

# ILLINOIS NATURE PRESERVES COMMISSION

## Minutes of the 242nd Meeting

Olney Central College  
Banquet Room  
305 N. West Street  
Olney, Illinois 62450

September 13, 2022, 10:00 a.m.

In-person meeting with virtual WebEx option

The Illinois Department of Natural Resources (IDNR) Assistant Director, John Rogner, provided opening comments. He welcomed everyone and spoke about the three new Commissioners (Radhika Miraglia, Michelle Parker, and Robert Szafoni) and the strengths each of them brings to the group. He stressed how important the work of the Commission is and said it's personal to him. John went on to say IDNR is committed to diversity, equity and inclusion work and has a strong commitment to the public and conservation work, and the agency has longstanding partnerships with other conservation organizations. There is nothing more important than connecting people to the outdoors. IDNR is committed to supporting the Commission and working to fill vacant positions. John indicated the Commission also has the support of the Governor's Office and efforts will continue to bring new Commissioners to the Board. Similar efforts are ongoing with the Illinois Endangered Species Protection Board (ESPB). He closed by mentioning the Wild Things Conference coming up in February 2023 and both IDNR and the Illinois Nature Preserves Commission (INPC) are sponsors.

### 2421-1) **Call to Order, Roll Call, and Introduction of Attendees**

Commissioner Covington called the meeting to order at 10:00 a.m. and INPC Executive Director, Todd Strole, read the roll call.

Commissioners Present: George Covington, Dr. Pen DauBach, Radhika Miraglia, Michelle Parker, Robert Szafoni, Dr. David Thomas, Dr. Abigail Derby Lewis, Dr. Jo-Elle Mogerman, and Dr. Charles Ruffner

Commission Advisors Present: Dr. Eric Schaubert, Illinois Natural History Survey (INHS)

Commission Consultants Present: Fran Harty, Randy Heidorn, and Dr. Jim Herkert

Others Present: John Rogner, Assistant Director, IDNR; Natalie Finnie, Deputy Director, IDNR; Chris Young, Director, IDNR Office of Resource Conservation; Todd Strole, Kelly Neal, John Nelson, Kim Roman, John Griesbaum, Angella Moorehouse, Byron Paulsen, Kevin Sierzega, and Valerie Njapa, INPC; Ann Holtrop, Jenny Skufca, Chip O'Leary, Mark Alessi, Roger Jansen, John Wilker, Dr. Leon Hinz, Terry Esker, Wade Ulrey, Morgan

Walder, Natalia Maass, Michelle Denning, Megan Jacobsen, and Kassie Wood, IDNR Division of Natural Heritage; Dawn Cobb, IDNR Division of Realty and Capital Planning; Michael Bishop, IDNR Division of Private Lands; Amy Doll, Travis Neal, and Kevin Rohling, Friends of Illinois Nature Preserves; Dr. Tih-Fen Ting, ESPB; Floyd Catchpole, Forest Preserve District of Will County; Jim Johannsen, Jo Daviess Conservation Foundation; William Reilly; Elisa Whitman; Bill Kleiman, Ashley Maybanks, and Carrie Parmenter, The Nature Conservancy; Kaleb Baker, Illinois Audubon Society; Kim Erndt-Pitcher, Prairie Rivers Network; Marty Kemper; Jill Kennay, Natural Land Institute; Roger Beadles; Ben Roth; David Holman; Sedrick Robinson; Jeff Woodyatt; Katherine Accettura; Davey Sheridan; and Alice Henry.

242-2) **Adoption of Agenda**

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

242-3) **Approval of Minutes for the 241<sup>st</sup> Meeting May 10, 2022**

Commissioner Covington made a statement to acknowledge for the public record, that there was an incomplete recording of the 241<sup>st</sup> meeting.

It was moved by Commissioner Miraglia, seconded by Commissioner DauBach, and carried that the minutes from the 241<sup>st</sup> meeting be approved.

