

CASE 115-S-23
PRELIMINARY MEMORANDUM
FEBRUARY 7, 2024

Petitioner: Pivot Energy IL 38, LLC, via agent Liz Reddington, with participating landowners Louis and Donna Zitting

Request: Authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 Agriculture Zoning District, and including the following waiver of standard conditions:

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. of the Zoning Ordinance.

Other waivers may be necessary.

Location: That part of a 51.16-acre tract of land lying south of County Highway 15 (CR 1050N) in the East Half of the West Half of Section 12, Township 18 North, Range 10 East of the Third Principal Meridian in Sidney Township, and commonly known as farmland owned by Louis and Donna Zitting.

Site Area: Approximately 27 acres of a 51.16-acre tract

Time Schedule for Development: As soon as possible

Prepared by: **Susan Burgstrom**, Senior Planner
John Hall, Zoning Administrator

BACKGROUND

The petitioners would like to construct one 5-megawatt Community PV Solar Farm on a 51.16-acre tract along CR 1050N/County Highway 15 in Sidney Township. The petitioners request a waiver from standard conditions for the Special Use Permit so they can provide a waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom at a later date. A PV Solar Farm requires approval by the County Board after recommendations are made by the ZBA and Environment and Land Use Committee.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Agriculture	AG-1 Agriculture
North	Agriculture	AG-1 Agriculture
West	Frito-Lay facility	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

EXTRATERRITORIAL JURISDICTION

The subject property is not located within 1.5 miles of a municipality with zoning. Municipalities with zoning are notified of Special Use Permit cases, but do not have protest rights in these cases.

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

SCREENING REQUIREMENT

There are four residences within 1,000 feet of the proposed solar farm, so screening is required per Section 6.1.5 M.(2) unless the “owner of a relevant dwelling have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the board or governing body.”

In a revised Site Plan received January 25, 2024, the petitioners added vegetative screening on the north, east and west sides of the solar farm fenced area.

NOISE

The Zoning Ordinance does not require a noise study a community PV Solar Farm unless the ZBA requires one. The petitioners did not complete a noise study for the project but did indicate in their application that “noise levels related to the project will fully comply with the applicable Illinois Pollution Control Board (IPCB) regulations.”

The nearest residence to the inverters is approximately 940 feet to the northwest. Also of note is that the proposed solar farm is next to the Frito-Lay facility, which creates its own ambient noise in the area.

PROPOSED SPECIAL CONDITIONS

- A. **The approved site plan consists of the following documents:**
- **Site Plan received January 25, 2024.**

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

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 required to ensure the following:

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

- D. **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 special condition stated above is required to ensure the following:

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

- E. **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by relevant County, township, and/or municipal authorities and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The special condition stated above is required 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.

- F. **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 or a rating of "A-" by Kroll'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. **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 115-S-23 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

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

- G. **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 special condition stated above is required to ensure the following:

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

- H. **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 special condition stated above is required to ensure the following:

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

- I. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

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

The PV SOLAR FARM is constructed in compliance with the Ordinance requirements.

- J. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- K. **A 5 feet deep open trench shall extend for 30 feet on either side of any drainageway that is crossed with underground wiring and the relevant drainage district shall be provided 48 hours in which to inspect for tile and the positions of any tile lines that are discovered shall be recorded using Global Positioning System (GPS) technology.**

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

That drainage district tiles are protected.

- L. **A copy of a signed agreement with the drainage district establishing the 40 feet wide easement and including any provisions for cabling and access to the easement shall be provided to the Zoning Administrator prior to the issuance of a Zoning Use Permit.**

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

Adequate care is taken to protect the drainage district tile.

- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

That the current version of the Zoning Ordinance has been referenced.

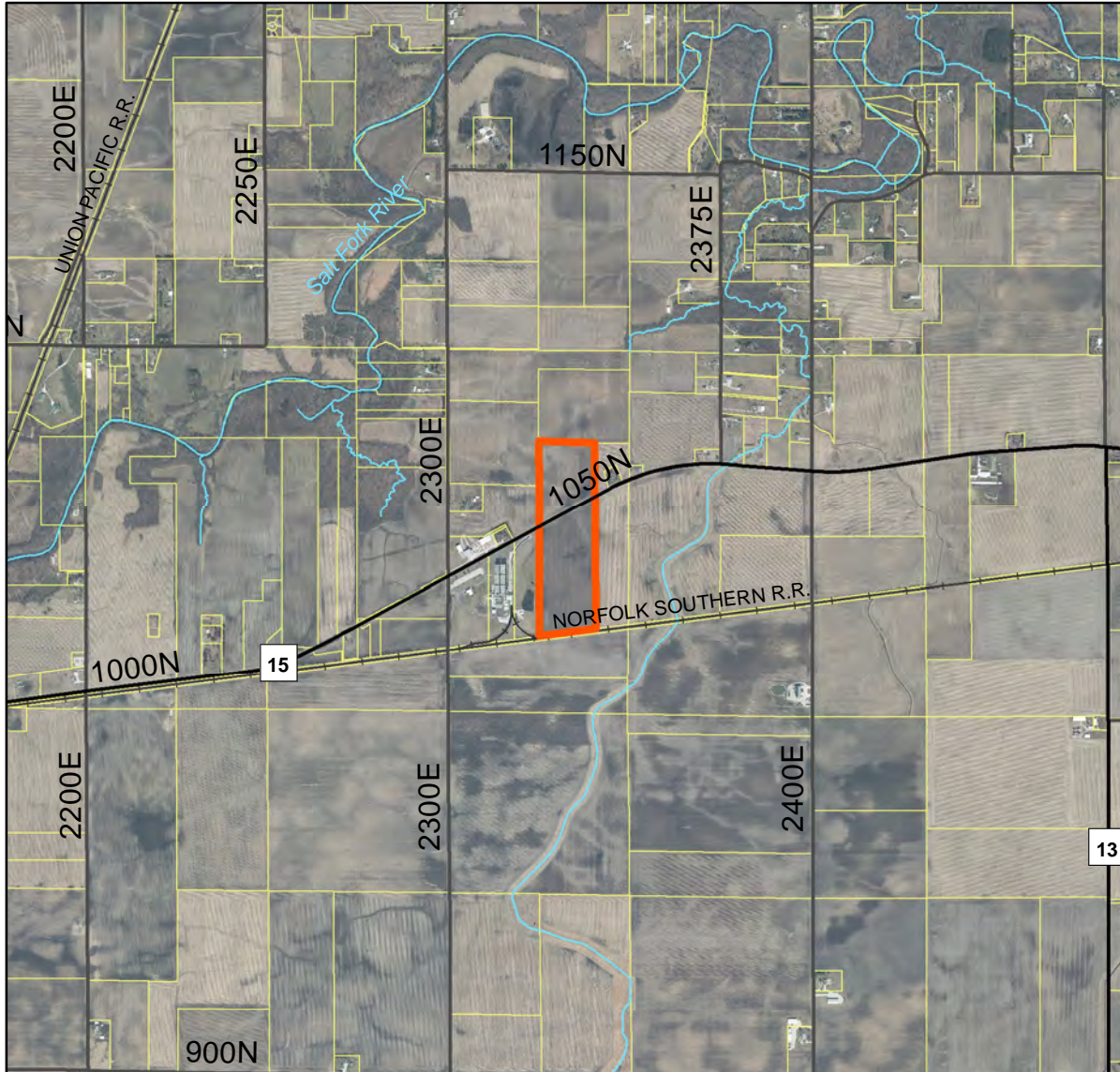
ATTACHMENTS



- A Case Maps (Location Map, Land Use, and Zoning)
- B Site Plan received January 25, 2024
- C Project Narrative received August 8, 2023
- D Landscaping Plan received August 8, 2023
- E Complaint resolution received August 8, 2023
- F Interconnection application received August 8, 2023
- G EcoCAT consultation report received August 9, 2023
- H Natural Resources Information Report from Champaign County Soil and Water Conservation District received October 26, 2023
- I Agricultural Impact Mitigation Agreement received August 22, 2023
- J Decommissioning and Site Reclamation Plan received August 30, 2023
- K State Historic Preservation Office letter received January 23, 2024
- L Inverters data sheet downloaded September 6, 2023
- M Solar module data sheet received September 19, 2023
- N Equipment elevations sheet received August 8, 2023
- O Site visit images taken September 18, 2023
- P Summary of Evidence, Summary Finding of Fact and Final Determination dated February 15, 2024

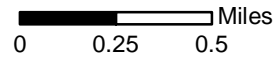
Location Map

Case 115-S-23
February 15, 2024

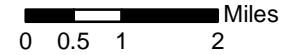
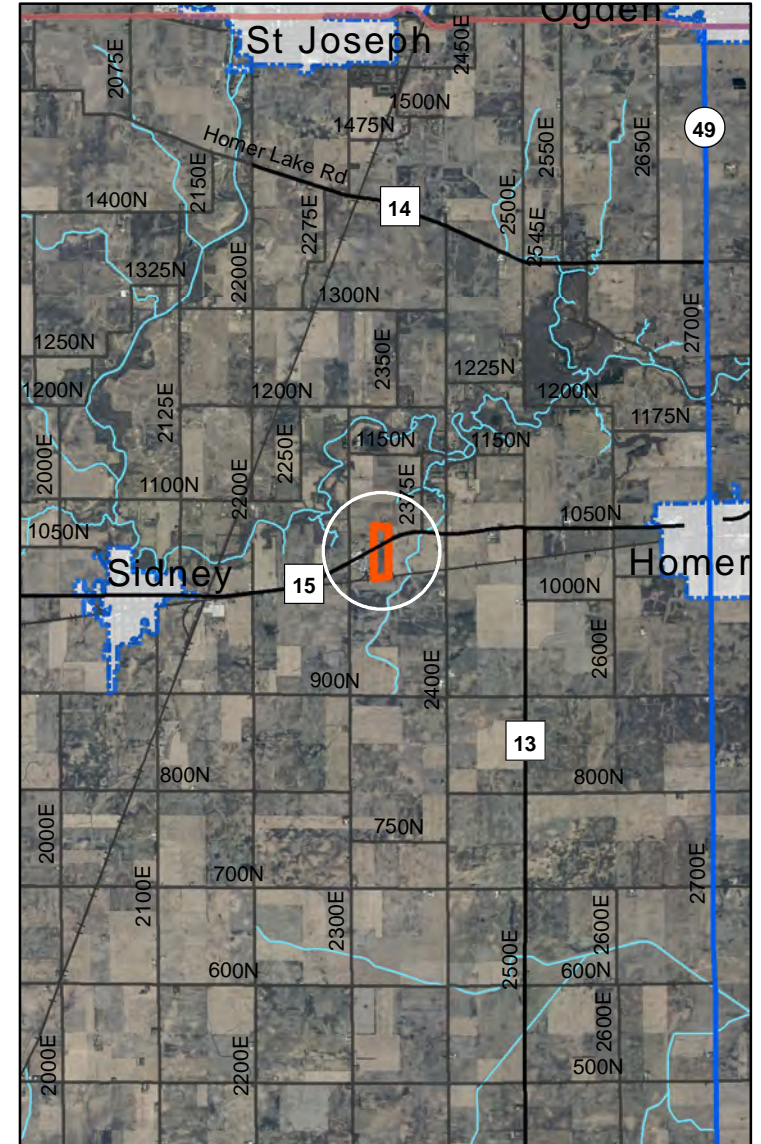
Subject Property



-  Subject Property
-  Parcels

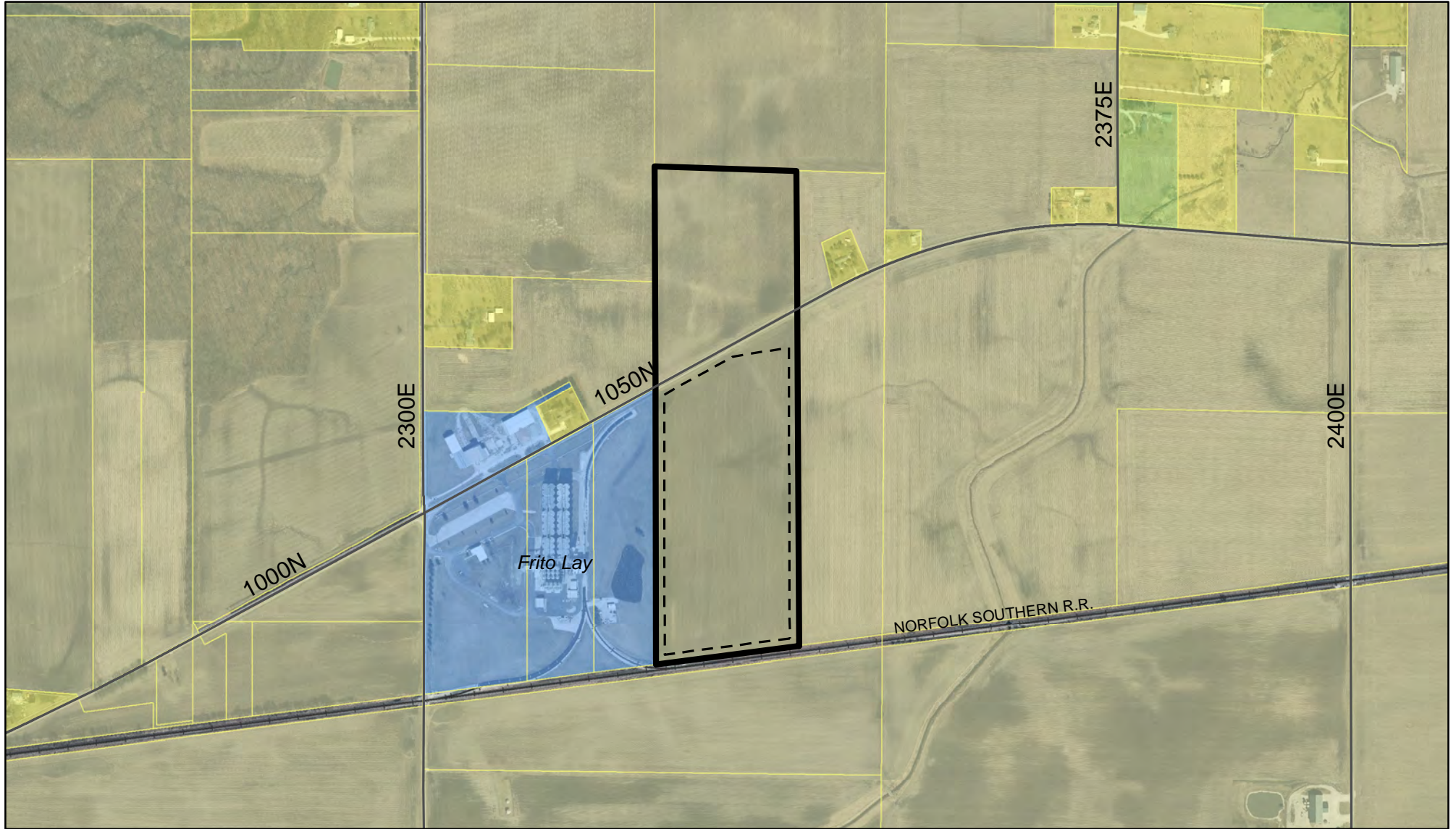


Property location in Champaign County

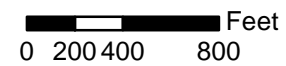


Land Use Map

Case 115-S-23
February 15, 2024



- Solar Farm Fenced Area
- Subject Property
- Parcels
- Agriculture
- Ag/Residential
- Residential
- Commercial

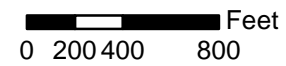


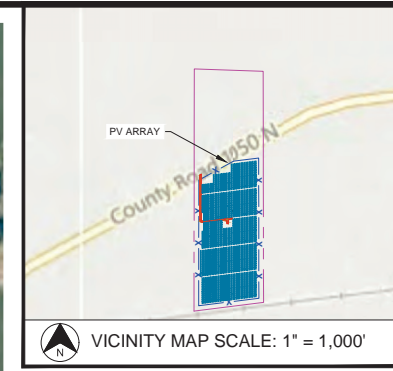
Zoning Map

Case 115-S-23
February 15, 2024



- Subject Property
- Solar Farm Fenced Area
- Parcels
- AG-1 Agriculture
- B-3 Highway Business
- CR Conservation Recreation





Pivot Energy
 1750 15TH STREET, SUITE 200
 WWW.PIVOTENERGY.NET

THIS DRAWING IS THE PROPERTY OF PIVOT ENERGY. THE INFORMATION CONTAINED IN THIS DOCUMENT SHALL NOT BE REPRODUCED OR DISCLOSED TO OTHERS WITHOUT THE WRITTEN CONSENT OF PIVOT ENERGY.

SEAL

- SYSTEM INFORMATION**
1. SYSTEM SIZE: 6,677KWDC / 5,000KWAC
 2. SPECIFIC PRODUCTION: 1,653 KWH/KWP
 3. ANNUAL PRODUCTION: 11,035 MWH
 4. SOLAR MODULES TYPE: 535W (BIFACIAL) @ STC
 5. SOLAR MODULE QTY: (12,480) 480 STRINGS OF 26 MODULES
 6. SOLAR INVERTERS: (40) CPS SCA125KTL
 7. SOLAR MLPE: N/A
 8. ASHRAE 2% AVG. HIGH TEMP: 33°C
 9. ASHRAE EXTREME LOW TEMP: -23°C
 10. ARRAY AZIMUTH: 180°
 11. ARRAY TILT: 0°
 12. RACKING TYPE: SINGLE-AXIS TRACKER
 13. GROUND COVERAGE RATIO: 39% GCR

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF ILLINOIS.

LICENSE # _____
 EXPIRATION _____

- SITE INFORMATION**
1. PARCEL ID: 242812300002
 2. JURISDICTION: CHAMPAIGN COUNTY
 3. ZONING CLASSIFICATION: AGRICULTURE
 4. ZONING SETBACKS:
 - FRONT: 50 FT
 - SIDE: 50 FT
 - REAR: 50 FT
 5. PARCEL AREA: 52.68 ACRES
 6. PROPOSED LEASE AREA: 26.26 ACRES
 7. UTILITY: AMEREN
 8. POI LOCATION: 40.0331, -88.0236
 9. ARRAY TO POI DISTANCE: 655 FT
 10. POI TO SUBSTATION DISTANCE: 1.48 MILE
 11. INTERCONNECTION VOLTAGE: TBD KV

REVISIONS	DATE	DESCRIPTION
1	2023.09.06	ISSUE FOR PERMITS
2	2023.09.06	REVISED PER SETBACK
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

- SITE CHARACTERISTICS**
1. EXISTING EASEMENTS: NONE IDENTIFIED
 2. WELLS & SEPTIC SYSTEMS: NONE IDENTIFIED
 3. SCENIC ROUTE: NONE IDENTIFIED
 4. HISTORIC PROPERTIES: NONE IDENTIFIED
 5. WETLANDS & WATER WAYS: NONE IDENTIFIED
 6. HYDRIC SOILS: NONE IDENTIFIED
 7. FLOOD HAZARDS: NONE IDENTIFIED
 8. PROTECTED LANDS: NONE IDENTIFIED
 9. CONSERVATION AREAS: NONE IDENTIFIED
 10. ENDANGERED SPECIES: NONE IDENTIFIED
 11. PRIME FARMLAND SOILS: PRIME FARMLAND IDENTIFIED ON SITE
 12. SHALLOW BEDROCK: NONE IDENTIFIED
 13. KARST FEATURES: EVAPORITE BASINS IDENTIFIED ON SITE
 14. EXISTING GROUND SLOPES: 0%-5% THROUGHOUT THE SITE
 15. SITE GRADING: MINIMAL TO NONE ANTICIPATED

PROJECT TITLE
 ILL038-COUNTYRD 1050N

SHEET NO.
 40.031750, -88.022632
 SIDNEY, IL 61877

RECEIVED
 JAN 25, 2024
 CHAMPAIGN COUNTY
 PLANNING & ZONING

LEGEND

VEGETATIVE SCREENING	---x---
PROPERTY BOUNDARY	---
ROOFLINE	---
SETBACK LINE	---
SECURITY FENCE	---x---
OVERHEAD MEDIUM VOLTAGE ELECTRICAL	---x---
UNDERGROUND MEDIUM VOLTAGE ELECTRICAL	---
OVERHEAD HIGH VOLTAGE ELECTRICAL	---
ACCESS ROAD	---
VEGETATIVE BUFFER	---
WETLAND	---
FLOOD HAZARD EDGE	---
AREA OF INTEREST	---
AREA NOT OF INTEREST	---
TREE CLEARING	---
10-20% GROUND SLOPES	---
>20% GROUND SLOPES	---

SHEET TITLE
ARRAY PLAN

DRAWN BY
 JCL

CHECKED BY
 RWG

DATE
 9/6/2023

SHEET NO.
 E100

1 ARRAY PLAN
 SCALE: 1" = 140'



ALL NOTES, DESCRIPTIONS, AND FIGURES ARE BASED ON PRELIMINARY ANALYSIS AND SUBJECT TO CHANGE AT DISCRETION OF PIVOT ENERGY, LLC. DRAWING IS NOT FOR CONSTRUCTION

Project Narrative

Community Solar

Pivot Energy IL 38, LLC (Applicant/Project), an entity wholly owned by Pivot Energy, Inc. (Pivot), proposes to develop and operate a community PV solar project on a parcel located on County Road 1050 N (County Highway 15) in Champaign County. The project is designed as a 6.68 Megawatts DC (MWdc) / (5.00 Megawatts AC (MWac), single-axis tracker, ground-mount solar photovoltaic array. The electricity generated from this system will contribute to Illinois' renewable energy goals while benefiting Champaign County residents. This system's annual generating capacity is estimated to provide 10,590 megawatt-hours (MWh/year) – sufficient energy to power 1,460 residential homes.

Commonly referred to as a solar farm, the concept of harvesting energy dates from the use of farmland to harvest crops to feed horses used in cartage. Elk/Pivot's projects utilize solar arrays to harvest or generate electricity which is distributed to metered accounts through a participating utility. Many utility customers cannot meet their energy needs by installing individual solar energy systems; for these customers, a subscription to a community solar farm provides an opportunity to utilize renewable energy while also offering the potential to realize energy savings on their utility bills.

As a national provider of renewable energy, Pivot Energy develops, finances, constructs, and operates solar energy and energy storage facilities that contribute to decarbonizing our nation's electricity, increasing equitable access to clean energy for local communities, while providing real cost-savings to America's businesses and families. With nearly 1,300 operational solar projects, Pivot has demonstrated the company's commitment and expertise to the successful development of community solar in the United States. More detailed information on Pivot Energy is included in Exhibit E.

Project Description

The Project is proposed for the southern portion of APN/PIN 24-28-12-300-002, approximately 26.26 acres (49.8%) of the parcel's 52.68 acres, located on County Road 1050 N (County Highway 15), between County Road 2300 E and County Road 2400 E. The parcel is currently zoned Agricultural AG-2 and is used as farmland. A community PV solar farm is allowed as a special use within this zoning district.

Project components will be entirely located within the fenced perimeter comprising The Project site plan provides setbacks of fifty (50) feet from the property line in the front, rear, and side yards. Solar arrays are located to maintain a twenty (20) foot buffer between panels and the perimeter fence. Security fencing is provided along the Project's perimeter (~4,634 feet) at the setback line, using agricultural or game fencing, eight (8) feet in height. All project components (solar arrays, equipment pad, transformer, and switchgear) will be located within the fenced area.

Access to the Project will be provided via a sixteen-foot (16') wide gravel access road connecting with County Road 1050 N. The Project proposes the undergrounding of electrical lines wherever possible, buried at a minimum depth of five (5) feet below grade to avoid drain tiles. Interconnection into existing and proposed Ameren Illinois utility lines is proposed along County Road 1050 N. Connection to an Ameren substation is currently being reviewed by Ameren staff. The Project site plan is depicted in Figure 1 and included in Exhibit B.

extent possible, until requiring overhead poles to connect to the utility’s electric pole. The design and construction of the solar farm will meet standards and guidelines as provided by the nationally accepted electric code, Ameren Illinois, and will comply with Federal Communications Commission (FCC) requirements. The Project will also comply with all requirements of the Champaign County Zoning Ordinance.

Landscaping

To achieve a synergy between renewable energy and agriculture, and to assure vegetation management, disturbed areas will be replanted with a native grass mix including pollinator-friendly wildflowers; helping to keep weeds at bay and minimize erosion for the life of the Project, as depicted in Figure 2.

Pivot Energy is committed to the use of agrivoltaics – the use of design techniques to maintain a site’s viability for agricultural uses while co-existing as a renewable energy resource. Farm soil will be kept intact beneath the solar panels, and a grazing consultant could review the initial system design to ensure a grazing-friendly project. Sheep-friendly, pollinator-supportive habitat and infrastructure that promotes grazing as a vegetation management option will be placed within the fenced portion of the site. Throughout the operations term of the system, Pivot will be conducting maintenance visits to the site, approximately 2-4 times per year. As part of those visits, mowing will take place throughout the solar array rows, to ensure the height and placement of approved seed mix is maintained. See Exhibit H for a detailed Landscaping Plan.



Figure 2 -Landscaping: Pollinator-Friendly Seeding Beneath Solar Panels

Environmental Impact

Renewable energy, by definition, does not draw upon finite resources and is not harmful to the environment. Unlike other forms of energy production, solar technology is not loud and does not produce emissions, odors, or other types of pollution.

The Applicant has demonstrated a commitment in our design, and throughout the development due diligence process, the Project will fully comply with all local, state, and federal environmental regulations. The Project is not located within a flood plain and follows the Champaign County Flood Plain Ordinance. The Applicant will enter into an Agricultural Impact Mitigation Agreement (AIMA) with the State of Illinois Department of Agriculture and will provide a signed copy of said agreement to the Champaign County Director of Planning and Zoning prior to the issuance of construction permits. The Project will abide by all conditions within the AIMA.

Agency Consultation

In addition to this application to Champaign County, the Applicant has also sought consultation from other agencies with jurisdiction; all agency correspondence is included as Exhibit C. Proof of notification to adjacent municipalities or townships is included as Exhibit K.

Exhibit C(1):	<p>Federal Aviation Administration (FAA) The Applicant submitted the required project-specific information to the FAA. The FAA responded on 6/30/23 with a “determination of no hazard to air navigation” regarding the Project; indicating the Project is more than 500 feet from all airports, restricted landing areas, or residential airports. The determination was filed for the project site but was incorrectly referenced for the northern portion; a corrected determination is in process and will be provided upon receipt.</p>
Exhibit C(2):	<p>Illinois Department of Natural Resources (IDNR) To determine the presence of state-listed threatened or endangered species on the Project site, the Applicant consulted with the IDNR using their Ecological Assessment Tool (EcoCAT). On 6/15/23 the EcoCAT results indicated protected resources may be in the vicinity of the project location. The Applicant designed and sited the Project to mitigate impacts to wildlife; no tree removal is anticipated or drastic changes in land configuration.</p>
Exhibit C(3):	<p>State Historic Preservation Office (SHPO) The Applicant submitted a request to the SHPO seeking review of the site to identify any significant, historic, architectural, or archeological resources. The Applicant anticipates the SHPO’s response will determine no significant resources are identified on the site.</p>
Exhibit K:	<p>Village of Sidney IL Notification is not required; village limits are approximately 1.8 miles from the Project. Village of Homer IL Notification is not required; village limits are approximately 4.3 miles from the Project. Sidney Township, Champaign County The Project site is located within Sidney Township. On 8/3/23 a copy of this application was provided to the Township via e-mail (timo@sidneytwp.org). Proof of this notification is included as Exhibit K. Sidney Township Fire Protection District The Project site is located within the jurisdiction of Sidney Township Fire Protection District. On 8/3/23 a copy of this application was provided to STFPD via e-mail (sidneyfire@yahoo.com). Proof of this notification is included as Exhibit K.</p>

Erosion & Sedimentation Control Plan

Many of Pivot’s projects in Illinois and throughout the nation exist in agricultural communities. Pivot solar projects are considered harmonious uses and a low-impact neighbor, well maintained, clean, and neat, not creating any traffic, noise, or pollution, while providing pollinator-friendly seed mixes when reseeding the site. Much of the Project will be non-impervious materials, to allow for adequate drainage of the Site. The existing surface water drainage and subsurface drainage system will retain existing drainage patterns. Any conservation practices damaged by construction will be restored by the Applicant to their pre-construction condition and care will be taken to maintain the existing practices to preserve erosion control, flood control, and water quality.

Should any open trenching be required, the Project will do so in accordance with the trenching requirements listed in the Champaign County Zoning Ordinance. Soil compaction and rutting will be mitigated and shall be consistent with the State of Illinois' Agricultural Impact Mitigation Agreement (AIMA). An Erosion and Sedimentation Control Plan will be a central element in construction permitting with as-built documentation provided to the County upon completion.

Prior to construction, mechanical means to control runoff will be used, such as straw bales, anchored netting, silt fences, or berms (if necessary). Typically, we propose silt fences be installed within the Project's perimeter areas to manage drainage and erosion that may occur during construction. The natural vegetation will remain intact in between and underneath the solar equipment. Upon construction completion, Pivot Energy will seed the Site with a native grass seed mix approved by the County. The use of native vegetation and/or pollinator-friendly seed mixes supports the habitat of bees, butterflies, wasps, flies, beetles, and other pollinator species needed for agriculture. The seed mix chosen will be native and local to the Illinois environment, which naturally allows the site to be resilient to droughts and intense downpours. Native grasses and deep roots are more efficient than turf grass at absorbing run-off and are designed to not increase stormwater runoff. Additionally, planting diverse mixes of native plants prevents soil and nutrients from washing away, improving water quality, and preventing soil loss.

Should the Project damage any drain tiles on the parcel during construction or operation, the Applicant shall promptly repair or replace damaged tiles. In cooperation with the landowner, Pivot will identify existing drainage infrastructure to avoid during the installation and ongoing operation of the Project. If any drainage district tile lines are located, they will be flagged and protected by a 30-foot-wide, no-construction buffer on either side of the drain tile. There are no gas or hazardous liquid pipelines on the site. The Project will comply with the standards set forth in the AIMA that will be finalized prior to applying for construction permits.

