Pivot Energy

March 15, 2025

Montgomery County Board Admin.
#1 Courthouse Square - Room 202
Hillsboro, IL 62049

RE: CF IL Solar W. Main St., Farmersville LLC: Request for Solar Farm or Solar Garden Development Permit

Dear Montgomery County Board Administrators:

Thank you for providing the opportunity to apply for a Solar Farm or Solar Garden Development Permit with Montgomery County. We appreciate your office's guidance through this permitting process. The following letter will provide a summary of our proposed Solar Energy Facility: CF IL Solar W. Main St., Farmersville LLC (Project), followed by various documentation required by Montgomery County's for Solar Energy Farm and Solar Garden Installations (Solar Ordinance).

Pivot Energy is excited to bring renewable energy to Montgomery County and the surrounding communities. As of September 15, 2021, The State of Illinois has aggressively committed to a Renewable Portfolio Standard of 50% by 2025, by passing The Clean Energy Jobs Act (Public Act 102-0662). The legislation further expanded the existing community solar garden program, in which utility customers can subscribe to a community solar garden in their utility territory in exchange for a credit on their bills.

Pivot Energy is developing community solar projects across Illinois. This location was chosen due to its proximity to Ameren's electrical infrastructure, both substations and distribution grid, its flat and manageable land, a willing landowner, and access to the sun (ample without shading obstructions).

The proposed Project is a 2.600-megawatt (MW AC) ground mounted solar energy facility that will deliver clean energy to the local electrical grid. The Project site will occupy approximately 15 acres of leased land in the northwest quadrant of the Main Street and Hays Road intersection, on the west side of Farmersville (Site).

The proposed Project has obtained an interconnection agreement with Ameren. Our array will have approximately 6,500 solar panel modules mounted on single-axis trackers. The solar panels will be facing east in the morning, flat at noon, and be facing west in the afternoon. They will follow the path of the sun throughout the day to maximize their efficiency.

We look forward to working with Montgomery County Staff to make this Project a success. If you have any questions, please do not hesitate to contact me by email at lreddington@pivotenergy.net.

Sincerely,

Liz Reddington | Vice President, Project Development | Pivot Energy

pivotenergy.net

APPLICANT & PROPERTY OWNER INFORMATION (Print or Type):

Applicant/Petitioner information: CF IL Solar W. Main St., Farmersville LLC

Company Name: Pivot Energy

Contact Name and Title: Liz Reddington - Vice President, Project Development

Phone number: 248-892-4247

Mailing address for all official correspondence unless a Legal Representative is designated in which case all correspondence and contact will be made with that Legal Representative:

1601 Wewatta St., Suite 700 Denver, CO Zip: 80202

Property Owner Name(s): Donna Elmore Trust (Donna Elmore as Trustee) and Thomas R. Elmore Trust (Alexandra Elmore and Amber Jarvis as Successor Trustee)

Phone number: 217-324-6147

Mailing address: 125 Lilac Lane, Chatham, IL 62629 Zip: 62533

Designated Legal Representative *(licensed to practice law in the State of IL)* of Applicant *(if any)*

Name: Erik Hyam - Silver Lake Group, Ltd. Phone: 217-324-6147

Address: 606 N. State St., Litchfield, IL Zip: 62056

Designated Contact Person *(if different from Applicant),* to whom all phone calls, requests for information, clarifications, and coordinator for all actions regarding this Petition, who has the authority to act on behalf of the Petitioner in regard to this Petition/Application/Request. *This does not apply if a Legal Representative has been designated in which case all contact will be made through that Legal Representative.*

Name: Brittney Krebsbach (Project Manager & Senior Manager of Project Development - Pivot Energy) Phone: 320-290-0612

Address: 444 W Lake St #1700 Chicago IL Zip: 60606

PROPERTY INFORMATION:

Note: If additional space is needed, please attach additional sheets to the application and reference attachment description in application.

1. Location of the proposed use or structure, and its relationship to existing adjacent uses or structures:
   The project site will occupy approximate 15 acreas of leased land in the northwest quadrant of the Main St. and Hays Rd intersection, on the west side of Farmersville.

2. Legal Description and Acreage: The Project is on parcels known as 01-33-100-017 and 01-32-200-007. Full legal descriptions can be found on our narrative under Site Information.

   The solar farm components will occupy a approximately 15-acre portion of the approximately combined 155-acre parcels.

3. Area and dimensions of the site for the proposed structure(s) or uses.
The solar array fencing components will encompass all Project infrastructre including the solar array, equiptment pad, transformer, and switch gear which will all be contained within the 15-acre Project fence.

4. Present Use of property:
Cropland

5. Present Land Classification: 0021 per Montgomery County GIS Map

6. Proposed Land Use Activity / Nature of the Proposed Use, including type of activity, manner of operation, number of occupants or employees, and similar matters:

The proposed Project is a 2.6-megawat (MW AC) ground mounted solar energy facility. The arrary will consist of approximately 6,500 solar panel modules mounted on single-axis trackers.

7. Height, setbacks, and property lines of the proposed uses and/or structure(s).
The security fence surrounding all solar array components is set back at least 50 feet from any lot lines and at least 150 feet from any residences. At full tilt, the solar modules would not exceed 15 feet in height.

8. Location and number of proposed parking/loading spaces by type of vehicles, to include Weight Classifications and size of access drives/ways.
Access to the Project will be off of Main St. with a minimum 16' width gravel access road.

9. Existing and proposed screening, lighting (including intensity) landscaping, erosion control, and drainage) features on the site, including the parking areas.
The Project proposed vegatative screening on the southern boundary of the fence line to help blend the Project with the surrounding landscapes and mitigate the impact to residential abutter viewsheds. Following feedback from the neighbors during our community meeting our screening has been adjusted to shorter-growth vegetation.

10. Disclosure of any potential environmental issues and methods for dealing with them.
The Applicant consulted with The Illinois Department of Natural Resources (IDNR) through their Ecological Compliance Assessment Tool (EcoCAT). The review determined that the project was unlikely to have adverse effects on protected resources within the vicinity. They did however offer recomendations for best practices which the Applicant has incorpororated. Additional details can be found in our narrative, specifically Exhibit E.

11. Disclosure of any activities requiring outside agency permits and the names, addresses, and phone numbers of the agency points of contact and how those requirements are being met.

Access and Road Use Permits: Bois D'Arc Road District Commissioner - Robert Matli (8080 Brown Tr Harvel, IL; 229-4470; 836-0754)

12. Indicate the suitability of the property in question for Construction:

This location was chosen due to it's proximity to Ameren's electrical infrastructure, both substations and distribution grid, its flat and manageable land, a willing landowner, and access to the sun (ample without shading obstructions).

13. Adjacent Land Use:

A. North: Cropland

B. South: Residential

C. East: Cropland

D. West: Cropland

15. Should this Use be valid only for a specific time period? Yes X No

If Yes, what length of time? 45 years

16. Does the proposed Permit meet the following standards? Yes X No *(If not, attach a separate sheet explaining why.)*

A. Will the proposed design, location and manner of operation of the proposed Solar Garden or Solar Farm adequately protect the public health, safety and welfare, and the physical environment? The Project will not be detrimental to public health, safety, comfort, morals, or general welfare to the nearby inhabitants of the County or be a nuisance.

B. Will the proposed Solar Garden or Solar Farm have a negative impact on the value of neighboring property?

Numerous studies on the impact of solar energy generation on neighboring property values were found to be neglibible. Further, the solar garden is required to pay property taxes, further supporting the local taxing bodies.

C. Will the proposed Solar Garden or Solar Farm have a negative impact on public utilities and on traffic circulation?

The Project obtained an interconnection agreement with Ameren, and will not have any negative impacts on the utility. Community solar bolsters the utilities' distribution grid, supporting the local electrical infrastructure.

D. Will the proposed Solar Garden or Solar Farm have an impact on the facilities near the proposed Solar Garden or Solar Farm, such as schools or hospitals or airports that require special protection?

The Project will not have negative impacts on near by facilities. Further, the solar garden will pay property taxes bolstering the local taxing bodies.

ATTACHMENTS REQUIRED:

1. At the time the application is filed, a non-refundable fee is to be paid by the applicant. The application fee $2,500 per megawatt (MW) of proposed nameplate capacity, up to a maximum fee of $250,000.

2. For entities governed by governing boards, a copy of the Board Resolution or Board Meeting Minutes authorizing the governing board's approval to carry out the requested project and to authorize the submission to Montgomery County by a designated entity officer of the required specific requests / applications / petitions is required to be submitted.

3. An area map and site plan from a certified Illinois licensed Engineer.

4. List of the names, current property tax addresses and property tax PIN numbers of property owners located within two-hundred feet and fifty (250') of the property.

5. A Decommissioning plan including:
   A. Process details and cost estimate of decommission.
   B. Anticipated life expectancy of the Solar Farm.
   C. Method of insuring funds will be available for decommissioning and restoration of the project site to its original, natural condition prior to the solar farm construction.
      1. This includes a proposed schedule of payments to be deposited into an escrow account, on a minimum of a yearly basis, held by Montgomery County as assurance for available decommissioning funds.
   D. The cost estimate of decommissioning will be reviewed every five (5) years, by the County's chosen Independent Engineer, and revised if necessary, at the Developers expense. The review and revised plan shall be sent to the Montgomery County Coordinating Office for Board review. If necessary, provisions will be made to the escrow account balance for the decommissioning of the Solar Garden or Solar Farm.

CERTIFICATION OF A SOLAR GARDEN OR SOLAR FARM PERMIT PETITION / APPLICATION / REQUEST

I/We the undersigned, agree that the information herein and attached is true. I/We, the undersigned, do hereby permit officials and/or consultants of Montgomery County, to enter the property described herein to complete a thorough review of this application.

Address:
125 Lilac Lane Chatham, IL 62629

Parcel ID #
01-32-200-007 and 01-33-100-017

Applicant's Printed/Typed Name: Liz Reddington

Signature: _____ Date: _____

Property Owner's Printed/Typed Name: _____

Signature: _____ Date: _____

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Applicant's Printed/Typed Name: Liz Reddington

Signature: _____ Date: _____

Property Owner's Printed/Typed Name: _____

Signature: _____ Date: _____

Applicant's Legal or other Representative's Printed/Typed Name (*if applicable)*:

_____

Signature: _____ Date: _____

STATEMENT OF CONFORMANCE:

I/We, the undersigned, in making a Petition/ Application / Request to Montgomery County for approval of a Solar Farm or Solar Garden Construction Permit described in this application have reviewed the laws and regulations of Montgomery County to the extent that they are applicable to this proposal and understand that: I/We, the undersigned have no reasonable expectation of approval of this request until such time that a Solar Farm or Solar Garden Construction Permit is actually issued by the Montgomery County and have been so notified of issuance in writing. I/We hereby acknowledge, attest to, and accept the following as conditions of obtaining a Solar Farm or Solar Garden Construction Permit in Montgomery County, Illinois.

- **NO** building, construction, alteration, or use may be started prior to the issuance of a Solar Farm or Solar Garden Construction Permit.
- **All** building construction and all site construction must conform to the plans and specifications approved by the Montgomery County Board. No deviation from or revision to an approved plan may take place without the prior written approval of the Montgomery County Board.
- Any Permit, once issued, is non-transferrable to any other legal entity without the express prior written approval of the Montgomery County Board.
- That **ALL** actions associated with this Permit process shall be taken, processed, and interpreted under the Laws of the State of Illinois and Montgomery County and any legal remedies sought by any party in connection with this Solar Farm or Solar Garden Construction Permit shall be brought forth in the Courts of Montgomery County, Illinois for adjudication.
- That if the applicant is an Agent representing the actual owners of multiple properties, or is a lessor, that the Agent has in their possession signed documentation that the actual property owners are aware of their legal responsibilities to be personally liable for the costs associated with Decommissioning if said lessor or Agent fails for any reason to meet this requirement of the Solar Farm or Solar Garden Construction Permit.

Applicant's Printed/Typed Name: Liz Reddington

Signature: _____ Date: _____

Applicant's Legal Representative Printed/Typed Name Signature and Date *(If applicable)*:

_____

Signature: _____ Date: _____

NOTE: It is the responsibility of the Applicant to notify the Montgomery County Coordinating Office at each stage of work completed once the Permit is issued. **Email:** cbadmins@montgomerycountyil.gov Phone: 217-532-9577

Address: Montgomery County Coordinator
#1 Courthouse Square – Room 202
Hillsboro, IL 62049

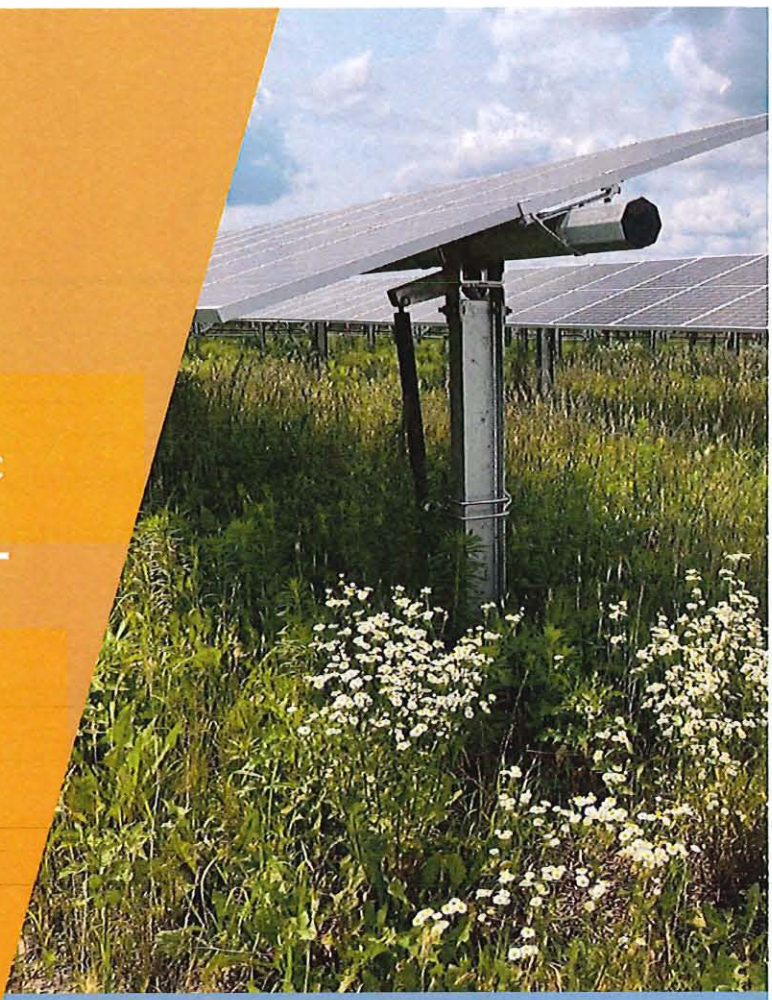
Pivot Energy

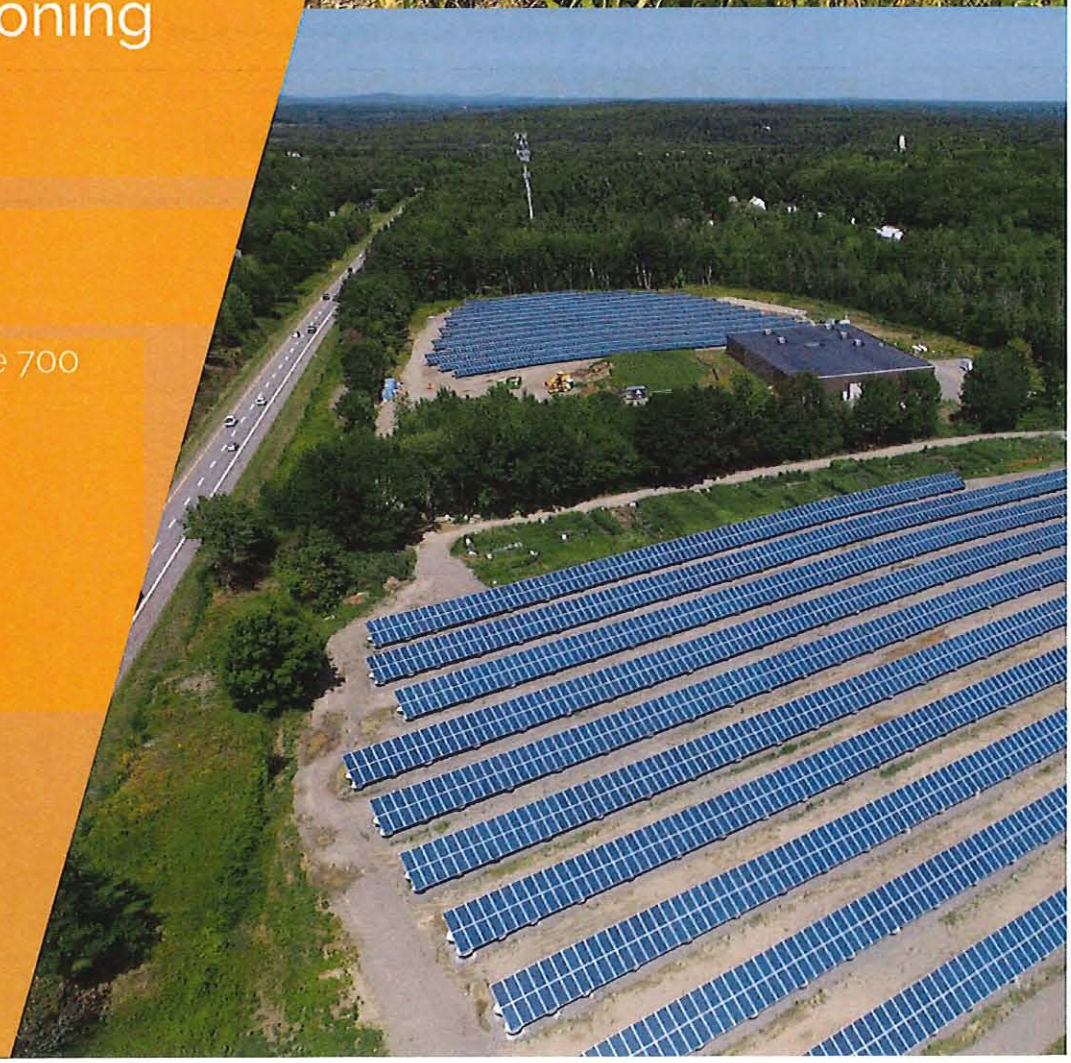
PIVOT ENERGY

CF IL Solar W. Main St., Farmersville LLC

Conditional Use Permit Application

Montgomery County Planning & Zoning





Pivot Energy

1601 Wewatta St, Suite 700
Denver, CO 80202

Pivot Energy

Table of Contents

List of Appendices:

Pivot Energy

Site Information

Property Owner

Property Owner: Thomas R Elmore Trustee (Donna Elmore, Amber Jarvis, Alexandra Elmore)
Mailing Address: can be provided upon request
Phone Number: can be provided upon request
Property Tax Parcel Number: 01-33-100-017, 01-32-200-007
(Lease Agreement included in **Exhibit A**)

Applicant & Operator

Applicant: CF IL Solar W. Main St., Farmersville LLC
Mailing Address: 444 West Lake Street, Chicago, IL 60606
Contact: Liz Reddington, Vice President of Project Development
Phone Number: (320) 290-0612

Surveyor Legal Description

Parcel 1: The east half of the northeast quarter of section 32, township 12 north, range 5 west of the third principal meridian, Montgomery County, Illinois; except that part thereof described as beginning a point on the north right-of-way line of S.A. Route 17, said point being 40 feet north of the southeast corner of the southeast quarter of the northeast quarter of said section 32, thence northerly a distance of 50 feet along the east line of section 32, said line having a bearing of north 4° 35 minutes west; thence westerly on a line having a bearing of south 86° 3 minutes west, a distance of 50 feet; thence southerly on a line having a bearing of south 4° 35 minutes east a distance of 50 feet; and thence easterly a distance of 50 feet to the point of beginning; and also excepting all coal underlying said land with the right to mine and remove the same and easements and rights contained in the severance thereof. Also excepting part of the southeast quarter of the northeast quarter of section thirty-two (32), township twelve (12) north, range five (5) west of the third principal meridian, Montgomery County, Illinois and more particularly described as follows: Commencing at the southeast corner of the southeast quarter of the northeast quarter of said section thirty-tow (32); thence north 00° 48 minutes 41 seconds west, along the east line of the northeast quarter of said section thirty-two (32) a distance of 40.00 feet to the southeast corner of a 0.0574 acre tract of land as conveyed to Central Illinois Public Service Company and described in warranty deed recorded in book 219 page 167 of the records in the recorder's office of Montgomery County Illinois, said point also being the point of beginning. From said point of beginning; thence continuing north 00° 48 minutes 41 seconds west, along the east line of the northeast quarter of said section thirty-two (32). A distance of 80.00 feet; thence south 89° 23 minutes and 29 seconds west a distance of 100.00 feet; thence south 00° 48 minutes 41 seconds east, a distance of 80.00 feet to a point on the north right of way line of S.A. Routhe No. 17; thence north 89° 23 minutes 29 seconds east, along said north right of way line, a distance of 100.00 feet to the point of beginning; except that part previously conveyed to Central Public Service Company as described in warranty deed recorded in book 219 on page 167 of the record in the recorder's office of Montgomery County, Illinois.

Parcel 2: The west half (W ½) of the northwest quarter (NW ¼) of section thirty-three (33) township twelve (12) north, range five (5) west of the third principal meridian, Montgomery County, Illinois, except the south 208.75 feet of the east 208.75 feet of the southwest quarter (SW ¼) of said northwest quarter (NW ¼), also except that part as described as follows: Commencing at the southeast corner of the southwest quarter (SW ¼) of said northwest quarter (NW ¼); thence north 00° 01' 18" east along the east line of the southwest quarter (SW ¼) of said northwest quarter (NW ¼), a distance of 208.75 feet; thence north 89° 51' 48" west, a distance of 208.75 feet to the point of beginning. From said point of beginning, thence north 89° 51' 48" west, a distance of 39.38 feet; thence south 00° 01' 18" west, a distance of 208.75 feet; thence south 89° 51' 48" east, a distance of 39.38 feet; thence north 00° 01' 18" east a distance of 208.75 feet to the point of beginning, also except that part described as follows: commencing at the southeast corner of the southwest quarter (SW ¼) of said northwest quarter (NW ¼); thence north 00° 01' 18" east along the east line of the southwest quarter (SW ¼) of said northwest quarter (NW ¼), a distance of 208.75 feet to the point of beginning. From said point of beginning; thence north 89° 51' 48" west, a distance of 248.13 feet; thence north 00° 01' 18" east, a distance of 571.00 feet; thence south 89° 51' 48 east, a distance of 248.13 feet to the east line of the southwest quarter (SW ¼) of said northwest quarter (NW ¼); thence south 00° 01' 18" west along said east line, a distance of 571.00 feet to the point of beginning, also except the coal and other minerals within and underlying the land and all rights and easements in favor of the estate of said coal. Note: the legal description shown hereon is a new description that has been prepared to reflect an additional exception parcel that was not included in the title legal description per a trustee's deed recorded as document number 2020000000167 and describes a parcel of land smaller in size than the parcel described in the title commitment that was provided. It is anticipated that the title commitment will be revised based on the legal description shown hereon.