Commissioner Covington read the following Accomplishments Summary:

At the 241<sup>st</sup> Meeting of the INPC, held on May 10, 2022, at Starved Rock Lodge and Conference Center, Oglesby, Illinois, legal protection was completed by the Commission for three tracts of land totaling 348.25 acres. Two of the three tracts are privately owned, and one is publicly owned. The owners of the private sites donated the value of the protection agreements to the public. Lands protected include the Dick Dvorak Addition to Apple River Canyon Land and Water Reserve; Fox River Bend Land and Water Reserve; and Possum Trot Nature Preserve.

Protection of these lands came about because the Commission had eight staff in the field working with private and public landowners. There are 415 dedicated nature preserves totaling 62,350 acres; and there are 203 registered land and water reserves totaling 56,419 acres.

242-4) **Next meeting dates and locations**

243	January 24, 2023	Illinois Department of Natural Resources Springfield, IL
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244	May 9, 2023	Lost Valley Visitor Center Richmond, IL
245	September 12, 2023	Monroe County Annex Building Waterloo, IL

242-5)

**INPC Staff Report**

**Appendix I**

REPORT

Todd Strole, Executive Director  
Illinois Nature Preserves Commission

Remarks presented by Executive Director Todd Strole are provided in Attachment 1.

The full INPC report is provided in Appendix I.

Todd gave a special thank you to Roger Beadles, a private landowner in the Nature Preserves System, for hosting a field trip the day before and sharing his dedicated nature preserve.

Fran Harty asked about the position that Todd mentioned was being resurrected and Todd answered that the payroll title is a Natural Resources Manager II.

Commissioner Thomas shared his concerns about stewardship of sites and the need for more resources to do it the right way and effectively steward all of the sites in the Nature Preserves System. Todd responded that we are not alone in this; natural resources agencies and conservation organizations all around the country are dealing with the same issues. He added that we need to keep talking about it.

242-6)

**IDNR Staff Report**

**Appendix II**

REPORT

Ann Holtrop, Chief  
Division of Natural Heritage

The full IDNR report is attached as Appendix II.

Ann shared a functional IDNR organizational chart with the Commissioners. This was requested at the previous meeting. Ann explained that the Division of Natural Heritage works very closely with INPC and that IDNR is a large landowner in the Nature Preserves System. The Natural Heritage Division provides technical expertise to INPC and other offices within IDNR.

242-7)

**Endangered Species Protection Board Report**

**Appendix III**

REPORT

Dr. Tih-Fen Ting  
Endangered Species Protection Board

Dr. Ting provided the ESPB Report on behalf of Dr. Joyce Hofmann.

The full ESPB report is attached as Appendix III.

242-8)

**Friends of Illinois Nature Preserves Report**

**Appendix IV**

REPORT

Amy Doll, Director  
Friends of Illinois Nature Preserves

The full report shared by Friends of Illinois Nature Preserves is attached as Appendix IV.

Amy shared the Friends group has added four new Board members: Dr. Jim Herkert, Kevin Rohling, Eriko Kojima, and Jack Shouba.

Commissioner Thomas thanked the Friends group for their help in making a difference with the Illinois Nature Preserves System.

Commissioner Covington talked about the range of landowners in the system with different levels of resources and asked how the Friends group prioritizes the sites they work at. Amy said it is a good question and that ownership can be a complicating factor, especially with government agencies where administrations can change with elections. There are a lot of landowners who don't have staff or the resources or the expertise to steward and manage their sites. The legacy of the sites and their landowners is important to think about since nature preserve sites are protected in perpetuity.

Commissioner Derby Lewis thanked the Friends group for their work and mentioned there is a free downloadable field guide available on Philip Juras' work. Amy talked about Philip Juras during the presentation of her report.

Amy closed by saying they were getting ready to hire a field representative for Northeast Illinois.

