

**ILLINOIS NATURE PRESERVES COMMISSION**  
Minutes of the 245<sup>th</sup> Meeting

Monroe County Annex Building  
901 Illinois Avenue  
Waterloo, Illinois 62298

September 12, 2023, 10:00 AM  
In-person meeting with WebEx option

John Rogner provided opening remarks. He began by welcoming the newly appointed commissioners. He first welcomed Commissioner Tom Clay, who has a long history in the conservation community. His career includes work in environmental education, Door County Land Trust, the Forest Preserve District of DuPage County and many more leadership roles in conservation. Commissioner Clay's current position is Director of Special Projects, Jo Daviess Conservation Foundation and we are excited to have his expertise join us on the Commission.

Next is Commissioner Adam Kessel, Nature Center Director at the Trailside Museum of Natural History with the Forest Preserves of Cook County. Commissioner Kessel brings many important qualities to the Commission including a long history of teaching and learning in the Native American community of Chicago. His perspective in Nature Preserves is valuable as these lands have been under Illinois Nature Preserves purview for a short amount of time but were under other Native Americans purview for much longer.

Finally, Commissioner Marcy DeMauro-Roth, with whom Rogner has the longest personal history with. She held a series of positions with Will County Forest Preserve District, including Executive Director. Rogner recalls first meeting DeMauro-Roth on dolomite prairies. Commissioner DeMauro-Roth has had a wonderful 35-year career and brings a wealth of knowledge, expertise, and good judgment. Rogner congratulated each of the three new commissioners to INPC.

245-1) **Call to Order, Roll Call, and Introduction of Attendees**

Commission Secretary Parker called the meeting to order at 10:05am and INPC Executive Director Todd Strole read the roll call.

In absence of the Chair and given that the Vice Chair is vacant, a temporary Chair will be selected for the meeting. A motion to select a temporary Chair was presented. It was moved by Commissioner Covington and seconded by Commissioner Clay.

It was then moved by Commissioner Covington to nominate Parker and was seconded by Mirgalia.

The motion carried and Commissioner Parker was elected as temporary Chair for the 245<sup>th</sup> Illinois Nature Preserves Commission meeting.

Commissioners present: Michelle Parker, Radhika Miraglia, Robert Szafoni, Toni Oplt, Thomas Clay, Adam Kessel, George Covington, Marcelle DeMauro-Roth

Consultants Present: Joe Roth, Kerry Leigh

Others Present: John Rogner, Assistant Director, IDNR; Todd Strole, Valerie Njapa, Kelly Neal, John Nelson, Kim Roman, Sami Childerson,

Kaleb Baker, Angella Moorehouse, Byron Paulsen, Debbie Scott Newman, John Griesbaum, Emily Taylor, Heather McLean, Claire Gregory and Kevin Sierzega, INPC; Ann Holtrop, Terry Esker, Mark Phipps, Jenny Skufca, Natalia Maass, Bill McClain (emeritus), Christina Feng and Andrew Hulin, IDNR Division of Natural Heritage; Brooke Morgan and Heather Miller, IDNR Illinois State Museum; Amy Doll, Friends of Illinois Nature Preserves; Jo Fessett, Illinois Audubon Society; Samantha Chavez, Endangered Species Protection Board; JJ Hvelsins, KCI; Dawn Martin, Stygian Grotto; Raphael Wahwassuck, Prairie Band Potawatomi Nation; Dennis Knobloch, Monroe County; Theresa Mueller, Landowner; Charlotte Hooch, Eagle Cliff Prairie; John Cline, Southern Illinois University; Carl Corbin and Denise Dees, Sothern Illinois Farms Inc.; Harry Gravlin, Mike Fricke, Joann Fricke, Allan Hogg and Natalie Long, Clifftop; Katie Steinmetz, USACE Regulatory.

245-2) **Adoption of Agenda**

It was moved by Commissioner DeMauro-Roth, seconded by Commissioner Clay, and carried that the agenda for the 245<sup>th</sup> Meeting be adopted.

245-3) **Approval of Minutes for the 244<sup>th</sup> Meeting on May 9, 2023**

It was moved by Commissioner Szafoni, seconded by Commissioner Kessel, and carried that the minutes for the 244<sup>th</sup> Meeting be approved.

The Commissioner Chair then read the Accomplishments Summary of the 244<sup>th</sup> Meeting:

At the 244<sup>th</sup> Meeting of the INPC, held on May 9, 2023, at the Lost Valley Visitor Center in Ringwood, Illinois, legal protection was completed by the Commission for one tract of land totaling 40 acres. This tract is the Addition to Sand Prairie-Scrub Oak Nature Preserve, which is publicly owned. Currently, there are 416 dedicated nature preserves with 62,803 acres and 206 registered land and water reserves with 58,729 acres. Altogether, there are 622 sites with 121,532 acres protected in the Illinois Nature Preserves System.

Resolutions were read for former Commissioners Dr. Pen Daubach (Resolution 2596), Dr Jo-Elle Mogerman (Resolution 2597) and Dr. David Thomas (Resolution 2598). See Attachment 1 for full resolutions.

245-4) **Next Meeting Dates and Locations**

|     |                  |  |
|-----|------------------|--|
| 246 | January 23, 2024 | Joel Brunsvold Building,<br>Springfield, Illinois          |
| 247 | May 14, 2024     | Putnam County Conservation District,<br>Hennepin, Illinois |

|     |                    |  |
|-----|--------------------|--|
| 248 | September 10, 2024 | Crab Orchard National Wildlife Refuge Visitor's Center<br>Marion, Illinois |
|-----|--------------------|--|

245-5) **INPC Staff Report**

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.

Strole began by apologizing for technical difficulties experienced on the WebEx. He went on to thank John Roger for his welcome to the new Commissioners and for assistance in working with INPC, most notably in helping bring on new Commissioners.

Commissioner Miraglia asked if Strole could describe the Department of Agriculture Representatives response to the evidence of herbicide damage on Illinois Nature Preserves.

Strole answered the Department of Agriculture has been aware of the issue beforehand, so they were not surprised. It was perhaps a little shocking to discover the pervasiveness of the damage and distance herbicide drift has traveled. They are receptive to the report and the agriculture representatives informed Strole there was a major agricultural industry conference where this issue was top of mind but developing new chemicals and processes is slow. They are supportive and on our side, but it is a big problem at an industry wide level.

Commissioner Oplt asked if we can move away from blame and put more energy, effort and funding into a more sustainable, regenerative agriculture approach that would limit and eliminate certain chemicals in the process of growing food. Perhaps this might get us farther. Is that something being discussed?

Strole noted he will refrain from speaking for the agricultural industry at large but yes that has been the approach all along. They are not trying to blame anyone, but we have a bad situation on our hands. It is affecting the heart of our work due to chemical trespass. We are not looking to point fingers but to find a solution. We are not in the position to drive the conversation in the agricultural community, but we are supportive.

