

**Illinois Natural Resource Advisory Board
Public Access Committee Minutes
October 14, 2009**

Illinois Department of Natural Resources
Region 2 Office
2050 W. Stearns Rd., Bartlett, IL

Committee Members:

Larry Lucas, Co-chair	Nancy Erickson	Jerry Beverlin
Lenore Beyer-Clow	Kent Adams	Aaron Kuehl
Tom Lindblade	Paul Kelley	Peter Veit

DNR Staff:

John Buhnerkempe	Michael Stevens
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Larry Lucas called the meeting to order at 5:15 p.m.

John Buhnerkempe stated that the Conservation Congress is scheduled for October 24-25, 2009.

Mr. Buhnerkempe stated that tonight there will be a presentation by Brenda Middendorf, Access Illinois Outdoors/Two Rivers. The three recommendations to be submitted to the Conservation Congress will be discussed and possibly approved by this Committee. Previous Conservation Congress recommendations will be reviewed, and the draft report, developed with the consideration of this Committee, will also be reviewed.

Brenda Middendorf presented a comprehensive PowerPoint presentation outlining the services that her non-profit organization provides to those who seek access to areas for various recreational opportunities such as bow and gun deer hunting, bow and gun turkey hunting, fishing, camping, photography, hiking, and nature study. She stated that the Access Illinois Outdoors/Two Rivers program is state-wide. Landowners in 52 counties in Illinois are enrolled in the program. She stated that this access program has opened up over 250,000 acres at no additional expense to the State. The landowner maintains total control of their property under this program. The landowner is encouraged to operate legally, carry adequate insurance for their operation, work with their neighbors, and manage their habitat. She stated that visitors using the services of Access Illinois Outdoors pay a \$25.00 annual membership fee which allows them to access the database as often as they like. Access Illinois Outdoors also offers areas for handicapped hunts and youth hunts. A youth mentoring program has been developed in Pike and Adams counties. She stated that they also do promotional tours throughout the year such as a Christmas lodge tour, winery tours twice a year, and a history tour once a year.

Nancy Erickson asked if all landowners charge for the use of their property.

Ms. Middendorf stated that the landowner is allowed to charge for the use of their property, however, some landowners would rather barter for other services. Some landowners will allow free hunting for squirrel or rabbit. There is usually very little charge for fishing, and there is no charge for bird watching, photography, hiking, or camping. The landowner will generally charge

for whitetail deer hunting or turkey hunting. Some landowners will charge for waterfowl hunting. The average charge for whitetail deer hunting is \$100.00 per day. The average charge for turkey hunting may be \$35.00 per day. Access Illinois Outdoors has a concentrated effort in west central Illinois, but there are landowners in southern Illinois that are enrolled in the program. There are a few areas in northern Illinois. There is a map on their website that will show the sites enrolled in the program.

Paul Kelley asked what is done to manage the furbearing species on the sites enrolled in Access Illinois Outdoors.

Ms. Middendorf stated that there are no habitat plans at this time, but she would like to access such plans if available. She stated that she has been contacted by a few people who want to trap.

Jerry Beverlin asked if there was a record of people who have contacted her for any use other than the whitetail deer and turkey hunting.

Ms. Middendorf stated that she could run a report from the database to obtain the information for those who want to do photography, camping, etc. This would be a small number of individuals.

Lenore Beyer-Clow asked if there were landowners who only offer the activities that do not involve hunting, and do those landowners ever express their concern about liability.

Ms. Middendorf stated that there are landowners who only offer non-hunting activities. The program encourages the landowner to carry the appropriate amount of liability insurance and work with their respective insurance agent to develop coverage that would protect them.

Mr. Buhnerkempe stated that the Committee will now review the three recommendations that have been submitted.

Tom Lindblade outlined the recommendations to create a State Water Trails Plan and a model Heritage Water Trail. He stated that it was not generally known that Illinois has some of the most restrictive water access laws in the country. It is very difficult to gain access to a lot of Illinois' rivers because of the fact that there are approximately 33,000 miles of streams that could be canoed, but only approximately 8% (2,500 miles) are considered to be public waters. The remaining miles of streams are basically privately owned, and the landowner can restrict access in whatever ways they want. In practice, that rarely happens; but there was a recent situation along the Vermilion River where the cement plant at Oglesby closed the river due to their concern about liability. This is an example of the potential problems that are out there. The Illinois Paddling Council has looked to find different ways to get paddler access to waters in the State. Paddling is becoming one of the most frequent activities. He stated that kayaking is increasing at the fastest rate of any outdoor activity right now. The pressure on the resources is increasing. A process was started a number of years ago of setting up water trails with open lands. They have established water trails in northeastern Illinois. That process has proven to be a fairly reasonable way to create access for paddlers. The original proposal was simply that an overall water trail plan for the State of Illinois be set up and that the Illinois Department of Natural Resources (IDNR) should be put in charge of doing that. The basic process is one of