On 31 July 2023, the Applicant applied to the Champaign County Soil and Water Conservation District (SWCD) to obtain a Natural Resources Inventory (NRI) Report for the Project. A copy of our application is attached; a copy of the NRI report will be submitted upon receipt. Within reports for similar Champaign County projects, the SWCD identified sites as comprised of prime farmland and/or prime farmland if drained. These sites were typically deemed unsuitable for commercial buildings or dwellings.

Solar panels are low-impact and are designed to disrupt as little soil as possible. The Project will minimize disturbance to prime farmland and will be consistent with good engineering practices. As mentioned in the landscaping section, the vegetative ground cover will be comprised of native plant species suitable for the conditions of the site. This native seeding will be oriented towards fostering an environment that is beneficial to pollinators. A Landscape Plan that includes details on weed control is included as Exhibit H.

Access, Parking, Loading & Traffic

The Project's site plan proposes a sixteen-foot (16') wide gravel access road connecting to County Road 1050 N, subject to review and permitting by the appropriate highway department(s). An access easement, typically forty feet (40') wide, will be negotiated between the landowner and the Applicant and subsequently recorded. To prevent unauthorized vehicular access, the Project will be secured by a locked gate at the site's entrance along the access road. The gate will have a "Knox box" for emergency access and signage providing site and contact information. Sufficient space will be provided between the entrance to the access road and the gate to allow for multiple vehicles to fully pull off County Road 1050 N while the gate is being unlocked. At the terminus of the access road, a turnaround area is provided adjacent to the equipment pad area, allowing for the parking of maintenance vehicles. No public parking area is proposed.

County Road 1050 N is under the jurisdiction of the _____. Unless waived, should any jurisdiction require a Roadway Upgrade and Maintenance Agreement, the Applicant will complete said agreement before construction permitting. Should irrevocable Letters of Credit be required to cover the cost of any repairs, the Applicant will provide them. During construction, personnel will take necessary measures to minimize traffic congestion, such as signage, and will park vehicles within the Project's footprint and staging area to reduce road obstruction. Construction activity should not produce any noticeable changes in traffic volume on surrounding roadways. Maintenance personnel will park in the turnaround area during routine maintenance visits.

Emergency & Safety Plan

The Applicant will share the Project site plan with appropriate local fire departments to obtain their input in the Project's design. Pivot will also extend an offer to provide training and necessary equipment to local emergency responders to prepare for adequate response during construction activity. In addition, the Project proposes a "Knox box" to be located at the Project gate for emergency personnel to gain access to the site. Warning signs concerning voltage will also be placed at the base of all pad-mounted transformers.

After receiving jurisdictional input, the Applicant plans to create a Safety and Emergency Management Plan and submit the plan along with a final site plan for further review and comment.

Screening and Fencing

Pivot typically installs an eight (8) foot game fence to surround the perimeter of the solar equipment components; alternatively, chain link fencing is used if requested by the jurisdiction. Fencing options are depicted in Figure 3 (below). Warning signs of the high voltage associated with solar PV technology are posted on the fencing. Additional signage with emergency contact information will be affixed to the Project fence during construction and throughout the operational term of the Project. The Applicant requests the Zoning Board recommend which type of fencing they would prefer.



Figure 3 - Fencing Options: Agricultural (left) or Chain Link (Right)

The Project does not currently propose screening as waivers from non-participating residential dwellings within 1,000 feet of the Project's perimeter have not yet been received by the Applicant. Evidence of Pivot's request for a waiver from screening is attached as Exhibit I.

Noxious weeds and other vegetation between the fencing and the property line will be controlled in accordance with Illinois' Noxious Weed Law (505 ILCS 100/1 et. Seq.). This area will be controlled mechanically by either mowing or grazing. To promote the soil's viability for future use as farmland after the project's lifecycle concludes, Pivot will not utilize pesticides or other chemicals for weed control on site. Throughout the operations term of the system, Pivot Energy will be conducting maintenance visits to the Site, approximately 2-4 times per year. As part of those visits, mowing will take place throughout the solar array rows, to ensure the height and placement of approved seed mix is properly maintained. For further details please see Exhibit H for the Landscaping Plan

Noise

Noise levels related to the Project will fully comply with the applicable Illinois Pollution Control Board (IPCB) regulations. The proposed single-axis tracker, ground-mount solar photovoltaic has motors for each racking row, moving the panels quietly throughout the day. As measured at three meters distance from the racking motor, the ambient noise level is 43 decibels (equivalent to a quiet library), and the motor's ambient sound level is 53 decibels (the sound level of a typical household refrigerator).

The motor is activated periodically as the sun transits the sky, remaining stationary between movements. The ATI DuraTrack V3 tracker motor operates for a total of 17.91 minutes per day. The transformer proposed for the site has an average ambient noise level of 53 decibels. From the fence line, the Project will not be audible, and all abovementioned decibel levels are below the allowable octave band listed in Subtitle H: Noise, Parts 901 of the IPCB Administrative Code

Glare

By definition, solar projects are designed to absorb sunlight – not reflect it. As designed, the Applicant believes the Project will not produce glare as the array will face the sun for the entire day. A review by the Federal Aviation Administration (FAA) produced a "determination of no hazard to air navigation" regarding the Project; indicating the Project is more than 500 feet from all airports, restricted landing areas, or residential airports. Should any complaints arise concerning the Project, the Applicant will work with the FAA to resolve the issue.

Construction & Operational Standards

Project construction/mobilization is expected to begin within 90-120 days once final approval of construction plans is received. A sample construction schedule is shown in Figure 4 (below), based on a projected start date of June 2024.

Mechanical means, such as straw bales, anchored netting, silt fences, or berms (if necessary) will be used to control runoff. Silt fences are proposed to be installed within areas of the parcel perimeter to manage drainage and erosion that may occur during construction. Construction will include the installation of fencing, concrete equipment pads, utility lines, interconnection infrastructure, solar arrays, and a gravel access road.

The solar arrays will be mounted on ground screws or driven posts, instead of ballasted foundations. This method will minimize disturbance to native soil, thus lowering the risk of erosion both during and after construction. Construction will employ all applicable best management practices throughout construction and after completion. During construction, the Site will have a staging area in which construction personnel can park so there are no vehicles parked on the adjacent roads. The first three to four months of construction are typically the most active portions of construction. During this time, delivery trucks will arrive to drop off equipment and there will typically be no more than fifty (50) people on the site.

The Project will comply with all county/state/township road requirements for access to the site. The Applicant will also abide by all local, state, and federal guidelines regarding the disposition of construction waste, such as module packaging or equipment. Any hazardous materials related to construction or operation and maintenance will be managed, stored, and transported in accordance with all federal, state, and local laws. Once construction is completed, there is a negligible impact on the local community and traffic because the array only requires 2-4 annual visits from maintenance technicians to complete routine tasks such as vegetation management and basic equipment maintenance.

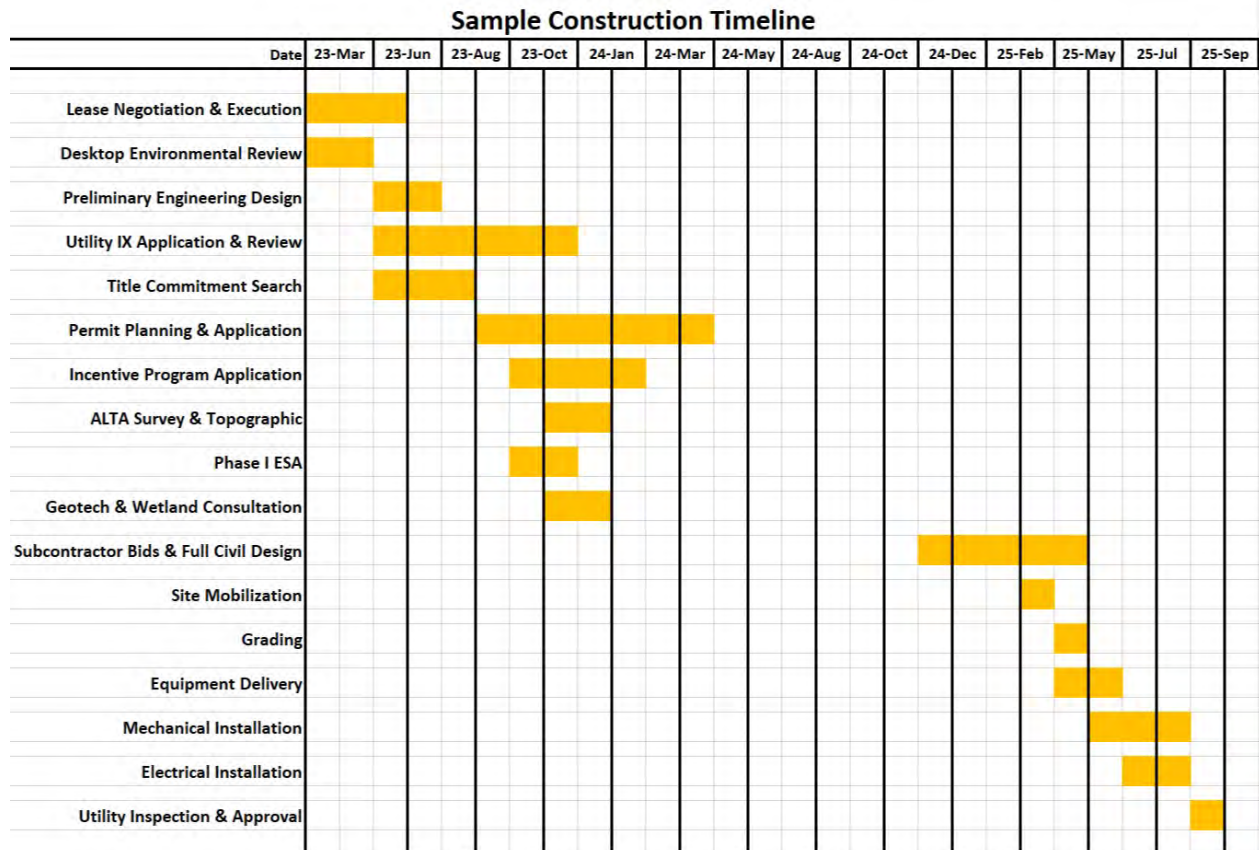


Figure 4 - Sample Solar Project Construction Timeline

Due to the climate in Illinois and the limited duration of construction season (six months), the need for dust control is unlikely. However, the Applicant is prepared to implement dust control measures. During the early phases of construction, when the entire site is open, non-potable water can be sprayed to control dust if weather conditions warrant. Once the site access road is constructed, the road can be sprayed with a dust control solution, similar to what is used on local unpaved roads to mitigate the amount of dust caused by construction traffic. Upon completion of the site, and the seeding of the approved seed mix, the Applicant believes the site will no longer require dust control measures.

The Applicant will maintain a general liability insurance policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate. This policy shall identify landowners as additional insured. During maintenance of the Project, personnel will visit 2-4 times per year – or as required - to check equipment, perform a site inspection, and manage site vegetation. On an annual basis, the Applicant will submit a summary of operation and maintenance reports to the Environmental and Land Use Committee.

The Applicant does not assume any annual cleaning frequency as the Illinois climate is more humid and has frequent rain events; snow and rainfall help to naturally “clean” the panels, eliminating a need for manual cleaning. However, should there be an abnormally dry year where the Applicant notices production loss due to dust accumulation, then the Applicant would dispatch for cleaning as needed. When module cleaning is necessary (fairly rare in Illinois), the cleaning service is responsible for trucking in the water required for the cleaning. No on-site well or local utilities would be used as the water source. Estimates indicate about 6,400 gallons of water is used per MW AC per cleaning. Water usage may vary depending on the provider and cleaning equipment available.

As for water runoff, the cleaning of a ground mount array does not assume water runoff collection. So, the water would runoff naturally per the grading of the Site. Because a module clean would likely occur in the driest part of the season, water runoff would be minimal as most water falling to the ground from the leading edge of the panels would be absorbed into the dirt locally.

After construction, disturbed areas will be replanted with a native grass mix including pollinator-friendly wildflowers to help keep weeds at bay and minimize erosion for the life of the Project. Soils will be kept intact beneath the PV panels, and a grazing consultant could review the initial system design to ensure a grazing-friendly project. A sheep-friendly, pollinator-supportive habitat and infrastructure that promotes sheep grazing as a vegetation management option will be practicable within the fenced array.

Decommissioning & Site Reclamation Plan

As a non-adaptable structure/use, after the operational life of the facility is over, the Applicant will decommission the facility and restore the land to its original condition. Pivot is bound by the lease and its termination provisions, which require all improvements and personal property originating from the Project to be removed and to restore the property to the same condition existing at the time of the lease effective date.

This decommissioning process will involve the safe removal of all structural steel and aluminum, conductors, modules, inverters, transformers, concrete, and fencing. Any future uses would be able to proceed in the same manner they would if the solar array had never been built. A sample of a typical Decommissioning and Site Reclamation Plan, created by TRC, a third-party Illinois Licensed Professional Engineer, is included as Exhibit J.

The cost estimate for decommissioning the Project, not including salvage value, is provided. Per Champaign County’s Zoning Ordinance (Section 6.1.1A.5.), the Applicant will be required to provide 125% of the decommissioning cost noted above. The Applicant will adhere to the financial assurance policy required in the Champaign County Zoning Ordinance. The Applicant will also be entering into an Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture.

The Project’s initial interconnect agreements and other agreements with Ameren Illinois define the Project’s operational period as 20 years. In the event no extensions are applied for and granted, upon expiration of these agreements, Pivot will then begin to plan to decommission the Project following the Decommissioning and Site Reclamation Plan.

Before decommissioning, proper erosion and sediment controls will be put in place. The solar modules will be removed, placed on palettes, and sold on a second-hand market. The solar panels are basic in nature and will have a useful life beyond 30 years. That said, the solar industry plans to repurpose older solar modules for charitable projects, projects in developing countries, or projects that can benefit from these products.

The racking systems used to attach the solar modules and the perimeter are comprised of steel and aluminum, as well as copper and aluminum conductors used throughout the Site that have a generic salvage value. These raw materials will be removed and recycled; contributing an inherent salvage value that serves as a financial benefit to the decommissioning process. Pivot plans to remove all above-grade and below-grade equipment and project components to a depth of at least five (5) feet. Equipment will be removed from the site and disposed of per the applicable disposal standards of the respective material and authority having jurisdiction.

The site will be smoothed out and reseeded with a locally approved seed mix after the equipment removal has occurred. In some cases, the landowner may request the site not be reseeded, but rather left open so they may plant a desired agricultural use at that time (ex: farmer may prefer plant corn instead of native seed mix). Removal of all equipment and revegetation of the Site will be completed within 12 months of the end of the Project life or facility abandonment.

Complaint Resolution

The Applicant understands that there will be concerns and/or complaints that may arise during the construction and operation of a Community PV Solar Farm. During construction, if nearby residents would like to contact the Construction Supervisor, contact information will be provided on the Project fence to resolve complaints or concerns. Complaints received because of the construction will be responded to within 24 hours of notification of said complaint.

Upon energization of the system, the Applicant will continue to monitor the Project and will remotely monitor the Site 24 hours a day, deploying maintenance crews to the Site in the event repairs are needed or damage occurs to the system components. To properly maintain the safety and operation of the facility, sophisticated onsite monitoring equipment is used to monitor voltage, current, frequency, and overall kWh production in real-time. Consistent, 24/7 video surveillance is also used to monitor weather, theft, and vandalism. In the event there are concerns surrounding the facility and its operation, contact information will be displayed at the Project fence.

All calls or emails will be logged in and the name, address, and reason for calling will be identified and saved for a minimum of two years. This log will be provided to the administrator monthly. Please see the enclosed Complaint Resolution document in Exhibit G.

Landscaping Plan

The proposed Community PV Solar Farm, Champaign Solar 1 LLC (Project), is approximately 35.2 acres of an approximately 90-acre agricultural parcel located east of the intersection between State Route 45 and County Road 2050 North and County Road 00 N in Champaign County (Site). The finished Project will consist of a solar garden with solar panels, equipment pads, access drives, and fences. To control noxious weeds and erosion in the area of the Project, disturbed areas of the Site will be seeded with a native grass mix that will include native wildflowers that are pollinator friendly.

Current Use

The property is currently cropland. Pivot Energy will replant disturbed areas with a native grass mix, likely including pollinator-friendly wild flowers to help keep weeds at bay and minimize erosion for the life of the Project.

Management Goals and Control Methods

Pivot will consult with a local weed mitigation consultant to identify all invasive species. Invasive species will be either removed by hand or by grazing. Pivot Energy will plant an approved native-seed mix once the finished grade is complete. In areas that are disturbed or where the seed does not germinate following planting, the Applicant will reseed with an approved seed mix. Pivot Energy conducts regular vegetation management at the Site several times per year, as needed during the growing season. This mitigates shade on solar modules and maintains a clean and orderly Site. On previous solar jobsites, the Applicant has used a combination of seed mix, straw mats, mowing, and other landscaping measures to maintain a clean, orderly, and noxious-weed-free Site.

Pivot Energy will take the following actions to manage weeds and keep a tidy project site.

1) Weed Management

- I. Eradicate invasive species before any ground disturbing activity begins with the assistance of the County and a local weed mitigation consultant. Eradication will take place before construction begins.
- II. Ensure that all equipment and persons leaving the parcel are free of weed seeds or other plant seeds. Applicant will clean seeds from tires, tracks and all other parts of machinery and persons.
- III. Hydroseed or hydromulch a drought tolerant native grass and pollinator friendly seed mix in the early spring or early fall. Final seed mix will be determined by an approved professional knowledgeable with re-vegetation means and methods.
- IV. Mow or graze Project area a minimum of once per year, at a cut height of no less than six inches. It is likely that mowing or grazing may need to take place twice or more during the growing season to manage vegetation.
- V. Since weed seeds remain viable in the soil for number years, site and weed management is a long-term process. Treated areas will be monitored annually and re-treated if necessary, using typical weed management practices and procedures.

2) Planting Method

Preferred method will be hydroseed and hydromulching. If required, nutrient supplementation will take place to ensure the successful establishment of permanent ground cover. Permanent seeding shall occur between December 1 and May 1 or between August 1 and September 1, or as recommended by a vegetation specialist.

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3) Temporary Seed Mix

Temporary seeding areas, which will be ready for stabilization after May 1 and before August 1, shall be seeded with Millet or Sorghum at the rate of 40 pounds per acre, with the amount of fertilizer as specified by a vegetation specialist. The requirement to plant temporary seeding does not eliminate the requirement to plant permanent seeding. Straw mulch is not required for temporary seeding.

4) Permanent Seed Mix

To consist of native, drought-tolerant, low growth grasses and flowering plants. Preference will be given to a seed mix that can support pollinators and grazing animals such as sheep. Final mix will be determined before planting by a qualified vegetation specialist.

5) Site Maintenance Checklist

- I. Mow or graze project area once per year at a minimum to a cut height of approximately 6 inches.
- II. Walk the site and remove any accumulated debris on either side of the fence line and properly dispose. No burning of trash will be allowed.
- III. Inspect and re-seed any bare ground with permanent seeding.
- IV. Inspect fence and repair as needed.
- V. Inspect all-weather access road and repair as needed.
- VI. Inspect Site for any visible erosion. Remove transported sediment and implement necessary erosion control measures to minimize future maintenance issues.
- VII. Inspect solar photovoltaic modules, racking, and balance of system; repair or replace as needed.
- VIII. Inspect drainage and water management systems (e.g., culverts, ditches, etc.); repair as needed.2. Control the spread of invasive species in all areas of the property. Make every attempt to keep any noxious weeds from leaving the sites by employing proper contain and control procedures. This can include mowing, trimming, removing, and spraying on an as-needed basis.

Complaint Resolution Process

Pivot Energy is excited to bring renewable energy to your community! Solar energy is an innovative technology in which solar panels capture the sun's rays by absorbing sunlight. The panels are affixed to racking, that will track the sun's rays from east to west throughout the day. We understand that there may be questions and concerns, and we are here to help!

During Construction

The construction of this solar PV array will last approximately three months. A representative from the construction team, or main office of Pivot Energy, will respond to calls &/or emails within 24 hours of notification. A Supervisor will be onsite during construction during normal business hours and will hold in-person meetings when necessary.

If you have an issue or complaint during the construction process, please read the following options:

How do I contact Pivot Energy during construction?

- Contact the Construction Manager/Supervisor located at the construction site. Direct contact information (phone & email) will be posted at the entrance of the construction fence.
- Pivot Energy's direct phone number is 888.734.3033, or email operationsandmaintenance@pivotenergy.net
- **In the event of a fire &/or emergency notify the local Fire Department immediately and evacuate the area.**

During Operation

Upon system operation, there will be no onsite personnel. Pivot Energy will remotely monitor the site 24 hours a day and will deploy maintenance crews to site in the event repairs are needed or damage occurs to system components. To properly maintain the safety and operation of the facility, we use sophisticated onsite monitoring equipment. We monitor voltage, current, frequency, and overall kWh production in real time. We also have 24/7 video surveillance to monitor weather, theft, and vandalism.

A representative of Pivot Energy will respond to calls &/or emails within 24 hours of notification. If you have an issue or complaint about the community solar garden, please read the following options:

How do I contact Pivot Energy now that the system is operational?

- Pivot Energy's direct phone number is 888.734.3033, or email operationsandmaintenance@pivotenergy.net
- Do not attempt to gain access inside the facility
- **In the event of a fire &/or emergency notify the local Fire Department immediately and evacuate the area**

The local fire department and emergency response team know how to protect the facility and surrounding areas in the event of a fire or emergency.

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1. Applicant Information

Ameren Illinois - Interconnection Request Application Form

IMPORTANT INFORMATION!

- All Information indicated with a red * (asterisk) is REQUIRED!
- Click on each of the blue (?) dots to reveal helpful tips for guiding you through the application.
- Your information is automatically saved.

DID YOU KNOW?

In 2022, Ameren Illinois published its first distribution hosting capacity map for public use. Hosting capacity is defined as the approximate amount of generation that can be accommodated at a given point in time on the distribution system without impacting system reliability, power quality, or protection; without requiring specialized inverter settings; or without requiring distribution system modifications. While Hosting Capacity maps do not substitute for an interconnection study, it is an attempt by Ameren Illinois to enhance the DER interconnection process and reduce the incidences of application development and submittal for sites with limited viability for DER projects, and includes some considerations that cannot be captured in a pre-application report.

[Hosting Capacity Maps Link](#)

PowerClerk Warranties and Disclaimers

Generate Document

- By clicking here, you indicate that you have read and agree to the Terms and Conditions outlined in the "PowerClerk Warranties and Disclaimers" document above. *

APPLICATION INFORMATION

Level 1:

- Lab-Certified Inverter-Based Distribution Generation with an export capacity of 25 kW or less and a nameplate capacity of 50 kW or less OR non-export limiting with a nameplate capacity of 25 kW or less

Level 2:

- All interconnection equipment for the Distributed Generation is Lab-Certified
 - Inverter-Based Distribution Generation Facilities greater than 25kW but less than 10 MVA
 - Synchronous and induction machines less than 2 MW

Level 3:

- Distributed Generation using reverse power relays or other production functions that prevent power flow onto the electric distribution system
- Distributed Generation uses Lab-Certified Inverter-Based equipment package
 - Less than or equal to 50 kW for area network
 - Less than or equal to 10 MW for radial distribution feeder

Level 4:

- Distributed Generation that does not qualify for levels 1,2, or 3 or has failed Level 1,2, or 3 reviews
 - Distributed Generation less than or equal to 10 MVA

Over 10 MVA:

- Distributed Generation exceeding 10 MVA

Do you seek to install an Energy Storage System (ESS), or batteries as part of this interconnection application to the Ameren Illinois distribution system? *

- Yes
 No

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Is the proposed DER system capable of providing backup power to the premise during a utility grid outage? *

- Yes
- No

Application Type *

New Customer (No Ameren Account) ▼

Customer Type

Non-Residential ▼

Have you submitted a Pre-Application for this project site? If so, please provide the DER number for the Pre-Application.

- Yes
- No

DER #

11569

Please select whether this system is a Community Solar or a Behind the Meter request: *

Community Solar ▼

Please provide proof of the applicant's legal right to control the site (examples in the help text) * ?

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Uploaded by Lucas Murphy on 4/19/2023 10:58:01 AM

Is the proposed DER system a limited export or non-exporting system? * ?

- Limited Export System
- Non-Exporting System
- No Export Limits Applied

Application Level * ?

Level 2 ▼

Would you like to skip expedited review and receive a supplemental review report for an additional \$1500? (Recommended for installations over 250kW) *

- Yes
- No

Account Validation Zip Code *

61877

Select 'Validate' to auto populate the DER Facility Site Address and Project Name:

Validate

Premise Number ?

Customer Contact Information

Name *

Richard

Gilker

Company

Elk Development, LLC

Address *

1601 Wewatta St

Suite 700

Denver

CO

80202

Email *

interconnection-east@pivotenergy.net

Phone *

4107799377

Customer Title (If Applicable)

Alternative Contact Information

New Contact

Name

Bob

McNeill

Company

Pivot Energy

Address

1601 Wewatta Street

Suite 700

Denver

CO

80202

Email

bmcneill@pivotenergy.net

Phone

Distributed Generation Facility Address * ?

New Contact

40.031750, -88.022632

Sidney

IL

61877

Project Name

ILL038-CountyRd 1050N

Facility Latitude *

40.03175

Facility Longitude *

-88.022632

Who is installing the system? *

Self Install

2. Contractor/Installer Information

CONTRACTOR INFORMATION

****Note: If you have selected Self Install, please put Self Install in the Company field.****

Installer/Equipment Contractor ?

Customer Contact Information

Name *

Richard

Gilker

Company *

Elk Development, LLC

Address *

1601 Wewatta St

Suite 700

Denver

CO

80202

Email *

interconnection-east@pivotenergy.net

Phone *

4107799377

Electrical Contractor (if different from Installer/Equipment Contractor) ?

Customer Contact Information

Name *

Richard

Gilker

Company *

Elk Development, LLC

Address *

1601 Wewatta St

Suite 700

Denver

CO

80202

Email *

interconnection-east@pivotenergy.net

Phone *

4107799377

Intent of Generation * ?

Net Meter (Unit will operate in parallel anc

****Note: Please enter numerical information only. For example, if your docket number is 16-0001, enter 160001. If you do not remove the dash, it will not take your information.****

3. Service Information

SERVICE INFORMATION

Is the Interconnection Customer requesting Net Metering in accordance with 83 Ill. Adm. Code 466? *

- Yes
- No

Electric Distribution Company (EDC) serving Facility site:

Ameren Illinois

Electric Supplier (if different from EDC):

Meter Number

****Note: Please enter numerical information only. For example, if your Meter number is 12345-67890, enter 1234567890. If you do not remove the dash, it will not take your information.****

Please specify the size of the facility address' breaker panel: (A) *

600

Service Capacity (Amps) *

600

Service Voltage (Volts) *

12470

Service Type

4. Generator Information

NEW DISTRIBUTED GENERATION INFORMATION

Energy Source: *

Solar



Energy Converter Type: *

Photovoltaic



Energy Production Equipment *

Inverter



DC SOURCE/PRIME MOVER NAMEPLATE RATINGS

Total DC Source Nameplate Rating (kW) *

6676

Total DC Source Nameplate Rating (kVA) *

6676

DC Source Rating (Volts) *

1500

DC Source Open Circuit Voltage (if applicable)

DC Source Rating (Amps) *

30

DC Source Short Circuit Current (if applicable)

INVERTER INFORMATION AND NAMEPLATE RATINGS

Is this proposed generation to be connected on the line or load side of the main service disconnect? *

- Line Side
 Load Side
 Line and Load Side

Please attach manufacturer's technical specifications and label information for the specified Inverter from a nationally recognized testing laboratory. *

CPS-SCH100-125KTL-DO-US-600-Datasheet-October-8

View

Remove

Uploaded by Lucas Murphy on 4/19/2023 10:44:32 AM

If your proposed generation will require a second inverter that will be a different model than the one attached above, please attach the second inverter specifications below:

 Browse

Allowed file types: .docx, .xlsx, .csv, .pdf

Inverter Manufacturer *

Chint Power systems

Inverter Model *

CPS-SCH100-125KTL-DO-US-600

Number of Generator/Inverter Units *

40

Generator/Inverter Unit Output Rating (kW) AC: *

125

Calculated Total Generator/Inverter Output Rating (kW)

5,000.00 kW

[Show Details](#)

Inverter Rated Voltage (Volts): *

600

Inverter Current Rating (Amps): *

127

Inverter % Efficiency: *

Inverter % Power Factor: *

Is the inverter UL 1741 listed? *

- Yes
 No

Note: The inverter must be UL1741 listed

Inverter Type: *

- Forced Commutated
 Line Commutated

System Type Tested? *

- Yes
 No

Lab-Certified Equipment

List interconnection components/systems to be used in the distributed generation facility that are lab-certified.

1.

2.

3.

4.

5.

Picture of 5 x 7 signage, knife blade disconnect, and smart inverter

Allowed file types: .docx, .xlsx, .csv, .pdf, .jpg, .png, .gif, .bmp

Volt Var Settings Picture

Allowed file types: .docx, .xlsx, .csv, .pdf, .jpg, .png, .gif, .bmp

Additional Attachment Field

Allowed file types: .docx, .xlsx, .csv, .pdf, .jpg, .png, .gif, .bmp

AC Safety Disconnect - there are certain requirements for this disconnect which are described below:

1. Location

A. Physically, the **outdoor** rated switch needs to be located next to the electric meter and **accessible to Ameren Illinois**. If the circumstances of your installation indicate that good engineering practice would locate the switch at any other location, you **MUST** receive permission for this from the Ameren Illinois Company DER Coordinator or other Ameren Illinois representative before proceeding. If you do not receive permission from Ameren Illinois, you may be required to relocate the switch at your expense.

B. Electrically, the switch should be located between output of the inverter and the Ameren Illinois system. Typically, the switch will be located between the inverter and a circuit breaker or fuse located in the main distribution panel.

C. The top of the AC Disconnect should have the Ameren Illinois power and the bottom of the disconnect should have the power coming from the solar array.

2.The switch must have a visibly open gap between the switch contacts, knife-blade type. Circuit breakers are **NOT** suitable for this purpose.