Commissioner Szafoni notes that this is an interesting issue as it seems to pit the agricultural community against itself. There are growers who want to grow non-GMO crop, but they are forced away from it because everyone around them is growing and spraying and therefore impacting their livelihood. He notes it is usually the agriculture community against someone else but in this instance, it is against itself.

To expand upon that, Strole remarked that orchard farmers are struggling with the impact of herbicide drift. No one wants drift but we must ask ourselves how natural areas can neighbor with the agricultural system in the Midwest.

Commissioner Szafoni asked about next steps.

Strole answered there will be a more official report from the Illinois Natural History Survey that will be taken to the Agricultural Department. There is a pesticide committee that we plan to engage with. Strole hopes we will not have to do this next year and not have to continue to demonstrate this problem especially since these studies are so expensive.

245-6) **IDNR Staff Report**

REPORT

Ann Marie Holtrop, Chief  
Division of Natural Heritage

The full IDNR Report is attached as Appendix II

Holtrop provided some highlights from the full report.

She first thanked Friends of Illinois Nature Preserves for their efforts and coordination of the celebration at Illinois Beach to commemorate INPC's 60<sup>th</sup> Anniversary. It was an honor to see so many people there to celebrate the anniversary of the Nature Preserve System, the first nature preserve and the additional acres to Illinois Beach.

She highlighted the 2-year contract with the Chicago Botanical Garden's Plants of Concern Program and the direct and formal access we now have to professional botanists.

The Division of Natural Heritage hosted the 87<sup>th</sup> Illinois Natural Areas Evaluation Committee. Holtrop highlighted the recognition of the first aquatic natural areas inventory site to be proposed and approved under the new aquatic guidelines for natural areas. Terrestrial sites have the benefit of categories but historically aquatics have not until now. Crane Creek in Mason County is the first area under these guidelines.

During the reporting period, the Department acquired 273.69 acres of land valued at nearly two million dollars. We continue to diversify our money to protect natural areas.

136 out of 194 management plans are approved and current, an improvement from the last report.

Limited growing season burns were performed. Listed in the report are 68 sites where contractual stewardship occurred. These sites continue to see staff stewardship as well as contractual dollars.

We continue to look at the State Wildlife Grant program to support stewardship. A big amendment to a project providing stewardship to Category I features on natural areas was completed, directing a total of two million federal dollars to natural areas.

245-7) **Endangered Species Protection Board Report**

REPORT

Samantha Chavez  
Endangered Species Protection Board

The full ESPB Report is attached as Appendix III.

The Endangered Species Protection Board is currently working with IDNR to get a full-time staff member dedicated to their board. Two board members are assisting with writing the job duties for that position for someone with the relevant expertise in biology.

The Memorandum of Understanding (MOU) is expired and they are currently working in conjunction with hiring a new position to update the MOU.

A new breeding ground for the federally endangered Hine's emerald dragonfly has been reported in Will County. This site is unprotected and currently under threat of development. Developers are seeking permitting for the property and will potentially go out on public notice. IDNR has agreed to submit that public notice to the ESPB. Chavez highly encourages everyone to submit a comment as our federal partners need the state and the public to inform them on their decision making.

Commissioner Szafoni asked what is addressed in the Memorandum of Understanding between ESPB and IDNR.

Chavez did not have the answer readily available and will bring the answer to the next meeting.

245-8) **Friends of Illinois Nature Preserves Report**

REPORT

Amy Doll, Director  
Friends of Illinois Nature Preserves

The full report is attached as Appendix IV.

Amy highlighted the collaborative effort that made the Illinois Nature Preserves System, and the 60<sup>th</sup> Anniversary Illinois Beach celebration a success story, illustrating the sense of community among conservation partners. Amy reminds us it is dedication, not designation, that protects nature preserves. The vision becomes a reality because landowners choose to collaborate with the state and with each other.

Owners of the collaborative network are found across Illinois in state agencies, local government, non-profit organizations, and private citizen landowners. This collaborative spirit does not end at the initial dedication but extends to the stewardship and care of the land. In addition, dozens of non-profits and thousands of volunteers are a part of the collaborative web that makes the Illinois Nature Preserves System so special.

Amy shared an example of how that community comes together when a few weeks before the 60<sup>th</sup> Anniversary weekend celebration, she sent out emails to volunteers to coordinate tours of nature preserves across the state. She hoped for a half dozen tours but was able to

schedule over 30, because collaborative partners said yes to showing the public our nature preserves.

Over 500 people participated in those tours across the state. Over 100 people came to Lockport Gallery to hear artist Philip Juras speak about his paintings and the nature preserves that inspired them. The Illinois Beach celebration on August 28, 2023, was capped at 160 people, with standing room only.

She highlighted the importance of the nature preserves community and its need to grow. The Illinois conservation community is “smart, passionate, and dedicated,” and Amy expressed how she loves coming together at the INPC meetings, going on nature preserve tours and attending the meeting dinners. She believes the audience shares those feelings too, as we can see the 245<sup>th</sup> meeting is standing room only.

The highlight of the 60<sup>th</sup> Anniversary reception for Amy was after the meeting, two separate people she had never met before told her “I learned so much today.” They didn’t know Illinois was a leader in creating the nature preserves system. They learned how special Illinois Nature Preserves are at the celebration.

The community needs more. We hear from partners, staff, volunteers, and stewards that we need more. It is not enough to say we need more land, money or contractors, but instead more partners, collaborators and ultimately more people and community and with that will come more money and land protected.

Several non-profit partners and staff met in Normal, IL for the Conservation Policy Retreat. This will likely become an annual event where non-profit partners come together to discuss how to “really move the needle,” whether through legislation, administration or advocacy that will make a difference for continued improvement in conservation.

The main topics of discussion included public support for conservation funding, prescribed fire liability for private landowners, natural areas stewardship funding, INDR consultation in relation to the INAI, the Exotic Weed Act, tax incentives for landowners, herbicide drift and the Healthy Forest, Wetland and Prairie Act.

Friends of Illinois Nature Preserves is currently working on bringing legislators to the Lockport Gallery showcasing Juras’ work, which is open until October 21, 2023. This is an excellent opportunity to share the importance and educate legislators without the need for sunscreen, bug spray and hiking boots.

Finally, Amy reported that their fall recruitment season is upon us. Friends will begin efforts to recruit volunteers and build stewardship stating that we know these communities need to grow, and grow faster, and continue to look for resources and funding to build those communities.

245-9) **Committee of the Whole Meeting to Propose Nominations for Illinois Nature Preserves Commission Advisors, Consultants and Officers**  
**(Committee Chair: Robert Szafoni)**

Each September meeting, the Commission nominates and approves the list of Officers, Advisors and Consultants. Committee Chair Szafoni read the nominations for Consultants. The list of nominations is attached as Appendix V.

There were no additional nominations made by the Commission.