setting up a coalition of riparian owners that includes the park districts, forest preserve districts, and people who own land along the rivers of the water trails. That process has worked well, and many of the water trails have signs and a series of maps. There is a lot of information that is available through a website, and the user can download a map for a day trip on most of the rivers. There are currently 11 water trails in Illinois. He would like to see this water trail idea extended to the rest of the State. Part of the problem is that outside northeastern Illinois, the opportunities for the coalitions that they have had are limited because there are not as many forest preserve districts or park districts in other parts of the State. He would like to add the recommendation to look at the idea of heritage of water trails. He stated that Michigan has done well with this program. Michigan has collaborated with local historical societies and museums, and the river becomes a way to interpret history. The people who paddle the river can take advantage of the signs and information to learn the history of the towns. Adding this feature to the proposal will help to make the water trails more viable as they go further south. He stated that the proposal would be:

The IDNR should create a State Water Trails Plan, which includes State Heritage Water Trails, with input from all local, regional, and statewide stakeholders that:

- Increases paddling related tourism throughout the State;
- Expands public access to Illinois rivers and streams;
- Accurately reflects the current recreational use of Illinois' waterways; and
- Establishes designated water trails on waterways identified in the Plan.

Further, the IDNR should establish one model State Heritage Water Trail outside of northeastern Illinois between January 1, 2010 and December 31, 2012, with the further suggestion that the model State Heritage Water Trail should be a refurbished and rededicated Lincoln Heritage Water Trail on the Sangamon River.

Mr. Lindblade stated that it was his recommendation that this be accomplished over a three year period.

Mr. Kelley asked if Mr. Lindblade was going to abandon the idea of defining Illinois water law for everyone and just go for a water trail for those who canoe.

Mr. Lindblade stated that his organization is still behind the idea that Illinois water law be changed to allow for more access, but changing the law is a long, difficult process. He stated that it was his hope that once the water trails are in place, it will show landowners that this works and does not cause problems or concerns. Once the landowners are convinced that this use is workable, it may lead to the changes in the law regarding access. He stated that he felt that these recommendations were achievable, and in the future, he would like to see the Illinois water laws changed.

Mr. Kelley stated that the Illinois water laws go back to 1957, and not much has changed since that time.

Michael Stevens stated that in 1994 the Illinois Attorney General reviewed the Illinois water law, but that was the most recent court case.

Ms. Beyer-Clow stated that it was her understanding that when an advocate group got together in 1994 regarding Illinois water law, it was decided that it would be too difficult to change the water law. It was felt that getting more people out onto the waters would make a better case for that fact. It was her feeling that if more people use the waterways; it will then become easier to see the changes come about in the law.

Mr. Lindblade stated that it was his hope that once the landowners see that this type of use is not causing any problem, it would lead to more access opportunities.

Mr. Stevens stated that incremental change is a lot easier to make happen than widespread change. If widespread change were to be proposed, it could open up the possibility to lose more water than is gained.

Ms. Erickson asked what category to the current water trails fall under. She stated that the Illinois Farm Bureau would have concerns if they were talking about private waters. She would like to learn more about the process of how the 11 water use trails were developed.

Mr. Lindblade stated that a small amount of the trails are public waters, but most of the trails are owned by local park districts and forest preserve districts. He said that he would be happy to explain the process to Ms. Erickson. He stated that it was his hope that all riparian owners would be involved in the process of any proposed water trail, whether it was private ownership, or whether it is owned by a park district or forest preserve district. They have had private owners, districts, and others who have granted access.

Ms. Erickson asked if Mr. Lindblade was looking for a plan that would include use of waters that are already public waters or public use waters which are owned by a governmental body or owned by an individual landowner who has granted the use of that segment for the program. She asked if he was looking for changing anything with regard to private waters.

Mr. Lindblade stated that the basic idea was not to change the law at this point but to get the access granted.

Ms. Erickson stated that she did not see in the list of constituents provided by Mr. Lindblade (Metro Greenway Planning Councils, Ecosystem Partnerships, municipal, county, and regional planning agencies, local businesses, residents, paddling clubs, and other recreational users, as well as museums and historical societies) a provision that talks about the riparian landowners. She stated that she did not feel that the term "residents" covered the individual riparian landowner.

Mr. Lindblade stated that it was his intent that the word residents would mean individual riparian landowners.

Ms. Erickson stated that she would be more comfortable if the language was changed to include riparian landowners. She stated that she would also like to see language added to the proposal that would show the current water trails are considered public waters and public use waters where the property on either side of the waterway is owned by a governmental entity or by a private property owner that actually freely and voluntarily granted the use of the waterway.