Pivot Energy

Project Description

CF IL Solar W. Main St., Farmersville LLC (Project and Applicant), an entity wholly owned by Pivot Energy (Pivot), is proposing the development and operation of a solar energy facility in Montgomery County. The proposed Project will be a 3.485 Megawatts DC (MW DC) / 2.600 Megawatts AC (MW AC) single axis tracker ground mount solar photovoltaic array, equivalent to powering approximately 400 homes. The estimated amount of electricity generated from the system will contribute to American energy independence, Illinois' renewable energy goals, and will benefit local energy consumers.

A community solar garden is an off-site solar project which generates electricity to be sent to metered accounts through a participating electric utility. For those utility customers that cannot meet their own energy needs by installing a solar energy system on-site, a subscription to a community solar garden provides utility customers with an ability to utilize renewable energy. Pivot Energy intends on subscribing residential, small businesses, government entities, school districts, and/or commercial and industrial electricity users to this proposed garden.

The Applicant discussed the proposed Project with the Montgomery County Planning Staff in a pre-application meeting on October 4th, 2024. The proposed Project is located within the northwest quadrant of the Main Street and Hays Road intersection, on the parcels known as 01-33-100-017 and 01-32-200-007. The Project will occupy approximately 15 acres of the parcel. The Project boundary setbacks will comply with the Montgomery County standards (Section F.2f of the Solar Ordinance). Thus, the Project is proposed to be setback at least 150 feet from the adjacent, nonparticipating residences, as outlined by the recently passed Illinois State Solar Siting Law (55ILCS 5/5-12020). The solar array fencing components will encompass all Project infrastructure including the solar array, equiptment pad, transformer, and switchgear. The solar farm components will occupy a 15-acre portion (within the Project fence) of the approximately combined 155-acre parcels. Access to the Project will be off of Main St. with a minimum 16' width gravel access road. The Project proposes both overhead and underground electrical lines that will be buried to the furthest extent reasonable and will interconnect into the exisiting and proposed Ameren utility poles located off Main Street. A site plan of the proposed Project is depicted below in Photo 1, and is included as **Exhibit B**.

Pivot Energy visited the site and hosted a Community Meeting on October 22nd, 2024 at in Farmersville. Over 20 neighboring households were invited via certified USPS mail to this open-house style event where we had posters of the Project site plan and materials about community solar and the benefits it can provide the community. The Applicant also invited four County Board Representatives via email to the Community Meeting. Neighbors and the Pivot Energy team discussed viewshed concerns, proposed screening, property values, and more. Some items the Applicant took away from this meeting is that the neighbors enjoy the long-range views of the Capitol building to the north. As a result of the site walk and meetings, the Applicant made contact with a local arborist recommended by the County Office (Glenn Savage) on October 29th, 2024 to discuss local nursery and screening options. In addition, we have offered screening stipends to the Project's closest neighbors to support them in establishing screening on their property.

Photo 1. CF IL Solar W. Main St., Farmersville LLC Site Plan.

Our proposed Conditional Use permit will not depend on local infrastructure. The Project does not require sewage, waste, irrigation, lighting, potable water services, or buildings. It will not require trash or recycling services, or natural gas. The Project will require electrical service from Ameren, and Pivot Energy has obtained an interconnection study with the utility.

The solar array will operate every day during daylight hours. The equipment moves imperceptibly slowly throughout the day, silently following the sun across the sky to maximize energy yield. There is no sound, smell, noise, pollution, emission, or other negative external impact attributable to the solar array's operation. There will be approximately 6,500 solar panels affixed to the single-axis tracker racking system. Throughout the array, at the end of the racking rows, will be approximately 21 string inverters to convert the electricity generated from the panels to the transformer. The design and construction of the solar farm will meet standards and guidelines as provided by the nationally accepted electric code and will comply with Federal Communications Commission (FCC) requirements.

Montgomery County, Ordinance for Solar Energy Farm

Application Requirements (Section D.10.)

Required application materials can be found in the appendix of this application and are described below. Additional reports, visuals, and information are provided in this application to provide further context on the development, construction, and maintenance of the Project.

Pivot Energy

Project Site Plans

Maps of existing conditions and a proposed site plan are included as **Exhibit B**. All improvements, including structures, fencing, powerlines, and landscaping are depicted to inform Montgomery County's understanding of the location, height, appearance, and area.

Stormwater Pollution and Prevention Plan

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for this application and can be found in **Exhibit D.** A Stormwater Report and updated SWPPP will be completed to reflect final designs for building permit submission and construction. The Project is not expected to alter existing drainage patterns or rainwater retention capabilities.

Decommission Plan

A Decommissioning Plan has been prepared for this application and can be found in **Exhibit K.** This includes the requirements set forth by the Montgomery County Solar Ordinance and outlined in the Illinois Department of Agriculture's standard Agricultural Impact Mitigation Agreement (AIMA) Version 8.19.19. The report provides an overview of the decommissioning phase of the Facility, including activities related to the restoration of land, the management of materials and waste, estimated costs, and a decommissioning cost and surety bond.

IDNR EcoCAT Consultation

The Illinois Department of Natural Resources (IDNR) was consulted though their Ecological Compliance Assessment Tool (EcoCAT) regarding any state-listed threatened or endangered species that may be located within the Project. The EcoCAT review, dated June 20, 2024, determined that the Project was unlikely to have adverse effects on protected resources within the vicinity. However, the IDNR did offered general recommended actions for general mitigations and best practices for construction and long-term maintenance of the Project. These recommendations included the following:

i. The project proponent should establish pollinator-friendly habitat as groundcover wherever feasible.
ii. The site should be de-compacted before planting.
iii. Required fencing, excluding areas near or adjacent to public access areas should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.
iv. Wildlife-friendly plastic-free blanket should be used.
v. Required night lighting should follow International Dark-Sky Association (IDA) guidance.

The Project proposes pollinator-friendly habitat as groundcover for beneath and around the solar panels. Fencing will exceed 6 feet in height, proposed instead for 8 feet in height for security and safety purposes. There will not be a gap along the bottom of the fence due to the proposal of sheet grazing on site. A gap would make the sheep vulnerable to predators entering the site. The Project proposes a wildlife-friendly fencing, comprised of mesh-wire and wooden posts (also known as ag-style fencing), which better allows for movement of wildlife compared to chain link fencing. The Applicant reached out to the INDR via email on March 13th, 2025 to provide this context on the Project fencing and requested comments. Adam Rawe, of IDNR, responded on March 14th, 2025 with further questions regarding the Project gate and predator mitigation. Adam Rawe stated that the Project fencing sounded acceptable for facilitating wildlife movement. Adam Rawe also pointed out that these recommendations were template in nature and therefore there is flexibility to adjust them to the Project nature and County

Pivot Energy

requirements. The Applicant will continue to consult the IDNR on matters related to environmental preservation and enhancement. Lastly, no lighting is proposed for this project. The EcoCAT report and this correspondence is included in **Exhibit E.**

Compliance and Design

Setbacks

The security fence surrounding all solar array components is set back at least fifty (50) feet from any lot line and at least one hundred and fifty (150) feet from any residence, as seen in the proposed site plan and in compliance with State and Local code.

Solar Equipment

The modules atop the single-axis tracking racking, at full tilt, would not exceed 15 feet in height (at the highest point). At noon, the modules atop the racking will be at approximately 5-6' in height and parallel with the ground grade. The driven pile foundation will be determined upon further geotechnical review and soil boring testing. Other electrical equipment, such as the utility meter, transformer, and switchgear, will not exceed 9' in height, and will be placed upon a concrete equipment pad next to the access road, inside the Project fencing. Overall, the Project will comply within Montgomery County's 30-foot maximum height requirement. To the extent feasible, powerlines shall be placed underground.

Pivot Energy only utilizes solar modules from Tier 1 Manufacturers with UL Certifications. The modules are coated with an anti-glare layer to assist in their sunlight absorption—both assisting in the array's productivity and minimizing the chances of any glare to the surrounding environment. The Project is currently designed with TaleSun modules, but Pivot recently signed a contract with a US solar module manufacturer, Siltfab, and is planning to switch over to these panels on all their projects yet to be constructed. Thus, spec sheets and certifications for both manufacturers are provided in this application. Specification sheets and certifications for all major equipment (panels, inverters, transformers, and racking) can be found in **Exhibit M.**

Agricultural Impact Mitigation Agreement

The Project will follow the stipulations described by the fully executed Agricultural Impact Mitigation Agreement (AIMA) that states the Applicant is liable to repair any damaged drain tiles during the life of the Project (**Exhibit I**). The Applicant will repair or compensate for the repair of all damage to drainage systems caused by the construction of the commercial solar energy facility within a reasonable time after construction completion. This may include any drain tiles, open drainage districts, culverts, and water gathering vaults. A drain tile survey has been conducted for this Project and final designs will reflect this data and avoid the drainage system to help avoid any impact to the tiles. If the tile needs to be rerouted in order to avoid the system, the Applicant will work with the landowners and the appropriate authorities to carry out this work.

Vegetation Establishment and Management

After construction, disturbed areas will be replanted with a native grass mix including pollinator-friendly wildflowers to help mitigate weed growth and minimize erosion for the life of the Project, as depicted in Photo 2. Site seeding will occur shortly after construction is complete. The Preliminary Vegetation Management Plan (**Exhibit J**) is consistent with the guidelines developed by the Illinois Department of Natural Resources and will include both short-term and long-term property management practices that provide and maintain non-native-invasive naturalized native perennial vegetation to protect the health and wellbeing of pollinators.

Pivot Energy

Farm soil will be kept intact beneath the PV panels, and a grazing consultant is available to provide guidance following the initial system design to ensure a grazing friendly project. Sheep-friendly, pollinator-supportive habitat and infrastructure that promotes sheep grazing as a vegetation management option will be feasible within the fenced array. Throughout the operations term of the system, Pivot will conduct approximately 2-4 maintenance visits to the Project site per year. As part of those visits, mowing will take place around the perimeter of the fence and anywhere else needing supplementary vegetation management, to ensure the height and placement of the approved seed mix is maintained.

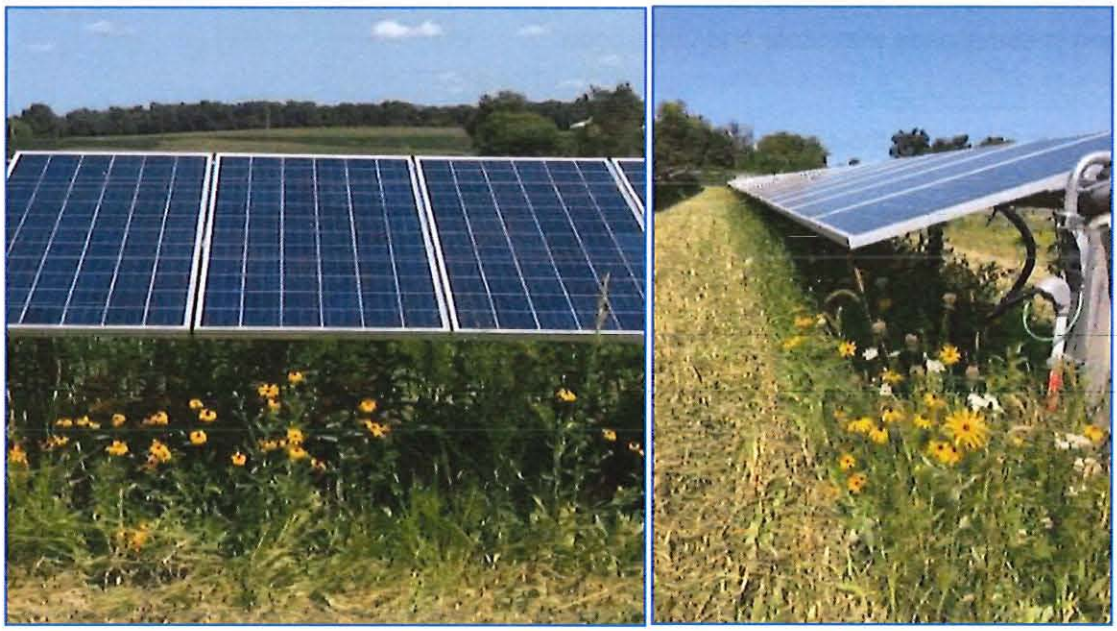


Photo 2. Examples of Pollinator-friendly seeding proposed beneath solar pannels.

Erosion and Sedimentation Control

Many of our projects across the state and country exist in agricultural communities. Solar is considered a harmonious use and a low-impact neighbor since it does not create discernible traffic, noise, or pollution, and will provide pollinator friendly habitat underneath the array. In addition, our sites are kept clean and neat. 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.

Prior to construction, mechanical means to control runoff will be used, such as straw bales, anchored netting, silt fences or berms (if necessary). This is especially top of mind for this project due to the proximity to neighboring residences and their back yards. Typically, we propose silt fences be installed within areas of the parcel perimeter 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 Project with native grass seed mix approved by the County and/or the local jurisdiction. 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 Project 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 better manage storm water runoff. Additionally, planting diverse mixes of native plants will prevent soil and nutrients from washing away, and improves water quality and prevents soil loss.

Fencing and Vegetative Screening

An 8' agricultural-style, or game fence, with wooden posts will be installed to surround the perimeter of the solar equipment components, as depicted in Photo 3, and will include warning signs of the high voltage associated with solar PV technology. In accordance with county code, the Project fencing will be in compliance with the National Electrical Code. Additionally, signage with emergency contact information will be affixed to the Project fence during construction and throughout the operational term of the Project.

Photo 3. Agricultural style fencing.

The Project proposes vegetative screening on the southern boundary of the fence line to help blend the Project with the surrounding landscapes and mitigate the impact to residential abutter viewsheds. As described above, the neighbors mentioned at the Community Meeting in October 2024 that enjoy the long-range views of the Capitol building to the north and do not want tall-growth trees planted that would block these views. The Applicant will continue to consult with the local arborist to identify a local nursery and recommend appropriate vegetative screening for this purpose. Photo simulations were provided at the Community Meeting and have been adjusted to reflect shorter-growth vegetation, for a better visual of future viewshed impacts. The photo simulations are below and full PDFs can be found in **Exhibit L.** It should be noted that the screening species are generic examples for the purpose of the simulations and have not been finalized.

Photo 4. Photo Simulation with Year 1 Growth Vegetation

Photo 5. Photo Simulation with Year 5 Growth Vegetation

Photo 6. Photo Simulation with Year 5 Growth Vegetation (Flowering Shrubbery)

A Preliminary Vegetation Management Plan can be reviewed in **Exhibit J** which outlines the Project's commitment to comply with the Illinois IDNR guidance on vegetation establishment, the IL Noxious Weed Law, and the Montgomery County Zoning Code. The Applicant will submit a landscape monitoring and maintenance plan prior to construction. As the prospective long-term owner and operator of the proposed project, the Applicant will be responsible for the operation and maintenance visits over the life of the Project.

Safety

The Project will be digitally monitored to alert the Project maintenance team of any unusual occurrences. Safety incidents at solar sites are uncommon because there are endless features provided within the equipment that protect incidences from occurring. The 2-4 maintenance visits conducted per year at the Project site as work to avoid any incident throughout the year. The Applicant can work with local emergency responders to develop an emergency response plan prior to construction of the facility.

The Project proposes a "Knox Box" on the Project gate for emergency personnel to gain access to the Project site. Signage with warning signs of the high voltage associated with solar PV technology and emergency contact information will be affixed to the Project fence during construction and throughout the operational term of the Project. These will detail the number of the site operator, the number of the utility provider (Ameren), the 911 address (to be provided), and Project site coordinates. **Photo 4** depicts examples of signage that will be affixed to the fence.

Photo 7. Examples of signage proposed along the Project fence.

Any damaged equipment will be removed, repaired, or replaced within sixty (60) days of the damage. The Applicant will digitally monitor the production of the array and will send maintenance personnel to investigate as potential damage is identified via lower-than-expected output. The ground shall always remain free of debris from damaged equipment.

Abandonment and Decommissioning

After the operational life of the facility is over, the Applicant will decommission the facility and restore the land to its original condition. The Applicant will comply with all decommissioning provisions as outlined in the Montgomery County Ordinance Section G, which includes abiding by the requirements of the AIMA. This 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. The Decommissioning Plan and cost estimate is included as **Exhibit K.** The Applicant will adhere to updating the cost at intervals prescribed in the fully executed AIMA.

Construction and Operational Standards

Project construction will be heavily dependent on procurement of long-lead items and whether. Generally, the Applicant would be ready to mobilize to the Project around Spring or Summer 2026 and construction activities would last approximately eight to twelve months, with the majority of construction in the first half of that timeframe.

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 during and after construction. Construction will employ all applicable best management practices throughout construction and after completion. During construction, the Project will have a staging area on site 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 on Project to drop off equipment.

Pivot Energy

Due to the climate in Illinois and the relatively short duration of construction, 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 Project is open, it can be sprayed with non-potable water to control dust if weather conditions warrant. Once the Project 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 construction, and seeding of approved seed mix, the Project will no longer need dust control measures.

Additional Diligence Already Conducted

United States Fish and Wildlife Service

The Applicant consulted the United States Fish and Wildlife Service's (USFW) Information for Planning and Consulting tool (IPaC) and received a list of threatened or endangered species list. This list details the potential mammals, birds, insects, flowering plants, and critical habitats that could occur on Site. In correspondence with Lincoln Oliver, a U.S Fish and Wildlife Service Biologist, he stated, "Projects with no federal nexus are not subject to section 7 consultation. Therefore, if the project proceeds as anticipated and no take of listed species will occur, no further coordination with the USFWS is required. If take is expected for private projects (e.g., tree clearing during the active season), coordination with USFWS is required via technical assistance. In these instances, we recommend to avoid and minimize take to the extent practicable."

Two species were flagged by the USFW IPaC review, the Monarch Butterfly and the Indiana Bat. This Project is an active agricultural field with no woodland areas. As discussed, the Project will be seeded with a pollinator-friendly seed mix upon construction completion, creating a habitat island for Monarch Butterflies in a mostly agricultural and residential area. No trees or woodlands on site makes it unlikely for bat habitat to be present. The Project will not require tree clearing and minimal, if any, grading. The Applicant will continue to work with the USFW and IDNR thus minimizing impact to the greatest extent practicable. This correspondence is detailed in **Exhibit G**.

Historic Preservation

The State Historic Preservation Office (SHPO) was contacted to review the Project for any significant historic, architectural, or archeological resources. In the SHPO's July 12, 2024 response, they determined that there was an unnamed tributary of Macoupin Creek with high probability of containing significant archaeological recourses and there was potential for presence of fragments from structures found on plat maps of 1874 and 1902. SHPO thus requested a Phase I Archaeological Survey for the Project.

The Applicant engaged third-party archaeological specialist, Joe Craig of Prairie Archaeology, who has completed the Phase I Survey and guide the Applicant in any future necessary protocols given by SHPO. This Phase I Survey and submitted the findings to SHPO. The Survey resulted in identification of two archeological resources within or adjacent to the Project. Neither site identified are considered significant with regard to the criteria for inclusion on the National Register of Historic Places. The Survey concluded that construction activities associated with the Project will not result in an adverse impact to significant sites, structures, or objects of an archaeological nature within the defined Area of Potential Effect and no additional archaeological investigations are recommended for this project. All follow up correspondence with SHPO and their final determinations will be completed before submitting for a building permit. The SHPO consultation and Archeological Survey Report is included in **Exhibit F.**

Pivot Energy

Federal Aviation Administration

The Project will comply with all federal, state, and other applicable requirements. In addition to the previously listed agencies the Applicant consulted, the Applicant sought consultation from the Federal Aviation Administration (FAA). The FAA Notice Criteria Tool issued a "determination of no hazard to air navigation" regarding the Project. This correspondence is included in **Exhibit H**.

Additional Information

Public Health and Safety

This Project will not be detrimental to public health, safety, comfort, morals, or general welfare to nearby inhabitants of the County or be a nuisance. The development of clean, renewable energy will benefit the surrounding community. Providing clean energy resources to the community will aid in the County and State's conservation and economic development goals to provide businesses and residents an opportunity to lower their operating expenses. Individual shares of the solar garden can be subscribed to with local businesses, residents, school districts, low-income housing authorities, and municipalities with long-term contracts to save money on their electricity bills. Community solar will also bolster the utilities' distribution grid, to support the local electrical infrastructure.

Impact on Adjacent Land Use

Community solar gardens are low impact and are good neighbors. The equipment moves imperceptibly slowly throughout the day, silently following the sun across the sky to maximize energy yield. There is no sound generated from the array from the property lines, and no smell, pollution, emission, or other negative external impact attributable to the solar array's operation. Minor sounds and natural pollutions would only occur from the grazing sheep on site occasionally during the growing season.

Impact on Property Values and Property Tax Generation

All community solar gardens in Illinois are required to pay property taxes to local taxing bodies, further supporting the local real estate assessment of a localized area. The proposed Project, based on the statewide methodology for calculating property taxes for solar energy systems, will generate approximately $170,000 in property taxes over the course of a 30-year term. The solar energy valuation will provide a substantial increase to the property taxes collected from the current land use, which would benefit the current taxing bodies such as the Panhandle School District, Bois D'Arc Township and Road District, Lincoln Land College, Montgomery County, and more.

Numerous studies on the impact of solar energy generation on neighboring property values were found to be negligible. In addition, studies or interviews performed in LaSalle and Winnebago Counties in Illinois have concluded that solar PV ground mount arrays had not affected property values, when comparing the analyzed sale prices of single-family homes and agricultural land that adjoins solar farms. Overall, the Project will not diminish the value of land on the surrounding properties.

Impact to Public Welfare

There are several positive benefits that the project offers for the public welfare. Savings on electricity bills, tax revenue to the County and Township, holistic land use practices with native pollinators and sheep grazing are just a few. Private investment to upgrade the local grid's resilience and a priority for focusing as many procurement and employment opportunities in the community as possible are other examples.

Impact to Groundwater Recharge and Quality

Pivot Energy

Solar farms are designed on low-angle slopes to minimize impacts to existing grading or drainage onsite. The posts that the solar arrays are mounted on can be driven right into the ground without the need for changing existing Site topography or drainage. Therefore, the Project will not increase the potential for flood damage to the Site or adjacent properties. The Project also will not need to access groundwater for any reason and will not effect recharge. Native, pollinator-friendly seeding will help to stabilize the Site and increase rainwater absorption. Compared to sites undergoing active tilling, deep-rooted, native vegetation under a solar farm improves groundwater quality.

Conclusion

The Applicant has prepared this application in compliance with State and Local codes. Pivot is excited to continue working with the Project stakeholders, the Village of Farmersville, and Montgomery County to bring the area clean and reliable energy while strengthening the local grid and contributing to local infrastructure.

