

ILLINOIS NATURE PRESERVES COMMISSION

Minutes of the 223rd Meeting
(Subject to approval at the 224th Meeting)

University of Illinois Extension Office
901 Illinois Avenue
Waterloo, IL 62298

Tuesday, May 3, 2016

223-1) Call to Order, Roll Call, and Introduction of Attendees

At 10:00 a.m. Commissioner Dann introduced Director Wayne Rosenthal.

Director Rosenthal indicated that IDNR has continued to operate and keep things open for ten months without a budget because of the great relationships between employees and vendors. He let the Commission know that the IDNR does not support the release of feral cats back into the wild. He felt IDNR's mission is important. Progress has been made even without a budget. IDNR has a headcount problem and aging population within IDNR. IDNR went from almost 2400 staff down to 1137. They are trying to hire younger staff so they can get a larger headcount, which is just one of the biggest challenges IDNR has.

Commissioner Dann indicated that the Commission's number one priority is getting the INPC Director position filled.

Director Rosenthal stated that is all part of it and it is all tied together and why he would like to get this budget passed. He was unsure of the status.

Randy Heidorn indicated it was his understanding that discussions to remove the Natural Resource Manager III position from the Union has tied up the filling of the INPC Director's position.

Director Rosenthal commented that he disagreed with supervisory positions being in a union, but right now we have to deal with what we have.

Commissioner Thomas thanked Director Rosenthal for the IDNR's continued efforts on the Cache River. He asked if there was money for the Karnack Levee.

Director Rosenthal answered there are a lot of things we have money for The IDNR collects money from the federal government, license and permits but with no spending authority IDNR cannot spend it. He hoped that within the next two weeks we would get a budget for 2016 and 2017.

Commissioner Dann thanked Director Rosenthal for his support and commented that it was tremendously encouraging and heartwarming to have a Director going to bat for the Commission.

Director Rosenthal commented that with his background in the military, the rules are put in place and if you follow the rules he would defend everything you do. He commented the INPC is very important to what IDNR does.

Commissioner Dann thanked Debbie Newman and Bob and Nancy Weck for leading the field trip yesterday. Thanks to Mark Phipps, Natural Heritage Biologist for the area for participating. He also thanked Pen and Carl Daubach for their hospitality.

Commissioner Dann called the meeting to order and Director Emeritus Heidorn read the roll call:

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

Commissioners absent: Deborah Stone

Director Emeritus Heidorn stated that Commissioners Covington and Ruffner had been reappointed and are awaiting the reappointment of Commissioner Derby Lewis.

Advisors to the Commission present: Ryan Prehn, Illinois Historic Preservation Agency

Consultants to the Commission present: Randy Heidorn

Others present: Marni English, Kelly Neal, Valerie Njapa, Tom Lerczak, John Nelson, Debbie Newman, Steven Byers, Kim Roman, Bob Edgin, Angella Moorehouse, Illinois Nature Preserves Commission (INPC) Staff; Dawn Cobb, Jenny Skufca, Natalia Jones, Illinois Department of Natural Resources (IDNR); Jeannie Barnes, Illinois Natural History Survey (INHS); Mary Ellen Niemietz, City of Columbia; Joann Fricke, Mike Fricke, Ralph Buettner, Clifftop; David Monk, Heartland Pathways; Bill and Barb Gonterman.

223-2) Adoption of Agenda

It was moved by Commissioner Ruffner, seconded by Commissioner Daubach, and carried that the Agenda be adopted.

223-3) Approval of Minutes for the Special Meeting, January 25, 2016 and 222nd Meeting, January 26, 2016

It was moved by Commissioner Derby Lewis, seconded by Commissioner Thomas, and carried that the minutes from the 222nd Meeting, January 26, 2016, be approved.

Commissioner Dann read the following:

At the 222nd Meeting of the INPC, held on January 26, 2016, at the Illinois Department of Natural Resources, One Natural Resources Way, Springfield, Illinois, legal protection was completed by the Commission for two tracts of land totaling 153 acres. These areas are privately

owned by individuals, corporations or not-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. The dollar value of the tracts of private land is one million dollars based on conservative estimates of the fair market value of the land. Lands protected included an Addition to Yonder Prairie Nature Preserve in McHenry County; and renewal of Degognia Canyon Land and Water Reserve in Jackson and Randolph Counties .