242-9)

**Committee of the Whole Meeting to Propose Nominations for Illinois Nature Preserves Commission Advisors, Consultants and Officers**

(Committee Chair: Dr. Dave Thomas)

**A. Nomination of Advisors**

**Current Advisors**

Colleen Callahan IL Dept. of Natural Resources <i>(Statutory Advisor)</i>	Dr. Eric M. Schauber IL Natural History Survey <i>(Statutory Advisor)</i>	Cinnamon Catlin-Legutko IL State Museum <i>(Statutory Advisor)</i>
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Dr. Joyce Hofmann IL Endangered Species Protection Board	Dr. Richard C. Berg IL State Geological Survey	Mike Norris IL Dept. of Natural Resources Office of Historic Preservation
Dr. Timothy Pauketat IL State Archaeological Survey	Dr. Kevin O'Brien IL Sustainable Technology Center	Dr. Jeff Stein Prairie Research Institute

Commissioner Thomas suggested replacing Dr. Jeff Stein with the new Executive Director of Prairie Research Institute, Dr. Praveen Kumar.

**B. Nominations of Consultants**

**Current Consultants**

Gerald Adelman	Jill Allread	Randy Heidorn
Harry Drucker	Fran Harty	Jill Riddell
Dr. Jim Herkert	Kerry Leigh	Joseph Roth
Lauren Rosenthal	Bruce Ross-Shannon	John White
John Schwegman	Michelle Carr	

It was moved by Commissioner Thomas, seconded by Commissioner Ruffner, and carried that the slate of candidates for Advisors and Consultants be approved.

**C. Nomination of Officers**

**Current Officers:**

Chair: George Covington

Vice Chair: Dr. Abigail Derby Lewis

Secretary: Dr. Pen DauBach

Nomination of Officers was as follows: Dr. Abigail Derby Lewis for Chair; Dr. Pen DauBach as Vice Chair; and Michelle Parker as Secretary.

It was moved by Commissioner Thomas, seconded by Commissioner Szafoni, and carried that the Officer Nominations be approved.

242-10) **Jo Daviess Co. – Amendment to the Registration Agreement for Canyon Camp Addition to Apple River Canyon Land and Water Reserve**

John Nelson presented this agenda item.

The Boy Scouts of America (BSA), Blackhawk Area Council, owns the 85-acre Canyon Camp Addition to Apple River Canyon Land and Water Reserve (LWR) in Jo Daviess County. The BSA filed for bankruptcy and is required to sell assets to compensate victims of child sexual abuse. The Blackhawk Area Council has negotiated to sell the LWR to the Jo Daviess Conservation Foundation (JDCF). During the title search, it was discovered that 25 acres of the reserve was donated to BSA in 1936 with a deed restriction stating the BSA can “never sell the land”. BSA is requesting permission from the INPC to subdivide the LWR so the 25 acres can remain under BSA ownership, and the remaining acres sold to JDCF. However, in the registration agreement it states:

**“The Registered Reserve shall remain as one tract whether under individual or multiple ownership and it shall not at any time be divided or subdivided as to ownership.”**

The Amendment to the original conservation easement and registration agreement allows for the subdivision of the Canyon Camp Addition to Apple River Canyon Land and Water Reserve. The Resolution provides the express written approval per the amendment language, which states:

**“The Registered Reserve shall remain as one tract whether under individual or multiple ownership and it shall not at any time be divided or subdivided as to ownership without the express written approval of Grantees.”**

INPC staff recommended approval of the Amendment and the Resolution.

Commissioner Covington explained that one subdivision is not too difficult to handle but multiple subdivisions could be a nightmare and is discouraged. In this case, one subdivision was requested.

Commissioner Mogerman asked if this would be precedent setting. Commissioner Covington responded that it would not.

Approval for the Amendment and approval for the Resolution were combined into one approval motion.

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

The Commission grants approval for the Amendment to the Registration Agreement for Canyon Camp Addition to Apple River Canyon Land and Water Reserve and the Resolution providing the express written approval of Grantees.

(Resolution 2564)

**Lee and Ogle Cos. – Nachusa Grasslands Land and Water Reserve, Registration**

John Nelson presented this agenda item.