Mr. Lindblade stated that he would agree to that wording change.

Ms. Erickson asked what has been done to address the liability issue with regard to this recommendation. She stated that the private property owner will have concerns about the liability issue.

Mr. Lindblade stated that, with the 11 water trails in existence, the liability issue is covered by the municipalities and organizations that actually own the land along the trails. He stated that it was his hope that the wider terminology in the recreational use statutes will be restored, and that will solve the liability issues.

Mr. Kelley asked how the private landowner gave permission for access to the current water trails.

Mr. Lindblade stated that there are number of ways that a private landowner can grant access. In most cases, the landowner simply gives verbal permission. There is also a possibility of some type of lease arrangement for the right-of-way that is entered into voluntarily.

Mr. Stevens stated that an intergovernmental agreement can be entered into with the park districts. There are numerous possibilities that exist to get the access to the streams into the oversight of the IDNR. With regard to the private waters, he asked if there are any current river trails that are owned partially by a private owner.

Mr. Lindblade stated that in most cases, there are small areas in which the waterway is owned by a private landowner. The majority of the waterway of each trail is owned by a park district, forest preserve district, or municipality. He stated that the proposal presented at this meeting is strictly recommending the voluntary participation by the landowner, whether they are a governmental entity or a private landowner. No one will be forced into giving access to their waterway. It is hoped that landowners will want to showcase the history of their particular waterway.

Ms. Erickson asked if the heritage designation gets into public or private waters, and how would it affect use.

Mr. Lindblade stated that the heritage designation is just a way to gain partners in this project. There several historical societies that may be interested in showcasing the significance of the waterways in their areas. The more people that are brought into the process, the better it works for everyone. One of the goals is to increase tourism and bring money into local areas. Each thing that is added to a water trail increases the value. The Lincoln Heritage Trail is an example. He felt that groups like the Boy Scouts would be interested in having an interpretive type of

water trail tour of the Sangamon River. The heritage designation would not put any pressure on a private landowner to participate in allowing access to their portion of the waterway. The heritage designation is an educational component to the program.

After much discussion, the proposed approach to accomplishing the recommendations to create a State Water Trails Plan and a model Heritage Water Trail would be:

- IDNR should coordinate Metro Greenway Planning councils, ecosystem partnerships, municipal, county and regional planning agencies, local businesses, residents, riparian landowners, paddling clubs, and other recreational users as well as museums and historical societies in identifying waterways to be included in the Plan and in implementing the recommendations of the Plan. The IDNR should also approach potential partners such as museums, historical societies, forest preserve districts, park districts, Metro Greenway Planning councils, ecosystem partnerships, municipal, county and regional planning agencies, local businesses, residents, riparian landowners, paddling clubs, and other recreational users to create a planning coalition.
- IDOT, CDOT and other transportation providers should consider in their assessment of projects, any potential impact on and/or possible improvements to existing and proposed watertrails, including providing access where road improvements cross rivers.
- IDOT, CDOT and other transportation keep existing accessible sites open when rebuilding bridges and other structures.
- Extend availability of BAAD grant funding to not-for-profit organizations.
- The IDNR should consider safety, emergency access, impacts on existing wildlife and habitat, environmental problem areas, the location and protection of unique natural resources, waterway hydrology and the design and on-going maintenance of launchsites.
- IDOT, CDOT and other transportation providers should be asked to consider providing access over existing bridge and other state owned rights-of-way.
- The IDNR should design, produce, and place trail signage, maps, and marketing materials which are consistent with the existing Northeastern Illinois Water Trail System. The IDNR should also provide an unobtrusive historical interpretive signage and/or self guiding interpretive materials for use on the river.

It was moved by Larry Lucas, seconded by Jerry Beverlin, and approved, with Nancy Erickson voting present, that the recommendations discussed regarding creation of a State Water Trails Plan and a model Heritage Water Trail, including the revisions agreed to tonight, are approved.

Ms. Beyer-Clow outlined the recommendations regarding recreational use of land and waters area act. She stated that the recommendations talk about restoring liability protection for private landowners who open their land to public for recreation. The objective would be:

Pass legislation which amends the Recreational Use of Land and Water Areas Act by limiting landowner liability to encourage landowners to make land and water areas available for recreation or conservation purposes by:

- Reinstating protection for landowners who open their land to the public for recreation and conservation purposes, which was in place for 40 years under the Recreation Use of Land and Water Areas Act.
- Retaining the protections offered for landowners who open their land to individuals for hunting and recreational shooting gained through the legislation in 2005. (Public Act 94-0625.)