Protection of these lands came about because the Commission had eight staff in the field working with private and public landowners. There are now 386 dedicated nature preserves (NP) totaling close to 58,300 acres and 181 land and water reserves (LWR) totaling in excess of 50,580 acres.

223-4) Next meeting date and location

September 13, 2016 Danada House, Wheaton, IL

Commissioner Dann commented that the January 2017 meeting will be in Springfield, date to be determined. He asked for suggestions for the location of the May 2017 and September 2017 meetings.

223-5) INPC Staff Report

Tom Lerczak presented the staff report. (Appendix I)

Tom emphasized that even though the accomplishments look impressive and there is a long list of things we have done, it has been an increasing challenge for staff to make these accomplishments. They have been meeting these challenges by moving the gaps around. An example of these gaps would be after a prescribed burn, the Natural Areas Protection Specialist (NAPS) had to treat the resprouts with herbicide, which would normally be contracted out. This takes the NAPS away from writing proposals, contacting landowners and updating management plans.

We still have five positions unfilled, Stewardship Program Manager, Protection Program Manager, Director, Area 6 and Area 9 NAPS positions. Staff are doing parts of several jobs. Tom stated he is doing parts of four jobs, his NAPS job; reviewing proposals which is part of the Protection Manager's job; parts of the operations and covering part of Area 6.

Tom commented it is getting increasingly difficult to get field work done due to equipment failure, such as water pumps and ATVs breaking down. Staff is making repairs with personal funds in the hopes of being reimbursed eventually. We have three staff members using internet from the host site but two staff members are using personal internet, one by choice and the other because the internet has been shutoff due to unpaid bills by the State.

Tom reported INPC received a letter from Mayor Johnson of Elk Grove Village that the Busse Forest Nature Preserve Dam Modification project has worked the way it was designed. The downstream flooding has been alleviated and the NP is intact and not under threat.

Valerie Njapa updated the Commission on the Mississippi Lime kiln facility affect NPs and LWRs in Monroe and Randolph Counties.

Commissioner Derby Lewis asked if the company needs to have an independent entity do the baseline data collection. It seemed to her that the INPC be able to help select the entity to do the data collection.

Commissioner Daubach asked if there was a way to force them to get that data since they already have their permits. She stated it would be proactive defense on their part to get baseline data in case adverse effects were discovered and that it is an unfortunate situation.

Valerie answered that in this particular area where they are proposing to put the facility, it may be easier than in other locations to document any deposition of air pollutants to the NP and potential negative impacts to their facility. Addressing Commissioner Derby Lewis, Valerie stated they discussed keeping INPC involved in those discussions. At this time, she did not know if Mississippi Lime will propose doing the monitoring but it was a topic of discussion. She felt they would work with INPC in good faith and be willing to consider the independent entity.

Commissioner Dann agreed with Commissioner Derby Lewis, that the INPC should be requesting an independent organization that both the company and INPC agree with to do the pre-construction monitoring.

Valerie commented that they can try to do this but cannot force it. They engaged us at the meeting which was in good faith on their part. We are in a holding pattern again to see if they move forward with construction but she guessed they would. We can ask them to collect that data if they are confident those adverse impacts are not going to happen. If they ever try to hide the results, whenever we take something forward for enforcement action, we have evidence and data to go on. We may be forced to obtain our own data if we expect a violation has occurred. There are six sites within a 1-2 mile distance of the facility.

Commissioner Daubach asked what the time limit is to begin construction and if there is a point where they would have to begin the permit process again.

Valerie answered she believed there was a 12-18 month time limit, but they would have to ask for an extension.

Commissioner Thomas asked if we have data somewhere within IDNR or INPC on the plant species that might be most sensitive to deposition of lime, changes in pH and surface waters. He commented that it seemed it could helpful if INPC could provide to the individual surveying key species that the INPC wants monitored and tracked, that have the highest potential of adverse effects.

Valerie answered their ecological screening assessment is all based on models with inputs which are not site specific. The models are well below IEPA's screening levels. She suggested we need to include site specific inputs.

