Champaign County
Department of
PLANNING &
ZONING

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

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

CASE NO. 922-S-18

PRELIMINARY MEMORANDUM
January 24, 2019

Petitioners: **SolAmerica Energy LLC, 1819 Peachtree Road, Suite 100, Atlanta, GA 30309 via agent Ryan Peters, Environmental Engineer with SolAmerica Energy, with Executive Chairman and Co-Founder, R. Stanley Allen; President and Co-Founder, George Mori; and participating landowner Phyllis Jane Sinclair, 290 Chase St, Sonoma CA 95476-7155**

Request: **Authorize a Community PV Solar Farm with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.

Part D: A waiver for not including a Landscape Plan as part of the Special Use Permit application, per Section 6.1.5 F.(9)a.(b)iv.

Part E: A waiver for not including a Weed Control Plan as part of the Special Use Permit application, per Section 6.1.5 P.(3).

Other waivers may be necessary.

Location: **A 75.33 acre tract in the Southeast Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as the property bordered by the Norfolk-Southern railroad tracks to the north, the Village of Homer to the west, CR 1050N to the south, and the Vermilion County/Champaign County line to the east.**

Site Area: **PV Solar Farm Special Use Permit Area is about 13.1 acres**

Time Schedule for Development**:** **As soon as possible**

Prepared by: **Susan Burgstrom**
Senior Planner

John Hall
Zoning Administrator

BACKGROUND

The petitioner applied for a Special Use Permit to construct one 2 megawatt (MW) Photovoltaic (PV) Community Solar Farm on the north side of CR 1050N (East South Street) on a 75.33-acre property. The "Champaign Sinclair Solar Project" is proposed to have approximately 8,300 solar modules and 35 62-kW inverters surrounded by a 7 feet tall wire fence with a security gate. Access would be from CR 1050N via a 20-feet wide gravel access road.

The Illinois Future Energy Jobs Act (FEJA) went into effect on June 1, 2017. Solar farm developers have been establishing lease options with area landowners since that time. The owner of the subject property signed a lease agreement with SolAmerica Energy LLC on October 17, 2017. FEJA has a lottery system for providing Renewable Energy Credits (RECs) to solar developers, which can make these projects feasible. It is not known if the petitioner would continue with this project if they do not receive RECs in an upcoming lottery.

Champaign County began to draft a text amendment to allow solar farms in January 2018, and determined that all solar farm applications would be heard if the County adopted the text amendment. The County Board approved the text amendment at its meeting on August 23, 2018. SolAmerica Energy LLC had no County zoning regulations to follow when they started their design process for the subject property.

P&Z Staff believe the petitioners have provided sufficient evidence to begin a public hearing for this solar farm facility.

REQUESTED WAIVERS

Waiver Part A is for a distance of 1,340 feet in lieu of the minimum required one-half mile (2,640 feet) between the PV Solar Farm and a municipal boundary, per Section 6.1.5 B.(2)a. of the Zoning Ordinance. This waiver was added because the Village of Homer has not submitted a resolution or comments to the P&Z Department. Attachment G provides two emails from Village of Homer Clerk Sharon Jeffers that state the Village received the Special Use Permit application, and that no comments from the public were received at a Village of Homer board meeting on January 14, 2019. She also said that at a prior meeting, someone from Ogden expressed their concerns, but Ms. Jeffers did not provide details.

Waiver Part B is for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3. The petitioner did not include estimates for decommissioning in the application received November 1, 2018, but it does not include all the required information. Special Condition E has been added and states that ELUC can approve the DSR Plan in the event that the Special Use Permit is granted prior to receiving the Plan.

Waiver Part C is for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. No information has been provided regarding how South Homer Township intends to proceed with this requirement, and their decision might not come before the Board is prepared to make a final determination. Special Condition F has been added and states that ELUC can approve the Agreement in the event that the Special Use Permit is granted prior to receiving the executed agreement.

Waiver Part D is for not including a Landscape Plan with the Special Use Permit application, per Section 6.1.5 F.(9)a.(b)iv. The petitioner plans to have an ecological/landscape consultant evaluate the property during the construction permitting process. Special Condition G has been added that states that ELUC can approve the Landscape Plan.

Waiver Part E is for not including a Weed Control Plan as part of the Special Use Permit application, per Section 6.1.5 P.(3). The petitioner plans to have an ecological/landscape consultant evaluate the property during the construction permitting process. Special Condition G has been added that states that ELUC can approve the Weed Control Plan as part of the Landscape Plan.

SUMMARY OF COMPLIANCE WITH THE SOLAR ORDINANCE AS APPROVED BY THE COUNTY BOARD ON AUGUST 23, 2018

Attachment H is a draft checklist created by P&Z Staff for solar farm applicants so they could be clear about what information is required in the Special Use Permit application.

Attachment I to this Preliminary Memorandum details how the proposed project conforms to the solar farm text amendment. This summary was provided under Item 9 in the Summary of Evidence for previous solar farm cases. The requirements have a variety of benchmarks, and some information is not required until the Zoning Use Permit phase should the Special Use Permit be approved.

The checklist in Attachment H and summary of compliance in Attachment I can be used to help guide the Board in its discussion of the Special Use Permit.

PROPOSED SPECIAL CONDITIONS

The following special conditions, combined with the requested waivers, would ensure that the proposed solar farm is in compliance with the Zoning Ordinance.

A. **The approved site plan consists of the following documents:**
- **Site Plan Sheets 1 through 5 received November 1, 2019, to include clarification of the maximum height of the solar arrays.**
- **A Landscape Plan including Weed Control Plan to be approved by the Environment and Land Use Committee prior to submittal with the Zoning Use Permit Application.**

The above special condition is required to ensure that:

The constructed PV SOLAR FARM is consistent with the special use permit approval.

B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

The special condition stated above is required to ensure the following:

That exterior lighting for the proposed Special Use meets the requirements established for Special Uses in the Zoning Ordinance.

C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

The special condition stated above is necessary to ensure the following:

That the proposed Special Use meets applicable state requirements for accessibility.

D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

The special condition stated above is required to ensure the following:

That the land affected by PV SOLAR FARM is restored to its pre-construction capabilities.

E. **A signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

The above special conditions are required to ensure that:

The Special Use Permit complies with Ordinance requirements and as authorized by waiver.

F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement signed by South Homer Township and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:

To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

G. **A Landscape Plan compliant with Section 6.1.5 F.(9)a.(b)iv., which includes a Weed Control Plan compliant with Section 6.1.5 P.(3) and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:

To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

H. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**

2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**

3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**

4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer**.

5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**

6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**

7. **The telephone number for the complaint hotline required by 6.1.5 S.**

8. **Any updates to the approved Site Plan from Case 922-S-18 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the Special Use Permit approval and in compliance with the Ordinance requirements.

I. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**

1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**

2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the special use permit approval and in compliance with the Ordinance requirements.

J. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**

1. **Maintain the pollinator plantings in perpetuity.**
2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
4. **Maintain a current general liability policy as required by 6.1.5 O.**
5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

The above special condition is required to ensure that:

Future requirements are clearly identified for all successors of title, lessees, any operator and/or owner of the PV SOLAR FARM.

ATTACHMENTS

A Case Maps (Location Map, Land Use, and Zoning)

B Site Plan (5 sheets) received November 1, 2018

C SUP Application Exhibits received November 1, 2018
1. Project Narrative
2. Traffic Impacts
3. Other General Construction and Development Criteria
4. Vegetative Maintenance
5. Storm Water and Erosion Control
6. Project Information and Overview
7. Sample Decommissioning Plan
8. EcoCAT Natural Resource Review Results dated March 27, 2018 and IDNR consultation termination letter dated August 31, 2018
9. Interconnection Request Pre-Application Report by Ameren Illinois dated August 7, 2017
10. Village of Homer letter dated October 30, 2018
11. South Homer Township letter dated October 30, 2018

D Natural Resource Report by the Champaign County Soil and Water Conservation District received November 1, 2018

E Frank DiNovo's Assessment values analysis created by P&Z Staff on January 15, 2019

F Email from Ryan Peters, SolAmerica Environmental Engineer, received January 16, 2019, with attachments:
- Responses to questions from Susan Burgstrom
- Specification sheet for proposed solar module TrinaSolar model TSM 365DE14A(II)
- Specification sheet for proposed string inverter SMA-America Tripower Core 1 (62kw)

G Emails from Sharon Jeffers, Clerk for the Village of Homer, received January 11, 2019 and January 22, 2019

H Checklist for status of Special Use Permit application requirements created by P&Z Staff on January 1, 2019

I Compliance review of PV Solar Farm requirements from Section 6.1.5 of the Zoning Ordinance created by P&Z Staff dated January 24, 2019

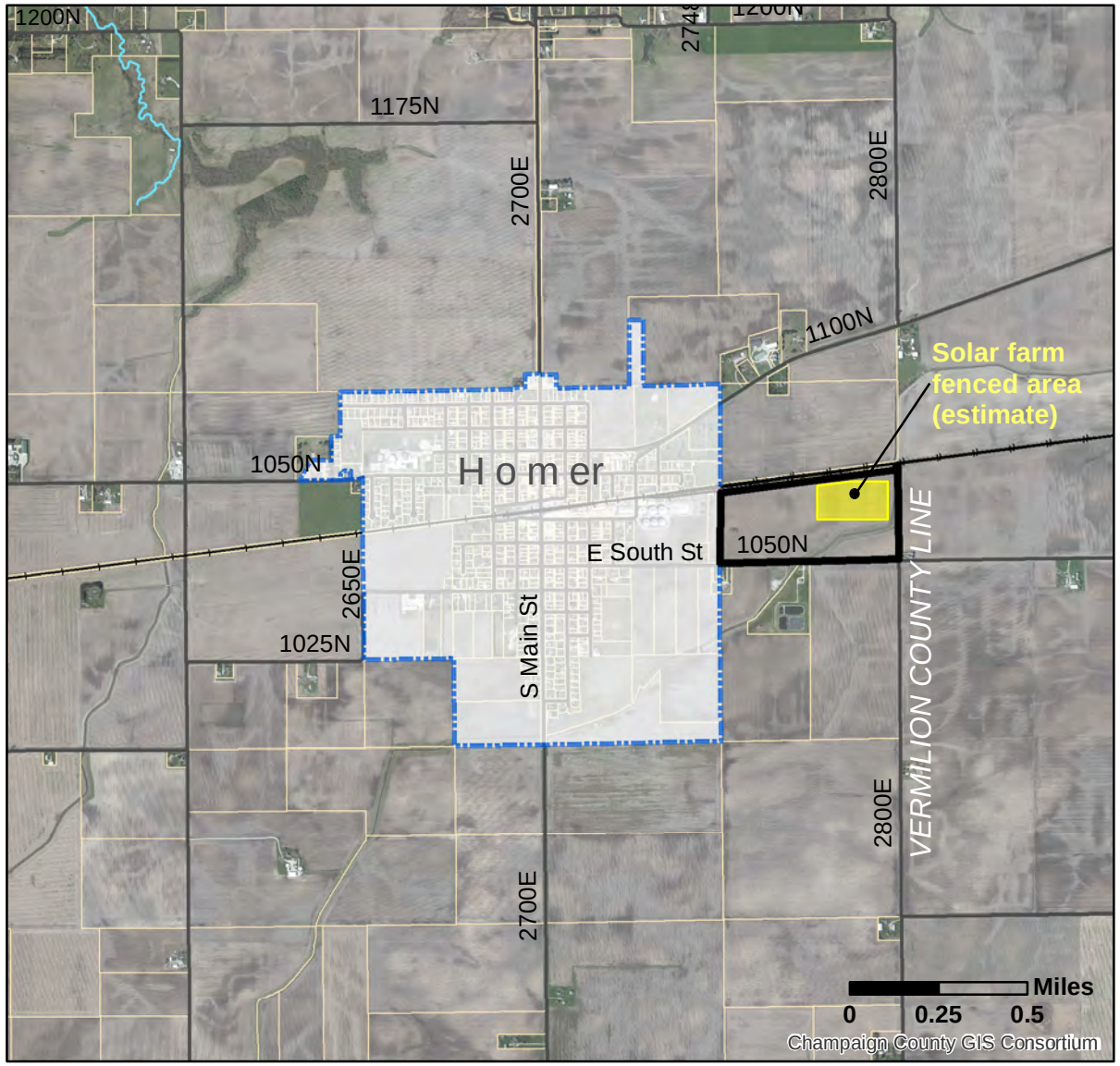
J Summary of Evidence, Finding of Fact and Final Determination dated January 31, 2019

K Solar Farm Text Amendment as approved by the Champaign County Board on August 23, 2018

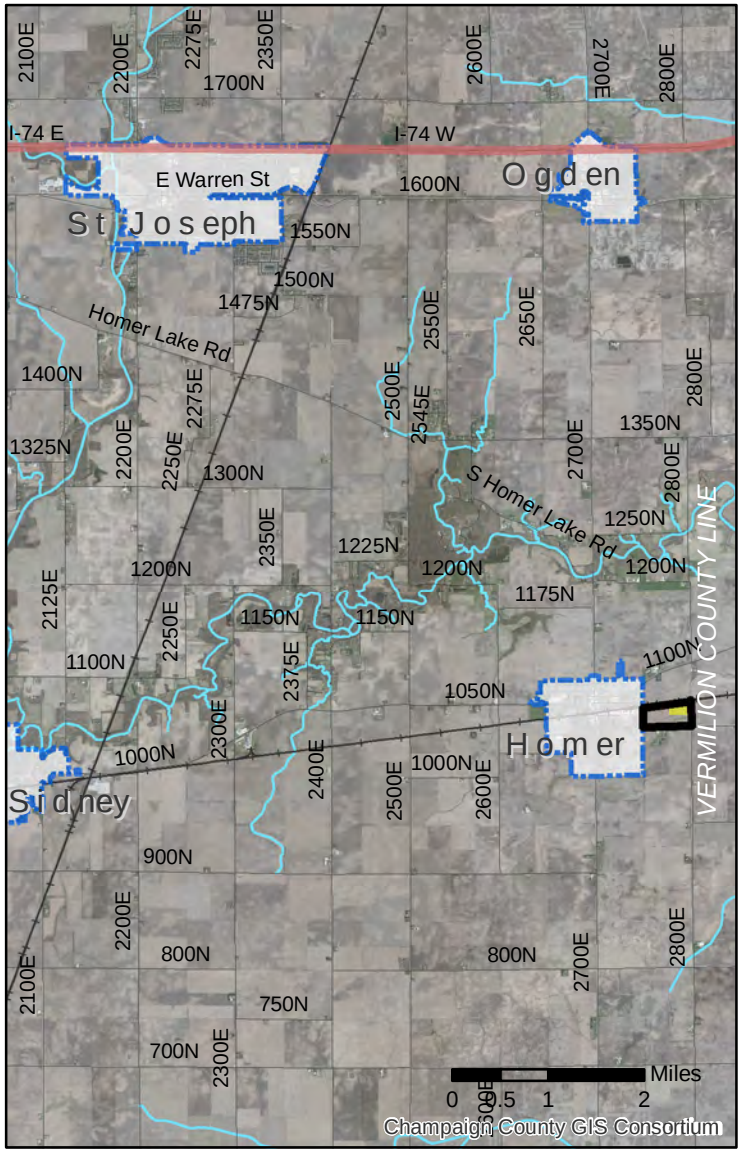
Location Map

Case 922-S-18
January 31, 2019

Subject Property



Property location in Champaign County



Legend

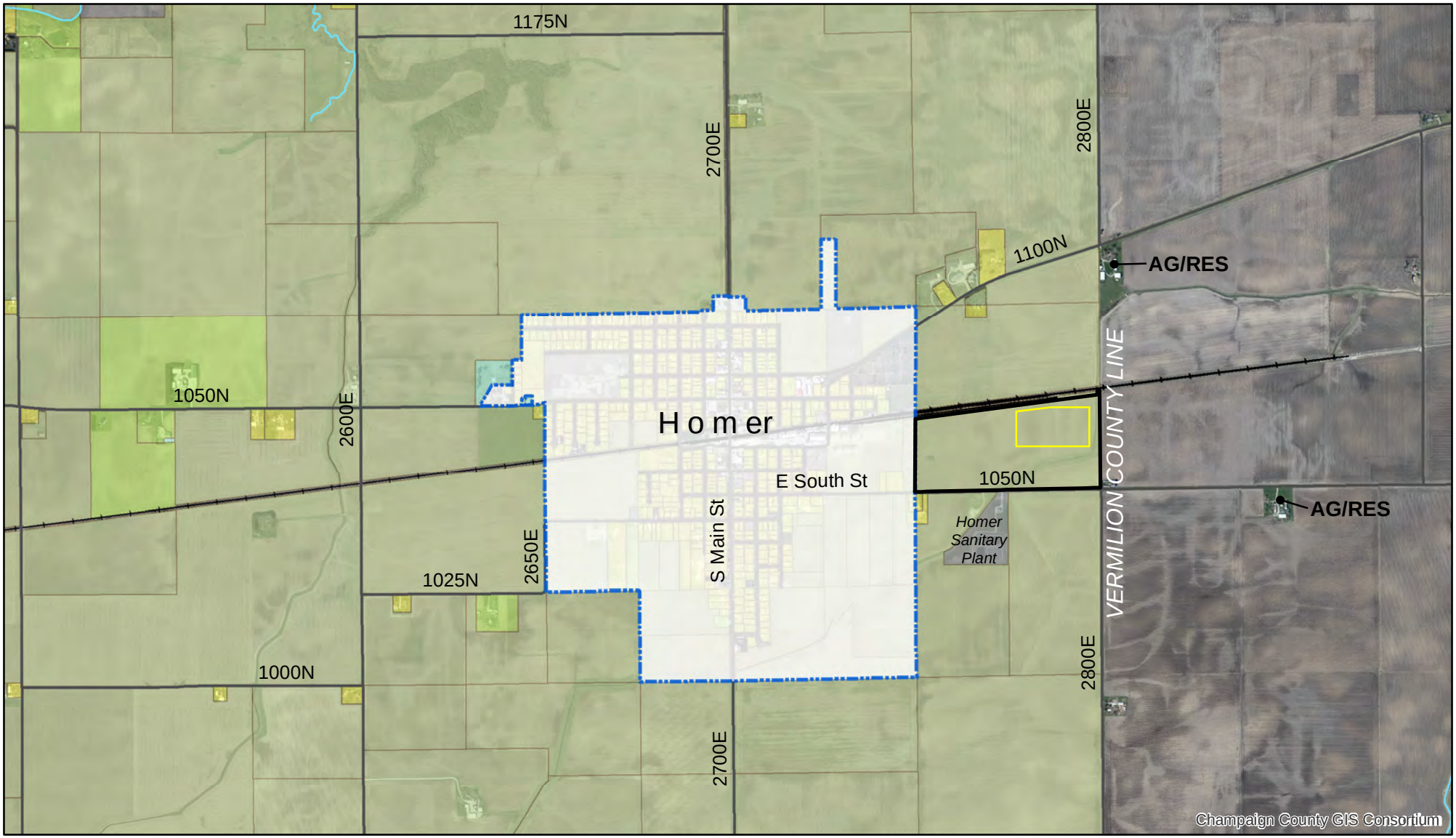
- Solar Farm Fenced Area
- Subject Property
- Parcels
- Municipal Boundary
- Streams
- Streets
- Railroad

N

Champaign County Department of PLANNING & ZONING

Land Use Map

Case 922-S-18
January 31, 2019



Legend

- Solar Farm Fenced Area
- Subject Property
- Municipal Boundary
- Streets
- Railroad
- Streams
- Residential
- Ag-Residential
- Agriculture
- Utility
- Municipal

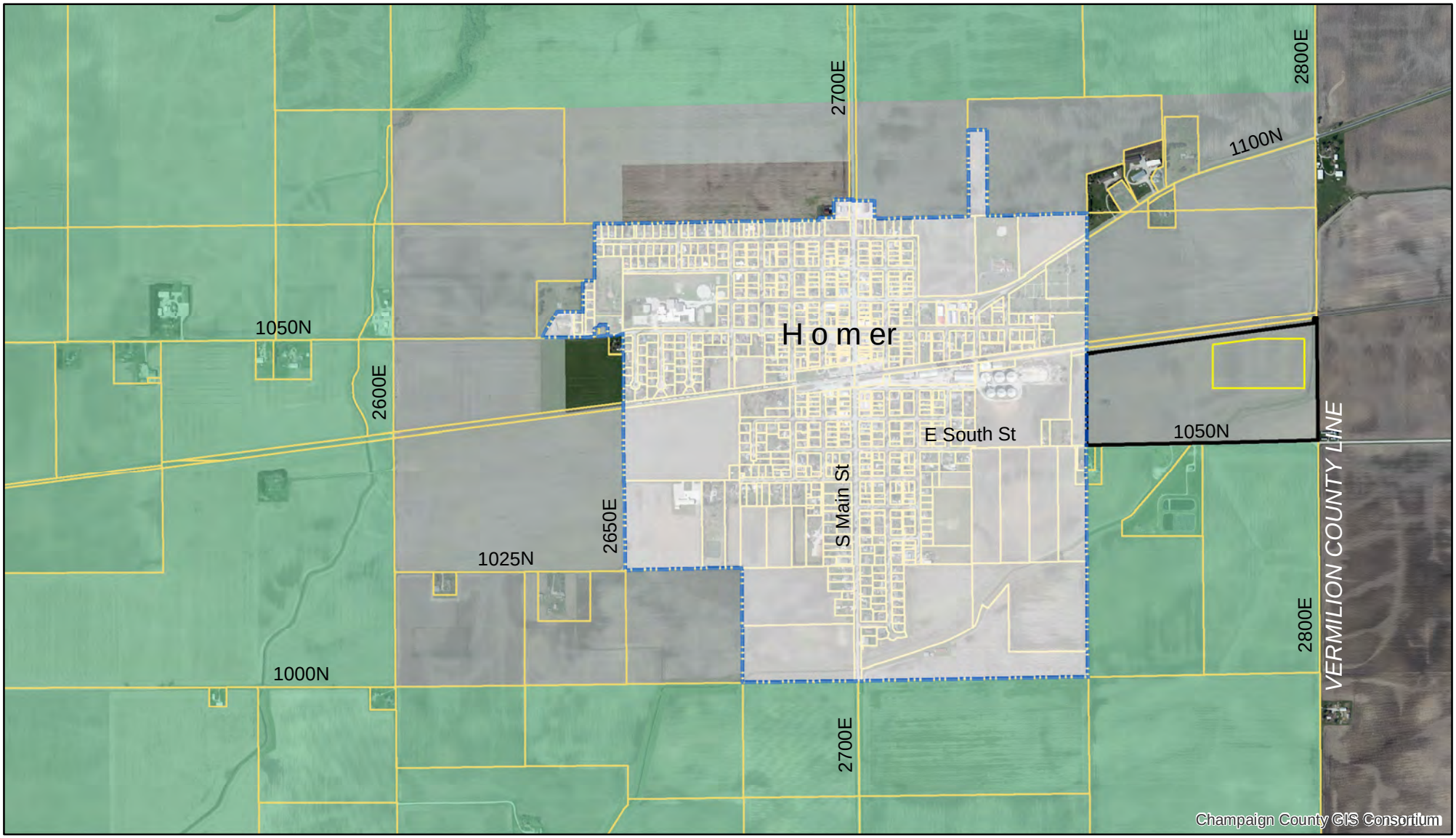
0 500 1,000 2,000 Feet

N

Champaign County Department of PLANNING & ZONING

Zoning Map

Case 922-S-18
January 31, 2019



Legend

- Subject Property
- Solar Farm Fenced Area
- Municipal Boundary
- Parcels
- AG-1
- AG-2

0 400 800 1,600 Feet

N

Champaign County Department of PLANNING & ZONING

PROPOSED SOLAR FARM FACILITY
CHAMPAIGN COUNTY SOLAR I

COUNTY ROAD 1050 N
HOMER, IL 61849

CHAMPAIGN COUNTY SPECIAL USE PERMIT APPLICATION PLAN SET

PREPARED FOR: SOLAMERICA
1819 PEACHTREE ST NW, #100
ATLANTA, GEORGIA 30309

PREPARED BY: TRC ENVIRONMENTAL CORPORATION
230 W MONROE ST, #630
CHICAGO, ILLINOIS 60606

DATE: OCTOBER 04, 2018

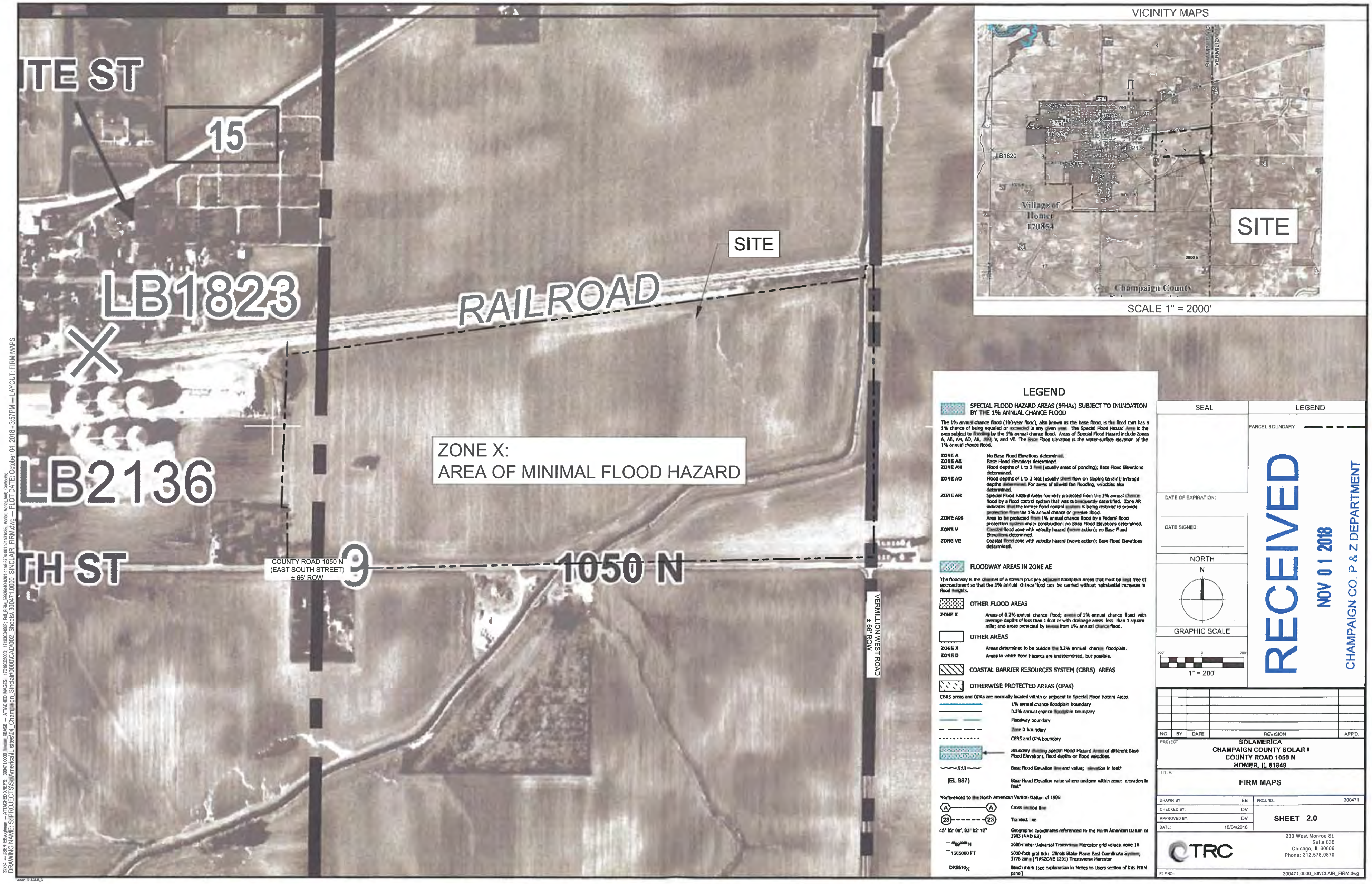
ILLINOIS
NTS

CHAMPAIGN COUNTY
NTS

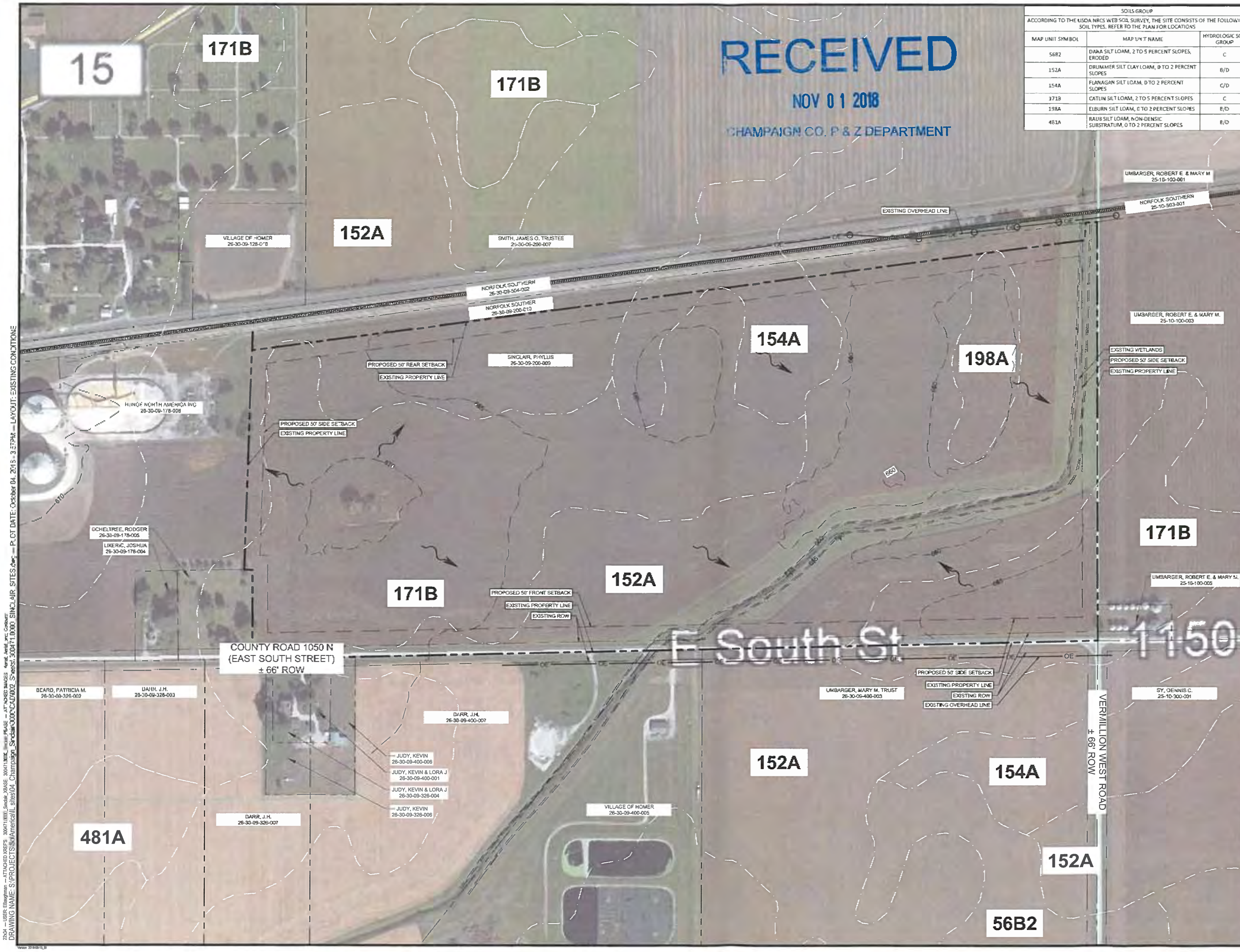
SITE LOCATOR
NTS

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
1.0	COVER
2.0	FIRM MAPS
3.0	EXISTING CONDITIONS
4.0	SITE PLAN
5.0	STANDARD DETAILS

TRC
230 West Monroe St.
Suite 630
Chicago, IL 60606
Phone 312.578.0870


VICINITY MAPS
Village of Homer 170854
Champaign County
SITE
SCALE 1" = 2000'
TE ST
15
LB1823
LB2136
TH ST
RAILROAD
SITE
ZONE X:
AREA OF MINIMAL FLOOD HAZARD
COUNTY ROAD 1050 N (EAST SOUTH STREET) ± 66' ROW
9
1050 N
VERMILLION WEST ROAD ± 66' ROW
LEGEND
SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
FLOODWAY AREAS IN ZONE AE
OTHER FLOOD AREAS
OTHER AREAS
COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
OTHERWISE PROTECTED AREAS (OPAs)
SEAL
LEGEND
PARCEL BOUNDARY
NORTH
GRAPHIC SCALE
1" = 200'
RECEIVED
NOV 01 2018
CHAMPAIGN CO. P & Z DEPARTMENT
NO. BY DATE REVISION APP'D.
PROJECT: SOLAMERICA
CHAMPAIGN COUNTY SOLAR I
COUNTY ROAD 1050 N
HOMER, IL 61849
TITLE: FIRM MAPS
DRAWN BY: EB
CHECKED BY: DV
APPROVED BY: DV
DATE: 10/04/2018
PROJ. NO.: 300471
SHEET 2.0
TRC
230 West Monroe St.
Suite 630
Chicago, IL 60606
Phone: 312.578.0870
FILE NO.: 300471.0000_SINCLAIR_FIRM.dwg

RECEIVED
NOV 01 2018
CHAMPAIGN CO. P & Z DEPARTMENT



SOILS GROUP		
ACCORDING TO THE USDA NRCS WEB SOIL SURVEY, THE SITE CONSISTS OF THE FOLLOWING SOIL TYPES. REFER TO THE PLAN FOR LOCATIONS		
MAP UNIT SYMBOL	MAP UNIT NAME	HYDROLOGIC SOIL GROUP
56B2	DANA SILT LOAM, 2 TO 5 PERCENT SLOPES, ERODED	C
152A	DRUMMER SILT CLAY LOAM, 0 TO 2 PERCENT SLOPES	B/D
154A	FLANAGAN SILT LOAM, 0 TO 2 PERCENT SLOPES	C/D
171B	CATLIN SILT LOAM, 2 TO 5 PERCENT SLOPES	C
198A	ELBURN SILT LOAM, 0 TO 2 PERCENT SLOPES	B/D
481A	RAUB SILT LOAM, NON-DENSIC SUBSTRATUM, 0 TO 2 PERCENT SLOPES	B/D

SITE DATA

PIN #	PARCEL SIZE	PROPERTY OWNER	SITE ADDRESS
26-30-09-200-009	± 75.33 ACRES	SINCLAIR, PHYLLIS	COUNTY ROAD 1050 N HOMER, IL 61849

ZONING JURISDICTION	ZONING	CURRENT LAND USE	ACRES
CHAMPAIGN COUNTY	EXISTING: AG-1 PROPOSED: SUP*	AGRICULTURE	± 75.33 AC

PROPOSED USE	PRELIMINARY DISTURBED AREA	PRELIMINARY SOLAR AREA
SOLAR ENERGY SYSTEM	± 14.6 ACRES	± 13.1ACRES

PRELIMINARY AREA SUBJECT TO CHANGE

PARCEL LINE SETBACKS	PROPOSED
MIN. FRONT YARD	50 FT
MIN. SIDE YARD	50 FT
MIN. REAR YARD	50 FT

* SPECIAL USE PERMIT IS BEING PROPOSED TO CONSTRUCT/OPERATE A SOLAR FARM

GENERAL NOTES

1. THE PURPOSE OF THIS PLAN IS FOR ZONING APPROVAL FOR REVIEW AND APPROVAL BY CHAMPAIGN COUNTY TO CONSTRUCT A COMMUNITY SOLAR ENERGY FARMS.
2. THIS PLAN WAS PRODUCED UTILIZING GIS RESOURCES, AND INFORMATION FROM MULTIPLE SOURCES, INCLUDING CHAMPAIGN COUNTY AND GOOGLE EARTH PRO.
3. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON THE FLOOD INSURANCE RATE MAP (COMMUNITY PANEL 17019C0500D, DATED 10/02/2013) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
4. THE LOCATIONS OF PROPOSED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO: FENCING, SOLAR ARRAY RACKING, INVERTER/TRANSFORMER PADS, OVERHEAD POLES AND LINES, ETC., SHOWN ARE APPROXIMATE AND ARE SUBJECT TO MODIFICATION DUE TO SITE CONDITIONS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT SPECIFICATIONS, AND/OR OTHER CONSTRAINTS.
5. PROJECT AREA, INCLUDING CONSTRUCTION STAGING AREAS, WILL BE CLEARED AND GRUBBED AS NECESSARY, RETAINING PRE-DEVELOPMENT DRAINAGE PATTERNS TO THE BEST EXTENT POSSIBLE. CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH GRAVEL. SOIL CONDITIONS AND EQUIPMENT LOADS WILL DETERMINE FINAL DESIGN.
6. CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES.
7. CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDING(S) OR ADJACENT BUILDING(S) THROUGHOUT THE DEMOLITION AND CONSTRUCTION PHASES. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
8. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROVIDE SIGNS, BARRICADES, WARNING LIGHTS, GUARD RAILS, AND EMPLOY FLAGGERS AS NECESSARY WHEN CONSTRUCTION INTERFERES WITH EITHER VEHICULAR OR PEDESTRIAN TRAFFIC. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY AGAIN.
9. SITE WILL HAVE NO DEDICATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDING(S)/STRUCTURE(S), OR STORMWATER MANAGEMENT FACILITIES.
10. SITE WILL NOT INCLUDE WATER CONNECTION OR SEWAGE DISPOSAL.
11. EXISTING COVER/VEGETATION (APPROXIMATE):
    - ± 89% CROPLAND
    - ± 11% NATIVE GRASSES
12. EXISTING NATURAL DRAINAGE FEATURES WILL BE FURTHER EVALUATED FOR POTENTIAL WETLAND CLASSIFICATION. ESTABLISHED WETLANDS WILL BE PROTECTED.