The approach outlined in the proposal was for the IDNR should actively support and work in partnership with advocate organizations (Openlands) who are leading the effort to pass legislation which reinstates the liability protections for outdoor recreation. It was recommended that the IDNR should work closely with Openlands on the following activities:

- Actively working with the Governor and legislators to increase their understanding of the issue and the need to amend the Act.
- Coordinating local support by reaching out to recreation and conservation organizations who in turn can contact their members to spread the word, talk to local media and contact legislators as concerned constituents.
- Providing examples of landowners or recreational activities which are being impacted by the current law, illustrating the need to change it.
- Negotiating with the Illinois Trial Lawyer's Association to introduce language that will reinstate protection for broad recreation and conservation purposes.

Ms. Beyer-Clow stated that it was recommended that the IDNR take the lead in accomplishing the recommendations brought forth regarding recreational use of the land and waters area act. It was her recommendation that the IDNR would actively support and work in partnership with the advocates who are working on this subject. The IDNR could use its influence and power when working with the Governor and legislators and to help coordinate the local support of those who could in turn contact their legislators and get the word out to the media. Some good examples of landowners who are concerned with this issue are needed; especially those who have allowed access but are now pulling it back because of the liability issue. The IDNR could also assist with the negotiations with the trial lawyers. She stated that she would also encourage the IDNR to help facilitate collaboration of all the groups working on this issue. In the past there have been other bills floating around that just addressed certain aspects of a particular use liability. She stated that one bill is needed to focus on the need to address the liability issue.

Aaron Kuehl asked if language could be added to this recommendation that would specifically add protection to those landowners that might receive payment through a State-run access plan.

Kent Adams stated that he would like to add his support to Mr. Kuehl's request for the added language to protect landowners who receive payment through a State-run access plan.

Ms. Beyer-Clow stated that she has no objection to adding that wording to the recommendation that will go before the Conservation Congress.

Mr. Buhnerkempe stated that one of the issues is what role the IDNR will play in Ms. Beyer-Clow's recommendations. He stated that, after talking with interested parties, it may be better if

this comes from a grassroots effort that is supported by the Agency. He did not know if the IDNR would be able to directly take the lead position because that may put the Agency into a negative situation with the General Assembly. He stated that there is a lot of support for her recommendations within the Agency, but the IDNR may not be the best group to spearhead the effort.

Mr. Stevens agreed that the IDNR should not be the entity to take the lead in this effort, but it would lend its support to the efforts to expand the activities covered under the present liability act.

Mr. Lucas stated that the recommendations brought forth at this meeting will be taken to the Conservation Congress. If the IDNR decides not to take the lead on this particular issue, that will be its choice. He did not feel that this should be part of the discussion at this point.

Mr. Kelley stated that he would like to receive clarification that trapping is spelled out in each and every one of the recommendations that will be presented to the Conservation Congress. Where the recommendation says hunting, he would like to see it say "hunting, trapping, fishing, etc."

Peter Veit stated that he spent approximately 20 years fox hunting on horseback behind hounds. The sport is called hunting, but he was not sure where this type of activity would fall into what has been discussed. He always hunted private land, and his group always carried liability insurance. For a single day hunt, approximately 5,000 acres would be needed. Permission was obtained for many private landowners, and they never had a problem.

It was moved by Larry Lucas, seconded by Jerry Beverlin, and approved that the recommendations discussed regarding the recreational liability as it relates to the use of land and waters area act, including the revisions agreed to tonight, are approved.

Mr. Beverlin outlined the recommendations for increased access to lands for public recreation. Mr. Beverlin stated that, pursuant to Mr. Kelley's and Mr. Veit's comments this evening, he would like to revise his recommendations to reflect trapping and add "other compatible recreational interests" to his proposal. Mr. Beverlin stated the emphasis is for the IDNR to make the access issue a priority within the Agency so that there is an individual who would be responsible to look into those opportunities that we may be missing now, particularly in some of the larger landholdings that may be out there where some negotiations can be done. He stated that no one should get a deer nuisance permit without getting a call from the designated staff person within a couple weeks of getting that nuisance permit. He wanted to emphasize that nothing would be forced upon that particular landowner, but if the landowner has the type of problem that would warrant a deer nuisance permit, he may benefit from opening his property to hunting. He stated that he talked with some outfitters recently to find out which areas of the State have deer number issues. He stated that it was his opinion that there would be interest from outfitters to try to deal with these issues. If there is not a primary lead staff person established within the IDNR, there will be no gain at all. He stated that access has always been an issue at each Conservation Congress.

Mr. Beverlin stated that it was his opinion that Illinois needs to be very flexible so that there is a committee that can consider any opportunity that comes along. That flexibility will allow progress towards opening up access in Illinois.

Ms. Erickson stated that when she sees the word “acquisition” in a proposal she thinks purchase. She would like to see the language changed to “long term cost will involve increasing new lands for access.” She would also like to see a change in the language in the last approach item listed in Mr. Beverlin’s presentation where it talks about purchasing property. She stated that purchasing of the property should be clarified to say that the purchase would be only from a willing landowner. She also wanted to emphasize the concerns of private property owners on an access type of issue.