The Nature Conservancy (TNC) requested approval for registration of approximately 1704.4 acres as the Nachusa Grasslands Land and Water Reserve (NGLWR). The proposed NGLWR, located in the Oregon Section of the Rock River Hill Country Natural Division of Illinois, protects a very large and functionally restored prairie ecosystem that is owned and managed by TNC and its volunteers. The Nachusa Grasslands Nature Preserve and NGLWR encompass approximately 2816.45 acres of restored prairies, oak savannas, woodlands, and wetlands. Together, these lands represent one of the largest prairie landscapes in Illinois. The area proposed for registration is partially within the Nachusa Grasslands Illinois Natural Areas Inventory site (INAI #0685) which encompasses over 5000 acres of natural communities and agricultural lands. This INAI site is recognized for its numerous high-quality relict natural communities, extensive grassland habitat, and suitable habitat for several state-listed plants and animals. A free roaming herd of buffalo is also an integral part of this restored prairie landscape, and the research-based focus of Nachusa Grasslands is helping other organizations to effectively restore and manage sustainable high-diversity prairie ecosystems.

This registration is intended to legally protect, in perpetuity, land that is eligible for such protection under the Illinois Natural Areas Protection Act. But, perhaps even more importantly, this registration serves to help protect the investments of TNC, funding agencies, donors, and volunteer stewards who have invested so much to make Nachusa Grasslands an iconic site in Illinois and an outstanding example of the power of people to heal and restore an ecosystem that nearly vanished from our state. TNC staff and INPC staff recommend registration of approximately 1704.4 acres as the Nachusa Grasslands Land and Water Reserve (NGLWR). Upon approval, and as of the date of this proposal, the Nachusa Grasslands Land and Water Reserve will be the 5<sup>th</sup> largest land and water reserve among a total of 201 sites statewide.

John Nelson thanked Bill Kleiman, Aaron Lange, and David Holman for all their hard work on this site.

Commissioner Covington commented that this is such a great conservation success story spanning over the last three decades.

Commissioner Miraglia has had the pleasure of visiting Nachusa and seeing the bison there. She asked whether there are outreach efforts or integration of the Indigenous community in Illinois with this site and the bison. John responded that TNC is bringing buffalo to native lands and Cody Considine has been an integral part of these efforts. When the site reaches carrying capacity for the bison herd, excess buffalo may be transferred to lands owned by Indigenous communities.

Commissioner Szafoni asked about the reserved rights and whether they are consistent with protection of the ecosystem at Nachusa Grasslands. He expressed concern for approval of reserved rights at this site which may not be approved for other sites.

Commissioner Thomas said that bison are a keystone species for prairies and grazing is not expected to have negative impacts to the prairie plant community. On a landscape scale, they can be beneficial.

Bill Kleiman and INPC staff responded that the reserved rights requested have been approved before for other sites, including bison and bison grazing. The reserved rights requested for this land and water reserve are consistent with those approved for the adjacent Nachusa Grasslands Nature Preserve. As such, approving the reserved rights requested for this site would not be precedent setting.

Commissioner Thomas explained that generally, the land and water reserves allow more recreational activities such as hunting and fishing, when compared to nature preserves.

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

The Commission grants approval for the registration of Nachusa Grasslands as an Illinois land and water reserve, as described in the proposal presented under Item 11 of the Agenda for the 242nd Meeting.

(Resolution 2565)

242-12) **Will Co. – Addition to Pilcher Park Nature Preserve, Preliminary Dedication**

Kim Roman presented this agenda item.

