented that the Park District would like the option of a paved crossing.

Commissioner Dann asked if this should be deferred.

Commissioner Derby Lewis did not wish to defer it but asked if Tom could relay this recommendation to them.

Commissioner Dann asked if Tom was concerned with the paved crossing.

Tom answered that he did not feel it to be a problem.

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

The Commission grants approval for the registration of Spring Creek Land and Water Reserve, as described in the proposal presented under Item 11 of the Agenda for the 229th meeting.
(Resolution 2427)

Break for lunch from 12:27 – 1:10.

Steve Byers, on behalf of Libertyville Township, requested preliminary approval for dedication of the 46-acre Donnelley Prairies and Oaks Nature Preserve Buffer Addition to Liberty Prairie Nature Preserve (INAI # 1252). The 47-acre Liberty Prairie received final approval for dedication at the Commission's 129th Meeting in November 1990 (Resolution # 1062). Since that time, Libertyville Township has formally protected three nature preserve buffer additions to Liberty Prairie; the first addition receiving final approval for dedication at the Commission's 180th Meeting in October 2003 (Resolution # 1743), the second addition receiving final approval at the Commission's 212th Meeting in October 2012 (Resolution #2206), and the most recent addition receiving final approval at the Commission's 226th Meeting in May 2017 (Resolution #2389). The 184-acre Liberty Prairie Nature Preserve, and the 46-acre proposed addition, are located within the 5,770-acre Liberty Prairie Reserve located in south-central Lake County, Illinois. Liberty Prairie Nature Preserve and the proposed addition are located in the Morainal Section of the Northeastern Morainal Natural Division. The proposed Donnelley Prairies and Oaks Buffer Addition consists of a cultural community (agricultural lands) that will be restored to dry-mesic, mesic, and wet prairie and dry-mesic oak savanna. Efforts to begin conversion of the agricultural lands to natural communities on lands owned by Libertyville Township began in 2014 when the Township adopted the Casey Road Land Use Plan. Restoration of the proposed addition is scheduled to begin in the fall of 2018. Libertyville Township has adopted a 5-year management plan for the proposed addition that includes disabling field drain tiles, prairie seeding, and tree plantings. Protection and restoration of the proposed nature preserve buffer addition supports elements of the Illinois Comprehensive Wildlife Conservation Plan; specifically action steps to "...establish or restore grasslands...." The proposed addition will provide water quality benefits to Bull Creek and Libertyville Prairie Nature Preserve, effectively meeting the needs of a suite of grassland birds that require large blocks of habitat, and further buffer Liberty Prairie Nature Preserve from incompatible land uses. The proposed Donnelley Prairies and Oaks Nature Preserve Buffer Addition (the fourth addition) will increase the size of Liberty Prairie Nature Preserve from 184 to 230 acres in size. The Illinois Nature Preserves Commission acknowledges the leadership demonstrated by Kathleen O'Connor with Libertyville Township in protection and stewardship of Libertyville Prairie Nature Preserve and would like to thank Sarah Surroz with Openlands and David Eubanks for their support.

Commissioner Derby Lewis asked if asclepias species (common milkweed) for monarch habitat was included in the seed mix that is to be planted this fall at this site.

Steve indicated it was in the mix.

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

The Commission grants preliminary approval for the dedication of the Donnelley Prairies and Oaks Buffer Addition to Liberty Prairie Nature Preserve, as described in the proposal presented under Item 12 of the Agenda for the 229th meeting.

(Resolution 2428)

Commissioner Covington, for the record, voted present, since he has had a professional relationship with Libertyville Township.

Kathleen O'Connor commented that the Township could not do what they do without the help of their partners and the public. She was particularly grateful to Steve Byers for his guidance and thanked the Commission.

229-13) Will Co. – Pilcher Park Nature Preserve, Dedication

Kim Roman, on behalf of Joliet Park District (JPD), requested final approval for dedication of Pilcher Park as a nature preserve. JPD owns and manages Pilcher Park Illinois Natural Areas Inventory (INAI) site, located on the east side of Joliet in Will County. Pilcher Park is a large and diverse forest complex recognized on the INAI for its high-quality mesic upland forest, wet-mesic upland forest, and seep communities representative of the Morainal Section of the Northeastern Morainal Natural Division of Illinois. Pilcher Park is one of northeastern Illinois' premiere woodlands with outstanding spring wildflower displays and old-growth trees. More than 270 native plant species have been documented within Pilcher Park, and at least 11 species of birds with moderate to high sensitivity to habitat fragmentation breed on site. The Commission approved the permanent registration of 110 acres of Pilcher Park as a land and water reserve, and also conferred preliminary approval of dedicating 293 acres of this site as nature preserve at its 228th meeting. Final approval of dedication is now requested.