Commissioner Thomas commented that he doubted that their criteria were for a specific plant species which would be of concern on INPC sites.

Valerie answered that we have that in general based on the consultation done with IDNR but not to the level of detail to find select species that would be vulnerable to any specific air pollutant.

Valerie updated the Commission on the Johns Manville Superfund site in Lake County located within Illinois Beach Nature Preserve.

Commissioner Dann commented that he attended a meeting with Johns Manville staff, A.E. Com, Lake County Forest Preserve District and IEPA, at Johns Manville's office. The Lake County Forest Preserve District is going to present a plan to take over the future obligations Johns Manville has for maintaining this site with interest in turning it into grassland and ephemeral wetlands which could serve as buffer to the south unit of Illinois Beach State Park.

223-6) IDNR Staff Report

Jenny Skufca reported on behalf of Acting Chief Ann Holtrop. (Appendix I)

223-7) Endangered Species Protection Board Staff Report

See attached report. (Appendix III)

223-8) Kankakee Co. – Additions to Sweet Fern Savanna Land and Water Reserve, Registration

Kim Roman requested registration approval of four lots as an addition to Sweet Fern Savanna, located in the Kankakee Sand Area Section of the Grand Prairie Natural Division. Sweet Fern Savanna was originally registered by Dr. Marianne Hahn as a Land and Water Reserve in 2001, and was 62 acres in size. Subsequent additions to the Land and Water Reserve, registered by both Dr. Hahn and the Illinois Chapter of The Nature Conservancy (occurring in 2005, 2006, 2007, 2008, 2010, 2012, and 2014), have increased the size of the Land and Water Reserve to approximately 146.6 acres. Sweet Fern Savanna Land and Water Reserve is recognized on the Illinois Natural Areas Inventory (INAI # 1581) for its high-quality dry-mesic sand savanna and for the habitat it provides for 15 state-threatened or endangered plants, and the state-threatened black-billed cuckoo (*Coccyzus americanus*), ornate box turtle (*Terrapene ornata*), and regal fritillary butterfly (*Speyeria idalia*). Sweet Fern Savanna also provides habitat for an additional 23 insect species and 10 vertebrate species in greatest need of conservation. This proposal is for the registration of 4 individual lots totaling 13.3 acres comprised of Grade C dry-mesic sand savanna, sand flatwoods, and former agricultural fields succeeding to sand prairie, as additions to Sweet Fern Savanna. The registration of these additions will buffer habitat for many species in greatest need of conservation, protect known occurrences of the state-listed shore St. John's wort (*Hypericum adpressum*), bristly blackberry (*Rubus schneideri*), highbush cranberry (*Vaccinium corymbosum*), and primrose violet (*Viola primulifolia*), buffer high-quality natural communities, and promote more efficient management of the Land and Water Reserve. Registration of these tracts will bring the total registered acreage of this site to approximately 160 acres.

Commissioner Dann asked what Dr. Hahn's estate plans are with this land.

Kim answered that Dr. Hahn had discussed a local conservation group she might leave the land to.

Commissioner Dann asked who and if the Congressman is supportive of making a National Wildlife Reserve of the larger portion of this land.

Kim answered she would have to find that out.

Commissioner Dann commented it is crucial having the Congressman's support in making it a National Wildlife Reserve.

Commissioner Covington asked if Sweet Fern Savanna Land and Water Reserve is eligible to be a Nature Preserve.

Kim answered that it is.

Commissioner McClain commended Kim for continuing to include insects and encouraged her to keep doing so. He asked why there are so many long, linear plots in this area.

Kim answered that these are all over the township. This area was subdivided in the 1970's to escape the urban areas.

Commissioner Covington commented that some of the best conservation areas in the state were created from failed subdivisions.

Director Emeritus Heidorn stated this overall preserve design is part of larger landscape design. It is part of the Kankakee Sands project which includes land owned by IDNR, privately, landtrusts, and includes a national wildlife refuge. It is truly a landscape type project.

It was moved by Commissioner Daubach, seconded by Commissioner Covington, and carried that the following resolution be approved:

The Commission grants approval for the registration of additions to Sweet Fern Savanna as an Illinois Land and Water Reserve, as described in the proposal presented under Item 8 of the Agenda for the 223rd Meeting.