SEAL	LEGEND
	PROJECT PARCEL BOUNDARY
	OTHER PARCEL BOUNDARY
	SURFACE CONTOUR — 1000 —
	OVERHEAD ELECTRIC AND POLES (EXISTING) — OE —
DATE OF EXPIRATION:	SOIL TYPE BOUNDARY
DATE SIGNED:	SETBACK
	SITE SURFACE DRAINAGE DIRECTION
	EXISTING WETLAND

NORTH

N

GRAPHIC SCALE

1" = 150'

NO.	BY	DATE	REVISION	APPD.

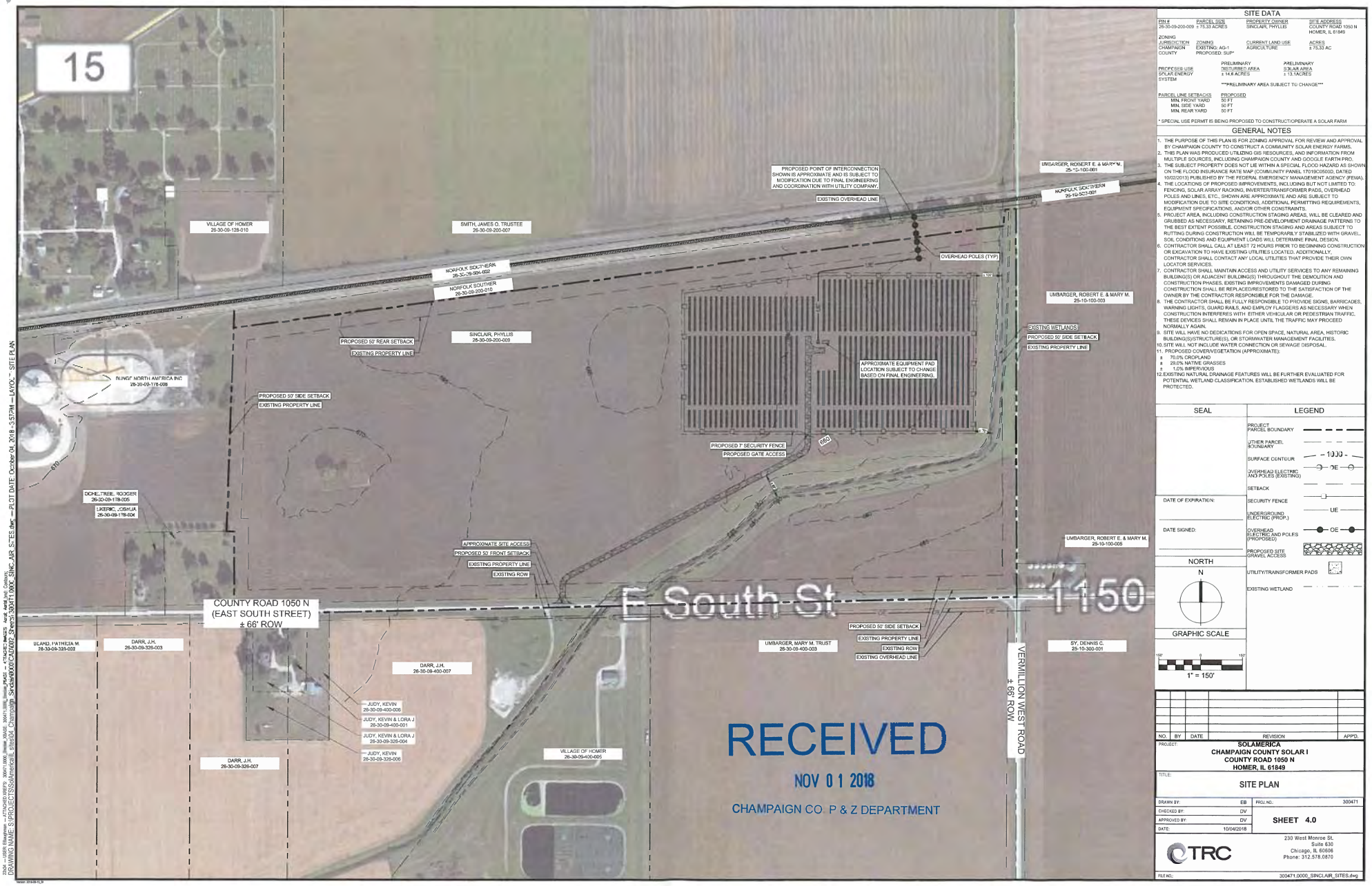
PROJECT:
SOLAMERICA
CHAMPAIGN COUNTY SOLAR I
COUNTY ROAD 1050 N
HOMER, IL 61849

TITLE:
EXISTING CONDITIONS

DRAWN BY:	EB	PROJ. NO.:	300471
CHECKED BY:	DV	SHEET 3.0	
APPROVED BY:	DV		
DATE:	10/04/2018		

TRC
230 West Monroe St.
Suite 630
Chicago, IL 60606
Phone: 312.578.0673

FILE NO.: 300471.0000_SINCLAIR_SITES.dwg



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5. PROJECT AREA, INCLUDING CONSTRUCTION STAGING AREAS, WILL BE CLEARED AND GRUBBED AS NECESSARY, RETAINING PRE-DEVELOPMENT DRAINAGE PATTERNS TO THE BEST EXTENT POSSIBLE. CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH GRAVEL. SOIL CONDITIONS AND EQUIPMENT LOADS WILL DETERMINE FINAL DESIGN.
6. CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES.
7. CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDING(S) OR ADJACENT BUILDING(S) THROUGHOUT THE DEMOLITION AND CONSTRUCTION PHASES. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
8. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROVIDE SIGNS, BARRICADES, WARNING LIGHTS, GUARD RAILS, AND EMPLOY FLAGGERS AS NECESSARY WHEN CONSTRUCTION INTERFERES WITH EITHER VEHICULAR OR PEDESTRIAN TRAFFIC. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY AGAIN.
9. SITE WILL HAVE NO DEDICATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDING(S)/STRUCTURE(S), OR STORMWATER MANAGEMENT FACILITIES.
10. SITE WILL NOT INCLUDE WATER CONNECTION OR SEWAGE DISPOSAL.
11. PROPOSED COVER/VEGETATION (APPROXIMATE):
    - ± 70.0% CROPLAND
    - ± 29.0% NATIVE GRASSES
    - ± 1.0% IMPERVIOUS
12. EXISTING NATURAL DRAINAGE FEATURES WILL BE FURTHER EVALUATED FOR POTENTIAL WETLAND CLASSIFICATION. ESTABLISHED WETLANDS WILL BE PROTECTED.

SEAL

DATE OF EXPIRATION:

DATE SIGNED:

LEGEND

- PROJECT PARCEL BOUNDARY
- OTHER PARCEL BOUNDARY
- SURFACE CONTOUR — 1000 —
- OVERHEAD ELECTRIC AND POLES (EXISTING) — OE —
- SETBACK
- SECURITY FENCE
- UNDERGROUND ELECTRIC (PROP.) — UE —
- OVERHEAD ELECTRIC AND POLES (PROPOSED) — OE —
- PROPOSED SITE GRAVEL ACCESS
- UTILITY/TRAINSFORMER PADS
- EXISTING WETLAND

NORTH

N

GRAPHIC SCALE

150' 0 150'

1" = 150'

NO.	BY	DATE	REVISION	APPD.

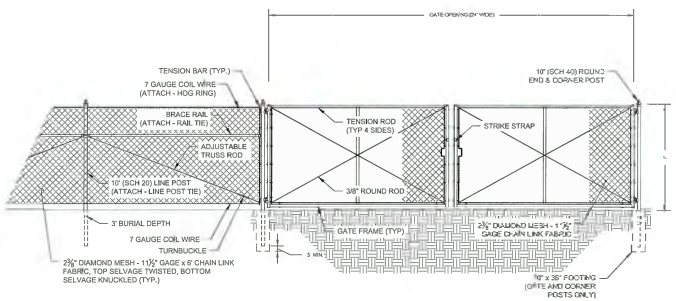
PROJECT:
SOLAMERICA
CHAMPAIGN COUNTY SOLAR I
COUNTY ROAD 1050 N
HOMER, IL 61849

TITLE:
SITE PLAN

DRAWN BY:	EB	PROJ. NO.:	300471
CHECKED BY:	DV		
APPROVED BY:	DV	**SHEET 4.0**	
DATE:	10/04/2018		

TRC
230 West Monroe St.
Suite 630
Chicago, IL 60606
Phone: 312.578.0870

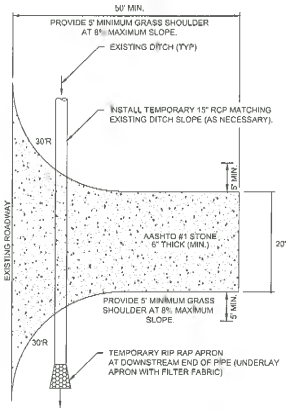
FILE NO.: 300471.0000_SINCLAIR_SITES.dwg



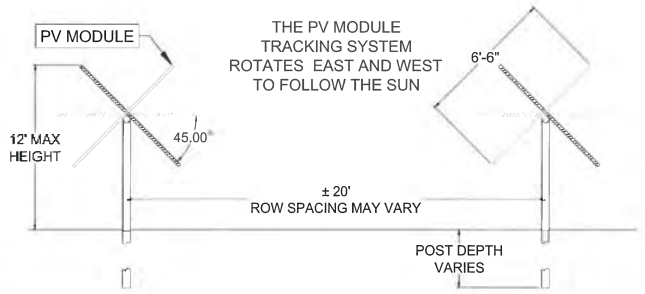
POST SCHEDULE:	(SCH 40)
TERMINAL	2-3/8" OD
GATE	4" OD
POST SCHEDULE:	(SCH 20)
LINE	1-7/8" OD
BRACE RAIL	1-5/8" OD

TYPICAL ACCESS GATE & FENCE DETAIL
(NOT TO SCALE)

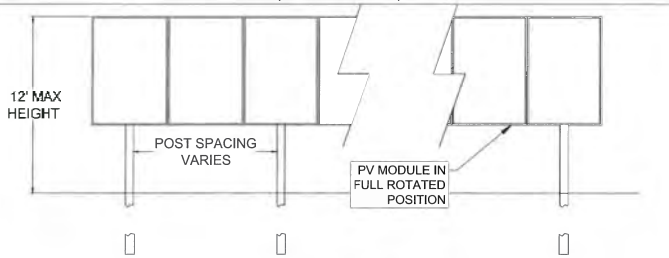
NOTE:
ALL FENCING MATERIALS TO BE GALVANIZED.



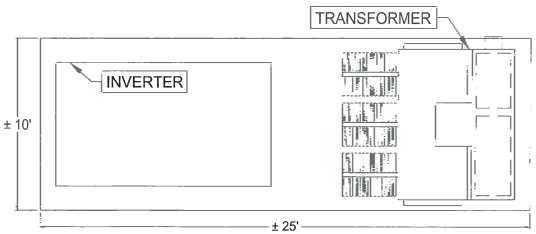
PLAN
TYPICAL CONSTRUCTION ENTRANCE DETAIL
(NOT TO SCALE)



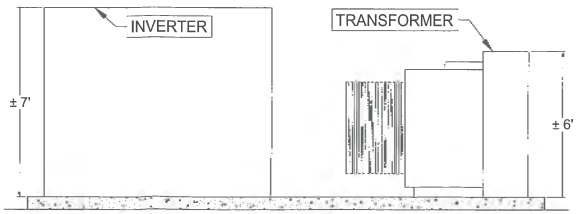
SECTION VIEW
TRACKER RACK DETAIL
(NOT TO SCALE)



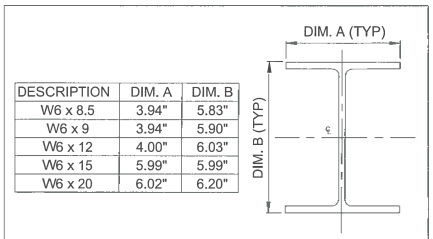
ELEVATION VIEW
TRACKER RACK DETAIL
(NOT TO SCALE)



PLAN VIEW
EQUIPMENT PAD DETAIL
(NOT TO SCALE)



ELEVATION VIEW
EQUIPMENT PAD DETAIL
(NOT TO SCALE)



DESCRIPTION	DIM. A	DIM. B
W6 x 8.5	3.94"	5.83"
W6 x 9	3.94"	5.90"
W6 x 12	4.00"	6.03"
W6 x 15	5.99"	5.99"
W6 x 20	6.02"	6.20"

I-BEAM TYPICAL DETAIL
(NOT TO SCALE)

NO.	BY	DATE	REVISION	APP'D.

PROJECT:
SOLAMERICA
CHAMPAIGN COUNTY SOLAR I
COUNTY ROAD 1050 N
HOMER, IL 61849

TITLE:
STANDARD DETAILS

DRAWN BY:	EB	PROJ. NO.:	300471
CHECKED BY:	DV	SHEET	5.0
APPROVED BY:	DV		
DATE:	10/04/2018		

TRC
233 West Monroe St.
Suite 602
Chicago, IL 60606
Phone: 312.516.0872

FILE NO.: 300471.0000_SINCLAIR_DET.dwg

DRAWING NAME: S:\PROJECTS\SolAmerica IL sites\04_Champaign_Sinclair\0000\CAD\002_Sheets\300471.0000_SINCLAIR_DET.dwg — PLOT DATE: October 04, 2018 - 3:57PM — LAYOUT: STANDARD DETAILS

Champaign County Special Use Permit – Applicant Information and Background

1. Project Narrative

SolAmerica Energy is filing for a special use permit to develop and build an approximately 2.0 megawatt (MW) solar farm on parcel 17-04-103-001 on approximately 14.6 acres of a 75.33 acres parcel located on County Road 1050 N (E South Street), near Homer in Champaign County, Illinois.

Property Address: County Road 1050 N, Homer, IL 61849

Property Owner: Phyllis Jane Sinclair, 290 Chase Street, Sonoma, CA 95476

Current Property Use & Zoning: Farmland zoned Agriculture.

Proposed Property Use: Solar Farm Energy System (SFES), to consist of solar modules over roughly 14.6 acres of the parcel, located entirely on the portion of the parcel located within the Champaign County.

Solar photovoltaic (PV) modules will be mounted on a racking system and will reach a height of approximately 9 feet above the ground. The modules are planned to be installed using a single axis tracking system, which will slowly rotate through the day to follow the path of the sun.

Each PV module is roughly 6 feet long x 3 feet wide. The SFES structure and racking systems will be designed and stamped by a civil engineer per state and local codes. Modules are coated with a non-reflective material designed to maximize light absorption and significantly reduce glare. The project is considered a "passive" power plant and noise levels will not exceed 40-60 decibels near equipment; this represents a level just above a conversational talking volume. These sound levels are expected to significantly decrease to lower sound levels at the property lines. This type of solar facility puts little to no demand on county or city services such as schools, roads, fire, police, and utilities.

Plant Operation Schedule: The plant will be in operation during daylight hours, yet will make the majority of power during peak sun hours (PSH's) approximately 5-6 hours a day between the hours of 9AM-3PM (depending on the season of the year). During dark hours, the system will be quiet with no exterior lighting other than minor required security lighting.

Plant Personnel: Personnel will not be onsite for normal day to day operation. The plant will be remotely monitored and operation and maintenance of the plant requires personnel to be onsite approximately 7-10 days during a calendar year.

Assembly Area: The solar array will be on approximately 14.6 acres of the parcel, as shown on the attached Site Plan.

Development & Construction Schedule: Complete construction of the Solar Array will take approximately 12-16 weeks from breaking ground to commercial operation. Between 2 and 20 workers will be on-site at a time during the construction phase.

Past Project Experience: SolAmerica has over 43 projects developed and constructed totaling more than 33MW (DC) across the states of Georgia, South Carolina, Alabama, Florida, Maryland and New Jersey, with greater than 100 MW (DC) currently in development in these States.

For more on past projects completed by SolAmerica please visit
https://www.solamericaenergy.com/projects/

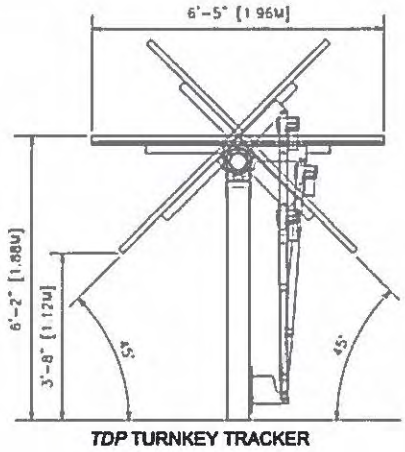
Plant & Project Details: The site will be developed and constructed by SolAmerica and then operated by SolAmerica or another long-term project owner. There will be a long-term power purchase agreement (PPA) with the utility to sell the power to local businesses and/or residents to offset power costs from the utility grid.

Emergency Response: During construction of the project, a designated on-site safety manager will be established throughout each work day. The safety manager will perform any applicable pre-emergency planning tasks before field activities begin and will coordinate emergency response with on-site personnel and the local emergency service providers. Emergency equipment and supplies and their locations will be communicated to employees present at the project site. In case of a fire, explosion or chemical release, local fire officials and/or any other relevant emergency response authorities will be immediately notified. Operations will cease and the appropriate incident notifications and reports will be submitted to Champaign County and any other relevant government agencies. In the event that emergency medical treatment is needed, 911 will be notified immediately and the incident reported to the on-site safety manager. The safety manager will coordinate further medical response and site evacuation, if necessary. A clear route of entrance and evacuation will be maintained at the site at all times. All field employees participating in the construction of the project will be given directions to the nearest hospital, Carle Foundation Hospital or *OSF Heart of Mary Medical Center* in Urbana, Illinois, before their work commences.

Decommissioning Plan: A decommissioning plan will be in place and part of the project. The plan will include removal of all Solar Project Improvements from the Premises and restore the Premises to a greenfield condition, including removing underground wiring. Decommissioning of all components, above and below ground, typically happens within a period of 180 days after lease termination. A typical Solar Farm Decommissioning Plan is attached for a more detailed reference. Each decommissioning plan is slightly different from site to site. This sample plan is currently used in place of a full plan since the SFES design has not yet been finalized. A full, professional engineer-certified decommissioning plan with a cost analysis will be submitted to the Champaign County Planning and Zoning Department after approval of this special use permit application and prior to the issuance of a building permit.

Solar Panel Material: All solar panels within the proposed SFES will utilize crystalline silicon (c-Si) solar cells.

Architectural Renderings of Solar Power Farm:



TDP TURNKEY TRACKER

2. Traffic Impacts

Due to the project site being located in a rural area, outside the Village of Homer boundary, and away from any state highway, the impacts of construction of the solar farm on surrounding traffic are expected to be minimal. The types of vehicles expected to be accessing the site during construction include equipment hauling trucks, passenger vehicles, fuel delivery vehicles, material delivery trucks, and utility vehicles. No oversize or overweight loads are anticipated. During peak construction activity, a maximum of roughly 40 vehicle trips per day can be expected. The project site offers ample space, apart from the construction area, to park vehicles and stage equipment. Following the completion of construction of the solar farm, traffic into and out of the site should remain negligible relative to the background traffic density. Minimal traffic impacts will occur again during the eventual decommission and tear-down of the solar farm. Post-decommission traffic activity at the site should return to pre-construction levels.

3. Other General Construction and Development Criteria

a) **Lighting** – Basic security lighting may be installed at one or more locations along the perimeter of the project premises. Security lights would be equipped with shields to minimize disturbance to the surrounding residents and wildlife.

b) **Security Fencing** – The entire solar farm will be surrounded by a fence. The fencing will contain a locked gate near the entrance to the solar array; the gate will only be accessible by authorized personnel. The area within the fence will be approximately 14.6 acres. Each component of the solar farm and surrounding fence will be designed in compliance with all applicable local and national safety standards. The fence will be 6' to 8' tall, and will be installed at a minimum 50-foot setback from the property line, per the county solar ordinance.

c) **Warning Signage** – A clearly visible warning sign will be posted at each entrance and exit point at the project site. The signs will include emergency contact information and a 911 address.

d) **Endangered Species and Wetlands** – An Illinois Department of Natural Resources EcoCAT consultation process was initiated by SolAmerica for the proposed solar project site. The EcoCAT Review Results, application receipt, and consultation termination notification are attached in Appendix C. The Review Results show that the project site may reside in the habitat of the following protected species: the Bigeye Chub (Hybopsis amblops), the Bluebreast Darter (Etheostoma camurum), the Purple Wartyback (Cyclonaias tuberculate), Wavy-Rayed Lampmussel (Lampsilis fasciola). The termination letter states that the IDNR has determined that adverse ecological effects are unlikely to occur due to the construction of the SFES. In the event that current construction plans change and unanticipated large-scale earth moving operations should be required, the Department recommends adhering to BMPs for erosion control.

e) **Natural Resource Information Report** – SolAmerica submitted a request for a Champaign County Soil & Water Conservation District (SWCD) Natural Resource Information (NRI) Report for the proposed project site. The request letter is attached in Appendix D. The SWCD is still in

the process of preparing the full NRI Report. Once received, SolAmerica will immediately forward the report to the Champaign County Planning and Zoning Department.

f) **Roadway Upgrade and Maintenance Agreement** – SolAmerica will be in contact with the appropriate agencies, regarding a roadway agreement, and will have a response on the subject prepared prior to the Zoning Board of Appeals hearing for this proposed project.

g) **Cleaning Methods and Materials** – SolAmerica does not currently have a formal cleaning plan in place for the proposed SFES. If it becomes necessary to clean the solar panels to ensure efficient operation, a water will be brought in via tank truck. If a cleaning chemical is to be used, SolAmerica will first seek approval and guidance from the County Planning and Zoning Deparmtent.

4. Vegetative Maintenance

Once construction of the solar farm is complete, all disturbed ground cover will be restored with native, low-growth plant species. Vegetative maintenance at the project site is intended to foster the growth of native perennial plant life and foraging habitats for local game birds, songbirds, and pollinating species. If needed, a vegetative buffer, consisting of evergreen shrubbery, may be planted where necessary. Young shrubs and/or evergreen trees may be planted following completion of construction of the solar farm and allowed to grow to fence height. A growth period of 1 to 2 years is expected until the shrubs/trees reach the desired height.

The designated vegetative maintenance contractor will be responsible for inspecting and maintaining the vegetation within the project site boundaries. Vegetative maintenance and site inspections during the growing period will be scheduled to occur at a frequency of roughly 2-3 times per year, and at a reduced frequency thereafter. In order to avoid unnecessary vegetation and soil impact, maintenance scheduling will be dependent on time of year and weather conditions. Vegetation should also be maintained in a manner as to minimize stormwater runoff and soil erosion at the site.

5. Stormwater and Erosion Control

The project will comply with all requirements of Champaign County's stormwater management regulations, erosion and sediment control provisions, and NPDES permit requirements, if applicable. A minimal amount of ground disturbance should occur during the short (12 to 16 week) construction period of the project. No significant grading will be conducted. Upon the completion of the project, negligible grown disturbance will occur as a result of planned operations and maintenance.

No significant alterations to site topography or stormwater drainage patterns are anticipated to occur, both throughout and following the completion of the construction of the project. Disturbances within the site area will be seeded with a native seed mix that includes pollinator-friendly species. Seeded vegetation will establish a deep root system that should stabilize the soil and increase infiltration rates.

The sight will be inspected for any erosion problems during each site visit and maintenance event. Inspections/visits will occur at a minimum frequency of two times per year. Any erosion that may occur to the access road, ground cover, drainage structures, etc. will be restored to their acceptable conditions.

RECEIVED
NOV 0 1 2018
CHAMPAIGN CO. P & Z DEPARTMENT

SolAmerica ENERGY

Champaign County Special Use Permit Petition – Project Information and Overview

In your review of this Special Use Permit, we ask that the County consider the following:

1) Project Components
   - The site area will be seeded with low-mow seed mix once construction has been completed;
   - Access to the site is limited to a gravel drive from County Road 1050N (East South Street) to a gate;
   - Security fencing, between 6 and 8 feet tall, exists along the entire project site area, as required by National Electric Code (NEC);
   - The system will be monitored remotely;
   - The solar panel racking is mounted to metal support piles that will be driven or screwed into the ground – concrete foundations are not anticipated to be necessary;
   - The racking slowly rotates to track the sun throughout the day;
   - A transformer and inverter are mounted on a concrete pad expected to be approximately 10 feet wide by 25 feet long;
   - Electrical cables will be installed underground throughout the site with the exception of two poles necessary for interconnection with the Ameren grid in the surrounding area;
   - The project perimeter adheres to the County setback requirements;
   - Existing topography and stormwater drainage patterns will be preserved throughout the life of the project;
   - The decommissioning of the project upon expiration of the lease term has been addressed in the lease agreement. The decommissioning plan is provided in Appendix C of this petition;

2) Construction
   - Between 2 and 20 workers will be on-site at a time during construction;
   - Project construction-related traffic will typically be comprised of standard semi-tractor trailers and utility trucks – oversized loads are not anticipated;
   - Construction is planned to commence in late 2019 or early 2020, depending on the timing of additional required approvals and agreements;
   - Construction predicted to last between 12 and 16 weeks;
   - An estimated count of approximately 40 jobs will be created during construction of the project;
   - Typical jobs created include equipment operators, electricians, fence installers, laborers, and construction managers;
   - Up to six daily equipment/supplies deliveries expected at the start of construction, decreasing to 1 or 2 daily deliveries towards the end

SolAmerica ENERGY

Solar Facility Decommissioning Plan

October 2018

RECEIVED
NOV 01 2018
CHAMPAIGN CO. P & Z DEPARTMENT

Table of Contents

1. Introduction

SolAmerica proposes to build a photovoltaic (PV) solar facility in Champaign County, Illinois (the "**Solar Facility**"). The Solar Facility is planned to have a nameplate capacity of approximately 2.0 megawatts (MW) direct current (DC) and be built on approximately 75.33 acres of private land
(the "**Facility Site**").
This Decommissioning Plan ("**Plan**") provides an overview of activities that will occur during the decommissioning phase of the Solar Facility, including activities related to removal of the Solar Facility, the restoration of land, and the management of materials and waste.
The Solar Facility will have an anticipated lifespan of at least thirty (30) years. This Plan assumes that a Solar Facility will be dismantled, and the Facility Site restored to a state similar to its pre-construction condition at its maturity date. The Plan also covers the case of the abandonment of a Solar Facility, for any reason, prior to the maturity date.

Decommissioning of the Solar Facility will include the disconnection of the Solar Facility from the electrical grid and the removal of all Solar Facility components, including: photovoltaic (PV) modules, racking, inverters, transformers, electrical equipment, wiring cables, and perimeter fence.

This Decommissioning Plan is based on current best management practices and procedures. This Plan may be subject to revision based on new standards and emergent best management practices at the time of decommissioning. Permits will be obtained as required and notification will be given to stakeholders prior to decommissioning.

2. Contact Information

Contact information for this Plan is as follows:

Full Name of Project Owner Developer	SolAmerica Energy, LLC
Contact Name	Pete Corbett
Address	1819 Peachtree Rd Suite 100 Atlanta, GA 30309
Telephone	O: 404.351.8175 M: 404.518.7039
Email	pcorbett@solamericaenergy.com

3. Project Information

Address / Parcel IDs	County Road 1050N, Homer, Illinois
Project Size (Estimated)	2.0 MW, 14.6 acres
Landowner(s)	Phyllis Jane Sinclair
Own / Lease	Lease

4. Decommissioning of the Solar Facility

At the time of decommissioning, the components of the Solar Facility will be removed, reused, recycled, sold for scrap, or otherwise disposed of. The Facility Site will be restored to a state similar to its preconstruction condition (less trees). All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations. All applicable permits will be acquired.

4.1. Equipment Dismantling and Removal

Generally, the decommissioning of a Solar Facility proceeds in the reverse order of the installation along the following steps.

1. The Solar Facility shall be disconnected from the utility power grid.
2. PV modules shall be disconnected, collected, and sold for scrap, recycled at an approved solar module recycler, reused / resold on the market, or otherwise disposed of in accordance with best practices. Although the PV modules will not be cutting edge technology at the time of decommissioning, they will still produce power for many years.
3. All aboveground and underground electrical interconnection and distribution cables shall be removed and sold for scrap or disposed or recycled at an approved recycler.
4. Galvanized steel PV module support and racking system support posts shall be removed and sold for scrap or disposed / recycled at an approved recycler.
5. Electrical and electronic devices, including transformers and inverters shall be removed and sold for scrap or disposed /recycled at an approved recycler. Remaining components will be disposed of in accordance with the standards of the day. The small amount of oil from the transformers will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal.
6. Fencing shall be removed and shall be sold for scrap or disposed /recycled at an approved recycler.
7. Concrete foundations will be broken down and taken to a recycling or approved disposal facility.

4.2. Site Restoration

Through the decommissioning phase, the Facility Site will be restored to a state similar to its preconstruction condition (without trees). Rehabilitated lands may be seeded to help stabilize soil conditions, enhance soil structure, and increase soil fertility.

4.3. Decommissioning During Construction or Abandonment Before Maturity

In case of abandonment of the Solar Facility during construction or before its maturity, the same decommissioning procedures as for decommissioning after ceasing operation will be undertaken

and the same decommissioning and restoration program will be honored, in as far as construction proceeded before abandonment. The Solar Facility will be dismantled, materials removed and disposed, the soil that was removed will be graded and the site restored to a state similar to its preconstruction condition.

4.4. Decommissioning Notification

Decommissioning activities may require the notification of stakeholders given the nature of the works at the Facility Site. The local municipality in particular may be notified prior to commencement of any decommissioning activities.

4.5. Approvals

Well-planned and well-managed renewable energy facilities are not expected to pose environmental risks at the time of decommissioning. Decommissioning of a Solar Facility will follow standards of the day, and required permits are obtained prior to decommissioning.

* * * * * * * * * * * *

This Decommissioning Plan will be updated as necessary in the future to ensure that changes in technology and site restoration methods are taken into consideration.

TRC
230 W. Monroe Street
Suite 630
Chicago, IL 60606

312.800.5912 PHONE
312.578.0877 FAX

www.trcsolutions.com

October 10, 2018

Hannah McDonald
Champaign County Soil and Water Conservation District
2110 West Park Court, Suite C
Champaign, IL 61821

Re: **Natural Resource Inventory Request**
Sinclair Solar Project, Champaign County
E South St, Homer, Champaign County, Illinois

Dear Ms. McDonald:

On behalf of SolAmerica Energy, LLC (SolAmerica), TRC Environmental Corporation (TRC), is requesting a Natural Resources Inventory (NRI) with a LESA (Land Evaluation Site Assessment) Report for a proposed solar facility in Champaign County, Illinois. SolAmerica, the Applicant, would like to develop and build an approximately 2 megawatt (MW) solar farm, the Sinclair Solar Project (the "Project"). A conceptual layout is attached.

SolAmerica Energy is filing for a special use permit to develop and build an approximately 2 megawatt (MW) solar farm on a portion of a parcel consisting of approximately 75.33 acres, located in Champaign County, IL. It will be situated on up to about 13.1 acres within a combined 75.33-acre area on parcel (26-30-09-200-009001), Section 9, T18N, R14W.

It is located at E South Steet, Homer, Champaign County, Illinois (latitude: 40.034389, longitude: -87.944472), east of the City of Homer, as shown below.

Champaign County
SWCD

The land is agricultural, and no mapped FEMA-mapped floodplain is present. According to the NWI, there is a waterway that runs along the east boundary of the Project Area, crossing the southwest corner. The Project perimeter will adhere to County setback requirements, and the Project will comply with all requirements of the County's storm water management regulations, erosion and sediment control provisions, as well as NPDES permit requirements, as applicable. Applicable County permits will be obtained prior to construction, such as a driveway access permit and drainage permit. Existing topography and storm water drainage patterns will be preserved.

Only minor grading/ground disturbance will occur during the short (6 to 12 week) construction period of the project. No significant grading will be conducted. Disturbed ground will be seeded with a native seed mix that includes pollinator-friendly and deep-rooted species. Erosion control inspections will be conducted per requirements. After construction, inspections will occur at a minimum frequency of two times per year. Vegetative maintenance at the project site is intended to foster the growth of native perennial vegetation, which will provide forage and cover habitat for local game birds, songbirds, and pollinator species. A vegetative buffer will be maintained around the perimeter, if needed, to provide effective screening.

The site will be developed and constructed by SolAmerica Energy and then operated by SolAmerica or another long-term project owner. There will be a long-term power purchase agreement (PPA) with the utility to sell the power to local businesses and/or residents to offset power costs from the utility grid. Solar Farm Energy System (SFES) will consist of solar modules over roughly 15 acres of the parcel. Solar photovoltaic (PV) modules will be mounted on a racking system approximately 3 feet above the ground and will reach a height of approximately 9 feet above the ground. Each PV module is roughly 6 feet long x 3 feet wide. Modules are coated with a non-reflective material designed to maximize light absorption and significantly reduce glare. The project is considered a "passive" power plant and noise levels will not exceed 40-60 decibels; this represents a level just above a conversational talking volume. These sound levels are expected to significantly decrease to lower sound levels at the property lines. It will be in operation 24 hours a day, yet will make the majority of power during peak sun hours (PSH's) approximately 5-6 hours a day between the hours of 9AM-3PM (depending on the season of the year). Personnel will not be onsite for normal day to day operation. The plant will be remotely monitored and operation and maintenance of the plant requires personnel to be onsite approximately 7-10 days during a calendar year. Complete construction of the Solar Array will take approximately 16 weeks from breaking ground to commercial operation. Approximately 10-20 workers will be onsite during construction phase.