Pilcher Park is a well-established urban natural area, with miles of hiking trails and roads, outdoor recreation, and a nature center with many park district-sponsored activities and education programs. Allowable uses within the proposed nature preserve include maintenance of existing roads and parking areas, trails, geocaching, Joliet Park District sponsored 5K races on surfaced trails, bicycling and leashed dogs on trails, and cross-country skiing. These uses support the mission of the Joliet Park District by engaging children and adults with nature, and are compatible with the long-term preservation of Pilcher Park. Future management and stewardship will promote the high-quality natural communities and resources of statewide significance.

Commissioner Dann asked if snowmobiles were permissible on the trails.

Kim answered that no snowmobiles or horses are allowed in the winter.

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

The Commission grants final approval for the dedication of Pilcher Park Nature Preserve, as described in the proposal presented under Item 13 of the Agenda for the 229th meeting.

(Resolution 2429)

229-14) Northwest Illinois Stewardship Co-op MOU, Execute

Justin Dillard, on behalf of the JoDaviess Conservation Foundation, requested participation of INPC field staff with local conservation agencies and organizations in support of the formation of the “Northwest Illinois Stewardship Co-op.” The intent of the Co-op is to perform stewardship work on conservation lands in NW Illinois via grant funds. The Co-op is based on a similar cooperative agreement which created the NW Illinois Strike Team, but which has since expired. The lead organizations for the Co-op are the JoDaviess Conservation Foundation (JD CF) and the Natural Land Institute. Once funding is secured, the Co-op plans to hire a full-time grant program administrator and the JD CF will provide field staff during the “launch period.” The Co-op is now official with several member organizations executing a non-binding Memorandum of Understanding (MOU). These members are listed in Appendix A of the MOU. The INPC is requested to become an official member of the Co-op.

The INPC has executed numerous MOUs and Intergovernmental Agreements during its 50-year history. Three examples are:

Intergovernmental Agreement between the Illinois Department of Natural Resources, the Forest Preserves District of Will County, and the Illinois Nature Preserves Commission regarding a natural community and hydrologic restoration project in the Kankakee Sands. 2015.

Millennium Reserve Natural Areas Compact. 2014.

Memorandum of Understanding between the Illinois Department of Natural Resources and the Illinois Nature Preserves Commission. 2002.

Staff of the INPC reviewed the current request and recommend the Commission execute the MOU to become a member in support of the NW Illinois Stewardship Co-op. The IDNR has also been asked to become a member of the Co-op, but separate from this request.

Commissioner Dann asked what precedent there is for the Commissioners to participate in groups like this and execute an MOU.

John Nelson answered that there are numerous examples of the Commission entering into an MOU. Only three were listed in the proposal.

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

The Commission grants approval for the Illinois Nature Preserves Commission to become a member of the Northwest Illinois Stewardship Co-op, as described in the proposal presented under Item 14 of the Agenda for the 229th meeting.

(Resolution 2430)

Commissioner Thomas, on behalf of all Advisors and Consultants to the Illinois Nature Preserves Commission (Commission) provided a brief history of the Commission and the influence the Commission and its partners have had on various pieces of conservation-related legislation and the protection, stewardship, and defense of natural areas in Illinois since the Commission was established in 1963 by the Illinois Natural Areas Preservation Act. In addition, data were included to compare protection of natural areas by the Illinois Department of Natural Resources (IDNR) and non-IDNR entities and the private sector. Within the context of the Commission's proven record of accomplishment, an examination was made of a proposed reorganization of the Commission staff and the IDNR's Division of Natural Heritage, which was presented by the IDNR at the Commission's 228th meeting. This examination resulted in a Statement of Findings, Assessment, and Recommendations, including an alternative reorganizational chart.