**A. Nomination of Advisors**

**Current Advisors:**

|  |  |   |
|--|--|---|
| Natalie Finnie<br>IL Dept. of Natural Resources<br>(Statutory Advisor) | Dr. Eric M. Schauber<br>IL Natural History Survey<br>(Statutory Advisor) | Jennifer Edginton<br>IL State Museum<br>(Statutory Advisor)                     |
| Dr. Joyce Hofmann<br>IL Endangered Species<br>Protection Board         | Dr. Richard C. Berg<br>IL State Geological Survey                        | Mike Norris<br>IL Dept. of Natural Resources<br>Office of Historic Preservation |
| Dr. Timothy Pauketat<br>IL State Archaeological Survey                 | Dr. Kevin O'Brien<br>IL Sustainable Technology Center                    | Dr. Praveen Kumar<br>Prairie Research Institute                                 |

**B. Nomination 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      | Dr. Charles Ruffner |

**C. Nominations of Officers**

**Current Officers:**

Chair: Dr. Abigail Derby Lewis  
 Vice Chair: Vacant  
 Secretary: Michelle Parker

245-10) **Coles County - Addition to Warbler Bottoms North Land and Water Reserve, Registration**

John Griesbaum presented this agenda item.

Grand Prairie Friends sought registration of 45-acres as an addition to Warbler Bottoms North LWR. Warbler Bottoms North located within the Grand Prairie Section of the Grand Prairie Natural Division, is part of the greater Warbler Woods Illinois Natural Areas Inventory (INAI site #1585) site, for Category I: Grade B dry-mesic upland forest, Category II: occurrence of state threatened smooth softshell turtle (*Apalone mutica*) and formerly state listed fibrous rooted sedge (*Carex communis*) and false hellebore (*Veratrum woodii*) and Category III: for containing one Nature Preserve (Warbler Woods NP) and five Land and Water Reserves

(Embarras Ridges, Warbler Woods, Warbler Woods North, Warbler Bottoms North and Warbler Landing).

The proposed addition lies within the ~1000-acre Warbler Ridge Conservation Area (WRCA), which itself contains six Illinois Nature Preserve Commission (INPC) protected sites: Warbler Woods Nature Preserve (NP)/LWR, Warbler Bottoms North LWR, Warbler Woods North LWR, Ambraw Woods LWR, Warbler Landing and Embarras Ridges LWR. This complex of sites occurs within a forested corridor that extends for several miles along the Embarras River corridor, from north of Lake Charleston to south of Fox Ridge State Park. The addition increases the size of the reserve, extends protection of the Embarras River, provides buffer to high quality resources, facilitates management activities, and reduces likelihood of future defense issues.

Grand Prairie Friends requested to reserve the following rights on the addition to Warbler Bottoms North with INPC approval:

- In consultation with and approval by INPC staff, create a multi-modal trail that connects with other, nearby Grand Prairie Friends properties.
  - Trail may accommodate hikers, bikers and
  - ATV/UTV access - for management or emergency response purposes only
  - be no-more than 15-20 ft. wide and
  - may comply with the Americans with Disabilities Act (ADA).
  - Trail route will avoid impacts to high quality resources, steep slopes, highly erodible soils and any threatened or endangered organism that currently occur or may be discovered in the future.

Permanent protection of the aquatic and forest communities benefit current and future visitors, researchers, and all citizens of Illinois by preserving the unique natural heritage of east central Illinois.

Staff of the Illinois Nature Preserves Commission and Grand Prairie Friends recommended permanent registration of the 45-acre site as an addition to Warbler Bottoms North LWR.

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

The Commission grants approval for the registration of the Addition to Warbler Bottoms North as an Illinois land and water reserve, as described in the proposal presented under Item 10 of the Agenda for the 245th Meeting.

(Resolution 2599)

245-11) **Macoupin County - Beaver Dam Glacial Drift Hill Prairie Land and Water Reserve, Registration**

Byron Paulsen presented this agenda item.

The Illinois Department of Natural Resources (IDNR) sought registration of the Beaver Dam Glacial Drift Hill Prairie Land and Water Reserve (LWR) with the Illinois Nature Preserves Commission (INPC). The 40.35-acre parcel in Macoupin County lies in the northwest corner of IDNR – owned Beaver Dam State Park. The Park land cover dominated by dry-mesic upland forest and dry-mesic woodland is an important example of the natural communities of the Carlinville Section of the Western Forest-Prairie Natural Division. Registration of the

proposed LWR is recommended to protect the high-quality natural communities and listed species that are found within the Beaver Dam Glacial Drift Hill Prairie INAI site #1536. The site was added to the INAI in 1997 under Category II due to the presence of specific suitable habitat for the state-endangered large ground plum (*Astragalus crassicaarpus* var. *trichocalyx*) and formerly, but no longer, listed prairie trout lily (*Erythronium mesochoreum*). In 2011, resulting from survey work conducted during the INAI Update Project, the INAI was expanded to include a Category I designation for the high-quality Grade B Glacial Drift Hill Prairie and Grade C Best of Kind dry-mesic woodland. The balance of the proposed LWR acres include Grade C glacial drift hill prairie, non-qualifying woodland, artificial impoundment and reconstructed managed grassland. The objective is to manage the parcel as a natural area, while providing opportunities for hunting and other nature-based activities that have previously occurred.

IDNR reserves the following rights:

- Public access to the site will be allowed via a gravel parking area off Ridge Road.
- Unimproved hiking trails though the uplands will be maintained for public recreational use. Mowed hiking trails will be established in the floodplain areas in the coming years once the prairie plantings are established.
- Maintain and/or redesign the existing artificial impoundment to support potential future wetland expansion onto adjoining IDNR land south and outside of the proposed LWR via the intra-agency Plan of Work process.

Pre-existing right:

A hunting program will continue with the ability to allow furbearer trapping if deemed appropriate via the intra-agency Plan of Work process.

The proposed LWR contains habitat supporting at least eight bird species and one reptile identified as Species of Greatest Conservation Need from the Illinois Wildlife Action Plan. Registration of this parcel will highlight recognition of the significant natural features and be the first at Beaver Dam State Park in an area of the state with a very limited amount of public land.

Commissioner Parker asked a question regarding the 47 acres of INAI land on the proposed LWR and if it was the total habitat of this category in the entire state.

Paulsen clarified that there are only 47 acres of this specific type of hill prairie, and only 9.5 acres of that reside on the proposed land and water reserve.

Commissioner Szafoni commented that frequently Commissioners are brought remnants to be considered for dedication. He notes that Beaver Dam Glacial Drift Hill Prairie is truly a remnant, one that was highly degraded in the past and the heritage biologist saw the restoration protentional of the land and through stewardship brought it up to INAI quality. He notes the 30-40 years of stewardship that took place and that the district biologist responsible was actually in the room, former District Heritage Biologist and former Commissioner, Bill McClain. Commissioner Szafoni acknowledged the efforts of McClain and those that came after him in truly restoring this land through stewardship.