Mr. Beverlin stated that he has no objection to the language changes suggested by Ms. Erickson.

Mr. Lindblade stated that his group is interested in funding for leasing of riparian access in some way. He wanted to know if this could be incorporated into the access issue.

Mr. Beverlin stated that sooner or later the issue of funding will arise - where it comes from and how it matches up with the federal funding. Opportunities to increase usage should always be investigated. The question would be how these could be blended.

Ms. Middendorf asked if each hunter and trapper would need to purchase an access stamp.

Mr. Beverlin stated that would have to be determined. He stated that he does not know what the funding mechanism will look like after this proposal has gone through the process at the Conservation Congress. He stated that no matter where the dollars come from, we need to make sure the dollars are eligible for federal match.

Mr. Lucas asked if provisions should be instituted for those who do not have the proper access stamp.

Mr. Beverlin stated that there is some discretion in law enforcement, and that will be an issue that will have to be discussed at another time.

After much discussion, the original objective and approaches to achieve the objective for access to lands for public recreation were modified to include the language suggestions made by this Committee.

The objective for access to lands for public recreation now is:

The IDNR needs to increase access to available land in Illinois for the purpose of hunting, trapping, fishing, and other compatible recreational interests.

The approach to achieve this objective now would be:

- The IDNR needs to make this agenda a priority and take the primary lead on efforts to increase access. It will be its responsibility to seek and secure all appropriate federal match dollars associated with this program.
- A committee should be established to maintain and further this agenda. This committee should be comprised of appropriate outdoor interest groups, a private landowner, and a representative from the IDNR.
- An access stamp will be created to fund costs associated with the program. Initial costs will be related to IDNR personnel and program development. Long term costs will be associated with the implementation of efforts to increase access. This can take various forms including, but not limited to, cost share incentives for landowners, leasing land from landowners, technical assistance for landowners and purchasing property from willing sellers.

It was moved by Larry Lucas, seconded by Tom Lindblade, that the recommendations discussed regarding increased access to lands for public recreation, including the revisions agreed to tonight, with Nancy Erickson voting present, are approved.

Mr. Buhnerkempe stated that Mr. Kuehl has suggested that the recommendations be put into a different priority order.

Mr.Kuehl stated that any time recommendations are assigned a number; it almost lends itself to priority. He stated that it was his opinion that the highest priority is the recreational liability issue because everything else hinges upon it.

It was moved by Larry Lucas, seconded by Jerry Beverlin, and approved to set the order of the recommendations as follows:

- 1 – Recreational Use of Land and Waters – Recreation Liability
- 2 – Access to Lands for Public Recreation
- 3 – Creation of a State Water Trails Plan and a Model Heritage Water Trail

Mr. Buhnerkempe stated that the members of this Committee were given a handout showing the recommendations presented at the July, 2003 Conservation Congress. He asked that the members review this information to see if they wanted to comment on any further recommendations.

Mr. Lindblade stated that he felt this information would be beneficial to the Committee members because they may get questions from people at the upcoming Conservation Congress regarding past proposals that have not been implemented.

Ms. Erickson stated that she had a comment regarding priority 6 of the 2003 Conservation Congress recommendations. The priority involves the issue of access and the liability issues. She stated that this was still a concern for the Illinois Farm Bureau.

Ms. Beyer-Clow stated that she would like to further comment on this particular priority by not saying de-emphasizing purchasing land, but she would favor “considering both alternatives.”

Ms. Erickson and Ms. Beyer-Clow understand this was a past priority, but they wanted to point out that it continues to be an important issue.

Mr. Adams stated that he failed to point out during the review of the access recommendations that the idea had been mentioned in previous meetings that there may be some specific hunting opportunities in forest preserves or on other lands that had never been addressed, and he wanted to make sure this was addressed in Mr. Beverlin's recommendations.

Mr. Lucas stated that Mr. Beverlin's recommendations include the provision for the IDNR to hire a staff person to look for all opportunities to provide access to land for outdoor recreation, which includes hunting.

Mr. Adams stated that this explanation was acceptable to him.

Mr. Beverlin stated that he has received two or three e-mails regarding horsepower restrictions on State lakes. He has forwarded the e-mails to Jerry Martoglio of the Illinois Bass Federation. He stated that there is an access issue because if you have a 30 or 35 horse motor you cannot go on a particular lake even though that lake is above a certain size. Their push was to do away with motor size. He wanted to make sure this issue was presented. He did not know if this Committee wanted to discuss the issue or hand it off to the IDNR for further discussion.