Commissioner Thomas asked that comments and suggestions be respectful with the understanding that everyone is trying to do what is best.

Chris Young thanked Commissioners for their time and consideration. He explained the reasons for coming to them with options for re-organization, which are:

- INPC staff are directly under the Director's office but Springfield INPC staff are situated within the Office of Resource Conservation (ORC). Since the Director's office is at the political end of the IDNR, he was concerned that staff, dedicated to carrying out the work of the INPC, should not have to be affected by the politics.
- As the Director of ORC, he also acts as the Director to INPC staff and feels there needs to be a clear line to the public and others, in order for him to defend the programs and staff. Example: Other biologists within ORC who report directly to a Chief under ORC, where INPC staff report to Chris Young.

Chris explained that the IDNR provides other services to INPC from the offices of Legal Counsel, Realty and Environmental Planning, Law Enforcement and Land Management. He asked for help to pull together and come up with an organization that is defensible, easy to explain and will help him protect the important and critical work that is done by the Commission and staff.

Commissioner Dann recommended that Commissioner Thomas call on Fran Harty to respond since he wrote the report.

Fran Harty reported that from the correspondence he received from Advisors and Consultants, they were not keen on the idea of INPC staff being buried within the Division of Natural Heritage or any other division. They felt it would diminish the work that INPC staff do which can be seen from the presentations made at this meeting. He indicated that organizational structure and leadership matter. He disagreed with the political nature of IDNR as being something that you have to protect yourself against. INPC has been under the Director's office a couple times and has been productive there. Advisors and Consultants who contacted Fran were concerned for the landowners who give away their property with the belief that INPC will protect and defend it from everybody, including IDNR. He felt this is a legitimate discussion that needs to happen

and that needs to continue but there is real concern as to where INPC would be positioned within IDNR and within state government, itself.

Chris Young responded that the INPC is a Governor appointed body that is not within the IDNR but the INAPA compels us to work together to reach these goals. The Commissioners hold IDNR accountable by checking on the status of dedications and registrations. This is what the Commissioners can do and the IDNR is providing staff and resources to accomplish this work. He feels it is important that the INPC has its functions that are not affected by this, and there are no changes to INAPA or job descriptions. This is a way to pull all of our staff together who work on natural areas programs. He would like to tie us in closer to the Illinois Endangered Species Protection Board (ESPB). He would like to see us all linked together rather than as being separate entities. He indicated that the IDNR's offices would be divided up between the Director, Deputy Directors or Assistant Directors, each being given three or four offices to oversee, not only a program. He felt they would delegate INPC back to ORC and that it is important that we have clear lines of communication and authority within ORC.

Commissioner Derby Lewis commented that the important intention to understand when there is a proposed change is whether it is just that inherent reactionary response to something different or whether there are substantive or justifiable reasons why we do not think a proposed change should happen. She thought that the Advisors and Consultants Report laid out some of those quite well. She viewed the INPC as a landscape and when you start decoupling and desynchronizing the individual pieces from the landscape, in this case, the staff, there can be negative consequences.

Chris Young asked how they would be decoupled.

Commissioner Derby Lewis answered that in looking at the organizational chart, the INPC staff were no longer in a unit, or landscape. She felt that INPC staff would cease to function as that system when you take them out of that unit and imbed them in different lines of reporting. There is a high likelihood that there would be a lack of structural and content support that they may not receive that they do holistically now. She feels there needs to be a conversation for INPC to have one manager or director for them. She agreed with Chris in wanting to dovetail and leverage this unified front but did not feel you could have an autonomous structure that is meant to have the accountability role with everyone linked arm and arm. You have to have some space in order for that to happen.

Chris Young asked how Commissioner Derby Lewis defined autonomous in state government since we are bound by rules and policies.

Commissioner Derby Lewis explained that by the way it was represented in the Advisors and Consultants Report. She indicated that it was not clear to her that it is legal to take a program that has statutory mandates associated with it and fold it into another division with IDNR. She explained how seeing a new administration come in, dismantle a division and then imbed those staff across other departments and is why this gives her cause for concern.

Chris Young replied that ORC works with multiple other offices within IDNR on a daily basis. Even all of the ORC divisions worked together with INPC on the pesticide drift monitoring

program to primarily protect the nature preserves. The Natural Areas Preservation Specialists (NAPS) are spread thin and need all of us there backing them up.