The Joliet Park District (JPD) owns and manages Pilcher Park, a 403-acre natural area which is permanently protected in the Illinois Nature Preserves system. Approximately 293 acres are dedicated as an Illinois nature preserve; the remaining 110 acres are registered as an Illinois land and water reserve. Pilcher Park is a large and diverse forest complex recognized on the Illinois Natural Areas Inventory (INAI site #0937) for its high-quality mesic upland forest, wet-mesic upland forest, and seep communities representative of the Morainal Section of the Northeastern Morainal Natural Division of Illinois. Other significant features include a Native American burial mound and a reburial site. Pilcher Park is one of northeastern Illinois' premier woodlands with outstanding spring wildflower displays and old-growth trees. More than 270 native plant species have been documented within Pilcher Park, and at least 11 species of birds with moderate to high sensitivity to habitat fragmentation breed on site. In 2021, the Illinois Audubon Society (IAS) purchased a 3.2-acre lot immediately adjacent to Pilcher Park Nature Preserve, with the intent to preserve its natural features and help promote good preserve design. The IAS requested dedication for 3 acres of its newly acquired lot as an addition to the existing Pilcher Park Nature Preserve, with a plan to then transfer title to the JPD. This lot is composed primarily of Grade C dry-mesic upland forest with small areas occupied by forested seeps. The proposed nature preserve addition is very similar in character to the immediately adjoining nature preserve. The 3-acre nature preserve addition will permanently protect this forested habitat, buffer the higher quality forest communities recognized on the INAI within the original nature preserve, and ensure uses are compatible with the site's preservation and management.

Kim recognized Jim Herkert for his work in getting this site protected. Jim gave a shout out to



Tom Clay, his predecessor at Illinois Audubon Society, who was also instrumental in protecting this site.

Commissioner Szafoni recused himself.

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

The Commission grants preliminary approval for the dedication of the Addition to Pilcher Park as an Illinois nature preserve, as described in the proposal presented under Item 12 of the Agenda for the 242nd Meeting.

(Resolution 2566)

242-13) **Will Co. – Addition to Sand Ridge Savanna Nature Preserve, Preliminary Dedication**

Floyd Catchpole with the Forest Preserve District of Will County presented this agenda item.

Kankakee Sands is a 555-acre preserve owned and managed by the Forest Preserve District of Will County (FPDWC). It abuts both Wilmington Shrub Prairie and Sand Ridge Savanna Nature Preserves, and shares many of the same natural features of these sites. The FPDWC requested dedication in perpetuity of approximately 398 acres of Kankakee Sands Preserve as an addition to Sand Ridge Savanna Nature Preserve. The proposed nature preserve addition includes approximately 20 acres of sedge meadow, included as part of the Wilmington Shrub Prairie Illinois Natural Areas Inventory site (INAI #0934), and it also includes year-round habitat for three state-threatened species: ornate box turtle (*Terrepenne ornata*), eryngium stem borer (*Papaipema eryngii*), and tubercled orchid (*Platanthera flava*), and migratory or winter habitat for three state-listed bird species. The proposed 398-acre nature preserve addition, located in the Kankakee Sands Section of the Grand Prairie Natural Division in Illinois, is comprised of many remnant natural communities including sedge meadow, sand prairie, marsh, medium-gradient stream, sand savanna, and former agricultural fields that have been planted to prairie. The proposed nature preserve addition also provides habitat for at least an additional 24 Species of Greatest Conservation Need (SGCN) identified in the Illinois Wildlife Action Plan. The proposed addition also provides continuity of habitat within the Sand Ridge Savanna-Wilmington Shrub Prairie complex and promotes good preserve design within the Illinois Nature Preserves system.

Commissioner Szafoni inquired about the reserved rights and whether the landowner would still be required to get a permit from INPC for research activities. Kelly Neal answered that if it is an approved reserved right and details of the activity are included in the management plan, a permit would usually not be needed. Kelly added that INPC does not typically permit experimental research.

Kim Roman added that if an experimental activity were proposed that seemed incompatible with protection of the land as a nature preserve, the landowner would be advised to consider a land and water reserve or consider omitting it from the list of reserved rights.

Floyd commented that the Forest Preserve District of Will County has spent over \$2 Million to

manage 1400 acres over the last 10 years, which averages about \$150/acre to recover or restore degraded natural land. To manage natural land, the cost is at best, about \$100/acre/year.

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

The Commission grants preliminary approval for the dedication of the Addition to Sand Ridge Savanna as an Illinois nature preserve, as described in the proposal presented under Item 13 of the Agenda for the 242nd Meeting.