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

The Commission grants approval for the registration of the Beaver Dam Glacial Drift Hill Prairie as an Illinois land and water reserve, as described in the proposal presented under Item 11 of the Agenda for the 245th Meeting.

(Resolution 2600)

245-12) **Williamson County, North Addition to Grisley Woods Land and Water Reserve, Registration**

Kevin Sierzega presented this agenda item.

Mr. William Grisley sought registration for five tracts of land comprising 135 acres in perpetuity as the North Addition to the Grisley Woods Land and Water Reserve (LWR #198, INAI site #1968, Category III). Grisley Woods LWR was registered as a 107.5-acre contiguous tract on September 10, 2019, during the 233rd Illinois Nature Preserves Commission meeting. With this addition, the total LWR acreage will grow to 242.5. The proposed addition is within the Lake Creek Township of central Williamson County. It is in the Mount Vernon Hill Country Section of the Southern Till Plain Natural Division of Illinois. One-hundred eighteen (118) acres of Grade C and Grade D dry-mesic woodland complex comprise most of the north addition. Within the Grade C areas of this natural community, the herbaceous layer is particularly diverse, with woodland indicator plants such as milkweed (*Asclepias purpurascens*), beebalm (*Monarda bradburiana*), pencil flower (*Stylosanthes biflora*), American columbo (*Frasera caroliniensis*), native lespedeza (*Lespedeza spp.*) and native grasses found throughout. The remaining 17 acres are Grade D old field communities that contain early-successional habitat. Although much of the acreage is low in vegetative quality (i.e., Grade D), the value of this habitat for wildlife, particularly birds, is high. Qualifying features include:

1. Expansion of the existing Grisley Woods LWR and INAI site #1968 Category III.
2. Proximity to Otey-Grisley Nature Preserve #387 located 0.25mi south.
3. Presence of six state-listed avian species, including breeding loggerhead shrike (*Lanius ludovicianus*).
4. Twenty avian SGCN breed in the north addition and/or LWR. An additional seven SGCN over-winter or utilize the tract during migration. The SGCN eastern box turtle (*Terrapene carolina*) is abundant on the site.
5. Permanent protection of 242.5 acres of contiguous woodland and old field communities and breeding presence of 22 avian species susceptible to forest fragmentation.
6. Support of numerous goals outlined in the Illinois Wildlife Action Plan

Registration approval is subject to severed mineral rights owned by Springfield Coal Company (SCC), 3008 Happy Landing Drive, Springfield IL 62711, excepting mineral rights in Tract 2.

Registration approval is subject upon acceptance of 17 acres that are currently enrolled in CRP programs with expiration dates of September 2023 and September 2025, respectively. This acreage will not be re-enrolled in CRP programs.

Access to the site is limited and visitation requires landowner permission prior to access. Activities allowed with landowner consent are detailed in the proposal. The landowner reserves the right to maintain existing roads and trails (including dam levees) for fire breaks and other management purposes.

Commissioner DeMauro Roth asked for clarification on the language regarding one area in the formal written proposal that states the registration is subject to severed mineral rights but then in the threat analysis it says the land and water reserve protection would preclude the mineral extraction permitting application.

Sierzega stated that the Office of Mines and Minerals explained that even though these mineral rights were severed and owned by a Springfield coal company, INPC LWR status would protect the surface rights. If the coal company had any interest in fulfilling those mineral rights, they would now have to work with INPC to ensure the surface is not disturbed.

Commissioner Covington added that the IRS ruled that if mineral rights have been severed then it does not preclude a tax deduction as long as the chance of exploiting of those rights are so small, they are to be negligible. Usually, people get an engineer opinion on those chances. For tax reduction purposes, the landowner should speak with qualified people on the details.

Sierzega added that in consulting with Mines and Minerals, the coal band is very deep, there is no strip mining that could occur and affect the surface and there is a low chance that those rights would be exploited. The last mining plan was from 30 years ago and has since expired. Mitigation has already occurred.

Commissioner DeMauro Roth noted the discrepancy on the report that if the plans are truly expired, then it is a new permitting process on the mineral rights.

Sierzega apologized for not including the expired plan in his report. It is included in the original registration agreement, and he anticipates it will be reflected on the title work once it comes in. There are existing parcels already in this land and water reserve. He expects the title work to be the same for the addition.

Commissioner Clay asked if the Department has a history of purchasing mineral rights. In this case specifically, have we offered to the coal company to purchase the rights? Clay continued that during his time at Illinois Audubon, they purchased a lot of mineral rights.

The answer is unclear. Strole indicated he believes the answer might be no, but he is not sure.

Sierzega noted this is worth investigating.

Commissioner Oplt asked for clarification regarding if there is low strip-mining risk due to the coal band being too deep, noting that other areas in the state have used long wall mining on deep coal bands. She asked Sierzega to elaborate on the possibility of that type of mining.

Sierzega began by noting that this area is “coal country” in these counties where much of these areas have been explored, including the tracts of land in question. This land was included in a mining plan from 20-30 years ago. The coal company had previously owned hundreds of acres of land in the state of Illinois. In a LWR already registered, a situation did arise where the coal company created a portal and performed underground mining. Since then, the company has gone through all of their mine reclamation phases for the area, sealed the mines and let their plan expire.

Sierzega feels confident that since this area has already been explored and mined, he does not foresee the coal company revisiting the land. And even if they did, they would have to work with the Commission and consultation.

It was clarified that approval of this land and water reserve is contingent on the pending title work which is expected to be compatible with registration.

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

The Commission grants approval for the registration of the North Addition to Grisley Woods as an Illinois land and water reserve, as described in the proposal presented under Item 12 of the Agenda for the 245th Meeting.

(Resolution 2601)

245-13) **Cook County - Addition and Buffer Addition to Paintbrush Prairie Nature Preserve, Preliminary Dedication**

Kim Roman presented this agenda item.

Paintbrush Prairie Nature Preserve, owned by The Nature Conservancy (TNC), was originally dedicated in 1999 and was 68 acres in size. Subsequent additions of both nature preserve and nature preserve buffer increased the total dedicated area of this site to 81.6 acres. Paintbrush Prairie is located within the Chicago Lake Plain Section of the Northeastern Morainal Natural division. It is one of five nature preserves in south Cook County collectively and informally known as the “Indian Boundary Prairies.” At the time of its first dedication in 1999, the qualifying features for nature preserve status was 10 acres of high-quality remnant prairie with the presence of two state-listed plant species: eared false foxglove (*Tomanthera auriculata*) and early fen sedge (*Carex craweii*). These species are still found on site but have been de-listed by the Illinois Endangered Species Protection Board since the time of dedication. As management efforts increased and biological inventories were conducted, more than 200 native plant species, including the federally threatened eastern prairie fringed orchid (*Platanthera leucophaea*) and state-endangered mountain blue-eyed grass (*Sisyrinchium montanum*), have been documented. The proposed nature preserve addition occupies former road rights-of-way that were platted and graded, but never developed. The City of Markham legally vacated 5.5 acres of road right-of-way within and adjacent to Paintbrush Prairie Nature Preserve, and TNC wishes to afford them the same level of legal protection as the rest of the site. The interior portions of former road right-of- way total 3.15 acres and are proposed nature

preserve additions because they are similar in biological quality as the rest of the nature preserve. The more disturbed, exterior former road rights-of-way total 2.36 acres and are proposed as nature preserve buffer additions. Dedication of vacated road rights-of-way within and abutting Paintbrush Prairie Nature Preserve will protect additional acreage of remnant prairie and help complete good preserve design by providing legal protection under the Illinois Natural Areas Preservation Act. It is therefore recommended by field staff of the Illinois Nature Preserves Commission the dedication of 3.15 acres as nature preserve addition, and 2.36 acres as nature preserve buffer addition.