Pivot Energy

EXHIBIT A: LEASE AGREEMENT

DocId:8001433
Tx:4001141

202300001723
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
06/26/2023 08:29 AM
DT0027 70.00
RE TAX ST:
RE TAX CTY:
RHSP Surcharge 9.00
Page Count: 8

PREPARED BY AND WHEN
RECORDED RETURN TO:

Clean Footprint, LLC
Attention: Title Department
7011 N. Atlantic Ave Suite 100
Cape Canaveral, FL 32920

Parcel#: 01-33-100-017 & 01-32-200-007

(Space above this line for Recorder's use only)

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into as of 6.13, 2023, by and between Thomas R. Elmore as trustee of the Thomas R. Elmore Trust dated May 18, 2011 and Donna Elmore as trustee of the Donna Elmore Trust dated May 18, 2011 whose residence/mailing address is 904 W Main Street, Farmersville, IL 62533 ("**Owner**"), and CF IL Solar W. Main St., Farmersville LLC, a Delaware limited liability company, whose address is 405 Atlantis Rd. Suite E115, Cape Canaveral, FL 32920 ("**Company**") (Owner and Company the "Parties" and each a "Party"), and provides as follows:

This Memorandum of Lease provides notice of the Solar Lease Agreement dated 6.13, 2023, (the "***Lease***") in which Company will construct, operate and maintain a solar facility (the "**Project**").

LESSOR/OWNER: Thomas R. Elmore as trustee of the Thomas R. Elmore Trust dated May 18, 2011 and Donna Elmore as trustee of the Donna Elmore Trust dated May 18, 2011

LESSEE/COMPANY: CF IL Solar W. Main St., Farmersville LLC

DESCRIPTION OF PROPERTY: Company is leasing a portion of the Owner's Land, as more particularly described in the attached Exhibit A ("**Leased Area**") as well as in and to any easements, rights-of-way, and other rights and benefits relating or appurtenant to the

	Land (collectively "**Property**"). The Lease also restricts certain uses of and grants certain interests in and to the Property. For Owner's title to the Land, reference is herein made to a deed dated May 10, 2021 and recorded at the Montgomery County Registry of Deeds at Book 1752, Page 245 and to a deed recorded on June 15, 2021 and recorded at the Montgomery County Registry of Deeds at Book 1444, Page 318.
LEASE COMMENCEMENT DATE:	as of 6·13·2023 (the "**Effective Date**").
TERM OF LEASE:	The Term of the Lease consists of a Development Term and Operations Term. The Development Term is five (5) years from the Effective Date. The Operations Term starts on the earlier of: (a) Company's notice to Owner of the start of the Operations Term; (b) the date that is twelve (12) months after the date of the start of construction of the Project as set forth in a notice from Company to Owner; or, (c) the commercial operations date of the Project and continuing thereafter until the date that is Twenty-five (25) years after this date subject to extensions as detailed below.
RIGHTS OF EXTENSION:	Company has the option to extend the Operation Term of the Lease for two (2) additional and successive ten-year terms, as provided in the Lease.
NO FIXTURE:	The Project, as defined in the Lease, installed and operated by Company at the Property shall not be deemed a fixture. The Project is Company's personal property and Owner has no right, title or interest in the Project. Further, Owner has waived all right of levy for rent, all claims and demands against the Project and all rights it may have to place a lien on the Project.
EASEMENTS:	Company has acquired the following Easements. The term of the Easements is co-extensive with the term of the Lease. All Easements shall burden the Property and shall run with the land for the benefit of Company, its successors and

assigns (including any permitted assignees of Company's rights under the Lease), and their respective agents, contractors, subcontractors and licensees.

i. A non-exclusive right of pedestrian, vehicular and equipment access to the Project across the Land or through Owner's remaining property at all times, which is necessary or convenient for ingress and egress to the Project;

ii. an exclusive right on Owner's Land and Owner's adjacent property to construct, operate, maintain, reconstruct, relocate, remove, and/or repair the electric utility service infrastructure and associated wires, lines and poles and other infrastructure necessary and convenient to interconnect the Project to the Utility electrical distribution system, the location of which the Utility will determine before the Commercial Operations Date;

iii. a negative solar easement, upon which Owner shall not construct buildings or structures, or plant new trees or vegetation of any type, or allow any trees or other vegetation on the Property which now or hereafter, in Company's reasonable opinion, may be a hazard to the Project, overshadow or otherwise block or interfere with sunlight access to the Project and/or interfere with Company's exercise of its rights hereunder (the "**Solar Easement**"). Company may (but shall not be obligated to) remove, at Owner's cost, any vegetation, buildings or other structures which violate this easement. Notwithstanding anything herein to the contrary, Owner shall reimburse Company for removal costs as an abatement of Rent. The Solar Easement is measured at angles of three hundred sixty (360) degrees horizontally and three hundred sixty (360) degrees vertically from the boundaries of the Land; and

iv. a non-exclusive easement to be located at a mutually acceptable location on the Land for temporary (A) storage and staging of tools, materials and equipment, (B) construction laydown, (C) parking of construction crew vehicles and temporary construction trailers, and (D) placement and use of other facilities reasonably necessary to construct, erect, install, expand, modify or remove the Project.

The Parties have executed and recorded this Memorandum of Lease for the purpose of giving record notice of the Lease, of the exclusive easements, leases, and rights it grants, and of certain restrictions it imposes. The Agreement runs with the Property and includes a quiet enjoyment clause. All of the conditions, covenants, and terms regarding the Lease are more particularly set forth in the Lease, which is incorporated by this reference. In the event of any conflict between the conditions and terms set forth in this Memorandum of Lease and the conditions and terms set forth in the Lease, the conditions and terms of the Lease will control and govern.

SIGNATURE PAGES FOLLOW

OWNER SIGNATURE PAGE TO
MEMORANDUM OF LEASE

IN WITNESS WHEREOF, the Parties have executed this MEMORANDUM OF LEASE as of the date set forth above.

OWNER

Thomas R. Elmore as trustee of the Thomas R. Elmore Trust dated May 18, 2011

Thomas R. Elmore, Trustee

STATE OF Illinois)
)ss.
COUNTY OF Montgomery)

On June 13 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Thomas Elmore personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.

Notary Public
Commission Expires:

OFFICIAL SEAL
KAYLA TROMBLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/14/2025

OWNER SIGNATURE PAGE TO
MEMORANDUM OF LEASE

IN WITNESS WHEREOF, the Parties have executed this MEMORANDUM OF LEASE as of the date set forth above.

OWNER

Donna Elmore as trustee of the Donna Elmore Trust dated May 18, 2011

Donna D. Elmore
Donna Elmore, Trustee

STATE OF Illinois)
)ss.
COUNTY OF Montgomery)

On June 13 2023 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Donna Elmore personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.

Kayla Trombley
Notary Public
Commission Expires:

OFFICIAL SEAL
KAYLA TROMBLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/14/2025

COMPANY SIGNATURE PAGE TO
MEMORANDUM OF LEASE

IN WITNESS WHEREOF, the Parties have executed this MEMORANDUM OF LEASE as of the date set forth above.

COMPANY

CF IL Solar W. Main St., Farmersville LLC

By: _____
Name: John Porter
Title: CEO/Manager

ACKNOWLEDGEMENT

STATE OF FL)
)ss.
COUNTY OF Brevard)

On June 16, 2023 before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Porter, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.

_____
Notary Public
Commission Expires: 10-2-26

MARVIN R. WICKER
Notary Public - State of Florida
Commission # HH 303167
My Comm. Expires Oct 2, 2026
Bonded through National Notary Assn.

EXHIBIT A TO
MEMORANDUM OF LEASE

DESCRIPTION OF THE LAND

OWNER'S LAND:

THAT CERTAIN REAL PROPERTY LOCATED IN MONTGOMERY COUNTY, ILLINOIS, DESCRIBED AS:

Parcel	Total Parcel Acreage
Address: W Main Street, Farmersville, IL 62533 Parcel#: 01-33-100-017	75.60 acres
Address: Mine Av, Farmersville, IL 62533 Parcel#: 01-32-200-007	79.82 acres
Total:	155.42 acres

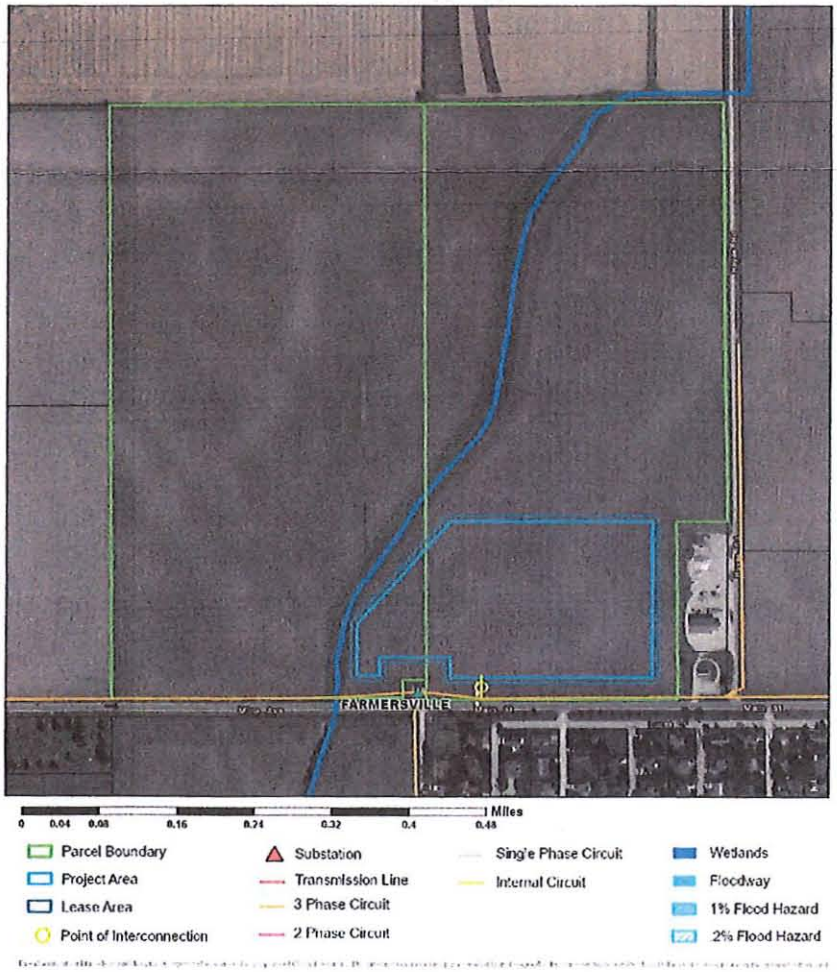
For Owner's title to the Land, reference is herein made to a deed dated May 10, 2021 and recorded at the Montgomery County Registry of Deeds at Book 1752, Page 245 and to a deed recorded on June 15, 2021 and recorded at the Montgomery County Registry of Deeds at Book 1444, Page 318.

LEASED AREA:

TRACT 3 - The West Half (W ½) of the Northwest Quarter (NW¼) of Section Thirty-three (33), Township Twelve (12) North, Range Five (5) West of the Third Principal Meridian, Montgomery County, Illinois, except the South 208. 75 feet of the East208.75 feet of the Southwest Quarter (SW ¼) of said Northwest Quarter (NW¼), also except that part described as follows: Commencing at the southeast corner of the Southwest Quarter (SW ¼) of said Northwest Quarter (NW¼); thence North 00° 01' 18" East along the east line of the Southwest Quarter (SW¼) of said Northwest Quarter (NW¼), a distance of 208. 75 feet; thence North 89° 51' 48" West, a distance of 208. 75 feet to the point of beginning. From said point of beginning, thence North 89° 51' 48" West, a distance of 39.38 feet; thence South 00° 01' 18" West, a distance of 208. 75 feet; thence South 89° 51' 48" East, a distance of 39.38 feet; thence North 00° 01'18" East a distance of 208. 75 feet to the point of beginning, also except that part described as follows: Commencing at the southeast corner of the Southwest Quarter (SW¼) of said Northwest Quarter (NW¼); thence North 00° 01' 18" East along the east line of the Southwest Quarter (SW¼) of said Northwest Quarter (NW¼), a distance of 208.75 feet to the point of beginning. From said point of beginning; thence North 89° 51' 48" West, a distance of 248.13 feet; thence North 00° 01' 18" East a distance of 571.00 feet; thence South 89° 51' 48" East, a distance of 248. 13 feet to the east line of the Southwest Quarter (SW¼) of said Northwest Quarter (NW¼); thence South 00° 01' 18" West along said east line, a distance of 571.00 feet to the point of

beginning, also except the coal and other minerals within and underlying the land and all rights and easements in favor of the estate of said coal.
PIN: 01-33-100-017

Parcel 1-- The East Half of the Northeast Quarter of Section 32, Township 12 North, Range 5 West of the Third Principal Meridian, Montgomery County, Illinois; except that part thereof described as beginning a point on the North right-of-way line of S.A. Route 17, said point being 40 feet North of the Southeast Corner of the Southeast Quarter of the Northeast Quarter of said Section 32, thence Northerly a distance of 50 feet along the East line of Section 32, said line having a bearing of North 4 degrees 35 minutes West; thence Westerly on a line having a bearing of South 86 degrees 3 minutes West, a distance of 50 feet; thence Southerly on a line having a bearing of South 4 degrees 35 minutes East a distance of 50 feet; and thence Easterly a distance of 50 feet to the point of beginning; and also excepting all coal underlying said land with right to mine and remove the same, and easements and rights contained in the severance thereof.
(01-32-200-002)



ELMORE T-W MAIN ST-FARMERSVILLE 7

OWNER ELMORE THOMAS R TRUSTEE
SITE ADDRESS W MAIN ST, FARMERSVILLE, ILLINOIS, 62533
PARCEL SIZE: 75.6 ACRES
PROJECT AREA 20 ACRES
LEASE AREA: 22 ACRES
TARGET NAMEPLATE: 2.6 MW
PROJECT NOTES WETLANDS ON NW CORNER OF PARCEL NEAR A BIT OF RESIDENTIAL. CLOSE TO SUBSTATION

UTILITY AMEREN
SUBSTATION FARMERSVILLE
VOLTAGE: 12.47 KV
AVAILABLE CAPACITY: 2.6 MW
POI COORDINATES 39.44350838, -89.66269488
POI DISTANCE: .05 MILES
GENTIE DISTANCE: 100 FEET
RECONDUCTORING 0 MILES

COUNTY: MONTGOMERY
TOWNSHIP BOIS D'ARC
MUNICIPALITY FARMERSVILLE

Context Map

CLEAN Footprint

Date Exported: 3/24/2023

Pivot Energy

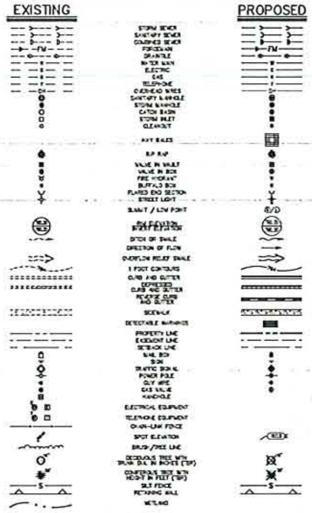
EXHIBIT B: SITE PLAN

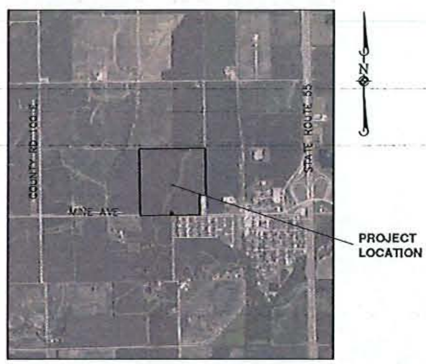
Proposed Improvements
for

ELMORE SOLAR

NWC OF HAYS ROAD AND MAIN STREET
MONTGOMERY COUNTY, ILLINOIS

STANDARD SYMBOLS





LOCATION MAP
N.T.S.

OWNER: PIVOT ENERGY
ADDRESS: 444 W LAKE ST, SUITE 1700
CITY: CHICAGO, IL
PH: (320) 290-0612

CIVIL ENGINEER: MANHARD CONSULTING
ADDRESS: 1 EAST WACKER DR, SUITE 2700
CITY: CHICAGO, IL
PH: (312) 824-3501

AUTHORITY HAVING JURISDICTION: MONTGOMERY COUNTY
ADDRESS: #1 COURTHOUSE SQUARE
CITY: HILSBORO, IL
PH: (217) 532-9530

ABBREVIATIONS

MANHARD CONSULTING IS NOT RESPONSIBLE FOR THE SAFETY OF ANY PARTY AT OR ON THE CONSTRUCTION SITE. SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND ANY OTHER PERSON OR ENTITY PERFORMING WORK OR SERVICES. NEITHER THE OWNER NOR ENGINEER ASSUMES ANY RESPONSIBILITY FOR THE JOB SITE SAFETY OF PERSONS ENGAGED IN THE WORK OR THE MEANS OR METHODS OF CONSTRUCTION.

Manhard CONSULTING
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

811
Know what's below. Call before you dig.

INDEX OF SHEETS

LEGAL DESCRIPTION

PARCEL 1

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS; EXCEPT THAT PART THEREOF DESCRIBED AS BEGINNING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF S.A. ROUTE 17, SAID POINT BEING 40 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, THENCE NORTHERLY A DISTANCE OF 50 FEET ALONG THE EAST LINE OF SECTION 32, SAID LINE HAVING A BEARING OF NORTH 4 DEGREES 35 MINUTES WEST; THENCE WESTERLY ON A LINE HAVING A BEARING OF SOUTH 86 DEGREES 3 MINUTES WEST, A DISTANCE OF 50 FEET; THENCE SOUTHERLY ON A LINE HAVING A BEARING OF SOUTH 4 DEGREES 35 MINUTES EAST A DISTANCE OF 50 FEET; AND THENCE EASTERLY A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING ALL COIL UNDERLYING SAID LAND WITH RIGHT TO MINE AND REMOVE THE SAME AND EASEMENTS AND RIGHT CONTAINED IN THE SEVERANCE THEREOF.

ALSO EXCEPTING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 00 DEGREES 48 MINUTES 41 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32) A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF A 0.0574 ACRE TRACT OF LAND AS CONVEYED TO THE CENTRAL ILLINOIS PUBLIC SERVICE COMPANY AND DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 219 PAGE 157 OF THE RECORDS IN THE RECORDER'S OFFICE OF MONTGOMERY COUNTY ILLINOIS, SAID POINT ALSO BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUING NORTH 00 DEGREES 48 MINUTES 41 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32), A DISTANCE OF 80.00 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 29 SECONDS WEST A DISTANCE OF 100.00 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 41 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A POINT OF THE NORTH RIGHT-OF-WAY LINE OF S.A. ROUTE NO.17; THENCE NORTH 89 DEGREES 23 MINUTES 29 SECONDS EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PART PREVIOUSLY CONVEYED TO CENTRAL PUBLIC SERVICE COMPANY AS DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 219 ON PAGE 67 OF THE RECORDS IN THE RECORDER'S OFFICE OF MONTGOMERY COUNTY, ILLINOIS.

PARCEL 2

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION THIRTY-THREE (33), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS, EXCEPT THE SOUTH 208.75 FEET OF THE EAST 208.75 FEET OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID NORTHWEST QUARTER (NW 1/4). ALSO EXCEPT THAT PART AS DESCRIBED AS FOLLOWS:

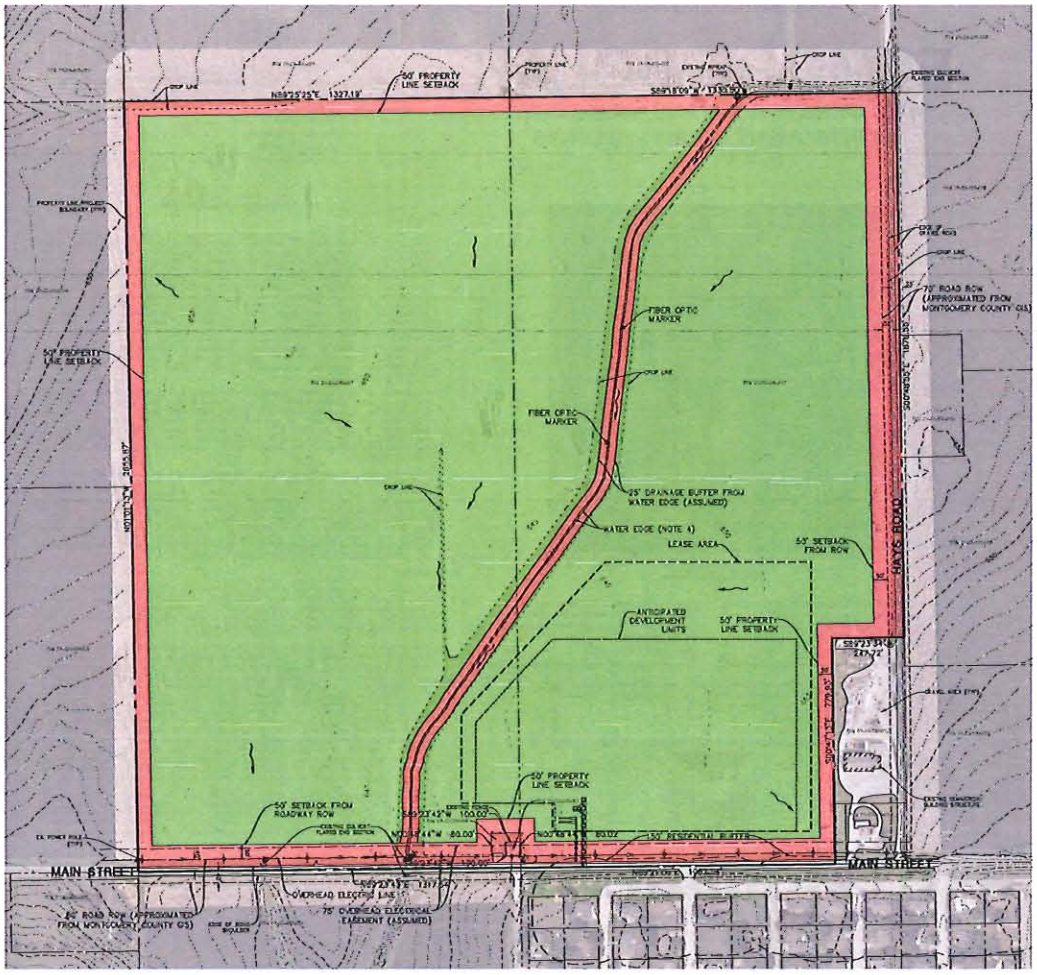
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW ¼), THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW ¼), A DISTANCE OF 208.75 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 48 SECONDS WEST, A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89 DEGREES 51 MINUTES 48 SECONDS WEST, A DISTANCE OF 39.38 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 18 SECONDS WEST, A DISTANCE OF 208.75 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 48 SECONDS EAST, A DISTANCE OF 39.38 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS EAST A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW ¼), THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW ¼), A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING, FROM SAID POINT OF BEGINNING; THENCE NORTH 89 DEGREES 51 MINUTES 48 SECONDS WEST, A DISTANCE OF 248.13 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS EAST, A DISTANCE OF 571.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 48 SECONDS EAST, A DISTANCE OF 248.13 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW ¼), THENCE SOUTH 00 DEGREES 01 MINUTES 18 SECONDS WEST ALONG THE EAST LINE, A DISTANCE OF 571.00 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THE COAL AND OTHER MINERALS WITHIN AND UNDERLYING THE LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL.