The solar arrays and surrounding fencing will be low enough as to not have any measurable effect on the growth or yield of the crops cultivated on the surrounding farmlands by blocking sunlight. Likewise, no shadows should be cast upon the nearby residences by the site structures. Site vegetation will be maintained as to prevent any obstruction of adjacent properties. Any equipment surfaces that may produce a glare or glint will be strategically positioned in order to project them away from adjacent roadways and residences. Additionally, there should be no potential for the release of air emissions, chemical spills, or contaminated storm water runoff from the site. As a result of the above statements, the site project is not anticipated to have any undesirable impacts on the adjacent properties. The proposed project would alter agricultural use on only the land within a portion of site property, with no negative effects on surrounding agricultural fields. The relatively small size of the proposed solar farm (2 MW) should result in minimal impact to the project area and the remaining land within the property can remain agricultural. The Project will provide clean, efficient, and carbon-neutral power to the local electrical grid and overall benefit the district economy.

TRC requested consultation with the Illinois Department of Natural Resources (IDNR) on August 30, 2018, via the Ecological Compliance Assessment Tool (EcoCAT). The IDNR responded on August 31, 2018, with a letter stating that adverse effects to protected species or natural areas as a result of the proposed Project is unlikely and consultation is terminated (see Attachment).

Champaign County
SWCD

SolAmerica intends to develop the proposed project in accordance with the County and local requirements, and will strive to provide all required additional, requested documentation. If any additional information is needed, please contact Andrew Soebbing at (314) 241- 2694, Ext. 22, or ASoebbing@trcsolutions.com.

Sincerely,

TRC Environmental Corporation

Ginny Piumeau, REM
Midwest Director – Natural Resources
Office Practice Leader – Planning, Permitting and Licensing

Attachments

EcoCAT
Ecological Compliance Assessment Tool

Applicant:	TRC Environmental	*IDNR Project Number:*	1902306
Contact:	Virginia Plumeau	*Date:*	08/30/2018
Address:	150 N Patrick Blvd. suite 180 Brookfield, WI 53045		
Project:	SolAmerica - St. Claire		
Address:	1150 North rd, Homer		

Description: Proposed solar project

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Bigeye Chub *(Hybopsis amblops)*
Bluebreast Darter *(Etheostoma camurum)*
Purple Wartyback *(Cyclonaias tuberculata)*
Wavy-Rayed Lampmussel *(Lampsilis fasciola)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Champaign

Township, Range, Section:
18N, 14W, 9

IL Department of Natural Resources Contact
Justin Dillard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Planning and Development Department
Kevin Philips
102 N Neil St
Champaign, Illinois 61820

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 1902306

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 1902306

EcoCAT
Ecological Compliance Assessment Tool

EcoCAT Receipt

Project Code 1902306

APPLICANT	DATE
TRC Environmental Alan Plumeau 1045 North Downing Street Unit B Denver, CO 80218	8/30/2018

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.94	$ 127.94

TOTAL PAID $ 127.94

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

RECEIVED
NOV 0 1 2018
CHAMPAIGN CO. P & Z DEPARTMENT

Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
http://dnr.state.il.us

Bruce Rauner, Governor
Wayne Rosenthal, Director

August 31, 2018

Virginia Plumeau
TRC Environmental
150 N Patrick Blvd. suite 180
Brookfield, WI 53045

RE: SolAmerica - St. Claire
Project Number(s): 1902306
County: Champaign

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

In the event of an unanticipated need for large scale earth moving operations, the Department recommends adhering to BMPs for erosion control.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Justin Dillard
Division of Ecosystems and Environment
217-785-5500

RECEIVED
NOV 0 1 2018
CHAMPAIGN CO. P & Z DEPARTMENT

Ameren ILLINOIS

August 7, 2017

PRE-APPLICATION REPORT
Homer – Katie Kearney – SolAmerica Energy
Site Coordinates: 40.036365, -87.940568
5 MW Request

This Pre-Application Report is in response to the attached Pre-Application Request Form submitted to Ameren Illinois by Katie Kearney of SolAmerica Energy. The proposed project is a 5 MW Solar Photovoltaic project to be located near Homer, IL.

The Electric Distribution Company (EDC) is Ameren Illinois. The likely substation to serve the proposed point of interconnection (POI) for this project is the Homer distribution substation. Preliminarily, the POI could be on circuit 1. The 12.47 kV facilities serving this area are configured as a radial system.

1) Normal rating (in megavolt amperes (MVA)) of substation/area bus, bank or circuit based on normal or operating ratings likely to serve the proposed point of interconnection.

   Homer substation 69/12.47kV transformer – 9.375 MVA
   Circuit D67-1 – 6.04 MVA

2) Existing aggregate generation capacity (in MVA) interconnected to a substation/area bus, bank or circuit (i.e., amount of generation online) likely to serve the proposed point of interconnection.

   There is no known existing generation on circuit 1.

   The aggregate capacity of other generation connected at voltages below 12.5 kV is not readily available.

3) Aggregate queued generation capacity (in MVA) for a substation/area bus, bank or circuit (i.e., amount of generation in the queue) likely to serve the proposed point of interconnection.

   There is presently no (Zero MVA) aggregate queued generation capacity for circuit 1.

4) Available capacity (in MVA) of substation/area bus or bank and circuit likely to serve the proposed point of interconnection (i.e., total capacity less the sum of existing aggregate generation capacity and aggregate queued generation capacity).

Available capacity at Homer – 9.375 MVA
Available capacity at Circuit 1 – 6.04 MVA

5) Substation nominal distribution voltage and/or transmission nominal voltage, if applicable, based on the interconnection point.

Homer is a 69kV to 12.47kV nominal voltage substation.

6) Nominal distribution circuit voltage at the proposed point of interconnection.

Nominal circuit voltage for the Homer circuit 1 is 12.47 kV.

7) Approximate circuit distance between the proposed point of interconnection and the substation.

The Point of Interconnection (POI) is approximately 2.16 miles from the Homer substation.

8) Relevant line section actual or estimated peak load and minimum load data, including daytime minimum load (i.e., 10 a.m. to 4 p.m. for fixed solar photovoltaic (PV) panel systems and 8 a.m. to 6 p.m. for PV systems utilizing tracking systems), and absolute minimum load, when available.

	Peak Load (MVA)	Minimum Load* (MVA)
Homer Substation Transformer	3.61	0.97
Circuit 1	3.563	0.91

Customer has indicated facility would employ a single-axis tracking system.

9) What is the number and rating of protective devices and number and type (standard, bi-directional) of voltage regulating devices between the proposed point of interconnection and the substation/area? Identify whether the substation has a load tap changer.

Circuit 1 is protected in the substation by three single-phase 280 amp Type-L reclosers. Downstream of the substation reclosers, there are two T-link type fuses protecting the circuit. The first is a 100T followed by a 65T.

There are no voltage regulators in the substation or on circuit 1.

The substation transformer is equipped with a load tap changer.

10) Is there a three-phase circuit available at the proposed point of interconnection? If a single phase, distance from the three-phase circuit.

No, currently single-phase underground runs along E South St. just south of the proposed POI. Approximately 0.44 miles of 3-phase overhead would need to be constructed to the proposed POI, depending on the exact POI.

11) Limiting conductor ratings from the proposed point of interconnection to the distribution substation.

The limiting conductor rating is 252 amps (Summer Normal, 1/0 AAAC).

12) Whether the point of interconnection is located on a spot network, grid network or radial supply.

The system at the Point of Interconnection (POI) is a radial supply on circuit 1.

13) Based on the proposed point of interconnection, existing or known constraints such as, but not limited to, electrical dependencies at that location, short circuit interrupting capacity issues, power quality or stability issues on the circuit, capacity constraints or secondary networks.

The customer/applicant is responsible for installation of main overcurrent/fault protection that will coordinate with the EDC's distribution system protection.

The above data provided in this Pre-Application Report represents the best readily available information at the time this report was prepared. The provision of

information on "available capacity" (see Item 4 above) does not imply that an interconnection up to this level may be completed without impacts, since there are many variables studied as part of the interconnection review process and data provided in the pre-application report may become outdated at the time of the submission of the complete application.

Prepared by: Troy Kimbro
Engineer, Division IV
Ameren Illinois

Ryan Peters
SolAmerica Energy
1819 Peachtree Road, Suite 100
Atlanta, Georgia 30309

October 30, 2018

Ray Cunningham
Mayor, Village of Homer
500 E Second St.
Homer, IL 61849

Dear Mr. Cunningham:

SolAmerica Energy is filing a petition for a special use permit with Champaign County for development and construction of a solar farm energy system (SFES) located on parcel #26-30-09-200-009. The parcel is just outside of the Village of Homer limits, thus within the 1.5 mile limit.

We have attached a copy of the application for your review and comment. If you should have any questions or need additional information, please reach out to me directly. We are willing to hosting an open house meeting in Homer about our proposed project if you feel it is appropriate.

Sincerely,

Ryan Peters

Ryan Peters
Environmental Engineer
Phone: 404-351-8175 ext. 18
Email: rpeters@solamericaenergy.com

Ryan Peters
SolAmerica Energy
1819 Peachtree Road, Suite 100
Atlanta, Georgia 30309

October 30, 2018

Elbert Rogers
Road Commissioner
South Homer Township
202 S Main St
Homer, IL 61849

Dear Mr. Rogers:

SolAmerica Energy is filing a petition for a special use permit with Champaign County for development and construction of a solar farm energy system (SFES) located on parcel #26-30-09-200-009.

We have attached a copy of the application for your review and comment. Per County ordinance, we are seeking your approval to us township roads during construction and operations in accordance with the attached project details. If you should have any questions or need additional information please reach out to me directly.

Sincerely,

Ryan Peters
Environmental Engineer
Phone: 404-351-8175 ext. 18
Email: rpeters@solamericaenergy.com

Natural Resources Information Report 22.02

October 2018

Prepared for
TRC Environmental Corporation (TRC)

Champaign County
Soil and Water Conservation District
2110 West Park Court Suite C Champaign, IL 61821
(217) 352-3536 Extension 3 -- www.ccswcd.com

CHAMPAIGN COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCE INFORMATION REPORT (NRI)

Date District Board Reviewed Application	2018
Applicant's Name	**TRC Environmental Corporation**
Size of Parcel	75.33 Acres
Present Zoning	Agriculture
Champaign County Zoning Meeting Date	December, 2018
Contact Person	Ginny Plumeau

Copies of this report or notification of the proposed land-use change were provided to:	***yes***	***no***
The Petitioner	X	
The Contact person	X	
The Champaign County Zoning Office	X	
The Champaign County Soil Water Conservation District Files	X	

Report Prepared By: Hannah McDonald Position: Conservation Coordinator

Table of Contents Page

Forward:

Soil and Water Conservation Districts are required to prepare Natural Resource Information (NRI) Reports under the Illinois Soil and Water Conservation Act of 1977, Illinois Revised Statutes, Chapter Five.

Section 22.02a The Soil and Water Conservation District shall make all natural resource information available to the appropriate county agency or municipality in the promulgation of zoning, ordinances or variances. Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from municipality's or county's zoning ordinance or who proposes to sub-divide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District. The Soil and Water Conservation District shall be given not more then thirty days from the time of receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and submit the same to the appropriate county agency or municipality for further action. Added by Act approved December 3, 1971.

This report provides technical data necessary to evaluate the natural resources of a specific area and the impacts or limitations associated with the proposed land use change. The report is limited to information researched by the Champaign County Soil and Water Conservation District staff. (Technical information is obtained from a number of different sources and may be subject to modification based on detailed site investigations or new technical information.) The information gathered in this report comes from several key reference materials and are cited throughout this report and listed in the Reference section. Any questions on the information contained in this report can be directed to:

Champaign County Soil and Water Conservation District
2110 W. Park Court, Suite C
Champaign, IL 61821
Phone 217-352-3536 ext. 3

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2017

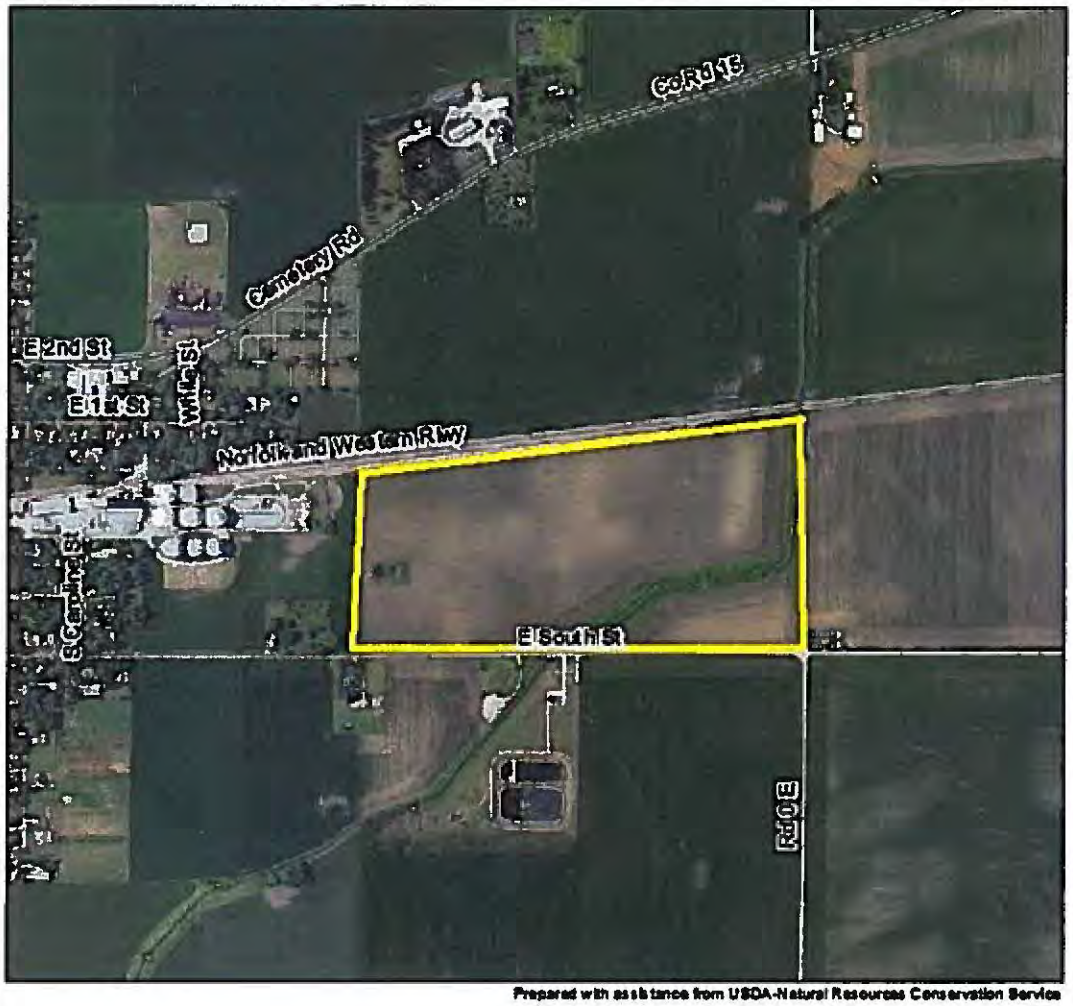
Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T19N, R14W



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

TRC

fe_2007_17019_edges

480 0 480 960 1,440 1,920 Feet

N

Concerns of the Board

The Champaign County Soil and Water Conservation District has reviewed the proposed land use change and has some concerns relevant to the impact on the areas natural resources. The reader is advised to consider the following information contained in this report.

1) **Special attention should be paid to any sanitation placed on the property. The Champaign County Health Department should be contacted for the best septic design.**

2) The land is now in agricultural use. **Underground tile drainage is an important aspect of the modern farm operation and this field may contain drainage tile, care should be taken to locate, reroute and/or maintain the tile.** If there is tile in the field and it is not maintained it could potentially cause major problems in the future.

3) The area to be developed has 1 Drainage Districts, please work with the commissioners to assure proper drainage remains in place.

    a. The far East one is Drainage District #1 of the Town of South Homer.

4) **Land Evaluation (LE) Score: The average LE Score for this site is 96**

Technical Data

Included in this report you will find numerous publications and specific recommendations for construction site erosion control. The erosion control practices work effectively only if they are installed timely and correctly and then properly maintained. This information is also available from the Champaign County SWCD office in Champaign and the Illinois Urban Manual.

Erosion Control: construction sites can experience 20 to 200 tons/acre/year of soil loss, which is greater than other land uses like agriculture averaging 4-5 tons/acre/year. Sediment entering creeks, rivers and lakes degrade water quality and reduce capacity, which increases the risk of flooding. Sediment also carries other possible pollutants such as chemicals and metals by adhering to the sediment's surface. It is extremely important that the developer employ Best Management Practices, like the ones listed below, to help reduce soil erosion and protect water quality during construction and after.

- **Silt Fencing:** a woven geotextile fabric stretched across and attached to supporting posts used to intercept sediment-laden runoff from small drainage areas of disturbed soil. The purpose is to filter out sediment from runoff before it enters a water body. Silt fence should be used to intercept concentrated flows of runoff into the detention basin or exiting the site into a ditch. Silt fence should also be routinely inspected and maintained to ensure proper installation and operation. (Please see attachment A)

- **Construction Road Stabilization:** the stabilization of temporary construction access routes, subdivision roads, on-site vehicle transportation routes, and construction parking areas with stone immediately after grading the area. The purpose of this practice is to reduce erosion areas. (Please see attachment B)

- **Vegetative Cover** - is one of the most important means to control runoff and sedimentation. Planting temporary vegetation around the perimeter of the construction site provides a good natural buffer to filter sediment and chemicals. The SWCD recommends that a temporary grass be planted in the areas that will not be disturbed. This vegetation will help protect soil from erosion during construction. A permanent vegetative filter strip will be extremely important in protecting the storm water detention basin from runoff. If at any time during construction land is left exposed for more than 30 days it should be temporarily seeded with some sort of vegetation like oats or rye. Temporary seeding is very important to stabilize the soil. After cuts are completed on bare soil slopes and road ditches temporary seeding must be established. See table 1 below for Temporary Seeding rates (Illinois Urban Manual).

OPERATION AND MAINTENANCE

Reseed areas where seedling emergence is poor, or where erosion occurs, as soon as possible. Protect from vehicular and foot traffic. Control weeds by mowing.

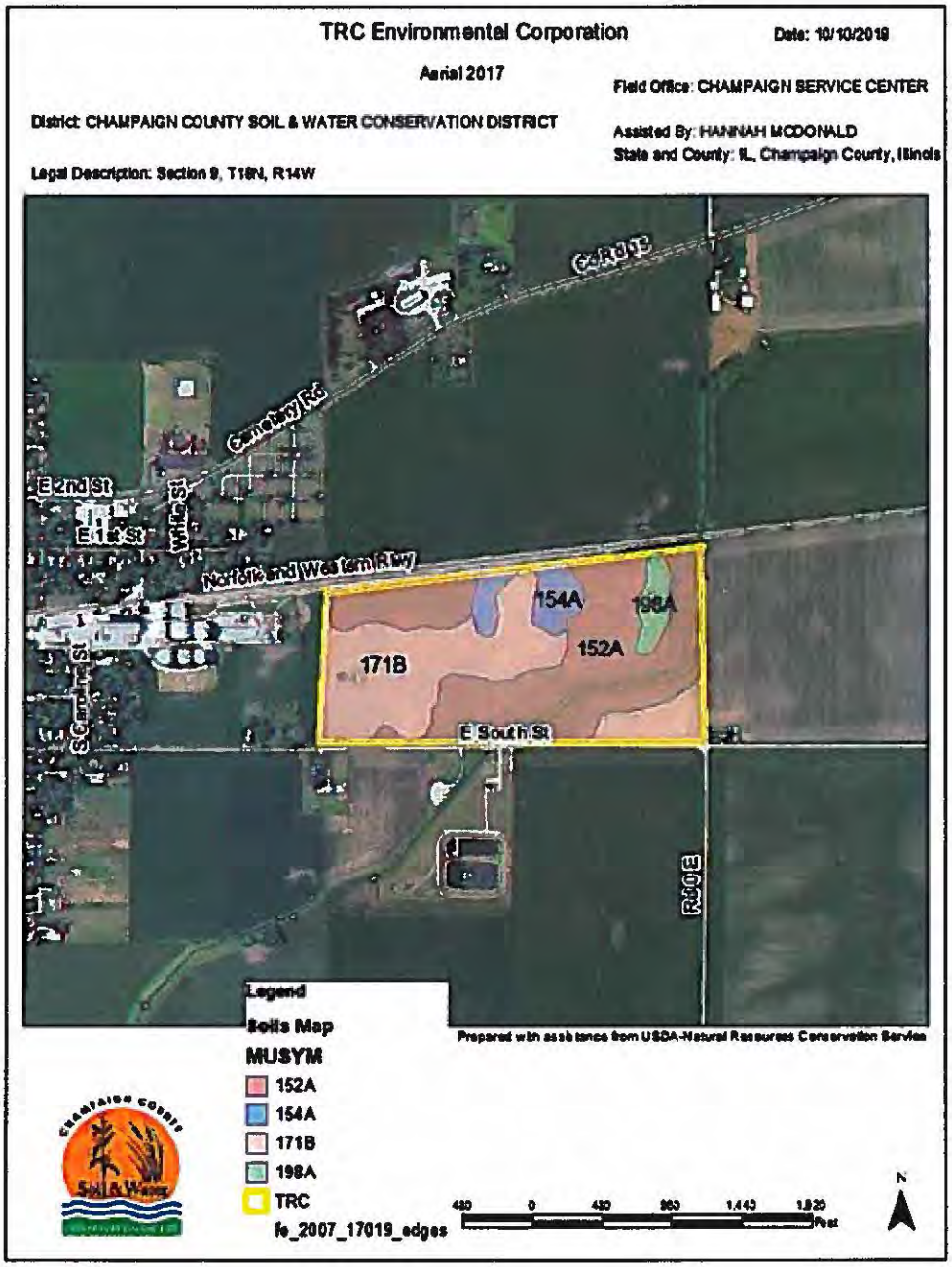
TEMPORARY SEEDING SPECIES, RATES AND DATES

Species	Lbs./Acre	Lbs./1000 ft.2	Seeding Dates
Oats	90	2	Early spring – July 1
Cereal Rye or Wheat	90	2	Early spring – Sept. 30
Perennial Ryegrass	25	0.6	Early spring – Sept. 30

Soil Information

The Soil information comes from United States Department of Agriculture, Natural Resources Conservation Service Soil Survey of Champaign County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils, slope class. Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and building without basements.



SYMBOL	DESCRIPTION	ACRES	PERCENT
152A	Drummer silty clay loam, 0-2% slopes	38.9	50.8 %
171B	Catlin silt loam, 2 to 5 % slopes	36.7	39.3%
154A	Flanagan silt loam, 0-2% slopes	4.9	6.4 %
198A	Elburn silt loam, 0-2 % slopes	2.7	3.5%

Soil Interpretations Explanation

Nonagricultural

General

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common type of building limitation this report gives limitations ratings for is: septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report.

The area of development will be susceptible to erosion both during and after construction. Any areas left bare for more than 7 days should be temporarily seeded or mulched and permanent vegetation needs to be established as soon as possible

Limitations Ratings

1. ***Not limited***- This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
2. ***Somewhat limited*** - This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
3. ***Very limited***- This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high-water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

EPA REQUIREMENT

EPA Stormwater Pollution Prevention Plan (SWPPP) Reference Tool:

EPA requires a plan to control storm water pollution plan for all construction sites over 1 acre in size. *A Guide for Construction Sites* is a reference tool for construction site operators who must prepare a SWPPP in order to obtain NPDES permit coverage for their storm water discharges. The guide describes the SWPPP development process and provides helpful guidance and tips for developing and implementing an effective plan. Two model plans, based on hypothetical sites, are now available as a supplement to the guide. The first example plan is for a medium-sized residential subdivision and the second is for a small commercial site. Both examples utilize the SWPPP template that is included in the guide.

To view the guide, models and template, visit
http://www.epa.gov/npdes/swpppguide.

A new small lots plan can be found at this website location:
http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

Low impact development:

The EPA's new report, "Reducing Storm water Costs through Low Impact Development (LID) Strategies and Practices." Provides ideas to improve water quality through unique designs. The report contains 17 case studies from across North America that show using LID practices in construction projects can lower costs while improving environmental results. LID practices are innovative storm water management practices used to manage urban storm water runoff at its source. The goal of LID practices is to mimic the way water moves through an area before development occurs, which is achieved using design techniques that infiltrate, evapotranspiration and reuse runoff close to its source. Some common LID practices include rain gardens, grassed swales, cisterns, rain barrels, permeable pavements and green roofs. LID practices increasingly are used by communities across the country to help protect and restore water quality. For a copy of the report, go to www.epa.gov/owow/nps/lid/costs07.

SANITARY FACILITIES

The Table below shows the degree and kind of soil limitations that affect septic tank absorption fields and sewage lagoons.

The limitations are considered **Not limited** if soil properties and site features are generally favorable for the indicated use and limitations are minor and easily overcome. The limitations are considered **Somewhat limited** if soil properties or site features are not favorable for the indicated use and special planning, design, or maintenance is needed to overcome or minimize the limitations. The limitations are considered **Very limited** if soil properties or site features are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required.

Septic Tank Absorption Fields: these are areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. Only that part of the soil between depths of 24 to 72 inches is evaluated. The ratings are base on soil properties, site features and observed performance of the soils. Permeability, high water table, depth to bedrock or to a cemented pan, and flooding affect absorption of the effluent. Large stones and bedrock or a cemented pan interfere with installation. Unsatisfactory performance of septic tank absorption fields, including excessively slow absorption of effluent, surfacing of effluent, and hillside seepage, can affect public health. Groundwater can be polluted if highly permeable sand and gravel or fractured bedrock is less than 4 feet below the base of the absorption field, if slop is excessive, or if the water table is near the surface. There must be unsaturated soil material beneath the absorption field to filter the effluent effectively. Many local ordinances require that this material be of a certain thickness.

SYMBOL	Septic Tank Absorption Fields	ACRES	PERCENT
152A	VERY LIMITED: ponding, 1 ft depth to saturated zone, slow water movement	38.9	50.8%
171B	VERY LIMITED: 1 ft depth to saturated zone, slow water movement	30.1	39.3 %
154A	VERY LIMITED: 1 ft depth to saturated zone, slow water movement	4.9	6.4%
198A	VERY LIMITED: 1 ft depth to saturated zone, slow water movement, seepage in bottom layer	2.7	3.5%

Building Site Development

The Table below shows the degree and the kind of soil limitations that affect dwellings with or without basements and small commercial buildings.

The limitations are considered **Not limited** if soil properties and site features are generally favorable for the indicated use and limitations are minor and easily overcome. The limitations are considered **Somewhat limited** if soil properties or site features are not favorable for the indicated use and special planning, design, or maintenance is needed to overcome or minimize the limitations. The limitations are considered **Very limited** if soil properties or site features are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required.

Dwellings and Small Commercial Buildings: these are structures built on a shallow foundation on undisturbed soil. The load limit is the same as that for single-family dwellings no higher than three stories. Ratings are made for small commercial buildings without basements and, for dwellings without basements. The ratings are based on soil properties, site features, and observed performance of the soils. A high-water table, depth to bedrock or to a cemented pan, large stones, slope, and flooding, affect the ease of excavation and construction. Landscaping and grading that require cuts and fills of more than 5 or 6 feet are not considered.

Symbol	Dwellings With Basement	Dwellings Without Basements	Small Commercial Buildings	Acres	Percent
152A	Very limited: Shrink-swell potential, ponding, 1 ft depth to saturated	Very limited: Shrink-swell potential, ponding, 1 ft depth to saturated	Very limited: Shrink-swell potential, ponding, 1 ft depth to saturated	38.9	50.8%
171B	Somewhat limited: Shrink-swell potential, 1 ft depth to saturated	Somewhat limited: Shrink-swell potential	Somewhat limited: Shrink-swell potential	30.1	39.3%
154A	Very limited: Shrink-swell potential, 1 ft depth to saturated	Somewhat limited: Shrink-swell potential, 1 ft depth to saturated	Somewhat limited: Shrink-swell potential, 1 ft depth to saturated	4.9	6.4%
198A	Very Limited: Shrink-swell potential, 1 ft depth to saturated zone	Somewhat limited: shrink-swell potential, ponding, 1 ft depth to saturated zone	Very Limited: shrink-swell potential, 1 ft depth to saturated zone	2.7	3.5%

The Land Evaluation and Site Assessment System

The Land Evaluation and Site Assessment system is a tool designed to evaluate the viability of agricultural lands where changes in land-use are proposed. LESA was developed as a decision-making tool used by the Zoning Board, City Councils or County Boards to help make unbiased decisions of proper land-use. The LESA system was developed by the USDA-NRCS and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, urban growth factors, and land-use policies determined by local government. LESA was designed for use in conjunction with the county's land-use plan, zoning ordinances, and other policies being used to decide land-use changes.

The Champaign County Land Evaluation and Site Assessment system (LESA) is a tool designed to provide Officials with a systematic and objective means to numerically rate a site or a parcel in terms of its agricultural importance.

The LESA is intended for the following applications with in Champaign County:

To assist Officials to evaluate the proposed conversion of farmland on a parcel of site in rezoning cases that include farmland conversion to a non-agricultural land use.

To assist in the review state and federal projects for compliance with the Illinois Farmland Preservation Act and the Federal Farmland Protection Policy Act in terms of their impact on Important Farmland.

The land Evaluation (LE) portion of LESA is additionally intended as a means to determine the 'Best Prime Farmland' designation of a particular site or parcel.

Best Prime Farmland Soils are those identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the Bulletin 811 Optimum Crop Productivity ratings for Illinois Soils, Best Prime farmland consists of the following:

a) Soils identified as agriculture Value Groups 1, 2, 3 and /or 4 in the Champaign County LESA system.
b) Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system.
c) Any development site that includes a significant amount (10% or more of the area proposed to be developed) of agriculture Value Groups 1,2,3 and/or 4 soils as determined by the Champaign County LESA system.

The LESA is one of several tools intended to assist in making land use decisions; it should be used in conjunction with the Champaign County Land Resource Management Plan, and Land use regulations including Zoning Ordinances, Subdivision Regulations and Stormwater management Policies.

LAND EVALUATION WORKSHEET

Soil Type	Soil Name	Ag Group	Relative Value	Acres	Land Evaluation Score
152A	Drummer	2	100	38.9	3890.0
171B	Catlin	3	91	30.1	2739.1
154A	Flanagan	1	100	4.9	490.0
198A	Elburn	1	100	2.7	270.0

acreage for calculation slightly larger that tract acreage due to rounding of soils program

Total LE Weighted Factor= 7389.1

Acreage= 76.6

Land Evaluation Factor For Site= 96

Note: A Soil Classifier could be hired for additional accuracy if desired

Data Source: Champaign County Digital Soil Survey

Cultural and Animal Resources

a) Cultural:

The Illinois Historic Preservation Agency may require a Phase 1 Archeological Review to identify any cultural resources that may be on the site.

b) Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act:

State agencies or units of local government must consult the Department about proposed actions that they will authorize, fund or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants or animals or for adversely modifying a Nature Preserve or a Land and Water Reserve.
Home rule governments may delegate this responsibility, through duly enacted ordinances, to the parties seeking authorization or funding of the action.

Based on the TRC's consultation with IDNR on August 30th, per the EcoCAT. IDNR responded with a letter on August 31st. Please reference the IDNR letter dated on August 31st, that concluded that adverse effects are unlikely.

Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
http://dnr.state.il.us

Bruce Rauner, Governor
Wayne Rosenthal, Director

August 31, 2018

Virginia Plumeau
TRC Environmental
150 N Patrick Blvd. suite 180
Brookfield, WI 53045

RE: SolAmerica - St. Claire
Project Number(s): 1902306
County: Champaign

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

In the event of an unanticipated need for large scale earth moving operations, the Department recommends adhering to BMPs for erosion control.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

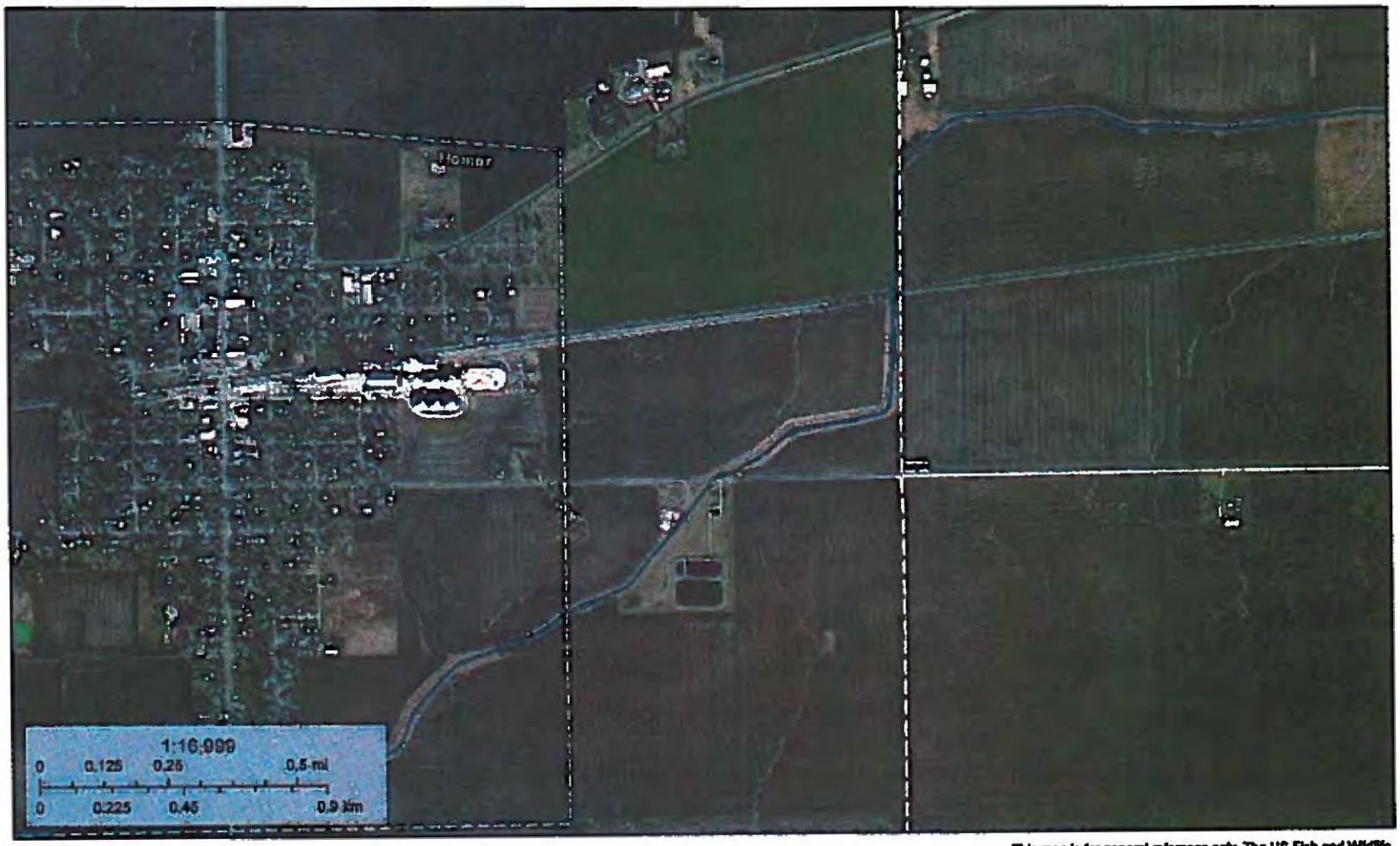
Please contact me if you have questions regarding this review.

Justin Dillard
Division of Ecosystems and Environment
217-785-5500

U.S. Fish and Wildlife Service

National Wetlands Inventory

Sinclair_NWI



October 9, 2018

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Flood Insurance Rate Maps

Importance of Flood Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions that affect upstream and down stream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following map can help developers and future homeowners to "sidestep" potential flooding or ponding problems. FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency. These maps define flood elevation adjacent to tributaries and major bodies of water, and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and flood plain location.) The FIRM map has three (3) zones. A is the zone of 100-year flood, zone B is the 100 to 500 year flood, and zone C is outside the flood plain.