Commissioner Covington made a comment regarding Kim's reference to Dave Holman in her presentation. He is one of those rare people who actually enjoys reading legal descriptions and has been an invaluable help to The Nature Conservancy through INPC and a number of land trusts in figuring out discrepancies and mistakes in legal descriptions.

Kim Roman agreed.

It was moved by Commissioner DeMauro-Roth, seconded by Commissioner Clay, and carried that the following resolution be approved:

The Commission grants preliminary approval for the dedication of the Addition and Buffer Addition to Paintbrush Prairie Nature Preserve, as described in the proposal presented under Item 13 of the Agenda for the 245th Meeting.

(Resolution 2602)

245-14) **Cook County - Addition and Buffer Addition to Sundrop Prairie Nature Preserve, Preliminary Dedication**

Kim Roman presented this agenda item.

Sundrop Prairie Nature Preserve is owned by The Nature Conservancy (TNC) and is located in south Cook County. It was first dedicated in 2000 and had three subsequent nature preserve additions to total 91.5 acres in size. Sundrop Prairie is one of five nature preserves in south Cook County collectively and informally known as the "Indian Boundary Prairies." At the time of its first dedication in 2000, the qualifying feature for nature preserve status was the presence of the state-threatened early fen sedge (*Carex craweii*) in remnant prairie of the Chicago Lake Plain Section of the Northeastern Morainal Natural division. This species is still found on site but has been delisted by the Illinois Endangered Species Protection Board since the time of dedication. As management efforts increased and biological inventories were conducted, more than 200 native plant species, including the state-endangered mountain blue-eyed grass (*Sisyrinchium montanum*), have been documented. The proposed nature preserves additions include three small undeveloped lots and also former road rights-of-way that were platted, but never developed. The City of Markham has legally vacated its road rights-of-way within and adjacent to Sundrop Prairie Nature Preserve, and TNC wishes to afford them the same level of legal protection as the rest of the site. The interior portions of former road right-of-way and three small lots total 21.4 acres and are proposed nature preserve additions because they are similar in biological quality as the rest of the nature preserve. The ecologically disturbed former road rights-of-

way total 3.3 acres and are proposed as nature preserve buffer additions. Dedication of undeveloped lots and vacated road rights-of-way within and abutting Sundrop Prairie Nature Preserve will protect additional acreage of remnant prairie and help complete good preserve design by providing legal protection under the Illinois Natural Areas Preservation Act. It is therefore recommended by field staff of the Illinois Nature Preserves Commission the dedication of 21.4 acres as nature preserve addition, and 3.3 acres as nature preserve buffer addition.

Commission Szafoni commented that he greatly appreciates the use of dedicating nature preserve buffers. It is a tool in our box that we should be using more often.

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

The Commission grants preliminary approval for the dedication of the Addition and Buffer Addition to Sundrop Prairie Nature Preserve, as described in the proposal presented under Item 14 of the Agenda for the 245th Meeting.

(Resolution 2600)

The meeting was adjourned for lunch at 12:05 to 12:35 p.m.

245-15) **Monroe County - Addition to White Rock Nature Preserve, Preliminary Dedication**

Debbie Newman presented this agenda item.

The proposed Addition to White Rock Nature Preserve (NP) is a 97.8-acre site in the bluffs of southwestern Illinois, south of St. Louis. The site lies in between and connects the 306.5-acre White Rock Nature Preserve and the 168-acre White Rock Land and Water Reserve, owned by Clifftop NFP (Conserving Lands in Farm, Forest, Talus Or Prairie, Not-For-Profit, also aka Clifftop, Inc.).

The White Rock Nature Preserve (NP) contains a mosaic of high-quality loess hill prairie, limestone glade, limestone cliffs and upland forest overlooking the Mississippi River floodplain and encompasses approximately 47 acres of the Monroe City Hill Prairie INAI site #199. The White Rock Land and Water Reserve (LWR) also contains high-quality limestone glade along with mature dry, dry-mesic and mesic upland forest. The LWR encompasses approximately 50 acres of the Potato Hill INAI site (#200). Both the preserve and reserve contain populations of the state-threatened Missouri coneflower (*Rudbeckia missouriensis*), the state-endangered woolly buckthorn (*Bumelia lanuginosa*), and a state-threatened reptile. In addition, the state-endangered crested coralroot orchid (*Hexalectris spicata*), American bluehearts (*Buchnera americana*), stickleaf (*Mentzelia oligosperma*), and climbing milkweed (*Matelea decipiens*) are found on the nature preserve.

The proposed White Rock Nature Preserve Addition is located just outside of the current boundaries of the Monroe City and Potato Hill INAI sites. The site qualifies for nature preserve addition because it contains a tiny remnant, Grade C glade that contain at least two listed species, the Missouri coneflower and the woolly buckthorn; provides habitat for the timber rattlesnake (*Crotalus horridus*) since it is within a one-mile radius of known

hibernacula and rookeries, and most likely has hibernacula located within its boundaries, also. The site also provides additional acres of mature upland forest connected to a larger complex of protected forest lands (657 acres) and provides important continuity of the same habitat between White Rock Nature Preserve and White Rock Land and Water Reserve.

Although not currently planned, the owners would like to request the reserve rights to:

- Conduct deer management as provided for in the management plan to control ecological imbalance that threatens the natural quality of the proposed Addition. The deer removal program would be outlined in the management plan and schedule and will conform to INPC rules for the management of deer herds on nature preserves.
- Remove downed wood along trails and firebreaks for firewood use as outlined in the management plan to reduce heavy fuels near/on firebreaks when trees/tree limbs come down along these areas.
- Place a structure in the disturbed area of the westernmost corner of the proposed Addition, to store maintenance equipment for management of the 600-acre complex.

Clifftop secured some of the funding to purchase the proposed Addition through a grant provided by the Illinois Clean Energy Community Foundation (ICECF). Clifftop has been working for approximately 15 years to protect and steward important lands in the western half of Monroe County, especially in the bluffs and karst. The organization currently owns two registered land and water reserves, and three nature preserves and is committed to working with the Illinois Nature Preserves Commission (INPC) as a partner on many projects.