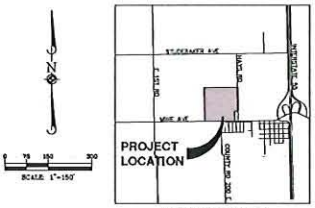
Manhard CONSULTING

ELMORE SOLAR
MONTGOMERY COUNTY, ILLINOIS
COVER SHEET

SHEET 1 OF 4

NOT FOR CONSTRUCTION





EXISTING CONDITIONS LEGEND

- DEVELOPMENT PROPERTY LINE
- LEASE LINE
- PROPERTY LINE
- EASEMENT LINE
- SETBACK LINE
- OVERHEAD ELECTRIC LINE
- DIRECTION OF FLOW

CONSTRAINTS LEGEND

TOTAL PROPERTY AREA = ±157.3 AC

- TOTAL APPROXIMATE UNDEVELOPABLE AREA = ±36.4 AC
- TOTAL APPROXIMATE DEVELOPABLE AREA = ±118.8 AC
- TOTAL APPROXIMATE LEASE AREA = ±33 AC

NOTES

1. AERIAL IMAGERY PER UAV SHOWN HEREON IS BASED ON FIELD WORK COMPLETED ON MARCH 23, 2024 AND HAS BEEN TIED TO MANHARD PROJECT CONTROL.
2. PROJECT AREA IS WITHIN A ZONE X FLOOD HAZARD LOCATION MAPPED BY FEMA FIRM PANEL 17037C0001E EFFECTIVE 01/05/1981. ZONE X IS DEFINED AS A MINIMAL FLOOD HAZARD ZONE THAT HAS AN ANNUAL FLOOD RISK BETWEEN 1%-0.2%.
3. EXISTING SITE CONDITIONS, LOT LINES, AND INFRASTRUCTURE SHOWN ARE PER THE ALTA/NSPS LAND TITLE SURVEY PERFORMED BY MANHARD CONSULTING DATED APRIL 19, 2024. CONTRACTOR SHALL INSPECT SITE PRIOR TO BIDDING WORK TO VERIFY ACTUAL FIELD CONDITIONS.
4. WATER EDGE DELINEATED ON PLAN IS PER THE ALTA/NSPS LAND TITLE SURVEY PERFORMED BY MANHARD CONSULTING. IT IS RECOMMENDED THAT A FORMAL WETLAND DELINEATION BE CONDUCTED TO DETERMINE WHETHER OR NOT THE WATER FEATURE SHOWN ON PLAN WOULD BE CONSIDERED A JURISDICTIONAL WETLAND.
5. THE PHASE I ENVIRONMENTAL SITE ASSESSMENT DATED APRIL 1, 2024 PREPARED BY RESCOM ENVIRONMENTAL CORPORATION DID NOT IDENTIFY ANY ENVIRONMENTAL SITE CONSTRAINTS WITHIN THE PROJECT BOUNDARY.
6. SETBACKS SHOWN ON PLAN ARE PER THE MONTGOMERY COUNTY ORDINANCE FOR SOLAR ENERGY FARM AND SOLAR GARDEN INSTALLATIONS IN UNINCORPORATED MONTGOMERY COUNTY, ILLINOIS SECTION F (2) (F). SETBACKS ARE SUBJECT TO CHANGE BASED ON PERMITTING AND ENTITLEMENTS PROCESS SET FORTH BY MONTGOMERY COUNTY AT A FUTURE DATE.
7. STORM WATER REQUIREMENTS AND DETENTION/BMP FOOTPRINTS (IF REQUIRED) TO BE FURTHER INVESTIGATED IN CONCEPTUAL DESIGN.
8. MAIN STREET (POTENTIAL ACCESS ROAD CONNECTION POINT) IS A MONTGOMERY COUNTY ROAD.

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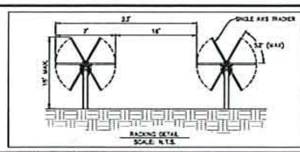
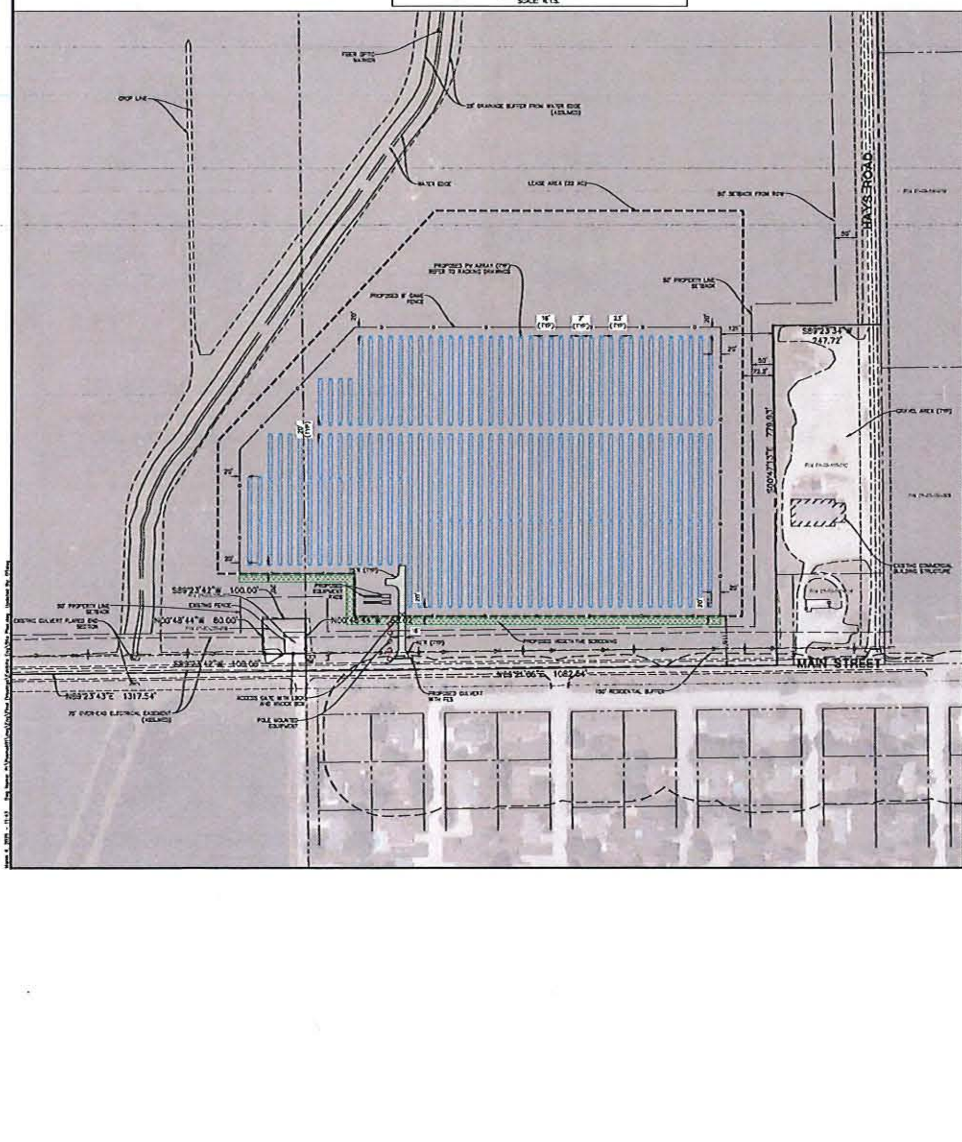
MONTGOMERY COUNTY, ILLINOIS
EXISTING CONDITIONS

SHEET 2 OF 4

NOT FOR CONSTRUCTION



SYSTEM INFORMATION	
TOTAL ARRAY SIZE (kW DC)	3,485.82
TOTAL SYSTEM SIZE (kW AC)	3,600
TOTAL NUMBER OF MODULES IN ARRAY	6,398
MODULE MODEL	TALESUN BIFRO TD7G72M-545
MODULE WATTAGE (W)	545
GROUND COVERAGE RATIO (%)	32.5
INVERTER	(20) CPS SCH125KTL-DO/US-600 125kW (1) CPS SCH100KTL-DO/US-600 100 kW
RACKING SYSTEM	(4) ATI DURATRACK SINGLE-AXIS TRACKER



LOCATION MAP
N.T.S.

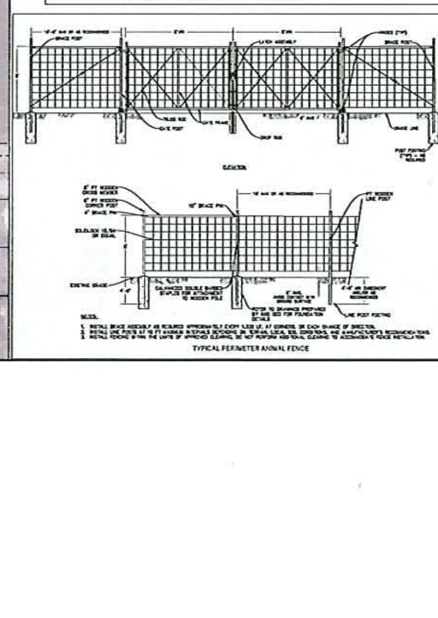
LEGEND

- PROPERTY LINE
- LEASE AREA LINE
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- EX. OVERHEAD ELECTRIC LINE
- PROPOSED FENCE
- PAVED ACCESS ROAD (SECTION TO BE DETERMINED BY GEOTECHNICAL REPORT)
- EXISTING GRAVEL AREA
- PROPOSED VEGETATIVE SCREENING

SITE DATA	
PROPERTY AREA:	6,843,502 SF (±157 AC)
LEASE AREA:	958,320 SF (±22 AC)
ACCESS ROAD AREA:	4,805 SF (±0.1 AC)
FENCED AREA:	648,442 SF (±15.4 AC)

SITE DIMENSIONAL NOTES:

1. DIMENSIONS HAVE BEEN PREPARED BASED UPON OWNER PROVIDED INFORMATION CURRENT AT THE DATE OF THIS DRAWING. SUBSEQUENT CHANGES MAY EXIST. THEREFORE CONTRACTOR SHALL REFER TO RACKING AND ELECTRICAL PLANS FOR PRECISE DIMENSIONS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
2. ALL ROADWAY SIGNAGE, STRIPING, SYMBOLS, ETC. SHALL BE IN ACCORDANCE WITH LATEST JURISDICTIONAL GOVERNMENTAL ENTITY DETAILS.
3. SOME EXISTING ITEMS TO BE REMOVED HAVE BEEN DELETED FROM THIS PLAN FOR CLARITY. SEE EXISTING CONDITIONS AND DEMOLITION PLAN FOR ITEMS DELETED.
4. THE CONTRACTOR SHALL CONTACT J.U.L.I.E. (1-800-892-0123) PRIOR TO ANY WORK TO LOCATE UTILITIES AND SHALL CONTACT THE OWNER SHOULD UTILITIES APPEAR TO BE IN CONFLICT WITH THE PROPOSED IMPROVEMENT.
5. ALL ROADWAY AND IMPROVEMENTS SHALL BE COMPLETED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, LATEST EDITION.
6. PHOTOVOLTAIC PANELS, INVERTERS, AND INTERCONNECTION EQUIPMENT LOCATIONS ARE SHOWN FOR REFERENCE ONLY. DESIGN AND FINAL LAYOUT PER DRAWINGS BY ELECTRICAL ENGINEER AND RACKING VENDORS.
7. GENERAL CONTRACTOR MAY REQUEST HEAVIER DUTY PAVEMENT SECTION FOR CONSTRUCTION PURPOSES. CONTRACTOR TO COORDINATE WITH GEOTECHNICAL ENGINEER.
8. CONTRACTOR TO REFER TO AMEREN DRAWINGS FOR PROPOSED POLE LAYOUT.



TYPICAL PERIMETER ANIMAL FENCE

Manhard CONSULTING

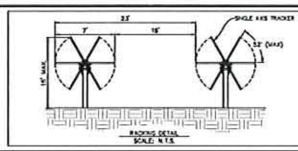
ELMORE SOLAR

MONTGOMERY COUNTY, ILLINOIS

OVERALL SITE PLAN 100 SCALE

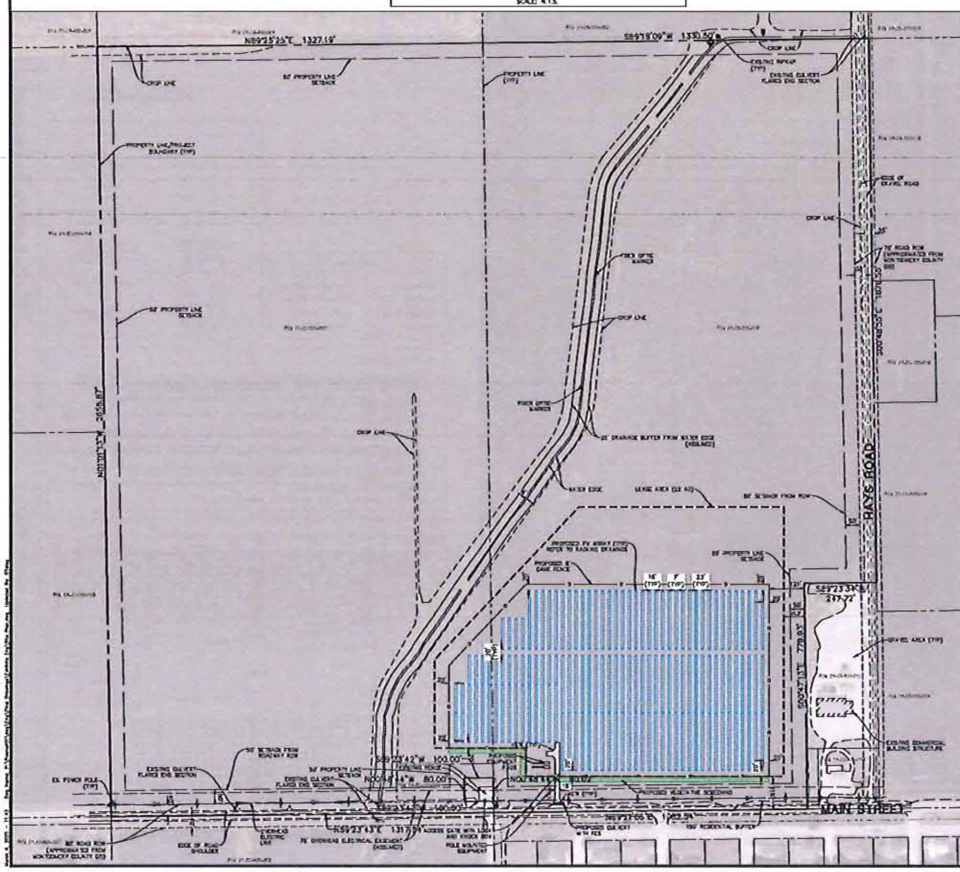
SHEET 3 OF 4

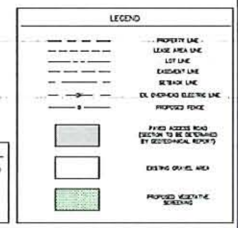
NOT FOR CONSTRUCTION



SYSTEM INFORMATION	
TOTAL ARRAY SIZE (kW DC)	3,485.82
TOTAL SYSTEM SIZE (kW AC)	2,600
TOTAL NUMBER OF MODULES IN ARRAY	6,396
MODULE MODEL	TALESUN BIPRO TD7G72M-545
MODULE WATTAGE (W)	545
GROUND COVERAGE RATIO (%)	32.5
INVERTER	(20) CPS SCH125KTL-DO/US-600 125kW (1) CPS SCH100KTL-DO/US-600 100 kW
RACKING SYSTEM	(4) ATI DURATRACK SINGLE-AXIS TRACKER

LOCATION MAP
N.T.S.





SITE DATA	
PROPERTY AREA	6,843,802 SF (±157 AC)
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SITE DIMENSIONAL NOTES

1. DIMENSIONS HAVE BEEN PREPARED BASED UPON OWNER PROVIDED INFORMATION CURRENT AT THE DATE OF THIS DRAWING. SUBSEQUENT CHANGES MAY EXIST. THEREFORE CONTRACTOR SHALL REFER TO RACKING AND ELECTRICAL PLANS FOR PRECISE DIMENSIONS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
2. ALL ROADWAY SIGNAGE, STRIPING, SYMBOLS, ETC. SHALL BE IN ACCORDANCE WITH LATEST JURISDICTIONAL GOVERNMENTAL ENTITY DETAILS.
3. SOME EXISTING ITEMS TO BE REMOVED HAVE BEEN DELETED FROM THIS PLAN FOR CLARITY. SEE EXISTING CONDITIONS AND DEMOLITION PLAN FOR ITEMS DELETED.
4. THE CONTRACTOR SHALL CONTACT J.U.L.I.E. (1-800-892-0123) PRIOR TO ANY WORK TO LOCATE UTILITIES AND SHALL CONTACT THE OWNER SHOULD UTILITIES APPEAR TO BE IN CONFLICT WITH THE PROPOSED IMPROVEMENT.
5. ALL ROADWAY AND IMPROVEMENTS SHALL BE COMPLETED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, LATEST EDITION.
6. PHOTOVOLTAIC PANELS, INVERTERS, AND INTERCONNECTION EQUIPMENT LOCATIONS ARE SHOWN FOR REFERENCE ONLY. DESIGN AND FINAL LAYOUT PER DRAWINGS BY ELECTRICAL ENGINEER AND RACKING VENDORS.
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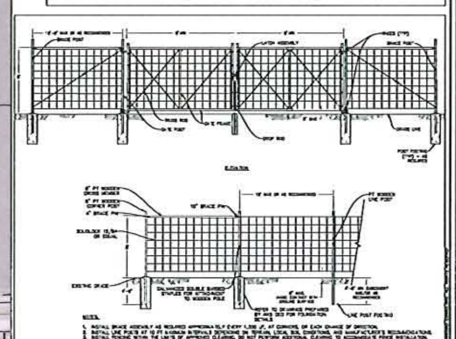

TYPICAL PERIMETER ANIMAL FENCE

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ELMORE SOLAR

MONTGOMERY COUNTY, ILLINOIS

OVERALL SITE PLAN 150 SCALE

DATE 5/30/2024
SCALE 1"=150'

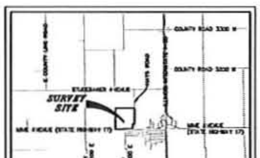
SHEET 4 OF 4

NOT FOR CONSTRUCTION

Pivot Energy

EXHIBIT C: SURVEY

ALTA/NSPS LAND TITLE SURVEY

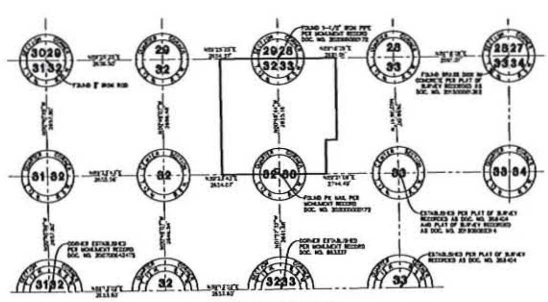


LOCATION MAP

NOT TO SCALE

INDEX TO SCHEDULE B

SCHEDULE B EXCEPTION TABLE					
EXCEPTION NUMBER	DOCUMENT NUMBER	DESCRIPTION	PLOTTABLE	LOCATED ON PROPERTY	NOTATION
1	N/A	ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER APPEARING IN PUBLIC RECORD	NO	UNKNOWN	NOT ADDRESSED BY SURVEY
2	N/A	RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS	NO	N/A	NOT ADDRESSED BY SURVEY
3	N/A	EASEMENTS NOT SHOWN BY PUBLIC RECORDS	NO	UNKNOWN	IMPROVEMENTS SHOWN ON SURVEY
4	N/A	MATTERS DISCLOSED BY AN ACCURATE SURVEY	YES	YES	IMPROVEMENTS SHOWN ON SURVEY
5	N/A	ANY LIEN FOR SERVICES, LABOR OR MATERIAL	NO	N/A	NOT ADDRESSED BY SURVEY
6	N/A	TAXES OR SPECIAL ASSESSMENTS NOT SHOWN BY PUBLIC RECORD	NO	N/A	NOT ADDRESSED BY SURVEY
7	N/A	GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE YEAR 2023 AND SUBSEQUENT YEARS	NO	N/A	NOT ADDRESSED BY SURVEY
8	N/A	[illegible]	NO	N/A	NOT ADDRESSED BY SURVEY
9	N/A	PROPERTY TAXES FOR THE YEAR 2023 & SUBSEQUENT YEARS	NO	N/A	NOT ADDRESSED BY SURVEY
10	[illegible]	TERMS AND CONDITIONS OF THE LEASEHOLD ESTATE BY MEMORANDUM OF LEASE	NO	YES	NOTED ON SURVEY
11	BOOK 218 PAGE 167	WARRANTY DEED TO CENTRAL ILLINOIS PUBLIC SERVICE COMPANY	YES	YES	NOTED ON SURVEY
12	[illegible]	TERMS AND CONDITIONS OF THE LEASEHOLD ESTATE BY MEMORANDUM OF LEASE	NO	YES	NOTED ON SURVEY



SECTION DETAIL

1"=1000'

TITLE LEGAL DESCRIPTION

PARCEL 1

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF DESCRIBED AS BEGINNING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF S.A. ROUTE 17, SAID POINT BEING 40 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, THENCE NORTHERLY A DISTANCE OF 50 FEET ALONG THE EAST LINE OF SECTION 32, SAID LINE HAVING A BEARING OF NORTH 4 DEGREES 38 MINUTES WEST; THENCE WESTERLY ON A LINE HAVING A BEARING OF SOUTH 88 DEGREES 3 MINUTES WEST, A DISTANCE OF 50 FEET; THENCE SOUTHERLY ON A LINE HAVING A BEARING OF SOUTH 4 DEGREES 38 MINUTES EAST A DISTANCE OF 50 FEET, AND THENCE EASTERLY A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING ALL COAL UNDERLYING SAID LAND WITH RIGHT TO MINE AND REMOVE THE SAME AND EASEMENTS AND RIGHTS CONTAINED IN THE SEVERANCE THEREOF.