Commissioner Derby Lewis replied that is partnership and is what we want. She understands that the primary goal of INPC staff is protection and working with private landowners and is really specific to the INPC staff. She felt that if you disarticulate that and embed it in a way that you do not have the full function of that system it will become diluted.

Commissioner Thomas agreed with Commissioner Derby Lewis since he has worked with many organizations over the years. He sees Heritage and INPC staff as working very well together even though they do somewhat different pieces. While there is overlap in similar interests, there is also some separate ones. He feels organizational identity is very important and has fought for the Illinois Natural History Survey because there has always been a move to make the INHS more like the State or the University, rather than recognizing the unique role that they play even though there is overlap. He thinks what Chris' intent is for the overlap of responsibilities and more sharing is good but feels most that needed to occur already was. He was very concerned about the loss of the INPC identity which would not serve them well.

Chris Young explained that it is not the INPC who manage the staff.

Commissioner Dann replied that the INPC is still a discreet unit within the IDNR.

Commissioner McClain commented that change is virtually a daily thing. He indicated that he has worked both in private and public sectors. In those jobs there were reorganizations and the ones he disagreed with, he wrote as persuasively as he could to retain the current organization but it did not work. Of those that were folded into another, he could not name one that has come out for the better. Their niche was lost, despite having records of good performance and accomplishments. He is against folding the INPC into IDNR as it is proposed. He is concerned of the loss of identity and things associated with that.

Commissioner Ruffner thanked the Advisors and Consultants for putting together the report because he learned a lot since he is a fairly new Commissioner. He would like to see clarification of staff roles between INPC staff and IDNR staff because they can be quite blurry.

Chris Young commented that the role of the NAPS would not change. They have a very specific and important job to do. He started his career as a journalist when the IESPB was defunded and went away in 2000. He was here when Governor Blagojevich announced an OSLAD and NAAF holiday where they took all that funding and put it in general revenue. It took every conservation organization in the state to push back. There are challenges and there will be pressures on our special funds even though they are dedicated. He is trying to create a very tightly knit system that is easy for him to defend and protect. He said he serves as the IDNR liaison to the Illinois State Museum. The Museum closed for nine months during the budget impasse and reopening almost two years ago has made the climb out very steep. From his experience with management and government, he feels he needs to create the strongest organization he can to survive whatever comes. He wants to be able to explain the value of this program.

Commissioner McClain commented that one thing about the INPC, we do not stand alone. In a crisis situation, we rise. He hoped that is what would happen if any situation would develop.

Commissioner Ruffner commented that as a leader you have to be prepared for this and forward thinking and visionary as to how to protect the program and staff. He commended Chris Young for thinking about this. He also would like to think that everyone in this room and those the INPC has worked with over the last 50 years would rise to the occasion.

Commissioner Covington commented that he did not question the continued independence of the INPC. His concern was the flow of information. He indicated that the only decision Commissioners make are those brought to them which is what makes the flow of information critical. He is also a little mystified by the lines between INPC staff and IDNR staff. Bringing the INPC under the IDNR is going to cost INPC staff some independence and cost the Commissioners that flow of information.

Chris Young responded that the Commissioners are not part of the IDNR but the INPC staff are state employees. He was unsure of the blurry lines and how to address that. He agreed that the flow of information, communication is very critical. He felt Kim Roman has done a magnificent job getting the updates together on gypsy moths and sending them to Commissioners and copying IDNR. He feels they have had a good flow of information on that subject. He also feels there are ways to make sure our communication is very strong which is critical. The Commissioners have to be informed since they only meet three times a year so they know what is happening and use that to bear on decision making.

Commissioner Covington asked how disputes would get resolved with the IDNR if the reorganization occurs since the IDNR owns approximately fifty percent of land in the nature preserves system.

Chris Young asked what sort of disputes.

Commissioner Covington answered if the IDNR wanted to approve the expansion of a road in a nature preserve.

Chris Young answered they would have to come before the Commission if it is not in the dedication documents. Like all other landowners, any changes to management plans or reserved rights, would have to come before the Commissioners.

Valerie Njapa commented that IDNR would have to follow the same process as any other landowner.