Mr. Lucas stated that he would recommend that the public comment period be moved ahead of the draft committee report to the Conservation Congress portion of the agenda to accommodate the members of public that are attending the meeting.

Don Dubin stated that he would like to discuss the boat horsepower issue. He stated that he is involved in many fishing organizations, and he has been involved with fishing all of his life. He stated that his motor is attached to his boat, and there are lakes that he cannot put his boat on because he does not have a 9.5 horsepower motor. He feels that his boat, going at a slow speed, would not cause any problem on the lake. He feels that the horsepower restrictions are unfair and limit his access to certain State lakes. He would like to see a change to the law that would allow access to the State lakes by instituting a speed limit and doing away with the horsepower restriction.

Mr. Lucas asked if Mr. Dubin was suggesting that if the boat motor was over the limit, the boat would be restricted to a speed limit that would result in producing no wake.

Mr. Beverlin stated that instituting a speed limit was the suggestion he has been getting, and this has worked at Jim Edgar Panther Creek. The boat ramps at these sites would limit the size of boat that could be put onto the lake.

Mr. Beverlin stated that the provision for horsepower restrictions is covered by IDNR Administrative Rule.

Mr. Kuehl stated that it was his opinion that this issue may not be something that should be taken to the Conservation Congress. It was his suggestion that this concern should be addressed directly to the appropriate staff within the IDNR.

Mr. Dubin stated that this issue has been brought up many times over the years, but nothing has been done to resolve it.

Mr. Lucas stated that he is on the IDNR Advisory Board, and he would be happy to bring the issue up before the Board at its next meeting in November, 2009. He advised Mr. Dubin that he would contact him to let him know what was done regarding this issue after that meeting.

Mr. Beverlin stated that it was his opinion that bringing the horsepower issue before the IDNR Advisory Board would be the appropriate place to address the issue. Mr. Beverlin stated that he would notify Mr. Martoglio that the issue will be addressed at the November IDNR Advisory Board meeting.

Tom Palmisano stated that he is a member of Mayor Daley's Fishing Advisory Council and one of the proprietors of Henry's Sports and Bait Shop in Chicago. He stated that he was here because he was an advocate for fishing. He stated that he respects the Committee's diversity, but he did not believe that fishing was represented in any of the Advisory Council meetings that he had attended.

Mr. Lucas stated that the fishing contingent was represented on this Committee; however, those representatives were not present at this particular meeting.

Mr. Palmisano stated that in 1997 he was involved with the Illinois Conservation Founding project to put in a reef in Chicago, located off Hyde Park on 51st Street. The project was spearheaded by a Chicago group. He stated that part of the deal was that the IDNR would come out each year and put buoys on both ends of the reef and take them away in the fall. He stated that this has not been done, and the reef has not been fished very much. It was his opinion that it was a wasted resource. He stated that he would ask that a way be found to go out and mark the reef at both ends. He stated that he felt this was an access issue.

Mr. Palmisano stated that the second issue he would like to address was an area by Navy Pier that has been off limits to the fishing community for approximately 10-12 years. He stated that the wall has been closed off since the harbor was reconstructed. There is parking access to this wall, and the area had been open to fishing prior to the renovation to the harbor. Mr. Palmisano provided a color photo of the area in question to the members of the Committee.

Mr. Lucas asked who owns the area in question.

Mr. Palmisano stated he did not know who actually owns the area. He did not think the City owns it.

Ken Schneider stated that the U.S. Army Corps of Engineers has some jurisdiction in the area. He stated that the Police Marine Unit is located there. He stated that public access was

discontinued after September 11, 2001. Mr. Schneider stated that the police commander contacted the Army Corps of Engineers, and access was restricted after that. He stated that he has taken pictures of the police taking their children to this wall to fish, but he is not allowed to fish there because he was told it was dangerous to fish in the area. He stated that the company that operates the harbor indicated that there would be no problem with allowing fishing along the wall.

Mr. Lucas stated asked what the Mayor thinks about this issue.

Mr. Schneider stated that the Mayor is not commenting on the issue at this time. Mr. Schneider asked if the IDNR would be able to assist them in resolving this issue. He stated that the Conservation Police have their boats at this same location.

Mr. Lucas stated that he would be willing to relay the concerns regarding the restriction of fishing at this site to the IDNR, but felt it may be a City of Chicago Park District issue. He advised Mr. Schneider he would get back to him on the response from the IDNR.

Mr. Kuehl stated that these issues brought forward by the public further support the need for an access person at the IDNR.

Mr. Kelley stated the hunters and trappers all buy and support a habitat stamp. He asked Mr. Schneider, Mr. Dubin, and Mr. Palmisano if they felt there would be support for a \$5.00 state-wide stamp for fishing.