PARCEL 2

THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS, EXCEPT THE SOUTH 208.75 FEET OF THE EAST 208.75 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW¼), ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE NORTH 00° 07' 18" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER(NW¼), A DISTANCE OF 208.75 FEET; THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 38.38 FEET; THENCE SOUTH 00° 07' 18" WEST, A DISTANCE OF 208.75 FEET; THENCE SOUTH 89° 37' 48" EAST, A DISTANCE OF 38.38 FEET; THENCE NORTH 00° 07' 18" EAST A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE NORTH 00° 07' 18" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼), A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 248.13 FEET; THENCE NORTH 00° 07' 18" EAST, A DISTANCE OF 571.00 FEET; THENCE SOUTH 89° 37' 48" EAST, A DISTANCE OF 248.13 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE SOUTH 00° 07' 18" WEST ALONG SAID EAST LINE, A DISTANCE OF 571.00 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THE COAL AND OTHER MINERALS WITHIN AND UNDERLYING THE LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL.

TITLE NOTES

LEXINGTON VANGUARD NATIONAL LAND SERVICES, LLC COMMITMENT NO. 213214-S-IL-MP-785 WITH AN EFFECTIVE DATE OF OCTOBER 4, 2023 HAS BEEN REVIEWED IN CONJUNCTION WITH THE PREPARATION OF THIS SURVEY. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EXCEPT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. THE FOLLOWING NOTES ARE RELATED TO TITLE EXCEPTIONS CONTAINED IN THE ABOVE COMMITMENT.

EXCEPTION 10 & 12: THE SURVEYED PROPERTY IS SUBJECT TO A MEMORANDUM OF LEASE RECORDED AS DOCUMENT NO. [illegible]. SAID DOCUMENT CONTAINS THE FOLLOWING EASEMENTS AND RESTRICTIONS:

A. INGRESS AND EGRESS EASEMENT
B. ELECTRIC UTILITY EASEMENT
C. NON-SHADE SOLAR EASEMENT
D. TEMPORARY STORAGE AND CONSTRUCTION EASEMENT

UNLESS OTHERWISE NOTED ABOVE, THE EASEMENTS AND RESTRICTIONS CONTAINED WITHIN SAID DOCUMENT ARE BLANKET IN NATURE AND THEREFORE NOT PLOTTABLE. (SEE DOCUMENTS FOR PARTICULARS.)

EXCEPTION 11: THE SURVEYED PROPERTY IS SUBJECT TO A WARRANTY DEED RECORDED IN BOOK 218 PAGE 167. SAID DOCUMENT IS A CONVEYANCE THAT DESCRIBES AN EXCEPTION TO PARCEL 1 OF THE SURVEYED PROPERTY AND DOES NOT APPEAR TO GRANT AN EASEMENT. (SEE DOCUMENT FOR PARTICULARS.)

SURVEYOR'S LEGAL DESCRIPTION

PARCEL 1

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF DESCRIBED AS BEGINNING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF S.A. ROUTE 17, SAID POINT BEING 40 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, THENCE NORTHERLY A DISTANCE OF 50 FEET ALONG THE EAST LINE OF SECTION 32, SAID LINE HAVING A BEARING OF NORTH 4 DEGREES 38 MINUTES WEST; THENCE WESTERLY ON A LINE HAVING A BEARING OF SOUTH 88 DEGREES 3 MINUTES WEST, A DISTANCE OF 50 FEET; THENCE SOUTHERLY ON A LINE HAVING A BEARING OF SOUTH 4 DEGREES 38 MINUTES EAST A DISTANCE OF 50 FEET, AND THENCE EASTERLY A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING ALL COAL UNDERLYING SAID LAND WITH RIGHT TO MINE AND REMOVE THE SAME AND EASEMENTS AND RIGHTS CONTAINED IN THE SEVERANCE THEREOF.

ALSO EXCEPTING

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 00 DEGREES 48 MINUTES 41 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32) A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF A 0.057± ACRE TRACT OF LAND AS CONVEYED TO CENTRAL ILLINOIS PUBLIC SERVICE COMPANY AND DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 218 PAGE 167 OF THE RECORDS IN THE RECORDER'S OFFICE OF MONTGOMERY COUNTY ILLINOIS, SAID POINT ALSO BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUING NORTH 00 DEGREES 48 MINUTES 41 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32), A DISTANCE OF 80.00 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 26 SECONDS WEST A DISTANCE OF 100.00 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 41 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF S.A. ROUTE NO. 17; THENCE NORTH 89 DEGREES 13 MINUTES 26 SECONDS EAST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART PREVIOUSLY CONVEYED TO CENTRAL PUBLIC SERVICE COMPANY AS DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 218 ON PAGE 167 OF THE RECORDS IN THE RECORDER'S OFFICE OF MONTGOMERY COUNTY, ILLINOIS.

PARCEL 2

THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, ILLINOIS, EXCEPT THE SOUTH 208.75 FEET OF THE EAST 208.75 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF SAID NORTHWEST QUARTER (NW¼), ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE NORTH 00° 07' 18" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER(NW¼), A DISTANCE OF 208.75 FEET; THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 38.38 FEET; THENCE SOUTH 00° 07' 18" WEST, A DISTANCE OF 208.75 FEET; THENCE SOUTH 89° 37' 48" EAST, A DISTANCE OF 38.38 FEET; THENCE NORTH 00° 07' 18" EAST A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE NORTH 00° 07' 18" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼), A DISTANCE OF 208.75 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 37' 48" WEST, A DISTANCE OF 248.13 FEET; THENCE NORTH 00° 07' 18" EAST, A DISTANCE OF 571.00 FEET; THENCE SOUTH 89° 37' 48" EAST, A DISTANCE OF 248.13 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW¼) OF SAID NORTHWEST QUARTER (NW¼); THENCE SOUTH 00° 07' 18" WEST ALONG SAID EAST LINE, A DISTANCE OF 571.00 FEET TO THE POINT OF BEGINNING, ALSO EXCEPT THE COAL AND OTHER MINERALS WITHIN AND UNDERLYING THE LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL.

NOTE: THE LEGAL DESCRIPTION SHOWN HEREON IS A NEW DESCRIPTION THAT HAS BEEN PREPARED TO REFLECT AN ADDITIONAL EXCEPTION PARCEL THAT WAS NOT INCLUDED IN THE TITLE LEGAL DESCRIPTION PER A TRUSTEE'S DEED RECORDED AS DOCUMENT NUMBER 2020000000187 AND DESCRIBES A PARCEL OF LAND SMALLER IN SIZE THAN THE PARCEL DESCRIBED IN THE TITLE COMMITMENT THAT WAS PROVIDED. IT IS ANTICIPATED THAT THE TITLE COMMITMENT WILL BE REVISED BASED ON THE LEGAL DESCRIPTION SHOWN HEREON.

SURVEYOR'S NOTES

1. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (450.27) ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
2. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
3. THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. [illegible]
4. UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT THE TIME OF SURVEY [illegible]
5. MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION [illegible]
6. SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. [illegible]
7. THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING, OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW AT THE TIME OF SURVEY. [illegible]
8. OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE OR UTILITY LINE. [illegible]
9. RESTRICTIONS THAT MAY BE FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE NOT BEEN SHOWN. [illegible]
10. THERE ARE NO STRIPED PARKING SPACES FOR CARS ON THE SUBJECT PROPERTY (PERTAINS TO TABLE A, ITEM 9)
11. THE SURVEYED PROPERTY IS LOCATED NORTH OF THE INTERSECTION OF MAIN STREET AND COUNTY ROAD 300 E. (PERTAINS TO TABLE A, ITEM 14)
12. AERIAL MAPPING WAS BEEN UTILIZED TO SUPPLEMENT THIS SURVEY AND TO PROVIDE THE LOCATIONS OF INTERNAL IMPROVEMENTS. [illegible] (PERTAINS TO TABLE A, ITEM 10)

BASIS OF BEARINGS

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83), ADJUSTED TO GROUND VALUES AS ESTABLISHED BY A REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING THE TRIMBLE VRS NOW NETWORK.

SURVEY PREPARED FOR

CLEAN FOOTPRINT, LLC
7011 N ATLANTIC AVENUE, SUITE 100
CAPE CANAVERAL, FLORIDA 32920

PROPERTY AREA

PARCEL 1: 3,503,495 SQUARE FEET (80.429 ACRES)
PARCEL 2: 3,340,307 SQUARE FEET (76.683 ACRES)

TOTAL AREA: 6,843,802 SQUARE FEET (157.112 ACRES)

PROPERTY ADDRESS

W MAIN STREET & MINE AVENUE
FARMERSVILLE, ILLINOIS
(PER MONTGOMERY COUNTY GIS)

P.I.N.

01-32-200-007
01-33-100-017

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM COMMUNITY PANEL NUMBER 17035 [illegible] WITH AN EFFECTIVE DATE OF JANUARY [illegible] DOES NOT INDICATE THAT THE ABOVE DESCRIBED PROPERTY LIES WITHIN A DESIGNATED FLOOD ZONE. THIS MAP DOES NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING IN THE COMMUNITY OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD.

SHEET INDEX

SHEET 1	LOCATION MAP, TITLE NOTES & EXCEPTIONS, SURVEYOR'S NOTES AND CERTIFICATE
SHEET 2	EXISTING BOUNDARY, SITE IMPROVEMENTS, AND TIES

SURVEYOR CERTIFICATE:

STATE OF ILLINOIS }
} SS
COUNTY OF DUPAGE }

CERTIFIED TO: LEXINGTON VANGUARD NATIONAL LAND SERVICES, LLC
AND: STEWART TITLE GUARANTY COMPANY
AND: THOMAS R. ELMORE, TRUSTEE OF THE THOMAS R. ELMORE TRUST DATED MAY 18, 2011, AS TO A 1/2 UNDIVIDED INTEREST
AND: DONNA ELMORE, TRUSTEE OF THE DONNA ELMORE TRUST DATED MAY 18, 2011, AS TO A 1/2 UNDIVIDED INTEREST

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 14, AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 23RD, 2024.

DATED THIS 3RD DAY OF APRIL, A.D., 2024.

FOR REVIEW ONLY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 4074
EMAIL ADDRESS: AMERRY@MANHARD.COM
LICENSE EXPIRES NOVEMBER 30, 2024

DESIGN FIRM PROFESSIONAL LICENSE NO. 184003350
LICENSE EXPIRES APRIL 30, 2025

ADAM R. MERRY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 4074
LOMBARD, ILLINOIS

Manhard CONSULTING

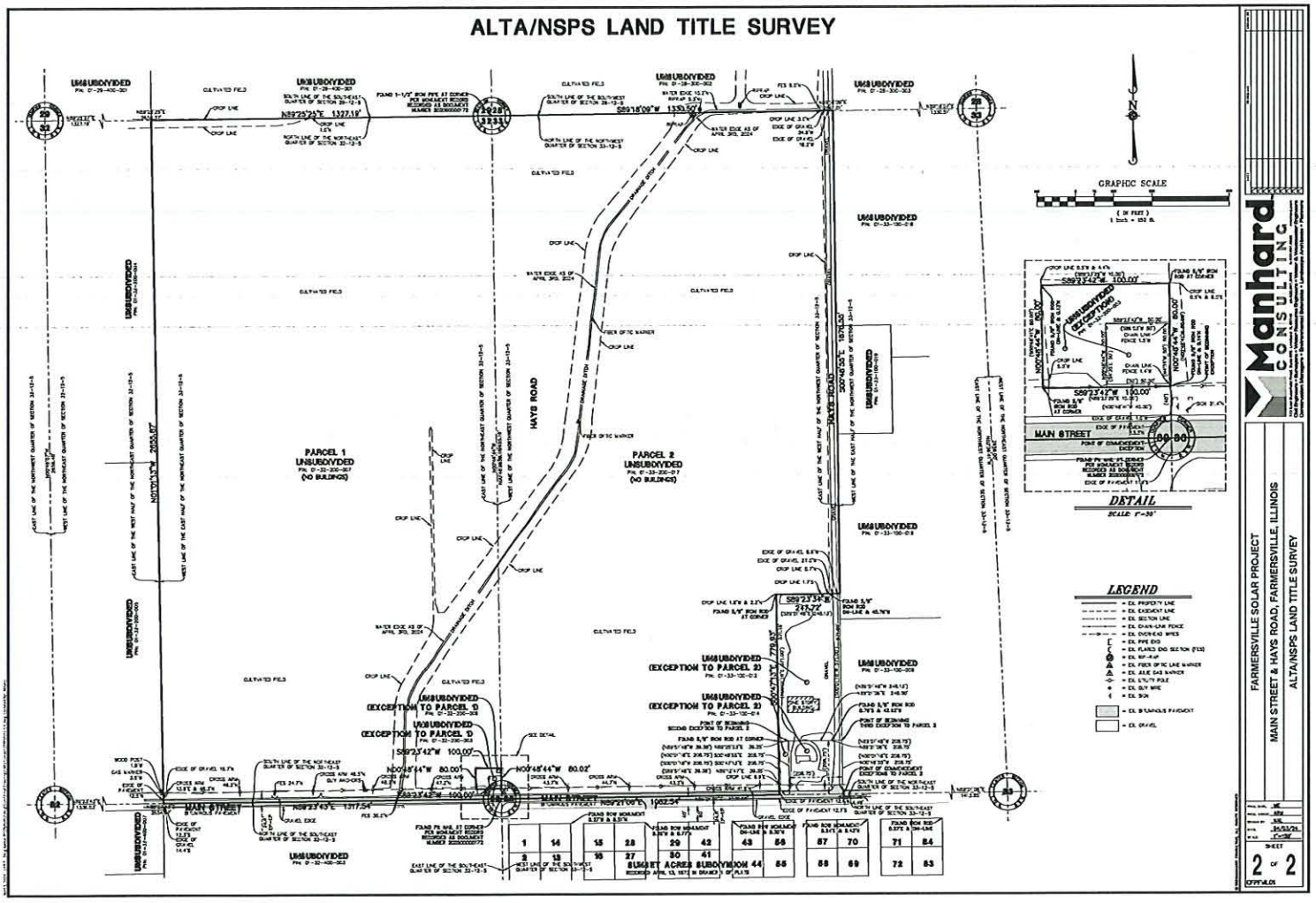
FARMERSVILLE SOLAR PROJECT
MAIN STREET & HAYS ROAD, FARMERSVILLE, ILLINOIS
ALTA/NSPS LAND TITLE SURVEY

04/03/24

SHEET 1 OF 2

CFPFVIL01

ALTA/NSPS LAND TITLE SURVEY



Manhard CONSULTING

FARMERSVILLE SOLAR PROJECT

MAIN STREET & HAYS ROAD, FARMERSVILLE, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

SHEET 2 OF 2

Pivot Energy

EXHIBIT D: PRELIMINARY SWPPP

Stormwater Pollution Prevention Plan

For Construction Activities At:

Elmore Solar
NWC of Hays Road and Main Street
Montgomery County IL 62966

SWPPP Prepared For:

Pivot Energy
Brittany Krebsbach
444 W Lake Street, Suite 1700
Chicago, Illinois 60606
(320) 290-0612

SWPPP Prepared By:

Manhard Consulting
Kelsey Sidrys
1 E Wacker Drive, Suite 2700
Chicago, IL 60601
(773)943-7561
ksidrys@manhard.com

Contractor:

Pivot Energy
Brittany Krebsbach
444 W Lake Street, Suite 1700
Chicago, Illinois 60606
(320) 290-0612

SWPPP Preparation Date:

3/6/2025

Estimated Project Dates:
Project Start Date: TBD
Project Completion Date: TBD

Contents

SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Project/Site Information

Project/Site Name: Elmore Solar Development
Project Street/Location: NWC of Intersection of Hays Road and Main Street
City: Farmersville State: IL ZIP Code: 62533
County or Similar Subdivision: Montgomery County

Latitude/Longitude (Use **one** of three possible formats, and specify method)

Latitude:	Longitude:
1. 39.444408	1. -89.661513

Method for determining latitude/longitude:
☐ USGS topographic map (specify scale: _____) ☐ EPA Web site ☐ GPS
☒ Other (please specify): Google Maps

Is the project located in Indian country? ☐ Yes ☒ No
If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable."
Not Applicable

Is this project considered a federal facility? ☐ Yes ☒ No

NPDES project or permit tracking number*: N/A

**(This is the unique identifying number assigned to your project by your permitting authority after you have applied for coverage under the appropriate National Pollutant Discharge Elimination System (NPDES) construction general permit.)*

1.2 Contact Information/Responsible Parties

Owner:

Pivot Energy
Brittany Krebsbach
444 W Lake Street, Suite 1700
Chicago, Illinois 60606
(320) 290-0612

Contractor:

Pivot Energy
Brittany Krebsbach
444 W Lake Street, Suite 1700
Chicago, Illinois 60606
(320) 290-0612

SWPPP Contact(s):

Manhard Consulting
Kelsey Sidrys
1 E Wacker Drive, Suite 2700
Chicago, Illinois 60601
(773) 943-7561
ksidrys@manhard.com

This SWPPP was Prepared by:

Manhard Consulting
Miranda Doria
1 E Wacker Drive, Suite 2700
Chicago, Illinois 60601
(312) 824-3820
mdoria@manhard.com

Subcontractor(s):

Company:
Name:
Address:
City, State, Zip Code:
Telephone Number:
Fax/Email:

Emergency 24-Hour Contact:

Pivot Energy
Brittany Krebsbach
(320) 290-0612

1.3 Nature and Sequence of Construction Activity

Describe the general scope of the work for the project, major phases of construction, etc:

The scope of work for this project includes construction of a solar field on an approximate 151-acre lot, located at the northwest corner of the intersection of Hays Road and Main Street, Montgomery County, Illinois. The construction site will disturb approximately 15.4 acres, which includes 15.4 acres on site, and 0 acres off site. The site was previously used as farmland. The site construction activities will consist of clay excavation, clay fill, installation of erosion and sedimentation controls, utility excavation.

What is the function of the construction activity?

☐ Residential ☐ Commercial ☐ Industrial ☐ Road Construction ☐ Linear Utility

☒ Other (please specify): Renewable Energy

Estimated Project Start Date: TBD

Estimated Project Completion Date: TBD

1.4 Soils, Slopes, Vegetation, and Current Drainage Patterns

Soil type(s):

According to the USDA Natural Resources Conservation Service the site consists of 7 types of soil classified as; 46A Herrick silt loam, 0 to 2 percent slopes at 62.8%, 48A Ebbertsilt loam, 0 to 2 percent slopes, eroded at 0.8%, 50A Virden silty clay loam, 0 to 2 percent slopes at 13.2%, 112A Cowden silt loam, 0 to 2 percent slopes at 1.3%, 127B Harrison silt loam, 2 to 5 percent slopes at 13.3%, 470B2 Keller silt loam, 2 to 5 percent slopes, eroded at 8.4%, and 3074A Radford silt loam, 0 to 2 percent slopes, frequently flooded at 0.1%.

Slopes:

The existing property is undeveloped farmland. The existing landscape regions have slopes varying from 0 to 5 percent. The proposed conditions will have slopes from 0 to 5 percent.

Drainage Patterns:

The existing site sheet drains overland and generally drains from east to west. There is a small portion of the site in the southeast corner that drains to the east. The proposed conditions will match the existing drainage pathways.

Vegetation:

The existing site is currently farmland. The proposed landscaping will not change.

1.5 Stormwater

During final engineering, the pre- and post-drainage areas shall be analyzed for quantity of stormwater runoff for the 100-year storm event. This analysis is anticipated to show a decrease in stormwater runoff in the post-developed conditions. The decrease in stormwater runoff is attributed to changing from a row crop ground cover to a meadow ground cover. Meadow ground cover, having a lower curve number than row crop, mitigates stormwater runoff and offsets the minimal increase in impervious area from the construction of an access road.

1.6 Receiving Waters

Description of receiving waters:

The ultimate receiving water for the pre- and post-construction runoff is Macoupin Creek.

Description of storm sewer systems:

The existing storm sewer system will remain untouched and the proposed site will follow the existing drainage pathways.

Description of impaired waters or waters subject to TMDLs:

According to the Illinois Integrated Water Quality Report and the Section 303(d) List (2022) as published by the Illinois EPA, the section of the Macoupin Creek that receives runoff from this site has not been assessed.

1.7 Site Features and Sensitive Areas to be Protected

Description of unique features that are to be preserved:

There are no existing unique features on site to be preserved. There are no existing wetlands or floodplain on site. The contractor shall restrict all construction to the proposed construction limits and ensure that all stormwater runoff is treated prior to leaving the site.

1.8 Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:

- Clearing and grubbing operations
- Site excavation operations
- Vehicle tracking

Potential pollutants and sources, other than sediment, to stormwater runoff:

- Combined Staging Areas – small fueling activities, minor equipment maintenance, sanitary facilities, and hazardous waste storage.
- Material Storage Area – general building materials, solvents, adhesives, paving materials, paints, aggregates, trash, etc.

- Construction Activity – digging operations, and panel installation
- Concrete washout area.

Trade Name Material	Stormwater Pollutants	Location
Fertilizer	Nitrogen, Phosphorous	Newly seeded areas
Asphalt	Oil, Petroleum distillates	Streets and Parking lot
Concrete	Limestone, sand, PH, Chromium	Curb & Gutter, Building construction
Paints	Metal oxides, Stoddard solvent, talc, Calcium carbonate, arsenic	Building Construction
Curing Compounds	Naphtha	Curb & Gutter
Wood preservatives	Stoddard solvent, Petroleum distillates, arsenic, copper, chromium	Timber pads & building construction
Hydraulic oil/fluids	Mineral Oil	Leaks or broken hoses from equipment
Diesel Fuel	Petroleum distillates, oil & grease, Naphthalene, xylenes	Secondary containment/staging area
Sanitary Toilets	Bacteria, parasites, and viruses	Staging Area

1.9 Endangered Species Certification

Are endangered or threatened species and critical habitats on or near the project area?

☐ Yes ☒ No

Describe how this determination was made:

The Illinois Department of Natural Resources Consultation Agency Action Review, attached in Appendix K, dated June 20, 2024, states that identified protected resources may be in the vicinity of the site, however, the proposed action is unlikely to cause adverse effects, and the consultation has been terminated.

1.10 Historic Preservation

Are there any historic sites on or near the construction site?

☐ Yes ☐ No

Describe how this determination was made:

The Illinois Historic Preservation Agency Letter for review was submitted on June 18, 2024. The Illinois State Preservation Office responded July 12, 2024, stating that "A portion of the project area is within a zone adjacent to an unnamed tributary of Macoupin Creek with a high probability of containing significant archaeological resources. Additionally, structures are annotated within the project area on plat maps published in 1874 and 1902." Due to this finding, the Illinois State Preservation Office requests a Phase I archaeological survey to locate, identify, and record all archaeological resources within the project area.

1.11 Applicable Federal, Tribal, State or Local Programs

The Illinois General Permit requires that an Incidence of Non-Compliance (ION) be filed to report any violation of the SWPPP observed during an inspection conducted, including those not required by the Plan. The IEPA must be notified within 24 hours of any violation via email at epa.swnoncomp@illinois.gov, telephone or fax. The ION form attached in Appendix E, must be submitted to the IEPA within five days of a violation.