(Resolution 2354)

223-9) Lake Co. – William Kurtis and Donna LaPietra Nature Preserve Buffer Addition to Grainger Woods Nature Preserve, Dedication

Steven Byers, on behalf of William Kurtis and Donna LaPietra, requested preliminary approval for dedication of 8.08 acres as a Nature Preserve buffer addition to Grainger Woods Nature Preserve. Grainger Woods Nature Preserve was granted final approval for dedication at the Commission's 204th Meeting in January 2010 (Resolution No. 2061). This proposal represents the second privately-owned addition to Grainger Woods Nature Preserve. Grainger Woods Nature Preserve (187.6 acres) and the proposed addition are located in the Morainal Section of the Northeastern Morainal Natural Division. The proposed addition includes Grade C

dry-mesic upland forest that is located within the Grainger Flatwoods INAI site (INAI # 0667) and a cultural community that is being restored to prairie. William Kurtis conveyed a Grant of Conservation Right and Easement to Lake Forest Open Lands Association (LFOLA) in December 1995. The stated purpose of that easement is "...to assure that the Property will be retained forever predominantly in its natural, scenic, and open space condition and that any natural plant and animal communities located on the Property which are indigenous to northeastern Illinois will be preserved to the extent feasible." The rights conveyed to LFOLA and retained by William Kurtis are detailed in the Grant of Conservation Right and Easement provided in the proposal. Rights reserved by William Kurtis include all rights of ownership that are not expressly prohibited and that are not inconsistent with the above-referenced purpose of the easement. This Grant of Conservation Right and Easement also provides the right to grant easements (or construct improvements) for utilities for the benefit of an adjacent 37-acre tract of land. However, the Grant of Conservation Right and Easement was executed in 1995, well before Grainger Woods Nature Preserve was finalized. Now, the only viable option for William Kurtis to either grant an easement or construct improvements for the benefit of this tract of land is from the north and outside the boundary of the proposed Nature Preserve buffer addition. The proposal provides the landowner with the right to utilize an adaptive management approach, the right to maintain and use an existing mown trail with an ATV, the right to route and construct a foot path with amenities, and the right to place and maintain ten bee hives on the parcel with the permission of the Commission. Protection and stewardship of the proposed addition supports several elements of the Illinois Comprehensive Wildlife Conservation Plan; specifically the forests campaign and efforts to "...restore and manage high-quality examples of all forest communities." Outstanding features of nearby Grainger Woods Nature Preserve are the wet-mesic upland forest and northern flatwoods communities that are sensitive to changes in surface hydrology. Protection of the proposed William Kurtis and Donna LaPietra Nature Preserve buffer addition will further protect the existing surface hydrology upon which Grainger Woods Nature Preserve is dependent and increase its size from 187.6 to 195.68 acres. Mr. Kurtis may also place and maintain up to 10 bee hives with the permission of the Commission. (All other reserved rights listed in proposal.)

Commissioner Dann suggested that staff prepare written guidelines for pollinators in the nature preserves system.

Commissioner Daubach asked if INPC staff uncovered any research that indicates damage to native bees and bumblebees from the presence of European honey bees.

Steve answered that there is information from the Xerces Society that recommends that non-native bee hives be at least a half-mile or six-tenths of a mile from native or natural plant communities. He indicated there is information that suggests that non-native bees are helpful in helping restore prairie.

Commissioner McClain commented that in attempts to provide plants for pollinators, not enough attention is being given to host plants. A lot of these insects are specific to certain plants and wondered if enough attention is being given to that. He asked why Steve was concentrating on bumblebees.

Steve answered they are just one element of the native pollinators we need to be concerned with. There are butterflies and other species that are considered native pollinators that need to begin to be looked at.

Commissioner Covington abstained from voting due to his relationship with William Kurtis and Donna LaPietra.