Mr. Palmisano stated that at a budget meeting in Springfield a couple months ago he suggested a \$7.00 raise on fishing across the board. He stated that this money goes directly to the IDNR, and he stated that his customers believe it is okay to spend more because they know that they are gaining from this resource. He stated that it was their belief that more money should be spent on conservation, and more money should be spent on biologists.

Mr. Lucas stated that last spring the Advisory Board voted to increase all the licenses and institute a parking fee in State parks, but that was turned down in the General Assembly.

Mr. Lucas stated that it was his opinion that there will be a major tax increase in Illinois that will probably happen after next year's election. He stated that we need to focus how to get a share of the increased revenue.

Audrey Fischer stated that she would like to introduce a use that has not been discussed during this meeting. She would like to talk about skies. She stated she would like to see land access be given to astronomers. She stated that she was interested in night skies, and she brought several photographs showing night skies. She stated that light pollution needs to be addressed in Illinois. Ms. Fischer stated that the National Park Service has done studies, and that within two decades maximum there will not be a site like is in her photo unless light pollution is reduced.

Ms. Fischer brought a photo showing earth hour of Chicago. She said the reason the buildings were illuminated in the photo was because of the street lights. The lights were the wrong type of

lighting because it focuses the light upward to spotlight the buildings. Everything that the State parks care about is tied to light pollution. She said she is working with some of the top research scientists in the world, and those scientists are proving that light pollution is a carcinogen. She stated that there is a 75% higher rate of cancer among women in light polluted cities. She stated that she is receiving hate mail and threatening letters because she is reporting this information. She stated that she would like to propose small areas within each State park that will be called a star park. That would involve having a parking area that would have the correct lighting for a telescope to view the skies. She said that people do not even know that our skies are missing, and they have no idea of the health consequences, along with the harm to bird migration. She said that she could do a four hour lecture just on that. As far as land access, she would suggest that there be a star park in every State park and State recreational area, and she would recommend that the lighting be investigated to make sure that it is not contributing to light pollution. She would also like to have one State park or State recreational area that would focus on the whole area and surrounding communities to have a commitment to reduce light pollution so there could be a starlight preserve or a dark sky preserve. She would also like to have one area of land access to build an observatory. Telescopes could be donated. The observatory would have wheelchair access. She stated that the observatory would be staffed by volunteer astronomers. She said that she organized the star party at the White House last week, and it was attended by numerous volunteer astronomers. She feels that children should be introduced to a night sky and to be able to see the stars. She stated that she was asking for Illinois to become a leader in this and stop light pollution on all State properties. She would like to see a star park in each State park and give astronomers access to build an observatory so they can bring their telescopes in for a group star gazing.

Ms. Fischer stated that she would also like to ask for access for beekeeping.

Ms. Beyer-Clow asked what the membership base was for astronomers in Illinois.

Ms. Fischer stated that there are approximately 1,000, but when star parties are held, people travel from other states to attend. She feels that star gazing should be included in the recreational map and pamphlets. She would also like to road signs to inform people that there is a star park.

Mr. Beverlin asked Ms. Fischer if she has ever met with State park staff in Springfield to talk about these issues.

Ms. Fischer stated that the only other person she has talked to about this idea is Pat Quinn when he was still the Lieutenant Governor, and she has been in weekly contact with his office since that time. She stated that she was the first person to talk with Mayor Daley about bringing earth hour to Chicago.

Mr. Beverlin suggested that the place to start would be to meet with Tim Hickmann, IDNR in Springfield. He stated that he knew of some astronomy groups that have used Apple River Canyon because it was one of the least light polluted areas in the State. He stated that he did not think this was as much of an access issue as it was a light pollution issue and what is provided at each site. There are interpreters at some sites that deal with the natural resource at that particular site.

Mr. Lucas stated that it was his opinion this was an access issue and that the Conservation Congress is the forum for this type of issue; however, from a practical standpoint, he felt that she should go directly to the source as suggested by Mr. Beverlin.

Ms. Fischer stated that she would really like to see her issue put on the list to be taken to the Conservation Congress, and she will be at the Conservation Congress.

Mr. Stevens stated that there was legislation in the 96th General Assembly to limit the use of lights in State parks. This is an ongoing thing, and it would cost the IDNR a great deal of money to replace all the lights in all the State parks.

Ms. Fischer stated that it is also okay to just turn off the lights.

Mr. Stevens stated that turning off the lights would raise an issue of public safety.

Ms. Fischer stated that there is grant money available for sustainable energy costs, and lighting fits right in there. She stated that there were a couple weeks remaining before the deadline for those grant applications.

Mr. Stevens stated that this type of grant is offered by DCEO (Department of Commerce and Economic Opportunity). The IDNR could help administer a grant.