Please refer to Sheets XX ("Soil Erosion and Sedimentation Control Plan and Details"), of the plan set titled "ELMORE SOLAR DEVELOPMENT" by Manhard Consulting.

SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

2.1 Minimize Disturbed Area and Protect Natural Features and Soil

The construction will occur according to the construction sequence shown in Section 2.2. Approximately 15.35 acres will be disturbed on site, and approximately 0 acres will be disturbed off site. Silt fence is proposed along the south border of the site. Soil excavation and fill operations will take place to meet proposed grades.

2.2 Phase Construction Activity

CONSTRUCTION SEQUENCE:

1. INSTALL TEMPORARY CONSTRUCTION ENTRANCE.
2. INSTALL SILT FENCE OR APPROVED EROSION CONTROL BMP.
3. CLEAR THE SITE AS NEED BE.
4. GRADE THE SITE ACCORDING TO THE PLANS.
5. INSTALL SOLAR MODULES AND OTHER EQUIPMENT.
6. PROVIDE PERMANENT SEEDING AND PERMANENT STABILIZATION.

** INSTALL INLET PROTECTION AROUND DRAINAGE STRUCTURES AS CONSTRUCTED.

2.3 Control Stormwater Flowing onto and through the Project

Rock Check Dam

BMP Description: Rock check dams are provided within proposed diversion ditches. They are spaced appropriately within ditches to filter sediment in stormwater flowing to sediment basins, detention basins, or inlets located in grassed areas. It is recommended that each check dam be installed with an appropriate erosion control blanket underneath to prevent the water from flowing under the structure.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	Check dams are to be installed immediately after construction of each diversion ditch. The recommended spacing is to position the bottom of the upstream check dam at the top of the next downstream check dam. The check dams are to be removed upon completion of construction (unless otherwise stated).
Maintenance and Inspection:	Inspect check dams and the ditch at least once every seven (7) calendar days after each significant storm event in excess of ½" and repair any damage immediately. Remove sediment

	accumulated behind each dam as needed to maintain channel capacity, to allow drainage through the dam, and to prevent large flows from displacing the sediment. The diversion ditches and rock check dams are to be maintained until full buildout. When the dams are no longer needed, remove the erosion control blanket and check dams.
Responsible Staff:	TBD

Diversion Ditch

BMP Description: Diversion ditches are proposed to filter sediment in stormwater flowing to sediment traps or inlets located in grassed areas. Each diversion ditch is to be lined with an appropriate erosion control blanket to prevent erosion.

☐ ***Permanent***	☒ ***Temporary***
Installation Schedule:	Diversion ditches will be installed to convey stormwater towards temporary sediment traps, or inlets located in grassed areas. Perimeter diversion ditches are to be installed prior to topsoil stripping operations. The remainder of the diversion ditches are to be installed prior to mass grading operations. The diversion ditches are to be removed upon completion of construction (unless otherwise stated).
Maintenance and Inspection:	Inspect the diversion ditches at least once every seven (7) calendar days after each significant storm event in excess of ½" and repair any damage immediately. The diversion ditches are to be maintained until full buildout. When the diversion ditches are no longer needed, remove the erosion control blanket and check dams.
Responsible Staff:	TBD

2.4 Stabilize Soils

Temporary Stabilization

BMP Description: Temporary stabilization will be required over any region that will remain inactive for a period of fourteen (14) days or more unless stabilization is precluded by snow cover from when activities ceased. The temporary stabilization will help reduce runoff and erosion until permanent vegetation is established.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	Temporary seed mixture shall be applied in accordance with the Soil Protection Chart, on portions of the site that will require temporary stabilization, no more than one (1) day after the construction activity has ceased when earth disturbing activities will cease for more than 14 days. In order for an area or stockpile to be temporarily stabilized, seed must germinate, grow, and provide a minimum of 70% vegetative density.
Maintenance and Inspection:	Inspections must occur at least once every seven (7) calendar days and after every ½" or greater rainfall event. Areas must be watered, fertilized, and reseeded as needed to maintain a minimum of 70% vegetative density.
Responsible Staff:	TBD

Permanent Stabilization

BMP Description: Permanent stabilization using seed mixes and sod will be provided immediately after the completion of all other construction events, and shall be completed as soon as possible.

☒ *Permanent*	☐ *Temporary*
Installation Schedule:	Disturbed areas shall be stabilized with seeding or sod within fourteen (14) days of completion of disturbance and grass sown as necessary to re-establish vegetation for control of siltation and soil erosion.
Maintenance and Inspection:	Inspections must occur at least once every seven (7) calendar days and after every ½" or greater rainfall event during construction. Maintenance includes watering, fertilizing, and reseeding as needed to maintain a minimum of 70% vegetative density. Once construction is complete, the permanent stabilization will be monitored until final stabilization is reached. Final stabilization is reached when 70% of the ground cover is permanently stabilized.
Responsible Staff:	TBD

2.5 Protect Storm Drain Inlets

Inlet protection

BMP Description: Inlet protection is required at all proposed structures as they are constructed and any existing structures that will be receiving flow within the construction limits. The inlet protection will consist of a filter basket or filter fabric placed beneath the rim and should be installed to prevent any tears or damage during construction.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	Inlet protection for all existing structures will be installed before any construction activities begin on site. For each proposed structure, the inlet protection will be installed immediately after the installation of the structure.
Maintenance and Inspection:	The inlet protection is to be inspected once every seven (7) calendar days and after every ½" or greater rainfall event to check sediment load and identify tears in the filter. Maintenance will include removing any sediment, and repairing and replacing when necessary.
Responsible Staff:	TBD

Culvert Inlet Protection

BMP Description: Culvert Inlet protection is required at the proposed flared end section (FES) that is to be constructed. The culvert inlet protection will consist of a silt fence filter fabric placed around the opening and should be installed to prevent any tears or damage during construction.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	Inlet protection for the proposed FES will be installed immediately after completion of the structure.
Maintenance and Inspection:	The culvert inlet protection is to be inspected once every seven (7) calendar days and after every ½" or greater rainfall event to check sediment load and identify tears in the filter. Maintenance will include removing any sediment, and repairing and replacing when necessary.
Responsible Staff:	TBD

2.6 Establish Perimeter Controls and Sediment Barriers

Silt Fence

BMP Description: Silt fence will be installed around the temporary topsoil stockpile to prevent runoff from the stockpile onto the construction area. The silt fence consists of filter fabric stretched across and attached to posts that will intercept sediment from small tributary areas.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	The silt fence is to be installed as soon as the stockpile areas are established. The maximum drainage per overland flow to a silt fence shall not exceed ½ acre per 100 feet of fence.
Maintenance and Inspection:	The silt fence is to be inspected once every seven (7) calendar days and after every ½" or greater rainfall event. Inspection will include ensuring the silt fence is installed properly so that water flows through the structure. Maintenance will include repairing or replacing if damaged, and the removal of sediment when the sediment reaches half the height of the silt fence.
Responsible Staff:	TBD

2.7 Establish Stabilized Construction Exits

Wheel Wash

BMP Description: A temporary wheel wash will be provided at the designated construction exit at the west side of the site. The wheel wash will be located on the existing pavement where the tires of vehicles can be cleaned of sediment to prevent track-out from the site. All wash water must be contained on site and filtered prior to being directed towards the existing storm drains.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	The temporary wheel wash is to be installed prior to the beginning of construction activities.
Maintenance and Inspection:	The wheel wash shall be maintained, adjusted, or relocated as necessary to prevent sediment from being tracked onto public roadways. Any sediment reaching a public road shall be removed by shoveling or street cleaning before the end of each working day.
Responsible Staff:	TBD

SECTION 3: GOOD HOUSEKEEPING BMPS

3.1 Material Handling and Waste Management

Waste Materials

BMP Description: All waste materials on site are to be disposed in refuse containers. The containers are to be emptied when necessary by a trash disposal service and taken off site. No waste materials are to be discharged from the site with storm water. Containers must have watertight lids and meet all federal, state and municipal regulations.

Installation Schedule:	Trash containers are to be placed on site once construction has begun. Contractor to place containers in an appropriate location as needed for construction.
Maintenance and Inspection:	Trash containers are to be emptied weekly or more frequently if the container capacity is exceeded. Trash containers shall be inspected after any storm event of ½" or more.
Responsible Staff:	TBD

Hazardous Waste Materials

BMP Description: All hazardous waste materials brought onto site are to be properly stored, handled, dispensed and disposed of according to all applicable label directions. The storage and handling of any flammable and combustible liquids must meet the requirements according to 29 CFR 1926.152. No hazardous waste materials are to be disposed of in the containers stored on site for waste materials.

Installation Schedule:	Storage containers for all hazardous waste materials are to be placed on site, in a separate location from the waste material containers, once construction has begun. Contractor to place containers in an appropriate location as needed for construction.
Maintenance and Inspection:	Hazardous waste containers shall be inspected weekly and after any storm event of ½" or more. Material Safety Data Sheets (MSDS) will be kept on site for any applicable materials.
Responsible Staff:	TBD

Sanitary Waste

BMP Description: Temporary sanitary facilities (portable toilets) will be provided at the site throughout the construction phase. The toilets will be placed in a location appropriate to the phase of construction. The portable toilets will be located away from a concentrated flow paths and traffic flow and may have collection pans underneath as secondary containment

Installation Schedule:	The portable toilets will be brought to the site once the staging area has been established and will be placed in a location that is appropriate to the phase of construction.
Maintenance and Inspection:	All sanitary waste will be collected from the portable facilities as recommended by the service provider. The portable toilets will be inspected weekly for evidence of leaking holding tanks. Toilets with leaking holding tanks will be removed from the site and replaced with new portable toilets.
Responsible Staff:	TBD

3.2 Establish Proper Building Material Staging Areas

Materials Storage

BMP Description: All construction equipment and materials will be stored on site at a location deemed appropriate by the General Contractor and owner's representative. The General Contractor is to identify the location in the pre-construction meeting.	
Installation Schedule:	A material storage area will be identified on site before any construction activities begin.
Maintenance and Inspection:	The storage area will be inspected weekly and within 24 hours after every ½" or greater rainfall event. The area is to be inspected for evidence of, or the potential for, pollutants entering the drainage system. Based on the results of the inspection, the description of potential pollutant sources identified in the plan and pollution prevention measures identified in the plan shall be revised as appropriate as soon as practicable after such inspection. Such modifications shall provide for timely implementation of any changes to the plan within seven (7) calendar days following the inspection.
Responsible Staff:	TBD

3.3 Designate Washout Areas

Concrete Washout Facility

BMP Description: A concrete washout facility is to be located on site to provide a location to contain concrete and liquids to rinse out machines using concrete after delivery. The washout facility will allow for easier disposal of the concrete and liquids. The washout facility will also prevent runoff of the liquids, which could contaminate the groundwater or clog storm drains and pipes.	
Installation Schedule:	A concrete washout facility is to be installed before any concrete materials are used on site. The contractor is to place the facility in an appropriate location as needed for construction. The concrete washout facility is not to be located within 50 feet of storm drains, open ditches, or waterbodies.
Maintenance and Inspection:	Materials are to be removed if the facility has been filled to 75 percent capacity. The facilities should be inspected daily to ensure the container is not leaking or nearing capacity. The liquids shall be removed, or the facilities covered, before predicted rainstorms to prevent overflows.
Responsible Staff:	TBD

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Equipment / Vehicle Fueling and Maintenance

BMP Description: All equipment / vehicle fueling and maintenance will be performed off site. If minor vehicle maintenance or fueling is needed on site, all equipment fluids are to be disposed of into designated containers stored with the other hazardous materials.	
Installation Schedule:	Containers to handle and dispose of hazardous materials are to be located on site as designated by the General Contractor if it becomes necessary to perform minor maintenance to equipment or vehicles on site.
Maintenance and Inspection:	All vehicles and equipment are to be inspected each day prior to use. Cleanup materials are to be kept on site if immediate cleanup becomes necessary.
Responsible Staff:	TBD

3.5 Spill Prevention and Control Plan

Spill Prevention and Control Plan

BMP Description: All spills are to be cleaned up immediately and are to be reported to the Owner. If a spill containing any hazardous materials or petroleum products has occurred on site in excess of Reportable Quantities as defined by the EPA, the spill must be immediately reported to the EPA National Response Center (1-800-424-8802) and the Illinois Emergency Management Agency (IEMA) (1-800-782-7860). The reportable quantity for all hazardous materials can be found in 40 CFR 302. The reportable quantity for all petroleum products for the state of Illinois is 25 gallons or less if the spill is contained.	
Installation Schedule:	The spill prevention and control procedures will be put in place immediately upon the start of construction. Spill kits are to remain on site at all times in case of a spill.
Maintenance and Inspection:	The pre-construction meeting given by the General Contractor will review all procedures for spill prevention and control. Notices are to be available on site indicating the spill prevention and control plan.
Responsible Staff:	TBD

3.6 Allowable Non-Stormwater Discharge Management

The General NPDES Permit for Illinois prohibits most non-storm water discharges during construction. The following are allowable non-storm water discharges that are covered by the General Permit during construction activities:

1. Discharges from fire fighting activities;
2. Fire hydrant flushings;
3. Waters used to wash vehicles where detergents are not used;
4. Waters used to control dust;
5. Potable water sources including uncontaminated waterline flushings;
6. Landscape irrigation drainages;
7. Routine external building washdown which does not use detergents;
8. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
9. Uncontaminated air conditioning condensate;
10. Springs;
11. Uncontaminated ground water;
12. Foundation or footing drains where flows are not contaminated with process materials such as solvents.

SECTION 4: SELECTING POST-CONSTRUCTION BMPs

There will be no post-construction BMP's to control pollutants in stormwater discharges after construction operations have been completed.

SECTION 5: INSPECTIONS

5.1 Inspections

1. Inspection Personnel:

Inspections shall be performed by a person knowledgeable in the principles and practices of erosion and sediment control measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion

Sediment and Storm Water Inspector (CESSWI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharge from the construction activities.

The qualified Inspection Personnel are to be identified at a later date by the General Contractor.

2. Inspection Schedule and Procedures:

Qualified personnel (provided by the Owner or General Contractor) shall inspect disturbed areas of the construction site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater or equivalent snowfall. It should be noted that inspections may be reduced to once per month when construction activities have ceased due to frozen conditions. Weekly inspections shall recommence when construction activities are conducted, or if there is 0.5" or greater rain event, or discharge due to snowmelt occurs.

Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Stormwater Inspector (CWSSWI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activities.

a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of off site sediment tracking.

b. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with Part IV.D.1 (Site Description) of the Illinois General NPDES Permit and pollution prevention measures identified in the plan in accordance with Part IV.D.2 (Controls) of the Illinois General NPDES permit shall be revised as appropriate as soon as practicable after such inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.

c. A report summarizing the scope of the inspection, name and qualifications of personnel making the inspection, the date(s) of the inspection, major observations

relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph b above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. All inspection reports shall be retained at the construction site. The report shall be signed in accordance with Part VI.G (Signatory Requirements) of the Illinois General NPDES Permit.

d. The Owner or General Contractor shall notify the appropriate Illinois Environmental Protection Agency Field Operations Section office by email at: epa.swnoncomp@illinois.gov, telephone or fax within 24 hours of any incidence of non-compliance for any violation of the storm water pollution prevention plan during any inspection conducted, or for violations of any condition of the Illinois General NPDES permit. The Owner or General Contractor shall complete and submit within 5 days an "incidence of non-compliance" (ION) report for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of the Illinois General NPDES permit. Submission shall be on forms provided by the Illinois Environmental Protection Agency and include specific information on the cause of non-compliance, actions which were taken to prevent any further causes of non-compliance, and a statement detailing any environmental impact, which may have resulted from the non-compliance.

e. All reports of non-compliance shall be signed by a responsible authority as defined in Part VI.G (Signatory Requirements of the Illinois General NPDES Permit).

f. After the initial contact has been made with the appropriate Agency Field Operations Section Office, all reports of non-compliance shall be mailed to the Agency at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

5.2 Delegation of Authority

Duly Authorized Representative(s) or Position(s):

Please refer to Appendix J for Delegation of Authority.

5.3 Corrective Action Log

Corrective Action Log:

Actions taken to correct a violation, repairs to damaged materials or replacement of BMPs shall be noted in the Corrective Action Log in Appendix F.

SECTION 6: RECORDKEEPING AND TRAINING

6.1 Recordkeeping

Records will be retained for a minimum period of at least 3 years after the permit is terminated.

Date(s) when major grading activities occur:
See Appendix I Grading and Stabilization Activities Log
Date(s) when construction activities temporarily or permanently cease on a portion of the site:
See Appendix I Grading and Stabilization Activities Log
Date(s) when an area is either temporarily or permanently stabilized:
See Appendix I Grading and Stabilization Activities Log

6.2 Log of Changes to the SWPPP

Log of changes and updates to the SWPPP
Changes to the design, location of BMPs, sequence of construction, operation, maintenance or material substitutions shall be amended on the plans and appropriately logged in Appendix G.

SECTION 7: FINAL STABILIZATION

Permanent Seeding and Sodding

BMP Description: Permanent stabilization will be provided immediately after the completion of all other construction events, no more than seven (7) days after the construction in a portion of the site has permanently ceased. Refer to the landscape plan for final stabilization proposed.

☒ *Permanent*	☐ *Temporary*
Installation Schedule:	Seed shall be planted or sod laid immediately on any portion of the site that has permanently finished all other construction activities, but no later than seven (7) days after the completion of construction.
Maintenance and Inspection:	Inspections must occur at least once every seven (7) calendar days and after every ½" or greater rainfall event during construction. Maintenance includes watering, fertilizing, and reseeding as needed to maintain adequate vegetative density. Once construction is complete, the permanent stabilization will be monitored until final stabilization is reached. Final stabilization is reached when 70% of the ground cover is permanently stabilized.
Responsible Staff:	TBD

SECTION 8: CERTIFICATION AND NOTIFICATION

NPDES OWNER CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name	Company
Title	Address
Signature	Telephone
Date	

NPDES CONTRACTOR CERTIFICATION

Certification Statement. All contractors and subcontractors identified to implement or maintain a stormwater pollution prevention ELMORE SOLAR – HAYS ROAD AND MAIN STREET, MONTGOMERY, ILLINOIS, 62966:

"I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

Name	Company
Title	Address
Signature	Telephone
Date	

If you have any questions or need any additional information, please contact us at ksidrys@manhard.com and 773-943-7561.

Yours Truly,
MANHARD CONSULTING.

Kelsey Sidrys, P.E.

SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A – General Location Map

Appendix B – Site Maps

Appendix C – Construction General Permit

Appendix D – NOI and Acknowledgement Letter from EPA/State

Appendix E – Inspection Reports

Appendix F – Corrective Action Log

Appendix G – SWPPP Amendment Log

Appendix H – Subcontractor Certifications/Agreements

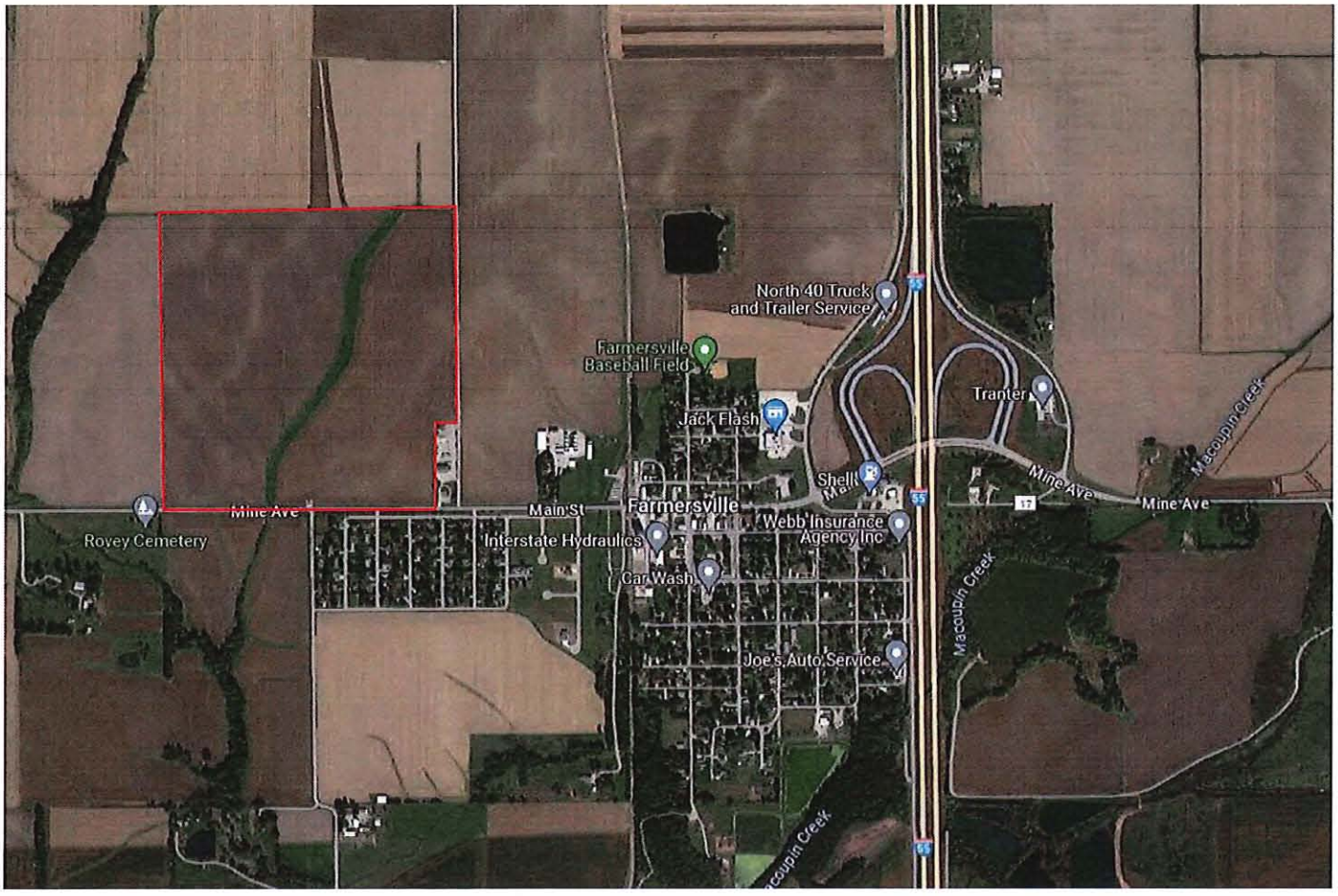
Appendix I – Grading and Stabilization Activities Log

Appendix J – Delegation of Authority

Appendix K – Site Specific Permits

APPENDIX A

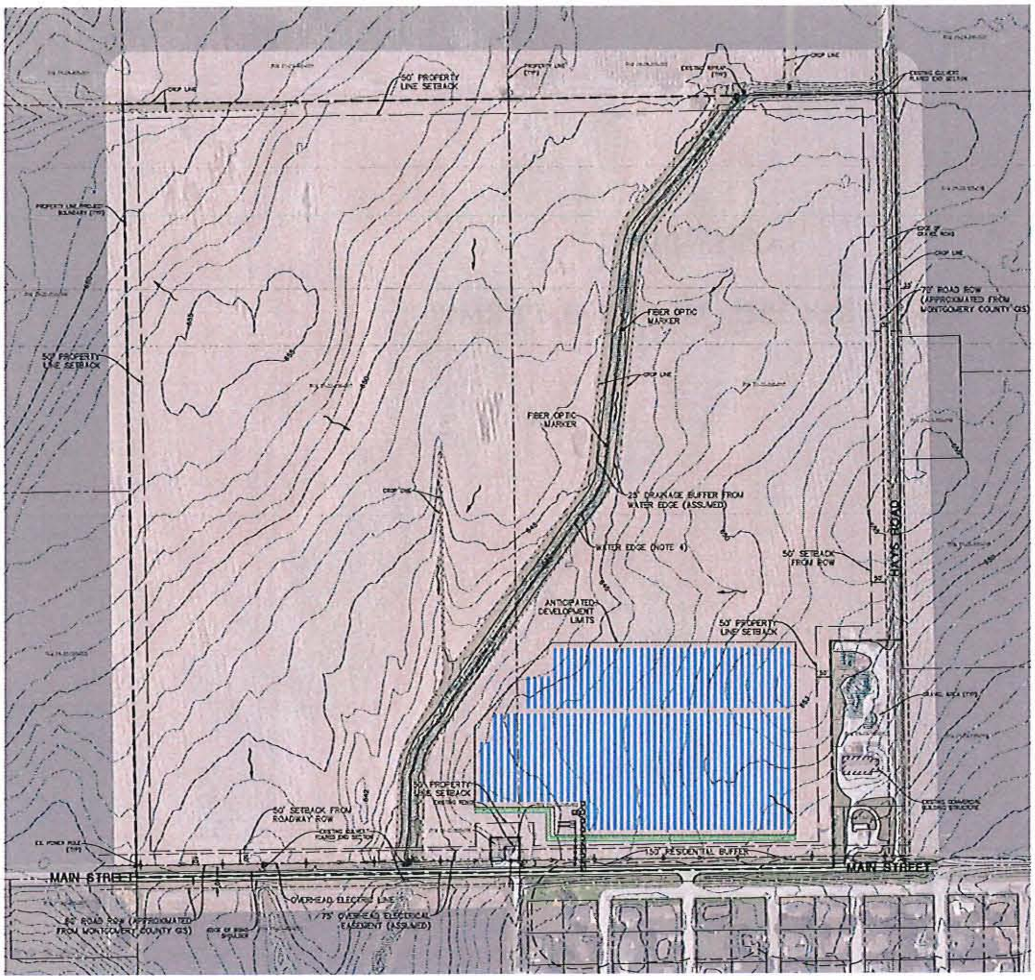
GENERAL LOCATION MAP



APPENDIX B

SITE MAPS

Please refer to Sheet EX-2.2 ("Site Plan"), of the plan set titled "ELMORE SOLAR DEVELOPMENT" by Manhard Consulting.