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

The Commission grants preliminary approval for the dedication of the William Kurtis and Donna LaPietra buffer addition to Grainger Woods as an Illinois Nature Preserve, as described in the proposal presented under Item 9 of the Agenda for the 223rd Meeting.
(Resolution 2355)

223-10) Monroe Co. – Addition to Brickey-Gonterman Memorial Hill Prairie Nature Preserve, Dedication

Debbie Newman requested preliminary approval for an addition to the Brickey-Gonterman Memorial Hill Prairie Nature Preserve (NP) which is a 7-acre site owned by JW (Bill) and Barbara Gonterman. The site is comprised of approximately 5 acres of Grade C dry, dry-mesic, and mesic upland forest, ¼ acre Grade C loess hill prairie, and Grade A limestone cliff community. Approximately 4 acres of the proposed preserve addition is part of the 232-acre Renault Herpetological Area Illinois Natural Areas Inventory site (#761) located in the Northern Section of the Ozark Natural Division. The proposed preserve contains habitat for several threatened or endangered reptiles and amphibians and an invertebrate. The state-threatened bluehearts (*Buchnera americana*) occurs just a few hundred feet from the proposed addition. The addition also provides habitat for several species of Greatest Need of Conservation (SGNC) listed in the Illinois Wildlife Action Plan (IWAP). Besides protecting the loess hill prairie, limestone cliff, upland forests and habitat for listed species, the proposed addition supports several campaigns identified in the IWAP, including the Forests Campaign, the Invasive Species Campaign, and the Land & Water Stewardship Campaign. The site is located within IWAP's Bluff Corridor Conservation Opportunity Area, and the Southwestern Illinois Wildlife Action Plan partnership. The proposed preserve addition is adjacent to the 19.5-acre Brickey-Gonterman Memorial Hill Prairie Nature Preserve and Buffer and the 42-acre Brickey-Gonterman at Renault Bluffs Land and Water Reserve, and the nearby 283-acre Angela's Prairie Land & Water Reserve. The Gonterman's reserve the right to continuing mowing the mowed area for education purposes, and to keep powerlines clear. They also wish to reserve the right for hunting.

Commissioner Derby Lewis asked when is appropriate to mow powerline rights-of-ways or maintain it for habitat.

Debbie answered they are reserving the right to mow for now but with a long term plan can be put back to something later that would be more beneficial and native. It would depend on the management objectives. The big challenge is that once it is put into anything other than mowed grass, if the power companies see anything woody they will come in and spray it and has damaged prairies. That coupled with what INPC staff limited right now, would rather use their time to restoring hill prairies and connect them to the larger body of prairie and keeping

invasives out of the woods. Before trying to work on an area that has been mowed for a long time and try to bring that area back to a native pollinator habitat. It would be good for the long term goal and management plan but we do not have the capacity to do it at this time.

Commissioner Daubach commented it is a policy issue and a matter of who has leverage to work with the energy company. She talked about the Rights-of-Way as Habitat working group. Ameren is included in the working group meetings.

It was moved by Commissioner Covington, seconded by Commissioner Daubach, and carried that the following resolution be approved:

The Commission grants preliminary approval for dedication of an addition to Brickey-Gonterman as an Illinois Nature Preserve, as described in the proposal presented under Item 10 of the Agenda for the 223rd Meeting.

(Resolution 2356)

Break for lunch from 12:00 p.m. to 12:45 p.m.

223-11) Winnebago Co. – Gorsegner Addition to Harlem Hills Nature Preserve, Dedication

John Nelson, on behalf of David and Kimberly Gorsegner, requested preliminary approval of Harlem Hills as an Illinois Nature Preserve. Harlem Hills encompasses the largest, and perhaps the best, surviving example of a dry-mesic gravel prairie within the state. David and Kimberly Gorsegner own the last remaining unprotected relict prairie to be found at Harlem Hills. It is their intent to legally protect this prairie parcel (1.5 acres) as the Gorsegner Addition to Harlem Hills Nature Preserve. The goal of legally protecting the gravel prairies at Harlem Hills, first envisioned by George B. Fell and his father in the early 1950s, will be complete with the approval of this dedication proposal. The preserve was established in 1973 with the dedication of 52.4 acres by the Illinois Department of Conservation (as the Illinois Department of Natural Resources was then known). Over the past 40 plus years, the preserve has grown as other parcels were dedicated as additions and buffer additions. While some of the gravel prairies that George Fell first saw in the early 1950s were lost to development over the same time period, most of the prairies were indeed preserved and survive today. The proposed Gorsegner Addition will bring the total acreage of land permanently protected at Harlem Hills Nature Preserve to 96.1 acres. It is fitting that private landowners are dedicating the last surviving prairie at this preserve, the legislation for which was also championed by George B. Fell and the NLI. The dedication of this prairie is made in memory of Helen Hatfield and Marcia Gorsegner, mothers of Kimberly and David Gorsegner, respectively.