Mr. Kelley asked about Ms. Fischer's comments about the bees. He asked if she wanted to establish bees in State parks. He stated that there are areas that would not be suitable for this use, but he felt there would be areas that would support this use. The area would have to be set aside so people would not disturb the bees.

Ms. Fischer stated that the bees would be a good thing to put on State land to help the plant life.

Mr. Adams stated that this issue is getting a lot of attention, and maybe it would be better to focus on pollinator habitat on State managed areas.

Ms. Fischer stated that it was mentioned tonight that Illinois has already stated that it wants to reduce light pollution around the State parks, but they do not have the money to fund the right lighting. She stated that she felt that the Department could apply for that funding within the deadline timeline. She stated that once the people find out about the health concerns regarding light pollution, they will be upset.

William Paulsen asked Ms. Fischer if she was stating that 60 hertz of light transmission causes leukemia and other cancers.

Ms. Fischer stated that leukemia is connected with it, but she did not know the specific numbers.

Mr. Paulsen stated that he did a two year survey across the United States for the Electrical Power Institute, and the study did show that if a person lived between microwave towers the frequency

could cause cancer. He stated that the study also showed that a 60 hertz standard power transmission did not cause cancer. The power from these lines dissipates very quickly. He stated that it was his opinion that she should be very careful if she was saying 60 hertz light transmission was a cancer causing problem because the facts collected over the past 10-15 years say that is not true.

Ms. Fischer stated that it has everything to do with the color of the spectrum. She stated that it is the blue spectrum that is cancer causing. It also has to do with the lights coming into the bedroom window during the normal melatonin producing cycle that will increase the rate of cancer.

Ms. Beyer-Clow acknowledged that Ms. Fischer had some significant issues that may go beyond the scope of this Committee. She stated that Ms. Fischer could make a recommendation that would go before the Conservation Congress, or she could present the idea to the IDNR so it could study this issue. The Department could do something that brings together constituents that are interested in this activity, do some analysis, identify the issues, bring in the science, and do other things that would lead them toward establishment of a star park. She stated that she respects Ms. Fischer's initiative, but suggested that she may have more success if she would start with State park staff.

Ms. Fischer stated that she cannot understand why a request for a star park was unreasonable.

Ms. Beyer-Clow stated that she was not suggesting that her request was unreasonable.

Mr. Lucas stated that Ms. Fischer has made some incredibly important points, and Mr. Beverlin had made a recommendation on who was to be contacted within the IDNR. This Committee is comprised of volunteers, and it has been suggested that the recommendations should be kept to three. He stated that he would be more than happy to entertain a specific recommendation from Ms. Fischer on this issue. He would then ask for a vote on whether or not to incorporate that recommendation into the Committee's final report.

Ms. Fischer stated that her recommendation would be to establish a star park in each State park to raise awareness about the light pollution issues in our state.

Mr. Kuehl stated that he felt that Mr. Beverlin had a good suggestion because he felt that the best way to get this accomplished would be to talk with State park staff.

Mr. Beverlin stated that this was a site by site issue in terms of which parks may lend themselves to this activity. Taking this issue to the Conservation Congress may result in a decision to refer the idea to Tim Hickmann in Land Management within the IDNR for further recommendations. If that was the case, the place to start was with State park staff.

Ms. Fischer stated that at this time the items to be presented to the Conservation Congress are all from one side of the fence – fishing, hunting, and things like that.

Ms. Beyer-Clow stated that was not the case. She stated that she represents other nature constituents.

Mr. Lindblade stated that it was his opinion that the Committee could make a recommendation regarding a star park to the Conservation Congress.

It was moved by Tom Lindblade, seconded by Lenore Beyer-Clow, and approved with Aaron Kuehl and Kent Adams voting no, to add a fourth recommendation to establish a star park in each of the State parks.

Mr. Buhnerkempe asked Ms. Fischer to leave her contact information with his assistant. He stated he may need her help to form the final recommendation regarding this issue.

Mr. Buhnerkempe stated that the Committee was required to put together a report to the Conservation Congress. A preliminary draft report was put together prior to this meeting. The report follows the Committee charge and the various issues that were to be addressed in that charge. He asked that all Committee members review the report and let him know of any concerns or issues. He stated that this was a large, complex issue, and there are constituents that this Committee was not even aware of that want to have access. This should be considered a work in progress. All the recommendations from this Committee will be at the end of the report.

Mr. Kuehl asked if the public comments that have been included in the draft report needed to be addressed by this Committee. He felt that some of the comments would not be supported by the Committee as a whole.

Mr. Buhnerkempe stated that the public comments included in the report were not necessarily those of the Committee and do not need to be addressed. The comments received on the access survey will be summarized for the report.

Mr. Lucas thanked the Committee members, the IDNR staff, and the members of the public who took time to attend the meeting.

The meeting was adjourned at 7:30 p.m.