100 Year Flood Plain Map

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2017

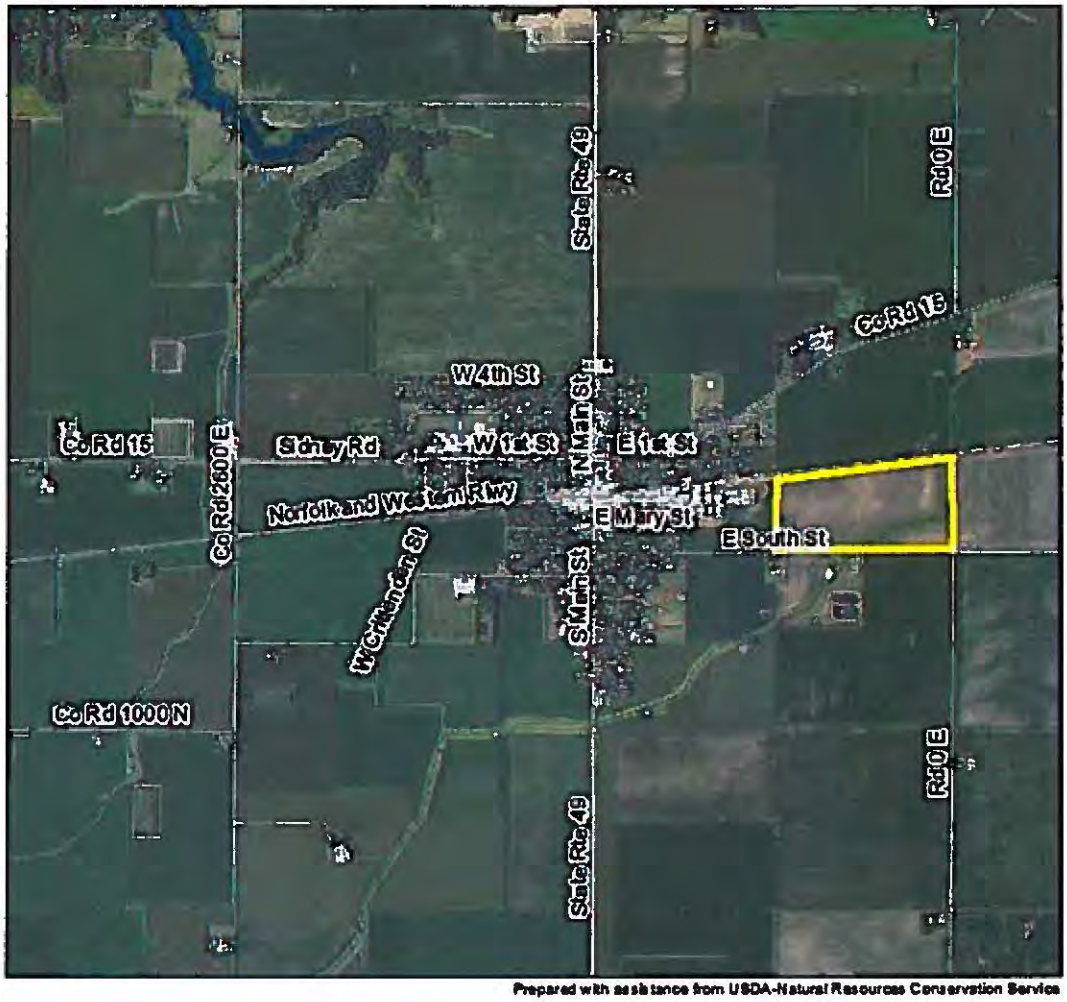
Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T18N, R14W



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

TRC

fe_2007_17019_edges

ferma_a_il019

1,200 0 1,200 2,400 3,600 4,800 Feet

N

Topographic Maps

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information. Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the parcel in question, possibly impacting surrounding natural resources. Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

What is a watershed?

Simply stated, a watershed is the area of land that contributes water to a certain point. The point that we use on these reports is usually the point where water exits the parcel.
Using regional storm event information, site specific soils and land use information, the peak storm water flow through the point water exits the parcel for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event), and is measured in cubic feet per second (CFS). When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value. Theoretically, if each development, no matter how large or small, maintains their pre-construction Q value after construction by the installation of storm water management systems, the streams, wetlands and lakes will not suffer damage from excessive urban storm water.

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2017

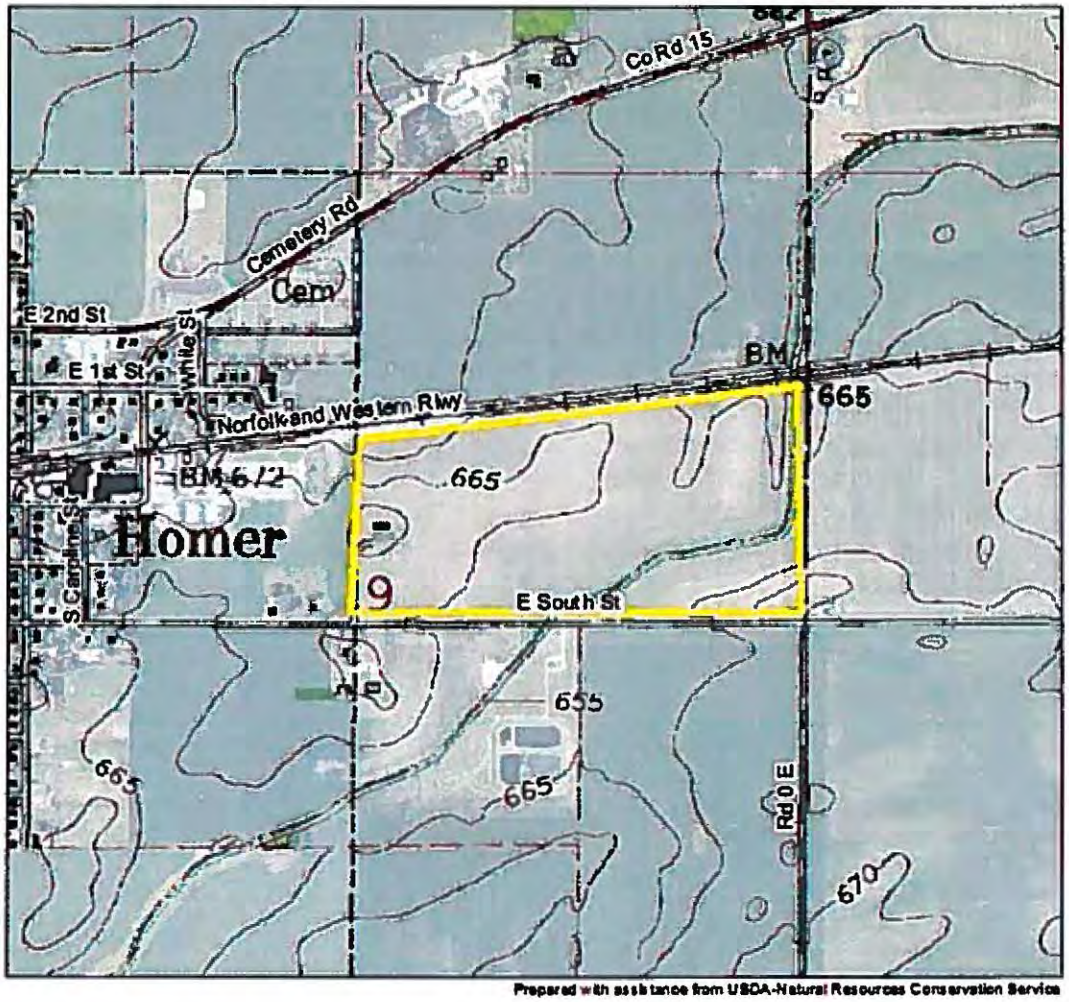
Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T18N, R14W



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

TRC

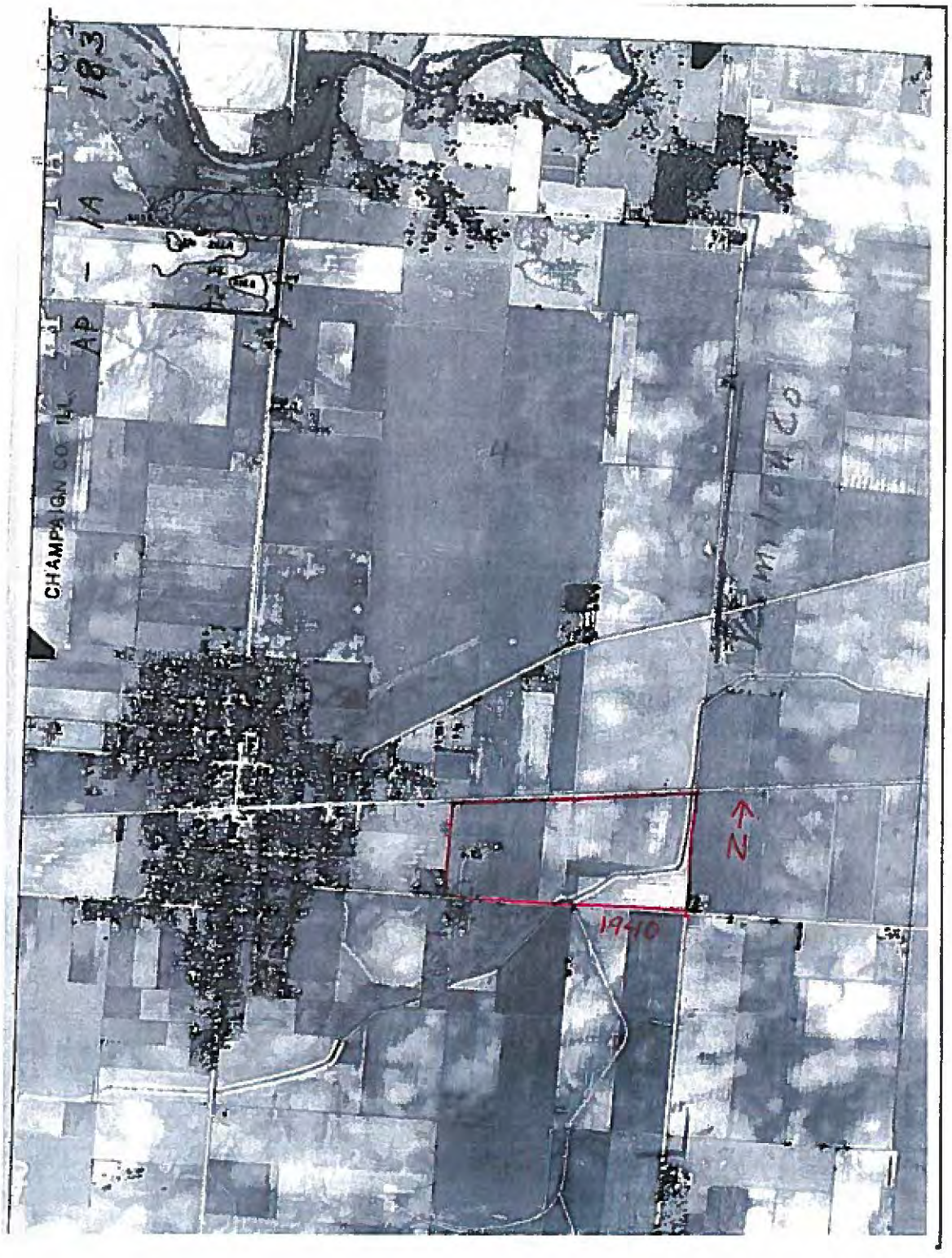
fe_2007_17019_edges

480 0 480 960 1,440 1,920 Feet

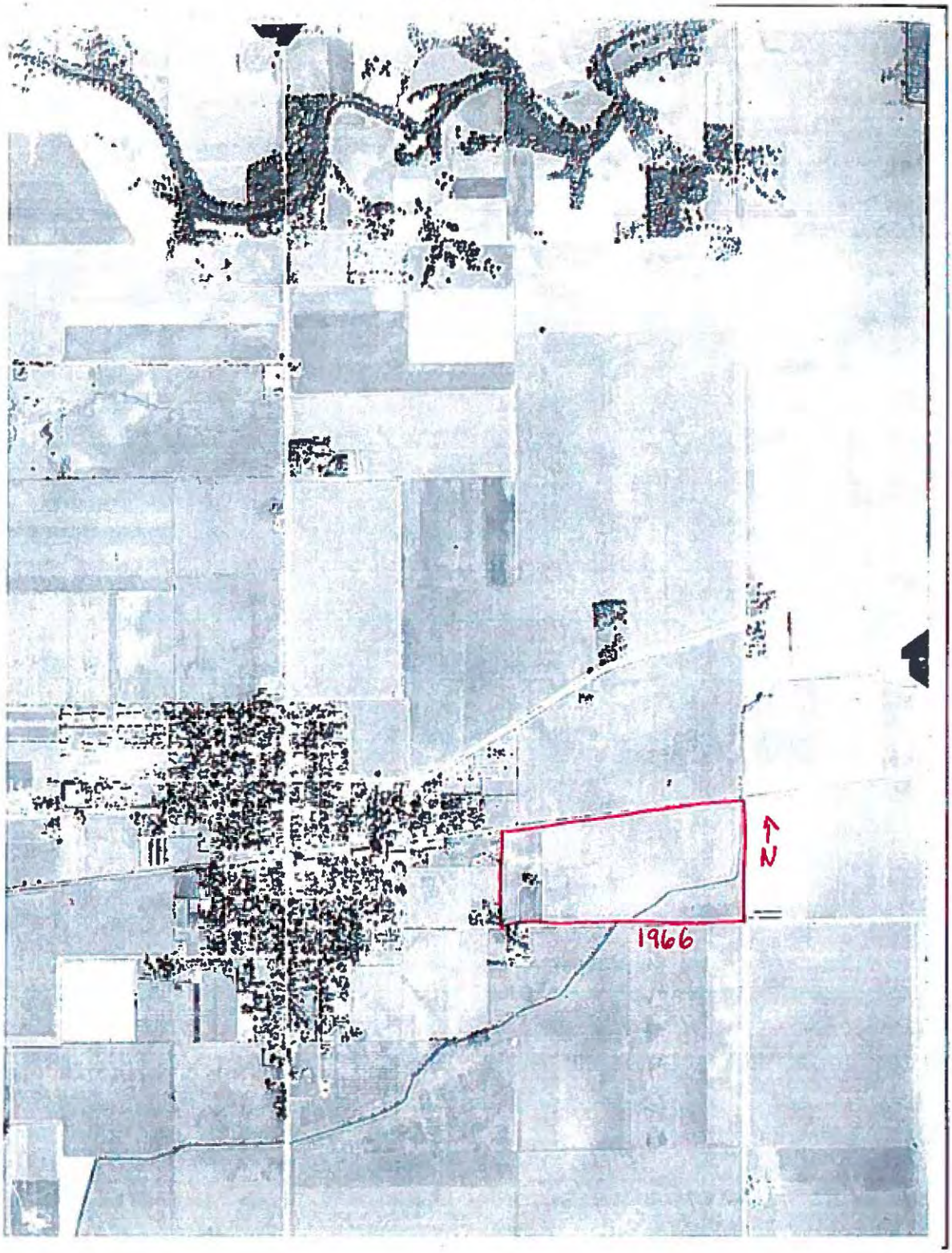
N

Historical Aerial Photos

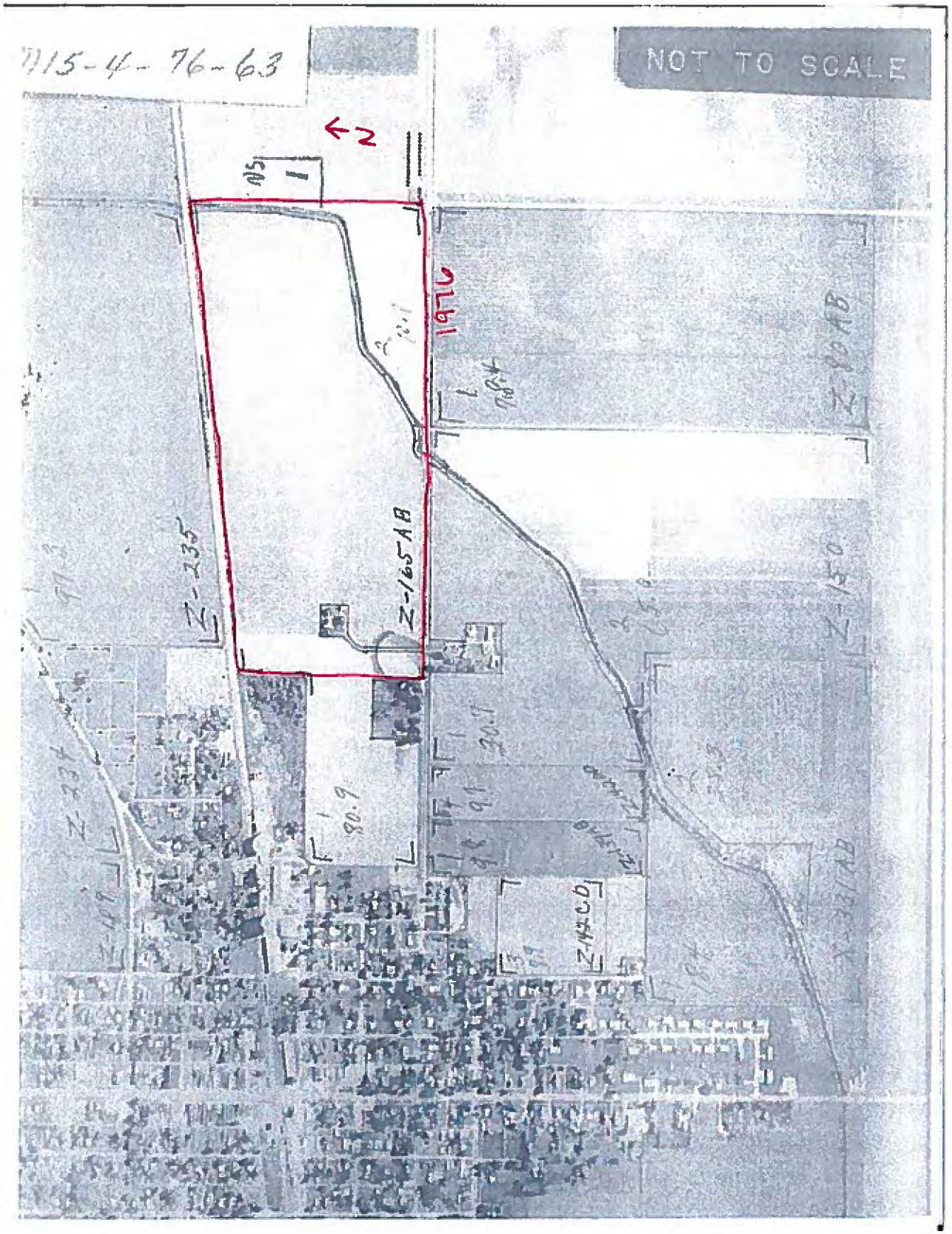
1940



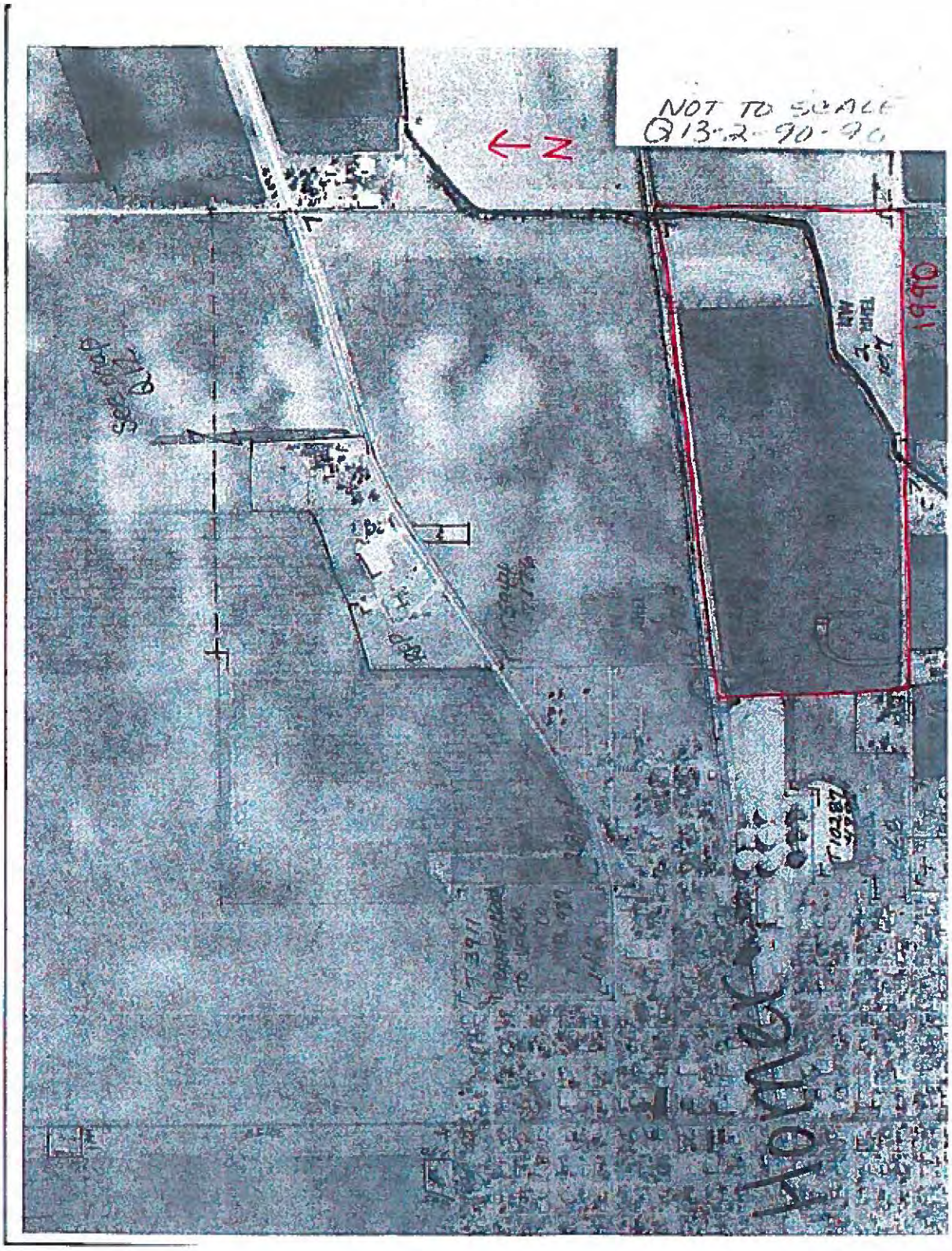
1966



1976



1990



2006

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2006

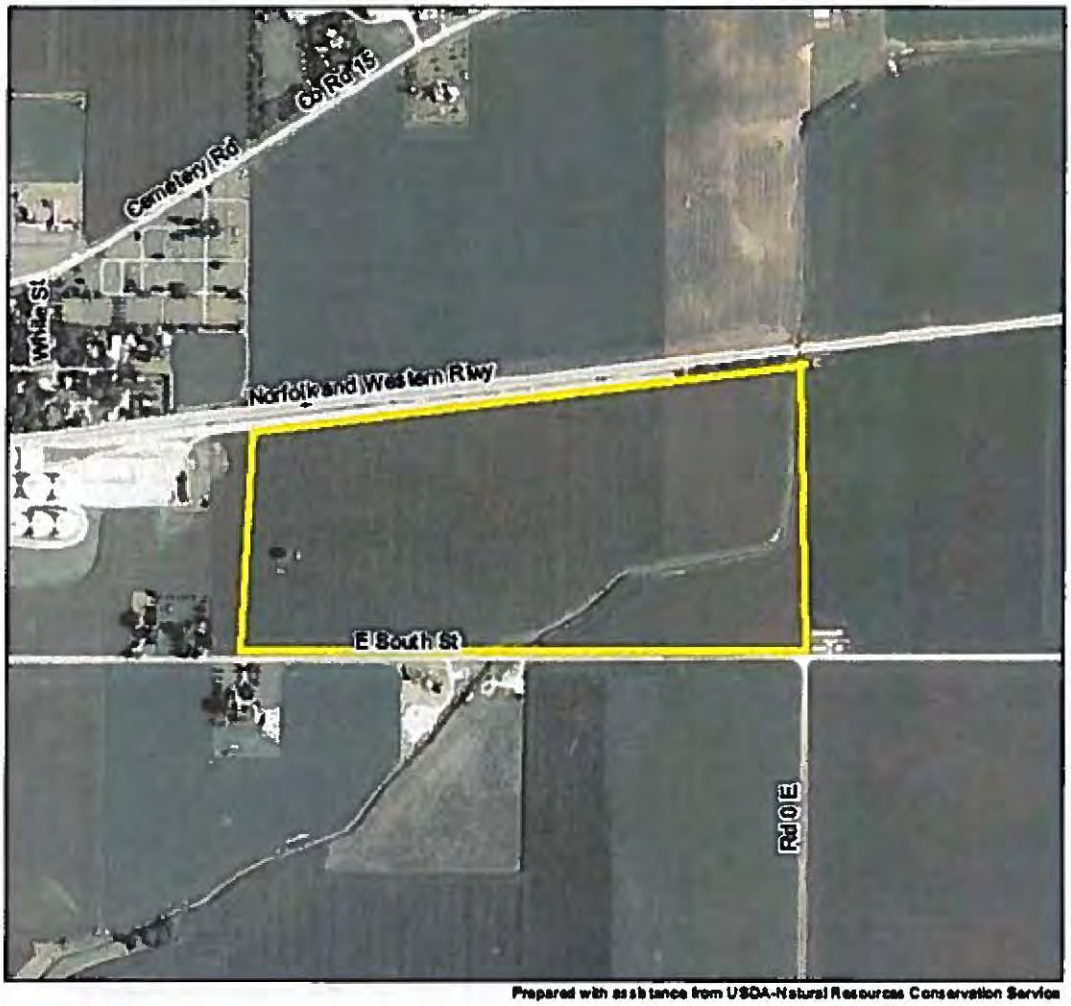
Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T18N, R14W



Prepared with assistance from USDA-Natural Resources Conservation Service

CHAMPAIGN COUNTY Soil & Water CONSERVATION DISTRICT

Legend

TRC

fe_2007_17019_edges

380 0 380 760 1,140 1,520 Feet

N

2010

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2010

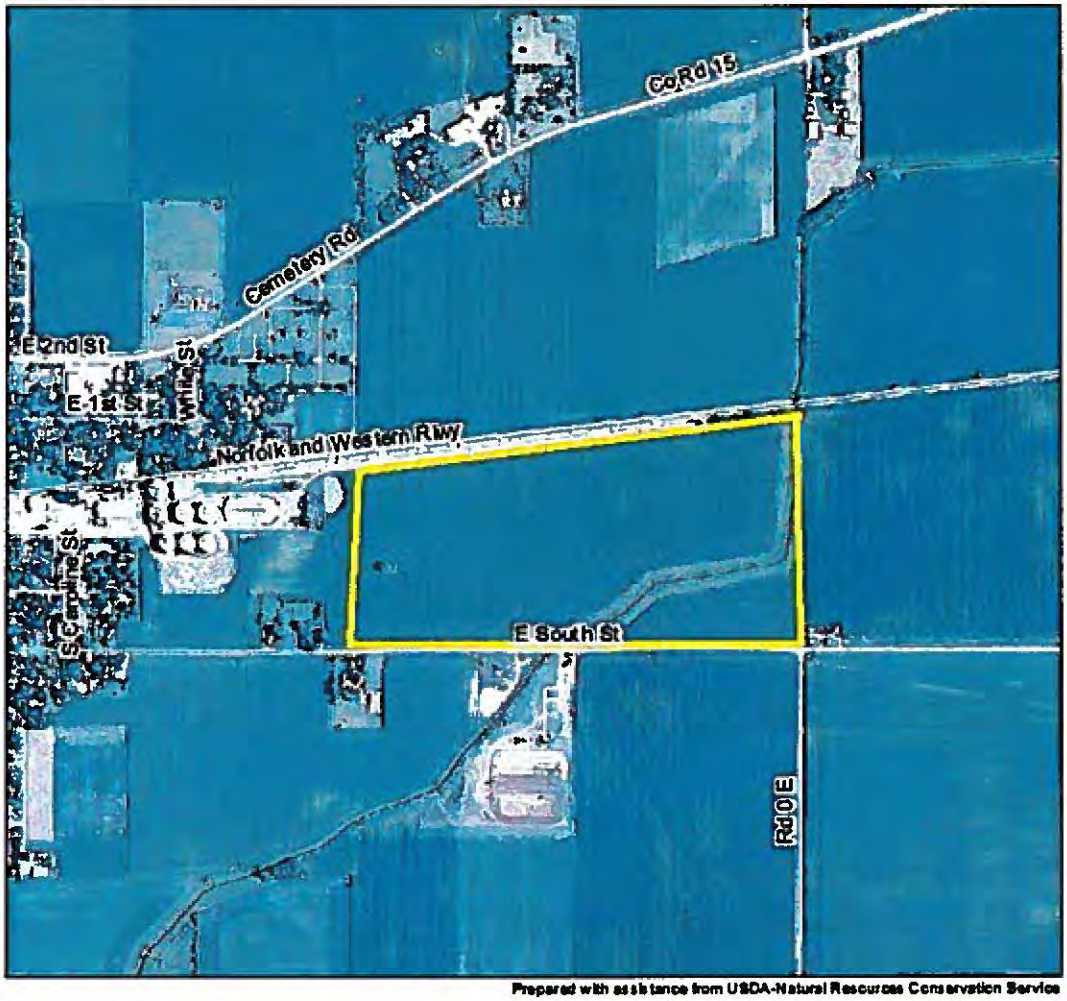
Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T19N, R14W



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

TRC

fe_2007_17019_edges

480 0 480 960 1,440 1,920 Feet

N

2017

TRC Environmental Corporation

Date: 10/10/2018

Aerial 2017

Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: HANNAH MCDONALD

State and County: IL, Champaign County, Illinois

Legal Description: Section 9, T18N, R14W

Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

TRC

fe_2007_17019_edges

480 0 480 960 1,440 1,920 Feet

N

Site Pictures

Site Pictures

Glossary

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

ADT – the average daily traffic that a local road normally receives; based upon records by the County Superintendent of Highways.

B.G. - Below Grade. Under the surface of the Earth.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH LEVEL MANAGEMENT - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

HIGH WATER TABLE - A seasonal high-water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

Water Table, Apparent - A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.

Water Table, Artesian - A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.

Water Table, Perched - A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987)

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. Mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PALUSTRINE - Name given to inland fresh water wetlands

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited for food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment.

Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent. (Source USDA Natural Resources Conservation Service)000

PRODUCTIVITY INDEXES - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil and miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for tax and in terms of ranges of tax adjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TERRAIN - The area or surface over which a particular rock or group of rocks is prevalent.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and pounding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of hydrophilic vegetation typically adapted for life in saturated soil conditions.

References

7.5 Quadrangle Topographic Maps, United States Geologic Survey

Field Office Technical Guide, Natural Resources Conservation Service

Flood Insurance Rate Map, National Flood Insurance Program, Federal Emergency Management Agency

Illinois Urban Manual 2002, Illinois Environmental Protection Agency

Procedures and Standards for Urban Soil Erosion and Sedimentation Control, The Urban Committee of the Association of Illinois Soil and Water Conservation Districts

Soil Survey of Champaign County, United States Department of Agriculture

Wetlands Inventory Maps, Department of the Interior

Potential For Contamination of Shallow Aquifers in Illinois, Illinois Department of Energy and Natural Resources, State Geological Survey Division

Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition

Land Evaluation and Site Assessment System, Champaign County

CASE 922-S-18 SolAmerica Energy LLC and Phyllis Jane Sinclair

Property Tax Valuation as provided in PA 100-0781

	Notes Re: Sources					
ASSESSED VALUE PER MW	1					Average
Year			1	19	25	Over 25 Years
Trended Real Property Cost Basis at average inflation rate shown:		2.0%	218,000	311,358	350,639	279,304
Allowance for Physical Depreciation				-219,782	-330,013	-148,615
Assessment Floor (30% of Trended Real Prop Cost Basis)			65,400	93,407	105,192	
Assessed Value per MW (Trended Real Prop Cost Basis minus Depreciation but not less than Assessment Floor)			218,000	93,407	105,192	148,359
PROPOSED PROJECT						
Assessed Value of Proposed Solar Farm with specified capacity in MW	2	2	436,000	186,815	210,384	296,718
EXISTING FARMLAND						
Parcel (PIN: 26-30-09-200-009) 2017 Assessed Value of Farmland	3	$40,250				
Parcel Total Acreage	3	75.33				
Parcel Average Farmland AV per acre		$534				
Solar Farm Site area in acres:	4	13.10				
Avg.Year to Year Change in Champaign Co. Farmland value 1996-2016:	5	2.7%				
Assessed Value of Project Site Farmland with year to year change at:		2.7%	7,000	11,307	13,267	9,815
NET INCREASE IN ASSESSED VALUE						
Net Change in Assessed Value (Solar Farm minus Project Site Farmland)			429,000	175,508	197,117	286,903

SOURCES

1. The initial value of $218,000 and the 30% floor value are established in PA 100-0781. All calculations are as specified in the Act.
http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=100-0781&GA=100

2. The capacity is that stated in the petitioner's application.

3. Champaign County Assessment Office and Champaign County GIS Consortium
http://www.maps.ccgisc.org/public/Disclaimer.aspx

4. The fenced area indicated in the petitioner's appliction.

5. This is a simple percentage, not a compound rate. Illinois Department of Revenue Property Tax Statistice (Table 17).
http://www.revenue.state.il.us/AboutIdor/TaxStats/

6. Champaign County Rate Book, Champaign County Treasurer and Champaign County Clerk. All calculations use 2017 rates.
http://www.co.champaign.il.us/treasurer/Rates.php,.http://www.co.champaign.il.us/treasurer/taxlookup.php

NET INCREASE IN TAX REVENUE								Net Present Value		
Year			1	19	25	Average Over 25 Years	25 Year Total	Discount Rate 2%	Discount Rate 5%	Discount Rate 7%
South Homer Twp., Tax Code 3, 2017 Tax Rates (dollars per $100 AV)	6									
101 COUNTY		0.8481	3,638	1,488	1,672	2,433	63,264	50,525	39,758	34,650
201 FOREST PRESERVE		0.0925	397	162	182	265	6,900	5,511	4,336	3,779
301 COMM COLL 505		0.5411	2,321	950	1,067	1,552	40,363	32,236	25,366	22,107
354 UNIT SCHOOL 8		5.0099	21,492	8,793	9,875	14,374	373,712	298,460	234,857	204,685
408 HOMER FIRE		0.3964	1,701	696	781	1,137	29,569	23,615	18,583	16,195
749 SOUTH HOMER TWP		0.2608	1,119	458	514	748	19,454	15,537	12,226	10,655
750 S HOMER RD & BR		0.1990	854	349	392	571	14,844	11,855	9,329	8,130
751 S HOMER PERM RD		0.1553	666	273	306	446	11,585	9,252	7,280	6,345
808 AY-RAY-SH M-A		0.0386	166	68	76	111	2,879	2,300	1,810	1,577
Total at Aggregate Rate (All Taxing Bodies)		**7.5417**	**32,354**	**13,236**	**14,866**	**21,637**	**562,571**	449,290	353,545	308,125

Figures entered by Susan Burgstrom 01/15/19

Calculator credit to Frank DiNovo

fdinovo@gmail.com

Susan Burgstrom

From: Ryan Peters <rpeters@solamericaenergy.com>
Sent: Wednesday, January 16, 2019 3:23 PM
To: Susan Burgstrom
Subject: Re: Champaign Sinclair solar farm questions
Attachments: Champaign County RFI Response.pdf

Susan,

Please see the attached PDF with our responses to your questions in your previous email. Also included in the PDF is the requested spec sheets for the modules and the inverters. Please let me know if you have any questions.

Thank you,

Ryan Peters, P.E.
Environmental Engineer
SolAmerica Energy

O: 404.351.8175 ext.18 | M: 706.540.4980

www.solamericaenergy.com

On Mon, Jan 14, 2019 at 1:49 PM Susan Burgstrom <sburgstrom@co.champaign.il.us> wrote:

Hi Ryan,

I'm processing your Special Use Permit case for the January 31st ZBA hearing, and have some questions. I would appreciate a response this week if you have time.