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

The Commission grants preliminary approval for the dedication of the Addition to White Rock Nature Preserve, as described in the proposal presented under Item 15 of the Agenda for the 245th Meeting.

(Resolution 2604)

245-16) **Monroe County - Heather's Hollow Nature Preserve, Preliminary Dedication**

Debbie Newman presented this agenda item.

The proposed Heather's Hollow Nature Preserve (NP) is an 11-acre site in the bluffs of southwestern Illinois, south of St. Louis. Heather's Hollow is part of the 679-acre Columbia Hill Prairies INAI site #201. The proposed preserve consists of 2 acres of Grade B limestone glade in several remnant patches intermingled with approximately 8 1/2 acres of Grade C mature, second-growth dry upland forest, and 1/2 acre of Duck Creek and mowed highway frontage along State Route 156. The proposed preserve also contains populations of the state-endangered woolly buckthorn (*Bumelia lanuginosa*), and a state-threatened reptile. The site is adjacent on 2 1/2 sides to the 594-acre Salt Lick Point Land and Water Reserve (LWR).

The site supports several campaigns identified in the Illinois Wildlife Action Plan (IWAP), including the Forests Campaign, the Invasive Species Campaign, and the Land & Water

Stewardship Campaign. The site is located within IWAP's Bluff Corridor/Karst Conservation Opportunity Area (COA), and the Southwestern Illinois Wildlife Action Plan (SWIWAP) partnership area. Dedication of the proposed preserve would assist in fulfilling the partnership's strategic plan goals. These include preserving and stewarding additional acres of hill prairie, glade and forest and their associated species in the COA; addressing invasive species in the COA; encouraging landholders and policy makers to adopt sound land and wildlife management practices; and seeking resources and funding to implement goals of the SWIWAP.

The owner requested the reserved rights to:

- Conduct deer management as provided for in the management plan to control ecological imbalance that threatens the natural quality of the proposed preserve caused by an over-abundance of deer. The deer removal program will be outlined in the management plan and schedule and will conform to INPC rules for the management of deer herds on nature preserves.
- Remove downed wood along firebreaks and any trees that would come down outside of the proposed preserve near the residence or yard. As per the county highway Right-of-Way and Ameren powerline corridors, normal maintenance will occur in these locations, including mowing and spraying to treat invasive species.

The proposed Heather's Hollow Nature Preserve is owned by Theresa Mueller. The proposed preserve was owned by Theresa and her late husband, Bruce, since 2001. Mr. and Mrs. Mueller enrolled the property in the Illinois Natural Heritage Landmark program in 2010. Mrs. Mueller is committed to permanently protecting her natural area and excited about preserving and managing the significant natural resources found on the property. \

Theresa Mueller made a comment after approval that she is "glad it finally happened."

It was moved by Commissioner Clay, seconded by Commissioner DeMauro-Roth, and carried that the following resolution be approved:

The Commission grants preliminary approval for the dedication of Heather's Hollow Nature Preserve, as described in the proposal presented under Item 16 of the Agenda for the 245th Meeting.

(Resolution 2605)

245-17) **Winnebago County - Lost Flora Fen on Raccoon Creek Nature Preserve, Preliminary Dedication**

John Nelson presented this agenda item.

The Natural Land Institute (NLI) requested preliminary approval to dedicate 156.7 acres as the Lost Flora Fen on Raccoon Creek Nature Preserve. The proposed nature preserve includes a large portion of the Lost Flora Fen INAI site #1972, which was recognized in 2021 as a Category I site. The qualifying feature is an 8.9-acre, Grade B sedge meadow and an associated 13-acre, Grade C sedge meadow. The entire INAI site is 62.9 acres in size and includes a portion of the surrounding landscape (41 acres) consisting of pasture, low-

gradient stream, oxbow ponds, row crops, and unmanaged wetlands of lower quality but with good restoration potential. More than half of the INAI site (35.9 acres) is within the proposed nature preserve boundary. Lost Flora Fen was also included on the INAI as a Category II site for suitable habitat supporting two state-endangered animals and one state-endangered plant.

The Natural Land Institute requested the reserved rights to:

- Add to or modify the trail system with review and approval of staff of the INPC.
- Other amenities, such as foot bridges, boardwalks, kiosks, boot brushes, interpretive signs may be planned for visitor use or management purposes and will likewise be reviewed and approved by staff of the INPC.
- Control mesopredators, specifically raccoon (*Procyon lotor*), skunk (*Mephitis mephitis*), and opossum (*Didelphis virginiana*) to reduce nest predation on native herpetofauna. Prior approval of the INPC is required.
- White-tailed deer control methodology shall occur on the property, conducted by the Illinois Department of Natural Resources, NLI Staff, and/or by a hunt club in accordance with INPCs and NLI's Deer Management Policies. The use of firearms in conjunction with the deer control program is a reserved right under this management plan.

Dedication of the Lost Flora Fen on Raccoon Creek Nature Preserve will help protect and restore high-quality wetlands on a landscape level scale. This dedication is the first step in legally protecting this unique natural area and will undoubtedly be followed by other dedications in the future by the Natural Land Institute.

Kerry Leigh, retired Executive Director of the Natural Land Institute, presented comments prior to John Nelson's presentation. She thanked the Commission and commented it is always such a joy to see George Fell's vision become a reality in Illinois. She stated this proposal started as a response to a proposed railway line meant to cross Raccoon Creek. The community there created a public awareness campaign, primarily driven by local farmers. So, when the proposal was denied only because of lack of funds, we knew the railway might come back. A watershed study was conducted by the Illinois Clean Energy Foundation and they funded the land acquisition. A botanist, Edward Pope, found three plants that had not been seen in decades at this site. We realized we needed a larger targeted approach for watershed protection, so we joined the Regional Conservation Partnership Program to assist the local landowners with easements and agriculture management techniques.

Following this, a property called Rummage Farm came up for sale, directly adjacent to the Lost Flora Fen. We spoke to the landowners and asked them to delay the sale for a year with the contingency the land be forever protected from the railway and other threats. Despite having other buyers, the landowners agreed. We would like to thank the Illinois Clean Energy Foundation for their investment of 1.2 million dollars on this property.

NLI now owns 1.5 miles of Raccoon Creek in Lost Flora Fen, and 2.5 miles of Raccoon Creek through a wetland reserve. The creek itself is one of the few high-quality cold-water streams in Northern Illinois. The Lost Flora Fen is historically important to Winnebago Creek and ecologically important to maintaining the water quality of Raccoon Creek.

John Nelson made his presentation.

Commissioner Parker asked if the boardwalk through the property were to be expanded for accessibility, then would that be maintenance or something that needs to come back to the Commission?

