

CASE NO. 696-S-11

SUPPLEMENTAL MEMORANDUM

August 17, 2011

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

Petitioners: California Ridge Wind Energy LLC and the participating landowners listed in the attached legal advertisement. California Ridge Wind Energy LLC is wholly owned by Invenergy Wind North America LLC, One South Wacker Drive, Suite 1900, Chicago, IL 60606, with corporate officers as listed in the attached legal advertisement.

Request: Authorize a Wind Farm which consists of 30 Wind Farm Towers (wind turbines) in total with a total nameplate capacity of 48 megawatts (MW) of which 28 Wind Farm Towers with a total nameplate capacity of 45 MW are proposed in Compromise Township (Part A) and 2 Wind Farm Towers with a total nameplate capacity of 3 MW are proposed in Ogden Township (Part B), and including access roads, wiring, and public road improvements, and including the waivers of standard conditions in Section 6.1.4 as listed in the attached legal advertisement.

Location: In Compromise Township the following sections are included with exceptions as described in the attached legal advertisement:

- Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33 of T21N, R14W of the 2nd P.M.,
- Sections 24, 25, and 36 of T21N, R10E of the 3rd P.M.,
- Fractional Sections 30 and 31 of T21N, R11E, of the 3rd P.M.

In Ogden Township the following sections are included with exceptions as described in the attached legal advertisement:

- Fractional Section 6, T20N, R11E of the 3rd P.M.,
- Fractional Sections 4, 5, 6, and 7 of T20N, R14W of the 2nd P.M.,
- Sections 8, 9, and 16 of T20N, R14W of the 2nd P.M.

Site Area: Approximately 10,193 acres

Time Schedule for Development: Fall 2011

Prepared by: **John Hall**
Zoning Administrator

STATUS

The Preliminary Memorandum for this case was distributed and put on the website on August 11, 2011.

BACKGROUND

This is the first wind farm to be reviewed under the revised wind farm requirements that the County Board adopted as Ordinance No. 848 on May 21, 2009. Wind farms are only authorized in the AG-1 District and require a special use permit authorized by the County Board. The ZBA determination in this case will be a recommendation to the County Board.

The Zoning Board of Appeals Docket indicates additional meetings for this case have been scheduled on September 1, September 8, and September 29, 2011. Other meetings can be scheduled as necessary.

PETITIONER SUBMITTALS

Subsection 6.1.4 of the Zoning Ordinance requires various supporting documents for a wind farm special use permit application. Most of the required documentation is included in the 700 page California Ridge Wind Energy Project Champaign County Special Use Permit Application received July 1, 2011, that is available on the Champaign County website (www.co.champaign.il.us) under "Meetings" select "Zoning Board of Appeals" and scroll down to "Wind Farm App. received 7/1/2011 (California Ridge)".

Section 2 of the Application indicates where compliance with each requirement of Subsection 6.1.4 is documented in the Application. Section 2 indicates that the Reclamation Agreement (required by 6.1.4 P.) will be forthcoming. Section 4.2.1 of the Application also indicates that the Roadway Upgrade and Maintenance Agreement (required by 6.1.4 F.) is being finalized but a waiver has been included as a safeguard in case no agreement is signed by September 29, 2011, which is the planned end of the public hearing.

Other submittals received to date are the following:

- Parcel Status Summary Map with Setbacks California Ridge Wind Energy Center, Champaign and Vermilion Counties, received July 21, 2011 (an excerpt of only the Champaign County portion; see Attachment C)
- Champaign County Non-Participating Dwelling Separation Summary map received July 29, 2011 (see Attachment E).

REVISED PROPOSED WIND TURBINE LOCATIONS

The Parcel Status Summary Map with Setbacks received on July 21, 2011, (see Attachment C) revised the locations of two of the proposed wind turbines from what was indicated in the Application received on July 1, 2011. Proposed wind turbines numbers 20 and 21 were previously adjacent to proposed wind turbine number 22 in the Application received July 1, 2011; see excerpts as Attachment D or otherwise available on the Champaign County website (www.co.champaign). The Parcel Status Summary Map with Setbacks received on July 21, 2011, indicates that turbine number 20 is now proposed to be located east of turbine number 3 and turbine 21 is now proposed to be located northeast of turbine number 8.

The revised turbine locations are not believed to have caused any meaningful change to the Noise Contours found on Fig. A-2 or the shadow flicker results illustrated in Appendix G of the Application.

LAND USE AND ZONING IN THE VICINITY

The proposed wind farm is in the AG-1 Agriculture Zoning District and surrounds an isolated portion of the CR Conservation Recreation Zoning District and also the B-1 Rural Trade Center Zoning District at Dailey. See Attachment B.

Note that the area of the proposed wind farm is highlighted in blue on the Zoning Map attachment. Land use within the area of the proposed wind farm consists primarily of agriculture but there are also individual single family dwellings throughout the area and an FS fertilizer plant at Dailey.

