

Illinois Natural Resources Advisory Board
Public Access Committee Minutes
August 27, 2009
IDNR Headquarters
One Natural Resources Way
Springfield IL 62702

Committee Members:

Larry Lucas, Co-chair	Pat Kernan, Co-chair	Nancy Erickson
Lenore Beyer-Clow	Tom Lindblade	Jerry Gille
Jerry Beverlin	Kevin Chapman	Kent Adams
Aaron Kuehl	Scott Bryant	Jerry Martoglio
Paul Kelley		

DNR Staff:

John Buhnerkempe	Tim Schweizer	Kathy Andrews
Penny Snyder	Tami Evans	Mike Stevens

Director Miller opened the meeting at approximately 5:00 p.m. by welcoming everyone to the Public Access Committee. This committee is part of a process to energize and re-engage constituents and to provide the Department with feedback on important and critical issues. This process will feed into a new and revised Conservation Congress and will give constituents an avenue to provide guidance.

There are three main issues that DNR sees as critical: Youth Recruitment & Retention, Funding and Public Access. The issues for this committee are public & recreational access.

Illinois is a state that is mostly privately owned. Ways are needed to provide recreational opportunities for all constituents and this process will provide us with ideas on how to move forward, by balancing all sorts of interests. Most children today don't have the opportunity to hike, fish & hunt. We need to secure a future for our children, our tradition and the Department.

Larry Lucas, co-chair echoed the Director's comments. Access is a universal problem throughout the state for all constituencies. Larry asked that we come up with recommendations and objectives and have a list of what is accessible in the State by the next meeting. Liability is a critical issue. We need to look at private, public and federal government for real targets and goals.

John Buhnerkempe, Chief of Wildlife Division introduced himself and added that his role is to provide staff support and help the committee formulate recommendations relative to access issues. John provided the group a power point presentation on private land access program for Illinois from a hunting standpoint and provided the group with several

informative pieces relative to private land and access programs. This information and power point presentation can be found on the Conservation Congress website:
<http://www.dnr.state.il.us/nrab/cc.htm>

Access is a very complex issue. There are a lot of different types of access; we need to think about how to scope out access, and find out what the issues and problems are.

Hunting opportunities are declining. Each type of hunting opportunity has its own access issues. Hunter age, new and other interests, too many regulations and habitat can add to declining numbers. A 2001 hunter harvest survey indicates that hunter access, loss of suitable hunting ground is the biggest issue.

Since 1985, a number of attempts to implement an Access program for the State of Illinois have been tried. Many of these programs tried to bring landowners and hunters together to open up their properties for hunting purposes. In 2008, the Deer Management Task Force also tried to stimulate access issues. Most successful access programs have been implemented west of the Mississippi.

Liability is the biggest concern for landowners as well as hunter conduct issues.

Jerry Beverlin asked how much money is available from the current farm bill for States that have access programs. John added that nationally, he believes \$50 million. The program has been held up because they are unsure how the program will be implemented. For a state to qualify you must have an access program in place. Nancy Erickson asked John to e-mail her information relative to the Farm bill.

Scott Bryant stated that there's been an influx of out of state hunters using public hunting areas, and residents are being overcrowded. Is there a way to fix this? It's becoming a major issue.

Kevin Chapman added that the resident hunter numbers are declining at all time lows and yet we are recruiting out of state residents to come to Illinois at an all time high. And now we are trying to figure out access issues. Who are we targeting, non resident's? Or are we trying to provide access for Illinois residents? Scott Bryant added that private land owners can do what they want, but public land should be available to Illinois residents first.

Jerry Beverlin added that we need to be cautious with non resident issues. Sometime ago a limit was set for non residents, and once it was met, it was raised. An access program shouldn't be about residents and non residents. An access program should be about how we identify new places to hunt.

Jerry Gille asked what other options exist in the state relative to properties that are not currently hunted that could be hunted. Is this something we could look at?

Tom Lindblade added that there are serious problems with other access issues, such as paddler access due to set restrictions in terms of what's navigable in Illinois. Access to paddlers in the State of Illinois is more difficult than almost any other state. Tom would like to see broader access for other recreational activities.

Pat Kernan suggested we should investigate utility and coal companies. They typically have lots of ground and a joint partnership should be looked at.

Jerry Beverlin stated that in order to have an access program, it takes a commitment from the DNR Director. It's been an ongoing issue for years, with ideas and suggestions but the Department has not made a commitment; it must be a priority of the Director.

Aaron Kuehl agrees but a mechanism to fund an access program is needed. What about an access stamp for existing public lands where funds are used to generate money for an access program?

Tom Wall, Better Fishing Association, added that he has canoed the Vermilion River for over 50 years. They were told recently that a cement company located in the Olgesby area has been given the authority from IDNR to shut the river down. Are there any suggestions or ideas or a correct interpretation of the law to correct this? Michael Stevens, DNR legislative liaison, added that DNR did not shut the river down, that it's owned by the cement company and they can make those decisions.

Paul Kelley added that this was an issue discussed some time ago and it was requested that the state identify water law so individuals would know what is legal. Tom Lindblade added that there is information provided on the Illinois Paddling Council website that could be of help but added that this is an issue that should be addressed. Aaron Kuehl said this issue falls into a liability issue. Kent Adams added that where the big tracts of land have opened up for hunting purposes, the number one reason was that liability issues fell back to the state.