3.The switch must be able to be locked in the open position.

Meter Socket – Per the Ameren Service Manual sect 200.01.A.8, any work or wiring changes at the service will prompt the need to upgrade to the latest service requirements, including but not limited to having a lever bypass socket.

Signage – plaque must be either attached to the AC Safety disconnect or located next to the disconnect.

1.If the plaque cannot, for some reason, be attached directly to the AC Safety disconnect, you **MUST** discuss possible alternative locations with the Ameren Illinois Net Metering Coordinator or other Ameren Illinois representative.

2.The plaque must be two-ply or three-ply, non-conductive, plastic engraved plates that are weatherproof and UV resistant.

3.The plaque must be attached to its location with permanent adhesive.

4.The plaque must be a minimum of 5" x 7" in size.

5.Wording for the plaque at the disconnect must say, "**CAUTION: MULTIPLE SOURCES OF POWER - Lockable AC Generation Source Disconnect**". If the disconnect is within 10' and within sight of the meter, only that 1 sign at the disconnect is required. If the Lockable AC Generation Source Safety Disconnect is located more than 10', you must have permission by the Ameren Illinois DER Coordinator or another Ameren Illinois representative and a second sign would be required at the meter. That signage must say, "**CAUTION: MULTIPLE SOURCES OF POWER - Lockable AC Generation Source Disconnect Available for Isolation from Utility**" and additional verbiage to explain the exact location of the disconnect. Other requirements for the plaque(s) remain the same as outlined above.

For DC coupled systems - if the application is to be DC coupled with with an ESS system, the disconnect should be on the DC side of the system.

UL 1741 SA says that SMART inverters connected to the company's system shall pass UL 1741 SA as grid support utility interactive inverter

Should you choose to apply for the Ameren Illinois Smart Inverter Rebate please send in the following UL1741 / IEEE 1547 compliant specifications:

IEEE 1547-2003 & IEEE 1547a says, "SMART inverters connected to the company's system shall be rated as IEEE 1547 compliant with the allowance of smart capabilities extended by IEEE 1547a, and when applicable shall comply with the upcoming IEEE 1547 full revision and with final conformance test procedures contained in IEEE standard 1547.1, which is not expected to be published until Q3 or Q4 of 2019.

UL 1741 says that SMART inverters connected to the company's system shall be rated as UL 1741 safety compliant

UL 1741 and UL 1741SA certification should be from a Nationally Recognized Testing Laboratory (NRTL) whose OSHA Scope of Recognition includes UL 1741

California Rule 21 says SMART inverters connected to the Company's system shall be compliant with California Rule 21 Phase 1 functions (Section Hh. of Rule 21)

Verify that minimum requirement for communication and interface are met:

Protocol IEEE 1815 (DNP3) / SunSpec Modbus / IEEE 2030.5 (Sep 2.0)

Transport is TCP / IP

Physical Interface / Layer is Ethernet / RS 485.

Commissioning Date *

12/31/2024

5. Energy Storage System Information

NOTE: Please do not list info for the renewable energy system (PV) inverter(s) here if the energy storage system has it's own built-in and/or dedicated inverter(s)



Illinois Department of Natural Resources

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

JB Pritzker, Governor

Natalie Phelps Finnie, Director

August 09, 2023

Bob McNeill
Pivot Energy
625 W Adams St
Floor 19
Chicago, IL 60661

RE: Pivot Energy IL 38 LLC
Project Number(s): 2401984
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.

However, the Department recommends the following:

The project proponent should establish pollinator-friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here:
<https://dnr.illinois.gov/conservation/pollinatorscorecard.html>

The site should be de-compacted before planting. Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment for the lifetime of this project. An experienced ecological management consultant should be considered to assist with long-term management.

Required fencing, excluding areas near or adjacent to public access areas (e.g., roads, parking areas, trails, etc.), should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.

Required night lighting should follow International Dark-Sky Association (IDA) guidance to minimize the effect of light pollution on wildlife.



Illinois Department of Natural Resources

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

JB Pritzker, Governor

Natalie Phelps Finnie, Director

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.

A handwritten signature in cursive script that reads "Bradley Hayes".

Bradley Hayes
Division of Ecosystems and Environment
217-785-5500

NATURAL RESOURCE INFORMATION (NRI) REPORT 22.02

PETITIONER: ELK DEVELOPMENT, LLC – URBANA, LLC



NRI Report Elk Development, LLC

USDA Orthoimagery 2021

Location:
Sidney Township
Section 12, T18N, R10E
Champaign Co., IL

Legend

 Pivot_Elk_Dev_AOI

Champaign Co. Soil & Water
Conservation District
Assisted By: Ivan A. Dozier,
Matt Wade



0 25 50 100 150 200 Meters

8/17/2023

SEPTEMBER 27, 2023

RECEIVED

OCT 26, 2023

CHAMPAIGN COUNTY
PLANNING & ZONING

PREPARED BY: CHAMPAIGN COUNTY SOIL & WATER
CONSERVATION DISTRICT

2110 W PARK CT, STE C, CHAMPAIGN, IL 61821
(217) 352-3536 EXT 3 | WWW.CCSWCD.COM

Champaign County Soil and Water Conservation District Natural Resource Information Report (NRI)	
Date District Board Reviewed Application	September 27, 2023
Applicant's Name	Elk Development, LLC
Contact Person	Liz Reddington
Size of Subject Property	26.26
Present Zoning	Agriculture
Proposed Zoning	No Change
Present Land Use	Agriculture
Proposed Land Use	Solar Farm

<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	Yes	No
The Applicant	x	
The Contact Person	x	
The Local/Township Planning Commission	n/a	n/a
The Village/City/County Planning & Zoning Department	x	
The Champaign County Soil & Water Conservation District Files	x	

Report Prepared By: Ivan A. Dozier, Resource Conservationist

Table of Contents

Forward	4
Summary and Concerns of the Board	5
Soil Information	6
Introduction to Soil Interpretations	6
Limitation Ratings	6
Soil Interpretations	7
Sanitary Facilities	7
Building Site Development	7
Soil Water (Wetness) Features	8
Hydric Soils	9
Soil Erosion and Sediment Control	11
Erosion Control at Construction Sites	11
EPA Stormwater Pollution Prevention Plan (SWPPP) Reference Tool	12
Prime Farmland Soils	12
The Land Evaluation and Site Assessment System	12
Topographic Information	13
Watershed Information	14
Floodplain and Wetland Information	15
Floodplain Information	15
Wetland Information	16
Wetland and Floodplain Regulations	17
Cultural and Animal Resources	18
Cultural Resources	18
Animal Resources	18
Ecologically Sensitive Areas	18
Historic Aerial Photos	19
Glossary and Acronyms	22
References	24

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 than 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 several 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

Summary and Concerns of the Board

The Champaign County Soil and Water Conservation District has reviewed the proposed land use change and has the following concerns relevant to the impact on the area's natural resources.

1. All soils on the subject property are not suitable sanitary facilities or dwellings. It is advised to perform onsite investigations with a professional to determine construction strategy before moving forward. See pages 7-9.
2. A portion of the soils on the subject property are not suitable for dwellings or small commercial buildings. It is advised to consult with a professional to determine safety and quality of current and future construction projects. See pages 7-9.
3. The subject property is located in the *Salt Fork River* drainage district. Please contact drainage district officials for questions or concerns regarding drainage management.
4. The average Land Evaluation (LE) score for this site is: 100. See pages 13-14.
5. Wetlands and protected resources are present near the subject property. It is recommended to take precautions to protect wetlands, water, and ecosystem quality and health during project lifespan. See pages 17-18.

Soil Information

The soil information comes from the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) Soil Survey of Champaign County. This information is important to all parties involved in determining the suitability of the proposed land use change. Each polygon is given a number with letters, which represents its soil type, slope, flooding, etc., and is then called a map unit. Each soil map unit has limitations for a variety of land uses, which are explained using interpretations.

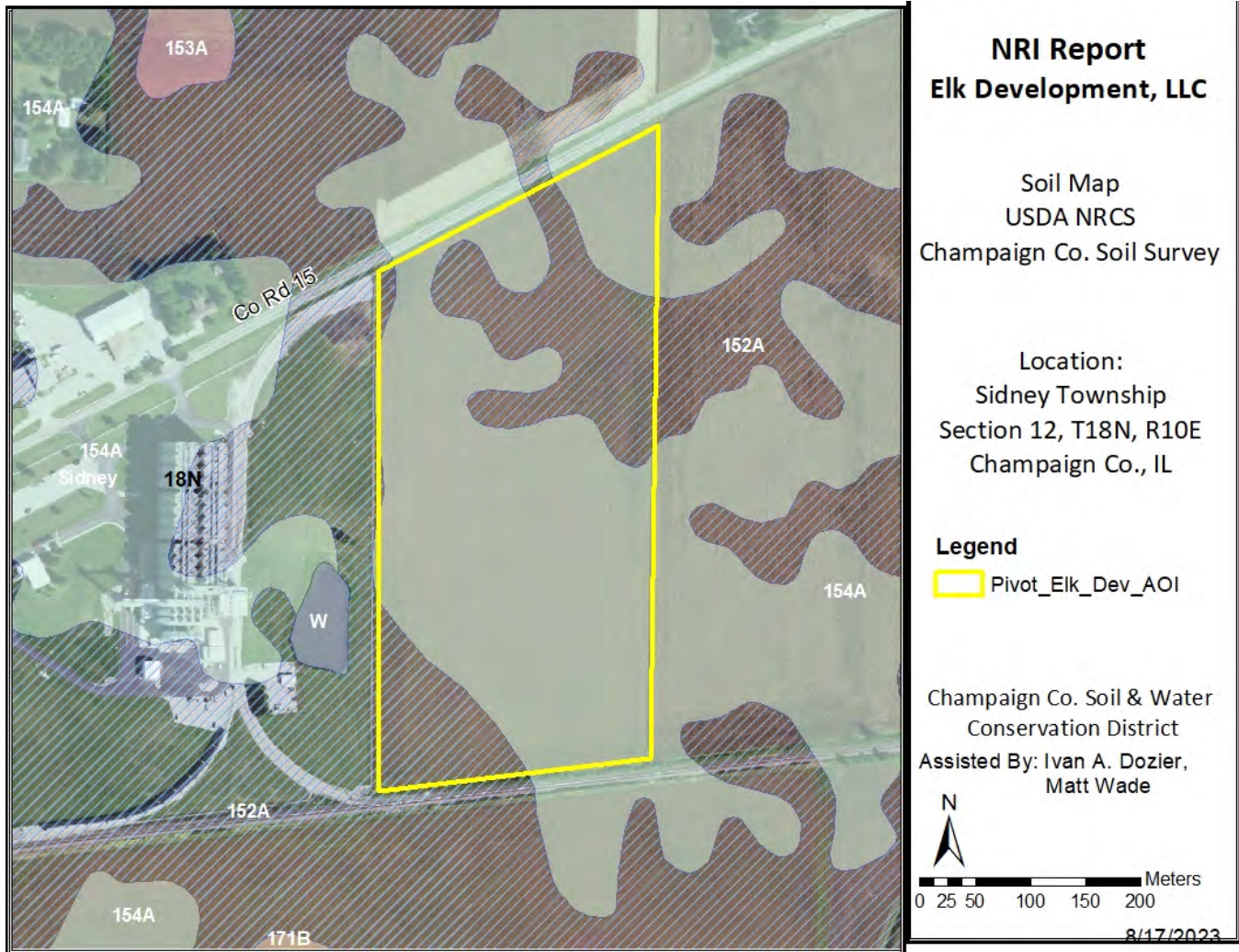


Table 1. Soil map unit descriptions.

Map Unit Symbol	Description	Acres	Percent of Area
152A	Drummer silty clay loam, 0-2% slopes, frequently flooded	9.8	30.0%
154A	Flanagan silt loam, 0-2% slopes	22.9	70.0%

Introduction to Soil Interpretations

Non-agricultural soil interpretations are ratings that help engineers, planners, and others 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. However, most of these practices are costly. The final decision in selecting a site for a land 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. Organic soils, when present on the subject property, 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.

Limitation Ratings

1. *Not limited*- This soil has favorable properties for the intended use. The degree of limitation is minor and easy to overcome. Those involved can expect good performance and low maintenance.
2. *Somewhat limited*- This soil has moderately favorable properties for the intended 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 "*not limited*."
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 seasonally 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.

Soil Interpretations

Sanitary Facilities

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

Septic Tank Absorption Fields: Areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. The ratings are based on soil properties, site features, and observed performance of the soils. Permeability, high water table, depth to bedrock or 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. There must be unsaturated soil material beneath the absorption field to filter the effluent effectively.

Table 2. Septic tank absorption fields.

Map Unit Symbol	Septic Tank Absorption Fields	Acres	Percent of Area
152A	Very limited: ponding, depth to saturated zone, slow water movement	9.8	30.0%

154A	Very limited: ponding, depth to saturated zone, slow water movement	22.9	70.0%
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For the subject property: 100% of the soils on the property are very limited for the use of septic tank absorption fields and special design is required for any septic tank absorption field.

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.

Dwellings and Small Commercial Buildings: Structures built on a shallow foundation on undisturbed soil that are three stories or less. The ratings are based on soil properties, site features, and observed performance of the soils. High water table, depth to bedrock or to a cemented pan, large stones, slope, and flooding effect the ease of excavation, construction, and maintenance.

Table 3. Dwellings and small commercial buildings limitations.

Map Unit Symbol	Dwellings with Basements	Dwellings without Basements	Small Commercial Buildings	Acres	Percent of Area
152A	Very limited: ponding, depth to saturated zone, shrink-swell	Very limited: ponding, depth to saturated zone, shrink-swell	Very limited: ponding, depth to saturated zone, shrink-swell	9.8	30.0%
154A	Very limited: ponding, depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	22.9	70.0%

Soil Water (Wetness) Features

This section gives estimates of various soil water (wetness) features that should be taken into consideration when reviewing engineering for a land use project.

Hydrologic Soil Groups (HSGs): The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- Group A: Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- Group B: Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- Group C: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- Group D: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: if a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D) the first letter is for drained areas and the second is for undrained areas.

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate, and vegetative cover and indicates relative runoff for very specific conditions

(it is assumed that the surface of the soil is bare and that the retention of surface water resulting from the irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

Water Table: Refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles, called redoximorphic features) in the soil. Note: a saturated zone that lasts for less than a month is not considered a water table.

Ponding: Refers to standing water in a closed depression and the data indicates duration and frequency of ponding.

- Duration: expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- Frequency: expressed as *none* (ponding is not possible), *rare* (unlikely but possible under unusual weather conditions), *occasional* (occurs, on average, once or less in 2 years), *frequent* (occurs, on average, more than once in 2 years).

Flooding: The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- Duration: Expressed as *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- Frequency: Expressed as *none* (flooding is not probable), *very rare* (very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year)), *rare* (unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year)), *occasional* (occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year)), and *very frequent* (likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year)).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 4. Soil water (wetness) features.

Map Unit Symbol	HSG	Surface Runoff	Depth to Water Table (ft)			Ponding		Flooding	
			Upper Limit	Lower Limit	Kind	Duration	Frequency	Duration	Frequency
152A	B/D	Neg	0.0-1.0	6.0	Apparent	Brief	Frequent	-	None
154A	C/D	Low	1.0-2.0	3.7-5.9	Perched	-	None	-	None

Hydric Soils

Hydric soils by definition have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. Soil maps may not be small

enough to show inclusions of hydric soils, so it is important to consult a soil scientist if building residential areas on hydric soils or soils with hydric inclusions.

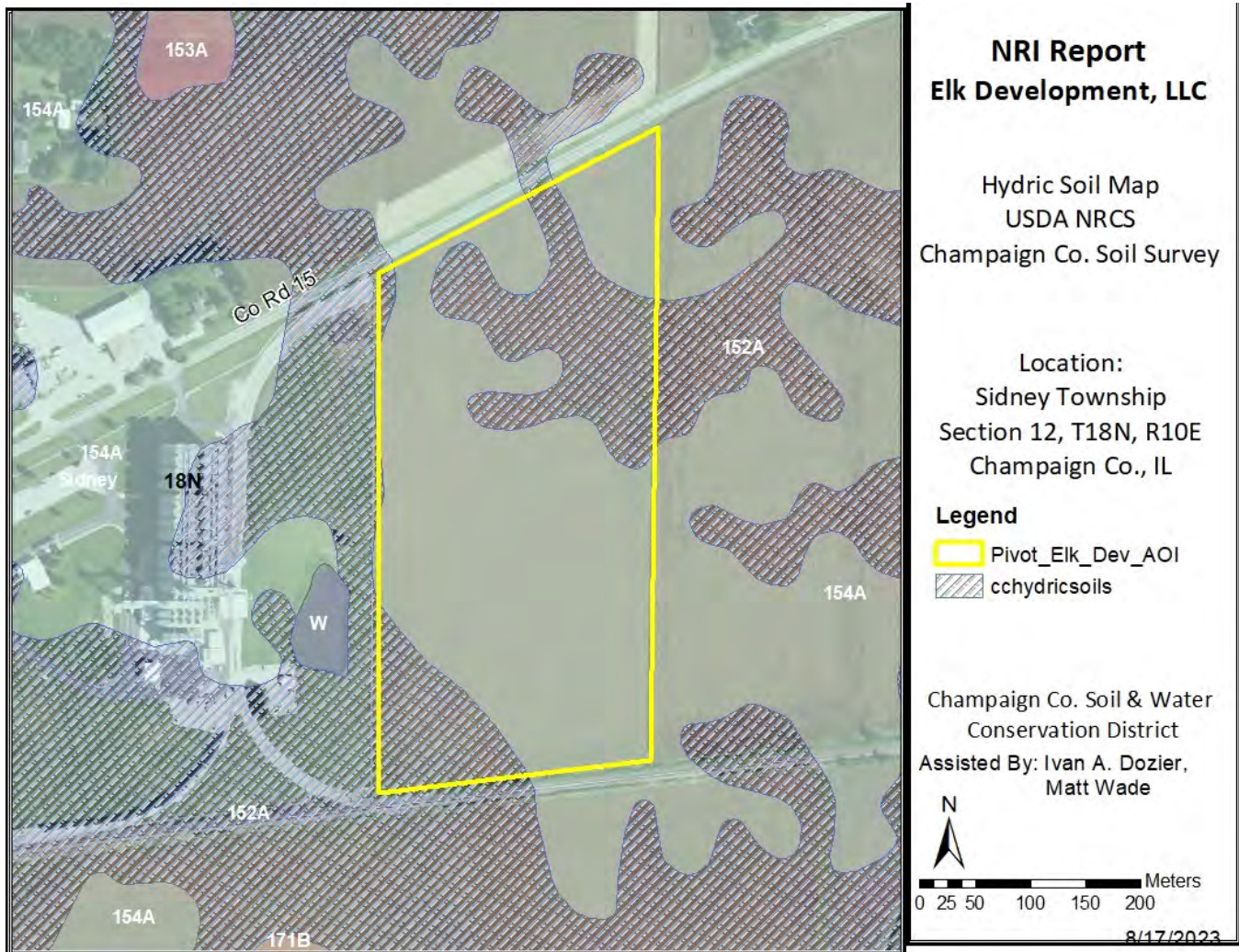
On most agricultural soils in the county that are poorly or somewhat poorly drained, subsurface agriculture drainage tile occurs. This expedites drainage but must be maintained and undisturbed so the soil does not return to its original hydrologic condition.

The Champaign County SWCD recommends the following for an intense land use, such as a subdivision:

1. A topographical survey with 1-foot contour intervals to define the flood area.
2. An intensive soil survey to define locations of hydric inclusions.
3. A drainage tile survey to locate tiles that must be preserved.

Table 5. Hydric soils.

Map Unit Symbol	Drainage Class	Hydric Designation	Acres	Percent of Area
152A	Poorly drained	Hydric	9.8	30.0%
154A	Somewhat poorly drained	Non hydric	22.9	70.0%
			Percent Hydric	30.0%



Soil Erosion and Sediment Control

Erosion is the wearing away of the soil by water, wind, and other forces and a soil’s erodibility is mainly determined by the following properties: soil texture, slope, soil structure, soil organic matter content. Soil erosion threatens the nation’s soil productivity and contributes to pollutants in waterways. Sediment entering creeks, rivers, and lakes degrade water quality and reduce capacity, which increases the risk of flooding and disrupts ecosystems. Sediment also carries other possible pollutants, such as chemicals and metals, by adhering to the sediment’s surface.

Erosion Control at Construction Sites

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. 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 and after construction.

- **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.
- **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 to reduce erosion.
- **Vegetative Cover:** One of the most important means to control runoff is to plant temporary vegetation around the perimeter of the construction site. This provides a natural buffer to filter sediment and chemicals. The CCSWCD recommends that temporary grass be planted (i.e. smooth bromegrass, oats, cereal rye) to help protect soil from erosion during construction.

EPA Stormwater Pollution Prevention Plan (SWPPP) Reference Tool

EPA requires a plan to control storm water pollution 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 to obtain NPDES permit coverage for their storm water discharges. More information at the following website: <http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>.

Table 6. Soil erosion potential.

Map Unit Symbol	Slope	Rating	Acres	Percent of Area
152A	0.5%	Slight	9.8	30.0%
154A	0.9%	Slight	22.9	70.0%

Prime Farmland Soils

Prime farmland soils are an important resource to Champaign County. Some of the most productive soils in the world occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Urban or built-up land on prime farmland soils is not prime farmland.

Table 7. Prime farmland designation.

Map Unit Symbol	Prime Designation	Acres	Percent of Area
152A	Prime farmland if drained	9.8	30.0%
154A	All areas are prime farmland	22.9	70.0%
Percent Prime Farmland			100%

The Land Evaluation and Site Assessment System

Decision-makers in Champaign County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. 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, and urban growth factors. The LESA system is a two-step procedure:

- Land Evaluation (LE) – the soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agricultural use. The best group is assigned a value of 100 and is based on data from the Champaign County Soil Survey. The Champaign County LE designates soils with a score of 91 to 100 as best prime farmland, as reported in Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils. Best Prime Farmland consists of:
 - a) Soils identified as agricultural value groups 1, 2, 3, and/or 4
 - b) Soils that, in combination on a subject site, have an average LE of 91 or higher
 - c) Any 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
- Site Assessment (SA) – the site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives.

The Champaign County LESA system is designed to provide officials with a systematic objective means to numerically rate a site in terms of its agricultural importance.

- To assist officials in evaluating the proposed conversion of farmland on a parcel or site in zoning cases that include farmland conversion to a non-agricultural land use.
- To assist in the review of 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.

Note: A land evaluation (LE) score will be compiled for every project property, but a site assessment score is not applicable in most cases, making the full LESA score unavailable.

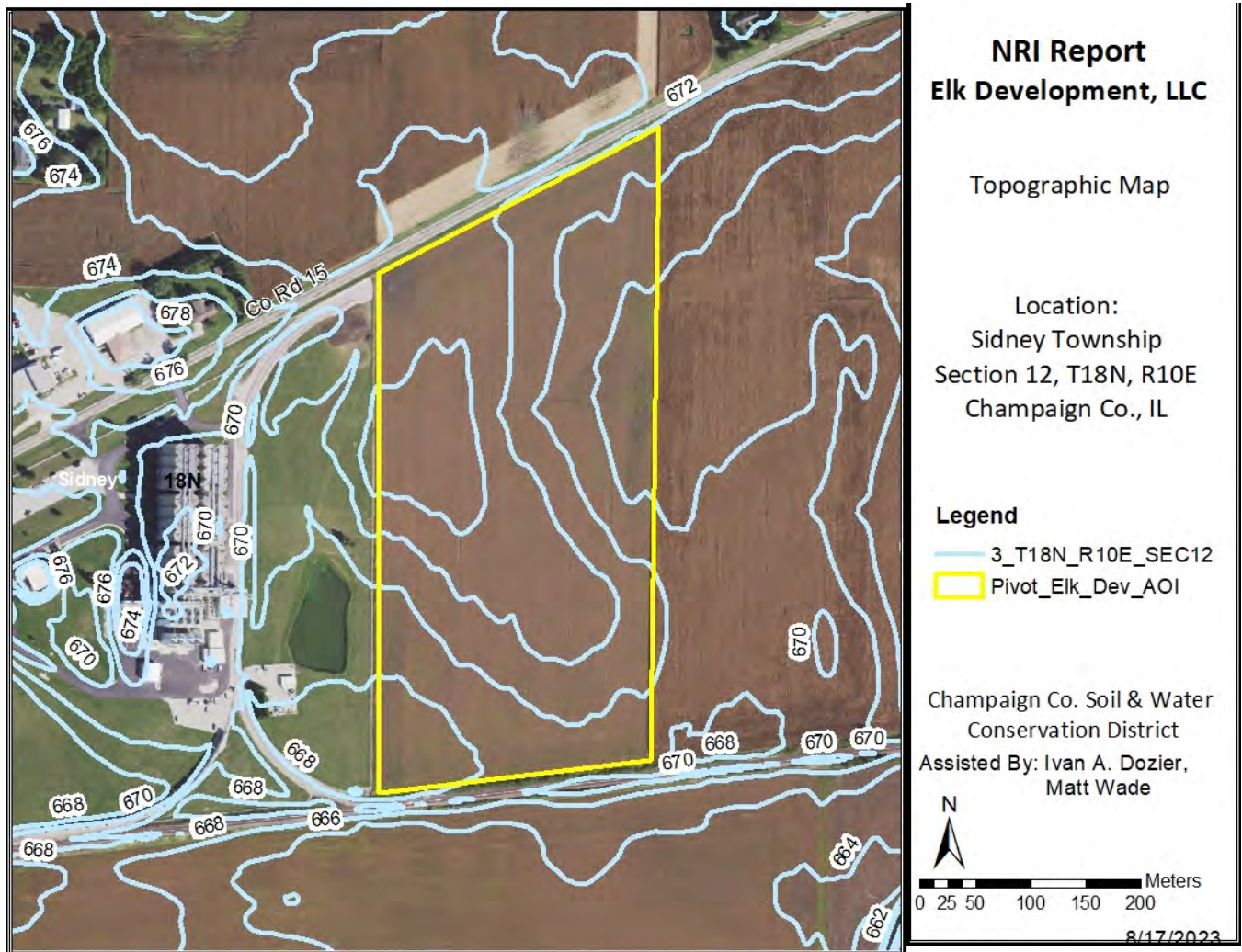
Table 8. Land Evaluation and Site Assessment System score.

Map Unit Symbol	Value Group	Relative Value	Acres	Product (Relative Value*Acres)
152A	2	100	9.8	980
154A	1	100	22.9	2290
Totals			32.7	3270
LE Score		LE = 3270/12.4		LE = 100

For the subject property: the overall Land Evaluation (LE) score is 100.

Topographic Information

United States Geologic Survey (USGA) topographic maps give information on elevation, which are important mostly to determine slope, drainage direction, and watershed information. Elevation determines the area of impact of floods. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the subject property, possibly impacting surrounding natural resources.



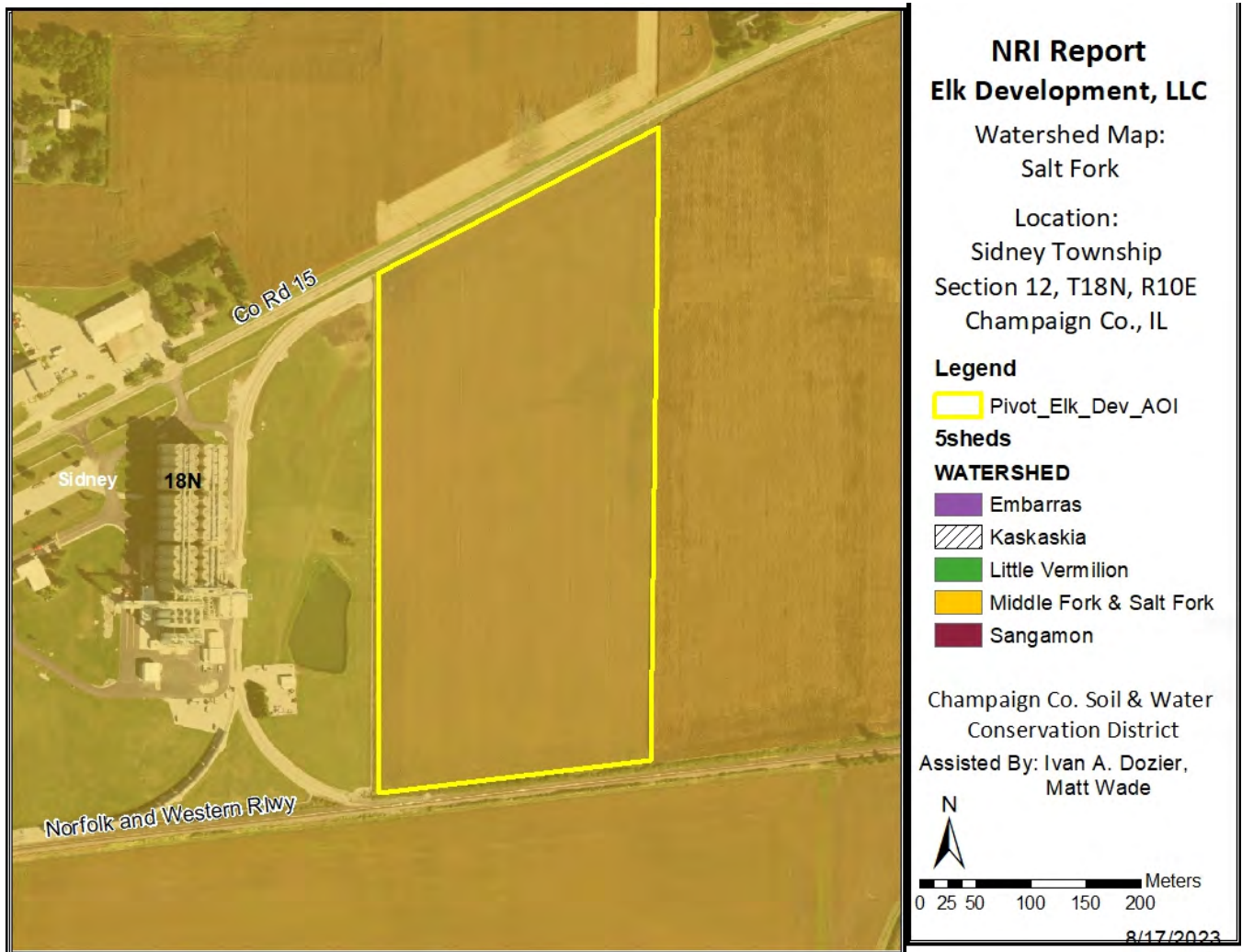
Watershed Information

Watershed information is given when land use is changed to a subdivision type of development on parcels greater than 10 acres. A watershed is an area of land that drains to an associated water resource, such as a wetland, river, or lake. Rainwater carries pollutants through watersheds, impacting natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and implications of their activities.