Standard Condition 6.1.4 A.2.(b) in the Ordinance prohibits wind farms from being located within one mile of the CR District. The only wind farm development proposed within a mile of the CR District is the installation of underground wiring. The area where the wiring is proposed has been in row crop production since before the Zoning Ordinance was adopted on October 10, 1973, and the installation of wiring will not disturb any wooded area or area of significant native vegetation. A waiver has been requested of this standard condition (see waiver #2).

Some of the land participating in the wind farm is actually located within one-and-one-half miles of the Village of Royal. Illinois law (55 ILCS 5/5-12020) reserves jurisdiction over wind farms and electric generating wind devices within one-and-one-half miles of a municipal zoning jurisdiction to that municipality and so Champaign County cannot authorize any wind farm development within a mile and a half of the Village of Royal. The only wind farm development proposed within a mile and a half of the Village of Royal is the installation of underground wiring.

ROAD USE AGREEMENTS

The County Engineer and the Compromise and Ogden Township Highway Commissioners are still in negotiations with Invenergy for the road use agreement. A letter from the Township Highway Commissioners is attached.

ATTACHMENTS

- A Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B
- B Case maps (Location & Zoning)
- C Parcel Status Summary Map with Setbacks California Ridge Wind Energy Center, Champaign and Vermilion Counties, received July 21, 2011 (an excerpt of only the Champaign County portion; included separately)
- D Excerpts from California Ridge Wind Energy Project Champaign County Special Use Permit Application received July 1, 2011 (included separately):
 - (1) pages 2-1 to 2-9, 3-1
 - (2) pages 3-4, 3-5, 3-8, 3-9
 - (3) pages 3-11, 4-1 to 4-6 and 4-8
 - (4) pages 4-9, 4-10 and 5-1 to 5-4
 - (5) pages 5-6, 5-8 to 5-11 and 5-13, 5-14, 5-15
 - (6) Appendix B California Ridge Wind Energy Project Decommissioning Report
 - (7) Appendix H Road Use and Repair Agreement
 - (8) Appendix K Reclamation Agreement
 - (9) Figure 3-2. Project Location and Preliminary Site Layout
 - (10) Figure 3-5 Participating Properties and Champaign County Required Setbacks
 - (11) Figure 4-3 Road Use Plan
 - (12) Figure 5-1 Shadow Effect Likely Hours per Year of Shadow Flicker
 - (13) Appendix C Figure A-2 Sound Contours
- E Champaign County Non-Participating Dwelling Separation Summary map received July 29, 2011 (included separately)
- F Letter regarding road use agreements from Marvin Johnson, Compromise Township Highway Commissioner, and Greg Frerichs, Ogden Township Highway Commissioner, received on August 18, 2011

PUBLIC NOTICE OF PUBLIC HEARING IN REGARD TO A COUNTY BOARD SPECIAL USE PERMIT UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE

CASE: 696-S-11

California Ridge Wind Energy LLC and the participating landowners listed below have filed a petition for a Special Use Permit under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petition is on file in the office of the Champaign County Department of Planning & Zoning, 1776 East Washington Street, Urbana, IL.

California Ridge Wind Energy LLC is wholly owned by Invenergy Wind North America LLC, One South Wacker Drive, Suite 1900, Chicago, IL 60606, with President, Michael Polsky; Vice President, James Murphy; Vice-President, Bryan Schueler; Vice-President, James Shield; Vice-President, Kevin Parzyck; Secretary, Joseph Condo, all with offices at One South Wacker Drive, Suite 1900, Chicago, IL 60606.

A public hearing will be held **Thursday, August 25, 2011 at 7:00 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 E. Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition to:

Authorize a Wind Farm which consists of 30 Wind Farm Towers (wind turbines) in total with a total nameplate capacity of 48 megawatts (MW) of which 28 Wind Farm Towers with a total nameplate capacity of 45 MW are proposed in Compromise Township (Part A) and 2 Wind Farm Towers with a total nameplate capacity of 3 MW are proposed in Ogden Township (Part B), and including access roads, wiring, and public road improvements, and including waivers of standard conditions as listed below, on the following properties in Compromise Township (Part A) and Ogden Township (Part B) in Champaign County, Illinois:

PART A COMPROMISE TOWNSHIP

Section 19, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 19, with exceptions. A total of 6 Wind Farm Towers (wind turbines) are proposed in Section 19 as follows:

- 2 Wind Farm Towers are proposed in the Northwest Quarter of Section 19 on a 209.15 acre tract owned by G & E Farms, Inc., POB 35, Gifford, IL 61847-0335;
- 1 Wind Farm Tower is proposed in the Northeast Quarter of Section 19 on a 66 acre tract owned by William Pflugmacher, 333 Eiler Drive, Gifford, IL 61847-9727;
- 1 Wind Farm Tower is proposed in the Northeast Quarter of Section 19 on a 65.63 acre tract owned by Eric Suits, 2655 CR 2600E, Penfield, IL 61862;
- 1 Wind Farm Tower is proposed in the East Half of the Southwest Quarter of Section 19 on a 30 acre parcel owned by Louise Fruhling, 31361 N 750 East Rd, Potomac, IL 61865-6601;
- 1 Wind Farm Tower is proposed in the North Half of the Southeast Quarter of Section 19 on an 80 acre parcel owned by Loretta Fruhling/ Fruhling Family Trust, 388 Gibbs Drive, Rantoul, IL 61866