Commissioner Thomas commented that he thought there was some confusion with the MOUs. For instance, the IDNR making an MOU with the INPC which he thought was not just with the Commissioners but also the staff and did not see clear lines.

Commissioner Ruffner commented that at times the blurriness is a strength but for Chris to defend that blurriness or cohesion of work, we do need a more definitive clarification of what INPC staff are doing.

Fran Harty commented that he would argue that the INPC could defend the Division of Natural Heritage (DNH) and IDNR better than IDNR can defend the INPC. There are a lot of people

enrolled in the nature preserves system that are in very important positions and have dedicated their land, their treasure, their heritage to this program. People will come out and fight for what they are already invested in. People enrolled in the nature preserves system are invested about as far as you can get and they will fight for that. You cannot say that about a government agency that has no constituency. There is probably no one more powerful in Illinois government in conservation than the INPC.

Joe Roth asked that for a program that is working and extremely effective, more so than anything IDNR is doing, why the alternate structure is going to be better. He sees a great potential of abuse and diminishing of the INPC. Looking beyond Chris, who will only be in his position for a certain amount of time, sees a loss of identity and effectiveness. He and others have seen the ability for the INPC to be an independent voice and entity, apart from the state even though it is mixed in. Despite how people see it, he feels that if he didn't have that, there is a lot of land that would not have been protected. A reorganization will have a severe weakness. Since he and other consultants worked on the report, he explained that it was a wide body of opinion that Fran Harty expressed, not just his own.

Commissioner Dann addressed the fears Chris Young expressed regarding budgetary, sweeping of funds, and actions like that of Governor Blagojevich, which all boils down to a political will. It is a question of priorities. If an administration considers the environment and conservation a priority, all the problems will go away that Chris is concerned about. He feels there would be money and positions allocated if there was a different approach at the top in government. Even that would not be permanent, which is what he feels Chris is trying to achieve. He reflected on what Fran said, that there is no such thing as permanence and has seen it with both the Republican and Democratic administrations. He indicated that he would like to table this discussion until after November to see if there is a change and what that change might bring.

Chris Young commented that some of the pressures that are out there are still there. The budgetary pressures are going to be there unless someone wants to do a big tax increase and be a one-term governor and start paying some debts down. He feels we would be in a very challenging environment for a long time regardless of who is at the top. His motivation is to prepare for everything that may come in. He feels they could do a really good job. He did not feel that the INPC was being folded into the IDNR, that they we would continue to do what they are doing now.

Commissioner Dann commented that the staff are going to change.

Chris Young replied that it is an administrative change that will allow us to align the way we are doing things now and for him to have a solid organization to explain and defend to decision makers. He thanked Fran Harty for giving him his time and the consultants for their feedback. He asked to make this as positive of a discussion going forward. The Commission can make a recommendation to the IDNR, all of the comments and recommendations would be taken back along with all those received over the past months and he and Ann would make a decision.

Commissioner Dann asked Commissioner Thomas what action he would like to be taken.

Commissioner Thomas commented that both Commissioner Dann and Commissioner Derby Lewis spelled out rationale for delaying this until after the election and that it allows for

consideration of the comments made at this meeting. He also commented that it would be helpful to see more detail fleshed out to the original proposal submitted in January 2018. He suggested picking this back up in November.

Commissioner Covington commented that the Consultants had a specific recommendation in Section 6.0 of the report and asked if it would be helpful for Chris to respond in writing to the points that were made.

Commissioner Dann commented that he has not heard anything encouraging about the proposal, they are not favorably inclined. He asked for Chris to give thought to everyone's concerns that have been expressed.

Kerry Leigh, Executive Director, Natural Land Institute and Consultant to the Commission, expressed her appreciation for all the thought that has gone into this proposal; also, for the extra time and opportunity to look at the shifting winds, politically. She feels that the IDNR, the INPC and the Division of Natural Heritage have weathered political storms in the past and feels they have done so by their strength in numbers. She understands Mr. Young's desire to defend his program strongly but it disturbs her as to why it is difficult to defend such a successful program that has a successful structure and has since its inception. The partnerships that have been created are very strong. After the Northeastern Illinois Planning Commission (NIPC), which had a world renowned environmental department that had won lots of awards, merged with the Chicago Area Transportation Study (CATS), the environmental department was supposed to have merged into CMAP, but it disappeared and after a year and a half or two it was not functioning. With what she has seen today with all of the partnerships being created and all of the private landowners that come to NLI and want to protect their land because NLI is not a government. There is a very strong perception of independence and it can be easy to defend the efficacy of the work that is being done. The supporting partnerships structure keeps things stronger. There is a fear that things will be watered down but that fear is based on the reality of a lot of occurrences. She offered Chris the support in defending all of the natural resource stewardship and projects he works with since NLI sees IDNR and INPC as an important partner.