1. Re: Solar modules
   - How many solar modules?
   - Presumed brand/model of module?
   - Can you email me a spec sheet?

2. Re: Inverters
   - Type of inverters?
   - How many inverters?
   - Presumed brand/model of inverter?
   - Can you email me a spec sheet?

3. Street intersection where the existing electrical substation is located?

4. I did not see a Landscape Plan with the application, as described in Section 6.1.5 F.(9)a.(b)iv. Could you please let me know the status of the plan or point me in the right direction if I missed it in the application?

> "The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE permit application. The landscape plan shall include the weed control plan required by Section 6.1.5 P.(3)."

5. There are a lot of different names in your application. Could you please let me know who we can expect to represent the project at the public hearing on 1/31?

6. Waivers required (so far), just for your information.

> Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.
>
> Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.
>
> Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.

I can say that similar waivers have been approved for other solar farms in recent months. Approval of Waiver Part A will largely depend on how the Village of Homer feels about your project. The other 2 waivers are simply to allow more time for these items to be created, as we know that more engineering will be required to give us accurate documents. Waivers Part B and C will be tied to special conditions of approval that stipulate you will get approval for these items from the Environment and Land Use Committee prior to applying for a construction permit.

I will more than likely have more questions, but that's it for now.

Thanks,
Susan

Susan Burgstrom, AICP
Senior Planner
Champaign County Department of Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

P: 217-384-3708
F: 217-819-4021

Susan,

Below are the questions submitted by Champaign County on January 14, 2019, and the responses from SolAmerica Energy in italicized, bold font.

1. Re: Solar modules

   How many solar modules?

   The layout shown on our site plan includes +/- 8,300 modules.

   Presumed brand/model of module?

   We typically use the following type of module, but please note that this is subject to change during our final electrical engineering design and will be submitted during the building permit process. The solar panel medium (i.e. the crystalline silicon medium will be utilized). The manufacturer is TrinaSolar and the product name is TSM 365DE14A(II).

   Can you email me a spec sheet?

   A spec sheet of the TSM 365DE14A(II) has been attached.

2. Re: Inverters

   Type of inverters?

   We typically use string inverters. The final electrical engineering design will be submitted during the building permit process.

   How many inverters?

   There will be +/-35 inverters installed for the project. The exact number is subject to change based on the final electrical engineering design, which will be submitted during the building permit process.

   Presumed brand/model of inverter?

   We typically use the following type of inverter, but please note that this is subject to change during our final electrical engineering design and will be submitted during the building permit process. The manufacturer is SMA-America and the product name is Tripower Core 1 (62kW).

   Can you email me a spec sheet?

   A spec sheet of the TSM 365DE14A(II) has been attached.

3. Street intersection where the existing electrical substation is located?

   The Ameren substation that our project will be connecting to is the "Homer Substation" located on W 1st Street in Homer, IL, near the intersection of W 1st Street and Kay Drive.

4. I did not see a Landscape Plan with the application, as described in Section 6.1.5 F.(9)a.(b)iv. Could you please let me know the status of the plan or point me in the right direction if I missed it in the application?

   "The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV

SOLAR FARM SPECIAL USE permit application. The landscape plan shall include the weed control plan required by Section 6.1.5 P.(3)."
We state in our application, under Section 4 "Vegetative Maintenance", that during the final stage of construction we will plant native, low-growth plant species that are pollinator-friendly. We have reached out to Prairie Restorations, Inc., the longest running full-service ecological restoration company in the United States, to have them evaluate each site prior to construction so they can provide the recommended vegetation and planting schedule. We can provide this information during the building permit process, but we do not plan to evaluate our sites prior to the zoning board approval.

5. There are a lot of different names in your application. Could you please let me know who we can expect to represent the project at the public hearing on 1/31?
Ryan Peters will be presenting for SolAmerica at the public hearing on January 31, 2019. Our engineering firm, TRC Solutions, and our Legal Counsel will be in attendance on our behalf to answer any questions.

6. Waivers required (so far), just for your information.
Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.
Waiver noted. A representative from SolAmerica did attend a Homer Village Board meeting in December to discuss the project location and specifics.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.
Waiver noted. SolAmerica will be able to provide a detailed cost estimate of the site decommissioning plan prior to receiving the building permit. Since final engineering plans, both civil and electrical, have not been completed, we are not able to provide a specific decommissioning plan cost.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.
Waiver noted. SolAmerica will enter into a Roadway Upgrade and Maintenance Agreement, if necessary, prior to receiving the building permit.

Please let me know if you have any additional questions or comments.

Sincerely,

Ryan Peters
Environmental Engineer
SolAmerica Energy, LLC

THE TALLMAX M PLUS

FRAMED 72-CELL MODULE(1500V)

72 CELL
MONOCRYSTALLINE MODULE

340-375W
POWER OUTPUT RANGE

19.3%
MAXIMUM EFFICIENCY

0~+5W
POSITIVE POWER TOLERANCE

Founded in 1997, Trina Solar is the world's leading comprehensive solutions provider for solar energy. We believe close cooperation with our partners is critical to success. Trina Solar now distributes its PV products to over 60 countries all over the world. Trina is able to provide exceptional service to each customer in each market and supplement our innovative, reliable products with the backing of Trina as a strong, bankable partner. We are committed to building strategic, mutually beneficial collaboration with installers, developers, distributors and other partners.

Comprehensive Products And System Certificates

IEC61215/IEC61730/UL1703/IEC61701/IEC62716
ISO 9001: Quality Management System
ISO 14001: Environmental Management System
ISO14064: Greenhouse gases Emissions Verification
OHSAS 18001: Occupation Health and Safety Management System

Ideal for large scale installations

- Reduce BOS cost by connecting more modules in a string
- 1500V UL/1500V IEC certified

Maximize limited space with top-end efficiency

- Up to 193 W/m² power density
- Low thermal coefficients for greater energy production at high operating temperatures

Highly reliable due to stringent quality control

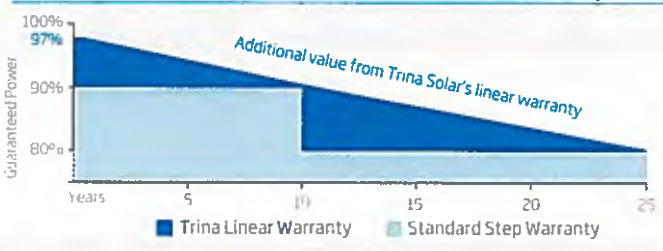
- Over 30 in-house tests (UV, TC, HF, and many more)
- In-house testing goes well beyond certification requirements
- 100% EL double inspection

Certified to withstand the most challenging environmental conditions

- 2400 Pa wind load
- 5400 Pa snow load

LINEAR PERFORMANCE WARRANTY

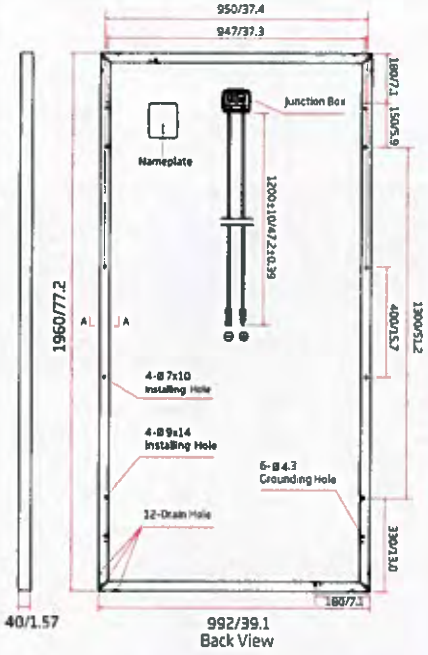
10 Year Product Warranty · 25 Year Linear Power Warranty



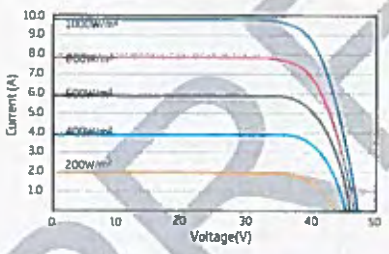
Trinasolar

PRODUCTS	POWER RANGE
TSM-DE14A(II) STD MONO	340-350W
TSM-DE14A(II) PERC MONO	355-375W

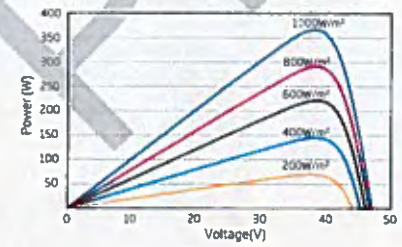
DIMENSIONS OF PV MODULE(mm/inches)



I-V CURVES OF PV MODULE(365W)



P-V CURVES OF PV MODULE(365W)



ELECTRICAL DATA (STC)

Peak Power Watts-P_{MAX} (Wp)*	340	345	350	355	360	365	370	375
Power Output Tolerance-P_{MAX} (W)	0 ~ +5							
Maximum Power Voltage-V_{MPP} (V)	38.2	38.5	38.7	38.8	39.0	39.3	39.7	40.0
Maximum Power Current-I_{MPP} (A)	8.90	8.96	9.04	9.14	9.24	9.30	9.33	9.37
Open Circuit Voltage-V_{OC} (V)	46.2	46.7	47.0	47.4	47.7	48.0	48.3	48.5
Short Circuit Current-I_{SC} (A)	9.50	9.55	9.60	9.65	9.70	9.77	9.83	9.88
Module Efficiency η_m (%)	17.5	17.7	18.0	18.3	18.5	18.8	19.0	19.3

STC: Irradiance 1000W/m², Cell Temperature 25°C, Air Mass AM1.5.
*Measuring tolerance: ±3%.

ELECTRICAL DATA (NOCT)

Maximum Power-P_{MAX} (Wp)	253	257	261	264	268	272	276	279
Maximum Power Voltage-V_{MPP} (V)	35.4	35.7	35.9	36.0	36.2	36.4	36.8	37.1
Maximum Power Current-I_{MPP} (A)	7.15	7.20	7.26	7.34	7.42	7.47	7.50	7.53
Open Circuit Voltage-V_{OC} (V)	42.9	43.4	43.7	44.1	44.3	44.6	44.9	45.1
Short Circuit Current-I_{SC} (A)	7.67	7.71	7.75	7.79	7.83	7.89	7.94	7.98

NOCT: Irradiance at 800W/m², Ambient Temperature 20°C, Wind Speed 1m/s.

MECHANICAL DATA

Solar Cells	Monocrystalline 156.75 × 156.75 mm (6 inches)
Cell Orientation	72 cells (6 × 12)
Module Dimensions	1960 × 992 × 40 mm (77.2 × 39.1 × 1.57 inches)
Weight	26.0 kg (57.3 lb) with 4.0 mm glass; 22.5 kg (49.6 lb) with 3.2 mm
Glass	glass 4.0 mm (0.16 inches) for PERC Mono; 3.2 mm (0.13 inches) for Std Mono, High Transmission, AR Coated Tempered Glass
Backsheet	White
Frame	Silver Anodized Aluminium Alloy
J-Box	IP 67 or IP 68 rated
Cables	Photovoltaic Technology Cable 4.0mm² (0.006 inches²), 1200 mm (47.2 inches)
Connector	Trina TS4
Fire Type	Type 1 or Type 2

TEMPERATURE RATINGS

NOCT(Nominal Operating Cell Temperature)	44°C (±2°C)
Temperature Coefficient of P_{MAX}	- 0.39%/°C
Temperature Coefficient of V_{OC}	- 0.29%/°C
Temperature Coefficient of I_{SC}	0.05%/°C

MAXIMUM RATINGS

Operational Temperature	-40~+85°C
Maximum System Voltage	1500V DC (IEC)
	1500V DC (UL)
Max Series Fuse Rating	15A (Power ≤350W)
	20A (Power ≥355W)

(DO NOT connect Fuse in Combiner Box with two or more strings in parallel connection)

WARRANTY

10 year Product Workmanship Warranty

25 year Linear Power Warranty

(Please refer to product warranty for details)

PACKAGING CONFIGURATION

Modules per box: 27 pieces

Modules per 40' container: 648 pieces

Trinasolar

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.

SUNNY TRIPOWER CORE1 33-US / 50-US / 62-US

Fully integrated

- Innovative design requires no additional racking for rooftop installation
- Integrated DC and AC disconnects and overvoltage protection
- 12 direct string inputs for reduced labor and material costs

Increased power, flexibility

- Multiple power ratings for small to large scale commercial PV installations
- Six MPP trackers for flexible stringing and maximum power production
- OptiTrac™ Global Peak shade tolerant MPP tracking

Enhanced safety, reliability

- Integrated SunSpec PLC signal for module-level rapid shutdown compliance to 2017 NEC
- Next-gen DC AFCI arc-fault protection certified to new Standard UL 1699B Ed. 1

Smart monitoring, control, service

- Advanced smart inverter grid support capabilities
- Increased ROI with SMA ennexOS cross sector energy management platform
- SMA Smart Connected proactive O&M solution reduces time spent diagnosing and servicing in the field

SUNNY TRIPOWER CORE1 33-US / 50-US / 62-US

It stands on its own

The Sunny Tripower CORE1 is the world's first free-standing PV inverter for commercial rooftops, carports, ground mount and repowering legacy solar projects. Now with expanded features and new power classes, the CORE1 is the most versatile, cost-effective commercial solution available. From distribution to construction to operation, the Sunny Tripower CORE1 enables logistical, material, labor and service cost reductions. Integrated SunSpec PLC for rapid shutdown and enhanced DC AFCI arc-fault protection ensure compliance to the latest safety codes and standards. With Sunny Tripower CORE1 and SMA's ennexOS cross sector energy management platform, system integrators can deliver comprehensive commercial energy solutions for increased ROI.

Technical data	Sunny Tripower CORE1 33-US	Sunny Tripower CORE1 50-US	Sunny Tripower CORE1 62-US
Input (DC)			
Maximum array power	50000 Wp STC	75000 Wp STC	93750 Wp STC
Maximum system voltage		1000 V	
Rated MPP voltage range	330 V ... 800 V	500 V ... 800 V	550 V ... 800 V
MPPT operating voltage range		150 V ... 1000 V	
Minimum DC voltage / start voltage		150 V / 188 V	
MPP trackers / strings per MPP input		6 / 2	
Maximum operating input current / per MPP tracker		120 A / 20 A	
Maximum short circuit current per MPPT / per string input		30 A / 30 A	
Output (AC)			
AC nominal power	33300 W	50000 W	62500 W
Maximum apparent power	33300 VA	53000 VA	66000 VA
Output phases / line connections		3 / 3-(N)-PE	
Nominal AC voltage		480 V / 277 V WYE	
AC voltage range		244 V ... 305 V	
Maximum output current	40 A	64 A	80 A
Rated grid frequency		60 Hz	
Grid frequency / range		50 Hz, 60 Hz / -6 Hz ... +6Hz	
Power factor at rated power / adjustable displacement		1 / 0.0 leading ... 0.0 lagging	
Harmonics THD		<3 %	
Efficiency			
CEC efficiency	97.5%	97.5%	97.5%
Protection and safety features			
Load rated DC disconnect		●	
Load rated AC disconnect		●	
Ground fault monitoring: Riso / Differential current		● / ●	
DC AFCI arc-fault protection		●	
SunSpec PLC signal for rapid shutdown		●	
DC reverse polarity protection		●	
AC short circuit protection		●	
DC surge protection: Type 2 / Type 1+2		O / O	
AC surge protection: Type 2 / Type 1+2		O / O	
Protection class / overvoltage category (as per UL 840)		I / IV	
General data			
Device dimensions (W / H / D)		621 mm / 733 mm / 569 mm (24.4 in x 28.8 in x 22.4 in)	
Device weight		84 kg (185 lbs)	
Operating temperature range		-25 °C ... +60 °C (-13 °F ... +140 °F)	
Storage temperature range		-40 °C ... +70 °C (-40 °F ... +158 °F)	
Audible noise emissions (full power @ 1m and 25 °C)		65 dB(A)	
Internal consumption at night		5 W	
Topology		Transformerless	
Cooling concept		OptiCool (forced convection, variable speed fans)	
Enclosure protection rating		Type 4X, 3SX (as per UL 50E)	
Maximum permissible relative humidity (non-condensing)		100%	
Additional information			
Mounting		Free-standing with included mounting feet	
DC connection		Amphenol UTX PV connectors	
AC connection		Screw terminals - 4 AWG to 4/0 AWG CU/AL	
LED indicators (Status / Fault / Communication)		●	
Network interfaces: Ethernet / WLAN / RS485		● (2 ports) / ● / O	
Data protocols: SMA Modbus / SunSpec Modbus / Webconnect		● / ● / ●	
Multifunction relay		●	
OptiTrac Global Peak (shade-tolerant MPP tracking)		●	
Integrated Plant Control / Q on Demand 24/7		● / ●	
Off-Grid capable / SMA Fuel Save Controller compatible		● / ●	
SMA Smart Connected (proactive monitoring and service support)		●	
Certifications			
Certifications and approvals		UL 1741, UL 1699B Ed. 1, UL 1998, CSA 22.2 107-1, PV Rapid Shutdown System Equipment	
FCC compliance		FCC Part 15 Class A	
Grid interconnection standards		IEEE 1547, UL 1741 SA - CA Rule 21, HECO Rule 14H	
Advanced grid support capabilities		L/HFRT, L/HVRT, Volt-VAr, Volt-Watt, Frequency-Watt, Ramp Rate Control, Fixed Power Factor	
Warranty			
Standard		10 years	
Optional extensions		15 / 20 years	
O Optional features ● Standard features - Not available			
Type designation	STP 33-US-41	STP 50-US-41	STP 62-US-41

Accessories

SMA Data Manager M
EDMM-US-10

SMA Sensor Module
MD.SEN-US-40

Universal Mounting System
UMS_KIT-10

AC Surge Protection Module Kit
AC_SPD_KIT1-10, AC_SPD_KIT2_T1T2
DC Surge Protection Module Kit
DC_SPD_KIT4-10, DC_SPD_KIT5_T1T2

Toll Free +1 888 4 SMA USA
www.SMA-America.com

SMA America, LLC

Susan Burgstrom

From: Sharon Jeffers <villageofhomer@gmail.com>
Sent: Friday, January 11, 2019 2:28 PM
To: Susan Burgstrom
Subject: RE: proposed solar farm east of Homer

Susan,
We have been in contact with SolAmerica Energy. A representative has spoken to our board. We are going to discuss this at our Monday night meeting. I will pass this information along.
Thank you,
Sharon Jeffers
Village of Homer Clerk

From: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Sent: Friday, January 11, 2019 2:07 PM
To: 'villageofhomer@gmail.com' <villageofhomer@gmail.com>
Subject: proposed solar farm east of Homer

Champaign County Planning & Zoning has received a petition for construction of a 2 megawatt community solar farm east of the Village of Homer. I wanted to reach out to you to let you know this case will be heard by our ZBA on Thursday, January 31, 2019 at 6:30 p.m. at the Brookens Administrative Center. I have a letter from SolAmerica Energy LLC which indicates they have provided the Village with a copy of their application. Please let me know if you would like more information.

Thanks,
Susan

Susan Burgstrom, AICP
Senior Planner
Champaign County Department of Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

P: 217-384-3708
F: 217-819-4021

Susan Burgstrom

From: Sharon Jeffers <villageofhomer@gmail.com>
Sent: Tuesday, January 22, 2019 11:19 AM
To: Susan Burgstrom
Subject: RE: proposed solar farm east of Homer

Hello Susan,
No, the airport is not is use anymore. There was no public comment on the farm at this meeting. We did discuss this at another meeting and we had one individual from Ogden that voiced his concerns.
Sharon

From: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Sent: Tuesday, January 22, 2019 10:34 AM
To: 'Sharon Jeffers' <villageofhomer@gmail.com>
Subject: RE: proposed solar farm east of Homer

Hi Sharon,

Could you please let me know if the Homer Airport is still in use? Also, were there any comments from the public regarding the proposed solar farm at last Monday's meeting?

Thanks,
Susan

From: Sharon Jeffers <villageofhomer@gmail.com>
Sent: Friday, January 11, 2019 2:28 PM
To: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Subject: RE: proposed solar farm east of Homer

Susan,
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Sharon Jeffers
Village of Homer Clerk

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To: 'villageofhomer@gmail.com' <villageofhomer@gmail.com>
Subject: proposed solar farm east of Homer

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Checklist for status of Special Use Permit application requirements
Case 922-S-18

Ordinance Section	Required Items	Status
U.(1)	SUP complete application, signed	✓
U.(1)a.	PV Solar Farm project summary	✓
	• Project description with:	✓
	• approximate DC and AC generating capacity	✓
	• maximum number of solar devices	✓
	• type of solar devices	✓
	• potential equipment manufacturer(s)	✓
	• The specific proposed location of the PV SOLAR FARM including all tax parcels on which the PV SOLAR FARM will be constructed	✓
	• The specific proposed location of all tax parcels required to be included in the PV SOLAR FARM County Board SPECIAL USE Permit	✓
	• A description of the Applicant; Owner and Operator, including their respective business structures	✓
U.(1)b.	The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s)	✓
U.(1)c.	Site Plan, including:	See line items below
	• The approximate planned location of:	✓
U.(1)c.(a)	o all PV SOLAR FARM STRUCTURES	✓
	o property lines (including identification of adjoining properties)	✓
	o required separations	Separations to residential lots not shown – they are at least 1,700 feet away
	o public access roads and turnout locations	✓
	o access driveways	✓
	o to the extent possible, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substations(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback	Some details will not be finalized until the Zoning Use Permit phase
U.(1)c.(b)	• Area of the proposed PV SOLAR FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 A.(1)	✓
U.(1)c.(c)	• The location of all below-ground wiring	Not applicable to this case – all below ground wiring is entirely within the PV solar farm area and not on other parts of the property
U.(1)c.(d)	• The location, height, and appearance of all above-ground wiring and wiring structures	Provided at ZUP phase
U.(1)c.(e)	• The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site	Separations to residential lots not

Checklist for status of Special Use Permit application requirements
Case 922-S-18

	plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit.	shown – they are at least 1,700 feet away
U.(1)d.	All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance:	See line items below
6.1.1 A.1.	• Decommissioning and Site Reclamation Plan	Waiver needed; see attached draft Plan; Special Condition added to get approval by ELUC
6.1.1 A.2.	• the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance	Special Condition added
6.1.1 A.3.	• Separate cost estimates for Section 6.1.1 A.4.a., 6.1.1 A.4.b., and 6.1.1 A.4.c. shall be provided by an Illinois Licensed Professional Engineer.	Waiver needed; Special Condition added
6.1.1 A.5.	• Irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit	Special Condition added
6.1.5 B.(3)a.	• Documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid	Application submitted, Special Condition added
6.1.5 F. (9)a.(b)iv.	• The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE permit application. The landscape plan shall include the weed control plan required by Section 6.1.5 P.(3) and the vegetative screen buffer required by Section 6.1.5 M.(2)a.	Waiver needed; Special Condition added to get approval by ELUC
6.1.5 G.(1)	• Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by…the Township Highway Commissioner…except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.5 G.(1), (2), and (3)	Waiver needed; Special Condition added to get approval by ELUC
6.1.5 I.(3)a.	• The SPECIAL USE permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis per the requirements of Section 6.1.5 I.(3)a. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.5 I.(3)a.	Not required with application because this is a Community solar farm; Board can require
6.1.5 P. (1)a.(c)	• The Application shall explain methods/materials used to clean the PV SOLAR FARM equipment including an estimate of the daily and annual gallons of water used and the source of the water and the management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.	Not provided – see 1/16/19 email from Mr. Ryan for explanation. Waiver needed? Special condition needed?
U.(1)e.	Documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5 B.(2)a.(b)	✓
U.(1)f.	If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board, as required by Section 6.1.5 B.(2)a.(c)	No information from the Village of Homer; P&Z has notified the Village of ZBA hearing

Evidence of Compliance with Section 6.1.5 of the Zoning Ordinance
Prepared by P&Z Staff

1. Item 6.1.5 A. states that in what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

2. Item 6.1.5 B. includes general standard conditions for a PV SOLAR FARM.
   A. Item 6.1.5 B.(1)a. requires that the area include all land that will be exposed to a noise level greater than that authorized to Class A land as established by 35 Ill. Admin. Code Parts 900, 901 and 910 under paragraph 6.1.5 I.
      (1) No noise analysis is required for a COMMUNITY PV SOLAR FARM unless specified by the ZBA.

   B. Item 6.1.5 B.(1)b. requires that the area include all necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS, allowing a minimum 40 feet wide area for each.
      (1) The Site Plan received November 1, 2018, shows a 20 feet wide gravel access road within an area at least 40 feet wide, although the 40 feet area is not delineated.

   C. Item 6.1.5 B.(1)c. requires that the area include all necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM, allowing a minimum 40 feet wide area for underground cable installations.
      (1) The Site Plan received November 1, 2018, appears to be in compliance.

   D. Item 6.1.5 B.(1)d. requires that the area include all aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Dept. of Agriculture as required by paragraph 6.1.5 R.
      (1) Per Section 6.1.5 R.(3), all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the County Board SPECIAL USE Permit.

      (2) Per Section 6.1.5 U.(3), the applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction. A special condition has been added to ensure compliance.

   E. Requirements which identify certain areas where a PV SOLAR FARM Special Use Permit shall not be located can be found in Subparagraph 6.1.5 B.(2).
      (1) Item 6.1.5 B.(2)a. requires a PV SOLAR FARM to be more than one and one half miles from an incorporated municipality with a zoning ordinance, unless the following is provided:
         a. No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit,

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except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.

(a) The Village of Homer does not have a Comprehensive Plan, and therefore does not have a Contiguous Urban Growth Area.

(b) The Special Use Permit application received November 1, 2018, indicates a separation of approximately 1,340 feet (0.25 miles) between the PV SOLAR FARM perimeter fence and the Village of Homer municipal boundary.

b. The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.

(a) The application received November 1, 2018, includes a letter from Ryan Peters, SolAmerica Environmental Engineer, to Village of Homer Mayor Ray Cunningham dated October 30, 2018, which included a copy of the Special Use Permit application.

c. If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.

(a) The P&Z Department sent the Village of Homer Clerk notice via email of the ZBA hearing for this case on January 11, 2019.

(b) On January 11, 2019, Village Clerk Sharon Jeffers responded via email that "We have been in contact with SolAmerica Energy. A representative has spoken to our board. We are going to discuss this at our Monday night meeting. I will pass this information along."

(c) The P&Z Department sent the Village of Homer notice via regular mail of the ZBA hearing on January 16, 2019.

(2) Item 6.1.5 B.2.(b) requires PV SOLAR FARMS to be a minimum of one-half mile from the CR Conservation Recreation District.

a. The nearest CR District is approximately 1.3 miles away from the PV SOLAR FARM perimeter fence.

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F. Subparagraph 6.1.5 B.(3) includes requirements regarding interconnection to the power grid:
   (1). The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.
      a. The application received November 1, 2018, includes a "Pre-Application Report" from Ameren Illinois dated August 7, 2017, which is a response to a Pre-Application Request submitted by SolAmerica Energy.
         (a) Note that Ameren's response states that it is for a 5 MW solar farm, but all other references in the application states that it is a 2 MW solar farm.

   (2) Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.
      a. A special condition has been added to ensure compliance.

G. Requirements regarding Right to Farm can be found in Subparagraph 6.1.5 B.(4): "The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425."

3. Subparagraph 6.1.5 C. eliminates LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, maximum LOT COVERAGE, or maximum LOT AREA requirements on BEST PRIME FARMLAND requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/ or PV SOLAR FARM maintenance and management facilities.

4. Subparagraph 6.1.5 D. includes requirements regarding minimum separations for PV SOLAR FARMS from other STRUCTURES, BUILDINGS, and USES:
   A. The proposed PV SOLAR FARM complies with all minimum separations in paragraph 6.1.5 D. in the following manner:
      (1) Subparagraph 6.1.5 D.(1) requires PV SOLAR FARM fencing to be set back from the street centerline a minimum of 40 feet from a MINOR STREET and a minimum of 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.5 M.(2)a., but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.
         a. The Site Plan received November 1, 2018, shows a distance of 600 feet between the PV SOLAR FARM perimeter fence and the street centerline of CR 1050N (East South Street).

      (2) Subparagraph 6.1.5 D.(2) states that for properties participating in the solar farm, there is no required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning lot is provided for the existing DWELLING or PRINCIPAL BUILDING.
         a. There are no buildings on the subject property.

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(3) Subparagraph 6.1.5 D.(3)a. states that for any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):

a. For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line. The proposed Site Plan received November 1, 2018 demonstrates compliance due to the following:

(a) There is one residential lot across the street to the south of the subject property. The lot is approximately 1,430 feet from the PV SOLAR FARM perimeter fence.

(b) The distance between the proposed equipment pad and the residential lot is approximately 2,030 feet.

(c) There is one residential lot west of the subject property. The lot is approximately 1,665 feet from the PV SOLAR FARM perimeter fence.

(d) The distance between the proposed equipment pad and the residential lot is approximately 2,225 feet.

(e) All other adjacent lots less than 10 acres in area are at least 240 feet from the PV SOLAR FARM fence.

b. For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the PV SOLAR FARM, the separation shall exceed 240 feet as deemed necessary by the BOARD.

(a) The PV SOLAR FARM does not border any lot on more than two sides.

(4) Subparagraph 6.1.5 D.(3)b. states that for any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY), the separation shall be no less than 255 feet from any existing DWELLING or existing PRINCIPAL BUILDING and otherwise the perimeter fencing shall be a minimum of 10 feet from a SIDE or REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.

a. The property has lots more than 10 acres in all directions, but none of them have residences. The proposed solar farm fenced area is at least 255 feet away from any existing DWELLING or PRINCIPAL BUILDING.

(5) Subparagraph 6.1.5 D.(3)c. states that additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.

a. No noise analysis is required for a COMMUNITY PV SOLAR FARM.

b. The application received November 1, 2018, states: “During regular operation, noise levels of the SFES will not exceed 40-60 decibels, which is comparable to normal talking volume. Therefore, the noise generated

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should not be discernable from the ambient noise to someone outside of the project property."

c. A preliminary noise discussion can be found under Item 9 regarding section 6.1.5 I. below.

(6) Subparagraph 6.1.5 D.(4) states that there must be a separation of at least 500 feet from any of the following unless the SPECIAL USE permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:

a. Any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or

(a) The Homer Airport is no longer in use, per an email with Sharon Jeffers, Clerk for the Village of Homer, received January 11, 2019.

(b) The closest Willard Airport runway is approximately 16.5 miles from the subject property. The closest Frasca Airport runway is approximately 15 miles from the subject property.

b. Any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE permit and that existed on or for which there had been a complete SPECIAL USE permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or

(a) The closest RESTRICTED LANDING AREA is approximately 4.3 miles from the subject property.

c. Any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT.

(a) The closest RESIDENTIAL AIRPORT is approximately 10 miles from the subject property.

(7) Subparagraph 6.1.5 D.(5) requires a separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.

a. There are no substations or transmission lines of greater than 34.5 kVA within 500 feet of adjacent dwellings or residential DISTRICTS.

(8) Subparagraph 6.1.5 D.(6) states that electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the

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perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.

a. The proposed Site Plan received November 1, 2018, shows one equipment pad in the center of the PV SOLAR FARM, approximately 235 feet from the north perimeter fence.

b. The north property line abuts the Norfolk Southern Railroad tracks, and there are no dwellings within 275 feet of the equipment pad.

c. Regarding the distance between the equipment pad and nearby dwellings, the distance between the proposed equipment pad and the closest of the residential lots is approximately 2,030 feet to the southwest.

(9) Subparagraph 6.1.5 D.(7) states that separation distances for any PV SOLAR FARM with solar equipment exceeding 8 feet in height, with the exception of transmission lines which may be taller, shall be determined by the BOARD on a case-by-case basis.

a. The Project Narrative received with the application on November 1, 2018, states: "Solar photovoltaic (PV) modules will be mounted on a racking system and will reach a height of approximately 9 feet above the ground."

b. Site Plan Sheet 5.0 received November 1, 2018, indicated a maximum array height would be 12 feet.

c. P&Z Staff requested clarification on the maximum height in an email dated January 23, 2019, and amended Special Condition A to include the maximum height in the approved Site Plan.

(10) Subparagraph 6.1.5 D.(8) states that PV SOLAR FARM solar equipment other than inverters shall be no less than 26 feet from the property line of any lot more than 10 acres in area.

a. The proposed Site Plan received November 1, 2018, shows that there is 175 feet of separation between the 75.3 acre property to the east and the nearest PV SOLAR FARM module.

5. Paragraph 6.1.5 E. contains standard conditions for the design and installation of PV SOLAR FARMS. Compliance with paragraph 6.1.5 E. can be summarized as follows:

A. Subparagraph 6.1.5 E.(1) requires certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.

(1) The Special Use Permit application received November 1, 2018, does not include any buildings.

B. Subparagraph 6.1.5 E.(2) establishes minimum requirements for electrical components.

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(1) Part 6.1.5 E.(2)a. states that all electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.
a. The Project Narrative received with the application received November 1, 2018, states that "the SFES structure and racking systems will be designed and stamped by a civil engineer per state and local codes."

(2) Part 6.1.5 E.(2)b. states that burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV solar farm construction and minimizing impacts on agricultural drainage tile.
a. The application received November 1, 2018, states: "Electrical cables will be installed underground throughout the site with the exception of two poles necessary for interconnection with the Ameren grid in the surrounding area" and "existing topography and storm water drainage patterns will be preserved."

C. Subparagraph 6.1.5 E.(3) states that the height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM, and requires the maximum height of all above ground STRUCTURES to be identified in the application and as approved in the SPECIAL USE permit.
(1) The Project Narrative received with the application on November 1, 2018, states: "Solar photovoltaic (PV) modules will be mounted on a racking system and will reach a height of approximately 9 feet above the ground."

D. Subparagraph 6.1.5 E.(4) requires that a reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
(1) The Project Narrative received November 1, 2018, states: "A clearly visible warning sign will be posted at each entrance and exit point at the project site. The signs will include emergency contact information and a 911 address."

E. Subparagraph 6.1.5 E.(5) requires that no PV SOLAR FARM construction may intrude on any easement or right of way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.
(1) No information was required or submitted for the Special Use Permit application.

(2) The drainage ditch running through the southeast part of the subject property belongs to Drainage District #1 of the Town of South Homer.

(3) The subject property does not have a connection to public sewer or water.

(4) Champaign County Geographic Information Systems data does not show any gas or hazardous liquid lines on the subject property.

6. Paragraph 6.1.5 F. contains standard conditions to mitigate damage to farmland.

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A. The 75.33-acre subject property is considered Best Prime Farmland. The Natural Resource Information Report received November 1, 2018, states that the soil on the subject property consists of 152A Drummer silty clay loam, 171B Catlin silt loam, 154A Flanagan silt loam, and 198A Elburn silt loam, and has an average Land Evaluation Factor of 96.

B. The Applicant anticipates signing an Agricultural Impact Mitigation Agreement, which would include requirements to mitigate damage to farmland per 505 ILCS 147/15(b), effective June 29, 2018.

C. Regarding pollinator friendly ground cover in the mitigation of damage to farmland, the application received November 1, 2018 states:
(1) "Disturbances within the site area will be seeded with a native seed mix that includes pollinator-friendly species. Seeded vegetation will establish a deep root system that should stabilize the soil and increase infiltration rates."

(2) "Vegetative maintenance at the project site is intended to foster the growth of native perennial vegetation, which will provide forage and cover habitat for local game birds, songbirds, and pollinator species."

D. Subparagraph 6.1.5 F.(1) establishes a minimum depth of 5 feet for underground wiring or cabling below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile or a lesser depth if so authorized by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.
(1) No information was required or submitted with the application received November 1, 2018.