Commissioner Dann asked if it was a high priority for Brad Semel and John Nelson to deal with the woody part of this proposed acquisition.

John answered that only from the good relationship with the landowner and promises made. With it being small, it will not take Brad long using the Bobcat he has.

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

The Commission grants preliminary approval for the dedication of the Gorsegner Addition to Harlem Hills as an Illinois Nature Preserve, as described in the proposal presented under Item 11 of the Agenda for the 223nd Meeting.

(Resolution 2357)

223-12) Winnebago Co. – Addition to Searls Park Prairie Nature Preserve, Dedication

John Nelson, on behalf of the Rockford Park District (RPD), requested preliminary approval for dedication of approximately 62.8 acres of land as buffer addition to Searls Park Prairie Nature Preserve. If approved, this dedication will help protect and expand a significant area of the Searls Park Prairie Illinois Natural Areas Inventory (INAI #0920) site. Searls Park Prairie Nature Preserve is currently 66.0 acres in size and is owned and maintained by the RPD. The existing nature preserve and proposed buffer addition are part of a larger area of open space land (161.0 acres) owned and managed by the RPD. These public lands are known locally as Searls Memorial Park and Northwest Community Park. Natural communities survive within these park lands and consist of floodplain forest, wet-mesic prairie, wet prairie, sedge meadow, marsh, pond, and oak savanna. The existing nature preserve protects high-quality wet-mesic prairie and wet prairie natural communities that were identified on the original Illinois Natural Areas Inventory in 1977. A population of the rare white lady's slipper orchid (*Cypripedium candibidum*), a calciphitic plant restricted to wet prairie and fen wetlands, also survives within the nature preserve. The natural communities found on the proposed buffer addition consist of riparian forest, degraded wet-mesic prairie and sedge meadow, and old fields. The proposed buffer suffers from invasive species, but the area has been undergoing large-scale restoration and management by RPD staff since 2011. The RPD has developed and implemented an impressive restoration effort, including the competition of a State Wildlife Grant (SWG) that removed 25 acres of invasive brush and trees to re-establish a 90-acre native prairie landscape. The SWG agreement requires the legal protection of the proposed buffer addition within 3 years of project completion (December 31, 2014).

Commissioner Thomas asked if some of these buffer areas get looked at in the INAI and if there is evidence with management they have improved over time.

John answered that in his experience areas that have been dedicated as buffers with active management have improved. As for the original INAI's and the team recognizing areas before that we are now bringing forward because they were looking at landscape that was very different from today.

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

The Commission grants preliminary approval for the dedication of Additions to Searls Park Prairie as an Illinois Nature Preserve, as described in the proposal presented under Item 12 of the Agenda for the 223nd Meeting.

(Resolution 2358)

223-13) Williamson Co. – Otey-Grisley Forest Nature Preserve, Dedication

Bob Edgin, on behalf of William Grisley, requested final approval for dedication of 35.0 acres as Otey-Grisley Forest. Grisley Forest is located within the Mount Vernon Hill Country Section of the Southern Till Plain Natural Division. The significant feature of the site is 27.6 acres of grade B dry-mesic upland forest (INAI #1870) with many of the larger trees likely exceeding 200 years in age. The preserve would also include 3.1 acres of grade C dry-mesic upland forest and. White oak (*Quercus alba*) is the dominant tree with black oak (*Quercus velutina*), hickories (*Carya* spp.), green ash (*Fraxinus lanceolata*) and sassafras (*Sassafras albidum*) as lesser associates. The primary threat to the site is invasion by non-native species. The Illinois Comprehensive Wildlife Conservation Plan and Strategy would be supported by this dedication through the Forest, Land and Water Stewardship and Invasive Species campaigns. Dedication would be subject to an existing 132-foot wide Ameren powerline easement that encompasses 4.3 acres. The site received preliminary approval for dedication at the 222nd meeting of the Illinois Nature Preserves Commission (Resolution # 2347).