Chief Holtrop commented that she and Chris are trying to take to heart all the comments and have the work continue. The DNH staff and INPC staff have very distinct roles even though they share the same union title. There are twelve to fifteen staff that are under the Director's office and there are two hundred staff in ORC. When you start looking at DNH at the Stewardship Program, Stewardship Project and Stewardship Specialist; these words, phrases and titles get confusing to those outside our conservation family which are the people that Chris has to defend our programs to. With a group isolated in the Director's office, it is confusing and if we are more together and keep the sense of identity, it is easier to explain everybody's roles and responsibilities by a title that makes sense to people in our administration and in the Governor's office, the people Chris has to defend their roles to. It is more of a supervisory responsibility not a change of roles They want to be able to defend everybody's roles as important and help make it clear where their roles fit in but it is difficult to defend those roles when we are in different branches of the IDNR. She felt that there are some administrative challenges that Chris is sensing and facing now that they need to take action to help clarify. There are a lot staff in the IDNR that have the same titles but is getting increasingly difficult to explain how twelve are different than two-hundred.

Commissioner Derby Lewis asked if you could contextualize that with the different goals that the different programs have. It is a matter of being able to connect specific roles and responsibilities and titles with programmatic roles.

Ann replied that is where it gets complicated in that the strategic plan is the INPC's strategic plan. The DNH supports certain parts of that strategic plan and the INPC staff support that strategic plan as well as other parts of the agency that support it as well. She agreed that it was an important thing to do and are trying to figure out how to do it. So much of the work interrelates even within the DNH and our Natural Areas Program to distinguish what role the INPC staff play versus the role District and Regional DNH staff play. Their perspective was that INPC staff fit well under DNH because then they could say here are all the ORC supports. She agreed maybe it needs looked at another way.

Commissioner Ruffner asked if the Commissioners could get more power and prestige to meet with the Governor to defend these programs. He feels they could be a very strong voice and body in defending these programs.

Chris Young answered that with the perception of independence or not, he is still responsible for the INPC staff and these programs. He felt that we needed to do something that makes sense. He explained that he works with other office directors to solve problems and fix things amongst our office and move forward; rarely having to go to the Director's office unless there is a need for him to make a call. The Director is the Governor's representative for the Department so it has to go through him.

It was moved by Commissioner Derby, seconded by Commissioner Covington, and approved, that a recommendation be delayed to the IDNR on the proposed reorganizational structure until the comments expressed have been considered, rejected, modified or accepted.

(Resolution 2431)

Commissioner Dann thanked Kerry Leigh, Joe Roth and Fran Harty for all of their help.

Chris Young thanked everyone for a very productive and positive discussion.

229-16) Review of Closed Minutes

In accordance with the Open Meetings Act, Commissioners are to review the closed minutes at least twice a year to determine if they must still remain closed. The following meetings had closed minutes and need to be reviewed: August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; and September 10, 2013.

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

The Commission agreed that the closed meeting minutes from August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; and September 10, 2013, remain closed, as described in the proposal presented under Item 16 of the Agenda for the 229th Meeting.

(Resolution 2432)

229-17) Public Comment Period (3 minutes per person)

Joe Roth commented that the City of Joliet has a request out to locate a new water supply. One of those is the Kankakee River and Will County has a lot of nature preserves. He indicated that he would keep Kelly Neal informed if anything comes up with any existing dedication that may be affected. He wondered if this was a challenge for us that do land preservation and the vein of water; the economic benefits and the value of nature preserve land with the effects of groundwater management and sewer management.

229-18) Other Business

No other business.

229-19) Adjournment

Commissioner Ruffner motioned to adjourn. It was seconded by Commissioner Derby Lewis and approved. The INPC adjourned at 2:42 PM.