John Nelson answered that he would recommend an expansion for accessibility purposes be dealt with at a staff level and not worthy of bringing forth to the Commissioners since the boardwalk is already an existing structure.

Strole added that INPC tries to accommodate ADA requirements and requests to the best of its ability.

Commissioner DeMauro Roth asked whether all the habitat for the Hine's emerald dragonfly is protected or is some of it offsite?

John Nelson answered there is definitely habitat off-site and it goes into Wisconsin. Joyce Gibbons with the Fish and Wildlife Service has conducted surveys on the species and so far, has only found adults off-site. John Nelson believes it is only a matter of time before they find a breeding ground in the watershed for the dragonfly, and hopefully some will be found at Lost Flora Fen.

Commissioner DeMauro Roth recommended finding a grad student to conduct studies on the Blanding's turtle's stomach contents because Hine's emerald dragonfly remnants were found in a spotted turtle's stomach.

It was moved by Commissioner DeMauro Roth, seconded by Commissioner Kessel, and carried that the following resolution be approved:

The Commission grants preliminary approval for the dedication of Lost Flora Fen on Raccoon Creek Nature Preserve, as described in the proposal presented under Item 17 of the Agenda for the 245th Meeting.

(Resolution 2606)

245-18) **Jasper County - Gowin-Boldrey Addition to Robert Ridgway Grasslands Nature Preserve, Final Dedication**

Sami Childerson presented this agenda item.

The proposed Gowin-Boldrey Addition to the Robert Ridgway Grasslands Nature Preserve will permanently protect 75 acres located within the INAI boundary of the Prairie Ridge - Jasper County site (INAI #0754). The property is located in the Effingham Plain Section of the Southern Till Plain Natural Division of Illinois, and it provides additional habitat to at least 33 State endangered or threatened species known to occur at or near the Prairie Ridge State Natural Area (PRSNA) complex in Jasper County.

With approval for dedication, the Gowin-Boldrey Addition to the Robert Ridgway Grasslands Nature Preserve will increase the amount of permanently protected property at the Jasper County complex of PRSNA to almost 3,000 acres.

The Illinois Nature Preserves Commission (INPC) staff and the Illinois Department of Natural Resources (IDNR) staff located at Prairie Ridge State Natural Area, on behalf of the landowner, Illinois Audubon Society, recommended final approval for dedication of 75 acres as the Gowin-Boldrey Addition to the Robert Ridgway Grasslands Nature Preserve.

Commissioner Szafoni asked about the numbers for the Prairie Chicken in the last 8 years. How are they?

Sami Childerson answered they thrived immediately after introduction, but they are still suffering greatly. She believes there are only 39 in Jasper County and only 9 males in Marion County. So, the numbers are not good.

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

The Commission grants final approval for the dedication of Gowin-Boldrey Addition to Robert Ridgway Grasslands Nature Preserve, as described in the proposal presented under Item 18 of the Agenda for the 245th Meeting.

(Resolution 2607)

245-19) **McHenry County - Nature Preserve Addition to Gladstone Fen Nature Preserve, Final Dedication**

John Nelson presented this agenda item.

At its 244th meeting, the Illinois Nature Preserves Commission granted preliminary approval for the dedication of 1.4 acres as an addition to Gladstone Fen Nature Preserve. The addition will legally protect the remaining conservation land held by the Gladstone family at this site. The addition better defines the “footprint” of the existing home site and prevents potential encroachment into environmentally sensitive areas should the property change ownership. Ultimately, Lorna and Evan Gladstone wish for the nature preserve to be owned and managed by a land trust or appropriate conservation organization to ensure the long-term health and vitality of their nature preserve. This nature preserve design provides a defensible and manageable boundary between the nature preserve and homesite. Upon final approval of this this addition, Gladstone Fen Nature Preserve will total 13.18-acres.

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

The Commission grants final approval for the dedication of the Nature Preserve Addition to Gladstone Fen Nature Preserve, as described in the proposal presented under Item 19 of the Agenda for the 245th Meeting.

(Resolution 2608)

245-20) **Pope County - Gibbons Creek Barrens Nature Preserve, Final Dedication**

Christina Feng presented this agenda item.

The Illinois Department of Natural Resources (IDNR) sought final approval for dedication of the existing 173.24-acre Gibbons Creek Barrens Land and Water Reserve located in the Greater and Lesser Sections of the Shawnee Hills Natural Division in Pope County as the Gibbons Creek Barrens Nature Preserve. The site was originally registered at INPC Meeting #215 on 10 September 2013 as LWR #172, but subsequent management and species surveys have elevated the quality and significance of the site. Preliminary approval for dedication was granted at the 244th INPC meeting on 9 May 2023. Final approval by the Commission will enhance protection for Category I, II, and III qualifying features within the IDNR-owned portion of the Gibbons Creek Barrens INAI site (#0339) including Grades A and B dry barrens and dry woodland natural communities. The Grade A dry barrens was noted in the original INAI documents as being the best example of this community type in southern Illinois, containing over 100 plant species and the only known population of state-endangered Hale's corydalis (*Corydalis halei*) in Illinois. The site also provides habitat for three other state-listed species: an endangered reptile, Carolina whipgrass (*Scleria pauciflora*), and shortleaf pine (*Pinus echinata*). Approximately 260 plant species have been recorded from the site as well as at least 13 Species of Greatest Conservation Need.

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

The Commission grants final approval for the dedication of Gibbons Creek Barrens Nature Preserve, as described in the proposal presented under Item 20 of the Agenda for the 245th Meeting.

(Resolution 2609)

245-21) **Will County - Pilcher Park Land and Water Reserve, Reburial of Native American Cultural Materials**

Brooke Morgan presented this agenda item.

Pilcher Park owned by the Joliet Park District is on the INAI (#937) for its high-quality mesic upland forest, wet-mesic upland forest, and seep communities. It encompasses 293 acres of dedicated nature preserve and 110 acres of registered land and water reserve, totaling 403 acres protected in the Illinois Nature Preserves System. The 110 acres were registered in 2018 as the 188<sup>th</sup> Illinois LWR. Significant cultural resources were referenced at the time of registration and dedication.

In September 1968, members of the Will County Historical Society (WCHS) excavated the site known as Gougar Mound (11WI64) with landowner permission in advance of the widening of Gougar Road. It was determined to be the location of a late 18<sup>th</sup> - early 19<sup>th</sup> century Potawatomi cemetery. Human remains and associated funerary objects were removed at this time. In June 1969, the Illinois State Museum (ISM) conducted salvage excavation at the site. The 1968

excavation heavily impacted the mound, and ISM staff recovered little cultural material. Remains of eight individuals were reinterred in nearby Pilcher Park, also referred to as Birdhaven Park, in July 1969 by the WCHS and Joliet Park District (JPD). Materials held by ISM were not included in this reburial. WCHS dedicated a plot of land measuring 12 feet by 12 feet to the Potawatomi Tribes for this reburial on May 27, 1969, and reinterment occurred on September 14, 1969.