The following are recommendations to developers for protection of watersheds:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving construction sites
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing and style types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Treat water where it falls

For the subject property: the property is located in the Middle Fork/Salt Fork Watershed.



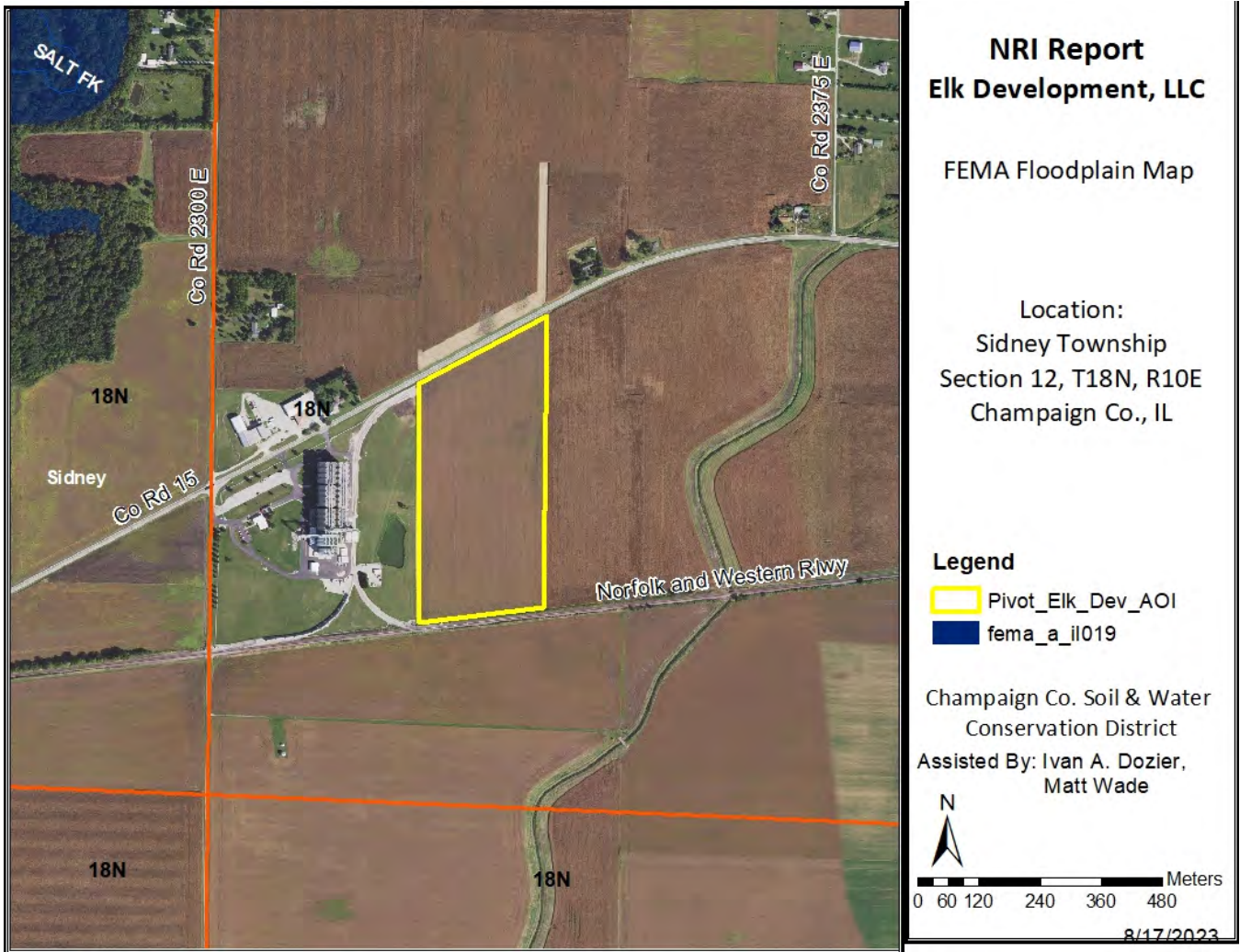
Floodplain and Wetland Information

Floodplain 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 that demand protection since they have water storage and conveyance functions that affect upstream and downstream 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 dangerous to people and destructive to their properties. The following map can help developers and future homeowners to “sidestep” potential flooding or ponding problems. The Flood Insurance Rate Map (FIRM) was produced by the Federal Emergency Management Agency (FEMA) to define flood elevation adjacent to tributaries and major bodies of water that are superimposed onto a simplified USGS topographic map.

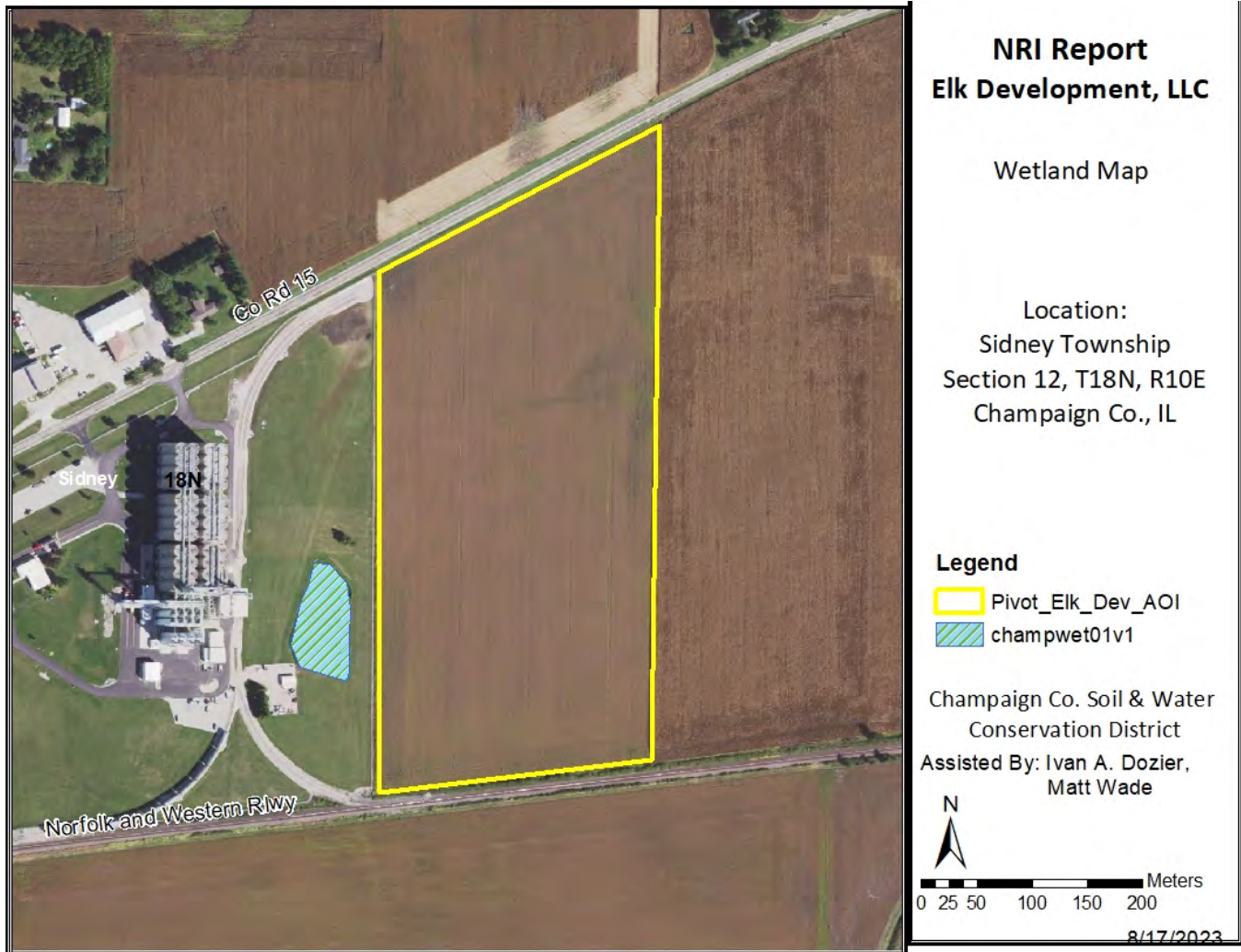
For the subject property: the property is not in the floodplain.



Wetland Information

Wetlands function in many ways to provide numerous benefits to society and the environment, including flood control, cleanse water, recharge groundwater, and provide a wildlife habitat. However, approximately 95% of the wetlands that were historically present in Illinois have been destroyed. It is crucial that we take steps to conserve current wetlands and reestablish new wetlands where once destroyed. Wetland determinations are made by a certified NRCS staff.

For the subject property: a wetland is present near the subject property.



Wetland and Floodplain Regulations

Please read the following if you are planning to do any work near a stream, lake, wetland, or floodway, including: dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, flood plain, or floodway subject to State or Federal regulatory jurisdiction.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against flood way encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated used of the waters within the State of Illinois could permanently destroy and adversely impact the public. Therefore, please contact the proper authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

Regulatory Agencies:

- Wetlands or U.S. Waters: U.S. Army Corps of Engineers
- Floodplains: Illinois Department of Natural Resources/Office of Water Resources, Natural Resources Way, Springfield, IL
- Water Quality/Erosion Control: Illinois Environmental Protection Agency

Coordination: we recommend early coordination with the agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. This could reduce time required to process necessary approvals and reduce expense.

Cultural and Animal Resources

Cultural Resources

The most common cultural resources found during changes in land use are historical properties or non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are non-renewable because there is no way to grow a site to replace a disrupted site. Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all of the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains. Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth-moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency may require a Phase 1 Archaeological review to identify any cultural resources that may be on the site. The IHPA has not been contacted by the Champaign County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

Animal Resources

According to the Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act, state agencies or local units of government must consult Illinois Department of Natural Resources (IDNR) 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 and animals or for adversely modifying a Nature Preserve or a Land and Water Preserve. Home rule governments may delegate this responsibility through duly enacted ordinances to the parties seeking authorization or funding of the action.

Ecologically Sensitive Areas

Biodiversity is the sum of total of all the plants, animals, fungi, and microorganisms in the world, or in a particular area that make up the fabric of the Earth and allow it to function. Biodiversity must be protected, as it is diminishing, which weakens entire natural systems. It is intrinsically valuable for an ecosystem to be biologically diverse to sustain ecosystem health and support life.

As part of the Natural Resources Information Report, staff checks if any nature preserves are in the general vicinity of the subject property. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

For the subject property: as shown on the below EcoCAT, the Illinois Natural Heritage Database shows that protected resources may be in the vicinity of the project.



Applicant: NRCS Champaign County Field Office
Contact: Ivan A. Dozier
Address: 2110 W. Park court suite C
Champaign , IL 61821

Project: Pivot
Address: Champaign, Champaign

IDNR Project Number: 2405101
Date: 09/26/2023

Description: NRI

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

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

Rainbow (*Villosa iris*)
Wavy-Rayed Lampmussel (*Lampsilis fasciola*)
Wavy-Rayed Lampmussel (*Lampsilis fasciola*)

Location

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

County: Champaign

Township, Range, Section:
18N, 10E, 12



IL Department of Natural Resources
Contact
Impact Assessment Section
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
U.S. Department of Agriculture

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.

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.

Historic Aerial Photos




NRI Report Elk Development, LLC

USDA Orthoimagery 2017

Location:
Sidney Township
Section 12, T18N, R10E
Champaign Co., IL

Legend

 Pivot_Elk_Dev_AOI

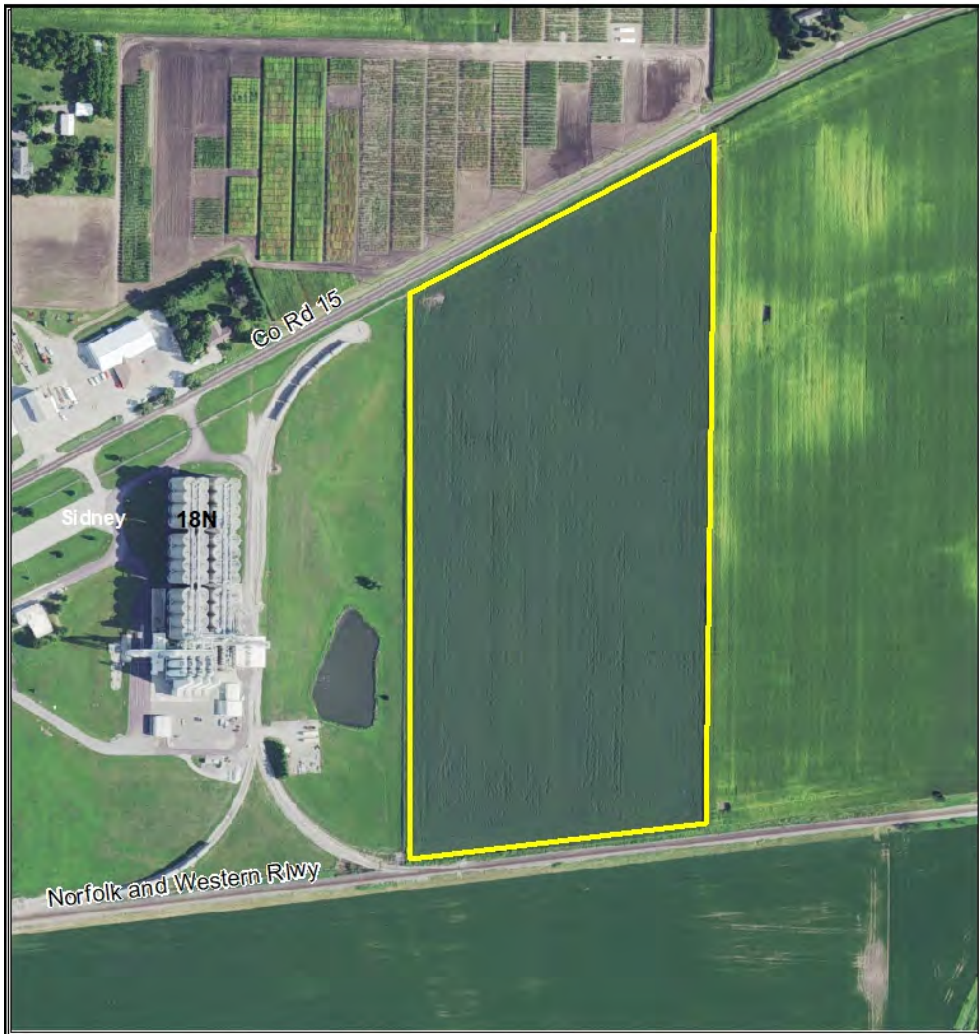
Champaign Co. Soil & Water
Conservation District

Assisted By: Ivan A. Dozier,
Matt Wade



0 25 50 100 150 200 Meters

8/17/2023




NRI Report Elk Development, LLC

USDA Orthoimagery 2015

Location:
Sidney Township
Section 12, T18N, R10E
Champaign Co., IL

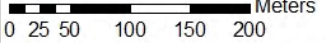
Legend

 Pivot_Elk_Dev_AOI

Champaign Co. Soil & Water
Conservation District

Assisted By: Ivan A. Dozier,
Matt Wade



 Meters
0 25 50 100 150 200

8/17/2023




**NRI Report
Elk Development, LLC**

USDA Orthoimagery 2011

Location:
Sidney Township
Section 12, T18N, R10E
Champaign Co., IL

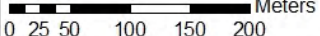
Legend

 Pivot_Elk_Dev_AOI

Champaign Co. Soil & Water
Conservation District

Assisted By: Ivan A. Dozier,
Matt Wade



 Meters
0 25 50 100 150 200

8/17/2023

Glossary and Acronyms

Agriculture – The growing, harvesting, and storing of crops, including legumes, hay, grain, fruit; and truck or vegetables, including dairy, poultry, swine, sheep, beef cattle, pony and horse, fur, and fish and wildlife; 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, or 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 – 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 highwater table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian.

Water Table, Apparent – a thick zone of free water in the soil 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 layer is penetrated, the water level rises in the uncased borehole.

Water Table, Perched – a water table standing above an unsaturated zone, often separated from a lower wet zone 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 – (for wetlands) a polygon drawn on a map using map information that gives an outline of a wetland.

Hydric Soil – soil that 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 small, intensive scale than a modern soil survey to determine soil properties of a specific site, i.e. mapping for septic suitability.

Land Evaluation 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 is shown on a map. An accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of soils under different uses and the soils' response to management. Predictions are made for areas of soil at specific places. Soil information collected in a soil survey are useful in developing land use plans and alternatives.

Palustrine – name given to inland fresh water wetlands.

Permeability – values listed estimate the range of 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 – 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, built up land, or water areas. When well-managed, the soil qualities and moisture supply provide a sustained high yield of crops with minimum inputs of energy and economic resources 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 flooding during the growing season. The slope ranges from 0 to 5 percent. (USDA Natural Resources Conservation Service)

Productivity Indexes – express the estimated yields of the major grain crops in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state (Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn, Joy soil series). See Circular 1156 from the Illinois Cooperative Extension Service.

Seasonal – when used in reference to wetlands, indicates the area 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 – collection of soil and miscellaneous areas delineated in mapping. 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 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 type of parent material, having horizons that, except for texture of the surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, mineralogy, 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 – 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, ditches, and ponding areas, such as detention structures, natural ponds, or wetlands.

Wetland – an area that has a predominance of hydric soils that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophilic vegetation typically adapted for life in saturated soil conditions.

References

Field Office Technical Guide. USDA Natural Resources Conservation Service.

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

Illinois Urban Manual. 2016. Association of Illinois Soil & Water Conservation Districts.

Soil Survey of Champaign County. USDA Natural Resources Conservation Service.

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 System. The Kendall County Department of Planning, Building, and Zoning, and the Champaign County Soil and Water Conservation District. In cooperation with USDA Natural Resources Conservation Service.



JB Pritzker, Governor
Jerry Costello II, Director

Bureau of Land and Water Resources

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217-782-6297 • TDD 866-287-2999 • Fax 217-557-0993

August 11, 2023

Dear Landowner:

As the landowner across which the Elk Development, LLC is planning to construct a community scale solar farm and related ±5 MW Commercial Solar Energy Facility, that will consist of solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers, the Illinois Department of Agriculture would like to inform you of the following matter.

Effective July 27, 2023, Elk Development, LLC and the Illinois Department of Agriculture (IDOA) entered into an Agricultural Impact Mitigation Agreement (AIMA) establishing standards and policies that Elk Development, LLC will follow as it constructs a ±5 MW community scale commercial Solar Energy Facility over agricultural land in Champaign County. The enclosed AIMA will provide a high level of protection to such land, but it may not address specific concerns that you may have. Such concerns must be addressed individually in your own easement contract to accomplish your specific goals.

As you review the AIMA, you may identify procedures that you would like to change. Your right to negotiate changes is preserved by Paragraph B. on page one of the AIMA. It states, "Except for Section 17B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities." It is your decision as to whether you discuss the changes you desire with the right-of-way agent that is assigned to you. Of course, you also have the option to seek your own attorney to make sure your interests are protected.

As you consider your personal interests, you may want to include the owner indemnification clause in your individual easement agreement to protect yourself, your family and future heirs against future claims or expenses arising from the commercial solar energy facility's construction, repairs and maintenance. This item is covered in Section 16 of the AIMA. We feel it is best that such issues are left to landowners to address in their individual easement contracts if specific items are of concern.

Please note that although the IDOA has entered the AIMA with the Elk Development, LLC it does not constitute our endorsement of the project. The AIMA's sole purpose is to provide a high level of protection to landowners and agricultural land that will be impacted by the construction of the Solar Farm.

If you have questions, feel free to contact Jeffrey Evers of my staff at 217-785-5594, the address listed above or agr.aima@illinois.gov.

Sincerely,

Brian Rennecker, Chief
 Bureau of Land and Water Resources

Enclosure
 BR:JE

cc: Jerry Costello II, IDOA Director
 Tess Feagans, IDOA
 Bill Bodine, Laura Harmon - IL Farm Bureau

Garrett W. Thalgott - IL Farm Bureau
 Champaign Co. Farm Bureau Manager
 Champaign Co. Soil and Water Conservation District
 (SWCD)
 Regional Representatives

RECEIVED

AUG 22 2023

CHAMPAIGN CO. P & Z DEPARTMENT

STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT

between

Elk Development, LLC

and the

ILLINOIS DEPARTMENT OF AGRICULTURE

Pertaining to the Construction of a Commercial Solar Energy Facility

in

Champaign County, Illinois

Pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147), the following standards and policies are required by the Illinois Department of Agriculture (IDOA) to help preserve the integrity of any Agricultural Land that is impacted by the Construction and Deconstruction of a Commercial Solar Energy Facility. They were developed with the cooperation of agricultural agencies, organizations, Landowners, Tenants, drainage contractors, and solar energy companies to comprise this Agricultural Impact Mitigation Agreement (AIMA).

Elk Development, LLC, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a 6.67 MWdc/5 MWac Commercial Solar Energy Facility in Champaign County [GPS Coordinates: 40.031750,-88.022632], which will consist of up to 26.26 acres that will be covered by solar facility related components, such as solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers and any affiliated electric transmission lines. This AIMA is made and entered between the Facility Owner and the IDOA.

If Construction does not commence within four years after this AIMA has been fully executed, this AIMA shall be revised, with the Facility Owner's input, to reflect the IDOA's most current Solar Farm Construction and Deconstruction Standards and Policies. This AIMA, and any updated AIMA, shall be filed with the County Board by the Facility Owner prior to the commencement of Construction.

The below prescribed standards and policies are applicable to Construction and Deconstruction activities occurring partially or wholly on privately owned agricultural land.

Conditions of the AIMA

The mitigative actions specified in this AIMA shall be subject to the following conditions:

- A. All Construction or Deconstruction activities may be subject to County or other local requirements. However, the specifications outlined in this AIMA shall be the minimum standards applied to all Construction or Deconstruction activities. IDOA may utilize any legal means to enforce this AIMA.
- B. Except for Section 17. B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities.
- C. The Facility Owner may negotiate with Landowners to carry out the actions that Landowners wish to perform themselves. In such instances, the Facility Owner shall offer Landowners the area commercial rate for their machinery and labor costs.

- D. All provisions of this AIMA shall apply to associated future Construction, maintenance, repairs, and Deconstruction of the Facility referenced by this AIMA.
- E. The Facility Owner shall keep the Landowners and Tenants informed of the Facility's Construction and Deconstruction status, and other factors that may have an impact upon their farming operations.
- F. The Facility Owner shall include a statement of its adherence to this AIMA in any environmental assessment and/or environmental impact statement.
- G. Execution of this AIMA shall be made a condition of any Conditional/Special Use Permit. Not less than 30 days prior to the commencement of Construction, a copy of this AIMA shall be provided by the Facility Owner to each Landowner that is party to an Underlying Agreement. In addition, this AIMA shall be incorporated into each Underlying Agreement.
- H. The Facility Owner shall implement all actions to the extent that they do not conflict with the requirements of any applicable federal, state and local rules and regulations and other permits and approvals that are obtained by the Facility Owner for the Facility.
- I. No later than 45 days prior to the Construction and/or Deconstruction of a Facility, the Facility Owner shall provide the Landowner(s) with a telephone number the Landowner can call to alert the Facility Owner should the Landowner(s) have questions or concerns with the work which is being done or has been carried out on his/her property.
- J. If there is a change in ownership of the Facility, the Facility Owner assuming ownership of the Facility shall provide written notice within 90 days of ownership transfer, to the Department, the County, and to Landowners of such change. The Financial Assurance requirements and the other terms of this AIMA shall apply to the new Facility Owner.
- K. The Facility Owner shall comply with all local, state and federal laws and regulations, specifically including the worker protection standards to protect workers from pesticide exposure.
- L. Within 30 days of execution of this AIMA, the Facility Owner shall use Best Efforts to provide the IDOA with a list of all Landowners that are party to an Underlying Agreement and known Tenants of said Landowner who may be affected by the Facility. As the list of Landowners and Tenants is updated, the Facility Owner shall notify the IDOA of any additions or deletions.
- M. If any provision of this AIMA is held to be unenforceable, no other provision shall be affected by that holding, and the remainder of the AIMA shall be interpreted as if it did not contain the unenforceable provision.

Definitions

Abandonment

When Deconstruction has not been completed within 12 months after the Commercial Solar Energy Facility reaches the end of its useful life. For purposes of this definition, a Commercial Solar Energy Facility shall be presumed to have reached the end of its useful life if the Commercial Solar Energy Facility Owner fails, for a period of 6 consecutive months, to pay the Landowner amounts owed in accordance with an Underlying Agreement.

Aboveground Cable	Electrical power lines installed above ground surface to be utilized for conveyance of power from the solar panels to the solar facility inverter and/or point of interconnection to utility grid or customer electric meter.
Agricultural Impact Mitigation Agreement (AIMA)	The Agreement between the Facility Owner and the Illinois Department of Agriculture (IDOA) described herein.
Agricultural Land	Land used for Cropland, hayland, pastureland, managed woodlands, truck gardens, farmsteads, commercial ag-related facilities, feedlots, livestock confinement systems, land on which farm buildings are located, and land in government conservation programs used for purposes as set forth above.
Best Efforts	Diligent, good faith, and commercially reasonable efforts to achieve a given objective or obligation.
Commercial Operation Date	The calendar date of which the Facility Owner notifies the Landowner, County, and IDOA in writing that commercial operation of the facility has commenced. If the Facility Owner fails to provide such notifications, the Commercial Operation Date shall be the execution date of this AIMA plus 6 months.
Commercial Solar Energy Facility (Facility)	A solar energy conversion facility equal to or greater than 500 kilowatts in total nameplate capacity, including a solar energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before June 29, 2018. "Commercial solar energy facility" does not include a solar energy conversion facility: (1) for which a permit to construct has been issued before June 29, 2018; (2) that is located on land owned by the commercial solar energy facility owner; (3) that was constructed before June 29, 2018; or (4) that is located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load and is limited in nameplate capacity to less than or equal to 2,000 kilowatts.
Commercial Solar Energy Facility Owner deemed (Facility Owner)	A person or entity that owns a commercial solar energy facility. A Commercial Solar Energy Facility Owner is not nor shall it be to be a public utility as defined in the Public Utilities Act.
County	The County or Counties where the Commercial Solar Energy Facility is located.
Construction	The installation, preparation for installation and/or repair of a Facility.
Cropland	Land used for growing row crops, small grains or hay; includes land which was formerly used as cropland, but is currently enrolled in a government conservation program; also includes pastureland that is classified as Prime Farmland.

Deconstruction	The removal of a Facility from the property of a Landowner and the restoration of that property as provided in the AIMA.
Deconstruction Plan	A plan prepared by a Professional Engineer, at the Facility's expense, that includes: <ol style="list-style-type: none">(1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things:<ol style="list-style-type: none">i. the number of solar panels, racking, and related facilities involved;ii. the original Construction costs of the Facility;iii. the size and capacity, in megawatts of the Facility;iv. the salvage value of the facilities (if all interests in salvage value are subordinate to that of the Financial Assurance holder if abandonment occurs);v. the Construction method and techniques for the Facility and for other similar facilities; and(2) a comprehensive detailed description of how the Facility Owner plans to pay for the Deconstruction of the Facility.
Department	The Illinois Department of Agriculture (IDOA).
Financial Assurance	A reclamation or surety bond or other commercially available financial assurance that is acceptable to the County, with the County or Landowner as beneficiary.
Landowner	Any person with an ownership interest in property that is used for agricultural purposes and that is party to an Underlying Agreement.
Prime Farmland	Agricultural Land comprised of soils that are defined by the USDA Natural Resources Conservation Service (NRCS) as "Prime Farmland" (generally considered to be the most productive soils with the least input of nutrients and management).
Professional Engineer	An engineer licensed to practice engineering in the State of Illinois.
Soil and Water Conservation District (SWCD)	A unit of local government that provides technical and financial assistance to eligible Landowners for the conservation of soil and water resources.
Tenant	Any person, apart from the Facility Owner, lawfully residing or leasing/renting land that is subject to an Underlying Agreement.
Topsoil	The uppermost layer of the soil that has the darkest color or the highest content of organic matter; more specifically, it is defined as the "A" horizon.
Underlying Agreement	The written agreement between the Facility Owner and the Landowner(s) including, but not limited to, an easement, option, lease, or license under the terms of which another person has constructed, constructs, or intends to construct a Facility on the property of the Landowner.

Underground Cable	Electrical power lines installed below the ground surface to be utilized for conveyance of power within a Facility or from a Commercial Solar Energy Facility to the electric grid.
USDA Natural Resources Conservation Service (NRCS)	An agency of the United States Department of Agriculture that provides America's farmers with financial and technical assistance to aid with natural resources conservation.

Construction and Deconstruction Standards and Policies

1. Support Structures

- A. Only single pole support structures shall be used for the Construction and operation of the Facility on Agricultural Land. Other types of support structures, such as lattice towers or H-frames, may be used on nonagricultural land.
- B. Where a Facility's Aboveground Cable will be adjacent and parallel to highway and/or railroad right-of-way, but on privately owned property, the support structures shall be placed as close as reasonably practicable and allowable by the applicable County Engineer or other applicable authorities to the highway or railroad right-of-way. The only exceptions may be at jogs or weaves on the highway alignment or along highways or railroads where transmission and distribution lines are already present.
- C. When it is not possible to locate Aboveground Cable next to highway or railroad right-of-way, Best Efforts shall be expended to place all support poles in such a manner to minimize their placement on Cropland (i.e., longer than normal above ground spans shall be utilized when traversing Cropland).