LOCATION MAP

N.T.S.

EXISTING CONDITIONS LEGEND

NOTES

1. AERIAL IMAGERY PER UAV SHOWN HEREON IS BASED ON FIELD WORK COMPLETED ON MARCH 23, 2024 AND HAS BEEN TIED TO MANHARD PROJECT CONTROL.
2. PROJECT AREA IS WITHIN A ZONE X FLOOD HAZARD LOCATION MAPPED BY FEMA FIRM PANEL 1709920001 EFFECTIVE 01/05/1981. ZONE X IS DEFINED AS A MINIMAL FLOOD HAZARD ZONE THAT HAS AN ANNUAL FLOOD RISK BETWEEN 1%-0.2%.
3. EXISTING SITE CONDITIONS, LOT LINES, AND INFRASTRUCTURE SHOWN ARE PER THE ALTA/NSPS LAND TITLE SURVEY PERFORMED BY MANHARD CONSULTING DATED APRIL 14, 2024. CONTRACTOR SHALL INSPECT SITE PRIOR TO BIDDING WORK TO VERIFY ACTUAL FIELD CONDITIONS.
4. WATER EDGE DELINEATED ON PLAN IS PER THE ALTA/NSPS LAND TITLE SURVEY PERFORMED BY MANHARD CONSULTING. IT IS RECOMMENDED THAT A FORMAL WETLAND DELINEATION BE CONDUCTED TO DETERMINE WHETHER OR NOT THE WATER FEATURE SHOWN ON PLAN WOULD BE CONSIDERED A JURISDICTIONAL WETLAND.
5. THE PHASE I ENVIRONMENTAL SITE ASSESSMENT DATED APRIL 1, 2024 PREPARED BY RESCOM ENVIRONMENTAL CORPORATION DID NOT IDENTIFY ANY ENVIRONMENTAL SITE CONSTRAINTS WITHIN THE PROJECT BOUNDARY.
6. SETBACKS SHOWN ON PLAN ARE PER THE MONTGOMERY COUNTY ORDINANCE FOR SOLAR ENERGY FARM AND SOLAR GARDEN INSTALLATIONS IN UNINCORPORATED MONTGOMERY COUNTY, ILLINOIS SECTION F (2) (F). SETBACKS ARE SUBJECT TO CHANGE BASED ON PERMITTING AND ENTITLEMENTS PROCESS SET FORTH BY MONTGOMERY COUNTY AT A FUTURE DATE.
7. STORM WATER REQUIREMENTS AND DETENTION/BMP FOOTPRINTS (IF REQUIRED) TO BE FURTHER INVESTIGATED IN CONCEPTUAL DESIGN.
8. MAIN STREET (POTENTIAL ACCESS ROAD CONNECTION POINT) IS A MONTGOMERY COUNTY ROAD.

Manhard CONSULTING

ELMORE SOLAR

MONTGOMERY COUNTY, ILLINOIS

SITE PLAN

8/20/2024

1"=150'

SHEET

EX-2.2

EXHIBIT - NOT FOR CONSTRUCTION

APPENDIX C

CONSTRUCTION GENERAL PERMIT

NPDES Permit No. ILR10

General NPDES Permit No. ILR10

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
www.epa.state.il.us

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

General NPDES Permit
For
Storm Water Discharges From Construction Site Activities

Expiration Date: August 31, 2028 **Issue Date:** September 13, 2023

Effective Date: September 22, 2023

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter I), and the Clean Water Act, and the regulations thereunder the following discharges are authorized by this permit in accordance with the conditions and attachments herein.

Darin E. LeCrone, P.E.
Manager, Permit Section
Division of Water Pollution Control

Part I. COVERAGE UNDER THIS PERMIT

A. **Permit Area.** The permit covers all areas of the State of Illinois with discharges to any Waters of the United States.

B. **Eligibility.**

1. This permit shall authorize all discharges of storm water associated with industrial activity from a construction site that will result in the disturbance of one or more acres total land area or a construction site less than one acre of total land that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area. This permit may authorize discharges from other construction site activities that have been designated by the Agency as having the potential to adversely affect the water quality of Waters of the United States. Where discharges from construction sites were initially covered under the previous version of the ILR10, the Notice of Intent and Storm Water Pollution Prevention Plan must be updated/revised as necessary to ensure compliance with the provisions of this reissued ILR10 permit.

2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

   a. the industrial source other than construction is located on the same site as the construction activity;

   b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

   c. storm water discharges associated with industrial activity from the areas of the site where industrial activities other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or an individual permit authorizing such discharges.

3. **Limitations on Coverage.** The following storm water discharges from construction sites are not authorized by this permit:

   a. storm water discharges associated with industrial activities that originate from the site after construction activities have been completed and the site has undergone final stabilization;

   b. discharges that are mixed with sources of non-storm water other than discharges identified in Part III.A (Prohibition on Non-Storm Water Discharges) of this permit and in compliance with paragraph IV.D.5 (Non-Storm Water Discharges) of this permit;

c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with Part VI.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges;

d. storm water discharges from construction sites that the Agency has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard;

e. storm water discharges that the Agency, at its discretion, determines are not appropriately authorized or controlled by this general permit; and

f. storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).

C. **Authorization.**

1. In order for storm water discharges from construction sites to be authorized to discharge under this general permit a discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II below.

2. Where a new contractor is selected after the submittal of an NOI under Part II below, or where site ownership is transferred, the Notice of Intent (NOI) must be modified by the owner in accordance with Part II within 30 days of commencement of work of the new contractor.

3. Unless notified by the Agency to the contrary, dischargers who submit an NOI and a stormwater pollution prevention plan (SWPPP) in accordance with the requirements of this permit are authorized to discharge storm water from construction sites under the terms and conditions of this permit in 30 days after the date the NOI and SWPPP are received by the Agency.

4. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

Part II. NOTICE OF INTENT REQUIREMENTS

A. **Deadlines for Notification.**

1. To receive authorization under this general permit, a discharger must submit a completed Notice of Intent (NOI) in accordance with Part VI.G (Signatory Requirements) and the requirements of this Part in sufficient time to allow a 30 day review period after the receipt of the NOI by the Agency and prior to the start of construction. In compliance with the Federal Electronic Reporting Rule, the Agency has transitioned all General Storm Water Permits for Construction Site Activities to the Central Data Exchange (CDX) system. NOIs shall be submitted electronically at https://cdx.epa.gov. More information, including registration information for the CDX system, can be obtained on the IEPA website, https://epa.illinois.gov/topics/forms/water-permits/storm-water/construction.html.

2. Where discharges associated with construction activities were initially covered under the previous version of ILR10 and are continuing, a new NOI and updated/revised Storm Water Pollution Prevention Plan must be submitted within 180 days of the effective date of this reissued permit, as necessary to ensure compliance with the provisions of the reissued ILR10. Updating of the SWPPP is not required if construction activities are completed and a Notice of Termination is submitted within 180 days of the effective date of this permit.

3. A discharger may submit an NOI in accordance with the requirements of this Part after the start of construction. In such instances, the Agency may bring an enforcement action for any discharges of storm water associated with industrial activity from a construction site that have occurred on or after the start of construction.

B. **Failure to Notify.** Dischargers who fail to notify the Agency of their intent to be covered, and discharge storm water associated with construction site activity to Waters of the United States without an NPDES permit are in violation of the Environmental Protection Act and Clean Water Act.

C. **Contents of Notice of Intent.** The Notice of Intent shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit by all of the entities identified in paragraph 2 below-and shall include the following information as prompted by the CDX system:

1. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;

2. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;

3. The name, address and telephone number of the general contractor(s) that have been identified at the time of the NOI submittal;

4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s), the latitude and longitude of the discharge point, and any known impairments and completed TMDLs for the receiving water;

5. The number of any NPDES permits for any discharge (including non-storm water discharges) from the site that is currently authorized by an NPDES permit;

6. A description of the project, detailing the complete scope of the project, estimated timetable for major activities, an estimate of the number of acres of the site on which soil will be disturbed, an indication of whether or not the installation of stormwater controls will require subsurface earth disturbance, an indication of whether or not the pre-development land was used for agriculture, and an indication of whether or not the project will include demolition of structures built or renovated before January 1, 1980;

7. For projects that have complied with State law on historic preservation and endangered species prior to submittal of the NOI, through coordination with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources or through fulfillment of the terms of interagency

agreements with those agencies, the NOI shall indicate that such compliance has occurred.

8. An indication of whether or not polymers, flocculants, cationic treatment chemicals, or other treatment chemicals will be used at the construction site;

9. An electronic copy of the storm water pollution prevention plan that has been prepared for the site in accordance with Part IV of this permit.

10. The notice of intent shall be modified using the CDX system for any substantial modifications to the project such as: address changes, new contractors, area coverage, additional discharges to Waters of the United States, or other substantial modifications. The notice of intent shall be modified within 30 days of the modification to the project.

D. **Where to Submit.**

Construction activities which discharge storm water that requires a NPDES permit submit an NOI to the Agency. The applicable fee shall also be submitted. NOIs must be signed in accordance with Part VI.G (Signatory Requirements) of this permit. The NOI and SWPPP must be submitted to the Agency electronically using the CDX system with digital signature at the following website address: https://cdx.epa.gov. Registration specific to the permittee is required in order to file electronically.

Submit the appropriate fee with the permit ID number assigned during completion of the NOI to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control, Mail Code #15
Attention: Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

E. **Additional Notification.** Construction activities that are operating under approved local sediment and erosion plans, land disturbance permits, grading plans, or storm water management plans, in addition to filing copies of the Notice of Intent in accordance with Part D above, shall also submit signed copies of the Notice of Intent to the local agency approving such plans in accordance with the deadlines in Part A above. See Part IV.D.2.d (Approved State or Local Plans). A copy of the NOI shall be sent to the entity holding an active General NPDES Permit No. ILR40 if the permittee is located in an area covered by an active ILR40 permit.

F. **Notice of Termination.** Where a site has completed final stabilization and all storm water discharges from construction activities that are authorized by this permit are eliminated, the permittee must submit a completed Notice of Termination (NOT) that is signed in accordance with Part VI.G (Signatory Requirements) of this permit. All Notices of Termination are to be submitted to the Agency electronically using the CDX system with digital signatures, at the web address listed in Part II.D.

Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER NON-NUMERIC LIMITATIONS

A. **Prohibition on Non-Storm Water Discharges.**

1. Except as provided in Part I paragraph B.2 and paragraphs 2, 3 or 4 below, all discharges covered by this permit shall be comprised entirely of storm water.

2. a. Except as provided in paragraph b below, discharges of materials other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.

   b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharges is in compliance with Part IV.D.5 (Non-Storm Water Discharges): discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; landscape irrigation drainages; routine external building washdown which does not use detergents; pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; uncontaminated air conditioning condensate; uncontaminated spring water; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

3. The following non-storm water discharges are prohibited by this permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.

4. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are allowable if managed by appropriate controls.

   a. Dewatering discharges shall be routed through a sediment control (e.g., sediment trap or basin, pumped water filter bag) designed to minimize discharges with visual turbidity;

   b. The discharge shall not include visible floating solids or foam;

   c. The discharge must not cause the formation of a visible sheen on the water surface, or visible oily deposits on the bottom or shoreline of the receiving water. An oil-water separator or suitable filtration device shall be used to treat oil, grease, or other similar products if dewatering water is found to or expected to contain these materials;

   d. To the extent feasible, use well-vegetated (e.g., grassy or wooded), upland areas of the site to infiltrate dewatering water before discharge. You are prohibited from using receiving waters as part of the treatment area;

   e. To minimize dewatering-related erosion and related sediment discharges, use stable, erosion-resistant surfaces (e.g., well-vegetated

grassy areas, clean filter stone, geotextile underlayment) to discharge from dewatering controls. Do not place dewatering controls, such as pumped water filter bags, on steep slopes (15% or greater in grade);

f. Backwash water (water used to backwash/clean any filters used as part of stormwater treatment) must be properly treated or hauled off-site for disposal; and

g. Dewatering treatment devices shall be properly maintained.

B. **Discharges into Receiving Waters with an Approved Total Maximum Daily Load (TMDL):**

Discharges to waters for which there is a TMDL allocation for sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation) are not eligible for coverage under this permit unless the owner/operator develops and certifies a SWPPP that is consistent with wasteload allocations in the approved TMDL. To be eligible for coverage under this general permit, operators must incorporate into their SWPPP any conditions and/or Best Management Practices applicable to their discharges necessary for consistency with the TMDL within any timeframes established in the TMDL. If a specific numeric waste load allocation has been established that would apply to the project's discharges, the operator must incorporate that allocation into its SWPPP and implement necessary steps to meet that allocation.

Please refer to the Agency website at: https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls/reports.html

C. In the absence of information demonstrating otherwise, it is expected that compliance with the conditions in this permit will result in stormwater discharges being controlled as necessary to meet applicable water quality standards. If at any time you become aware, that discharges are not being controlled as necessary to meet applicable water quality standards, you must take corrective action as required in Part IV.D.5 of this Permit. Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

Part IV. STORM WATER POLLUTION PREVENTION PLANS

A storm water pollution prevention plan shall be developed for each construction site covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with construction site activity from the facility. In addition, the plan shall describe and ensure the implementation of best management practices which will be used to reduce the pollutants in storm water discharges associated with construction site activity and to assure compliance with the terms and conditions of this permit. The permittee must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

A. **Deadlines for Plan Preparation and Compliance.**

The plan shall:

1. Be completed prior to the start of the construction activities to be covered under this permit and submitted electronically to the Agency at the time the Notice of Intent is submitted; and

2. Provide for compliance with the terms and schedules of the plan beginning with the initiation of construction activities.

B. **Signature, Plan Review and Notification.**

1. The plan shall be signed in accordance with Part VI.G (Signatory Requirements), and be retained at the construction site which generates the storm water discharge in accordance with Part VI.E (Duty to Provide Information) of this permit. If an on-site location is unavailable to keep the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance of the construction site.

2. Prior to commencement of construction, the permittee shall provide the plan to the Agency.

3. The permittee shall make plans available upon request from this Agency or a local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system. A list of permitted municipal separate storm sewer systems is available at: https://epa.illinois.gov/topics/forms/water-permits/storm-water/urbanized-area-list.html

4. The Agency may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 7 days from receipt of notification from the Agency, the permittee shall make the required changes to the plan and shall submit to the Agency a written certification that the requested changes have been made. Failure to comply shall terminate authorization under this permit.

5. A copy of the letter of notification of coverage along with the General NPDES Permit for Storm Water Discharges from Construction Site Activities or other indication that storm water discharges from the site are covered under an NPDES permit shall be posted at the site in a prominent place for public viewing (such as alongside a building permit).

6. All storm water pollution prevention plans and all completed inspection forms/reports required under this permit are considered reports that shall be available to the public within 30 days upon request. If a storm water pollution prevention plan or inspection form/report cannot be provided, the permittee shall respond to the request within 30 days with a statement that explains why the document cannot be provided. However, the permittee may claim any portion of a storm water pollution prevention plan as confidential in accordance with 40 CFR Part 2.

C. **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to Waters of the United States and which has not otherwise been addressed in the plan or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under paragraph D.2 below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with construction site activity. In addition, the plan shall be amended to identify any new contractor and/or subcontractor that will implement a measure

of the storm water pollution prevention plan. Amendments to the plan may be reviewed by the Agency in the same manner as Part IV.B above. The SWPPP and site map must be modified within 7 days for any changes to construction plans, stormwater controls or other activities at the site that are no longer accurately reflected in the SWPPP. Any revisions of the documents for the storm water pollution prevention plan shall be kept on site at all times.

D. **Contents of Plan**. The storm water pollution prevention plan shall include the following items:

1. **Site Description**. Each plan shall provide a description of the following:

   a. A description of the nature of the construction activity or demolition work;

   b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. clearing, grubbing, excavation, grading, on-site or off-site stockpiling of soils, on-site or off-site storage of materials);

   c. An estimate of the total area of the site and the total area of the site that is expected to be disturbed by clearing, grubbing, excavation, grading, on-site or off-site stockpiling of soils and storage of materials, or other activities;

   d. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;

   e. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, locations of on-site or off-site soil stockpiling or material storage, surface waters (including wetlands), and locations where storm water is discharged to a surface water or MS4. For sites discharging to an MS4, a separate map identifying the location of the construction site and the location where the MS4 discharges to surface water must also be included; and

   f. The name of the receiving water(s) and the ultimate receiving water(s), and areal extent of wetland acreage at the site.

2. **Controls**. Each plan shall include a description of appropriate controls that will be implemented at the construction site and any off-site stockpile or storage area unless already authorized by a separate NPDES permit. The plan shall include details or drawings that show proper installation of controls and BMPs. The Illinois Urban Manual https://illinoisurbanmanual.org/ or other similar documents shall be used for developing the appropriate management practices, controls or revisions of the plan. The plan will clearly describe for each major activity identified in paragraph D.1 above, appropriate controls and the timing during the construction process that the controls will be implemented. For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained and/or repaired until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization. The description of controls shall address as appropriate the following minimum components:

   a. **Erosion and Sediment Controls.** The permittee shall design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed and maintained to:

      (i) Control storm water volume and velocity within the site to minimize soil erosion;
      (ii) Control storm water discharges, including both peak flowrates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
      (iii) Minimize the amount of soil exposed during construction activity through the use of project phasing or other appropriate techniques;
      (iv) Minimize the disturbance of steep slopes;
      (v) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site. Install sediment controls along any perimeter areas of the site that are downslope from any exposed soil or other disturbed areas, with both ends of the perimeter control installed upslope (e.g., at 45 degrees) to prevent stormwater from circumventing the edge of the perimeter control. After a storm event, if there is evidence of stormwater circumventing or undercutting the perimeter control, extend controls and/or repair undercut areas to fix the problem;
      (vi) Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infiltration would be inadvisable due to the underlying geology (e.g. karst topography) and ground water contamination concerns, or infeasible due to site conditions;
      (vii) Minimize soil compaction and, unless infeasible, preserve topsoil;
      (viii) Minimize sediment track-out. Where sediment has been tracked-out from your site onto paved roads, sidewalks, or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tracked-out sediment into any Water of the U.S., or to any stormwater conveyance or storm drain inlet, or constructed or natural site drainage features, unless the feature is connected to a sediment basin, sediment trap, or similarly effective control; and,
      (ix) Minimize dust. On areas of exposed soils, minimize the generation of dust through the appropriate application of water or other dust suppression techniques.

   b. **Stabilization Practices**. The storm water pollution prevention plan shall include a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where practicable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporarily seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, staged or staggered development, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated, shall be included in the plan. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization of disturbed areas must be initiated within 1 working

day of permanent or temporary cessation of earth disturbing activities and shall be completed as soon as possible but not later than 14 days from the initiation of stabilization work in an area. Exceptions to these time frames are specified as provided in paragraphs (i) and (ii) below:

(i) Where the initiation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.
(ii) On areas where construction activity has temporarily ceased and will resume after 14 days, a temporary stabilization method can be used. Temporary stabilization techniques and materials shall be described in the SWPPP.
(iii) Stabilization is not required for exit points at linear utility construction sites that are used only episodically and for very short durations over the life of the project, provided other exit point controls are implemented to minimize sediment track-out.

c. **Structural Practices.** A description of structural practices utilized to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree practicable. The installation of these devices may be subject to Section 404 of the CWA.

(i) The following design requirements apply to sediment basins if such structural practices will be installed to reduce sediment concentrations in storm water discharges:

a. When discharging from the sediment basin, utilize outlet structures that withdraw water from the surface in order to minimize the discharge.
b. Minimize erosion of the sediment basin using stabilization controls (e.g., erosion control blankets), at the inlet and outlet using erosion controls and velocity dissipation devices:
c. Sediment basins shall be designed to facilitate maintenance, including sediment removal from the basins, as necessary.