In 2021, the Illinois State Museum (ISM) consulted with Potawatomi Tribal Nations on human remains and funerary objects collected from Gougar Mound during the 1969 salvage excavation that were only recently relocated in collections (86 FR 71662). It is highly probable that the fragmentary human remains held by the ISM correspond with individuals reburied in Pilcher Park. The boundaries of the reburial area were estimated based on 2013 research by the Illinois State Archaeological Survey (ISAS), who recorded the site in the Illinois Inventory of Archaeological Sites as 11WI4027. The site is protected under the Archaeological and Paleontological Resources Protection Act (APRPA) and the Human Remains Protection Act (HRPA). The affiliated Tribes have requested that the ancestral remains and funerary objects held by the ISM, as well as funerary objects previously removed from Gougar Mound and held by the Will County Historical Museum, be reinterred in Pilcher Park LWR near the location of the reburial area created in 1969. The proposed activity will take place within a smaller area identified by geophysical survey and will minimally impact the INPC site.

Raphael Wahwassuck thanked Brooke Morgan and the Potawatomi Tribal Nations for their work and efforts in returning these remains to where they need to be.

Commissioner Miraglia commented that she appreciates Brooke Morgan working with the Commission on these efforts and encourages the Commission to accept a partnership with the Illinois State Museum on these efforts.

Kelly Neal presented the recommendation for Reburial of Native American Cultural Materials to the Commissioners.

Commissioner Szafoni inquired about how the Natural Areas Preservation Act, Human Remains Protect Act and the Archeological and Paleontological Protection Act all fit together in this situation. Additionally, does the addition of the Natural Areas protection provide anything in addition to what the other two acts already have?

Kelly Neal answered that the LWR and NP protection would add an additional layer of protection to these sites. The Natural Areas Preservation Act was also intended to consider areas of cultural significance for protection.

Kim Roman added that Dawn Cobb typically answers these types of questions and is also who indicated that the land and water reserve protection would be a good fit in this type of situation.

Brooke Morgan addressed how these additional protections intersect. There are different provisions that each of these acts provide for. There are also different kinds of penalties for violating them. They all cover the same kinds of “things,” in terms of not being allowed to disturb the ground. And if there are disturbances, then you must go through a permitting process. Each Act has a different permitting process and appeal process, which adds another level of protection.

Commissioner Clay noted we have the highest level of protection with each of these Acts. A protection we can't have enough of.

Todd Strole continued, sharing we typically have a special meeting in January and hope to address more questions about the Human Remains Protection Act at that time.

Kelly Neal added that with the IDNR consultation process, cultural resources are considered as an impacted feature in that process.

Commissioner Covington noted there is likely nothing in these Acts that conflict with each other. If there were any conflicts, a judiciary decree from a judge might be the avenue to settle the issue.

Randy Heidorn, attending through the WebEx, pointed out that this is not “new” for the Commission and remains were repatriated at Salt Lick Point several years ago.

Commissioner Miraglia asked for clarification on which aspects of this proposal are confidential.

Brooke Morgan explained that the actual boundaries and specific location of the burial site are confidential. Saying there is a burial site at Pilcher Park is broad enough to be shared and does not violate the statute. The actual boundaries, mapping, and location of where the reburial will take place is protected information.

Raphael Wahwassuck made a request moving forward if there is a way to use different language and identifiers in our agendas and minutes so that a member of the public looking at these documents would not be able to discern the topic. The purpose being to lessen the chance of looters or people wanting to do their own archeological dig. As we all know, there are thousands of native ancestors sitting in storage closets or basements. the reburial effort is the beginning of the process of to get those folks back where they need to be, and he requested these sites be kept as confidential as possible for their protection.

Commissioner Clay followed up, saying that his question was answered on whether there would be any repatriation or press event to go with this reburial.

Raphael Wahwassuck commented that no, these burials will be as minimally invasive as possible and there will not be any press or media associated with this. He added that he would be happy if it was just him and a shovel out there, taking care of the reburial. He requested these reburials be as private as possible.

Commissioner Szafoni wanted to clarify if he is requesting the burials themselves be kept private or the entire approval process, such as what was done today at this meeting. For example, discussing these matters in closed session.

Raphael Wahwassuck answered that if it at all possible, a closed session would be ideal.

Commissioner DeMauro-Roth added there was nothing in the documents they received that indicated the specific location of the burial site. It was redacted.

Brooke Morgan added the Pilcher Park reburial is a more public test site because the public is already aware of where the reburial site is, indicated by memorial markers. Not every case is so publicly marked, though in the future it may be better to go into closed session for areas that are not well known or monitored.

Commissioner DeMauro-Roth asked for specifics on the process of voting into a closed session.

Todd Strole answered that he does not believe this specific situation is listed in the statutes, but cases like this are eligible in the interest of confidentiality.

Kim Roman added that a lot of situations like this can be handled at the staff level instead of a public meeting.

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

The Commission grants approval for the Reburial of Native American Cultural Materials at Pilcher Park Land and Water Reserve in Will County, as described in the proposal presented under Item 21 of the Agenda for the 245th Meeting.

(Resolution 2610)

245-22) **Election of INPC Officers**

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

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

(Resolution 2611)

With the Commission's approval of this agenda item, Commissioner Derby Lewis continued her role as Commission Chair, Commissioner Parker assumed the role of Vice Chair and Commissioner Miraglia assumed the role of Commission Secretary.

245-23) **Election of INPC Advisors and Consultants**

Commissioner Szafoni presented the slate of current INPC Advisors under Agenda Item 9.

It was moved by Commissioner Parker, seconded by Commissioner Clay, and carried that the Election of INPC Advisors be approved.

(Resolution 2612)

Commissioner Szafoni presented the slate of current INPC Consultants proposed under Agenda Item 9, with one addition for Kerry Leigh, former Executive Director of the Natural Land Institute.

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

(Resolution 2613)

Commissioner DeMauro-Roth recused herself from voting on the advisors and consultants, as she is related to one by marriage.

245-24) **Review of Closed Meeting Minute**

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.

**REPORT**

Todd Strole  
Illinois Nature Preserves Commission

**ACTION TO BE CONSIDERED**

Determination if closed minutes  
should remain closed

It was moved by Commissioner Covington, seconded by Commissioner DeMauro-Roth, 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 24 of the Agenda for the 245th Meeting.

(Resolution 2614)

245-25) **Public Comment Period (3 minutes per person)**

Joann Fricke welcomed everyone to the Illinois Ozarks and invited everyone to take the slices of sassafras with the INPC and Ozarks logo on them home.

245-26) **Other Business**

No other business was presented.

245-27) **Adjournment**

It was moved by Commissioner DeMauro-Roth, seconded by Commissioner Clay, and carried that the meeting be adjourned.

The 245th INPC Meeting was adjourned at 2:57pm.