E. Subparagraph 6.1.5 F.(2) establishes requirements for protection of agricultural drainage tile.
(1) Section 6.1.5 F.(2)a. states: "The applicant shall endeavor to locate all existing agricultural drainage tile…The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile."
a. No information was submitted with the application received November 1, 2018.

b. The Natural Resources Information Report by the Champaign County Soil and Water Conservation District (CCSWCD) received November 1, 2018, states: "The land is now in agricultural use. Underground tile drainage is an important aspect of the modern farm operation and this field may contain drainage tile, care should be taken to locate, reroute and/or maintain the tile. If there is tile in the field and it is not maintained it could potentially cause major problems in the future."

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(2) Section 6.1.5 F.(2)b. states: "The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance…"

a. The subject property is within Drainage District #1 of the Town of South Homer.

b. The drainage ditch running through the southeast part of the subject property belongs to Drainage District #1 of the Town of South Homer.

(3) Section 6.1.5 F.(2)c. states: "Any agricultural drainage tile located underneath construction staging areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance."

a. No information was required or submitted for the Special Use Permit application.

(4) Section 6.1.5 F.(2)d. states: "Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance."

a. No information was required or submitted for the Special Use Permit application.

(5) Section 6.1.5 F.(2)e. states: "Conformance of any relocation of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile."

a. No information was required or submitted for the Special Use Permit application.

(6) Section 6.1.5 F.(2)f. states: "All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed."

a. No information was required or submitted for the Special Use Permit application.

(7) Section 6.1.5 F.(2)h. states: "Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made..."

a. No information was required or submitted for the Special Use Permit application.

(8) Section 6.1.5 F.(2)i. states: "All damaged tile shall be repaired so as to operate as well after construction as before the construction began."

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a. No information was required or submitted for the Special Use Permit application.

(9) Section 6.1.5 F.(2)j. states: "Following completion of the PV SOLAR FARM construction, the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant."
a. No information was required or submitted for the Special Use Permit application.

F. Subparagraph 6.1.5 F.(3) requires restoration for any damage to soil conservation practices.
(1) Part 4.2: Site Restoration of the draft Decommissioning Plan received with the application on November 1, 2018, states: "Through the decommissioning phase, the Facility Site will be restored to a state similar to its preconstruction condition (without trees). Rehabilitated lands may be seeded to help stabilize soil conditions, enhance soil structure, and increase soil fertility."

G. Subparagraph 6.1.5 F.(4) establishes requirements for topsoil replacement pursuant to any open trenching.
(1) No information was required or submitted for the Special Use Permit application.

H. Subparagraph 6.1.5 F.(5) establishes requirements for mitigation of soil compaction and rutting.
(1) The Site Plan received November 1, 2018, states: "Construction staging and areas subject to rutting during construction will be temporarily stabilized with gravel. Soil conditions and equipment loads will determine final design."

I. Subparagraph 6.1.5 F.(6) establishes requirements for land leveling.
(1) No information was provided in the application received November 1, 2018.

J. Subparagraph 6.1.5 F.(7) establishes requirements for a permanent Erosion and Sedimentation Control Plan.
(1) The application received November 1, 2018, includes a section on erosion control, but it does not specify that the petitioner will provide a permanent soil erosion and sedimentation plan for the PV SOLAR FARM or that they will provide as-built documentation, both prepared by an Illinois Licensed Professional Engineer.

(2) No information was required for the Special Use Permit application.

K. Subparagraph 6.1.5 F.(8) establishes requirements for retention of all topsoil.
(1) No information was required or provided in the application received November 1, 2018.

L. Subparagraph 6.1.5 F.(9) establishes requirements for minimizing the disturbance to BEST PRIME FARMLAND by establishing a specific type of vegetative ground cover.
(1) The application received November 1, 2018, includes a Vegetative Maintenance section that states: "Once construction of the solar farm is complete, all disturbed

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ground cover will be restored with native, low-growth plant species. Vegetative maintenance at the project site is intended to foster the growth of native perennial plant life and foraging habitats for local game birds, songbirds, and pollinating species. If needed, a vegetative buffer, consisting of evergreen shrubbery, may be planted where necessary. Young shrubs and/or evergreen trees may be planted following completion of construction of the solar farm and allowed to grow to fence height. A growth period of 1 to 2 years is expected until the shrubs/trees reach the desired height.

(2) No information was provided regarding the required Landscape Plan and Weed control Plan. A special condition has been added to ensure compliance.

7. Paragraph 6.1.5 G. contains standard conditions for use of public streets.

A. Paragraph 6.1.5 G.(1) requires the Applicant to enter into a signed Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney and/or any relevant Township Highway Commissioner prior to the close of the public hearing for the use of public streets, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements, and the signed and executed Roadway Upgrade and Maintenance agreements must provide for certain conditions.

(1) CR 1050E (East South Street) is a local road in South Homer Township.

(2) No information was provided from a local highway authority in the application received November 1, 2018.

(3) South Homer Township was notified of this case on January 16, 2019, and no comments have been received.

(4) A special condition has been added to ensure receipt of a complete Roadway Upgrade and Maintenance agreement.

B. Paragraph 6.1.5 G.(2) requires that the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality.

(1) No information was required or submitted for the Special Use Permit application.

C. Paragraph 6.1.5 G.(3) requires the Applicant or its successors in interest to enter into a Roadway use and Repair Agreement with the appropriate highway authority for decommissioning the PV SOLAR FARM.

(1) No information was required or submitted for the Special Use Permit application.

8. Paragraph 6.1.5 H. contains standard conditions for coordination with local fire protection districts.

A. No information was provided in the application received November 1, 2018, regarding whether the applicant has submitted a copy of the Site Plan to the local Fire Protection

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District. There is no timeline for completing this requirement. A special condition has been added to ensure compliance.

B. The Homer Fire Protection District was notified of this case and no comments have been received.

9. Paragraph 6.1.5 I. contains standard conditions for the allowable noise level.
   A. Subparagraph 6.1.5 I.(1) requires the noise level from each PV SOLAR FARM to be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
      (1) A Special Use Permit application for a Community PV Solar Farm does not require a noise level analysis unless the Board requires one.

      (2) A statement regarding noise was provided in the application received November 1, 2018: "During regular operation, noise levels of the SFES will not exceed 40-60 decibels, which is comparable to normal talking volume. Therefore, the noise generated should not be discernable from the ambient noise to someone outside of the project property."

      (3) In an email received January 16, 2019, Mr. Peters provided the following technical specifications:
         a. The proposed inverter is the SMA-America Tripower Core 1 (62 kW); this project will require 35 of these string inverters.

      (4) In an email received January 16, 2019, Mr. Peters attached a specification sheet for the proposed inverter, which provided the following information:
         a. Audible noise emissions with full power at 1 meter distance is 65 dBA.

      (5) In an email received August 31, 2018, Michael Borkowski of Community Power Group LLC shared a video resource by Michael van Biezen, a physics professor at Loyola Marymount University, referring to calculating sound levels from multiple noise sources combined.
         a. The video showed that doubling the number of sources (in this case, inverters) resulted in an increase of 3 dB.

         b. The proposed Champaign Sinclair project proposes 35 inverters, which would double the inverter noise levels cited by SMA-America 5.1 times over. Using the highest noise level provided by SMA-America, 65 dBA at 1 meter, P&Z Staff determined that 35 inverters would create 80.3 dBA at 1 meter.

         c. P&Z Staff utilized an online tool during the solar farm text amendment process for Case 895-AT-18 to calculate noise levels at a series of distances from one inverter. Using this online tool, which can be found at http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html, P&Z Staff estimated the following noise levels for the proposed inverters:
            (a) At a separation of 515 feet from the inverter (the minimum required without a waiver by the Solar Farm text amendment

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approved by the County Board on August 23, 2018), the noise level for the 35 inverters would be **36.4 dB**.

(b) At the closest property line to the inverters, which is approximately 150 feet to the east, the noise level for the 35 inverters would be **59.2 dB**. The 75.3-acre tract to the east (in Vermilion County) is in agricultural production.

(c) At a separation of 1,700 feet from the inverter (the closest residence to the inverter in the proposed solar farm on a lot 10 acres or less in area), the noise level for the 35 inverters would be **26 dB**.

(d) P&Z Staff estimates are not as accurate as an actual noise study.

10. Paragraph 6.1.5 J. contains standard conditions for endangered species consultation.
    A. An Ecological Compliance Assessment Tool (EcoCAT) consultation report dated August 30, 2018, and received November 1, 2018, stated: "the Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location: Bigeye Chub (Hybopsis amblops), Bluebreast Darter (Etheostoma camurum), Purple Wartyback (Cyclonaias tuberculata), Wavy-Rayed Lampmussel (Lampsilis fasciola)."

    B. A follow-up letter from IDNR dated August 31, 2018, and received November 1, 2018, stated that the Department evaluated the information and concluded that adverse effects are unlikely. IDNR terminated the consultation.

11. Paragraph 6.1.5 K. contains standard conditions for historic and archaeological resources review. Regarding compliance with 6.1.5 K.:
    A. The petitioner did not provide information with the application received November 1, 2018.

12. Paragraph 6.1.5 L. states: "The PV SOLAR FARM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality."
    A. The application received November 1, 2018, refers to the EcoCAT report that was provided with the application.

13. Paragraph 6.1.5 M. contains standard conditions for screening and fencing.
    A. Subparagraph 6.1.5 M.(1) requires the PV SOLAR FARM to have perimeter fencing that is at least 7 feet tall, with Knox boxes and keys provided at locked entrances, and a vegetation management plan included in the application to control NOXIOUS WEEDS.
        (1) The application received November 1, 2018, states: "A fence with a locked gate will surround the premises in order to deter trespassing. Warning signs will be clearly posted at the ingress/egress point(s) of the premises at all times. The fence and vegetative buffer that will surround the project will eliminate the project's potential to be visually burdensome to surrounding landowners."

        (2) There is no specific vegetation management or weed control plan included in the application. A special condition has been added to ensure compliance.

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B. Subparagraph 6.1.5 M.(2) requires a visual screen around the perimeter of the PV SOLAR FARM under certain circumstances.

(1) Subparagraph 6.1.5 M.(2)a.(a) requires that a visual screen be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT.

(2) The nearest existing DWELLING is approximately 1,700 feet from the proposed solar farm perimeter fence, so no visual screen is required.

(3) The application received November 1, 2018, states: "Site vegetation will be maintained as to effectively screen the SFES from those that might find it visually burdensome and to prevent any obstruction of adjacent properties."

14. Paragraph 6.1.5 N. contains standard conditions to minimize glare from the PV SOLAR FARM. Subparagraph 6.1.5 N.(1) requires that the design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties and the application shall include an explanation of how glare will be minimized.

A. The application received November 1, 2018, states: "The panels utilize a non-reflective glass designed to absorb light, eliminating any glare or glint that could be directed towards adjacent roadways and residences."

15. Paragraph 6.1.5 O. contains standard conditions for the minimum liability insurance for the PV SOLAR FARM.

A. Subparagraph 6.1.5 O.(1) states: "The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of a least $5 million per occurrence and $5 million in the aggregate."

(1) No information was required or provided in the application received November 1, 2018.

B. Subparagraph 6.1.5 O.(2) states: "The general liability policy shall identify landowners in the SPECIAL USE permit as additional insured."

(1) No information was required or provided in the application received November 1, 2018.

16. Paragraph 6.1.5 P. contains other standard conditions for operation of the PV SOLAR FARM.

A. Subparagraph 6.1.5 P.(1)c. states: "The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and the management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells."

(1) The application received November 1, 2018, states: "SolAmerica does not currently have a formal cleaning plan in place for the proposed SFES. If it becomes necessary to clean the solar panels to ensure efficient operation, water will be brought in via tank truck. If a cleaning chemical is to be used, SolAmerica

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will first seek approval and guidance from the County Planning and Zoning Department."

B. Subparagraph 6.1.5 P.(3) states: "The PV SOLAR FARM SPECIAL USE permit application shall include a weed control plan for the total area of the SPECIAL USE permit including areas both inside of and outside of the perimeter fencing. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.). The weed control plan shall be explained in the application.

(1) The application received November 1, 2018, does not include a detailed Weed and Grass Control Plan. A special condition has been added to ensure compliance.

(2) The application states: "Once construction of the solar farm is complete, all disturbed ground cover will be restored with native, low-growth plant species. Vegetative maintenance at the project site is intended to foster the growth of native perennial plant life and foraging habitats for local game birds, songbirds, and pollinating species. If needed, a vegetative buffer, consisting of evergreen shrubbery, may be planted where necessary. Young shrubs and/or evergreen trees may be planted following completion of construction of the solar farm and allowed to grow to fence height. A growth period of 1 to 2 years is expected until the shrubs/trees reach the desired height. The designated vegetative maintenance contractor will be responsible for inspecting and maintaining the vegetation within the project site boundaries. Vegetative maintenance and site inspections during the growing period will be scheduled to occur at a frequency of roughly 2-3 times per year, and at a reduced frequency thereafter. In order to avoid unnecessary vegetation and soil impact, maintenance scheduling will be dependent on time of year and weather conditions. Vegetation should also be maintained in a manner as to minimize storm water runoff and soil erosion at the site."

(3) The documentation provided to date is not consistent with 505 ILCS 100/1 et seq.

C. All other requirements in Paragraph 6.1.5 P. do not have to be submitted as part of the Special Use Permit application; rather, they will be required during construction, operations, and/or decommissioning phases of the project.

17. Paragraph 6.1.5 Q. contains standard conditions for a Decommissioning and Site Reclamation Plan for the PV SOLAR FARM and modifies the basic site reclamation requirements in paragraph 6.1.1 A. Compliance with paragraph 6.1.5 Q. can be summarized as follows:

A. Subparagraph 6.1.5 Q.(1) of the Ordinance requires a signed Decommissioning and Site Reclamation Plan conforming to the requirements of paragraph 6.1.1 A. of the Ordinance and the remainder of 6.1.5 Q. of the Ordinance. Compliance with the requirements of paragraph 6.1.1 A. of the Ordinance can be summarized as follows:

(1) Subparagraph 6.1.1 A.1. of the Ordinance requires the petitioner to submit a Decommissioning and Site Reclamation Plan for consideration by the Board.

a. The application received November 1, 2018, includes a draft Decommissioning Plan for the proposed PV SOLAR FARM.

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(2) Subparagraph 6.1.1 A.2. of the Ordinance requires that the decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.

a. No information was provided on these topics in the Decommissioning Plan received November 1, 2018.

(3) Subparagraph 6.1.1 A.3. of the Ordinance requires that separate cost estimates for Section 6.1.1 A.4.a., 6.1.1 A.4.b., and 6.1.1 A.4.c. shall be provided by an Illinois Licensed Professional Engineer and are subject to approval of the BOARD.

a. Section 6.1.1 A.4.a. is for removal of the above-ground portion of any STRUCTURE on the subject site; site grading; and interim soil erosion control.

(a) The application received November 1, 2018, does not include estimates for decommissioning the solar panels.

(b) No reference was made to interim soil erosion control.

(c) No reference was made regarding estimates being made by an Illinois Licensed Professional Engineer.

b. Section 6.1.1 A.4.b. is for below-ground restoration, including final grading and surface treatment.

(a) No reference was found for site grading for the actual panel post locations or interim soil erosion control in the application received November 1, 2018.

(b) No estimates were provided for final grading and surface treatment estimates.

c. Section 6.1.1 A.4.c. is for any environmental remediation required by State or Federal law.

(a) No reference was found on environmental remediation in the application received November 1, 2018.

d. Section 6.1.1 A.4.d. is for provision and maintenance of a letter of credit, as set forth in Section 6.1.1 A.5.

(a) No reference was found regarding a letter of credit for decommissioning in the application received November 1, 2018.

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(4) Subparagraph 6.1.1 A.5. of the Ordinance requires submission of an irrevocable letter of credit in the amount of 150% of the cost estimate required by 6.1.1 A.3 prior to issuance of a Zoning Use Permit.
a. No specifics were required or submitted for the Special Use Permit application regarding this requirement.

(5) Subparagraph 6.1.1 A.6. of the Ordinance establishes a time period prior to the expiration of the irrevocable letter of credit during which the Zoning Administrator shall contact the landowner regarding the intent to renew the letter of credit and the landowner shall reply within a certain amount of time.
a. No specifics were required or submitted for the Special Use Permit application regarding this requirement.

(6) Subparagraph 6.1.1 A.7. of the Ordinance establishes 5 factors to be considered in determining if a NON-ADAPTABLE structure (PV SOLAR FARM in this instance) is abandoned in place and 6.1.1 A.9. of the Ordinance establishes 7 conditions when the Zoning Administrator may draw upon the letter of credit and jointly these 12 circumstances comprise when the Zoning Administrator may draw upon the letter of credit.
a. No specifics were required or submitted for the Special Use Permit application regarding this requirement.

(7) All other requirements in Paragraph 6.1.5 Q.(1) do not have to be submitted as part of the Special Use Permit application; rather, they will be required during construction, operations, and/or decommissioning phases of the project.

B. Subparagraph 6.1.5 Q.(2) of the Ordinance requires that in addition to the costs listed in subparagraph 6.1.1 A.4. of the Ordinance, the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.
(1) No cost estimates were provided in the draft Decommissioning Plan received November 1, 2018.

C. Subparagraph 6.1.5 Q.(3) of the Ordinance requires the Decommissioning and Site Reclamation Plan to also include the following:
(1) Subparagraph 6.1.5 Q.(3)a. of the Ordinance requires a stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of the proceeding.

(2) Subparagraph 6.1.5 Q.(3)b. of the Ordinance requires a stipulation that the Applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the PV SOLAR FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants,

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and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.

(3) Subparagraph 6.1.5 Q.(3)c. of the Ordinance requires authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.

(4) Subparagraph 6.1.5 Q.(3)d. of the Ordinance requires a stipulation that at such time as decommissioning takes place the applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.

(5) Subparagraph 6.1.5 Q.(3)e. of the Ordinance requires a stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.

(6) Subparagraph 6.1.5 Q.(3)f. of the Ordinance requires a stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.

(7) Subparagraph 6.1.5 Q.(3)g. of the Ordinance requires payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney's fees; construction management and other professional service fees; and the costs of preparing requests for proposals and bidding documents required to comply with state law or Champaign County purchasing policies.

(8) Subparagraph 6.1.5 Q.(3)h. of the Ordinance requires that depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.

a. The Decommissioning Plan received November 1, 2018, does not include information about requirements Q.(3)a. through h. above.

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(9) Subparagraph 6.1.5 Q.(3)i. of the Ordinance states that underground electrical cables at a depth of 5 feet or greater may be left in place.

a. The Decommissioning Plan received November 1, 2018, states: "All aboveground and underground electrical interconnection and distribution cables shall be removed and sold for scrap or disposed or recycled at an approved recycler."

(10) Subparagraph 6.1.5 Q.(3)j. of the Ordinance states that the hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:

a. Section 6.1.5 Q.(3)j.(a) requires that the excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.

b. Section 6.1.5 Q.(3)j.(b) requires that the native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.

c. Section 6.1.5 Q.(3)j.(c) requires that if the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.

d. Section 6.1.5 Q.(3)j.(d) requires that an Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.

(a) The Decommissioning Plan received November 1, 2018, does not include information about requirement Q.(3)j.(a) through (d).

(11) Subparagraph 6.1.5 Q.(3)k. of the Ordinance requires a stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE permit shall be deemed void.

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(12) Subparagraph 6.1.5 Q.(3)l. of the Ordinance requires a stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.

(13) Subparagraph 6.1.5 Q.(3)m. of the Ordinance requires a stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of the financial assurance.

(14) Subparagraph 6.1.5 Q.(3)n. of the Ordinance requires that if the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.

a. The Decommissioning Plan received November 1, 2018, does not include information about requirements Q.(3)k. through n.

D. Subparagraph 6.1.5 Q.(4) of the Ordinance requires that the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as required in paragraph 6.1.1 A.5. of the Ordinance as follows:

(1) Subparagraph 6.1.4 Q.4.(a) of the Ordinance requires that at the time of Special Use Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and shall otherwise be compliant with Section 6.1.1.A.5. except that if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the decommissioning and site reclamation plan as follows:

a. No Zoning Use Permit to authorize construction of the SOLAR FARM shall be authorized by the Zoning Administrator until the SOLAR FARM owner shall provide the County with Financial Assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

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b. On or before the sixth anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

c. On or before the eleventh anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

(a) The applicant did not provide details of the warranty in the application received November 1, 2018.

(b) If the applicant provides proof of that warranty, cost estimates and financial assurances can be determined as part of the Zoning Use Permit process rather than as part of the Special Use Permit process.

(2) Subparagraph 6.1.5 Q.(4)b. of the Ordinance states that net salvage value may be deducted from decommissioning costs under certain conditions.

(3) Subparagraph 6.1.5 Q.(4)c. of the Ordinance states that the GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.

(4) Subparagraph 6.1.5 Q.(4)d. of the Ordinance states that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information.

(5) Subparagraph 6.1.5 Q.(4)e. of the Ordinance requires that the long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's) shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating.

(6) Subparagraph 6.1.5 Q.(4)f. of the Ordinance requires that at all times the value of the irrevocable letter of credit shall be increased annually as necessary to reflect actual rates of inflation over the life span of the PV SOLAR FARM and the amount shall be equal to or exceed 125% of the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the PV SOLAR FARM was approved.

(7) Subparagraph 6.1.5 Q.(4)g. of the Ordinance states that should the salvage value of components be adjusted downward or the decommissioning costs adjusted

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upward pursuant to paragraph 6.1.5 Q.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.5 Q.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.

(8) Subparagraph 6.1.5 Q.(4)h. of the Ordinance requires that any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1 A.5.

(9) Subparagraph 6.1.5 Q.(4)i. of the Ordinance requires that unless the Governing Body approves otherwise, the Champaign County State's Attorney's Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.

a. No specifics were required or submitted for approval of the Special Use Permit regarding requirements Q.(4)b. through i. above.

E. Subparagraph 6.1.5 Q.(5) of the Ordinance states that in addition to the conditions listed in subparagraph 6.1.1 A.9. the Zoning Administrator may also draw on the funds for a myriad of reasons.

(1) No information regarding this standard condition is required as part of the Special Use Permit application unless the Petitioner seeks a waiver of any part or all of this standard condition, and no waiver request has been received.

F. Subparagraph 6.1.5 Q.(6) of the Ordinance states that the Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.5 Q.(5) met, with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.

(1) No information regarding this standard condition is required as part of the Special Use Permit application unless the Petitioner seeks a waiver of any part or all of this standard condition, and no waiver request has been received.

G. Subparagraph 6.1.5 Q.(7) of the Ordinance states that the Decommissioning and Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

H. <u>Special conditions have been added to ensure compliance with the decommissioning plan requirements</u>.

18. Paragraph 6.1.5 R. contains standard conditions for securing an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

A. Effective June 29, 2018, the State of Illinois amended the Counties Code (*55 ILCS 5/5-12020*) to require a commercial renewable energy facility owner of a commercial solar

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energy facility that is located on landowner property to enter into an Agricultural Impact Mitigation Agreement with the Department of Agriculture.

B. No information regarding this standard condition is required as part of the Special Use Permit application. A special condition has been added to ensure compliance.

19. Paragraph 6.1.5 S. contains standard conditions for a complaint hotline for complaints related to PV SOLAR FARM construction and ongoing operations.
    A. No information regarding this standard condition is required as part of the Special Use Permit application unless the Petitioner seeks a waiver of any part or all of this standard condition, and no waiver request has been received. A special condition has been added to ensure compliance.

20. Paragraph 6.1.5 T. contains a standard condition stating that the PV SOLAR FARM County Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.

21. Paragraph 6.1.5 U. contains standard conditions establishing additional requirements for application for a PV SOLAR FARM County Board Special Use Permit that supplement the basic requirements for a special use permit application.
    A. Subparagraph 6.1.5 U.(1)a. requires a PV SOLAR FARM Project Summary.
        (1) The Special Use Permit application received November 1, 2018, includes a Project Summary.

    B. Subparagraph 6.1.5 U.(1)b. requires the name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM County Board SPECIAL USE permit.
        (1) The Special Use Permit application received November 1, 2018, includes this information.

    C. Subparagraph 6.1.5 U.(1)c. requires a site plan for the SOLAR FARM which includes the following:
        (1) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substations(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
            a. The application received November 1, 2018, demonstrates compliance with this requirement.

        (2) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 A.(1).
            a. The application received November 1, 2018, demonstrates compliance with this requirement.

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(3) The location of all below-ground wiring.
a. No information was provided in the application received November 1, 2018.

(4) The location, height, and appearance of all above-ground wiring and wiring structures.
a. No information was provided in the application received November 1, 2018.

(5) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM County Board SPECIAL USE Permit. PV SOLAR FARM structures includes substations, third party transmission lines, maintenance and management facilities, or other significant structures.
a. All adjacent DWELLINGS and PRINCIPAL BUILDINGS are well beyond the minimum required separations established in the Zoning Ordinance.

D. Subparagraph 6.1.5 U.(1)d. requires submittal of all other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
(1) Compliance with this subparagraph has been shown in previous sections of this Summary of Evidence.

E. Subparagraph 6.1.5 U.(1)e. requires that the PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5 B.(2)a.(b).
(1) The application received November 1, 2018, includes a letter from Ryan Peters, SolAmerica Environmental Engineer, to Village of Homer Mayor Ray Cunningham dated October 30, 2018, which included a copy of the Special Use Permit application.

F. Subparagraph 6.1.5 U.(1)f. requires that a municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the ZONING ADMINISTRATOR prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board or, in the absence of such a resolution, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board as required by Section 6.1.5 B.(2)a.(c).

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(1) The P&Z Department sent the Village of Homer Clerk notice via email of the ZBA hearing for this case on January 11, 2019.

(2) On January 11, 2019, Village Clerk Sharon Jeffers responded via email that "We have been in contact with SolAmerica Energy. A representative has spoken to our board. We are going to discuss this at our Monday night meeting. I will pass this information along."

(3) The P&Z Department sent the Village of Homer notice via regular mail of the ZBA hearing on January 16, 2019.

G. Subparagraph 6.1.5 U.(1)g. requires that documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM as required by Section 6.1.5 B.(3)b.

(1) The application received November 1, 2018, includes a "Pre-Application Report" from Ameren Illinois dated August 7, 2017, which is a response to a Pre-Application Request submitted by SolAmerica Energy.

H. Subparagraph 6.1.5 U.(2) requires that the Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the County Board SPECIAL USE permit application is pending.

(1) Updated information has been listed under Item 5 of this Summary of Evidence and discussed in further detail when relevant under Items 7 through 9.

I. Subparagraph 6.1.5 U.(2) requires that the Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.

J. A special condition has been added to ensure compliance with section 6.1.5 U.

PRELIMINARY DRAFT

922-S-18

SUMMARY OF EVIDENCE, FINDING OF FACT AND FINAL DETERMINATION of Champaign County Zoning Board of Appeals

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Final Determination: ***{RECOMMEND APPROVAL / RECOMMEND DENIAL}***

Date: ***January 31, 2019***

Petitioners: **SolAmerica Energy LLC, 1819 Peachtree Road, Suite 100, Atlanta GA, via agent Ryan Peters, Environmental Engineer with SolAmerica Energy, and participating landowner Phyllis Jane Sinclair**

Request: **Authorize a Community PV Solar Farm with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.

Part D: A waiver for not including a Landscape Plan as part of the Special Use Permit application, per Section 6.1.5 F.(9)a.(b)iv.

Part E: A waiver for not including a Weed Control Plan as part of the Special Use Permit application, per Section 6.1.5 P.(3).

Other waivers may be necessary.

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 31, 2019,** the Zoning Board of Appeals of Champaign County finds that:

1. SolAmerica Energy LLC, 1819 Peachtree Road, Suite 100, Atlanta, GA 30309 via agent Ryan Peters, Environmental Engineer with SolAmerica Energy, with Executive Chairman and Co-Founder, R. Stanley Allen; President and Co-Founder, George Mori; and participating landowner Phyllis Jane Sinclair, 290 Chase St, Sonoma CA 95476-7155. Regarding the petitioners:
   A. Champaign Sinclair is the name of the proposed PV SOLAR FARM, which is wholly owned by SolAmerica Energy LLC.

   B. The participating landowner, Phyllis Jane Sinclair, signed an agreement on October 17, 2017, with SolAmerica Energy LLC for the use of her property for the proposed PV SOLAR FARM.

2. The subject property is a 75.33 acre tract in the Southeast Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as the property bordered by the Norfolk-Southern railroad tracks to the north, the Village of Homer to the west, CR 1050N to the south, and the Vermilion County line to the east.

3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
   A. The subject property is located 1,340 feet (0.25 mile) from the Village of Homer, a municipality with zoning. Municipalities with zoning are notified of Special Use Permit cases, but do not have protest rights in these cases. The Village of Homer does not have a one and one-half mile extra-territorial jurisdiction because it does not have a Comprehensive Plan.

   B. The subject property is located within South Homer Township, which does not have a Planning Commission. Townships with Planning Commissions are notified of Special Use Permit cases, but do not have protest rights in these cases.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Regarding land use and zoning on the subject property and in the vicinity of the subject property:
   A. The subject property is zoned AG-2 Agriculture, and is currently land in agricultural production. The proposed PV SOLAR FARM would be located on approximately 13.1 acres in the northeast corner of the subject property.

   B. Land north of the subject property is zoned AG-2 Agriculture and is land in agricultural production.

   C. Land south of the subject property is zoned AG-1 Agriculture and is in use as a residence, farmland, and the Village of Homer treatment facility.

   D. Land west of the subject property is within the Village of Homer. There is an elevator to the northwest and a residence to the southwest.

E. Land east of the subject property is in Vermilion County, which does not have zoning. The two adjacent properties are in agricultural production.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the Site plan for the proposed Special Use received November 1, 2018:
   A. Sheet 4: Site Plan by TRC Environmental includes the following proposed features:
      (1) One 2-megawatt community PV SOLAR FARM site; and

      (2) Approximately 3,155 linear feet of 7-feet tall perimeter fence; and

      (3) Approximately 8,300 solar modules, per an email from Ryan Peters received January 16, 2019; and
         a. In the same email, Mr. Peters indicated that they typically use the TrinaSolar model TSM 365DE14A(II), but that is subject to change.

      (4) One interconnection equipment pad, located approximately 925 feet north of the CR 1050N (East South Street) centerline; and
         a. The concrete pad will be approximately 10 feet by 25 feet as per Sheet 5.0 of the Site Plan received November 1, 2018.

      (5) Approximately 35 string inverters, per an email from Ryan Peters received January 16, 2019; and
         a. In the same email, Mr. Peters indicated that they typically use the SMA-America Tripower Core 1 (62kw), but that is subject to change.

      (6) A 20-feet wide gravel access road extending approximately 1,500 feet northeast from CR 1050N (East South Street); and

      (7) A gated security entrance approximately 1,100 feet northeast of CR 1050N (East South Street); and

      (8) The Point of Interconnection (POI) is proposed to connect to an existing power line that runs along the railroad tracks north of the subject property to the Homer substation located on West 1st Street in Homer.

      (9) The nearest parcel 10 acres or less in area is approximately 1,430 feet from the solar farm fenced area; and

      (10) The nearest parcel greater than 10 acres in area is 150 feet from the solar farm fenced area, but there is no residence or principal building on that property; and

      (11) The nearest residence is approximately 1,700 feet from the solar farm fenced area; and

      (12) A separation of 600 feet between the PV SOLAR FARM perimeter fence and the street centerline of CR 1050N (East South Street).

      (13) The PV SOLAR FARM is proposed to be located on soils that are Best Prime Farmland.

B. There are no previous Zoning Use Permits for the subject property.

C. There are no previous Zoning Cases for the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

6. Regarding authorization for a "COMMUNITY PV SOLAR FARM" in the AG-2 Agriculture Zoning District in the *Zoning Ordinance*:

A. The County Board amended the Zoning Ordinance by adopting PV SOLAR FARM requirements when it adopted Ordinance No. 2018-4 on August 23, 2018.

B. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (capitalized words are defined in the Ordinance):

(1) "ACCESS" is the way MOTOR VEHICLES move between a STREET or ALLEY and the principal USE or STRUCTURE on a LOT abutting such STREET or ALLEY.

(2) "BEST PRIME FARMLAND" is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:

a. Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County LESA system;

b. Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system;

c. Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils as determined by the Champaign County LESA system.

(3) "DWELLING OR PRINCIPAL BUILDING, PARTICIPATING" is a DWELLING on land that is leased to a WIND FARM or a PV SOLAR FARM.

(4) "DWELLING OR PRINCIPAL BUILDING, NON- PARTICIPATING" is a DWELLING on land that is not leased to a WIND FARM or a PV SOLAR FARM.

(5) "LOT" is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.

(6) "LOT LINE, FRONT" is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.

(7) "LOT LINE, REAR" is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point

opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

(8) "LOT LINES" are the lines bounding a LOT.

(9) "PRIVATE ACCESSWAY" is a service way providing ACCESS to one or more LOTS which has not been dedicated to the public.

(10) "NON-ADAPTABLE STRUCTURE" is any STRUCTURE or physical alteration to the land which requires a SPECIAL USE permit, and which is likely to become economically unfeasible to remove or put to an alternate USE allowable in the DISTRICT (by right or by SPECIAL USE).

(11) "NOXIOUS WEEDS" are any of several plants designated pursuant to the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.) and that are identified in 8 Illinois Administrative Code 220.

(12) "PHOTOVOLTAIC (PV)" is a type of solar energy system that produces electricity by the use of photovoltaic cells that generate electricity when struck by light.

(13) "PV SOLAR FARM" is a unified development intended to convert sunlight into electricity by photovoltaic (PV) devices for the primary purpose of wholesale sales of generated electricity. A PV SOLAR FARM is under a common ownership and operating control even though parts of the PV SOLAR FARM may be located on land leased from different owners. A PV SOLAR FARM includes all necessary components including access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, a common switching station, maintenance and management facilities, and waterwells. PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

(14) "PV SOLAR FARM, COMMUNITY" is a PV SOLAR FARM of not more than 2,000 kilowatt nameplate capacity that meets the requirements of 20 ILCS 3855/1-10 for a "community renewable generation project" and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels as either a) two 2-MW projects on one parcel, or b) one 2-MW project on each of two contiguous parcels, as authorized by the Illinois Commerce Commission in Final Order 17-0838 on April 3, 2018.

(15) "PRIVATE WAIVER" is a written statement asserting that a landowner has agreed to waive a specific WIND FARM or PV SOLAR FARM standard condition and has knowingly agreed to accept the consequences of the waiver. A PRIVATE WAIVER must be signed by the landowner.

(16) "RIGHT-OF-WAY" is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.

(17) "SCREEN" is a STRUCTURE or landscaping element of sufficient opaqueness or density and maintained such that it completely obscures from view throughout its height the PREMISES upon which the screen is located.

(18) "SCREEN PLANTING" is a vegetative material of sufficient height and density to filter adequately from view, in adjoining DISTRICTS, STRUCTURES, and USES on the PREMISES upon which the SCREEN PLANTING is located.

(19) "SETBACK LINE" is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.

(20) "SPECIAL CONDITION" is a condition for the establishment of a SPECIAL USE.

(21) "SPECIAL USE" is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.

(22) "STREET" is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:

(a) MAJOR STREET: Federal or State highways.
(b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.
(c) MINOR STREET: Township roads and other local roads.

(23) "VARIANCE" is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.

C. Section 5.2 only authorizes a "PV SOLAR FARM" in the AG-1 or AG-2 Zoning Districts and requires a Special Use Permit authorized by the County Board.

D. Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:

(1) All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.

(2) No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.

(3) Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.

(4) The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.

(5) The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.

E. Section 6.1.5 contains the standard conditions for any PV SOLAR FARM which are as follows (capitalized words are defined in the Ordinance):

(1) Requirements for what must be included in the area of the PV SOLAR FARM are in 6.1.5 B.(1).

(2) Requirements for where a PV SOLAR FARM cannot be located are in 6.1.5 B.(2).

(3) Paragraph 6.1.5 C. eliminates LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, and maximum LOT COVERAGE requirements from applying to a PV SOLAR FARM.