Lenore Beyer-Clow, Policy Director at Openlands, provided an overview of the Recreational Use of Land & Waters Areas Act. This act was put in place to allow recreational users on private property and provided protection to landowners from liability. Its purpose was to encourage more opportunity for recreational users. In 2005, due to a lawsuit, the law was changed to cover hunting or recreational shooting making landowners protected for these purposes only. This reduced public access for many recreational users.

Openlands is working to amend this act and reinstate the protections it once had and to expand the Act to include all recreational activities. 80 organizations have generated support to amend this law. Lenore provided the committee a fact sheet on HB494 Restore Liability Protection for Outdoor Recreation.

Bo Arnold asked if legislators have been supportive. Lenore stated that they have not been able to get out of committee for some time. The opposition stems from the Trial

Lawyers Association. Jerry Beverlin asked if there is a list of organizations that Openlands have requested support from or is there a list of groups that that have shown their support. Lenore added that they are working on outreach.

Nancy Erickson stated that the IL Farm Bureau has been concerned with this Act from the beginning. IFB has been trying to get this issue corrected but it has been tough. Scott Bryant added that everyone knows the problem here and that it's our responsibility to let the legislators know what the people want.

Kevin Chapman asked if there is any difference in the level of protection if access is offered for no charge. Lenore added that it's only for no charge.

Aaron Kuehl asked if it would be difficult to generate a list of actual approved activities. Lenore added that they are open to generating a list.

Larry Lucas asked that the committee share what their organizations are doing to help improve access.

Tom Lindblade, IL Paddling Council – The Council has a long continuous access project and have established 10 water trails in northeastern Illinois put together with numerous entities. Tom provided the group with a map of the various water trails in Illinois and would like to see these expanded to all areas of the state.

Aaron Kuehl, Pheasants Forever - PF has launched an Upland Legacy Campaign, are working to improve habitat and are involved in various land acquisition projects in Illinois.

Bo Arnold, IFOR – IFOR's board is made up of a wide variety of constituency groups. IFOR is an umbrella organization that helps enhance different areas for all types of recreational activities.

Jerry Beverlin, United Bowhunters – Jerry added that he's been a member of almost every organization sitting on this committee and has had a lot opportunity talking with legislators, interest groups, etc., relative to access issues. Jerry drafted a proposal written some time ago to pull access into the forefront. DNR now has a Director who is interested in this issue and we can finally get a commitment from the Department.

Jerry Gille, United Bowhunters of Illinois - Jerry added that there is a long history with pushing access issues. United Bowhunters has provided localized technical support and the focus has been changed some and expanded to the legislative agenda.

Jerry Martoglio, IL Bass Federation - IL Bass Federation has been active in encouraging youth involvement in the sport of fishing.

Lenore Beyer Clow, Openlands – Openlands has an acquisition arm that helps individuals with conservation easements and helps public agencies purchase land.

Scott Bryant, Migratory Waterfowlers – Migratory Waterfowlers have worked hand in hand with DNR for 40 years from building levees to supplying seed for habitat.

Kevin Chapman, IL Bowhunters Society – IBS has worked with local Conservation Districts to help and assist with rules and regulations for hunting on private property.

Nancy Erickson, IL Farm Bureau - IFB has an extensive policy on wildlife management and a policy on how to develop a volunteer access program. IFB supports volunteer base programs to help public access on private property. Youth development has also been a focus. IFB has also supported equestrian access.

Kent Adams, Wild Turkey Federation – WTF concerns are primarily focused on hunting access. WTF has launched a program called More Places to Hunt which ties into access issues. WTF supports acquisitions and has contributed to 6 different state properties in the past few years. The idea of making public lands public is a key component as it means different things in different places. The idea of an inventory list is a great idea.

Paul Kelley, IL Trappers Association – ITA is involved with maintaining trapping as a sport. As far as access, most trapping is done on private property and Mr. Kelley has rarely ever been turned away.

Jerry Gille asked why Openlands is taking the lead in landowner liability issues and not DNR. It makes sense that it would be an initiative for DNR?

Ron Rhoades, IL Trail Riders – Ron stated that there is approximately 300,000 hunters in the state and approximately 200,000 recreational trail riders. It seems like we could combine forces and increase impact. Larry added that the bigger the numbers, the better and invited him to the discussion/committee.

Pat Kernan – Given Director Miller's commitment, whatever ideas we put forth, good ideas and good resolutions, we will implement.

Larry Lucas provided a recap and list of thoughts for future discussion. At the next meeting we will work on what we want to put forward at Conservation Congress in October.

- A map, accessible via internet of the State that shows what's accessible for all recreational opportunities
- Defining Public Waterways
- Land Acquisition
- Designated IDNR employee for Public Access
- Federal Money
- Liability Issues
- Tax Incentives
- Make Public Lands Public

Kevin Chapman asked about the IL Hunting Heritage Protection Act in Illinois, and added that someone needs to oversee this inventory of the hunting lands that we have. There were some issues on whether hunting was going to be allowed during the state park closures. This could cause conflict with the Act.

Scott Bryant asked why the legislators did not support the proposed fee increases. Mike Stevens added that DNR tried but the timing was off.

John Buhnerkempe will send the committee potential dates for the next meeting. Paul Kelly offered to host the next meeting in the Quincy area.

Pat Kernan suggested creating an open forum through the IDNR website so that communications could be made on a number of issues.

The meeting adjourned at 7:45 p.m.