Other participating landowners in Section 19 are the following:
John Fruhling, 2499 CR 2600N, Penfield, IL 61862

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Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862
Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602
Greg Frerichs, 2506 CR2300N, Ogden IL 61859

Section 20, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes an 80 acre tract of land in the West Half of the Northwest Quarter of Section 20 and an 80 acre tract of land in the South Half of the Southwest Quarter of Section 20 and a 157.98 acre tract of land in the Southeast Quarter of Section 20. Participating landowners in Section 20 are the following:

Michael Babb, 2635 CR 2700E, Penfield, IL 61862
Marsha Gates, POB 704, Tolono, IL 61880
G & E Farms, Inc., 502 S. Main St. POB 35, Gifford, IL 61847-9713

Section 21, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes the Southwest Quarter of Section 21. Participating landowners in Section 21 are the following:

Derald and Florene Ackerman, 519 South Main Street, Gifford, IL 61847-9713
Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862
Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Section 24, T21N, R10E of the 3rd P.M., Compromise Township. The Special Use Permit includes the South Third of the Northwest Quarter and the Southwest Quarter. Participating landowners in Section 24 are the following:

Derald and Florene Ackerman, 519 South Main Street, Gifford, IL 61847-9713
Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Section 25, T21N, R10E of the 3rd P.M., Compromise Township. The Special Use Permit includes all of Section 25 with exceptions. A total of 2 Wind Farm Towers (wind turbines) are proposed in Section 25 as follows:

- 2 Wind Farm Towers are proposed on an 80 acre parcel in the South Half of the Southeast Quarter of Section 25 on land owned by the Mary Ruth Elfe Revocable Trust and Charlotte R. Van Blokland Trust, aka Tate Farm #3/Busey Ag Services, 3002 West Windsor Road, Champaign, IL 61822

Other participating landowners in Section 25 are the following:

Russell and Marilyn Buhr, 2594 CR 2300E, Gifford, IL 61847-9740
Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873
Luella Busboom, 2258 CR 2500N, St. Joseph, IL 61873
Maury Busboom, POB 131, Royal, IL 61871
Roger and Betty Gronewald, 508 E Main POB 117, Royal, IL 61871
Erna Hinrichs, 1037 Englewood Drive, Rantoul IL 61866
Darrell and Marilyn Mennenga, 5205 Beech Ridge Road, Nashville, TN 37221
David and Danita Uken, 2146 CR 2100N, St. Joseph, IL 61873

Section 28, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 28 with exceptions. A total of 3 Wind Farm Towers (wind turbines) are proposed in Section 28 as follows:

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- 1 Wind Farm Tower is proposed on a 62.54 acre parcel in the Northeast Quarter of Section 28 on land owned by Kenneth Suits, 2738 CR 2600N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Southwest Quarter of Section 28 on land owned by Michael O'Neill, POB 236, Philo, IL 61864
- 1 Wind Farm Tower is proposed on a 70.26 acre parcel in the East Half of the Southeast Quarter of Section 28 on land owned by Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862

Other participating landowners in Section 28 are the following:

Michelle Babb, 2635 CR 2700E, Penfield, IL 61862

Alice Buck c/o Steve Buck, 609 Bayshore Drive, #9, Ft. Lauderdale, FL 33304

Steve Buck, 609 Bayshore Drive, #9, Ft. Lauderdale, FL 33304

Alice Cain Heirs c/o Steve Cain, POB 103, Philo, IL 61864

Gary Hovel, 2518 CR 2600E, Penfield, IL

Claas Hovel, 2971 CR 2700E, Penfield, IL

Jeffrey Suits, 2703 CR 2500N, Penfield, IL 61862

Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 68179

Section 29, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 29, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Section 29 as follows:

- 1 Wind Farm Tower is proposed on a 75 acre tract in the North Half of the Southeast Quarter of Section 29 on land owned by Velma Werner, 312 Penny Lane, Peotone, IL 60468

Other participating landowners in Section 29 are the following:

Albers Farm c/o Sandra J. King, POB 562, St. Joseph, IL 61872

Dick Albers, POB 213, Royal, IL 61871

Thomas and Patricia Buck, 2321 CR 2900N, Gifford, IL 61847

Bruinius Family Limited Partnership, 7723 W. Stuenkel Rd., Frankfort, IL 60423

Franzen Family Living Trust, 861 CR 900E, Tolono, IL 61880

Edgar and Sharon Hovel, 408 Moraine Dr., Rantoul, IL 61866

Gary Hovel, Trustee, 2518 CR 2600E, Penfield, IL 61862

Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Fractional Section 30, T21N, R11E, of the 3rd P.M., Compromise Township. The Special Use Permit includes all of Fractional Section 30, with exceptions. A total of 5 Wind Farm Towers (wind turbines) are proposed in Fractional Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 60.86 acre parcel in the North Half of the South Half of Fractional Section 30 on land owned by Kay and John Fiscus, 105 Thomas Dr., St. Joseph, IL 61873
- 2 Wind Farm Towers are proposed on an 80 acre tract in the Southwest Quarter of Fractional Section 30 on land owned by Annette Brya Edwards c/o Busey Bank Ag Services, POB 107, Leroy, IL 61752
- 1 Wind Farm Tower is proposed on a 62.66 acre parcel in the East Half of Fractional Section 30 on land owned by Marvin and Pamela Ideus, 401 Eden Park Dr., Rantoul, IL 61866

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- 1 Wind Farm Tower is proposed on an 80 acre parcel in the Southeast Quarter of Fractional Section 30 owned by Roseann Clifford, 2008 Sunview Dr., Champaign, IL 61821

Other participating landowners in Fractional Section 30 are the following:

Lois and Herbert Frerichs, POB 25, Royal, IL 61871
Alfred and Lorine Ideus, 2124 CR 2400N, St. Joseph, IL 61873
Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862

Section 30, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 30 except the Northwest Quarter. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on an 80 acre parcel being the West Half of the Northeast Quarter of Section 30 on land owned by the Michael and Eileen Jarboe Trust, 2792 CR 2400N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on a 53.33 acre parcel located in the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 30 on land owned by Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the West Half of the Southwest quarter of Section 30 on land owned by Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873

Other participating landowners in this Section 30 are the following:

John Blue, 2148 CR 2650E, Ogden, IL 61859
Daniel and Amy Cain, 2567 CR 2600E, Penfield, IL 61862
Edgar and Sharon Hovel, 408 Moraine Dr., Rantoul, IL 61866
Evelyn Suits, 2331 CR 2000E, Urbana, IL 61802
Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602

Fractional Section 31, T21N, R11E of the 3rd P.M., Compromise Township. The Special Use Permit includes the North Half of the Fractional Section 31 and the North Half of the Fractional Southwest Quarter of Fractional Section 31 and the East Half of the Southeast Quarter of Fractional Section 31. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 31 as follows:

- 1 Wind Farm Tower is proposed on a 140 acre parcel in the Northeast Quarter of Fractional Section 31 on land owned by Larry Foster, 28012 State Route 49, Armstrong, IL 61812

Other participating landowners in Fractional Section 31 are the following:

Mary Ruth Elfe Revocable Trust and Charlotte R. Van Blokland Trust, aka Tate Farm #3/Busey Ag Services, 3002 West Windsor Road, Champaign, IL 61822
John Blue, 2148 CR 2650E, Ogden, IL 61859
Judith E. Kopmann, POB 7, Royal, IL 61871
Douglas Walker and Susan Kingston, 1111 Stockholm Rd., Paxton, IL 60957

Section 31, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes the North Half of Section 31 and the Southwest Quarter of the Southeast Quarter of Section 31. One Wind Farm Tower (wind turbine) is proposed in this Section 31 as follows:

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- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Northeast Quarter of Section 31 on land owned by the LaVeda Pollack Trust c/o Kalin Kocher, 2455 CR 2600E, Penfield, IL 61862

Other participating landowners in this Section 31 are the following:

Larry Frerichs, 2474 CR 2500E, Penfield, IL 61862

Evelyn Suits, 2331 CR 2000E, Urbana, IL 61802

Carl and Jane Udovich, 3526 Bankview Dr., Joliet, IL 60431

Section 32, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 32 except a 1.10 acre tract of land located in the West Half of the Northwest Quarter of Section 32. Participating landowners in Section 32 are the following:

Brian Loschen, 2692 CR 2300N, Ogden, IL 61859

Illini FS, Inc., 1509 E. University Avenue, Urbana, IL 61802

Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 61879

Wendy M. Heeren Trust, 50 Maywood Dr., Danville, IL 61832

Arnold & Delores Loschen Trusts, 2654 CR 2400N, Ogden, IL 61859

Section 33, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 33, with exceptions. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 40 acre parcel being the Northeast Quarter of the Northwest Quarter of Section 33 on land owned by Robert Long, Pearl St., Bluffs, IL 62621
- 1 Wind Farm Tower is proposed on a 77.04 acre parcel in the West Half of the Northeast Quarter of Section 33 on land owned by Roger N. Carter, 2562 CR 3000N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Northeast Quarter of Section 33 on land owned by Harold and Darlene Hovel, POB 134, Royal, IL 61871

Other participating landowners in Section 33 are the following:

Michael and Eileen Jarboe Trusts, 2792 CR 2400N, Penfield, IL 61862

Thomas and Beverly Lee, 2308 Naples Court., Champaign, IL 61822

Dennis Madigan Living Trust, 18877 Medford, Beverly Hill, MI 48025

Section 36, T21N, R10E, Compromise Township. The Special Use Permit includes all of Section 36 except the South Half of the Northwest Quarter of Section 36 and the Southwest Quarter of Section 36. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 70 acre parcel in the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 36 on land owned by Earl and Delores Ideus, 508 N. West St., Gifford, IL 61847
- 1 Wind Farm Tower is proposed on a 50 acre parcel in the North Half of the South Half of the Northeast Quarter of Section 36 on land owned by Royce and Shauna Ideus, 2229 CR 2600N, Gifford, IL 61847
- 1 Wind Farm Tower is proposed on a 157 acre parcel in the Southeast Quarter of Section 36 on land owned by Judith, Leroy and Bonita Kopmann, POB 7, Royal, IL 61871

Other participating landowners in Section 36 are the following:
Leroy and Bonita Kopmann Trust, 117 Susan Drive, Dwight, IL 60420

PART B OGDEN TOWNSHIP

Fractional Section 6, T20N, R11E of the 3rd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 6 except the Fractional Northwest Quarter of Fractional Section 6 and except the North Half of the Southwest Fractional Quarter of Fractional Section 6 and except the Northwest Quarter of the Southeast Quarter of Fractional Section 6 and except the West Half of the Northeast Fractional Quarter of Fractional Section 6. Participating landowners in Fractional Section 6 are the following:

Delores Ann Harms Trustee, POB 87, Royal, IL 61871
Mildred Hinrichs Trust, c/o Laveda Clem, 1982 CR 2100N, Urbana, IL 61822
Herbert and Betty Osterbur, 302 Benjamin Street, Royal, IL 61871

Fractional Section 6, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 6, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 6 as follows:

- 1 Wind Farm Tower is proposed on an 83.84 acre tract of land in the Southwest Quarter of Fractional Section 6 on land owned by Sylvia Flessner-Fulk, POB 837, St. Joseph, IL 61873

Other participating landowners in Fractional Section 6 are the following:

Darrell Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Kristi Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Neil Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Marvin and Bernita Harms Trust, 2592 CR 2145N, St. Joseph, IL 61873
Gene and Deanna Osterbur Irrevocable Trust c/o Julie Carlson, 3828 East Whipporwhill Lane, Byron IL 61010
Reka Sage, 2304A CR 3000N, Apt. 203, Gifford, IL 61847
Wayne and Roxie Sage, 2545 CR 2400N, Ogden, IL 61859

Fractional Section 5, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 5, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 5 as follows:

- 1 Wind Farm Tower is proposed on a 78.10 acre parcel in the Fractional North Half of Fractional Section 5 on land owned by Mark Loschen, 2455 CR 2050N, St. Joseph, IL 61873

Other participating landowners in Fractional Section 5 are the following:

Anna Albers, 2304A CR 3000N, Apt. 107, Gifford, IL 61847
Albers Farm c/o Sandra J. King, POB 562, St. Joseph, IL 61872
Douglas Frerichs, 2634 CR 2300N, Ogden, IL 61859
Arnold and Delores Loschen Trusts, 2654 CR200N, Ogden IL 61859
Gene and Deanna Osterbur c/o Julie Carlson, 3828 East Whipporwhill Lane, Byron IL 61010
Wayne and Roxie Sage, 2545 CR 2400N, Ogden, IL 61859
Dan Shearin, 2431 Parklake Drive, Morris, IL 60450

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Fractional Section 4, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes a 72.8 acre tract of land located in the West Half of the West Half of Fractional Section 4 and an 80 acre tract of land located in the South Half of the Southeast Quarter of Fractional Section 4. Participating landowners in Fractional Section 4 are the following:
Inez K. Britt, 2333 CR 2800E, Ogden, IL 61859
John and Erna Ludwig Living Trusts, c/o Judith Ludwig Gorham, 409 N. Cherry St., Galesburg, IL 61401

Fractional Section 7, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes the Northeast Quarter of Fractional Section 7, with exceptions and a 60 acre tract of land in the East Half of the Southeast Quarter of Fractional Section 7. Participating landowners in Fractional Section 7 are the following:
Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873
Louis and Laverne Osterbur, 2293 CR 2600E, Ogden, IL 61859

Section 8, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Section 8 with the exception of 160 acres in the West Half of Section 8 and 60.85 acres in the Southeast Quarter of Section 8. Participating landowners in Section 8 are the following:
Albert J. Franzen, POB 206, Broadlands, IL 61816
John and Erna Ludwig Living Trust, c/o Judith Ludwig Gorham, 409 N. Cherry St., Galesburg, IL 61401
Jillene and Ben Henderson, 2651 CR 2150N, Ogden, IL 61859
Randall and Deanna Loschen, 2629 CR 1800N, Ogden, IL 61859
Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 61879

Section 9, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes the Northwest Quarter of Section 9 and the Northeast Quarter of the Southeast Quarter of Section 9 and a 100 acre tract of land in the South Half of the Northeast Quarter and the West Half of the West Half of the Southeast Quarter of Section 9 and the East Half of the Southwest Quarter of Section 9. Participating landowners in Section 9 are the following:
Robert Scott Trust and Alsip Family Trust c/o Robert P. Scott, 107 Arrowhead Lane, Haines City, FL 33844
Robert and Joan Sattler Trusts, 207 McKinley, Milford, IL 60953
Busboom Family Trust c/o Glen L. and Billie J. Busboom, 2756 CR 2200N, Ogden, IL 61859

Section 16, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes an 80 acre tract of land in the East Half of the Northeast Quarter of Section 16. Participating landowners in Section 9 are the following:
Carol Sage Peak, c/o Helen Green, 206 Ridgeview St., Danville, IL 61832.
Clifford Peak, c/o Helen Green, 206 Ridgeview St., Danville, IL 61832.
Helen Green, 206 Ridgeview St., Danville, IL 61832.