(4) Paragraph 6.1.5 D. contains minimum separations for PV SOLAR FARMS from adjacent USES and STRUCTURES.

(5) Paragraph 6.1.5 E. contains standard conditions for the design and installation of PV SOLAR FARMS.

(6) Paragraph 6.1.5 F. contains standard conditions to mitigate damage to farmland.

(7) Paragraph 6.1.5 G. contains standard conditions for use of public streets.

(8) Paragraph 6.1.5 H. contains standard conditions for coordination with local fire protection districts.

(9) Paragraph 6.1.5 I. contains standard conditions for the allowable noise level.

(10) Paragraph 6.1.5 J. contains standard conditions for endangered species consultation.

(11) Paragraph 6.1.5 K. contains standard conditions for historic and archaeological resources review.

(12) Paragraph 6.1.5 L. contains standard conditions for acceptable wildlife impacts from PV SOLAR FARM construction and ongoing operations.

(13) Paragraph 6.1.5 M. contains standard conditions for screening and fencing of PV SOLAR FARMS.

(14) Paragraph 6.1.5 N. contains standard conditions to minimize glare from PV SOLAR FARMS.

(15) Paragraph 6.1.5 O. contains standard conditions for liability insurance.

(16) Paragraph 6.1.5 P. contains other standard conditions for operation of PV SOLAR FARMS.

(17) Paragraph 6.1.5 Q. contains standard conditions for a decommissioning plan and site reclamation agreement for PV SOLAR FARMS and modifies the basic site reclamation requirements in paragraph 6.1.1 A.

(18) Paragraph 6.1.5 R. contains standard conditions for securing an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

(19) Paragraph 6.1.5 S. contains standard conditions for a complaint hotline for complaints related to PV SOLAR FARM construction and ongoing operations.

(20) Paragraph 6.1.5 T. contains the standard condition for expiration of the PV SOLAR FARM County Board Special Use Permit.

(21) Paragraph 6.1.5 U. contains standard conditions establishing additional requirements for application for a PV SOLAR FARM County Board Special Use Permit that supplement the basic requirements for a special use permit application.

F. Section 9.1.11 requires that a Special Use Permit shall not be granted by the Zoning Board of Appeals unless the public hearing record and written application demonstrate the following:

(1) That the Special Use is necessary for the public convenience at that location;

(2) That the Special Use is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:

a. The property is either BEST PRIME FARMLAND and the property with proposed improvements in WELL SUITED OVERALL or the property is not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.

b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.

c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.

(3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.

(4) That the Special Use is in harmony with the general purpose and intent of this ordinance.

(5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.

G. Paragraph 9.1.11.D.1. states that a proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Regarding standard conditions:

(1) The Ordinance requires that a waiver of a standard condition requires the following findings:

a. that the waiver is in accordance with the general purpose and intent of the ordinance; and

b. that the waiver will not be injurious to the neighborhood or to the public health, safety, and welfare.

(2) However, a waiver of a standard condition is the same thing as a variance and Illinois law (55ILCS/ 5-12009) requires that a variance can only be granted in accordance with general or specific rules contained in the Zoning Ordinance and the VARIANCE criteria in paragraph 9.1.9 C. include the following in addition to criteria that are identical to those required for a waiver:

a. Special conditions and circumstances exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district.

b. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied will prevent reasonable or otherwise permitted use of the land or structure or construction

c. The special conditions, circumstances, hardships, or practical difficulties do not result from actions of the applicant.

(3) Including findings based on all of the criteria that are required for a VARIANCE for any waiver of a standard condition will eliminate any concern related to the adequacy of the required findings for a waiver of a standard condition and will still provide the efficiency of not requiring a public hearing for a VARIANCE, which was the original reason for adding waivers of standard conditions to the Ordinance.

H. Paragraph 9.1.11.D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS NECESSARY FOR THE PUBLIC CONVENIENCE AT THIS LOCATION

7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:

A. The Petitioner has testified on the application, **"The proposed project will provide renewable energy for the community at a location that is situated to take advantage of existing topography, presence of existing electric infrastructure and proximity to a substation. The proposed project site is located on agricultural land, east of the Village of Homer, Illinois, away from public use areas. The properties surrounding the project site are agricultural farmland, and a railroad. No residences are located within 100 feet of the proposed project."**

B. The State of Illinois has adopted a Renewable Portfolio Standard that established a goal of 25% of the State's energy coming from renewable sources by the year 2025.

C. The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030.

D. There is an existing power line along the north side of the subject property which connects to the Homer substation.

GENERALLY REGARDING WHETHER THE SPECIAL USE WILL BE INJURIOUS TO THE DISTRICT OR OTHERWISE INJURIOUS TO THE PUBLIC WELFARE

8. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:

A. The Petitioner has testified on the application, "**The proposed project site is located on agricultural land, east of the Village of Homer, Illinois, away from public use areas. The properties surrounding the project site are agricultural farmland, and a railroad. No residences are located within 100 feet of the proposed project. The solar project will take all of the necessary precautions to not obstruct the operations performed on adjacent properties or the welfare of the residents of those properties. The solar arrays and surrounding fencing will be low enough as to not have any measurable effect on the growth or yield of the crops cultivated on the surrounding farmlands by blocking sunlight. A fence with a locked gate will surround the premises in order to deter trespassing. Warning signs will be clearly posted at the ingress/egress point(s) of the premises at all times. The fence and vegetative buffer that will surround the project will eliminate the project's potential to be visually burdensome to surrounding landowners. Vegetative maintenance will be performed regularly throughout the site property in order to eliminate excessive fire hazards and any other physical hazards. Completed photovoltaic solar farms tend to require very little maintenance and no on-site employees. The panels utilize a non-reflective glass designed to absorb light, eliminating any glare or glint that could be directed towards adjacent roadways and residences. Noise levels generated by the electrical equipment in the proposed project should not be audible above ambient noise outside of the premises. No regular traffic or use of heavy machinery will occur at the site once construction is complete. No hazardous chemicals are contained within the solar panels. During dark hours, the facility should be completely quiet and generate no excess lighting. There should be no potential for the release of air emissions, chemical spills, or contaminated storm water runoff from the site. Solar farms, by nature, have very little environmental or other physical impact upon their surroundings. Once the project has reached the end of its lifetime, and decommission is complete, the project area will be restored to its current state, ready for agricultural use. All of the aforementioned controls, precautions, and site characteristics confirm that there are no anticipated threats to public health, safety, general comfort and welfare. A Natural Resource Inventory Report (NRI) has been requested from the Champaign County Soil & Water Conversation District. The NRI report has been requested; the letter of request, submitted by consulting company TRC Environmental, is included in Appendix D.**"

B. Regarding surface drainage, the Champaign County Soil and Water Conservation District Natural Resource Report received November 1, 2018, provides a map showing that the subject property is relatively flat and generally drains toward the Drainage District ditch in the southeast part of the property.

C. Regarding traffic in the subject property area:

(1) The proposed solar farm would have one access on CR 1050N (East South Street).

(2) CR 1050N (East South Street) is an unmarked rural two-lane township road that is approximately 20 feet wide. It is comprised of oil and chip and has 2 feet wide gravel shoulders.

(3) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2016 near the subject property. CR 1050N (East South Street) had an ADT of 150 near the subject property.

(4) No significant increase in traffic is expected.

(5) The South Homer Township Highway Commissioner has been notified of this case and no comments have been received.

(6) No information was provided regarding a Roadway Upgrade and Maintenance Agreement with South Homer Township, which is a requirement of the Special Use Permit unless the petitioner requests a waiver from the local jurisdiction.

D. Regarding fire protection:

(1) No information was provided in the application received November 1, 2018, regarding whether the applicant has submitted a copy of the Site Plan to the local Fire Protection District. There is no timeline for completing this requirement.

(2) The Special Use Permit application received November 1, 2018, states: “Vegetative maintenance will be performed regularly throughout the site property in order to eliminate excessive fire hazards and any other physical hazards.”

(3) The Project Narrative received as part of the application on November 1, 2018, states: “Emergency Response: During construction of the project, a designated on-site safety manager will be established throughout each work day. The safety manager will perform any applicable pre-emergency planning tasks before field activities begin and will coordinate emergency response with on-site personnel and the local emergency service providers. Emergency equipment and supplies and their locations will be communicated to employees present at the project site. In case of a fire, explosion or chemical release, local fire officials and/or any other relevant emergency response authorities will be immediately notified. Operations will cease and the appropriate incident notifications and reports will be submitted to Champaign County and any other relevant government agencies. In the event that emergency medical treatment is needed, 911 will be notified immediately and

the incident reported to the on-site safety manager. The safety manager will coordinate further medical response and site evacuation, if necessary. A clear route of entrance and evacuation will be maintained at the site at all times. All field employees participating in the construction of the project will be given directions to the nearest hospital, Carle Foundation Hospital or OSF Heart of Mary Medical Center in Urbana, Illinois, before their work commences."

(4) The Homer Fire Protection District was notified of this case and no comments have been received.

E. No part of the subject property is located within a Special Flood Hazard Area, per FEMA Panel 17019C0500D, effective date October 2, 2013.

F. The 75.33-acre subject property is considered Best Prime Farmland. The Natural Resource Information Report received November 1, 2018, states that the soil on the subject property consists of 152A Drummer silty clay loam, 171B Catlin silt loam, 154A Flanagan silt loam, and 198A Elburn silt loam, and has an average Land Evaluation Factor of 96. Within the proposed fenced solar farm area, the soil consists of 152A Drummer silty clay loam and 198A Elburn silt loam, and has an average Land Evaluation Factor of 100.

G. Regarding outdoor lighting on the subject property, the application received November 1, 2018 states that there will only be minor required security lighting. A special condition has been added to ensure compliance for any future outdoor lighting installation.

H. Regarding wastewater treatment and disposal on the subject property, there is no wastewater treatment and disposal required or planned for the proposed PV SOLAR FARM.

I. Regarding neighborhood concerns, the following testimony was received at the January 31, 2019 ZBA meeting: (*placeholder*)

J. Regarding parking, there is no required parking for the proposed PV SOLAR FARM. The application received November 1, 2018 states, "During construction of the project, a parking area for crew vehicles and equipment will be designated within the property area."

K. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

GENERALLY REGARDING WHETHER THE SPECIAL USE CONFORMS TO APPLICABLE REGULATIONS AND STANDARDS AND PRESERVES THE ESSENTIAL CHARACTER OF THE DISTRICT

9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conforms to all applicable regulations and standards and preserves the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:

A. The Petitioner has testified on the application, **"SolAmerica believes that the details provided in this petition suffice as evidence that the proposed project will conform to all zoning regulations. SolAmerica will contact Champaign County prior to making any operational changes or commencing any additional construction that is not outlined in this petition. Once the project has reached the end of its lifetime, and decommission is complete, the project area will be completely restored for agricultural use. As a result of the planned vegetative maintenance and erosion control, outlined in the Applicant Information and Background section of this petition, the soils of the project area should be just as fertile, if not more so, than prior to construction."**

B. Regarding compliance with the *Zoning Ordinance*, the following evidence was provided:

(1) Section 5.2 authorizes a PV SOLAR FARM only by a County Board Special Use Permit in the AG-1 and AG-2 Agriculture Zoning Districts. It is not permitted by right in any district.

(2) Requirements for the PV SOLAR FARM Special Use Permit can be found in Section 6.1.5 of the Zoning Ordinance. Evidence of compliance with these factors is provided as an attachment to the Preliminary Memorandum for this case dated January 24, 2019.

C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*:

(1) The proposed PV SOLAR FARM is not exempt from the SWMEC Ordinance.

a. Part 5: Stormwater and Erosion Control of the application received November 1, 2018, states: "The project will comply with all requirements of Champaign County's storm water management regulations, erosion and sediment control provisions, and NPDES permit requirements, if applicable."

(2) Regarding the SWMEC requirement for a Storm Water Drainage Plan, the subject property is exempt from the Storm Water Drainage Plan requirement because it has less than 16% impervious area with that part containing no more than 1 acre of impervious area within a rectangular area of 90,000 square feet:

a. There is approximately 3.88 acres of proposed impervious area on the 75.33 acre subject property, or 5.2% impervious area, in the proposed Site Plan received November 1, 2018.

b. P&Z Staff calculated that within a rectangular area of 90,000 square feet including the most impervious area, less than 1 acre (43,560 square feet) would be impervious area (~28,782 square feet).

(3) Regarding the SWMEC requirement to protect agricultural field tile, see the review of compliance with paragraph 6.1.5 F. that contains standard conditions to mitigate damage to farmland.

D. Regarding the Special Flood Hazard Areas Ordinance, no part of the subject property is located within a Special Flood Hazard Area, per FEMA Panel 17019C0500D, effective date October 2, 2013.

E. Regarding the Subdivision Regulations, the 75.33-acre subject property is located in the Village of Homer subdivision jurisdiction and the subject property is in compliance.

F. Regarding the requirement that the Special Use preserve the essential character of the AG-2 Agriculture Zoning District:
(1) The proposed use is a PV SOLAR FARM that is consistent with the essential character of the AG-2 Agriculture District because it is only authorized in the AG-1 and AG-2 Districts.

G. The proposed Special Use must comply with the Illinois Accessibility Code, which is not a County ordinance or policy and the County cannot provide any flexibility regarding that Code. A Zoning Use Permit cannot be issued for any part of the proposed Special Use until full compliance with the Illinois Accessibility Code has been indicated in drawings.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use is in harmony with the general intent and purpose of the Ordinance:
A. The petitioner has stated on the application: "**As stated above, SolAmerica believes the proposed project will be constructed in such a way as to minimize impact on the surrounding area. Traffic ingress and egress needs are expected to be minimal during construction and negligible following completion of the project. Since the site property is located in a rural setting on the outside the Village of Homer, no significant impedance on the flow of regular traffic is anticipated. During construction of the project, a parking area for crew vehicles and equipment will be designated within the property area. No significant physical impacts to public roads are expected to occur during construction or operation of the project. All construction-related operations will occur within the confines of the project property. As discussed and asserted for other items within this ordinance and within this application, the impact of the proposed project on surrounding facilities, residences, and properties should be minimal throughout its entire lifecycle. There are no residence within 1000 feet of the proposed project area. The project will not impede the future development, use, efficacy, or enjoyment of the surrounding properties."**

B. A PV SOLAR FARM may be authorized by the County Board in the AG-1 or AG-2 Agriculture Zoning Districts as a Special Use provided all other zoning requirements and standard conditions are met or waived.
(1) A proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Waivers of standard conditions are subject to the following findings:
a. that the waiver is in accordance with the general purpose and intent of the ordinance; and

b. that the waiver will not be injurious to the neighborhood or to the public health, safety, and welfare.

C. See Section 12 for a summary of evidence regarding whether any requested waiver of standard conditions will be in harmony with the general intent and purpose of the Ordinance.

D. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:

(1) Subsection 5.1.1 of the Ordinance states the general intent of the AG-2 District and states as follows (capitalized words are defined in the Ordinance):

The AG-2, Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.

(2) The types of uses authorized in the AG-2 District are in fact the types of uses that have been determined to be acceptable in the AG-2 District. Uses authorized by Special Use Permit are acceptable uses in the districts provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.

(3) Paragraph 2.0(a) of the Ordinance states that one purpose of the Ordinance is securing adequate light, pure air, and safety from fire and other dangers.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.

(4) Paragraph 2.0(b) of the Ordinance states that one purpose of the Ordinance is conserving the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

a. Regarding the value of nearby properties, the ZBA reviewed two property value impact studies during the public hearings for the PV SOLAR FARM text amendment approved on August 23, 2018, and found no direct evidence indicating that solar farms have a negative effect on property values.

b. Regarding the value of the subject property, during the public hearings for the PV SOLAR FARM text amendment approved on August 23, 2018, ZBA found that the land owner receives an annual payment from the PV SOLAR FARM operator far in excess of the value of a crop from that land.

c. Section 6.1.5 Q. of the PV SOLAR FARM text amendment approved on August 23, 2018, includes a standard condition requiring a Decommissioning and Site Reclamation Plan that is intended to ensure there is adequate financial assurance for removal of a PV SOLAR FARM at the end of its useful life. Ensuring adequate site reclamation is one method of protecting surrounding property values.

d. A comparison of estimated property tax valuations for existing farmland and the proposed solar farm use employing the methodology specified in P.A. 100-0871 was completed by P&Z Staff using the template created by ZBA member Frank DiNovo for previous solar farm cases. The analysis was an attachment to the Preliminary Memorandum distributed on January 24, 2019, for the January 31, 2019 ZBA public hearing. The analysis, which provides data sources but has not been verified by the Assessor's Office, indicates that the current assessed value for the farmland on the 13.1-acre solar farm site is $7,000 and, assuming historical trends in farmland values, would average $9,815 over 25 years. The assessed value in year 1 for the subject property with the 2 MW solar farm installed would be $436,000, and would average $296,718 over 25 years, for a net increase in assessed value in year one of $429,000 and an average of $286,903 over 25 years. Net increases in tax revenues reflect the net increase in assessed value and the tax rates of the various taxing bodies. Using 2017 tax rates, the estimated net increase in annual tax revenue to all taxing bodies in South Homer Township would be $32,354 in year 1 and average $21,637 over 25 years.

(5) Paragraph 2.0(c) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding congestion in the public STREETS.

Other than additional traffic during construction and/or decommissioning of the PV SOLAR FARM, no significant increase in traffic is anticipated.

(6) Paragraph 2.0(d) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding the hazards to persons and damage to PROPERTY resulting from the accumulation of runoff from storm or flood waters.

a. The requested Special Use Permit is outside of the Special Flood Hazard Area.

b. Impervious area is within the limits of not requiring a Storm Water Management Plan.

c. Part 5: Stormwater and Erosion Control of the application received November 1, 2018, states: "The project will comply with all requirements of Champaign County's storm water management regulations, erosion and sediment control provisions, and NPDES permit requirements, if applicable. A minimal amount of ground disturbance should occur during the short (12 to 16 week) construction period of the project. No significant grading will be conducted. Upon the completion of the project, negligible grown disturbance will occur as a result of planned operations and maintenance. No significant alterations to site topography or storm water drainage patterns are anticipated to occur, both throughout and following the completion of the construction of the project. Disturbances within the site area will be seeded with a native seed mix that includes pollinator-friendly species. Seeded vegetation will establish a deep root system that should stabilize the soil and increase infiltration rates. The sight will be inspected for any erosion problems during each site visit and maintenance event. Inspections/visits will occur at a minimum frequency of two times per year.

Any erosion that may occur to the access road, ground cover, drainage structures, etc. will be restored to their acceptable conditions."

(7) Paragraph 2.0(e) of the Ordinance states that one purpose of the Ordinance is promoting the public health, safety, comfort, morals, and general welfare.

a. In regards to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.

b. In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.

(8) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits.

(9) Paragraph 2.0(i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0(j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0(k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0(l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate nonconforming conditions.

(10) Paragraph 2.0(m) of the Ordinance states that one purpose of the Ordinance is preventing additions to and alteration or remodeling of existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

This purpose is not relevant to the proposed Special Use Permit because it relates to nonconforming buildings, structures, or uses that existed on the date of the

adoption of the Ordinance and none of the current structures or the current use existed on the date of adoption.

(11) Paragraph 2.0(n) of the Ordinance states that one purpose of the Ordinance is protecting the most productive AGRICULTURAL lands from haphazard and unplanned intrusions of urban USES.

The subject property is located in the AG-2 Agriculture District and is, by definition, a rural use.

(12) Paragraph 2.0(o) of the Ordinance states that one purpose of the Ordinance is protecting natural features such as forested areas and watercourses.

The subject property has a Drainage District ditch running through the southeast portion of the property. There are no natural features in the vicinity of the proposed PV SOLAR FARM site.

(13) Paragraph 2.0(p) of the Ordinance states that one purpose of the Ordinance is encouraging the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The subject property is located in the AG-2 Agriculture District and is, by definition, a rural use.

(14) Paragraph 2.0(q) of the Ordinance states that one purpose of the Ordinance is encouraging the preservation of AGRICULTURAL belts surrounding urban areas, to retain the AGRICULTURAL nature of the COUNTY, and the individual character of existing communities.

The subject property is located in the AG-2 Agriculture District and is, by definition, a rural use.

(15) Paragraph 2.0(r) of the Ordinance states that one purpose of the Ordinance is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The entire project area is located in an Agriculture zoning district, which is the only zoning DISTRICT in which a PV SOLAR FARM is authorized.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

11. The proposed Special Use is not an existing NONCONFORMING USE.

RELATED TO THE WAIVERS, GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

12. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:

A. Regarding Part A of the proposed waivers, for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance:

(1) The application received November 1, 2018, includes a letter from Ryan Peters, SolAmerica Environmental Engineer, to Village of Homer Mayor Ray Cunningham dated October 30, 2018, which included a copy of the Special Use Permit application.

(2) The P&Z Department sent the Village of Homer Clerk notice via email of the ZBA hearing for this case on January 11, 2019.

(3) On January 11, 2019, Village Clerk Sharon Jeffers responded via email that "We have been in contact with SolAmerica Energy. A representative has spoken to our board. We are going to discuss this at our Monday night meeting. I will pass this information along."

a. In an email received January 22, 2019, Village Clerk Sharon Jeffers stated, "There was no public comment on the farm at this meeting. We did discuss this at another meeting and we had one individual from Ogden that voiced his concerns."

(4) The P&Z Department sent the Village of Homer notice via regular mail of the ZBA hearing on January 16, 2019.

(5) Adjacent landowners within 250 feet of the subject property were notified of the proposed project on January 16, 2019, and no comments have been received.

B. Regarding Part B of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board:

(1) Some details that are required to develop the cost estimates might not be available until the Zoning Use Permit phase, when more specific calculations are made by the applicants.

(2) A special condition has been added requiring the applicant to submit a Decommissioning and Site Reclamation Plan approved by ELUC at the time of application for a Zoning Use Permit.

C. Regarding Part C of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board:

(1) Township schedules for approving an agreement or a waiver do not necessarily occur prior to the Special Use Permit approval process.

(2) A special condition has been added requiring the applicant to submit a Roadway Upgrade and Maintenance Agreement or waiver therefrom and approved by ELUC at the time of application for a Zoning Use Permit.

D. Regarding Part D of the proposed waivers, for not including a Landscape Plan as part of the Special Use Permit application:

(1) In an email received January 16, 2019, Mr. Peters stated, "We state in our application, under Section 4 'Vegetative Maintenance', that during the final stage of construction we will plant native, low-growth plant species that are pollinator-friendly. We have reached out to Prairie Restorations, Inc., the longest running full-service ecological restoration company in the United States, to have them evaluate each site prior to construction so they can provide the recommended vegetation and planting schedule. We can provide this information during the building permit process, but we do not plan to evaluate our sites prior to the zoning board approval."

(2) A special condition has been added requiring the applicant to submit a Landscape Plan approved by ELUC at the time of application for a Zoning Use Permit.

E. Regarding Part E of the proposed waivers, for not including a Weed Control Plan as part of the Special Use Permit application:

(1) The Weed Control Plan can be included in the Landscape Plan.

(2) A special condition has been added requiring the applicant to submit a Weed Control Plan as part of the Landscape Plan approved by ELUC at the time of application for a Zoning Use Permit.

RELATED TO THE WAIVERS, GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE

13. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:

A. Without Part A of the proposed waivers, the applicant could not develop the PV SOLAR FARM on the subject property.

B. Without Parts B, C, D, and E of the proposed waivers, the Special Use Permit process might have to be extended in order to have sufficient time to prepare these documents, and they might lack the accuracy that can only be secured in the construction permitting phase.

RELATED TO THE WAIVERS, GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT

14. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:

A. Regarding Part A of the proposed waivers, for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet):

(1) The Illinois Future Energy Jobs Act went into effect on June 1, 2017.

(2) Solar farm developers have been establishing lease options with area landowners since that time. The owner of the subject property signed a lease agreement with SolAmerica Energy LLC on October 17, 2017.

(3) Champaign County began to draft a text amendment to allow solar farms in January 2018, and determined that all solar farm applications would be heard if the County adopted the text amendment.

(4) The petitioner had no County zoning regulations to follow when they started their design process for the subject property.

B. Regarding Part B of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board: Champaign County approved its solar farm text amendment under the assumption that accurate cost estimates could be created during the Special Use Permit process. It became clear in discussions with each solar farm petitioner that such estimates would not be considered accurate until the construction design phase, which would not be undertaken without the surety of having both an approved Special Use Permit and Renewable Energy Credits from the State of Illinois.

C. Regarding Part C of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board: the applicant was not responsible for requiring this waiver because they do not establish the timeline for Township or County Highway approvals.

D. Regarding Parts D and E of the proposed waivers, for not including a Landscape Plan and Weed Control Plan as part of the Special Use Permit application: the applicant was not responsible for requiring this waiver because the petitioner needs the surety of having both an approved Special Use Permit and Renewable Energy Credits from the State of Illinois before investing in the site evaluation they would do with a landscaping consultant during the construction permitting phase.

GENERALLY PERTAINING TO WHETHER OR NOT THE WAIVERS ARE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

15. Regarding the *Zoning Ordinance* requirement that the waivers of standard conditions of the Special Use will be in harmony with the general purpose and intent of the ordinance:

A. Regarding Part A of the proposed waivers, for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), the requested waiver (variance) is 50.8% of the minimum required, for a variance of 49.2%.

B. Regarding Part B of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board: the requested waiver (variance) is 0% of the minimum required, for a variance of 100%.

C. Regarding Part C of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board: the requested waiver (variance) is 0% of the minimum required, for a variance of 100%.

D. Regarding Parts D and E of the proposed waivers, for not including a Landscape Plan and Weed Control Plan as part of the Special Use Permit application: the requested waiver (variance) is 0% of the minimum required, for a variance of 100%.

RELATED TO THE WAIVERS, GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED WAIVERS ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE

16. Regarding the Zoning Ordinance requirement for a finding that the granting of the waiver (variance) will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
    A. The South Homer Township Highway Commissioner has been notified of this case, and no comments have been received.

    B. The Homer Fire Protection District has been notified of this case, and no comments have been received.

    C. Drainage District #1 of the Town of South Homer has been notified of this case, and no comments have been received.

    D. Considerations of public health, safety, and welfare for the proposed special use are discussed under Item 8 and are also applicable to the proposed waivers.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

17. Regarding proposed special conditions of approval:
    A. **The approved site plan consists of the following documents:**
        - **Site Plan Sheets 1 through 5 received November 1, 2019, to include clarification of the maximum height of the solar arrays.**
        - **A Landscape Plan including Weed Control Plan to be approved by the Environment and Land Use Committee prior to submittal with the Zoning Use Permit Application.**

    The above special condition is required to ensure that:

    The constructed PV SOLAR FARM is consistent with the special use permit approval.

    B**. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

    The special condition stated above is required to ensure the following:

    That exterior lighting for the proposed Special Use meets the requirements established for Special Uses in the Zoning Ordinance.

    C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

The special condition stated above is necessary to ensure the following:
That the proposed Special Use meets applicable state requirements for accessibility.

D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

The special condition stated above is required to ensure the following:
That the land affected by PV SOLAR FARM is restored to its pre-construction capabilities.

E. **A signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

The above special conditions are required to ensure that:
The Special Use Permit complies with Ordinance requirements and as authorized by waiver.

F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement signed by South Homer Township and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:
To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

G. **A Landscape Plan compliant with Section 6.1.5 F.(9)a.(b)iv., which includes a Weed Control Plan compliant with Section 6.1.5 P.(3) and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:
To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

H. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**

2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**

3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**

4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer**.

5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**

6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**

7. **The telephone number for the complaint hotline required by 6.1.5 S.**

8. **Any updates to the approved Site Plan from Case 922-S-18 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the Special Use Permit approval and in compliance with the Ordinance requirements.

I. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**

1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**

2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the special use permit approval and in compliance with the Ordinance requirements.

J. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**

1. **Maintain the pollinator plantings in perpetuity.**

2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**

3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**

4. **Maintain a current general liability policy as required by 6.1.5 O.**

5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**

6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**

7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

The above special condition is required to ensure that:

Future requirements are clearly identified for all successors of title, lessees, any operator and/or owner of the PV SOLAR FARM.

DOCUMENTS OF RECORD

1. Special Use Permit Application received November 1, 2018, with attachments:
   a. Supplemental Application Information, including:
      - Project Narrative
      - Traffic Impacts
      - General Construction and Development Criteria
      - Vegetative Maintenance
      - Storm Water and Erosion Control
      - Additional responses to P&Z Department SUP application questions 10-12
   b. Appendix A: Figures
      - Site Plan Sheet 1: Cover
      - Site Plan Sheet 2: FIRM Map
      - Site Plan Sheet 3: Existing Conditions
      - Site Plan Sheet 4: Site Plan
      - Site Plan Sheet 5: Standard Details
   c. Appendix B: Sample Decommissioning Plan
   d. Appendix C: IDNR EcoCAT Review, Application Receipt, and Consultation Termination Notification
   e. Appendix D: Request Letter for Champaign County Natural Resource Inventory Report
   f. Appendix E: Interconnection Request Pre-Application Report by Ameren Illinois dated August 7, 2017
   g. Appendix F: Documentation of mailing to the Village of Homer and South Homer Township Road Commissioner dated October 30, 2018

2. Email from Ryan Peters, SolAmerica Environmental Engineer, received January 16, 2019, with attachments:
   - Responses to questions from Susan Burgstrom
   - Specification sheet for proposed solar module TrinaSolar model TSM 365DE14A(II)
   - Specification sheet for proposed string inverter SMA-America Tripower Core 1 (62kw)

3. Emails from Sharon Jeffers, Clerk for the Village of Homer, received January 11, 2019 and January 22, 2019

4. Preliminary Memorandum dated January 24, 2019, with attachments:
   A Case Maps (Location Map, Land Use, and Zoning)
   B Site Plan (5 sheets) received November 1, 2018
   C SUP Application Exhibits received November 1, 2018
      1. Project Narrative
      2. Traffic Impacts
      3. Other General Construction and Development Criteria
      4. Vegetative Maintenance
      5. Storm Water and Erosion Control
      6. Project Information and Overview
      7. Sample Decommissioning Plan
      8. EcoCAT Natural Resource Review Results dated March 27, 2018 and IDNR consultation termination letter dated August 31, 2018

9. Interconnection Request Pre-Application Report by Ameren Illinois dated August 7, 2017
10. Village of Homer letter dated October 30, 2018
11. South Homer Township letter dated October 30, 2018

D Natural Resource Report by the Champaign County Soil and Water Conservation District received November 1, 2018

E Frank DiNovo's Assessment values analysis created by P&Z Staff on January 15, 2019

F Email from Ryan Peters, SolAmerica Environmental Engineer, received January 16, 2019, with attachments:
- Responses to questions from Susan Burgstrom
- Specification sheet for proposed solar module TrinaSolar model TSM 365DE14A(II)
- Specification sheet for proposed string inverter SMA-America Tripower Core 1 (62kw)

G Emails from Sharon Jeffers, Clerk for the Village of Homer, received January 11, 2019 and January 22, 2019

H Checklist for status of Special Use Permit application requirements created by P&Z Staff on January 24, 2019

I Compliance review of PV Solar Farm requirements from Section 6.1.5 of the Zoning Ordinance created by P&Z Staff dated January 24, 2019

J Summary of Evidence, Finding of Fact and Final Determination dated January 31, 2019

K Solar Farm Text Amendment as approved by the Champaign County Board on August 23, 2018

FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **922-S-18** held on **January 31, 2019,** the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit ***{IS / IS NOT}*** necessary for the public convenience at this location because:

2. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}*** is so designed, located, and proposed to be operated so that it ***{WILL NOT / WILL}*** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
   a. The street has ***{ADEQUATE / INADEQUATE}*** traffic capacity and the entrance location has ***{ADEQUATE / INADEQUATE}*** visibility.
   b. Emergency services availability is ***{ADEQUATE / INADEQUATE} {because*}***:
   c. The Special Use ***{WILL / WILL NOT}*** be compatible with adjacent uses ***{because*}***:
   d. Surface and subsurface drainage will be ***{ADEQUATE / INADEQUATE} {because*}:***
   e. Public safety will be ***{ADEQUATE / INADEQUATE} {because*}***:
   f. The provisions for parking will be ***{ADEQUATE / INADEQUATE} {because*}***:
   g. The property ***{IS/IS NOT}*** WELL SUITED OVERALL for the proposed improvements ***{because*}:***
   h. Existing public services ***{ARE/ARE NOT}*** available to support the proposed SPECIAL USE without undue public expense ***{because*}:***
   i. Existing public infrastructure together with the proposed development ***{IS/IS NOT}*** adequate to support the proposed development effectively and safely without undue public expense ***{because*}:***

   (Note the Board may include other relevant considerations as necessary or desirable in each case.)

*The Board may include additional justification if desired, but it is not required.

3a. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** conform to the applicable regulations and standards of the DISTRICT in which it is located because:

3b. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located because:
   a. The Special Use will be designed to ***{CONFORM / NOT CONFORM}*** to all relevant County ordinances and codes.
   b. The Special Use ***{WILL / WILL NOT}*** be compatible with adjacent uses.
   c. Public safety will be ***{ADEQUATE / INADEQUATE}***.

4. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}*** in harmony with the general purpose and intent of the Ordinance because:
   a. The Special Use is authorized in the District.

b. The requested Special Use Permit ***{IS/ IS NOT}*** necessary for the public convenience at this location.

c. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}*** is so designed, located, and proposed to be operated so that it ***{WILL / WILL NOT}*** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:

d. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located.

5. The requested Special Use **IS NOT** an existing nonconforming use.

6. Regarding necessary waivers of standard conditions:

Per Section 7.15 of the Champaign County ZBA Bylaws, "waivers may be approved individually or *en masse* by the affirmative vote of a majority of those members voting on the issue, and shall be incorporated into the Findings of Fact with the reason for granting each waiver described".

A. Regarding Part A of the proposed waivers, for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet):

(1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:

(2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

(3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:

(4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:

(5) The requested waiver {***SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:

B. Regarding Part B of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board:

(1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:

(2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

(3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:

(4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:

(5) The requested waiver {***SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:

C. Regarding Part C of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board:

(1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:

(2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

(3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:

(4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:

(5) The requested waiver {***SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:

D. Regarding Part D of the proposed waivers, for not including a Landscape Plan as part of the Special Use Permit application:

(1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:

(2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

(3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:

(4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:

(5) The requested waiver {***SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:

E. Regarding Part E of the proposed waivers, for not including a Weed Control Plan as part of the Special Use Permit application:

(1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:

(2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

(3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:

(4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:

(5) The requested waiver {***SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:

7. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:***

A. **The approved site plan consists of the following documents:**

- **Site Plan Sheets 1 through 5 received November 1, 2019, to include clarification of the maximum height of the solar arrays.**
- **A Landscape Plan including Weed Control Plan to be approved by the Environment and Land Use Committee prior to submittal with the Zoning Use Permit Application.**

The above special condition is required to ensure that:

The constructed PV SOLAR FARM is consistent with the special use permit approval.

B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

The special condition stated above is required to ensure the following:

That exterior lighting for the proposed Special Use meets the requirements established for Special Uses in the Zoning Ordinance.

C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

The special condition stated above is necessary to ensure the following:

That the proposed Special Use meets applicable state requirements for accessibility.

D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

The special condition stated above is required to ensure the following:

That the land affected by PV SOLAR FARM is restored to its pre-construction capabilities.

E. **A signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

The above special conditions are required to ensure that:

The Special Use Permit complies with Ordinance requirements and as authorized by waiver.

F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement signed by South Homer Township and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:

To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

G. **A Landscape Plan compliant with Section 6.1.5 F.(9)a.(b)iv., which includes a Weed Control Plan compliant with Section 6.1.5 P.(3) and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The above special condition is necessary to ensure the following:

To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.

H. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**

2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**

3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**

4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer**.

5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**

6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**

7. **The telephone number for the complaint hotline required by 6.1.5 S.**

8. **Any updates to the approved Site Plan from Case 922-S-18 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the Special Use Permit approval and in compliance with the Ordinance requirements.

I. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**

1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from**

the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.