(Resolution 2567)

242-14) **LaSalle Co. – Marsh Relicts Nature Preserve, Final Dedication**

Kim Roman presented this agenda item.

The Conservation Foundation (TCF) holds a conservation easement on approximately 67 acres of land owned by Alan Marsh, including the 6.4-acre Marsh Relicts Illinois Natural Areas Inventory site (INAI #0678). The site lies in LaSalle County within the Grand Prairie Section of the Grand Prairie Natural Division of Illinois. Preliminary approval for dedication of 12.3 acres as a nature preserve was conferred during the Illinois Nature Preserves Commission's 240<sup>th</sup> meeting (Resolution 2552). The landowner requested final approval for the dedication of 12.3 acres of this land as an Illinois nature preserve. The proposed nature preserve includes the entire Marsh Relicts INAI site, which is recognized for its unusual composition of flora, and abuts the lower Fox River, also recognized on the Illinois Natural Areas Inventory (INAI site #1444). The proposed Marsh Relicts Nature Preserve is a refugia for Illinois relict plant species including white pine (*Pinus strobus*), Canada yew (*Taxus canadensis*), northern bush honeysuckle (*Diervilla lonicera*), and others along the sandstone cliff and ravine system. The extensive north-facing slope system hosts a diverse assemblage of ferns with at least 14 species documented on site, including the state-endangered long beech fern (*Phegopteris connectilis*). The state-endangered butternut (*Juglans cinerea*) also occurs on site. Dedication of this natural area will legally protect this habitat in perpetuity and add to the permanently protected acreage along the lower Fox River corridor.

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

The Commission grants final approval for the dedication of Marsh Relicts as an Illinois nature preserve, as described in the proposal presented under Item 14 of the Agenda for the 242nd Meeting.

(Resolution 2568)

242-15) **Regulation of Concealed Firearms within Dedicated Nature Preserves**

IDNR Attorney John Hosteny presented this agenda item.

INPC administrative rules prohibit the possession of all firearms within any dedicated nature preserve or buffer, except for peace officers or as authorized by the INPC and landowner [17 IL

Admin. Code 4015.10(g), adopted July 6, 2004]. The Illinois Concealed Firearms Carry Act [430 ILCS 66/1 et seq.] was enacted in 2013 and prohibits the possession of concealed firearms within most government buildings and parking areas, except concealed firearms are allowed on the real property, bikeways, or trails in parks regulated by the Illinois Department of Natural Resources [430 ILCS 66/65(a)(3)].

A federal district court in Chicago recently held that the section of the Illinois Concealed Firearms Carry Act which prohibits concealed firearms on all property of the Forest Preserves of Cook County (FPCC) is unconstitutional under the Second Amendment as overbroad, in that it applies to all Forest Preserve grounds and not just “sensitive places” such as schools and government buildings. *Solomon vs. Cook County Board of Commissioners*, USDC NDIL 17-CV-6144, Opinion Sept. 13, 2021. As a result of this ruling, the FPCC must pay the prevailing plaintiff all his attorney’s fees and costs. The *Solomon* decision is premised upon a recent line of U.S. Supreme Court decisions which hold that the Second Amendment protects the individual right of private citizens to possess and carry firearms for self-protection in public as well as within the home.

To address the potential impact of the *Solomon* decision upon the INPC rules, the IDNR Office of Legal Counsel drafted a proposed Resolution for the Commission’s consideration. (Resolution is attached as Appendix V.)

John Hosteny explained that the administrative rules prohibit carrying of guns in dedicated nature preserves and under the dedication instrument, nature preserve landowners must abide by the rules of the Commission.

When asked whether this also applies to dedicated nature preserves owned by private entities or individuals, John answered that private landowners, under the Concealed Carry Act, can prohibit concealed carry by posting a sign that states or shows it is a prohibited activity on the private property that is dedicated.

Commissioner Covington commented that the Commission may be more concerned about prohibiting hunting or discharge of a gun. John answered that this agenda item only has to do with the Second Amendment Right and the Commission can still regulate hunting and how a gun can be used in dedicated nature preserves.