2. Aboveground Facilities

Locations for facilities shall be selected in a manner that is as unobtrusive as reasonably possible to ongoing agricultural activities occurring on the land that contains or is adjacent to the Facility.

3. Guy Wires and Anchors

Best Efforts shall be made to place guy wires and their anchors, if used, out of Cropland, pastureland and hayland, placing them instead along existing utilization lines and on land other than Cropland. Where this is not feasible, Best Efforts shall be made to minimize guy wire impact on Cropland. All guy wires shall be shielded with highly visible guards.

4. Underground Cabling Depth

- A. Underground electrical cables located outside the perimeter of the (fence) of the solar panels shall be buried with:
 1. a minimum of 5 feet of top cover where they cross Cropland.
 2. a minimum of 5 feet of top cover where they cross pastureland or other non-Cropland classified as Prime Farmland.
 3. a minimum of 3 feet of top cover where they cross pastureland and other Agricultural Land not classified as Prime Farmland.

4. a minimum of 3 feet of top cover where they cross wooded/brushy land.
- B. Provided that the Facility Owner removes the cables during Deconstruction, underground electric cables may be installed to a minimum depth of 18 inches:
 1. Within the fenced perimeter of the Facility; or
 2. When buried under an access road associated with the Facility provided that the location and depth of cabling is clearly marked at the surface.
- C. If Underground Cables within the fenced perimeter of the solar panels are installed to a minimum depth of 5 feet, they may remain in place after Deconstruction.

5. Topsoil Removal and Replacement

- A. Any excavation shall be performed in a manner to preserve topsoil. Best Efforts shall be made to store the topsoil near the excavation site in such a manner that it will not become intermixed with subsoil materials.
- B. Best Efforts shall be made to store all disturbed subsoil material near the excavation site and separate from the topsoil.
- C. When backfilling an excavation site, Best Efforts shall be used to ensure the stockpiled subsoil material will be placed back into the excavation site before replacing the topsoil.
- D. Refer to Section 7 for procedures pertaining to rock removal from the subsoil and topsoil.
- E. Refer to Section 8 for procedures pertaining to the repair of compaction and rutting of the topsoil.
- F. Best Efforts shall be performed to place the topsoil in a manner so that after settling occurs, the topsoil's original depth and contour will be restored as close as reasonably practicable. The same shall apply where excavations are made for road, stream, drainage ditch, or other crossings. In no instance shall the topsoil materials be used for any other purpose unless agreed to explicitly and in writing by the Landowner.
- G. Based on the mutual agreement of the landowner and Facility Owner, excess soil material resulting from solar facility excavation shall either be removed or stored on the Landowner's property and reseeded per the applicable National Pollution Discharge Elimination System (NPDES) permit/Stormwater Pollution Prevention Plan (SWPPP). After the Facility reaches the end of its Useful Life, the excess subsoil material shall be returned to an excavation site or removed from the Landowner's property, unless otherwise agreed to by Landowner.

6. Rerouting and Permanent Repair of Agricultural Drainage Tiles

The following standards and policies shall apply to underground drainage tile line(s) directly or indirectly affected by Construction and/or Deconstruction:

- A. Prior to Construction, the Facility Owner shall work with the Landowner to identify drainage tile lines traversing the property subject to the Underlying Agreement to the extent reasonably practicable. All drainage tile lines identified in this manner shall be shown on the Construction and Deconstruction Plans.

Standard Solar Agricultural Impact Mitigation Agreement

- B. The location of all drainage tile lines located adjacent to or within the footprint of the Facility shall be recorded using Global Positioning Systems (GPS) technology. Within 60 days after Construction is complete, the Facility Owner shall provide the Landowner, the IDOA, and the respective County Soil and Water Conservation District (SWCD) with "as built" drawings (strip maps) showing the location of all drainage tile lines by survey station encountered in the Construction of the Facility, including any tile line repair location(s), and any underground cable installed as part of the Facility.

C. Maintaining Surrounding Area Subsurface Drainage

If drainage tile lines are damaged by the Facility, the Facility Owner shall repair the lines or install new drainage tile line(s) of comparable quality and cost to the original(s), and of sufficient size and appropriate slope in locations that limit direct impact from the Facility. If the damaged tile lines cause an unreasonable disruption to the drainage system, as determined by the Landowner, then such repairs shall be made promptly to ensure appropriate drainage. Any new line(s) may be located outside of, but adjacent to the perimeter of the Facility. Disrupted adjacent drainage tile lines shall be attached thereto to provide an adequate outlet for the disrupted adjacent tile lines.

D. Re-establishing Subsurface Drainage Within Facility Footprint

Following Deconstruction and using Best Efforts, if underground drainage tile lines were present within the footprint of the facility and were severed or otherwise damaged during original Construction, facility operation, and/or facility Deconstruction, the Facility Owner shall repair existing drainage tiles or install new drainage tile lines of comparable quality and cost to the original, within the footprint of the Facility with sufficient capacity to restore the underground drainage capacity that existed within the footprint of the Facility prior to Construction. Such installation shall be completed within 12 months after the end of the useful life of the Facility and shall be compliant with Figures 1 and 2 to this Agreement or based on prudent industry standards if agreed to by Landowner.

- E. If there is any dispute between the Landowner and the Facility Owner on the method of permanent drainage tile line repair, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

- F. During Deconstruction, all additional permanent drainage tile line repairs beyond those included above in Section 6.D. must be made within 30 days of identification or notification of the damage, weather and soil conditions permitting. At other times, such repairs must be made at a time mutually agreed upon by the Facility Owner and the Landowner. If the Facility Owner and Landowner cannot agree upon a reasonable method to complete this restoration, the Facility Owner may implement the recommendations of the appropriate County SWCD and such implementation constitutes compliance with this provision.

- G. Following completion of the work required pursuant to this Section, the Facility Owner shall be responsible for correcting all drainage tile line repairs that fail due to Construction and/or Deconstruction for one year following the completion of Construction or Deconstruction, provided those repairs were made by the Facility Owner. The Facility Owner shall not be responsible for drainage tile repairs that the Facility Owner pays the Landowner to perform.

7. Rock Removal

With any excavations, the following rock removal procedures pertain only to rocks found in the uppermost 42 inches of soil, the common freeze zone in Illinois, which emerged or were brought to the site as a result of Construction and/or Deconstruction.

- A. Before replacing any topsoil, Best Efforts shall be taken to remove all rocks greater than 3 inches in any dimension from the surface of exposed subsoil which emerged or were brought to the site as a result of Construction and/or Deconstruction.
- B. If trenching, blasting, or boring operations are required through rocky terrain, precautions shall be taken to minimize the potential for oversized rocks to become interspersed in adjacent soil material.
- C. Rocks and soil containing rocks removed from the subsoil areas, topsoil, or from any excavations, shall be removed from the Landowner's premises or disposed of on the Landowner's premises at a location that is mutually acceptable to the Landowner and the Facility Owner.

8. Repair of Compaction and Rutting

- A. Unless the Landowner opts to do the restoration work on compaction and rutting, after the topsoil has been replaced post-Deconstruction, all areas within the boundaries of the Facility that were traversed by vehicles and Construction and/or Deconstruction equipment that exhibit compaction and rutting shall be restored by the Facility Owner. All prior Cropland shall be ripped at least 18 inches deep or to the extent practicable, and all pasture and woodland shall be ripped at least 12 inches deep or to the extent practicable. The existence of drainage tile lines or underground utilities may necessitate less ripping depth. The disturbed area shall then be disked.
- B. All ripping and disking shall be done at a time when the soil is dry enough for normal tillage operations to occur on Cropland adjacent to the Facility.
- C. The Facility Owner shall restore all rutted land to a condition as close as possible to its original condition upon Deconstruction, unless necessary earlier as determined by the Landowner.
- D. If there is any dispute between the Landowner and the Facility Owner as to what areas need to be ripped/disked or the depth at which compacted areas should be ripped/disked, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

9. Construction During Wet Weather

Except as provided below, construction activities are not allowed on agricultural land during times when normal farming operations, such as plowing, disking, planting or harvesting, cannot take place due to excessively wet soils. With input from the landowner, wet weather conditions may be determined on a field by field basis.

- A. Construction activities on prepared surfaces, surfaces where topsoil and subsoil have been removed, heavily compacted in preparation, or otherwise stabilized (e.g. through cement mixing) may occur at the discretion of the Facility Owner in wet weather conditions.

- B. Construction activities on unprepared surfaces will be done only when work will not result in rutting which may mix subsoil and topsoil. Determination as to the potential of subsoil and topsoil mixing will be made in consultation with the underlying Landowner, or, if approved by the Landowner, his/her designated tenant or designee.

10. Prevention of Soil Erosion

- A. The Facility Owner shall work with Landowners and create and follow a SWPPP to prevent excessive erosion on land that has been disturbed by Construction or Deconstruction of a Facility.
- B. If the Landowner and Facility Owner cannot agree upon a reasonable method to control erosion on the Landowner's property, the Facility Owner shall consider the recommendations of the appropriate County SWCD to resolve the disagreement.
- C. The Facility Owner may, per the requirements of the project SWPPP and in consultation with the Landowner, seed appropriate vegetation around all panels and other facility components to prevent erosion. The Facility Owner must utilize Best Efforts to ensure that all seed mixes will be as free of any noxious weed seeds as possible. The Facility Owner shall consult with the Landowner regarding appropriate varieties to seed.

11. Repair of Damaged Soil Conservation Practices

Consultation with the appropriate County SWCD by the Facility Owner shall be carried out to determine if there are soil conservation practices (such as terraces, grassed waterways, etc.) that will be damaged by the Construction and/or Deconstruction of the Facility. Those conservation practices shall be restored to their preconstruction condition as close as reasonably practicable following Deconstruction in accordance with USDA NRCS technical standards. All repair costs shall be the responsibility of the Facility Owner.

12. Compensation for Damages to Private Property

The Facility Owner shall reasonably compensate Landowners for damages caused by the Facility Owner. Damage to Agricultural Land shall be reimbursed to the Landowner as prescribed in the applicable Underlying Agreement.

13. Clearing of Trees and Brush

- A. If trees are to be removed for the Construction or Deconstruction of a Facility, the Facility Owner shall consult with the Landowner to determine if there are trees of commercial or other value to the Landowner.
- B. If there are trees of commercial or other value to the Landowner, the Facility Owner shall allow the Landowner the right to retain ownership of the trees to be removed and the disposition of the removed trees shall be negotiated prior to the commencement of land clearing.

14. Access Roads

- A. To the extent practicable, access roads shall be designed to not impede surface drainage and shall be built to minimize soil erosion on or near the access roads.

- B. Access roads may be left intact during Construction, operation or Deconstruction through mutual agreement of the Landowner and the Facility Owner unless otherwise restricted by federal, state, or local regulations.
- C. If the access roads are removed, Best Efforts shall be expended to assure that the land shall be restored to equivalent condition(s) as existed prior to their construction, or as otherwise agreed to by the Facility Owner and the Landowner. All access roads that are removed shall be ripped to a depth of 18 inches. All ripping shall be performed consistent with Section 8.

15. Weed/Vegetation Control

- A. The Facility Owner shall provide for weed control in a manner that prevents the spread of weeds. Chemical control, if used, shall be done by an appropriately licensed pesticide applicator.
- B. The Facility Owner shall be responsible for the reimbursement of all reasonable costs incurred by owners of agricultural land where it has been determined by the appropriate state or county entity that weeds have spread from the Facility to their property. Reimbursement is contingent upon written notice to the Facility Owner. Facility Owner shall reimburse the property owner within 45 days after notice is received.
- C. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- D. The Deconstruction plans must include provisions for the removal of all weed control equipment used in the Facility, including weed-control fabrics or other ground covers.

16. Indemnification of Landowners

The Facility Owner shall indemnify all Landowners, their heirs, successors, legal representatives, and assigns from and against all claims, injuries, suits, damages, costs, losses, and reasonable expenses resulting from or arising out of the Commercial Solar Energy Facility, including Construction and Deconstruction thereof, and also including damage to such Facility or any of its appurtenances, except where claims, injuries, suits, damages, costs, losses, and expenses are caused by the negligence or intentional acts, or willful omissions of such Landowners, and/or the Landowners heirs, successors, legal representatives, and assigns.

17. Deconstruction Plans and Financial Assurance of Commercial Solar Energy Facilities

- A. Deconstruction of a Facility shall include the removal/disposition of all solar related equipment/facilities, including the following utilized for operation of the Facility and located on Landowner property:
 - 1. Solar panels, cells and modules;
 - 2. Solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems;
 - 3. Solar panel foundations, if used (to depth of 5 feet);

4. Transformers, inverters, energy storage facilities, or substations, including all components and foundations; however, Underground Cables at a depth of 5 feet or greater may be left in place;
 5. Overhead collection system components;
 6. Operations/maintenance buildings, spare parts buildings and substation/switching gear buildings unless otherwise agreed to by the Landowner;
 7. Access Road(s) unless Landowner requests in writing that the access road is to remain;
 8. Operation/maintenance yard/staging area unless otherwise agreed to by the Landowner; and
 9. Debris and litter generated by Deconstruction and Deconstruction crews.
- B. The Facility Owner shall, at its expense, complete Deconstruction of a Facility within twelve (12) months after the end of the useful life of the Facility.
- C. During the County permit process, or if none, then prior to the commencement of construction, the Facility Owner shall file with the County a Deconstruction Plan. The Facility Owner shall file an updated Deconstruction Plan with the County on or before the end of the tenth year of commercial operation.
- D. The Facility Owner shall provide the County with Financial Assurance to cover the estimated costs of Deconstruction of the Facility. Provision of this Financial Assurance shall be phased in over the first 11 years of the Project's operation as follows:
1. On or before the first anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover ten (10) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
 2. On or before the sixth anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover fifty (50) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
 3. On or before the eleventh anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover one hundred (100) percent of the estimated costs of Deconstruction of the Facility as determined in the updated Deconstruction Plan provided during the tenth year of commercial operation.

The Financial Assurance shall not release the surety from liability until the Financial Assurance is replaced. The salvage value of the Facility may only be used to reduce the estimated costs of Deconstruction if the County agrees that all interests in the salvage value are subordinate or have been subordinated to that of the County if Abandonment occurs.

- E. The County may, but is not required to, reevaluate the estimated costs of Deconstruction of any Facility after the tenth anniversary, and every five years thereafter, of the Commercial Operation Date. Based on any reevaluation, the County may require changes in the level of Financial Assurance used to calculate the phased Financial Assurance levels described in Section 17.D. required from the Facility Owner. If the County is unable to its satisfaction to perform the investigations necessary to approve the Deconstruction Plan filed by the Facility Owner, then the County and Facility may mutually agree on the selection of a Professional Engineer independent of the Facility Owner to conduct any necessary investigations. The Facility Owner shall be responsible for the cost of any such investigations.
- F. Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance.

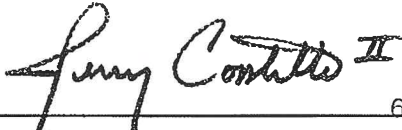
Concurrence of the Parties to this AIMA

The Illinois Department of Agriculture and Elk Development, LLC concur that this AIMA is the complete AIMA governing the mitigation of agricultural impacts that may result from the Construction and Deconstruction of the solar farm project in Champaign County within the State of Illinois.

The effective date of this AIMA commences on the date of execution.

**STATE OF ILLINOIS
DEPARTMENT OF AGRICULTURE**

Elk Development, LLC





By: Jerry Costello II, Director

By: Bob McNeill, Project Manager



By: , General Counsel

Tess Feagan

6865 Deerpath Road, Suite 330
Elkridge MD 21075

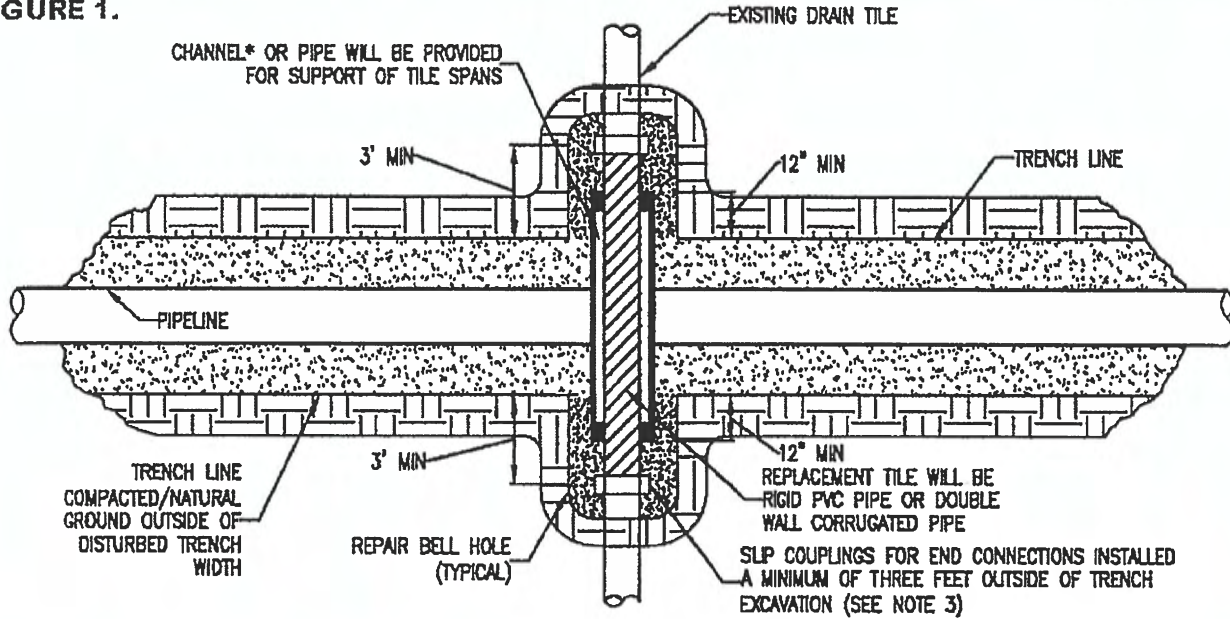
Address

801 E. Sangamon Avenue, 62702
State Fairgrounds, POB 19281 Springfield,
IL 62794-9281

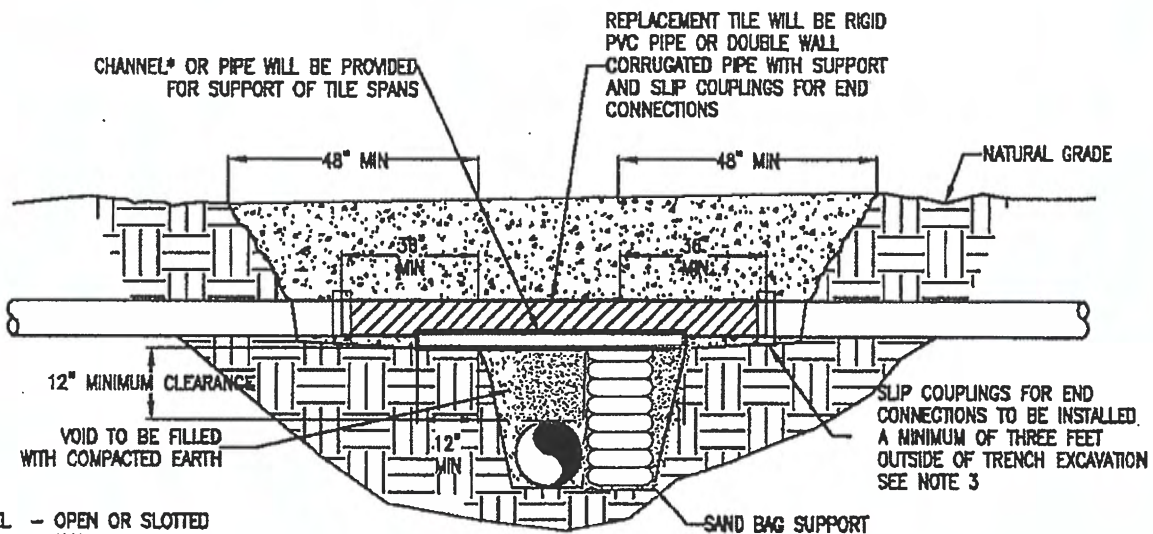
July 27, 2023

27 July, 2023

FIGURE 1.



PLAN
N.T.S.



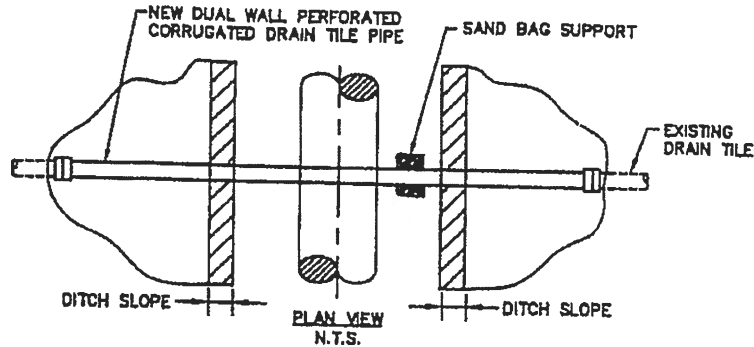
CROSS SECTION
N.T.S.

NOTE:

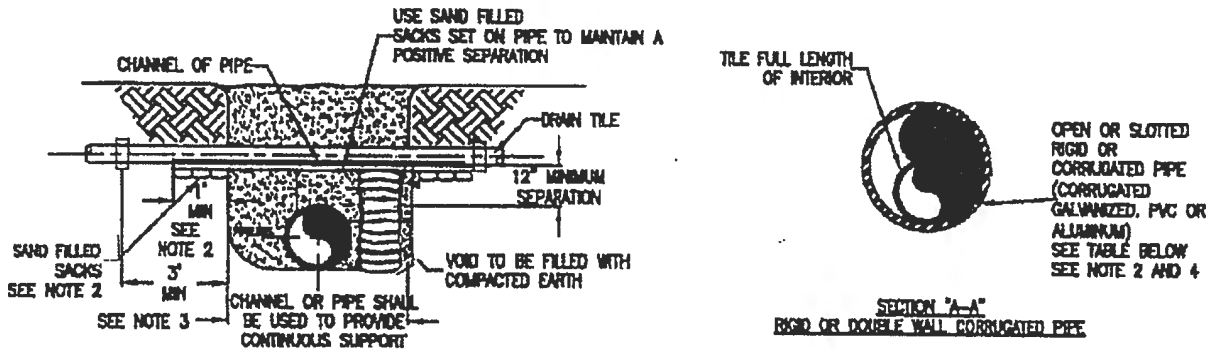
1. IMMEDIATELY REPAIR TILE IF WATER IS FLOWING THROUGH TILE AT TIME OF TRENCHING. IF NO WATER IS FLOWING AND TEMPORARY REPAIR IS DELAYED, OR NOT MADE BY THE END OF THE WORK DAY, A SCREEN OR APPROPRIATE 'NIGHT CAP' SHALL BE PLACED ON OPEN ENDS OF TILE TO PREVENT ENTRAPMENT OF ANIMALS ETC.
2. CHANNEL OR PIPE (OPEN OR SLOTTED) MADE OF CORRUGATED GALVANIZED PIPE, PVC OR ALUMINUM WILL BE USED FOR SUPPORT OF DRAIN TILE SPANS.
3. INDUSTRY STANDARDS SHALL BE FOLLOWED TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES.

TEMPORARY DRAIN TILE REPAIR

FIGURE 2.



PLAN VIEW



END VIEWS

MINIMUM SUPPORT TABLE		
TILE SIZE	CHANNEL SIZE	PIPE SIZE
3"	4" @ 5.4 #/ft	4" STD. WT.
4"-5"	5" @ 6.7 #/ft	6" STD. WT.
6"-9"	7" @ 9.8 #/ft	9"-10" STD. WT.
10"	10" @ 15.3 #/ft	12" STD. WT.

NOTE:

1. TILE REPAIR AND REPLACEMENT SHALL MAINTAIN ORIGINAL ALIGNMENT GRADIENT AND WATER FLOW TO THE GREATEST EXTENT POSSIBLE. IF THE TILE NEEDS TO BE RELOCATED, THE INSTALLATION ANGLE MAY VARY DUE TO SITE SPECIFIC CONDITIONS AND LANDOWNER RECOMMENDATIONS.
2. 1'-0" MINIMUM LENGTH OF CHANNEL OR RIGID PIPE (OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE) SHALL BE SUPPORTED BY UNDISTURBED SOIL, OR IF CROSSING IS NOT AT RIGHT ANGLES TO PIPELINE, EQUIVALENT LENGTH PERPENDICULAR TO TRENCH. SHIM WITH SAND BAGS TO UNDISTURBED SOIL FOR SUPPORT AND DRAINAGE GRADIENT MAINTENANCE (TYPICAL BOTH SIDES).
3. DRAIN TILES WILL BE PERMANENTLY CONNECTED TO EXISTING DRAIN TILES A MINIMUM OF THREE FEET OUTSIDE OF EXCAVATED TRENCH LINE USING INDUSTRY STANDARDS TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES INCLUDING SLIP COUPLINGS.
4. DIAMETER OF RIGID PIPE SHALL BE OF ADEQUATE SIZE TO ALLOW FOR THE INSTALLATION OF THE TILE FOR THE FULL LENGTH OF THE RIGID PIPE.
5. OTHER METHODS OF SUPPORTING DRAIN TILE MAY BE USED IF ALTERNATE PROPOSED IS EQUIVALENT IN STRENGTH TO THE CHANNEL/PIPE SECTIONS SHOWN AND IF APPROVED BY COMPANY REPRESENTATIVES AND LANDOWNER IN ADVANCE. SITE SPECIFIC ALTERNATE SUPPORT SYSTEM TO BE DEVELOPED BY COMPANY REPRESENTATIVES AND FURNISHED TO CONTRACTOR FOR SPANS IN EXCESS OF 20', TILE GREATER THEN 10" DIAMETER, AND FOR "HEADER" SYSTEMS.
6. ALL MATERIAL TO BE FURNISHED BY CONTRACTOR.
7. PRIOR TO REPAIRING TILE, CONTRACTOR SHALL PROBE LATERALLY INTO THE EXISTING TILE TO FULL WIDTH OF THE RIGHTS OF WAY TO DETERMINE IF ADDITIONAL DAMAGE HAS OCCURRED. ALL DAMAGED/DISTURBED TILE SHALL BE REPAIRED AS NEAR AS PRACTICABLE TO ITS ORIGINAL OR BETTER CONDITION.

PERMANENT DRAIN TILE REPAIR

**PIVOT ENERGY IL-38 LLC PROJECT
5 MW (AC) SOLAR FACILITY
DECOMMISSIONING AND SITE RECLAMATION
PLAN**

RECEIVED

AUG 30, 2023

CHAMPAIGN COUNTY
PLANNING & ZONING

**County Rd 1050 N,
Sidney, IL 61877**



Prepared For:

Pivot Energy
1750 15th St,
Suite 200,
Denver, CO 80202

Prepared By:

TRC
230 West Monroe Street
Suite 1840
Chicago, IL 60606

Aug 2023



Table of Contents

BACKGROUND	3
Owner/Operator	3
Facility Description.....	3
DECOMMISSIONING ACTIVITIES.....	4
Decommissioning Requirements	4
Schedule.....	5
Decommissioning During Construction (Abandonment of Project)	5
Decommissioning After Ceasing Operation	5
Offsite Impacts During Decommissioning	6
Dismantlement and Demolition	7
Disposal or Recycle.....	8
Removal of Landscape Materials and Site Stabilization	8
PERMITTING REQUIREMENTS FOR DECOMMISSIONING	9
SOLAR DECOMMISSIONING ESTIMATE	9

BACKGROUND

On behalf of Pivot Energy (Developer) and Pivot Energy IL-38 LLC (Operator/Owner), TRC has prepared this decommissioning plan and cost estimate (the Plan) for the Pivot Energy IL-38 facility (Facility), a photovoltaic (PV) facility, Solar Energy System (SES) or PV Solar Farm (Solar Farm) located on E County Rd 1050 N in the Sidney Township of Champaign County, Illinois. The project site is located north of County Rd 1000 N and west of County Rd 2600 E. The facility will consist of a 5-megawatt (MW) alternating current (AC) solar electrical array covering approximately 26 acres of a 53-acre parcel of agricultural land. The Facility will include ground-mounted, solar arrays, perimeter security fencing, concrete pads for transformers and switch gears, and a gravel access road. The Solar Farm will produce power using PV panels, mounted on ground support galvanized piles.

The purpose of this Plan is to provide the general scope of decommissioning work as well as a construction cost estimate for a decommissioning assurance mechanism of the Facility as described herein and subject to the Champaign County Zoning Ordinance, amended 08/18/2022 (Ordinance). This document outlines the decommissioning activities required to remove above-ground structures, debris, underground foundations, and cables and restore soil and vegetation after termination of operations of the solar farm. This decommissioning plan and cost estimate has been prepared in accordance with the Champaign County Zoning Ordinance for approval of the solar farm.

An attached estimate of decommissioning cost estimate was prepared under the supervision of a professional engineer licensed in Illinois. The opinion of probable costs is based on estimated quantities of site features, panels, racking, and electrical equipment from the conceptual layout and experience in the design and construction of energy facilities and are subject to final engineering. Costs generally include contractor fees, sitework removal & restoration, racking & module removal, power conditioning equipment removal, and corresponding salvage, which reflect the overall decommissioning process. The reported costs include labor, materials, taxes, insurance, transport costs, disposal fees, equipment rental, contractor's overhead, and contractor's profit; the labor costs have been estimated using regional labor rates and labor efficiencies from the Bureau of Labor statistics along with previous decommission plan estimates completed for other similar projects.

Owner/Operator

Pivot Energy IL-38 LLC will be responsible for the ensuring completion of final civil and electrical engineering plans. TRC is the consultant responsible for the preparation of this independent decommissioning plan and cost estimate.