2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**

The above special condition is required to ensure that:

The PV SOLAR FARM is constructed consistent with the special use permit approval and in compliance with the Ordinance requirements.

J. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**

1. **Maintain the pollinator plantings in perpetuity.**

2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**

3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**

4. **Maintain a current general liability policy as required by 6.1.5 O.**

5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**

6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**

7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

The above special condition is required to ensure that:

Future requirements are clearly identified for all successors of title, lessees, any operator and/or owner of the PV SOLAR FARM.

FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval of Section 9.1.11B. {***HAVE / HAVE NOT***} been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, recommends that:

The Special Use requested in Case **922-S-18** is hereby ***{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}*** to the applicant, **SolAmerica Energy LLC,** to authorize the following as a Special Use on land in the AG-2 Agriculture Zoning District:

Authorize a Community PV Solar Farm with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring, and

{SUBJECT TO THE FOLLOWING WAIVERS OF STANDARD CONDITIONS:}

Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.

Part D: A waiver for not including a Landscape Plan as part of the Special Use Permit application, per Section 6.1.5 F.(9)a.(b)iv.

Part E: A waiver for not including a Weed Control Plan as part of the Special Use Permit application, per Section 6.1.5 P.(3).

{ SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS: }

A. **The approved site plan consists of the following documents:**
- **Site Plan Sheets 1 through 5 received November 1, 2019, to include clarification of the maximum height of the solar arrays.**
- **A Landscape Plan including Weed Control Plan to be approved by the Environment and Land Use Committee prior to submittal with the Zoning Use Permit Application.**

B**. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

E. **A signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement signed by South Homer Township and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

G. **A Landscape Plan compliant with Section 6.1.5 F.(9)a.(b)iv., which includes a Weed Control Plan compliant with Section 6.1.5 P.(3) and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

H. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**

2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**

3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**

4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer**.

5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**

6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**

7. **The telephone number for the complaint hotline required by 6.1.5 S.**

8. **Any updates to the approved Site Plan from Case 922-S-18 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

I. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**

1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**

2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**

J. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**

1. **Maintain the pollinator plantings in perpetuity.**

2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**

3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**

4. **Maintain a current general liability policy as required by 6.1.5 O.**

5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**

6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**

7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED: ATTEST:

_____, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

Solar Farm Text Amendment as Approved by County Board
August 23, 2018

1. Add the following to Section 3.0 Definitions (somewhat similar to the definition of WIND FARM):

NOXIOUS WEEDS: any of several plants designated pursuant to the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.) and that are identified in 8 Illinois Administrative Code 220.

PHOTOVOLTAIC (PV): A type of solar energy system that produces electricity by the use of photovoltaic cells that generate electricity when struck by light.

PV SOLAR FARM: A unified development intended to convert sunlight into electricity by photovoltaic (PV) devices for the primary purpose of wholesale sales of generated electricity. A PV SOLAR FARM is under a common ownership and operating control even though parts of the PV SOLAR FARM may be located on land leased from different owners. A PV SOLAR FARM includes all necessary components including access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, a common switching station, maintenance and management facilities, and waterwells. PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

PV SOLAR FARM, COMMUNITY: A PV SOLAR FARM of not more than 2,000 kilowatt nameplate capacity that meets the requirements of 20 ILCS 3855/1-10 for a "community renewable generation project" and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels as either a) two 2-MW projects on one parcel, or b) one 2-MW project on each of two contiguous parcels, as authorized by the Illinois Commerce Commission in Final Order 17-0838 on April 3, 2018.

2. Add new subparagraph 4.2.1 C.4. as follows:

4. A PV SOLAR FARM may be authorized as a County Board SPECIAL USE permit in the AG-1, Agriculture Zoning District or the AG-2 Agriculture Zoning District as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.

3. Add new subparagraph 4.3.4 H.4.i. as follows (similar to existing 4.3.4 H.4.h. for wind farms):

i. PV SOLAR FARM except as PIPELINE IMPACT RADIUS regulations are required in Subsection 6.1.5.

4. Amend Section 5.2 as follows (similar to existing WIND FARM designation):

Add "PV SOLAR FARM" as a COUNTY BOARD Special Use Permit in the AG-1 District and AG-2 District by a "B".

5. Add the following as footnote 15 under the Special Provisions for the AG-1 District in Section 5.3 (similar to existing footnote 14 for LOTS in a WIND FARM):

15. LOTS in a PV SOLAR FARM County Board SPECIAL USE Permit and intended for PV SOLAR FARM, related substations, and PV SOLAR FARM maintenance and management

facilities are exempt from the requirements of Section 5.3 except as such regulations are required by Subsection 6.1.5.

6. Add new paragraph 5.4.3 F. as follows:

F. The Rural Residential Overlay Zoning District is prohibited from being established within a PV SOLAR FARM County Board SPECIAL USE Permit.

7. Amend Section 6.1.1 to read as follows:

A. Decommissioning and Site Reclamation Plan for NON-ADAPTABLE STRUCTURES

1. In the course of BOARD review of a SPECIAL USE request, the BOARD may find that a proposed STRUCTURE is a NON-ADAPTABLE STRUCTURE. Any WIND FARM and any PV SOLAR FARM shall be a NON-ADAPTABLE STRUCTURE. The Applicant for the SPECIAL USE request for a NON-ADAPTABLE STRUCTURE shall submit a decommissioning and site reclamation plan to the BOARD for the subject site.

2. The decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.

3. Separate cost estimates for Section 6.1.1 A.4.a., 6.1.1 A.4.b., and 6.1.1 A.4.c. shall be provided by an Illinois Licensed Professional Engineer.

    a. Cost estimates provided shall be subject to approval of the BOARD.

    b. Except as provided in Section 6.1.4 P. and Section 6.1.5 Q., the salvage value of the components of the NON-ADAPTABLE STRUCTURE shall not be credited to the cost estimates.

4. The decommissioning and site reclamation plan shall provide for:

    a. removal of above-ground portion of any STRUCTURE on the subject site; site grading; and interim soil erosion control;

    b. below-ground restoration, including final grading and surface treatment;

    c. any environmental remediation required by State or Federal law;

Section 6.1.1 A.4…

d. provision and maintenance of a letter of credit, as set forth in Section 6.1.1 A.5.

5. No Zoning Use Permit for such SPECIAL USE will be issued until the applicant provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.

   a. Unless specified elsewhere in this Ordinance, the irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1 A.4.a., Section 6.1.1 A.4.b., and Section 6.1.1 A.4.c.

   b. The provisions of this subparagraph notwithstanding, a different amount may be required as a special condition.

   c. The letter of credit, or a successor letter of credit pursuant to Section 6.1.1 A.6. or 6.1.1 A.14., shall remain in effect and shall be made available to the COUNTY for a term specified as a standard condition elsewhere in this ordinance, an indefinite term, or for a different term that may be required as a special condition.

6. One hundred eighty (180) days prior to the expiration date of an irrevocable letter of credit submitted pursuant to this Section, the Zoning Administrator shall notify the landowner or applicant in writing and request information about the landowner or applicant's intent to renew the letter of credit, or remove the NON-ADAPTABLE STRUCTURE. The landowner or applicant shall have thirty (30) days to respond in writing to this request. If the landowner or applicant's intention is to remove the NON-ADAPTABLE STRUCTURE, the landowner or applicant will have a total of ninety (90) days from the date of response to remove it in accordance with Section 6.1.1 A.4.a. At the end of ninety (90) days, the Zoning Administrator shall have a period of sixty (60) days to either:

   a. confirm that the bank has renewed the letter of credit; or

   b. inspect the subject property for compliance with Section 6.1.1 A.4.a.;

   c. draw on the letter of credit and commence the bid process to have a contractor remove the NON-ADAPTABLE STRUCTURE pursuant to Section 6.1.1 A.4.a.

7. The Zoning Administrator may find a NON-ADAPTABLE STRUCTURE abandoned in place. Factors to be considered in making this finding include, but are not limited to:

Section 6.1.1 A.7…

a. the nature and frequency of use as set forth in the application for SPECIAL USE;
b. the current nature and frequency of use;

c. whether the NON-ADAPTABLE STRUCTURE has become a public nuisance, or otherwise poses a risk of harm to public health or safety;

d. whether the NON-ADAPTABLE STRUCTURE has been maintained in a manner which allows it to be used for its intended purpose, with no greater effects on surrounding properties and the public as a whole than was originally intended.

e. A court of law, an arbitrator, mediator, or any state or Federal agency charged with enforcing State or Federal law has made a finding that either said NON-ADAPTABLE STRUCTURE or the structures supporting said NON-ADAPTABLE STRUCTURE and/or any related site grading and soil erosion controls or lack of same, constitutes a public nuisance or otherwise violates State or Federal law, or any State or Federal agency charged with enforcing State or Federal law has made a final determination either imposing an administrative sanction on any person associated with the NON-ADAPTABLE STRUCTURE relating to its use or denying the NON-ADAPTABLE STRUCTURE a permit necessary for its lawful operation.

8. Once the Zoning Administrator has made a finding that a NON-ADAPTABLE STRUCTURE is abandoned in place, the Zoning Administrator shall issue notice to the land owner at the owner's last known address, lessees, any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan, that the COUNTY will draw on the performance guarantee within thirty (30) days unless the owner appeals the Zoning Administrator's finding, pursuant to Section 9.1.8 or enters into a written agreement with the COUNTY to remove such NON-ADAPTABLE STRUCTURE in accordance with Section 6.1.1 A.4. within ninety (90) days and removes the NON-ADAPTABLE STRUCTURE accordingly.

9. The Zoning Administrator may draw on the funds to have said NON-ADAPTABLE STRUCTURE removed as per Section 6.1.1 A.4. of the decommissioning and site reclamation plan when any of the following occur:

a. no response is received from the land owner within thirty (30) days from initial notification by the Zoning Administrator;

b. the land owner does not enter, or breaches any term of a written agreement with the COUNTY to remove said NON-ADAPTABLE structure as provided in Section 6.1.1 A.8.;

Section 6.1.1 A.9…

c. any breach or performance failure of any provision of the decommissioning and site reclamation plan ;

d. the owner of record has filed a bankruptcy petition, or compromised the COUNTY's interest in the letter of credit in any way specifically allowed by the decommissioning and site reclamation plan ;

e. a court of law has made a finding that a NON-ADAPTABLE STRUCTURE constitutes a public nuisance;

f. the owner of record has failed to replace an expiring letter of credit within the deadlines set forth in Section 6.1.1 A.6.; or

g. any other conditions to which the COUNTY and the land owner mutually agree, as set forth in the decommissioning and site reclamation plan .

10. Once the letter of credit has been drawn upon, and the site has been restored to its original condition, as certified by the Zoning Administrator, the covenant entered into pursuant to Section 6.1.1. A.2. shall expire, and the COUNTY shall act to remove said covenant from the record of the property at the Recorder of Deeds within forty-five (45) days.

11. The proceeds of the letter of credit may only be used by the COUNTY to:

a. remove the NON-ADAPTABLE STRUCTURE and return the site to its condition prior to the placement of the NON-ADAPTABLE STRUCTURE, in accordance with the most recent decommissioning and site reclamation plan submitted and accepted in relation to the NON-ADAPTABLE STRUCTURE;

b. pay all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work, which shall include, but not be limited to, attorney's fees; construction management and other professional service fees; and the costs of preparing request for proposal and bidding documents required to comply with state law or Champaign County purchasing policies; and

c. remove any covenants placed on the title in conjunction with Section 6.1.1. A.2.

The balance of any proceeds remaining after the site has been reclaimed shall be returned to the issuer of the letter of credit.

12. No dispute as to the necessity or reasonableness of any costs of performing the site reclamation work identified in Section 6.1.1 A.11. shall impair the ability of Champaign County to draw on the Financial Assurance.

Section 6.1.1 A…

13. In accordance with the provisions of the Illinois Mechanic's Lien Act, 770 ILCS 60/1 and 60/7, the Applicant or successors in interest agree that any contractor retained by Champaign County to perform the decommissioning and site reclamation work in Section 6.1.1 A.11. shall have a lien upon the Project to the full extent of all costs of performing the decommissioning and site reclamation work identified in Section 6.1.1 A.11., and that such lien shall be superior to any claim or lien of any other creditor, incumbrancer or purchaser.

14. Upon transfer of any property subject to a letter of credit pursuant to this Section, the new owner or applicant of record shall submit a new irrevocable letter of credit of same or greater value to the Zoning Administrator, prior to legal transfer of title, and shall submit a new decommissioning and site reclamation plan, pursuant to Section 6.1.1 A.4.a., and, for WIND FARMS, Section 6.1.4 P., and for PV SOLAR FARMS, 6.1.5 Q. Once the new owner or applicant of record has done so, the letter of credit posted by the previous owner or applicant shall be released, and the previous owner shall be released from any further obligations under the decommissioning and site reclamation plan.

15. The Applicant shall provide evidence of any new, additional, or substitute financial assurance to the Zoning Administrator throughout the operating lifetime of the NON-ADAPTABLE STRUCTURE.

16. Should the decommissioning and site reclamation plan, or any part of it, be deemed invalid by a court of competent jurisdiction, the associated SPECIAL USE permit shall be deemed void.

8. Add new subsection 6.1.5 as follows (NOTE: the following new subsection is based on the existing subsection 6.1.4 for "WIND FARM"):

6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE permit

A PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE permit may only be authorized in the AG-1 Zoning District or the AG-2 Agriculture Zoning District subject to the following standard conditions.

A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

B. General Standard Conditions

(1) The area of the PV SOLAR FARM County Board SPECIAL USE permit must include the following minimum areas:

Section 6.1.5 B.(1)…

a. All land that will be exposed to a noise level greater than that authorized to Class A land as established by 35 Ill. Admin. Code Parts 900, 901 and 910 under paragraph 6.1.5 I.

b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the special use permit, access lanes or driveways shall be provided a minimum 40 feet wide area.

c. All necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM. For purposes of determining the minimum area of the special use permit, underground cable installations shall be provided a minimum 40 feet wide area.

d. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

(2) The PV SOLAR FARM County Board SPECIAL USE permit shall not be located in the following areas:

a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance unless the following is provided:

(a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit, except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.

(b) The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.

(c) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the

Section 6.1.5 B.(2)c…

consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.

b. Less than one-half mile from the CR Conservation Recreation Zoning District.

(3) Interconnection to the power grid

a. The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.

b. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.

(4) Right to farm

a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

C. Minimum Lot Standards

(1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/ or PV SOLAR FARM maintenance and management facilities.

(2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.

D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES

The location of each PV SOLAR FARM shall provide the following required separations as measured from the exterior of the above ground portion of the PV SOLAR FARM STRUCTURES and equipment including fencing:

Section 6.1.5 D…

(1) PV SOLAR FARM fencing shall be set back from the street centerline a minimum of 40 feet from a MINOR STREET and a minimum of 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.5 M.(2)a., but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.

(2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning lot is provided for the existing DWELLING or PRINCIPAL BUILDING.

(3) For properties not participating in the solar farm:

a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):

(a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.

(b) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the PV SOLAR FARM, the separation shall exceed 240 feet as deemed necessary by the BOARD.

b. For any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY), the separation shall be no less than 255 feet from any existing DWELLING or existing PRINCIPAL BUILDING and otherwise the perimeter fencing shall be a minimum of 10 feet from a SIDE or REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.

c. Additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.

(4) A separation of at least 500 feet from any of the following unless the SPECIAL USE permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:

Section 6.1.5 D.(4)…

a. any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or

b. any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE permit and that existed on or for which there had been a complete SPECIAL USE permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or

c. any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT.

(5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.

(6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.

(7) Separation distances for any PV SOLAR FARM with solar equipment exceeding 8 feet in height, with the exception of transmission lines which may be taller, shall be determined by the BOARD on a case-by-case basis.

(8) PV SOLAR FARM solar equipment other than inverters shall be no less than 26 feet from the property line of any lot more than 10 acres in area.

E. Standard Conditions for Design and Installation of any PV SOLAR FARM.

(1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.

(2) Electrical Components

a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.

Section 6.1.5 E.(2)…

b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV solar farm construction and minimizing impacts on agricultural drainage tile.

(3) Maximum height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE permit.

(4) Warnings

a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

(5) No construction may intrude on any easement or right of way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.

F. Standard Conditions to Mitigate Damage to Farmland

(1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth of 5 feet below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile or a lesser depth if so authorized by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

(2) Protection of agricultural drainage tile

a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.

Section 6.1.5 F.(2)…

b. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:

(a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.

(b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30-feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the PV SOLAR FARM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the PV SOLAR FARM SPECIAL USE Permit.

(c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30-feet wide no-construction buffer on either side of drainage district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.

c. Any agricultural drainage tile located underneath construction staging areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.

d. Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance.

e. Conformance of any relocation of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.

Section 6.1.5 F.(2)…

f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.

g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.

h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.

i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.

j. Following completion of the PV SOLAR FARM construction, the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant.

(3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by PV SOLAR FARM construction and/or decommissioning shall be restored by the applicant to the pre-PV SOLAR FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

(4) Topsoil replacement

For any open trenching required pursuant to PV SOLAR FARM construction, the topsoil shall be stripped and replaced as follows:

a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that it will not become intermixed with subsoil materials.

b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.

Section 6.1.5 F.(4)…

c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.

d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.

e. All topsoil shall be placed in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

(5) Mitigation of soil compaction and rutting

a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the PV SOLAR FARM lease.

b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.

c. All mitigation of soil compaction and rutting shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

(6) Land leveling

a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.

b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall level all disturbed land as follows:

(a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.

(b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.

c. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

Section 6.1.5 F…

(7) Permanent Erosion and Sedimentation Control Plan

a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.

b. As-built documentation of all permanent soil erosion and sedimentation improvements for the PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

(8) Retention of all topsoil

No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the PV SOLAR FARM.

(9) Minimizing disturbance to BEST PRIME FARMLAND

a. Any PV SOLAR FARM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:

(a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the PV SOLAR FARM shall be minimized at all times consistent with good engineering practice.

(b) Disturbance to BEST PRIME FARMLAND shall be offset by establishment of a vegetative ground cover within the PV SOLAR FARM that includes the following:

i. The vegetative ground cover shall use native plant species as much as possible and shall be based on a site assessment of the site geography and soil conditions.

ii. The species selected shall serve a secondary habitat purpose as much as possible.

iii. Maintenance of the vegetative ground cover shall use a combination of management approaches to ensure safe, cost-effective, reliable maintenance while minimizing environmental risks.

Section 6.1.5 F.(9)a.(b)…

iv. The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE permit application. The landscape plan shall include the weed control plan required by Section 6.1.5 P.(3).

G. Standard Conditions for Use of Public Streets

Any PV SOLAR FARM Applicant proposing to use any County Highway or a township or municipal STREET for the purpose of transporting PV SOLAR FARM or Substation parts and/or equipment for construction, operation, or maintenance of the PV SOLAR FARM or Substations(s), shall identify all such public STREETS and pay the costs of any necessary permits and the costs to repair any damage to the STREETS caused by the PV SOLAR FARM construction, as follows:

(1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.5 G.(1), (2), and (3), and the signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:

a. The applicant shall agree to conduct a pre-PV SOLAR FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:

(a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.

(b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction.

(c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.

b. The Applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.

Section 6.1.5 G.(1)…

c. The Applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.

d. The Applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.

e. The Applicant shall obtain any necessary Access Permits including any required plans.

f. The Applicant shall erect permanent markers indicating the presence of underground cables.

g. The Applicant shall install marker tape in any cable trench.

h. The Applicant shall become a member of the Illinois state wide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or "JULIE") and provide JULIE with all of the information necessary to update its record with respect to the PV SOLAR FARM.

i. The Applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection system.

j. The Applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.

k. The Applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for PV SOLAR FARM construction.

l. The Applicant shall transport the PV SOLAR FARM loads so as to minimize adverse impact on the local traffic including farm traffic.

m. The Applicant shall schedule PV SOLAR FARM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.

n. The Applicant shall provide as much advance notice as is commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the Applicant will provide 48 hours notice to the extent reasonably practicable.

o. The Applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.

Section 6.1.5 G.(1)…

p. The Applicant shall establish a single escrow account and a single Irrevocable Letter of Credit for the cost of all STREET upgrades and repairs pursuant to the PV SOLAR FARM construction.

q. The Applicant shall notify all relevant parties of any temporary STREET closures.

r. The Applicant shall obtain easements and other land rights needed to fulfill the Applicant's obligations under this Agreement.

s. The Applicant shall agree that the County shall design all STREET upgrades in accordance with the most recent edition of the IDOT Bureau of Local Roads and Streets Manual.

t. The Applicant shall provide written Notice to Proceed to the relevant STREET maintenance authority by December 31 of each year that identifies the STREETS to be upgraded during the following year.

u. The Applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.

v. The Applicant shall conduct a post-PV SOLAR FARM construction baseline survey similar to the pre-PV SOLAR FARM construction baseline survey to identify the extent of repairs necessary to return the STREETS to the pre-PV SOLAR FARM construction condition.

w. The Applicant shall pay for the cost of all repairs to all STREETS that are damaged by the Applicant during the construction of the PV SOLAR FARM and restore such STREETS to the condition they were in at the time of the pre-PV SOLAR FARM construction inventory.

x. All PV SOLAR FARM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.

y. The Applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.

z. The Applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.

aa. Provisions for expiration date on the agreement.

bb. Other conditions that may be required.

Section 6.1.5 G…

(2) A condition of the County Board Special Use Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the PV SOLAR FARM until the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, that includes the following:

a. Identify all such public STREETS or portions thereof that are intended to be used by the Applicant during construction of the PV SOLAR FARM as well as the number of loads, per axle weight of each load; and type of equipment that will be used to transport each load.

b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimated of the cost to replace such culverts and bridges;

c. A schedule of the anticipated STREET repair costs to be made in advance of the PV SOLAR FARM construction and following construction of the PV SOLAR FARM.

d. The Applicant shall reimburse the County Engineer; or Township Highway Commissioner; or municipality where relevant, for all reasonable engineering fees including the costs of a third party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.

(3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway use and Repair Agreement with the appropriate highway authority.

H. Standard Conditions for Coordination with Local Fire Protection District

(1) The Applicant shall submit to the local fire protection district a copy of the site plan.

(2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.

(3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

Section 6.1.5 …

I. Standard Conditions for Allowable Noise Level

(1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).

(2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed PV SOLAR FARM equipment necessary for a competent noise analysis.

(3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:

a. The SPECIAL USE permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:

(a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.

(b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.

(c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.

(d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.

b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.5 I.(3)a.

(4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:

Section 6.1.5 I.(4)…

a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.

b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive noise.

J. Standard Conditions for Endangered Species Consultation

The Applicant shall apply for consultation with the Endangered Species Program of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report from the Endangered Species Program of the Illinois Department of Natural Resources or, if applicable, a copy of the Detailed Action Plan Report submitted to the Endangered Species Program of the Illinois Department of Natural Resources and a copy of the response from the Illinois Department of Natural Resources.

K. Standard Conditions for Historic and Archaeological Resources Review

The Applicant shall apply for consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report from the State Historic Preservation Officer of the Illinois Department of Natural Resources.

L. Standard Conditions for Acceptable Wildlife Impacts

The PV SOLAR FARM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality.

M. Screening and fencing

(1) Perimeter fencing

a. PV SOLAR FARM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 7 feet.

b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS are controlled or eradicated consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.). Management of the vegetation shall be explained in the application.

Section 6.1.5 M…

(2) Screening

a. A visual screen shall be provided around the perimeter of the PV SOLAR FARM as follows:

(a) The visual screen shall be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the full 1,000 feet of an existing DWELLING or residential DISTRICT provided the applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the PV SOLAR FARM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.

(b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.

(c) The visual screen shall be a vegetated buffer as follows:

i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants and/or an area of agricultural crop production that will conceal the PV SOLAR FARM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.

ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the PV SOLAR FARM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.

iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice

Section 6.1.5 M.(2)a.(c)iii…

Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.

iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than 8 feet tall provided that the width of planting shall be as authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the PV SOLAR FARM perimeter fence is opaque.

v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.

vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE permit application.

N. Standard Conditions to Minimize Glare

(1) The design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties and the application shall include an explanation of how glare will be minimized.

(2) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate complaints of glare in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any significant glare that is occurring, including but not limited to the following:

a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about glare that have been received by the Complaint Hotline.

Section 6.1.5 N.(2)…

b. If the Environment and Land Use Committee determines that the glare is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive glare such as the installation of additional screening.

O. Standard Condition for Liability Insurance

(1) The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of a least $5 million per occurrence and $5 million in the aggregate.

(2) The general liability policy shall identify landowners in the SPECIAL USE permit as additional insured.

P. Operational Standard Conditions

(1) Maintenance

a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.

b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County Board SPECIAL USE Permit. Like-kind replacements shall not require re-certification nor will replacement of transformers, cabling, etc. provided replacement is done in a fashion similar to the original installation.

c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and the management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.

(2) Materials Handling, Storage and Disposal

a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

Section 6.1.5 P.(2)…

b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

(3) Vegetation management

a. The PV SOLAR FARM SPECIAL USE permit application shall include a weed control plan for the total area of the SPECIAL USE permit including areas both inside of and outside of the perimeter fencing.

b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.)

c. The weed control plan shall be explained in the application.

Q. Standard Condition for Decommissioning and Site Reclamation Plan

(1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1 A.

(2) In addition to the purposes listed in subparagraph 6.1.1 A.4. the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.

(3) The decommissioning and site reclamation plan required in paragraph 6.1.1 A. shall also include the following:

a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of the proceeding.

b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the PV SOLAR FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.

c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.

Section 6.1.5 Q.(3)…

d. A stipulation that at such time as decommissioning takes place the applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.

e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.

f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.

g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney's fees; construction management and other professional service fees; and the costs of preparing requests for proposals and bidding documents required to comply with state law or Champaign County purchasing policies.

h. The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.

i. Underground electrical cables at a depth of 5 feet or greater may be left in place.

j. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:

Section 6.1.5 Q.(3)j…

(a) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.

(b) The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.

(c) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.

(d) An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.

k. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE permit shall be deemed void.

l. A stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.

m. A stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of the financial assurance.

Section 6.1.5 Q.(3)…

n. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.

(4) To comply with paragraph 6.1.1 A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:

a. At the time of Special Use Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and shall otherwise be compliant with Section 6.1.1.A.5. except that if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the decommissioning and site reclamation plan as follows:

(a) No Zoning Use Permit to authorize construction of the SOLAR FARM shall be authorized by the Zoning Administrator until the SOLAR FARM owner shall provide the County with Financial Assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

(b) On or before the sixth anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

Section 6.1.5 Q.(4)a…

(c) On or before the eleventh anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

b. Net salvage value may be deducted from decommissioning costs as follows:

(a) One of the following standards shall be met:

i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or

ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the PV SOLAR FARM; or

iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1 A.2 that the reclamation work be done.

(b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.5. Q.(4)b.(a) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.

(c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.

Section 6.1.5 Q.(4)b…

(d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.

(e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.

(f) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.

(g) The total financial assurance after deduction of the net estimated salvage value shall not be less than $1,000 per acre.

(h) The credit for net estimated salvage value attributable to any PV SOLAR FARM may not exceed the estimated cost of removal of the above-ground portion of that PV SOLAR FARM on the subject site.

c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.

d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:

(a) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to

Section 6.1.5 Q.(4)d.(a)…

provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.

(b) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the PV SOLAR FARM was approved.

e. The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's) shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating, as follows:

(a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's).

(b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's.

(c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P or Moody's is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P or Moody's meets or exceeds the minimum acceptable long term corporate debt (credit) rating,

f. At all times the value of the irrevocable letter of credit shall be increased annually as necessary to reflect actual rates of inflation over the life span of the PV SOLAR FARM and the amount shall be equal to or exceed 125% of the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the PV SOLAR FARM was approved.

Section 6.1.5 Q.(4)…

g. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5 Q.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.5 Q.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.

h. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1 A.5.

i. Unless the Governing Body approves otherwise, the Champaign County State's Attorney's Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.

(5) In addition to the conditions listed in subparagraph 6.1.1 A.9. the Zoning Administrator may also draw on the funds for the following reasons:

a. In the event that any PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.

b. In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.

c. There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.

d. Any PV SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.

e. Any PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.

f. The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM SPECIAL USE permit for a period exceeding ninety (90) days.

g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the special use permit or compromised the COUNTY's interest in the decommissioning and site reclamation plan.

h. The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the special use permit zoning case.

Section 6.1.5 Q.(5)…

i. The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.5 D. or failed to submit it to the County within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.

(6) The Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.5 Q.(5) met, with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.

(7) The Decommissioning and Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

(1) If provided by state law, the Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

(2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

(3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the County Board SPECIAL USE Permit.

(4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

S. Complaint Hotline

(1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the County Board SPECIAL USE permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.

(2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.

Section 6.1.5 S…

(3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.

(4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.

(5) All calls shall be recorded and the recording shall be saved for transcription for a minimum of two years.

(6) A copy of the telephone number hotline shall be provided to the Zoning Administrator on a monthly basis.

(7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.

T. Standard Condition for Expiration of PV SOLAR FARM County Board SPECIAL USE Permit

A PV SOLAR FARM County Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.

U. Application Requirements

(1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11 A.2., the application shall contain or be accompanied by the following information:

a. A PV SOLAR FARM Project Summary, including, to the extent available:

(a) A general description of the project, including its approximate DC and AC generating capacity; the maximum number and type of solar devices; and the potential equipment manufacturer(s).

(b) The specific proposed location of the PV SOLAR FARM including all tax parcels on which the PV SOLAR FARM will be constructed.

(c) The specific proposed location of all tax parcels required to be included in the PV SOLAR FARM County Board SPECIAL USE Permit.

(d) A description of the Applicant; Owner and Operator, including their respective business structures.

b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM County Board SPECIAL USE permit.

Section 6.1.5 U.(1)…

c. A site plan for the SOLAR FARM indicating the following:

(a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substations(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.

(b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 A.(1).

(c) The location of all below-ground wiring.

(d) The location, height, and appearance of all above-ground wiring and wiring structures.

(e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM County Board SPECIAL USE Permit. PV SOLAR FARM structures includes substations, third party transmission lines, maintenance and management facilities, or other significant structures.

d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.

e. The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5 B.(2)a.(b).

f. A municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the ZONING ADMINISTRATOR prior

Section 6.1.5 U.(1)f.

to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board or, in the absence of such a resolution, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.

g. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM as required by Section 6.1.5 B.(3)b.

(2) The Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the County Board SPECIAL USE permit application is pending.

(3) The Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.

9. Add the following paragraph 9.3.1 J. for Zoning Use Permit fee:

J. PV SOLAR FARM with not more than 7.5 megawatt nameplate rating..... $1,800 per megawatt (includes COMMUNITY PV SOLAR FARM)

PV SOLAR FARM with nameplate rating of more than 7.5 megawatts…. $13,500 plus $1,260 for each megawatt more than 7.5 megawatts

10. Revise subsection 9.3.3 as follows:

9.3.3 Zoning Case Filing Fees

A. General Provisions

(1) No zoning case filing shall be accepted until the filing fee has been paid.

(2) No zoning case filing fee shall be waived unless the Zoning Administrator determines that the petition is the only means reasonably available to bring a property into compliance with the provisions of this ordinance and the non-compliance is due solely to staff error.

(3) No zoning case filing fee shall be refunded after required legal notice has been made by mail or publication unless the Zoning Administrator determines such filing to have been based solely upon staff error.

Section 9.3.3 A…

(4) No amendment to any petition which requires new legal notice shall be considered until an amended petition fee has been received unless the Zoning Administrator determines such amendment to be required due solely to staff error.

(5) The fee for SPECIAL USE permits shall be determined based on the larger of the following (except for County Board WIND FARM or PV SOLAR FARM SPECIAL USE Permits):

a. the area of farmland taken out of production as a result of the SPECIAL USE; or

b. when farmland will not be taken out of production as a result of the SPECIAL USE, the land area taken up by the existing STRUCTURES and all proposed CONSTRUCTION proposed in the SPECIAL USE application.

(6) When some combination of VARIANCE, SPECIAL USE and Map Amendment cases is required simultaneously for the same property, the total filing fee shall include the following (except for County Board WIND FARM or PV SOLAR FARM Special Use Permits):

a. The standard fee for the most expensive individual zoning case; and

b. one-half of the standard fee for any other required VARIANCE, SPECIAL USE, or Map Amendment provided that

c. no additional fees shall be included for multiple zoning cases of the same type that can be advertised in the same legal advertisement.

B. Fees

(1) VARIANCES

a. ADMINISTRATIVE VARIANCES..$100

b. Minor or Major VARIANCES.....$200

(2) SPECIAL USE permits and Map Amendments (except for County Board WIND FARM or PV SOLAR FARM Special Use Permit)

a. Two acres or less and Base Fee for larger areas $400

b. More than two acres but no more than 12 acres. .....add $40 per acre to Base Fee for each acre over two acres

c. More than 12 acres add $10 per acre for each acre over 12 acres and add to fees in a. and b. above

Section 9.3.3 B…

(3) Appeals and Interpretations.....$200

(4) Change of Nonconforming Use…….....$100

(5) Amendment to Petitions (requiring new legal notice) $100

(6) County Board WIND FARM Special Use Permit…..... $20,000 or $440 per WIND FARM TURBINE TOWER, whichever is greater

(7) BIG WIND TURBINE TOWER SPECIAL USE Permit per BIG WIND TURBINE TOWER...……$3,300

(8) County Board PV SOLAR FARM Special Use Permit

PV SOLAR FARM with not more than 7.5 megawatt nameplate rating……. $1,320 per megawatt (includes COMMUNITY PV SOLAR FARM)

PV SOLAR FARM with nameplate rating of more than 7.5 megawatts to 112.5 megawatts…..…..$9,240 plus $102 for each megawatt more than 7.5 megawatts and up to 112.5 megawatts

PV SOLAR FARM with more than 112.5 megawatt nameplate rating……..... $180 per megawatt

Susan Burgstrom

From: rpeters@solamericaenergy.com
Sent: Wednesday, January 23, 2019 5:17 PM
To: Susan Burgstrom
Subject: RE: a few more questions for Sinclair solar farm

Susan,

Below are the questions and responses (in RED) from your previous email.

1. What is the maximum height of the solar arrays? We note a reference to 9 feet in the Project Narrative and another at 12 feet on Sheet 5.0 of the Site Plan. MAXIMUM HEIGHT IS CONSERVATIVELY 12 FEET, BUT OUR TYPICAL DESIGN IS 9 FEET.

2. Will this project go ahead if it is not chosen to receive RECs from the Illinois FEJA lottery? If not, is any kind of state level review necessary to make the project move forward? THE PROJECT WILL NOT MOVE UNLESS REC'S ARE RECEIVED FROM FEJA. WE WILL BE SUBMITTING THIS PROJECT INTO THE FEJA PROGRAM. THE ILLINOIS POWER AGENCY HAS HIRED A THIRD PARTY CONSULTING FIRM TO REVIEW EACH PROJECT THAT IS SELECTED PRIOR TO AWARDING THEM THE REC'S.

3. If this project is not dependent on the RECs lottery, how soon could you provide us with the Decommissioning and Site Reclamation Plan and Roadway Upgrade Agreement that are both compliant with our ordinance? THIS PROJECT IS DEPENDENT ON THE REC'S LOTTERY.

4. Who will make the upgrade to the electrical distribution line to make it a 3-phase line as discussed in the Interconnection Agreement? TECHNICALLY, AMEREN WILL BE RESPONSIBLE FOR MAKING THAT UPGRADE TO THE SYSTEM, BUT WE WILL BE RESPONSIBLE FOR PAYING AMEREN FOR ANY UPGRADES REQUIRED TO INTERCONNECT OUR SYSTEM, PER THE INTERCONNECTOIN AGREEMENT.

Please let me know if you have any additional questions.

Also, have you finalized the agenda for the January 31 meeting? If so, could you please send me a copy.

Thanks,

Ryan Peters, P.E.
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From: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Sent: Wednesday, January 23, 2019 2:01 PM