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

The Commission grants approval for the *Resolution Regarding Regulation of Concealed Firearms Within Dedicated Nature Preserves*, as described in the proposal presented under Item 15 of the Agenda for the 242nd Meeting.

(Resolution 2569)

242-16) **Herbicide Drift Monitoring Report and Recommendations**

Kim Erndt-Pitcher with Prairie Rivers Network presented this agenda item.

Prairie Rivers Network compiled a report for the INPC to provide background information, the legislative framework, legal authorities, and a summary of monitoring efforts by different agencies and organizations to document off-target impacts to the State's natural areas, attributed to particle and/or vapor drift from herbicide application on surrounding agricultural lands. This includes INPC-protected sites and other INAI sites where injuries to trees, other woody plants, and herbaceous plants have been observed and documented. The report evaluates the different monitoring programs (data collection, reporting and tissue sampling protocols), discusses the ecological implications associated with widespread herbicide drift, and offers recommendations for future efforts. A specific set of recommendations was put forth for consideration by INPC Commissioners.

Kim acknowledged the dedication, time commitment, and contributions of Marty Kemper in these efforts.

Commissioner Thomas stated that he has seen some of the data before but was shocked on the field trip to Beadles Barrens Nature Preserve the day before the meeting, to see the number of trees affected year after year from herbicide drift and the severity of the symptoms. He said he thinks the recommendations made in the report are good. He worked many years for the Illinois Natural History Survey representing them on the Interagency Committee on Pesticides.

Commissioner Derby Lewis expressed support for the recommendations being carried out and said there is more that can be done. The issues with herbicide drift are now visible and she is hopeful this will spur some action to address the issues. Robust literature exists about agricultural pesticides and the indecisiveness to act is causing irreparable harm. The recommendations in the report range in scale and scope and there is a question as to who has the authority to implement them. Some include actions that can be done immediately, and others appear to require additional steps before they can be implemented. Recommendations 2, 3, 4, and 5 are actionable now; and 1, 6, and 7 might require more conversation and detail. The monitoring is important and so is being able to do something about the products themselves.

Commissioner DauBach read the action to be considered in the meeting agenda. She would like to see the finalized report distributed to IDOA, IEPA, and the Interagency Committee on Pesticides. The report should be available on INPC's website, and she would like to see herbicide drift be carried forward in future meetings as an ongoing threat in the defense report.

Commissioner Ruffner said this is not just a one state issue. Many states are dealing with herbicide drift issues, so it's on a national scale and he wonders if there is a group working nationally to bring the issues to the attention of the chemical companies. Kim answered that there are national organizations and federal agencies, including USEPA, that are having conversations about these issues. She said it is a complex issue that needs to be approached from a lot of different angles.

This agenda item resulted in two motions being made.

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

The Commission grants approval for INPC staff to carry the recommendations forward and to work with IDNR and other agencies to improve and coordinate efforts, related to the Commission-specific recommendations in the report, *Herbicide Drift and Chemical Trespass on Natural Landscapes and Habitats*, as presented under Item 16 of the Agenda for the 242nd Meeting.

(Resolution 2570)

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

INPC staff will continue to provide updates annually on the issues related to herbicide drift and progress related to carrying out the Commission-specific recommendations. In addition, INPC staff will provide an update at the January 2023 meeting about next steps under consideration for the recommendations that may require additional work for implementation.

(Resolution 2571)

242-17) **INPC Vegetation Management Guidelines – Proposed Changes to Process, Updating Guidelines at the Staff Level**

Kelly Neal presented this agenda item.