Waivers of standard conditions in Section 6.1.4 are required as follows:

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1. Waive the standard condition of 6.1.4 A. 1.(c) that requires the special use permit area to include a minimum of 40 feet wide area for electrical lines
2. Waive the standard condition of 6.1.4 A.2.(b) that requires a wind farm to be a minimum of one mile from the CR District to allow wind farm wiring to be less than one mile from the CR District.
3. Waive the standard conditions of 6.1.4 C.3. and 6.1.4 C.8. that require the application to include copies of all private waivers of wind farm separations.
4. Waive the standard condition of 6.1.4 D. 1 (a) that requires certificates of design compliance from Underwriters Laboratories ("UL") or equivalent third party.
5. Waive the standard condition of 6.1.4 D.9 that requires wind farm towers to be protected by non-climbing devices 12 feet vertically from the base.
6. Waive the standard condition of 6.1.4 F.1. that requires a signed Roadway Upgrade and Maintenance Agreement prior to the close of the public hearing before the Zoning Board of Appeals.
7. Waive the standard condition of 6.1.4 F.1.u. that requires street upgrades be in accordance with IDOT Bureau of Local Roads manual, 2005 edition.
8. Waive the standard condition 6.1.4 I. 1. that requires the noise level of each wind farm tower and wind farm to be in compliance with the Illinois Pollution Control Board regulations at the residential property line rather than to be compliance just at the dwelling.
9. Waive the standard condition of 6.1.4 J. that requires the application to contain a copy of the Agency Action Report from the Illinois Department of Natural Resources Endangered Species Program.
10. Waive the standard condition of 6.1.4 P.4.(b) that requires the applicant to gradually pay down 100% of the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13 years of the Wind Farm operation.
11. Waive the standard condition of 6.1.4 S.1.(c)(3) that requires that locations of wind turbines for the zoning use permit application cannot increase the noise impact over that approved in the special use permit.

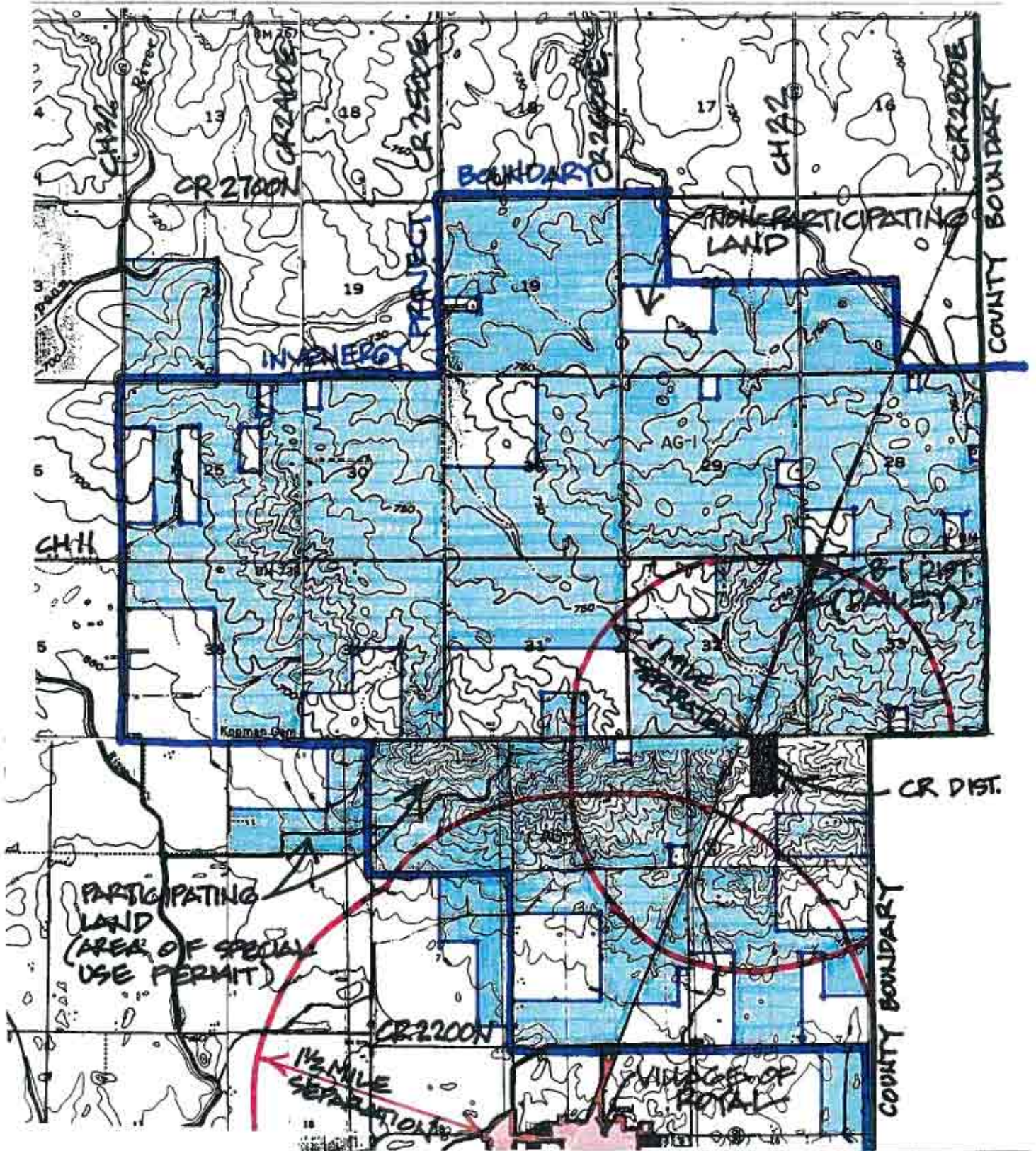
All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time.