Facility Description

The Facility will consist of a 5 MW AC solar electricity generating facility with associated equipment which covers a total area of approximately 26 acres of a 53-acre parcel of agricultural land. The Facility will be secured within a security fence surrounding the solar panels and electrical equipment. The site can be accessed via lock-controlled gates located on the proposed gravel access road. The Facility will include the following site features:

Pivot Energy IL-38 LLC

- Total site development area with solar panels, associated electrical equipment, racking, and gravel access road of approximately 26 acres (fenced area with approximately 12,480 solar panels);
- One (1) - concrete electrical pad with a transformer, mounted inverter boxes, and switchgears;
- 16-foot wide gravel access road and turnaround;
- Eight (8)-foot chain-link Security fencing (encasing entire project area); and
- Above-ground electrical wire conduits

DECOMMISSIONING ACTIVITIES

The Facility will be decommissioned by completing the following major steps:

1. Removal of modules, racking, and piles;
2. Removal of cabling, trays, and electrical equipment;
3. Removal of concrete pads, foundations, and debris;
4. Removal of the gravel access roads (if required by the landowner);
5. Site stabilization by placing soil and reseeding; and
6. Removal and Disposal or Recycling of materials

The procedures for decommissioning of the project will involve restoring soils and vegetation to agricultural productivity.

Decommissioning Requirements

Pivot Energy IL-38 LLC shall notify Champaign County by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.

Pivot Energy IL-38 LLC agrees that the transfer of the applicant's financial interest in the Pivot Energy IL-38 facility shall in no way affect or change Pivot Energy IL-38 LLC'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 Pivot Energy IL-38 facility.

Champaign County and its authorized representatives have the right of entry onto the Pivot Energy IL-38 facility premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.

At the time decommissioning takes place, all parties of the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority

Pivot Energy IL-38 LLC

All parties of 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.

All parties of the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the Pivot Energy IL-38 facility or prior to ceasing production of electricity from the Pivot Energy IL-38, 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.

Pivot Energy IL-38 LLC shall provide financial assurance in the form of an irrevocable letter of credit in accordance with the Ordinance Section 6.1.5.Q.(4)

The PV SOLAR FARM SPECIAL USE Permit shall be deemed void should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction in accordance with the Ordinance Section 6.1.5.Q.(3) k.

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 in accordance with the Ordinance Section 6.1.5.Q.(3) l.

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 financial assurance in accordance with the Ordinance Section 6.1.5.Q.(3) m.

Schedule

The decommissioning process is estimated to take approximately two (2) months but may change depending on weather and soil moisture conditions and is intended to occur outside of the winter season. All of the activities will be conducted simultaneously when possible. It is expected that final seeding with require 2 to 4 months to establish adequate coverage and erosion control.

Decommissioning During Construction (Abandonment of Project)

If construction or operation activities cease prior to facility completion, with no expectation to restart for more than six (6) months, the project would be decommissioned as follows in this plan. Any installed components will be removed and managed, as per the following sections, and the site will be restored to a vegetated condition.

Decommissioning After Ceasing Operation

Properly maintained photovoltaic (PV) panels have an expected lifespan of thirty-five (35) years or more. At this time or if the facility has not been in operation and stops producing energy for a period of six (6) consecutive months, it shall be considered a "cessation or abandonment of

operations.” Section 6.1.1 A.7 of the Champaign County Zoning Ordinance establishes factors to be considered in determining if a PV Solar Farm is abandoned in place. Installed components will be removed and reused/recycled where possible, and the site restored in accordance with the activities discussed below. Champaign County shall have

access to the project and to the funds to effect or complete decommissioning in the event an applicant, owner, or operator fails to complete decommissioning activities as directed by the Ordinance. which may result in the referral to the Champaign County's Zoning Administration. Champaign County shall also have the right to draw on the funds in accordance with Ordinance Section 6.1.1.A.(9) and Section 6.1.5.Q.(5). Champaign County shall have the right to transfer applicable solar development material, if abandoned by the owner, to a salvage firm.

Offsite Impacts During Decommissioning

As with the project's construction, noise levels during the decommission work will increase. Proper steps will be followed to minimize the disturbance, such as using proper equipment for removing the support piles. Work hours are assumed to be eight (8) hours a day, during daylight. Also, as with the project's construction, road traffic in the area may increase temporarily due to crews and equipment movements. Further details of the on-site restoration are included in subsequent sections.

Dismantlement and Demolition

All decommissioning and Site Reclamation activities shall be done in accordance with the Ordinance Section 6.1.5.Q.(3)

Decommissioning shall include removal of all solar electric systems, buildings, ballasts, cabling, electrical components, roads, foundations, pilings, and any other associated facilities. This will include removal of all items identified in the decommissioning activities above.

A significant amount of the components of the PV system at the Facility will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and panels. Due to their resale monetary value, these components will be dismantled and disassembled rather than being demolished and disposed of.

The owner or operator shall notify the Champaign County Board of the proposed date of discontinued operations and plans for removal at least six (6) months prior to beginning decommissioning activities. The owner shall complete decommissioning activities within six (6) months.

Following coordination with the local utility company regarding timing and required procedures for disconnecting the Facility from the utility, all electrical connections to the system will be disconnected and all connections will be tested locally to confirm that no electric current is running through them before proceeding. All electrical connections to the panels will be cut at the panel and then removed from their framework by cutting or dismantling the connections to the supports. Then panels, inverters, transformers, meters, fans, lighting fixtures, and other electrical structures will be removed. Disposal of these materials at a landfill will be governed by state and local laws, including the Code of Illinois Regulations governing waste disposal at local area landfills, which may be amended from time to time. Any materials deemed to be hazardous at the time of disposal will be handled and disposed according to applicable laws and regulations.

The PV mounting system framework will be dismantled and recycled. The galvanized support piles will be completely removed and recycled.

Finally, all associated structures will be demolished and removed from the site for recycling or disposal. This will include the site fence, gates, access roads, and equipment foundations; which will likely be removed or recycled.

Consultation with the landowner will determine if the access roads should be left in place for their continued use. If the access road is deemed unnecessary, the contractor will remove the access roads and all non-adaptable parts of the project to a minimum depth of 60" and restore this area with native soils and seeding. All concrete associated with the Facility on-site will be broken and removed in its entirety, and clean concrete will be crushed and disposed of or recycled off-site. Final stabilization thresholds on the entire site shall be met prior to approval of site decommissioning. Raceways are to be removed including underground conduits. Above ground lines and poles that are not owned by the utility will be removed, along with associated equipment (isolation switches, fuses, metering) and holes will be filled with clean topsoil. Temporary sanitary facilities will be provided on-site for the workers conducting the decommissioning of the Facility.

Pivot Energy IL-38 LLC

Erosion and sediment control measures are required during the decommissioning process. These measures include construction access, silt fence, concrete washout stations, and land stabilization. The owner/operator will restore the project location to a vegetated condition consistent with pre-construction conditions.

Disposal or Recycle

During the decommissioning phase, a variety of excess materials can be salvaged. A significant amount of the materials used in a solar facility are reusable, including copper, aluminum, galvanized steel, and the PV panels. Due to their resale monetary value, these components will be dismantled and disassembled rather than being demolished and disposed. Any remaining materials will be removed and disposed of off-site at an appropriate facility. The project general contractor will maximize recycling and reuse and will work with manufacturers, local subcontractors and waste firms to segregate material to be recycled, reused and/or disposed of properly.

The project developer will be responsible for arranging the collection or recycling of fence, racking piles, PV panels, panel tracker equipment, AC and DC wiring, inverters, and miscellaneous equipment for salvage value.

Gravel may be reused as general fill on site with landowner approval. Remaining gravel, geotextile fabric, concrete, and debris need to be separated and transported off-site by truck to the appropriate facilities for recycling and disposal in accordance with federal, state, and local waste management regulations.

A final site walkthrough with the appropriate local authorities will be conducted to verify removal of debris and/or trash generated within the site during the decommissioning process and will include removal and proper disposal of any debris that may have been wind-blown to areas outside the immediate footprint of the facility being removed.

Removal of Landscape Materials and Site Stabilization

The areas of the Facility that are disturbed (during decommissioning) will be subject to minor re-grading (no imported soil is anticipated), to establish a uniform slope and stabilization, including application of a selected grass seed mix to surfaces disturbed (estimated to be less than 50% of the site) during the decommissioning process. The seed mix is expected to be a blend of various fescue and/or rye grass seeds. The actual seed blend will depend on factors including availability and time of year that planting would occur.

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 Pivot Energy IL-38 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. A qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill any concrete foundation excavations are of equal or greater quality than the native soils, unless excavated native soils are stored for backfill.

Pivot Energy IL-38 LLC

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.

It is expected that soil and vegetation will be restored to pre-decommissioning conditions. Details will be discussed with the property owner, the Champaign Board, and the Champaign County Soil and Water Conservation District. Planting trees, shrubs, and other woody vegetation (re-forestation) or other beautification are not expected to be required and are not included in the costs. It is assumed that major site grading activities are not proposed as part of the project. Imported fill will be provided, if necessary, to restore to original conditions. Only minor grading is anticipated with regards to site restoration (from construction, demolition, and traffic damage) and access drives removal. All site stabilization activities will be completed in accordance with regulatory requirements and the approved Storm Water Pollution Prevention Plan (SWPPP) and NPDES Construction General Permit.

PERMITTING REQUIREMENTS FOR DECOMMISSIONING

Approvals are currently required prior to initiation of ground-disturbing activity. This cost estimate assumes the same approvals are required when decommissioning occurs in the future. The permitting requirements listed below will be reviewed and might be subject to revisions based on local, state, and federal regulations at the time of decommissioning.

National Pollutant Discharge Elimination System (NPDES) Construction General Permit

U.S. Environmental Protection Agency - Ground disturbance of greater than 1 acre requires preparation of a Storm Water Pollution Prevention Plan, including erosion and sedimentation controls.

Building Permit

A building permit is required to construct the facility. A building permit must also be obtained for any construction, alteration, repair, demolition, or change to the use or occupancy of a building.

Permit Requirement Assumptions

No significant ground disturbance or grading associated with decommissioning, including temporary laydown areas, are required within areas subject to additional local, state, or federal permitting.

SOLAR DECOMMISSIONING ESTIMATE

The following items can be salvaged and recycled: fence material, racking piles, PV panels, miscellaneous tracker equipment, AC and DC wiring, combiner boxes, inverters, transformers, medium voltage equipment, electrical equipment posts, and customer owned utility poles.

The decommissioning cost estimate is based on 2023 Champaign County prevailing labor rates equipment rates and credits for salvaging project material using an average material price index over the last 5 years. The salvage value and equipment rates have been estimated using publicly available data from FEMA published Schedule of Equipment Rates. The salvage value rates have

Pivot Energy IL-38 LLC

been estimated using publicly available data (e.g., <http://fred.stlouisfed.org>), as well as industry provided actual salvage values and previous experience with similar projects. Five-year average salvage values were calculated based on price index interpolation.

The estimated costs utilize hourly and monthly rates listed below:

2023 Wages

- Labor at \$33.87/hr;
- Operating engineer at \$48.15/hr;
- Truck driver at \$46.53/hr;
- Electrician at \$50.12/hr;
- Skid steer rental at \$2,350.00/month;
- Excavator rental at \$4,925.00/month; and
- Dump truck rental at \$52.96/hr

2023 Salvage Values

- Steel (e.g., fence, racking, posts) at \$0.15/lb.;
- PV panels at \$5/panel;
- Electrical components (e.g., combiner boxes, inverters, transformer) at \$0.28/lb.;
- DC wiring (copper) at \$1.3/lb.; and
- AC wiring (copper and aluminum) at \$1.14/lb.

The estimated cost of construction activities associated with decommissioning using current wages is \$376,818. The material salvage value is \$155,516, 70% of which (\$108,861) is available as a decommissioning cost credit. The net decommissioning cost, accounting for 70% salvage value is estimated to be \$267,957. The detailed costs are attached.

Pivot Energy IL-38 LLC

The attached preliminary decommissioning cost estimate is based on the conceptual layout and the designs provided by Pivot Energy. Changes to the plans and construction may affect the scope and costs of Facility decommissioning. If required by the county, final decommissioning costs should be revised based on "As-Built" plans. The attached decommissioning cost estimate was prepared under the supervision of a registered professional engineer in the state of Illinois. The opinion of probable costs is based on experience in the design and construction of energy facilities and are subject to final engineering/construction.

If at any time in the future, the prevailing professionally accepted standards of economic feasibility of recycling and or environmental implications of hazardous waste changes to increase the costs associated with decommissioning, the cost estimate will be revised, and the bonds will need to be modified accordingly to cover said cost.

This opinion assumes a third-party contractor, experienced in the construction and decommissioning of photovoltaic facilities will lead the effort. The reported costs include labor materials, taxes, insurance, transport costs, equipment rental, contractor's overhead, and contractor's profit; the labor costs have been estimated using regional labor rates and labor efficiencies from the United States Department of Agriculture (USDA) /the US Bureau of labor statistics for construction workers in 2023 along with previous decommissioning plan estimates completed for other similar projects.

Pivot Energy IL-38 LLC, by its duly authorized representative's signature below, hereby acknowledges that it has reviewed this Decommissioning and Site Reclamation Plan, and approves of the same, and agrees to be bound by the terms and conditions contained therein.

Authorized Representative: _____

Print Name: _____

Title: _____

Date: _____

Pivot Energy IL-38
Decommissioning Cost Estimate

Task	Unit	Estimated Quantity	Cost per Unit 2023	Total Gross Cost 2023	Salvage Value 2023	Net Costs 2023
Engineering & Permitting	LS	1	\$ 11,250.00	\$ 11,250.00		\$ 11,250.00
Mobilization	LS	1	\$ 30,894.00	\$ 30,894.00		\$ 30,894.00
Silt Fence	LF	4,640	\$ 2.70	\$ 12,528.00		\$ 12,528.00
Access Road Removal & Restoration	SF	2,750	\$ 3.60	\$ 9,900.00		\$ 9,900.00
Equipment Pad & Restoration	EA	2	\$ 500.00	\$ 1,000.00		\$ 1,000.00
Seed Disturbed Areas (50% disturbed area)	AC	13.5	\$ 976.00	\$ 13,176.00		\$ 13,176.00
Fence Removal	LF	4,640	\$ 2.40	\$ 11,136.00	\$ (3,452.16)	\$ 7,683.84
Site Clean Up	AC	27	\$ 270.00	\$ 7,290.00		\$ 7,290.00
Rack and Post Removal	EA	2,100	\$ 70.00	\$ 147,000.00	\$ (78,750.00)	\$ 68,250.00
Remove Panels	EA	12,480	\$ 2.80	\$ 34,944.00	\$ (59,280.00)	\$ (24,336.00)
AC Wiring-Direct Burial and Overhead	LF	94,200	\$ 0.23	\$ 21,520.14	\$ (9,664.92)	\$ 11,855.22
DC Wire Removal	LF	46,800	\$ 0.40	\$ 18,720.00	\$ (2,433.60)	\$ 16,286.40
Electrical Disconnect	EA	1	\$ 210.00	\$ 210.00		\$ 210.00
Combiner Box	EA	0	\$ -	\$ -	\$ (0.00)	\$ (0.00)
Inverter	EA	40	\$ 190.00	\$ 7,600.00	\$ (1,084.16)	\$ 6,515.84
Transformer	EA	1	\$ 500.00	\$ 500.00	\$ (851.20)	\$ (351.20)
SUBTOTAL				\$ 327,668.14	\$ (155,516.04)	\$ 172,152.10
Other Costs						
Contractor Profit	%	8%		\$ 26,213.45		\$ 26,213.45
Contractor Overhead & Management	%	5%		\$ 16,383.41		\$ 16,383.41
Contractor Insurance	%	2%		\$ 6,553.36		\$ 6,553.36
SUBTOTAL				\$ 49,150.22		\$ 49,150.22
DECOMMISSIONING TOTAL				\$ 376,818.36		\$ 221,302.32

**Material labor cost estimated utilizing labor rates using the posted August 2023 Champaign County prevailing wage (Foreman Hourly Rate) and FEMA 2019 schedule.

Champaign County Prevailing Wage Rates posted on 8/15/2023

Trade Title	Rg	Type	C	Base	Foreman	Overtime					Pension	Vac	Trng	Other Ins	Add OT 1.5x owed	Add OT 2.0x owed
						M-F	Sa	Su	Hol	H/W						
ASBESTOS ABT-GEN	All	BLD		35.62	36.87	1.5	1.5	2.0	2.0	7.75	19.09	0.00	0.90	0.00	0.00	0.00
ASBESTOS ABT-MEC	All	BLD		26.45	27.45	1.5	1.5	2.0	2.0	10.20	8.75	0.00	0.50	0.00	0.00	0.00
BOILERMAKER	All	BLD		42.13	45.13	1.5	1.5	2.0	2.0	7.07	24.01	0.00	2.07	0.00	0.00	0.00
BRICK MASON	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96		0.00	0.00
CARPENTER	All	BLD		38.17	40.42	1.5	1.5	2.0	2.0	9.45	18.48	0.00	0.79	0.00	13.97	27.93
CARPENTER	All	HWY		38.17	39.92	1.5	1.5	2.0	2.0	9.45	21.15	0.00	0.76	0.00	0.00	0.00
CEMENT MASON	All	BLD		38.00	40.50	1.5	1.5	2.0	2.0	10.00	11.79	0.00	0.50		0.00	0.00
CEMENT MASON	All	HWY		38.00	40.00	1.5	1.5	2.0	2.0	10.50	13.56	0.00	0.50	0.00	0.00	0.00
CERAMIC TILE FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
ELECTRIC PWR EQMT OP	All	ALL		52.63	62.45	1.5	1.5	2.0	2.0	8.58	14.74	0.00	0.79	0.00	0.00	0.00
ELECTRIC PWR GRNDMAN	All	ALL		35.76	62.45	1.5	1.5	2.0	2.0	8.07	10.01	0.00	0.54	0.00	0.00	0.00
ELECTRIC PWR LINEMAN	All	ALL		58.58	62.45	1.5	1.5	2.0	2.0	8.76	16.40	0.00	0.88	0.00	0.00	0.00
ELECTRIC PWR TRK DRV	All	ALL		37.53	62.45	1.5	1.5	2.0	2.0	8.13	10.51	0.00	0.57	0.00	0.00	0.00
ELECTRICIAN	All	BLD		45.56	50.12	1.5	1.5	2.0	2.0	8.35	11.94	0.00	0.68	0.00	0.68	1.37
ELECTRONIC SYSTEM TECH	All	BLD		34.09	37.09	1.5	1.5	2.0	2.0	8.35	11.76	0.00	0.40	0.00	0.51	1.02
ELEVATOR CONSTRUCTOR	All	BLD		53.26	59.92	2.0	2.0	2.0	2.0	16.07	20.56	4.26	0.70		0.00	0.00
FENCE ERECTOR	All	ALL		36.08	38.08	1.5	1.5	2.0	2.0	12.14	15.75	0.00	1.11	0.00	15.75	15.75
GLAZIER	All	BLD		38.60	40.60	1.5	1.5	2.0	2.0	7.85	13.77	0.00	0.68	0.00	0.00	0.00
HEAT/FROST INSULATOR	All	BLD		34.90	36.40	1.5	1.5	2.0	2.0	8.49	13.79	0.00	0.30	0.65	0.00	0.00
IRON WORKER	All	ALL		36.08	38.08	1.5	1.5	2.0	2.0	12.14	15.75	0.00	1.11	0.00	15.75	15.75
LABORER	All	BLD		32.62	33.87	1.5	1.5	2.0	2.0	7.75	19.09	0.00	0.80	0.00	0.00	0.00
LABORER	All	HWY		35.87	36.87	1.5	1.5	2.0	2.0	7.75	19.42	0.00	0.80	0.00	0.00	0.00
LATHER	All	BLD		38.17	40.42	1.5	1.5	2.0	2.0	9.45	18.48	0.00	0.79	0.00	13.97	27.93
MACHINIST	All	BLD		55.74	59.74	1.5	1.5	2.0	2.0	9.93	8.95	1.85	1.47		0.00	0.00
MARBLE FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
MARBLE MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
MILLWRIGHT	All	BLD		35.58	37.83	1.5	1.5	2.0	2.0	9.45	21.54	0.00	0.79	0.00	15.50	30.99

Champaign County Prevailing Wage Rates posted on 8/15/2023

MILLWRIGHT	All	HWY		40.10	41.85	1.5	1.5	2.0	2.0	9.45	22.34	0.00	0.76	0.00	0.00	0.00
OPERATING ENGINEER	All	ALL	1	45.15	48.15	1.5	1.5	2.0	2.0	11.85	12.80	0.00	1.35		0.00	0.00
OPERATING ENGINEER	All	ALL	2	30.05	48.15	1.5	1.5	2.0	2.0	11.85	12.80	0.00	1.35	0.00	0.00	0.00
OPERATING ENGINEER	All	ALL	3	47.15	48.15	1.5	1.5	2.0	2.0	11.85	12.80	0.00	1.35	0.00	0.00	0.00
PAINTER	All	ALL		37.45	38.95	1.5	1.5	2.0	2.0	9.85	7.79	0.00	0.60	0.00	0.00	0.00
PAINTER - SIGNS	All	ALL		37.45	38.95	1.5	1.5	2.0	2.0	9.85	7.79	0.00	0.60	0.00	0.00	0.00
PILEDRIIVER	All	BLD		39.17	41.42	1.5	1.5	2.0	2.0	9.45	18.48	0.00	0.79	0.00	13.97	27.93
PILEDRIIVER	All	HWY		39.17	40.92	1.5	1.5	2.0	2.0	9.45	21.15	0.00	0.76	0.00	0.00	0.00
PIPEFITTER	All	BLD		50.35	53.47	1.5	1.5	2.0	2.0	9.25	11.14	0.00	2.66		0.00	0.00
PLASTERER	All	BLD		37.05	39.05	1.5	1.5	2.0	2.0	10.00	14.14	0.00	0.50	0.00	0.00	0.00
PLUMBER	All	BLD		50.35	53.47	1.5	1.5	2.0	2.0	9.25	11.14	0.00	2.66		0.00	0.00
ROOFER	All	BLD		37.00	40.00	1.5	1.5	2.0	2.0	10.77	9.56	0.00	0.91	0.00	0.00	0.00
SHEETMETAL WORKER	All	BLD		42.73	45.23	1.5	1.5	2.0	2.0	10.80	15.97	0.00	0.55	2.09	0.00	0.00
SPRINKLER FITTER	All	BLD		47.09	50.09	1.5	1.5	2.0	2.0	11.45	14.92	0.00	0.52		0.00	0.00
STONE MASON	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96	0.00	0.00	0.00
TERRAZZO FINISHER	All	BLD		34.27		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TERRAZZO MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TILE MASON	All	BLD		35.83		1.5	1.5	2.0	2.0	9.60	12.70	0.00	0.55	0.00	0.00	0.00
TRUCK DRIVER	All	ALL	1	42.17	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	ALL	2	42.76	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	ALL	3	43.03	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	ALL	4	43.42	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	ALL	5	44.52	46.53	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	O&C	1	33.74	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	O&C	2	34.21	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	O&C	3	34.42	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	O&C	4	34.74	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TRUCK DRIVER	All	O&C	5	35.62	37.22	1.5	1.5	2.0	2.0	15.39	7.45	0.00	0.25	0.00	0.00	0.00
TUCKPOINTER	All	BLD		36.59	38.79	1.5	1.5	2.0	2.0	9.60	16.67	0.00	0.96	0.00	0.00	0.00

Legend

Rg Region

Type Trade Type - All,Highway,Building,Floating,Oil & Chip,Rivers

C Class

Base Base Wage Rate

OT M-F Unless otherwise noted, OT pay is required for any hour greater than 8 worked each day, Mon through Fri. The number listed is the multiple of the base wage.

OT Sa Overtime pay required for every hour worked on Saturdays

OT Su Overtime pay required for every hour worked on Sundays

OT Hol Overtime pay required for every hour worked on Holidays

H/W Health/Welfare benefit

Vac Vacation

Trng Training

Other Ins Employer hourly cost for any other type(s) of insurance provided for benefit of worker.

Explanations CHAMPAIGN COUNTY

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work assignments required to complete the proper installation of the work covered by said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard

tiles.

ELECTRONIC SYSTEMS TECHNICIAN

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION Class 1. Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

Class 2. Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vactor trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working forepersons, and dispatchers. Five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers who require special protective clothing while employed on hazardous waste work.

TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

OPERATING ENGINEERS - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION Class 1. Draglines, Derricks, Shovels, Gradalls, Mechanics, Tractor Highlift, Tournadozer, Concrete Mixers with Skip, Tournamixer, Two Drum Machine, One Drum Hoist with Tower or Boom, Cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, Winch or Hydraulic Boom Truck, Tournapull, Tractor Operating Scoops, Bulldozer, Push Tractor, Asphalt Planer, Finishing Machine on Asphalt, Large Rollers on Earth, Rollers on Asphalt Mix, Ross Carrier or similar Machine, Gravel Processing Machine, Asphalt Plant Engineer, Paver Operator,

Dredging Equipment, or Dredge Engineer, or Dredge Operator, Central Mix Plant Engineer, CMI or similar type machine, Concrete Pump, Truck or Skid Mounted, Engineer or Rock Crusher Plant, Concrete Plant Engineer, Ditching Machine with dual attachment, Tractor Mounted Loaders, Hydro Crane, Standard or Dinkey Locomotives, Scoopmobiles, Euclid Loader, Soil Cement Machine, Back Filler, Elevating Machine, Power Blade, Drilling Machine, including Well Testing, Caissons, Shaft or any similar type drilling machines, Motor Driven Paint Machine, Pipe Cleaning Machine, Pipe Wrapping Machine, Pipe Bending Machine, Apsco Paver, Boring Machine, (Head Equipment Greaser), Barber-Greene Loaders, Formless Paver, (Well Point System), Concrete Spreader, Hydra Ax, Span Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mesh Placer, Tree Mover, Helicopter Crew (3), Piledriver-Skid or Crawler, Stump Remover, Root Rake, Tug Boat Operator, Refrigerating Machine, Freezing Operator, Chair Cart- Self-Propelled, Hydra Seeder, Straw Blower, Power Sub Grader, Bull Float, Finishing Machine, Self-Propelled Pavement Breaker, Lull (or similar type Machine), Two Air Compressors, Compressors hooked in Manifold, Chip Spreader, Mud Cat, Sull-Air, Fork Lifts (except when used for landscaping work), Soil Stabilizer (Seaman Tiller, Bo Mag, Rago Gator, and similar types of equipment), Tube Float, Spray Machine, Curing Machine, Concrete or Asphalt Milling Machine, Snooper Truck-Operator, Backhoe, Farm Tractors (with attachments), 4 Point Lift System (Power Lift or similar type), Skid-Steer (Bob Cat or similar type), Wrecking Shears, Water Blaster.

Class 2. Concrete Mixers without Skips, Rock Crusher, Ditching Machine under 6', Curbing Machine, One Drum Machines without Tower or Boom, Air Tugger, Self-Propelled Concrete Saw, Machine Mounted Post Hole Digger, two to four Generators, Water Pumps or Welding Machines, within 400 feet, Air Compressor 600 cu. ft. and under, Rollers on Aggregate and Seal Coat Surfaces, Fork Lift (when used for landscaping work), Concrete and Blacktop Curb Machine, One Water Pump, Oilers, Air Valves or Steam Valves, One Welding Machine, Truck Jack, Mud Jack, Gunnite Machine, House Elevators when used for hoisting material, Engine Tenders, Fireman, Wagon Drill, Flex Plane, Conveyor, Siphons and Pulsometer, Switchman, Fireman on Paint Pots, Fireman on Asphalt Plants, Distributor Operator on Trucks, Tampers, Self-Propelled Power Broom, Striping Machine (motor driven), Form Tamper, Bulk Cement Plant, Equipment Greaser, Deck Hands, Truck Crane Oiler-Driver, Cement Blimps, Form Grader, Temporary Heat, Throttle Valve, Super Sucker (and similar type of equipment).

Class 3. Power Cranes, Truck or Crawler Crane, Rough Terrain Crane (Cherry Picker), Tower Crane, Overhead Crane.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.



Illinois
Department of
**Natural
Resources**

Champaign County
Sidney
2300 Block of County Road 1050N
Section:12-Township:18N-Range:10E
IEPA
*New construction, solar development

PLEASE REFER TO: SHPO LOG #006080223

August 25, 2023

Liz Reddington
Pivot Energy
224 North 7th Street
St. Louis, MO 63101

The Illinois State Historic Preservation Office is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) to review all state undertakings for their effect on cultural resources. Pursuant to this requirement, we have received information regarding the above referenced project for our comment.

According to the information provided there is no federal involvement in your project. Be aware the state law is less restrictive than the federal cultural resource laws concerning archaeology. If your project will use federal loans or grants, need federal agency permits, use federal property, or involve assistance from a federal agency, then your project must be reviewed under the National Historic Preservation Act of 1966, as amended. Please notify us immediately if such is the case.

Our files do not identify any known historic properties within this proposed project area, nor is it within the high probability area for archaeological resources as defined in the state Act. Accordingly, this project is **EXEMPT** pursuant to Section 6 of the Illinois State Agency Historic Resources Preservation Act. An archaeological survey for your above referenced project is not required under Illinois law. Please know, however, we are always receptive to reviewing the results of any due diligence survey coverages.

This does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Remains Protection Act (20 ILCS 3440).

If further assistance is needed please contact Jeff Kruchten, Principal Archaeologist, at 217/785-1279 or jeff.kruchten@illinois.gov.

Sincerely,

Carey L. Mayer, AIA
Deputy State Historic
Preservation Officer

CLM

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JAN 23, 2024

CHAMPAIGN COUNTY
PLANNING & ZONING

100/125kW, 1500Vdc String Inverters for North America



CPS SCH100/125KTL-DO/US-600

The 100 & 125kW high power CPS three phase string inverters are designed for ground mount applications. The units are high performance, advanced and reliable inverters designed specifically for the North American environment and grid. High efficiency at 99.1% peak and 98.5% CEC, wide operating voltages, broad temperature ranges and a NEMA Type 4X enclosure enable this inverter platform to operate at high performance across many applications. The CPS 100/125kW products ship with the Standard or Centralized Wire-box, each fully integrated and separable with AC and DC disconnect switches. The Standard Wire-box includes touch safe fusing for up to 20 strings. The CPS Flex Gateway enables communication, controls and remote product upgrades.