The Illinois Nature Preserves Commission's Vegetation Management Guidelines (VMGs) are species specific references on exotic or invasive plant species and the approved methodologies for control for each species in high quality, buffer or disturbed areas at sites within the Nature Preserves system. There are currently guidelines for 40 species. The guidelines are a useful information source for natural area managers both in Illinois and throughout the country. Only the methods that have been approved in the VMGs should be applied at nature preserves and land and water reserves. The process for developing or revising each guideline typically involved a time-consuming process of research, expert interviews, guideline composition, review by advisors/consultants/other experts and incorporation of reviewer input - culminating in the presentation of the guideline to Commissioners for their approval at an INPC meeting. From the inception in 1988 to the approval of the 40<sup>th</sup> guideline in 2007 the project spanned 19 years. These static documents no longer keep pace with the dynamic landscape of growing populations of invasive species; new invaders entering the state; advancements in information technology, management techniques and formulation of new herbicides. Most information compiled in the guidelines is readily available at your fingertips from a search engine. The ongoing value of INPC's VMGs is the guidance on controlling invasive species with minimal impact on the high-quality natural communities and the suite of native species. As the guidelines become further outdated, they may limit resource managers from using more effective/efficient techniques that have similar impacts as current methods or are potentially more selective toward a target species resulting in lower impacts. INPC staff need to be able to respond in real time to the needs of our landowners and land managers. Staff proposed a revised process in which any revisions, special requests or new guidelines are:

- reviewed by a group of technical experts who would be chosen based on their knowledge appropriate to the species or methods suggested
- modified by INPC staff to incorporate reviewer input and prepare the new guideline or revision to an existing guideline or one-time approval for requests at specific sites
- posted to INPC's website with implemented changes reported to Commissioners at the next INPC meeting.

Commissioner Thomas stated that he doesn't view the Commission's role as one of micro-managing, and if staff have found a more efficient way to update the vegetation management guidelines compared to how the past process worked, he is supportive. These are guidelines and that's important to keep in mind too. He would like to see the Commission informed over time of changes made because that would be very educational.

Commissioner Szafoni talked about working on the vegetation management guidelines in the 1980's and using them when he worked for IDNR. With the number of species that are problems now that need to be controlled as well as the evolution of herbicides available to be used, he wonders if it makes sense to develop a new mechanism that shortens the process up even more, especially with information now available in a matter of seconds. He offered that this is something that could be considered.

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

The Commission grants approval for INPC staff to implement changes to the Vegetation Management Guidelines, as outlined in the proposal presented under Item 17 of the Agenda for the 242nd Meeting.

(Resolution 2572)

242-18) **Review of Closed Meeting Minutes**

In accordance with the Open Meetings Act, Commissioners must review closed minutes at least twice a year to determine if they must remain closed. The following meetings had closed minutes and need to be reviewed: August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; September 10, 2013; and September 10, 2019.

Todd Strole requested that the closed minutes for the meetings referenced above remain closed.

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

The Commission agrees that the closed meeting minutes from August 2, 2005; May 2, 2006; May 6, 2008; May 5, 2009; May 7, 2013; September 10, 2013; and September 10, 2019, remain closed, as described and in accordance with Item 18 of the Agenda for the 242nd Meeting.

(Resolution 2573)

242-19) **Election of INPC Officers**

Commissioner Thomas presented the INPC Officers proposed under Agenda Item 9.

It was moved by Commissioner Thomas, seconded by Commissioner Covington, and carried that the Election of INPC Officers be approved.

(Resolution 2574)

With the Commission's approval of this agenda item, Commissioner Derby Lewis assumed the role as Commission Chair.

242-20) **Election of INPC Advisors and Consultants**

Commissioner Thomas presented the slate of current INPC Advisors and Consultants, with one addition for the new Prairie Research Institute Executive Director, Dr. Praveen Kumar.

It was moved by Commissioner Thomas, seconded by Commissioner DauBach, and carried that the Election of INPC Advisors and Consultants be approved.

(Resolution 2575)

242-21) **Public Comment Period (3 minutes per person)**

Commissioner Derby Lewis provided comments to recognize and honor the conservation efforts of David Monk, who has attended many INPC meetings.

242-22) **Other Business**

No other business was discussed.

242-23) **Adjournment**

Commissioner Ruffner motioned to adjourn. It was seconded by Commissioner DauBach and approved.

The INPC 242<sup>nd</sup> Meeting adjourned at 2:45 p.m.