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

Attachment B Zoning Map

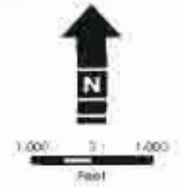
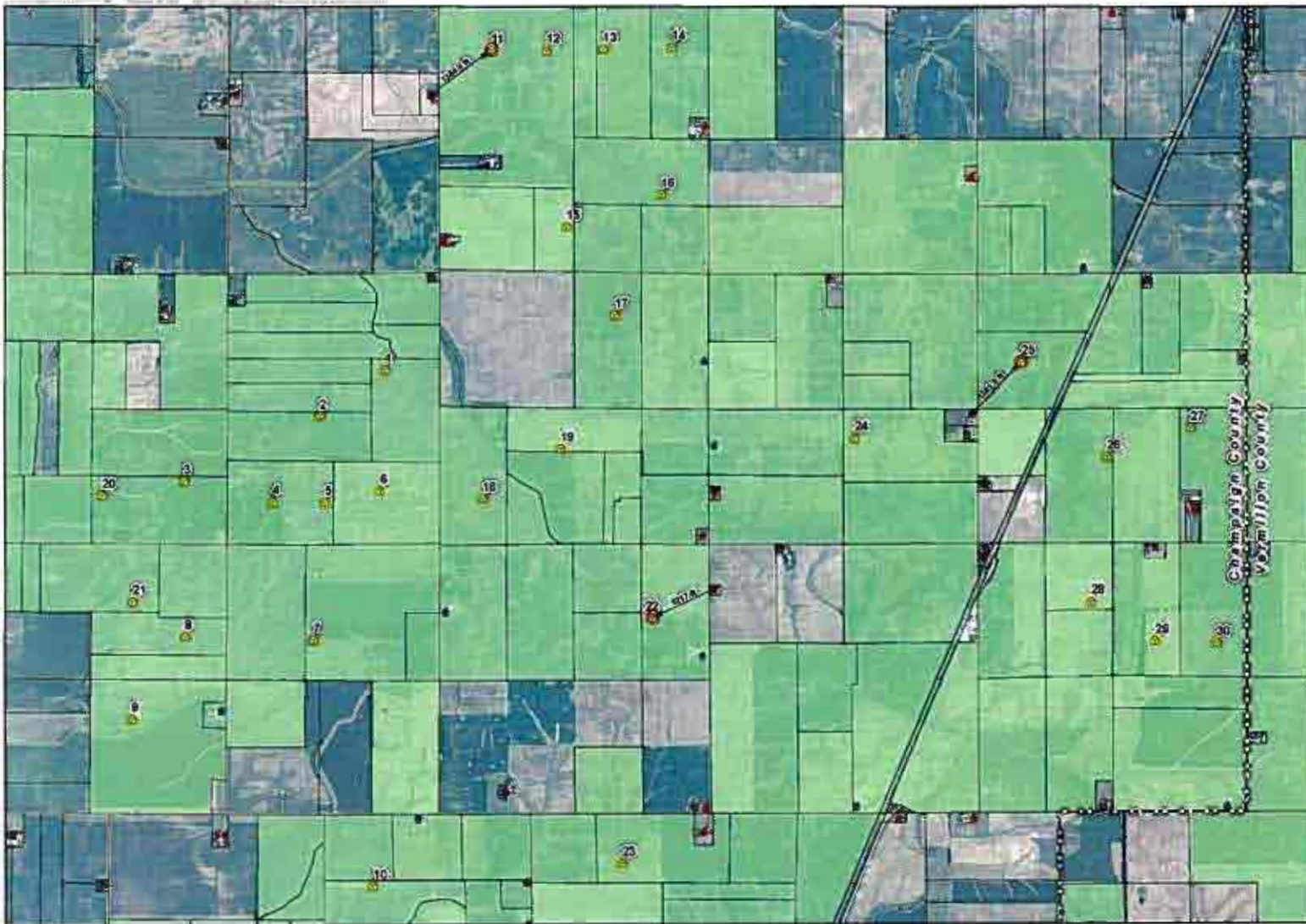
Case 696-S-11