Key Features

- NFPA 70, NEC 2014 and 2017 compliant
- Touch safe DC Fuse holders adds convenience and safety
- CPS Flex Gateway enables remote FW upgrades
- Integrated AC & DC disconnect switches
- 1 MPPT with 20 fused inputs for maximum flexibility
- Copper and Aluminum compatible AC connections
- NEMA Type 4X outdoor rated, tough tested enclosure
- Advanced Smart-Grid features (CA Rule 21 certified)
- kVA Headroom yields 100kW @ 0.9PF and 125kW @ 0.95PF
- Generous 1.87 and 1.5 DC/AC Inverter Load Ratios
- Separable wire-box design for fast service
- Standard 5 year warranty with extensions to 20 years



100/125KTL Standard Wire-box



100/125KTL Centralized Wire-box



Model Name	CPS SCH100KTL-DO/US-600	CPS SCH125KTL-DO/US-600
DC Input		
Max. PV Power	187.5kW	
Max. DC Input Voltage	1500V	
Operating DC Input Voltage Range	860-1450Vdc	
Start-up DC Input Voltage / Power	900V / 250W	
Number of MPP Trackers	1	
MPPT Voltage Range ¹	870-1300Vdc	
Max. PV Input Current (Isc x1.25)	275A	
Number of DC Inputs	20 PV source circuits, pos. & neg. fused (Standard Wire-box) 1 PV output circuit, 1-2 terminations per pole, non-fused (Centralized Wire-box)	
DC Disconnection Type	Load-rated DC switch	
DC Surge Protection	Type II MOV (with indicator/remote signaling), Up=2.5kV, In=20kA (8/20uS)	
AC Output		
Rated AC Output Power	100kW	125kW
Max. AC Output Power ²	100kVA (111KVA @ PF>0.9)	125kVA (132KVA @ PF>0.95)
Rated Output Voltage	600Vac	
Output Voltage Range ³	528-660Vac	
Grid Connection Type ⁴	3Φ / PE / N (Neutral optional)	
Max. AC Output Current @600Vac	96.2/106.8A	120.3/127.2A
Rated Output Frequency	60Hz	
Output Frequency Range ³	57-63Hz	
Power Factor	>0.99 (±0.8 adjustable)	>0.99 (±0.8 adjustable)
Current THD	<3%	
Max. Fault Current Contribution (1-cycle RMS)	41.47A	
Max. OCPD Rating	150A	175A
AC Disconnection Type	Load-rated AC switch	
AC Surge Protection	Type II MOV (with indicator/remote signaling), Up=2.5kV, In=20kA (8/20uS)	
System		
Topology	Transformerless	
Max. Efficiency	99.1%	
CEC Efficiency	98.5%	
Stand-by / Night Consumption	<4W	
Environment		
Enclosure Protection Degree	NEMA Type 4X	
Cooling Method	Variable speed cooling fans	
Operating Temperature Range	-22°F to +140°F / -30°C to +60°C (derating from +113°F / +45°C)	
Non-Operating Temperature Range ⁵	-40°F to +158°F / -40°C to +70°C maximum	
Operating Humidity	0-100%	
Operating Altitude	8202ft / 2500m (no derating)	
Audible Noise	<65dBA@1m and 25°C	
Display and Communication		
User Interface and Display	LED Indicators, WiFi + APP	
Inverter Monitoring	Modbus RS485	
Site Level Monitoring	CPS Flex Gateway (1 per 32 inverters)	
Modbus Data Mapping	SunSpec/CPS	
Remote Diagnostics / FW Upgrade Functions	Standard / (with Flex Gateway)	
Mechanical		
Dimensions (WxHxD)	45.28x24.25x9.84in (1150x616x250mm) with Standard Wire-box 39.37x24.25x9.84in (1000x616x250mm) with Centralized Wire-box	
Weight	Inverter: 121lbs / 55kg; Wire-box: 55lbs / 25kg (Standard Wire-box); 33lbs / 15kg (Centralized Wire-box)	
Mounting / Installation Angle	15 - 90 degrees from horizontal (vertical or angled)	
AC Termination	M10 Stud Type Terminal Block [3Φ] (Wire range: 1/0AWG - 500kcmil CU/AL, Lugs not supplied) Screw Clamp Terminal Block [N] (#12 - 1/0AWG CU/AL)	
DC Termination	Screw Clamp Fuse Holder (Wire range: #12 - #6AWG CU) - Standard Wire-box Busbar, M8 PEMserts (Wire range: #1AWG - 250kcmil CU/AL, Lugs not supplied) - Centralized Wire-box	
Fused String Inputs	15A or 20A fuses provided (Determined by product SKU)	
Safety		
Safety and EMC Standard	UL1741-SA-2016, CSA-C22.2 NO.107.1-01, IEEE1547a-2014; FCC PART15	
Selectable Grid Standard	IEEE 1547a-2014, CA Rule 21, ISO-NE	
Smart-Grid Features	Volt-RideThru, Freq-RideThru, Ramp-Rate, Specified-PF, Volt-VAr, Freq-Watt, Volt-Watt	
Warranty		
Standard ⁶	5 years	
Extended Terms	10, 15 and 20 years	

1) See user manual for further information regarding MPPT Voltage Range when operating at non-unity PF

2) *Max. AC Apparent Power* rating valid within MPPT voltage range and temperature range of -30°C to +40°C (-22°F to +104°F) for 100KW PF ≥0.9 and 125KW PF ≥0.95

3) The "Output Voltage Range" and "Output Frequency Range" may differ according to the specific grid standard.

4) Wye neutral-grounded, Delta may not be corner-grounded.

5) See user manual for further requirements regarding non-operating conditions.

6) 5 year warranty effective for units purchased after October 1st, 2019.



BIPRO

TD7G72M **144-cell**

530 - 550W

Bifacial Dual Glass

10BB Half-cut Mono Perc



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SEP 19, 2023

CHAMPAIGN COUNTY
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SYSTEM & PRODUCT CERTIFICATES

- IEC 61215 / IEC 61730 / UL 61730
- ISO 9001: 2015 Quality Management System
- ISO 14001: 2015 Environment Management System
- ISO 45001: 2018 Occupational Health and Safety Management Systems



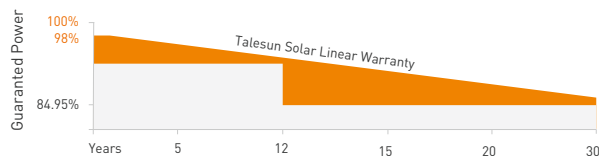
PERFORMANCE WARRANTY

12 Years
Quality Assurance

30 Years
Power Output Guarantee

Linear Performance Warranty

Standard Performance Warranty



KEY FEATURES



10BB Half-cut Cell Technology

New circuit design, lower internal current, lower Rs loss Ga doped wafer, attenuation <2% (1st year) / ≤0.45% (Linear)



Industry Leading High Yield

Bifacial PERC cell technology, 5%-25% more yield depends on different conditions



Excellent Anti-PID Performance

2 times of industry standard Anti-PID test



Wider Application

No water-permeability and high wear-resistance, can be widely used in high-humid, windy and dusty area



IP68 Junction Box

High waterproof level

ELECTRICAL CHARACTERISTICS

Testing Condition	STC	NMOT	STC	NMOT	STC	NMOT	STC	NMOT	STC	NMOT
Maximum Power (Pmax/W)	530	395	535	398	540	402	545	406	550	410
Operating Voltage (Vmpp/V)	41.32	38.6	41.48	38.7	41.64	38.8	41.80	39.0	41.96	39.1
Operating Current (Impp/A)	12.83	10.24	12.90	10.30	12.97	10.36	13.04	10.41	13.11	10.47
Open-Circuit Voltage (Voc/V)	49.32	46.4	49.46	46.5	49.60	46.7	49.76	46.8	49.92	47.0
Short-Circuit Current (Isc/A)	13.72	11.06	13.79	11.12	13.86	11.17	13.93	11.23	14.00	11.28
Module Efficiency (%)	20.50		20.70		20.90		21.10		21.30	

STC: Irradiance 1000W/m², Spectra at AM1.5, Module Temperature 25 °C. Power output tolerance: 0~+5W, Test uncertainty for Pmax: ±3%
 NMOT: Irradiance 800W/m², Spectra at AM1.5, Ambient Temperature 20 °C, Wind speed 1m/s

REAR SIDE POWER GAIN(REFERENCE TO 530W FRONT)

Pmax gain	5%	10%	15%	20%	25%
Pmax/W	557	583	610	636	663
Vmpp/V	41.32	41.32	41.32	41.32	41.32
Impp/A	13.47	14.11	14.75	15.40	16.04
Voc/V	49.32	49.32	49.32	49.32	49.32
Isc/A	14.41	15.09	15.78	16.46	17.15

MECHANICAL CHARACTERISTICS

Solar Cell	Monocrystalline 182*182mm
No. of Cells	144 [6*24]
Module Dimensions	2278*1134*35mm [89.69*44.65*1.38inches]
Weight	32.2kg [71lbs.]
Front Glass	2.0mm AR Coating Semi-tempered Glass
Back Glass	2.0mm Glazed Semi-tempered Glass
Frame	Anodized Aluminium Alloy
Junction Box	IP68, 3 Bypass Diodes
Output Cables	4mm ² (IEC), 12AWG(UL) 300mm in Length or Customized Length
Connectors	T01/LJQ-3-CSY/MC4/MC4-EV02

APPLICATION CONDITIONS

Maximun System Voltage	1500V/DC
Operating Temperature	-40°C~+85°C
Maximun Series Fuse	30A
Safety Protection Class	Class II
Mechanical Load	Front side 5400Pa, Back side 2400Pa
Refer. Bifaciality Factor	70%±5%

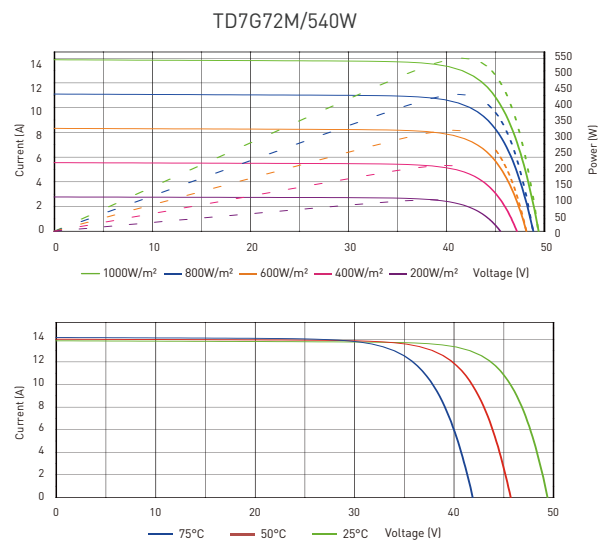
TEMPERATURE CHARACTERISTICS

Temperature Coefficient of Pmax	-0.35%/°C
Temperature Coefficient of Voc	-0.26%/°C
Temperature Coefficient of Isc	+0.048%/°C
Nominal Module Operating Temperature(NMOT)	43±2°C

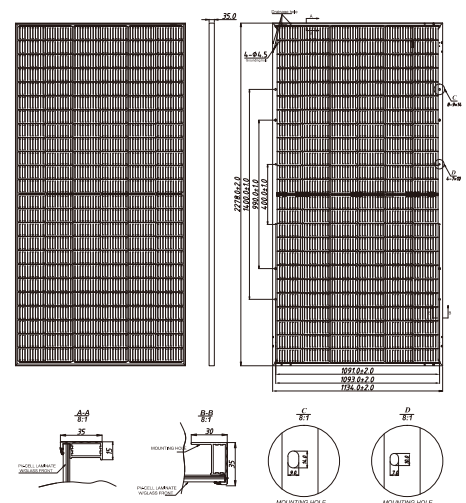
PACKING CONFIGURATION

Pieces Per Pallet	31	31(USA)
Pieces Per Container(40'HQ)	620	558

I-V CURVE

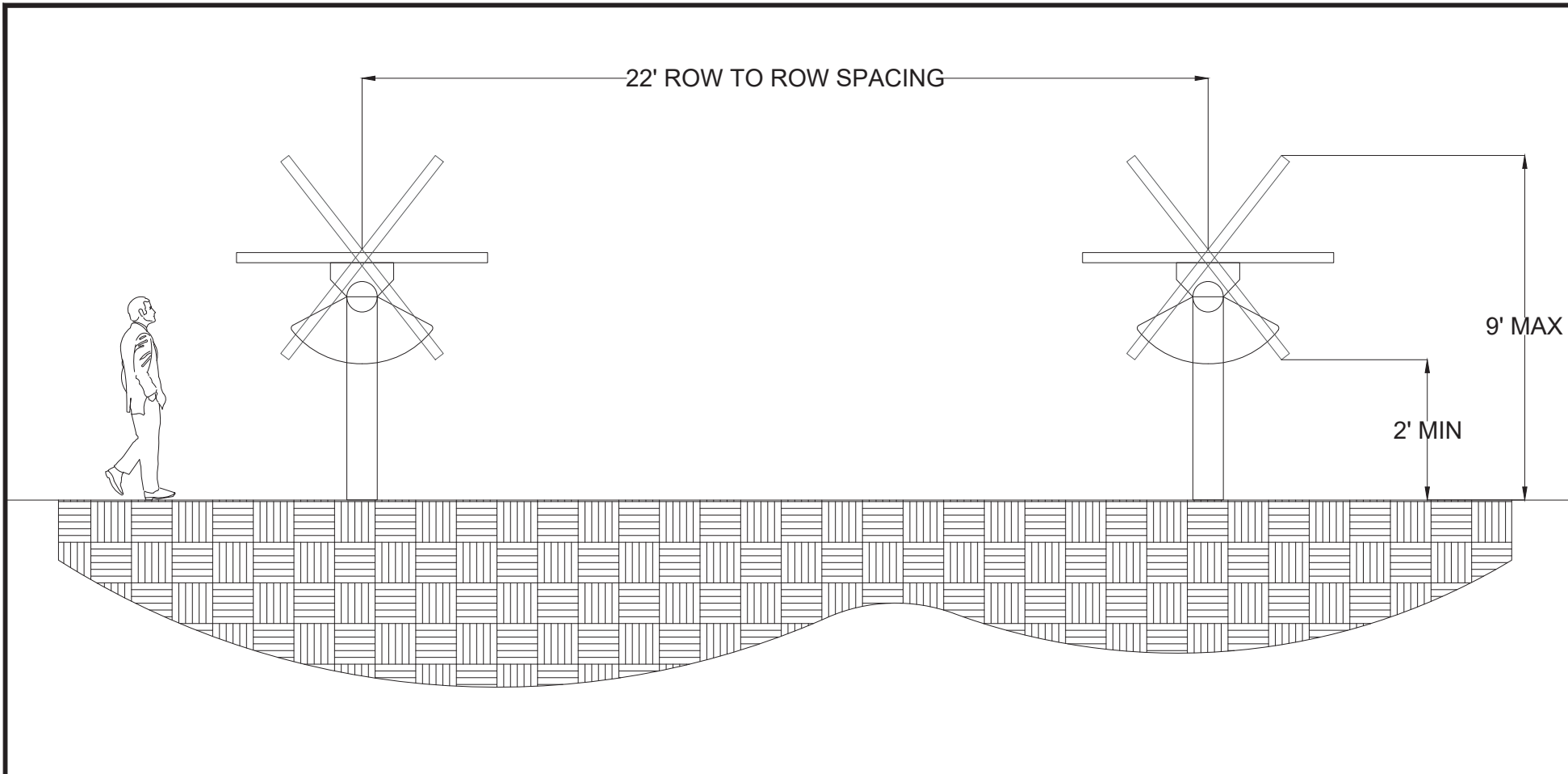


TECHNICAL DRAWINGS



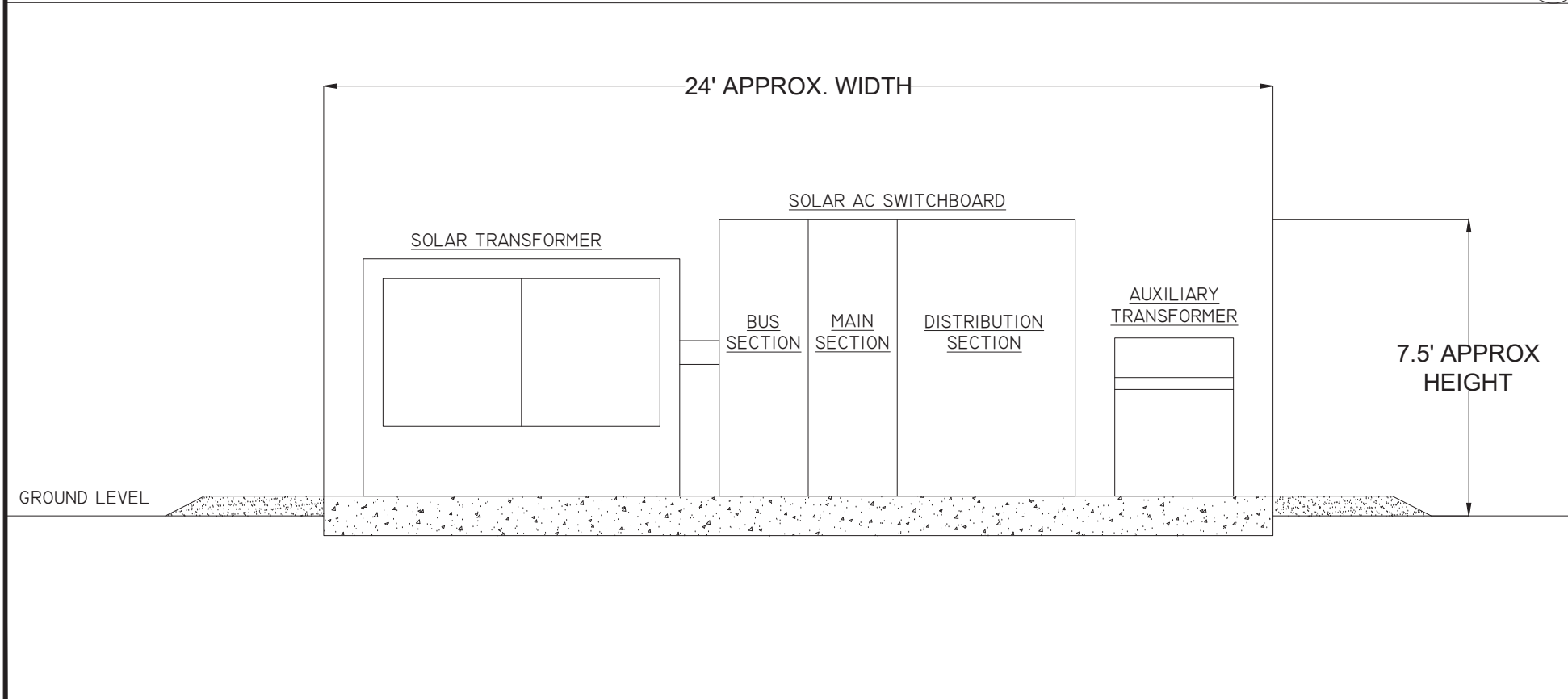
The specification and key features described in this datasheet may deviate slightly and are not guaranteed. Due to ongoing innovation, R&D enhancement, Suzhou Talesun Solar Technologies Co., Ltd. reserves the right to make any adjustment to the information described herein at any time without notice. Please always obtain the most recent version of the datasheet which shall be duly incorporated into the binding contract made by the parties governing all transactions related to the purchase and sale of the products described herein.

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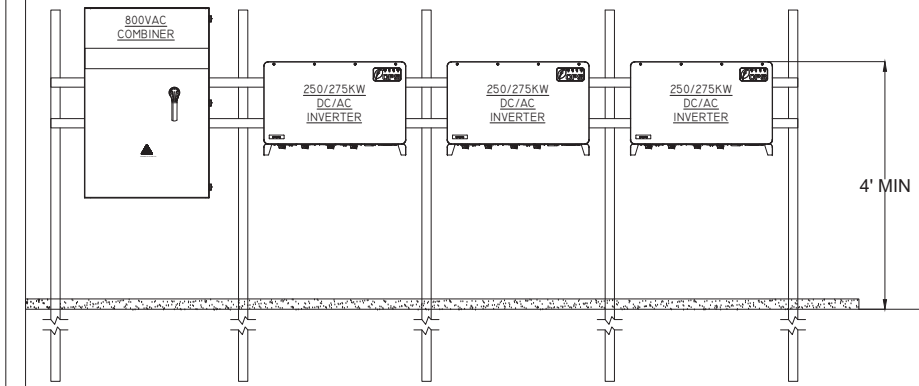
SINGLE AXIS TRACKER (SAT) - ELEVATION VIEW

1
E2.4

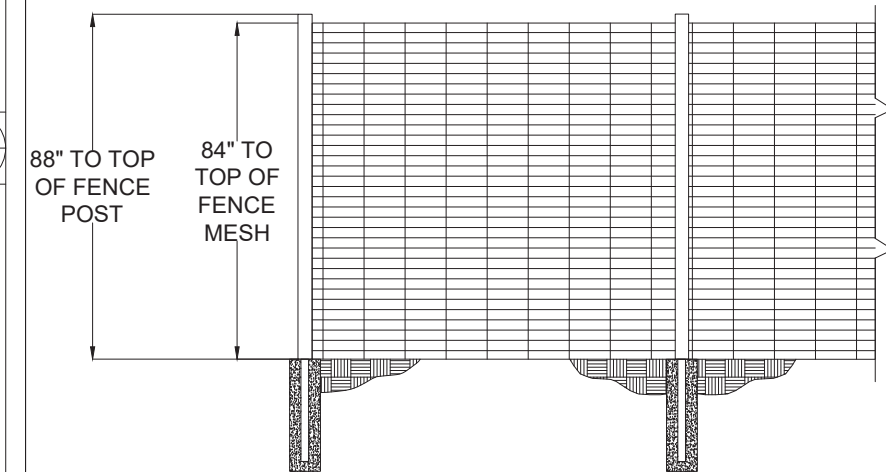


EQUIPMENT PAD - ELEVATION VIEW

2
E2.4



INVERTER RACK - ELEVATION VIEW



GAME FENCE - ELEVATION VIEW



SAT AND EQUIPMENT PAD - ILLUSTRATIVE USE ONLY

5
E2.4

REV	DRWN	DATE	DESCRIPTION
1	NJC	2023.01.18	SHOWS EXISTING & PROPOSED CONDITIONS PLANS
0	NJC	2022.11.03	PRELIM DESIGN



E2.4
 EQUIPMENT
 ELEVATIONS

Site Images 115-S-23



From CR 1050N facing SW to subject property



From CR 1050N facing south to subject property

PRELIMINARY DRAFT

115-S-23

**SUMMARY OF EVIDENCE, FINDING OF FACT
AND FINAL DETERMINATION**

**of
Champaign County Zoning Board of Appeals**

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

Date: *{February 15, 2024}*

Petitioners: **Pivot Energy IL 38, LLC, via agent Liz Reddington, with participating landowners Louis and Donna Zitting**

Request: **Authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 Agriculture Zoning District, and including the following waivers of standard conditions:**

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. of the Zoning Ordinance.

Other waivers may be necessary.

Table of Contents

General Application Information.....2 - 3
Specific Ordinance Requirements.....3 - 9
Special Use Evidence9 - 37
Documents of Record..... 38
Case 115-S-23 Finding of Fact39 - 45
Case 115-S-23 Final Determination..... 46 – 49

PRELIMINARY DRAFT**SUMMARY OF EVIDENCE**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **February 15, 2024**, the Zoning Board of Appeals of Champaign County finds that:

1. Pivot Energy IL 38, LLC, a subsidiary of Pivot Energy Development LLC, 1601 Wewatta St, Suite 700, Denver, CO 80202, with CEO Tom Hunt; via agent Liz Reddington, and participating landowners Louis and Donna Zitting, 6933 S Country Home Lane, West Jordan, Utah, are the developers of the proposed PV Solar Farm.
2. The subject property is that part of a 51.16-acre tract of land lying south of County Highway 15 (CR 1050N) in the East Half of the West Half of Section 12, Township 18 North, Range 10 East of the Third Principal Meridian in Sidney Township, and commonly known as farmland owned by Louis and Donna Zitting.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is not located within 1.5 miles of a municipality with zoning. Municipalities with zoning are notified of Special Use Permit cases, but do not have protest rights in these cases.
 - B. The subject property is located within Sidney 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 51.16-acre subject property is zoned AG-1 Agriculture and is currently in agricultural production.
 - (1) The proposed PV SOLAR FARM would be located on approximately 27 acres on the south side of CR 1050N (County Highway 15).
 - B. Land surrounding the subject property is zoned AG-1 Agriculture and is in agricultural production. The Frito-Lay facility is located west of the subject property.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the Site plan for the proposed Special Use:
 - A. The Site Plan received September 11, 2023 includes the following proposed features:
 - (1) One 5-megawatt community PV SOLAR FARM site on approximately 27 acres; and
 - (2) 8-feet tall perimeter fence; and
 - (3) Two equipment pads and inverters located approximately 730 feet south of the CR 1050N centerline; and
 - a. Inverters are located at least 275 feet from the PV SOLAR FARM fence as required by the Zoning Ordinance.

PRELIMINARY DRAFT**Case 115-S-23**
Page 3 of 49

- (4) A minimum 16-foot wide gravel access road extending approximately 940 feet south and east from CR 1050N; and
 - (5) A gated security entrance approximately 62 feet south of the centerline of CR 1050N; and
 - (6) The Point of Interconnection (POI) is proposed to connect to an existing power line that runs along the north side of CR 1050N; and
 - (7) The nearest parcel 10 acres or less in area is 420 feet northeast of the solar farm fenced area; and
 - (8) The nearest parcel greater than 10 acres in area is 50 feet from the solar farm fenced area, and the nearest principal building on adjacent property is the Frito-Lay facility that is approximately 450 feet from the solar farm fenced area; and
 - (9) The nearest residence is approximately 530 feet northeast of the solar farm fenced area; and
 - (10) There is a separation of 70 feet between the PV SOLAR FARM perimeter fence and the street centerline of CR 1050N.
- C. The revised Site Plan received January 25, 2024 includes the following additional information:
- (1) Vegetative screening on the north, east and west sides.
- D. There are no previous Zoning Use Permits for the subject property.
- E. 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-1 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.
 - (1) The County Board amended the Zoning Ordinance by amending PV SOLAR FARM requirements when it adopted Ordinance 2020-1 on February 24, 2020, Ordinance 2020-7 on May 22, 2020, and Ordinance 2020-8 on May 22, 2020.
 - 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

PRELIMINARY DRAFT

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.

PRELIMINARY DRAFT**Case 115-S-23**
Page 5 of 49

- (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:

PRELIMINARY DRAFT

- (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.
- 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.

PRELIMINARY DRAFT**Case 115-S-23
Page 7 of 49**

- (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

PRELIMINARY DRAFT

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.

PRELIMINARY DRAFT

Case 115-S-23
Page 9 of 49

- (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, **“This proposal is a direct response to the State of Illinois’ programmatic initiatives encouraging investment in renewable energy. This location was chosen because of its proximity to utility infrastructure necessary for direct connection to Ameren Illinois’ power grid. Energy produced by this project will provide an economic benefit to Champaign County residents/businesses who sign up as subscribers; providing a direct benefit to residents with low and moderate incomes.”**
- 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 CR 1050N and a substation is approximately 1.6 miles southwest of the subject property.

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, **“Elk/Pivot projects are designed to mitigate any impacts on adjacent property owners or the general public. Specific elements detailed in the application’s narrative provide insight into the design, operation, and maintenance of the proposed community solar farm.”**
- B. Regarding surface drainage, the PV SOLAR FARM fenced area generally drains toward the south and east.

PRELIMINARY DRAFT

- C. Regarding traffic in the subject property area:
- (1) The proposed solar farm would have one access on CR 1050N/County Highway 15.
 - (2) CR 1050N (County Highway 15) is a marked two-lane highway that is approximately 24 feet wide. It is comprised of oil and chip and has 3 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 2021 near the subject property. CR 1050N had an ADT of 1,700 near the subject property.
 - (4) No significant increase in traffic is expected except during construction of the PV SOLAR FARM.
 - (5) The P&Z Department sent notification of this case to the Champaign County Highway Department and Sidney Township Highway Commissioner on October 11, 2023 and again on January 31, 2024, and no comments have been received.
 - (6) The petitioner is working on a Roadway Upgrade and Maintenance Agreement or waiver therefrom with Champaign County Highway Department.
- D. Regarding fire protection:
- (1) The subject property is approximately 2.9 road miles from the Sidney fire station.
 - (2) The petitioner sent a copy of the site plan to the Sidney Fire Department on August 3, 2023 via email.
 - (3) The P&Z Department sent notification of this case to the Sidney Fire Protection District on October 11, 2023 and again on January 31, 2024, and no comments have been received.
- E. No part of the subject property is located within a Special Flood Hazard Area.
- F. The subject property is considered Best Prime Farmland. The soil on the subject property within the solar farm fenced area consists of 152A Drummer silty clay loam and 154A Flanagan silt loam and has an average Land Evaluation Factor of 100.
- G. Regarding outdoor lighting on the subject property, the application received August 8, 2023, did not mention outdoor 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 parking, there is no required parking for the proposed PV SOLAR FARM.

PRELIMINARY DRAFT**Case 115-S-23
Page 11 of 49**

- J. 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, **“Under current code, Community PV Solar Farms are processed as a special use within the agricultural district. Elk/Pivot’s project design is in substantial compliance with current code requirements for the agricultural district and will continue to preserve the essential character of the district.”**
- 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) There is no required parking.
 - (3) Requirements for what must be included in the area of the PV SOLAR FARM Special Use Permit are in subparagraph 6.1.5 B.(1).
 - a. The revised Site Plan received January 25, 2024 appears to conform to this requirement.
 - (4) 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).
 - a. 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, 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.
 - i. The subject property is located 1.92 miles east of the Village of Sidney, a municipality with zoning. The PV Solar Farm will not be located in the CUGA.