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

The Commission grants final approval for the dedication of Otey-Grisley Forest as an Illinois Nature Preserve, as described in the proposal presented under Item 13 of the Agenda for the 223rd Meeting.

(Resolution 2359)

223-14) McHenry Co. – Correction to Instrument of Dedication for Addition and Buffer to Yonder Prairie Nature Preserve, Approval

John Nelson, on behalf of The Land Conservancy of McHenry County, requested a legal description correction to the instrument of dedication for the addition and buffer addition to Yonder Prairie Nature Preserve that was granted final approval for dedication at the 222nd meeting of the Illinois Nature Preserves Commission. Prior to recording the fully executed instrument of dedication with the County of McHenry, staff was notified of a problem with the legal description. There was a mistake in the closing documents in which the property was acquired, and, contrary to the expectations at the time the legal description for this site was written, the landowner has not been able to correct the error and thus secure the parcel (the attorneys for the seller have demonstrated little interest in resolving the matter). The parcel is approximately 18 sq. feet in size. To resolve the matter, staff recommends approval and execution of a revised instrument of dedication.

Commissioner Covington asked if the reason for holding the dedication from being recorded was to wait to resolve the issue.

John answered that was correct and the attorneys representing the previous owners showed no interest in resolving this.

Commissioner Dann asked if what they are voting on is a correction of the legal description to clarify that the 18 square feet is not in the dedication document.

John Nelson answered that was correct.

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

The Commission grants approval to record the corrections to the legal description for Yonder Prairie Nature Preserve in McHenry County, as described in the proposal presented under Item 14 of the Agenda for the 223rd Meeting.

(Resolution 2360)

223-15) Review of Closed meeting minutes

Director Emeritus Heidorn read that the following closed meeting minutes from August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; and September 10, 2013, have been reviewed by Commissioners and need to remain closed.

Director Heidorn spoke with OREP and explained that there are still parcels in each of these minutes that are in the process of land acquisition and OREP has asked that they remained closed.

These meetings minutes were closed in accordance with the Open Meetings Act to discuss the purchase of real property. Section 2.06 of the Open Meetings Act provides that public bodies shall periodically, but no less than semi-annually, meet to review minutes of all closed sessions. At such meetings, a determination shall be made and reported in an open session that the need for confidentiality still exists as to all or portions of these minutes, or that the minutes or portions there of no longer require confidential treatment and are available for public inspection.

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

The Commission has reviewed the minutes of the Closed Meetings, held August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; and September 10, 2013, and directed the minutes remain closed.

(Resolution 2361)

223-17) Public Comment Period (3 minutes per person)

David Monk of Heartland Pathways, Champaign, IL, spoke about a plot of land between Paris and Decatur. He indicated IDNR had purchased 30 miles of it between Oakland and Lovington. There were eleven plots bought and thought it could be rail trail before the Rail Banking Act and Interim Trail Use and there was no money. The Governor and lawyers are seeing that corridor going back to corn and soybeans. He asked if there was something that could be done to let the farmers know that they have relatively undisturbed soils and good remnants in a number of locations and preserve quality. He has been talking to people who are involved in the distribution of that land. He did not want to see it all go back to corn and soybeans.

Commissioner Dann thanked him for bringing this to the Commissions attention. He also asked whose area this was in.

Director Emeritus Heidorn answered that it was in a vacant area, formerly covered by Mary Kay Solecki.

Commissioner Dann thanked David Monk again and said they would do what they could with the resources available.

223-18) Other Business

Commissioner Dann commented that the fiscal year ends June 30, 2016 and a new election of officers would be elected at the September 13, 2016 meeting, which will be done by the Committee of the Whole. He appointed Commissioner Thomas as Chair to the Committee of the Whole.

223-19) Adjournment

Commissioner Mogerma motioned to adjourn. It was seconded by Commissioner Derby Lewis and approved. The INPC adjourned at 1:26 PM.