AUGUST 17, 2011



| | | | | |
|----------------------------|-----------------------------|--------------------------|---------------------------|----------------------|
| AG-1 Agriculture | R-1 Single Family Residence | R-4 Multiple Family Res. | B-2 Neighborhood Business | B-5 Central Business |
| AG-2 Agriculture | R-2 Single Family Residence | R-5 Mobile Home Park | B-3 Highway Business | I-1 Light Industry |
| CR Conservation-Recreation | R-3 Two-family Residence | B-1 Rural Trade Center | B-4 General Business | I-2 Heavy Industry |

Champaign County
Department of
PLANNING & ZONING



Legend

- Proposed Turbine Location
- Principal Dwelling Structure
 - Not Participating
 - Participating
- 125' Turbine Buffer
- - - County Boundary
- Landowner Status
 - Participating
 - No Information

Separation distances between wind farm structures and non-participating dwellings or principal buildings are greater than minimum setbacks.

Dimensions indicated are from non-participating buildings or principal buildings to turbine buffer. Turbine buffer is 125' from current turbine centerpoint in order to account for field adjustments and mowing issues.

Champaign County Non-Participating Dwelling Separation Summary

California Ridge Wind Energy Project, Champaign and Vermillion Counties, Illinois

Rev. 01
July 29, 2011

Invenergy

One South Indiana Development Park
Chicago, Illinois 60606
(773) 261-1400

RECEIVED

AUG 18 2011

CHAMPAIGN CO. P & Z DEPARTMENT

August 18, 2011

Champaign County Zoning Board of Appeals
% Mr. John Hall, Zoning Administrator
Champaign County Planning & Zoning Department
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802

VIA ELECTRONIC MAIL ONLY

RE: Case No. 696-S-11

Members of the Zoning Board of Appeals:

The Road Commissioners for the Compromise Township and Ogden Township Road Districts have been discussing the use of township roads for the construction of the California Ridge Wind Farm with various representatives of Invenergy since the Spring of 2009. As Road Commissioners, we are responsible for the maintenance and repair of township roads within our Road Districts.

Our top concern with respect to the California Ridge Wind Farm is the protection of a critical public asset, namely, our township roads. Local roads are essential to the motoring public and a matter of great importance to the taxpayers of our Road Districts. We have spent countless hours on this project. We have attended many meetings with Invenergy representatives – not only people employed by Invenergy directly, but also engineers and contractors who work for Invenergy. We have reviewed binders full of information prepared by Invenergy's engineers. We have traveled to other counties to see firsthand how roads can be prepared before the turbines are constructed. We have talked to road commissioners and county engineers where wind farms have been built to learn what worked well for them, as well as what things they wish had been done differently.

The construction of the California Ridge Wind Farm will be a massive undertaking. With respect to local roads, there can be no question about the following statements:

1. Township roads will require upgrading in advance of wind farm construction to withstand not only the overweight and oversize vehicles which will travel over the roads, but also the enormous number of gravel and cement trucks required to build the turbine foundations and access roads.
2. Township roads will be damaged as a result of the construction of the wind farm.
3. The motoring public will, at a minimum, experience delays and be exposed to the risks associated with a large volume of construction traffic.

Given the huge impact this wind farm will have on our Road Districts, we have considered very carefully the terms to be included in our respective road agreements so that (1) our most important public asset is not diminished in any way for the sake of a private developer and (2) the safety of the motoring public is not jeopardized in any way. We are also committed to assuring that the taxpayers of our communities do not bear any financial burden as result of the construction of this wind farm.

As Invenergy works to finalize its plans for the California Ridge Wind Farm, it recently has provided us with new maps, routes and data. The new information requires careful review to make sure the information given to us is correct and routes are agreeable. We continue to work with Invenergy to come to an agreement on how our roads will be prepared in advance of turbine construction, the routes to be used by construction traffic, the manner in which roads will be repaired following the construction of the wind farm and matters related to these issues.

We remain optimistic that the terms of a road agreement can be reached within the next few weeks and look forward to ongoing and productive communications with Invenergy. We respectfully request that this Board adhere to the terms of the County's Zoning Ordinance while allowing us to fulfill our duties and responsibilities as Road Commissioners.

Thank you for your consideration.

Marvin Johnson,
Road Commissioner
Compromise Township Road District

Greg Frerichs,
Road Commissioner
Ogden Township Road District