PRELIMINARY DRAFT

- (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.
 - i. The subject property is located 1.92 miles east of the Village of Sidney, so no notification is required.
 - (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.
 - i. The subject property is located 1.92 miles east of the Village of Sidney.
- (5) Requirements regarding interconnection to the power grid can be found in Subparagraph 6.1.5 B.(3):
 - a. The utility interconnection application must be applied for with the relevant utility and documentation provided at the time of Special Use Permit application.
 - (a) The petitioner included an interconnection application with their Special Use Permit application received August 8, 2023.
 - b. Documentation must be provided that the utility has accepted the application for the PV SOLAR FARM prior to issuance of the Zoning Compliance Certificate.
- (6) 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.”
 - a. A special condition has been added to ensure compliance.
- (7) Requirements regarding minimum lot standards can be found in Subparagraph 6.1.5 C.:
 - a. 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.

PRELIMINARY DRAFT**Case 115-S-23**
Page 13 of 49

- (8) Requirements regarding minimum separations for PV SOLAR FARMS from other STRUCTURES, BUILDINGS, and USES can be found in Subparagraph 6.1.5 D.
- a. The Special Use Permit application received August 8, 2023 shows the separations between the solar farm fence and adjacent buildings and uses.
 - b. The proposed PV SOLAR FARM complies with all minimum separations in paragraph 6.1.5 D. in the following manner:
 - (a) 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.
 - i. The revised Site Plan received January 25, 2024 demonstrates compliance with the 55 feet setback from the centerline of CR 1050N, which is a COLLECTOR STREET.
 - (b) 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 existing DWELLINGS or PRINCIPAL BUILDINGS on the subject property.
 - (c) 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):
 - i. 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.
 - (i) There are no lots that are 10 acres or less in lot area adjacent to the subject property.
 - ii. 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.
 - (i) There are no lots that are 10 acres or less in lot area adjacent to the subject property.
 - (d) 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

PRELIMINARY DRAFT

- REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.
- i. The nearest principal building is the Frito-Lay facility, which is approximately 450 feet from the PV SOLAR FARM fenced area.
 - ii. The PV SOLAR FARM perimeter fencing is at least 10 feet from the SIDE and REAR LOT LINES.
- (e) 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.
- i. There are no proposed additional separations at this time.
- (f) Subparagraph 6.1.5 D.(4) states that there must be a separation of at least 500 feet from specific types of airport and restricted landing area facilities 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.
- i. There is no AIRPORT or RESTRICTED LANDING AREA within 500 feet of the subject property.
- (g) 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.
- i. There are no new substations or transmission lines of greater than 34.5 kVA within 500 feet of adjacent dwellings or residential DISTRICTS.
- (h) 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 perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.
- i. The inverters shown on the revised Site Plan received January 25, 2024, are approximately 305 feet away from the PV SOLAR FARM perimeter fence.
 - ii. Regarding the distance between the inverters and nearby lots with dwellings, based on the revised Site Plan received January 25, 2024:

PRELIMINARY DRAFT**Case 115-S-23**
Page 15 of 49

- (i) The inverters toward the center of the subject property. The distance between an inverter and the closest dwelling to the northwest is approximately 940 feet.
- (i) 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.
 - i. The application stated that the arrays will not exceed 12 feet in height at maximum tilt.
- (j) 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.
 - i. The revised Site Plan received January 25, 2024, shows that there is at least 26 feet separation between the property line of any lot more than 10 acres in area and the PV SOLAR FARM fenced area.
- (9) 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.
 - (a) The Special Use Permit application packet received August 8, 2023, does not include any buildings.
 - b. Subparagraph 6.1.5 E.(2) establishes minimum requirements for electrical components.
 - (a) 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.
 - i. The petitioner stated in their application materials, “The design and construction of the solar farm will meet standards and guidelines as provided by the nationally accepted electric code, Ameren Illinois, and will comply with Federal Communications Commission (FCC) requirements.”
 - (b) 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.

PRELIMINARY DRAFT

- i. The petitioner stated in their application materials, “Should the Project damage any drain tiles on the parcel during construction or operation, the Applicant shall promptly repair or replace damaged tiles. In cooperation with the landowner, Pivot will identify existing drainage infrastructure to avoid during the installation and ongoing operation of the Project. If any drainage district tile lines are located, they will be flagged and protected by a 30-foot-wide, no-construction buffer on either side of the drain tile. There are no gas or hazardous liquid pipelines on the site. The Project will comply with the standards set forth in the AIMA that will be finalized prior to applying for construction permits.”
 - 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.
 - (a) The petitioner indicated that all above ground structures would be less than twelve feet tall except for the utility poles.
 - 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.
 - (a) The petitioner stated in the Special Use Permit application that appropriate warning signs will be posted.
 - 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.
 - (a) The P&Z Department sent notification of this case to the Drainage District on October 11, 2023 and again on January 31, 2024, and no comments have been received.
 - (b) The subject property does not have a connection to public sewer or water.
 - (c) Champaign County Geographic Information Systems data does not show any gas or hazardous liquid lines on the subject property.
- (10) Paragraph 6.1.5 F. contains standard conditions to mitigate damage to farmland.
- a. The soil within the approximate PV SOLAR FARM fenced area is Best Prime Farmland and consists of 152A Drummer silty clay loam and 154A Flanagan silt loam, and has an average Land Evaluation score of 100.

PRELIMINARY DRAFT**Case 115-S-23
Page 17 of 49**

- b. The Applicant is required to sign an Agricultural Impact Mitigation Agreement, which would include requirements to mitigate damage to farmland per *505 ILCS 147/15(b)*. The petitioner submitted a signed AIMA on August 22, 2023. A special condition has been added to ensure compliance.
- c. Regarding pollinator friendly ground cover in the mitigation of damage to farmland, the petitioner stated in their application materials received August 8, 2023, “After construction, disturbed areas will be replanted with a native grass mix including pollinator-friendly wildflowers to help keep weeds at bay and minimize erosion for the life of the Project. Soils will be kept intact beneath the PV panels, and a grazing consultant could review the initial system design to ensure a grazing-friendly project. A sheep-friendly, pollinator-supportive habitat and infrastructure that promotes sheep grazing as a vegetation management option will be practicable within the fenced array.”
- 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.
 - (a) The Special Use Permit application received August 8, 2023 states, “The Project proposes the undergrounding of electrical lines wherever possible, buried at a minimum depth of five (5) feet below grade to avoid drain tiles.”
- e. Subparagraph 6.1.5 F.(2) establishes requirements for protection of agricultural drainage tile.
 - (a) The petitioner stated on the application, “Should the Project damage any drain tiles on the parcel during construction or operation, the Applicant shall promptly repair or replace damaged tiles. In cooperation with the landowner, Pivot will identify existing drainage infrastructure to avoid during the installation and ongoing operation of the Project. If any drainage district tile lines are located, they will be flagged and protected by a 30-foot-wide, no-construction buffer on either side of the drain tile. There are no gas or hazardous liquid pipelines on the site. The Project will comply with the standards set forth in the AIMA that will be finalized prior to applying for construction permits.”
- f. Subparagraph 6.1.5 F.(3) requires restoration for any damage to soil conservation practices.
 - (a) The petitioner stated on the application, “Any conservation practices damaged by construction will be restored by the Applicant to their pre-construction condition and care will be taken to maintain the

PRELIMINARY DRAFT

existing practices to preserve erosion control, flood control, and water quality.”

- g. Subparagraph 6.1.5 F.(4) establishes requirements for topsoil replacement pursuant to any open trenching.
 - (a) The petitioner stated on the application, “Should any open trenching be required, the Project will do so in accordance with the trenching requirements listed in the Champaign County Zoning Ordinance.”
 - h. Subparagraph 6.1.5 F.(5) establishes requirements for mitigation of soil compaction and rutting.
 - (a) The petitioner stated on the application, “Soil compaction and rutting will be mitigated and shall be consistent with the Agricultural Impact Mitigation Agreement.”
 - i. Subparagraph 6.1.5 F.(6) establishes requirements for land leveling.
 - (a) The petitioner did not provide a response in the application materials.
 - j. Subparagraph 6.1.5 F.(7) establishes requirements for a permanent Erosion and Sedimentation Control Plan.
 - (a) The petitioner stated on the application, “An Erosion and Sedimentation Control Plan will be a central element in construction permitting with as-built documentation provided to the County upon completion.”
 - k. Subparagraph 6.1.5 F.(8) establishes requirements for retention of all topsoil.
 - (a) The petitioner did not provide a response in the application materials.
 - 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.
 - (a) The petitioner stated on the application, “the vegetative ground cover will be comprised of native plant species suitable for the conditions of the site. This native seeding will be oriented towards fostering an environment that is beneficial to pollinators.”
- (11) 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.

PRELIMINARY DRAFT**Case 115-S-23**
Page 19 of 49

- (a) The petitioner is in discussion with Champaign County Highway Department regarding this requirement, and a waiver has been added so it can be provided at a later time.
 - 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.
 - (a) The petitioner is in discussion with Champaign County Highway Department regarding this requirement, and a waiver has been added so it can be provided at a later time.
 - 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.
 - (a) No information was required or submitted for the Special Use Permit application.
- (12) Paragraph 6.1.5 H. contains standard conditions for coordination with local fire protection districts.
 - a. The subject property is approximately 2.9 road miles from the Sidney fire station.
 - b. The petitioners stated in their application materials, "The Applicant will share the Project site plan with appropriate local fire departments to obtain their input in the Project's design. Pivot will also extend an offer to provide training and necessary equipment to local emergency responders to prepare for adequate response during construction activity. In addition, the Project proposes a "Knox box" to be located at the Project gate for emergency personnel to gain access to the site. Warning signs concerning voltage will also be placed at the base of all pad-mounted transformers. After receiving jurisdictional input, the Applicant plans to create a Safety and Emergency Management Plan and submit the plan along with a final site plan for further review and comment."
 - c. The P&Z Department sent notification of this case to the Sidney Fire Protection District on October 11, 2023 and again on January 31, 2024, and no comments have been received.
- (13) 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).
 - (a) The petitioner stated in their application, "Noise levels related to the Project will fully comply with the applicable Illinois Pollution Control

PRELIMINARY DRAFT

Board (IPCB) regulations. The proposed single-axis tracker, ground-mount solar photovoltaic has motors for each racking row, moving the panels quietly throughout the day. As measured at three meters distance from the racking motor, the ambient noise level is 43 decibels (equivalent to a quiet library), and the motor's ambient sound level is 53 decibels (the sound level of a typical household refrigerator). The motor is activated periodically as the sun transits the sky, remaining stationary between movements. The ATI DuraTrack V3 tracker motor operates for a total of 17.91 minutes per day. The transformer proposed for the site has an average ambient noise level of 53 decibels. From the fence line, the Project will not be audible, and all abovementioned decibel levels are below the allowable octave band listed in Subtitle H: Noise, Parts 901 of the IPCB Administrative Code.”

- b. Subparagraph 6.1.5 I.(3)a. requires that a SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis.
 - (a) The project size is considered to be a COMMUNITY PV SOLAR FARM and therefore a noise analysis is not required unless the ZBA requires one.

- (14) Paragraph 6.1.5 J. contains standard conditions for endangered species consultation. Regarding compliance with 6.1.5 J.:
 - a. The petitioner stated in their application, “To determine the presence of state-listed threatened or endangered species on the Project site, the Applicant consulted with the IDNR using their Ecological Assessment Tool (EcoCAT). On 6/15/23 the EcoCAT results indicated protected resources may be in the vicinity of the project location. The Applicant designed and sited the Project to mitigate impacts to wildlife; no tree removal is anticipated or drastic changes in land configuration.”
 - (a) The EcoCAT consultation identified the following protected resources may be in the vicinity of the project location: Rainbow (Villosa iris) and Wavy-Rayed Lampmussel (Lampsilis fasciola).
 - (b) IDNR evaluated this information and concluded that adverse effects are unlikely and therefore terminated the consultation.

- (15) Paragraph 6.1.5 K. contains standard conditions for historic and archaeological resources review. Regarding compliance with 6.1.5 K.:
 - a. The petitioner stated in their application, “The Applicant submitted a request to the SHPO seeking review of the site to identify any significant, historic, architectural, or archeological resources. The Applicant anticipates the SHPO's response will determine no significant resources are identified on the site.”
 - (a) A letter was received from the State Historic Preservation Office by the P&Z Department on January 23, 2024 stating “there are no known historic properties within this proposed project area, nor is it

PRELIMINARY DRAFT**Case 115-S-23**
Page 21 of 49

within the high probability area for archaeological resources as defined in the state Act.”

- (16) 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 petitioner stated in their application, “The Applicant designed and sited the Project to mitigate impacts to wildlife; no tree removal is anticipated or drastic changes in land configuration.”
- (17) 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.
 - (a) The petitioner stated in their application, “Pivot typically installs an eight (8) foot game fence to surround the perimeter of the solar equipment components; alternatively, chain link fencing is used if requested by the jurisdiction.”
 - (b) The petitioner stated in their application, “the Project proposes a “Knox box” to be located at the Project gate for emergency personnel to gain access to the site.”
 - (c) The petitioner included a Landscaping Plan in their application, and also stated, “Noxious weeds and other vegetation between the fencing and the lot line will be controlled in accordance with Illinois Noxious Weed Law (505 ILCS 100/1 et. Seq.).”
 - b. Subparagraph 6.1.5 M.(2) requires a visual screen around the perimeter of the PV SOLAR FARM.
 - (a) 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.
 - i. In the revised Site Plan received January 25, 2024, the petitioner added vegetative screening on the north, east, and west sides of the solar farm fenced area. This is sufficient screening for the four residences located within 1,000 feet.
- (18) 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 petitioner stated in the application, “By definition, solar projects are designed to absorb sunlight – not reflect it. As designed, the Applicant believes the Project will not produce glare as the array will face the sun for

PRELIMINARY DRAFT

the entire day. A review by the Federal Aviation Administration (FAA) produced a “determination of no hazard to air navigation” regarding the Project; indicating the Project is more than 500 feet from all airports, restricted landing areas, or residential airports. Should any complaints arise concerning the Project, the Applicant will work with the FAA to resolve the issue.”

- (19) Paragraph 6.1.5 O. contains standard conditions for the minimum liability insurance for the PV SOLAR FARM.
- a. The petitioner stated in the application, “The Applicant will maintain a general liability insurance policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate. This policy shall identify landowners as additional insured.”
- (20) 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.”
- (a) The petitioner stated on the application, “The Applicant does not assume any annual cleaning frequency as the Illinois climate is more humid and has frequent rain events; snow and rainfall help to naturally “clean” the panels, eliminating a need for manual cleaning. However, should there be an abnormally dry year where the Applicant notices production loss due to dust accumulation, then the Applicant would dispatch for cleaning as needed. When module cleaning is necessary (fairly rare in Illinois), the cleaning service is responsible for trucking in the water required for the cleaning. No on-site well or local utilities would be used as the water source. Estimates indicate about 6,400 gallons of water is used per MW AC per cleaning. Water usage may vary depending on the provider and cleaning equipment available.”
- 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.
- (a) The petitioner submitted a Landscaping Plan including a weed control plan received August 8, 2023.

PRELIMINARY DRAFT**Case 115-S-23
Page 23 of 49**

- 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.
- (21) 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:
- (a) 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.
- i. The petitioner submitted a signed Decommissioning and Site Reclamation Plan received August 30, 2023.
- (b) 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.
- i. The petitioner's Decommissioning and Site Reclamation Plan received August 30, 2023 states, "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 Pivot Energy IL-38 facility."
- (c) 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.
- i. The petitioner included cost estimates with their Decommissioning and Site Reclamation Plan received August 30, 2023.
- (d) Subparagraph 6.1.1 A.4.d. of the Ordinance requires the Decommissioning and Site Reclamation Plan to provide for

PRELIMINARY DRAFT

- provision and maintenance of a letter of credit, as set forth in Section 6.1.1 A.5.
- i. The Decommissioning and Site Reclamation Plan received August 30, 2023 includes reference to a Letter of Credit.
- (e) 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.
 - i. No specifics were required or submitted regarding the Letter of Credit.
 - (f) 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.
 - i. No specifics were required or submitted for the Special Use Permit application regarding this requirement.
 - (g) 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.
 - i. The Decommissioning and Site Reclamation Plan received August 30, 2023 includes reference to these items.
 - (h) 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.
 - (a) The Decommissioning and Site Reclamation Plan received August 30, 2023 includes provisions for repairing public streets via a Roadway Use and Repair Agreement and removal of access roads should the landowner require it.
 - c. Subparagraph 6.1.5 Q.(3) of the Ordinance requires the Decommissioning and Site Reclamation Plan to include additional information.

PRELIMINARY DRAFT**Case 115-S-23
Page 25 of 49**

- (a) The Decommissioning and Site Reclamation Plan received August 30, 2023 includes reference to 6.1.5 Q.(3).
 - 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. Regarding compliance with this subparagraph:
 - (a) The Letter of Credit must be supplied prior to receiving a Zoning Use Permit.
 - 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.
 - (a) The Decommissioning and Site Reclamation Plan received August 30, 2023 includes reference to 6.1.5 Q.(5).
 - 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.
 - (a) The Decommissioning and Site Reclamation Plan received August 30, 2023 states, “Champaign County shall have access to the project and to the funds to effect or complete decommissioning in the event an applicant, owner, or operator fails to complete decommissioning activities as directed by the Ordinance. which may result in the referral to the Champaign County’s Zoning Administration. Champaign County shall also have the right to draw on the funds in accordance with Ordinance Section 6.1.1.A.(9) and Section 6.1.5.Q.(5).”
 - 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.
 - (a) A special condition has been added to ensure compliance.
- (22) Paragraph 6.1.5 R. contains standard conditions for securing an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- a. The petitioner stated in the application, “The Applicant will enter into an Agricultural Impact Mitigation Agreement (AIMA) with the State of Illinois Department of Agriculture and will provide a signed copy of said agreement to the Champaign County Director of Planning and Zoning prior to the

PRELIMINARY DRAFT

issuance of construction permits. The Project will abide by all conditions within the AIMA.”

- (a) A signed AIMA was received on August 22, 2023.
 - b. 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.
- (23) 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.
- (24) 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.
- a. A special condition has been added to ensure compliance.
- (25) 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.
 - (a) A Project Description was included with the application received August 8, 2023.
 - 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.
 - (a) The application received August 8, 2023, demonstrates compliance with this requirement.
 - c. Subparagraph 6.1.5 U.(1)c. requires a site plan for the SOLAR FARM which includes 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.
 - i. The revised Site Plan received January 25, 2024, appears to demonstrate compliance with this requirement.

PRELIMINARY DRAFT**Case 115-S-23**
Page 27 of 49

- (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 B.(1).
 - i. The revised Site Plan received January 25, 2024, appears to demonstrate compliance with this requirement.
- (c) The location of all below-ground wiring.
 - i. The revised Site Plan received January 25, 2024, appears to demonstrate compliance with this requirement.
- (d) The location, height, and appearance of all above-ground wiring and wiring structures.
 - i. The revised Site Plan received January 25, 2024, appears to demonstrate compliance with this requirement.
- (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.
 - i. The revised Site Plan received January 25, 2024, appears to demonstrate compliance with this requirement.
- 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.
 - (a) 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).
 - (a) The subject property is not within 1.5 miles of a municipality.
- 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

PRELIMINARY DRAFT

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).

- (a) The subject property is not within 1.5 miles of a municipality.
- 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.
 - (a) The petitioner included an application for an interconnection agreement with their Special Use Permit application received August 8, 2023.
 - (b) A special condition has been added to ensure compliance.
 - 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.
 - (a) No new information has been provided to date.
 - 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.
 - (a) A special condition has been added to ensure compliance.
- C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*:
- (1) The proposed Special Use is not exempt from the *Storm Water Management and Erosion Control Ordinance*. A Storm Water Drainage Plan and detention basin will be required if more than 16% of the subject property is impervious area, including gravel, buildings, and solar array rack posts.
 - (2) 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.
- E. Regarding the Subdivision Regulations, the subject property is located in Champaign County's subdivision jurisdiction and appears to be in compliance.
- F. Regarding the requirement that the Special Use preserve the essential character of the AG-1 Agriculture Zoning District:

PRELIMINARY DRAFT**Case 115-S-23**
Page 29 of 49

- (1) The proposed use is a PV SOLAR FARM that is consistent with the essential character of the AG-1 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. 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.
- B. See Section 15 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.
- C. 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-1 District and states as follows (capitalized words are defined in the Ordinance):
- The AG-1, Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURE pursuits.
- (2) The types of uses authorized in the AG-1 District are in fact the types of uses that have been determined to be acceptable in the AG-1 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.

PRELIMINARY DRAFT

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, it is not clear whether the proposed Special Use will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - b. Regarding the value of the subject property, it also is not clear if the requested Special Use Permit would have any effect.
 - (a) If the petitioner is denied the special use permit, the property can still be used for agricultural production.
 - 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.
- (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 not in a Special Flood Hazard Area.
 - b. The proposed Special Use is not exempt from the *Storm Water Management and Erosion Control Ordinance*. A Storm Water Drainage Plan and detention basin will be required if more than 16% of the subject property is impervious area, including gravel, buildings, and solar array rack posts.
- (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.

PRELIMINARY DRAFT**Case 115-S-23
Page 31 of 49**

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 no structures exist on the subject property.

- (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-1 Agriculture District and is rural in use.

PRELIMINARY DRAFT

- (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 petitioners requested a natural resource review from the Illinois Department of Natural Resources EcoCAT tool. Although the review identified protected resources that might be in the vicinity of the proposed PV Solar Farm, no further action is required by IDNR regarding natural resources.

- (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-1 Agriculture District and is, by definition, rural in 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-1 Agriculture District and is, by definition, rural in 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 the proposed 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:
- (1) The petitioner is working with Champaign County Highway Department on either a waiver or a Roadway Upgrade and Maintenance Agreement.
- (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.

PRELIMINARY DRAFT**Case 115-S-23**
Page 33 of 49**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 the proposed 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: the Special Use Permit process might have to be extended in order to have sufficient time to prepare these documents.

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 the proposed 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:
- (1) The petitioner is working with Champaign County Highway Department to receive either an agreement or a waiver from this requirement.

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 the proposed 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, 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. Champaign County Highway Department and Sidney Township have been notified of this case, and no comments have been received.
- B. The Sidney Fire Protection District has been notified of this case, and no comments have been received.
- C. Drainage District #1 of the Town of Sidney 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.

PRELIMINARY DRAFT

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 received January 25, 2024.**

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

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 required to ensure the following:

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

D. **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 special condition stated above is required to ensure the following:

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

E. **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by relevant County, township, and/or municipal authorities and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The special condition stated above is required 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.

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

PRELIMINARY DRAFT

Case 115-S-23
Page 35 of 49

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 or a rating of “A-” by Kroll’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. **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 115-S-23 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

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

- G. **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.**

PRELIMINARY DRAFT

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

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

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

- H. **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 special condition stated above is required to ensure the following:

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

- I. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

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

The PV SOLAR FARM is constructed in compliance with the Ordinance requirements.

- J. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

PRELIMINARY DRAFT

**Case 115-S-23
Page 37 of 49**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- K. **A 5 feet deep open trench shall extend for 30 feet on either side of any drainageway that is crossed with underground wiring and the relevant drainage district shall be provided 48 hours in which to inspect for tile and the positions of any tile lines that are discovered shall be recorded using Global Positioning System (GPS) technology.**

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

That drainage tiles are protected.

- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

That the current version of the Zoning Ordinance has been referenced.

PRELIMINARY DRAFT

DOCUMENTS OF RECORD

1. Special Use Permit Application received August 8, 2023, with attachments:
 - Preliminary Site Plan
 - Project Narrative
 - Landscaping Plan
 - Complaint resolution
 - Interconnection application
 - Decommissioning and Site Reclamation Plan
2. EcoCAT consultation report received August 9, 2023
3. Agricultural Impact Mitigation Agreement received August 22, 2023
4. Revised Decommissioning and Site Reclamation Plan received August 30, 2023
5. Revised Site Plan received September 11, 2023
6. Solar module data sheet received September 19, 2023
7. Natural Resources Information Report from Champaign County Soil and Water Conservation District received October 26, 2023
8. State Historic Preservation Office letter received January 23, 2024
9. Revised Site Plan received January 25, 2024
10. Preliminary Memorandum dated February 7, 2024, with attachments:
 - A Case Maps (Location Map, Land Use, and Zoning)
 - B Site Plan received January 25, 2024
 - C Project Narrative received August 8, 2023
 - D Landscaping Plan received August 8, 2023
 - E Complaint resolution received August 8, 2023
 - F Interconnection application received August 8, 2023
 - G EcoCAT consultation report received August 9, 2023
 - H Natural Resources Information Report from Champaign County Soil and Water Conservation District received October 26, 2023
 - I Agricultural Impact Mitigation Agreement received August 22, 2023
 - J Decommissioning and Site Reclamation Plan received August 30, 2023
 - K State Historic Preservation Office letter received January 23, 2024
 - L Inverters data sheet downloaded September 6, 2023
 - M Solar module data sheet received September 19, 2023
 - N Equipment elevations sheet received August 8, 2023
 - O Site visit images taken September 18, 2023
 - P Summary of Evidence, Summary Finding of Fact and Final Determination dated February 15, 2024

PRELIMINARY DRAFT**Case 115-S-23**
Page 39 of 49**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **115-S-23** held on **February 15, 2024**, 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:
 - a. *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.*
 - b. *The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030.*
 - c. *There is an existing power line along the north side of CR 1050N and a substation is approximately 1.6 miles southwest of the subject property.*

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*}*:
 - a. *The subject property is approximately 2.9 miles from the Sidney fire station.*
 - b. *The Sidney Fire Protection District was notified of this case and no comments have been received.*
 - c. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses *{because*}*:
 - a. *The proposed project is surrounded by land in agricultural production, the Frito-Lay facility to the west, and the nearest residence is about 530 feet from the PV SOLAR FARM fenced area.*
 - d. Surface and subsurface drainage will be *{ADEQUATE / INADEQUATE} {because*}*:
 - a. *No part of the subject property is in the Special Flood Hazard Area.*
 - b. *The proposed project must comply with the Storm Water Management and Erosion Control Ordinance.*
 - e. Public safety will be *{ADEQUATE / INADEQUATE} {because*}*:
 - a. *Relevant jurisdictions were notified of this case, and no comments have been received.*
 - f. The provisions for parking will be *{ADEQUATE / INADEQUATE} {because*}*:
 - a. *No parking is required for a PV SOLAR FARM.*
 - g. The property *{IS/IS NOT}* WELL SUITED OVERALL for the proposed improvements *{because*}*:
 - a. *The site is reasonably well-suited in all respects and has no major defects.*

PRELIMINARY DRAFT

- h. Existing public services *{ARE/ARE NOT}* available to support the proposed SPECIAL USE without undue public expense *{because*}*:
 - a. ***No additional public services are necessary for the proposed development.***
- 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*}*:
 - a. ***No new public infrastructure is required for the proposed development.***

(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, subject to approval of the requested waivers.
- 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.
 - 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 the proposed 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:

PRELIMINARY DRAFT

- (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:
 - a. *The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.*
 - b. *A special condition has been added requiring this information prior to approval of a Zoning Use Permit.*

- (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:
 - a. *The petitioner is working with Champaign County Highway Department on either a waiver or a Roadway Upgrade and Maintenance Agreement.*
 - b. *A special condition has been added requiring this information prior to approval of a Zoning Use Permit.*

- (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:
 - a. *Without the proposed waiver, the Special Use Permit process might have to be extended in order to have sufficient time to prepare this document.*

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - a. *The petitioner is working with Champaign County Highway Department to receive either an agreement or a waiver from this requirement.*

- (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 received January 25, 2024.**

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

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:

PRELIMINARY DRAFT

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 required to ensure the following:

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

- D. **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 special condition stated above is required to ensure the following:

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

- E. **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by relevant County, township, and/or municipal authorities and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

The special condition stated above is required 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.

- F. **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 or a rating of "A-" by Kroll'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**

PRELIMINARY DRAFT

**Case 115-S-23
Page 43 of 49**

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. **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 115-S-23 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

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

- G. **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 special condition stated above is required to ensure the following:

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

- H. **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).**

PRELIMINARY DRAFT

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 special condition stated above is required to ensure the following:

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

- I. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

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

The PV SOLAR FARM is constructed in compliance with the Ordinance requirements.

- J. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

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

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- K. **A 5 feet deep open trench shall extend for 30 feet on either side of any drainageway that is crossed with underground wiring and the relevant drainage district shall be provided 48 hours in which to inspect for tile and the positions of any tile lines that are discovered shall be recorded using Global Positioning System (GPS) technology.**

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

That drainage district tiles are protected.

- L. **A copy of a signed agreement with the drainage district establishing the 40 feet wide easement and including any provisions for cabling and access to the easement shall be provided to the Zoning Administrator prior to the issuance of a Zoning Use Permit.**

PRELIMINARY DRAFT

**Case 115-S-23
Page 45 of 49**

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

Adequate care is taken to protect the drainage district tile.

- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

That the current version of the Zoning Ordinance has been referenced.

PRELIMINARY DRAFT**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 **115-S-23** is hereby **{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}** to the applicant, **Pivot Energy IL 38, LLC**, to authorize the following as a Special Use on land in the AG-1 Agriculture Zoning District:

Authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, and

{SUBJECT TO THE FOLLOWING WAIVER OF STANDARD CONDITIONS:}

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. of the Zoning Ordinance.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}

- A. **The approved site plan consists of the following documents:**
 - **Site Plan received January 25, 2024.**
- 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. **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.**
- E. **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by relevant County, township, and/or municipal authorities and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

PRELIMINARY DRAFT**Case 115-S-23
Page 47 of 49**

- F. 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 or a rating of "A-" by Kroll'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. 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 115-S-23 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**
- G. 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.**

PRELIMINARY DRAFT

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
- H. **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.**
- I. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**
- J. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**
- K. **A 5 feet deep open trench shall extend for 30 feet on either side of any drainageway that is crossed with underground wiring and the relevant drainage district shall be provided 48 hours in which to inspect for tile and the positions of any tile lines that are discovered shall be recorded using Global Positioning System (GPS) technology.**
- L. **A copy of a signed agreement with the drainage district establishing the 40 feet wide easement and including any provisions for cabling and access to the easement shall be provided to the Zoning Administrator prior to the issuance of a Zoning Use Permit.**
- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

PRELIMINARY DRAFT

Case 115-S-23
Page 49 of 49

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date