(ii) The following requirements apply to protecting storm drain inlets:
a. Install inlet protection measures that minimize sediment from discharges prior to entry into any storm drain inlet that carries stormwater flow from your site to a water of the U.S., provided you have authority to access the storm drain inlet; and
b. Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same business day in which it is found or by the end of the following business day if removal by the same business day is not feasible.
c. Where inlet protection measures are not required because the storm drain inlets to which your site discharges are conveyed to a sediment basin, sediment trap, or similarly effective control, include a short description of the control that receives the stormwater flow from the site.

d. **Use of Treatment Chemicals.** Identify the use of all polymer flocculants or treatment chemicals at the site. Dosage of treatment chemicals shall be identified along with any information from any Material Safety Data Sheet. Describe the location of all storage areas for chemicals. Include any information from the manufacturer's specifications. Treatment chemicals must be stored in areas where they will not be exposed to precipitation. The SWPPP must describe procedures for use of treatment chemicals and staff responsible for use/application of treatment chemicals must be trained on the established procedures.

e. **Best Management Practices for Impaired Waters.** For any site which discharges directly to an impaired water identified on the Agency's website for 303(d) listing for suspended solids, turbidity, or siltation the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations or the Illinois Urban Manual, the storm water pollution prevention plan shall adhere to a more restrictive design criteria. Please refer to the Agency's website at: https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls/303d-list.html

f. **Pollution Prevention.** The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
(ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to storm water. Minimization to exposure is not required for any products or materials where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or when exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use);
(iii) Minimize the exposure of fuel, oil, hydraulic fluids, other petroleum products, and other chemicals by storing in covered areas or containment areas. Any chemical container with a storage of 55 gallons or more must be stored a minimum of 50 feet from receiving waters, constructed or natural site drainage features, and storm drain inlets. If infeasible due to site constraints, store containers as far away as the site permits and document in your SWPPP the specific reasons why the 50-foot setback is infeasible and how the containers will be stored; and
(iv) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

g. **Other Controls.**

(i) Waste Disposal. No solid materials, including building materials, shall be discharged to Waters of the United States, except as authorized by a Section 404 permit.
(ii) The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.
(iii) For construction sites that receive concrete or asphalt from off-site locations, the plan must identify and include appropriate controls and measures to reduce or eliminate discharges from these activities.
(iv) The plan shall include spill response procedures and provisions for reporting if there are releases in excess of reportable quantities.
(v) The plan shall ensure that regulated hazardous or toxic waste must be stored and disposed in accordance with any applicable State

and Federal regulations.

h. **Best Management Practices for Post-Construction Storm Water Management.** Describe the measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with industrial activity have been eliminated from the site.

(i) While not mandatory, it is advisable that the permittee consider including in its storm water pollution prevention plan and design and construction plans methods of post-construction storm water management to retain the greatest amount of post-development storm water run-off practicable, given the site and project constraints. Such practices may include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). Technical information on many post-construction storm water management practices is included in the Illinois Urban Manual (2017).

The storm water pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where post-construction flows will exceed predevelopment levels.

(ii) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).

(iii) Unless otherwise specified in the Illinois Urban Manual (2017), the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event.

i. **Approved State or Local Plans.**

(i) The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the requirements contained in the Illinois Urban Manual, (2017). Construction activities which discharge storm water must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion control plans or storm water management plans approved by local officials. Requirements specified in sediment and erosion control plans or site permits or storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon submittal of an NOI to be authorized to discharge under this permit, incorporated by reference and are enforceable under this permit. The plans shall include all requirements of this permit and include more stringent standards required by any local approval. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.

(ii) Dischargers seeking alternative permit requirements are not authorized by this permit and shall submit an individual permit application in accordance with 40 CFR 122.26 at the address indicated in Part II.D (Where to Submit) of this permit, along with a description of why requirements in approved local plans or permits should not be applicable as a condition of an NPDES permit.

j. **Natural Buffers.** For any stormwater discharges from construction activities within 50 feet of a Waters of the United States, except for activities for water-dependent structures authorized by a Section 404 permit, the permittee shall:

(i) Provide a 50-foot undisturbed natural buffer between the construction activity and the Waters of the United States; or
(ii) Provide additional erosion and sediment controls within that area.

3. **Maintenance.**

a. The plan shall include a description of procedures to maintain in good and effective operating conditions, all erosion and sediment control measures and other Best Management Practices, including vegetation and other protective measures identified in the Storm Water Pollution Prevention Plan.

b. Where a basin has been installed to control sediment during construction activities, the Permittees shall keep the basin(s) in effective operating condition and remove accumulated sediment as necessary. Sediment shall be removed in accordance with the Illinois Urban Manual (2017) or more frequently. Maintenance of any sediment basin shall include a post construction clean out of accumulated sediment if the basin is to remain in place.

c. Other erosion and sediment control structures shall be maintained and cleaned as necessary to keep structure(s) in effective operating condition, including removal of excess sediment as necessary.

4. **Inspections.** Qualified personnel (provided by the permittee) shall inspect disturbed areas of the construction site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm or by the end of the following business or work day that is 0.50 inches or greater. Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Storm Water Inspector (CESSWI), a Certified Stormwater Inspector (CSI), a person that has successfully completed the Federal CGP Inspector Training offered by USEPA, or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activities. Areas inaccessible during inspections due to flooding or other unsafe conditions shall be inspected within 72 hours of becoming accessible.

a. Inspections may be reduced to once per month when construction activities have ceased due to frozen conditions (when ground and/or air temperatures are at or below 32 degrees Fahrenheit). Weekly inspections will recommence when construction activities are conducted, or if there is a 0.50 inches or greater rain event, or a discharge due to snowmelt occurs.

b. Disturbed areas, areas used for storage of materials that are exposed to precipitation and all areas where stormwater typically flows within the site shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. All locations where stabilization measures have been implemented shall be observed to ensure that they are still stabilized. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

c. For sites discharging dewatering water, you must conduct an inspection during the discharge, once per day on which the discharge occurs and record the following in a report within 24 hours of completing the inspection:

(i) The inspection date;
(ii) Names and titles of personnel performing the inspection;
(iii) Approximate times that the dewatering discharge began and ended on the day of inspection;
(iv) Estimates of the rate (in gallons per day) of discharge on the day of inspection;
(v) Whether or not any of the following indications of pollutant discharge were observed at the point of discharge: a sediment plume, suspended solids, unusual color, presence of odor, decreased clarity, or presence of foam; and/or a visible sheen on the water surface or visible oily deposits on the bottom or shoreline of the receiving water.

d. Based on the results of the inspection, the description of potential pollutant sources identified in the storm water pollution prevention plan in accordance with Part IV.D.1 (Site Description) of this permit and the pollution prevention control measures identified in the plan in accordance with Part IV.D.2 (Controls) of this permit shall be revised as appropriate as soon as practicable after such inspection to minimize the potential for such discharges. Such modifications shall provide for timely implementation of any changes to the plan and pollution prevention control measures within 7 calendar days following the inspection.

e. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph b above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. All inspection reports shall be retained at the construction site. The report shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit. Any flooding or other unsafe conditions that delay inspections shall be documented in the inspection report.

f. The permittee shall notify the appropriate Agency Field Operations Section office by email at: epa.swnoncomp@illinois.gov , telephone or fax (see Attachment A) within 24 hours of any incidence of noncompliance for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. The permittee shall complete and submit within 5 days an "Incidence of Noncompliance" (ION) report for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. Submission shall be on forms provided by the Agency and include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance. Corrective actions must be undertaken immediately to address the identified non-compliance issue(s).

g. All reports of noncompliance shall be signed by a responsible authority as defined in Part VI.G (Signatory Requirements).

h. After the initial contact has been made with the appropriate Agency Field Operations Section Office, all reports of noncompliance shall be mailed to the Agency at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

5. **Corrective Actions.** You must take corrective action to address any of the following conditions identified at your site:

a. A stormwater control needs repair or replacement; or

b. A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or

c. Your discharges are causing an exceedance of applicable water quality standards; or

d. A prohibited discharge has occurred.

Corrective Actions shall be completed as soon as possible and documented within 7 days in an Inspection Report or report of noncompliance. If it is infeasible to complete the installation or repair within seven (7) calendar days, you must document in your records why it is infeasible to complete the installation or repair within the 7-day timeframe and document your schedule for installing the stormwater control(s) and making it operational as soon as feasible after the 7-day timeframe.

In the event that maintenance is required for the same stormwater control at the same location three or more times, the control shall be repaired in a manner that prevents continued failure to the extent feasible, and you must document the condition and how it was repaired in your records. Alternatively, you must document in your records why the specific reoccurrence of this same issue should continue to be addressed as a routine maintenance fix.

6. **Non-Storm Water Discharges.** Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

E. **Additional requirements for storm water discharges from industrial activities other than construction, including dedicated asphalt plants, and dedicated concrete plants.** This permit may only authorize any storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

1. The industrial source other than construction is located on the same site as the construction activity;

2. Storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

3. Storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants [other than asphalt emulsion facilities] and dedicated concrete plants) are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.

F. Contractors.

1. The storm water pollution prevention plan must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in paragraph 2 below in accordance with Part VI.G (Signatory Requirements) of this permit. All certifications must be included in the storm water pollution prevention plan except for owners that are acting as contractors.

2. **Certification Statement.** All contractors and subcontractors identified in a storm water pollution prevention plan in accordance with paragraph 1 above shall sign a copy of the following certification statement before conducting any professional service at the site identified in the storm water pollution prevention plan:

> "I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

The certification must include the name and title of the person providing the signature in accordance with Part VI.G of this permit: the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

Part V. RETENTION OF RECORDS

A. The permittee shall retain copies of storm water pollution prevention plans and all reports and notices required by this permit, records of all data used to complete the Notice of Intent to be covered by this permit and the Agency Notice of Permit Coverage letter for a period of at least three years from the date that the permit coverage expires or is terminated. This period may be extended by request of the Agency at any time.

B. The permittee shall retain a copy of the storm water pollution prevention plan and any revisions to said plan required by this permit at the construction site from the date of project initiation to the date of final stabilization. Any manuals or other documents referenced in the SWPPP shall also be retained at the construction site.

Part VI. STANDARD PERMIT CONDITIONS

A. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Failure to obtain coverage under this permit or an individual permit for storm water releases associated with construction activities is a violation of the Illinois Environmental Protection Act and the CWA.

B. **Continuation of the Expired General Permit.** This permit expires five years from the date of issuance. An expired general permit continues in force and effect until a new general permit or an individual permit is issued. Only those construction activities authorized to discharge under the expiring general permit are covered by the continued permit.

C. **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. **Duty to Provide Information.** The permittee shall furnish within a reasonable time to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, any information which is requested to determine compliance with this permit. Upon request, the permittee shall also furnish to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, copies of all records required to be kept by this permit.

F. **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Agency, he or she shall promptly submit such facts or information.

G. **Signatory Requirements.** All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the

Agency or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed.

1. All Notices of Intent shall be signed as follows:

   a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) any person authorized to sign documents that has been assigned or delegated said authority in accordance with corporate procedures;

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

   c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. All reports required by the permit and other information requested by the Agency shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the Agency.

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

   c. **Changes to Authorization.** If an authorization under Part I.C (Authorization) is no longer accurate because a different individual or position has responsibility for the overall operation of the construction site, a new authorization satisfying the requirements of Part I.C must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

   d. **Certification.** Any person signing documents under this Part shall make the following certification:

      "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. **Penalties for Falsification of Reports.** Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. Section 44(j)(4) and (5) of the Environmental Protection Act provides that any person who knowingly makes any false statement, representation, or certification in an application form, or form pertaining to a NPDES permit commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

I. **Penalties for Falsification of Monitoring Systems.** The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the CWA. The Environmental Protection Act provides that any person who knowingly renders inaccurate any monitoring device or record required in connection with any NPDES permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of the Act commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

J. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.

K. **Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

L. **Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

M. **Transfers.** This permit is not transferable to any person except after notice to the Agency. The Agency may require the discharger to apply for and obtain an individual NPDES permit as stated in Part I.C (Authorization).

N. **Requiring an Individual Permit or an Alternative General Permit.**

1. The Agency may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. Where the Agency requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Agency shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the Agency indicated in Part II.D (Where to Submit) of this permit. The Agency may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Agency under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Agency for application submittal. The Agency may require an individual NPDES permit based on:

   a. information received which indicates the receiving water may be of particular biological significance pursuant to 35 Ill. Adm. Code 302.105(d)(6);

   b. whether the receiving waters are impaired waters for suspended solids, turbidity or siltation as identified by the Agency's 303(d) listing;

   c. size of construction site, proximity of site to the receiving stream, etc.

   The Agency may also require monitoring of any storm water discharge from any site to determine whether an individual permit is required.

2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Agency at the address indicated in Part II.D (Where to Submit) of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to a discharger otherwise subject to this permit or the discharger is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee remains in effect, unless otherwise specified by the Agency.

O. **State/Environmental Laws.** No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

P. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all construction activities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

Q. **Inspection and Entry.** The permittee shall allow the IEPA, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

   1. Enter upon the permittee's premises where a regulated construction activity is located or conducted, or where records must be kept under the conditions of this permit;

   2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

   3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

   4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

R. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

S. **Bypasses and Upsets.** The provisions of 40 CFR Section 122.41(m) & (n) are applicable and are hereby incorporated by reference.

Part VII. REOPENER CLAUSE

A. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C (Authorization) of this permit or the permit may be modified to include different limitations and/or requirements.

B. Permit modification or revocation will be conducted according to provisions of 35 Ill. Adm. Code, Subtitle C, Chapter I and the provisions of 40 CFR 122.62, 122.63, 122.64 and 124.5 and any other applicable public participation procedures.

C. The Agency will reopen and modify this permit under the following circumstances:

   1. the U.S. EPA amends its regulations concerning public participation;

2. a court of competent jurisdiction binding in the State of Illinois or the 7th Circuit Court of Appeals issues an order necessitating a modification of public participation for general permits; or

3. to incorporate federally required modifications to the substantive requirements of this permit.

Part VIII. DEFINITIONS

"Agency" means the Illinois Environmental Protection Agency.

"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
"Commencement of Construction or Demolition Activities" The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction or demolition activities.

"Common Plan of Development or Sale" A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one common plan. The "common plan" of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.

"Construction Activities" Earth disturbing activities, such as clearing, grading and excavation of land. For purposes of this permit, construction activities also means construction site, construction site activities, or site. Construction activities also include any demolition activities at a site.

"Construction Site" or "Site" The land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site includes construction support activities, which may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether.

"Construction Support Activity" A construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas.

"Contractor" means a person or firm that undertakes a contract to provide materials or labor to perform a service or do a job related to construction of the project authorized by this permit,

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq.).

"Dedicated portable asphalt plant" A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

"Dedicated portable concrete plant" A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

"Dedicated sand or gravel operation" An operation that produces sand and/or gravel for a single construction project.

"Director" means the Director of the Illinois Environmental Protection Agency or an authorized representative.

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and either of the two following conditions are met:

(i) A uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or

(ii) Equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

For individual lots in residential construction, final stabilization means that either:

(i) The homebuilder has completed final stabilization as specified above, or

(ii) The homebuilder has established temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization.

"Impairment" is the status of a surface water in which an applicable water quality standard is not being attained for a particular pollutant.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

(i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or

(ii) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or

(iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"NOT" means notice of termination of coverage by this permit (See Part II of this permit.)

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Control" means any best management practice or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

"Total Maximum Daily Loads (TMDLs)" The calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards for that particular pollutant. A TMDL determines a pollutant reduction target and allocates load reductions necessary to the source(s) of the pollutant.

"Turbidity" means a condition of water quality characterized by the presence of suspended solids and/or organic material.

"Waters" mean all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

"Work day" for the purpose of this permit, a work day is any calendar day on which construction activities will take place.

Attachment A

Division of Water Pollution Control
Regions by County

Des Plaines Region (FOS 2) Manager 847/294-4000

Boone	Cook	DeKalb	DuPage	Grundy	Jo Daviess
Kane	Kankakee	Kendall	Lake	Lee	McHenry
Ogle	Stephenson	Will	Winnebago		

Peoria Region (FOS 3) Manager 309/671-3022

Bureau	Carroll	Fulton	Hancock	Henderson	Henry
Knox	LaSalle	Marshall	McDonough	Mercer	Peoria
Putnam	Rock Island	Stark	Tazewell	Warren	Whiteside
Woodford					

Champaign Region (FOS 4) Manager 217/278-5800

Champaign	Clark	Coles	Crawford	Cumberland	DeWitt
Douglas	Edgar	Effingham	Ford	Iroquois	Jasper
Livingston	Macon	McLean	Moultrie	Piatt	Shelby
Vermilion					

Springfield Region (FOS 5) Manager 217/557-8761

Adams	Brown	Calhoun	Cass	Christian	Green
Jersey	Logan	Macoupin	Mason	Menard	Montgomery
Morgan	Pike	Sangamon	Schuyler	Scott	

Collinsville Region (FOS 6) Manager 618/346-5120

Bond	Clinton	Fayette	Madison	Marion	Monroe
Randolph	St. Clair	Washington			

Marion Region (FOS 7) Manager 618/993-7200

Alexander	Clay	Edwards	Franklin	Gallatin	Hamilton
Hardin	Jackson	Jefferson	Johnson	Lawrence	Massac
Perry	Pope	Pulaski	Richland	Saline	Union
Wabash	Wayne	White	Williamson		

Attachment H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Pub. L 92-500, as amended. 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Aliquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24-Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8-Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

(1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.

(2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.

(3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

(6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

(8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

(9) **Inspection and entry**. The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
   (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
   (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records**.
   (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
   (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
   (c) Records of monitoring information shall include:
      (1) The date, exact place, and time of sampling or measurements;
      (2) The individual(s) who performed the sampling or measurements;
      (3) The date(s) analyses were performed;
      (4) The individual(s) who performed the analyses;
      (5) The analytical techniques or methods used; and
      (6) The results of such analyses.
   (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement**. All applications, reports or information submitted to the Agency shall be signed and certified.
   (a) **Application**. All permit applications shall be signed as follows:
      (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation:
      (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
      (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
   (b) **Reports**. All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
      (1) The authorization is made in writing by a person described in paragraph (a); and
      (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
      (3) The written authorization is submitted to the Agency.
   (c) **Changes of Authorization**. If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
   (d) **Certification**. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

   I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements**.
   (a) **Planned changes**. The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
   Notice is required when:
      (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
      (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
      (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
   (b) **Anticipated noncompliance**. The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
   (c) **Transfers**. This permit is not transferable to any person except after notice to the Agency.
   (d) **Compliance schedules**. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
   (e) **Monitoring reports**. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
      (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.

(f) **Twenty-four hour reporting**. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(2) Any upset which exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.

(g) **Other noncompliance**. The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).

(h) **Other information**. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) **Bypass**.

(a) Definitions.

(1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).

(c) Notice.

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).

(d) Prohibition of bypass.

(1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:

(i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(iii) The permittee submitted notices as required under paragraph (13)(c).

(2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).

(14) **Upset**.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).

(4) The permittee complied with any remedial measures required under paragraph (4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(15) **Transfer of permits**. Permits may be transferred by modification or automatic transfer as described below:

(a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

(b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:

(1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
(2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
(3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

(16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
(a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
(1) One hundred micrograms per liter (100 ug/l);
(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
(3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
(4) The level established by the Agency in this permit.
(b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.

(17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
(a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
(a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
(b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
(c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

(19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.

(20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.

(21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.

(22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed $25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both.
Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).

(23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

(24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.

(26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.

(27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.

(28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

(Rev. 7-9-2010 bah)

APPENDIX D

NOTICE OF INTENT (NOI)

NOTICE OF TERMINATION (NOT)

The Notice of Termination will be completed, certified and submitted once the construction site has been stabilized upon project completion.

APPENDIX E

INSPECTION REPORTS

INCIDENCE OF NON-COMPLIANCE (ION) FORM

APPENDIX F

CORRECTIVE ACTION LOG

Appendix F – Corrective Action Log

Project Name:
SWPPP Contact:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person

APPENDIX G

SWPPP AMENDMENT LOG

Appendix G – SWPPP Amendment Log

Project Name:
SWPPP Contact:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

APPENDIX H

SUBCONTRACTOR CERTIFICATION / AGREEMENTS

Appendix H –Subcontractor Certifications/Agreements

SUBCONTRACTOR CERTIFICATION
STORMWATER POLLUTION PREVENTION PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the BMPs and practices described in the SWPPP.

This certification is hereby signed in reference to the above named project:

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

_____

_____

Signature: _____

Title: _____

Date: _____

APPENDIX I

GRADING AND STABILIZATION ACTIVITIES LOG

Appendix I – Grading and Stabilization Activities Log

Project Name:
SWPPP Contact:

Date Grading Activity Initiated	Description of Grading Activity	Date Grading Activity Ceased (Indicate Temporary or Permanent)	Date When Stabilization Measures are Initiated	Description of Stabilization Measure and Location

APPENDIX J

DELEGATION OF AUTHORITY

Appendix J1 –Delegation of Authority Form – General Contactor Only

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with the environmental requirements outlined in the Construction General Permit ILR-10, at the Galt Solar Project construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

_____ (name of person or position)
_____ (company)
_____ (address)
_____ (city, state, zip)
_____ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in Part VI.G.2 of the Illinois EPA General NPDES Permit, and that the designee above meets the definition of a "duly authorized representative" as set forth in Part VI.G.2.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____

Company: _____

Title: _____

Signature: _____

Date: _____

APPENDIX K

SITE SPECIFIC PERMITS
ILLINOIS HISTORIC PRESERVATION AGENCY (IHPA)
ILLINOIS DEPARTMENT OF NATURAL RESOURCES (IDNR)

EcoCAT
Ecological Compliance Assessment Tool

Applicant:	Manhard Consulting	*IDNR Project Number:*	2416892
Contact:	Miranda Doria	*Date:*	06/18/2024
Address:	1 E Wacker Drive Suite 2700 Chicago, IL 60601		

Project: Proposed Montgomery County Solar Development
Address: Northwest Corner of Mine Street and Hays Road, Montgomery County

Description: Construction of a solar array located on an approximate 151-acre site at Mine Street and Hays Road in Montgomery County, Illinois.

Natural Resource Review Results

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

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

Northern Harrier *(Circus cyaneus)*

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

Location

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

County: Montgomery

Township, Range, Section:
12N, 5W, 32
12N, 5W, 33

IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
IL Environmental Protection Agency
Cathy Demeroukas
1021 North Grand Avenue East
Springfield, Illinois 62794

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.

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

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

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

Security

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

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

Privacy

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

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

June 20, 2024

Miranda Doria
Manhard Consulting
1 E Wacker Drive
Suite 2700
Chicago, IL 60601

RE: Proposed Montgomery County Solar Development
Project Number(s): 2416892
County: Montgomery

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 should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.

Wildlife-friendly plastic-free blanket should be used.

Required night lighting should follow International Dark-Sky Association (IDA) guidance.

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.

Adam Rawe
Division of Ecosystems and Environment
217-785-5500

Illinois Department of Natural Resources

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Montgomery County
Farmersville
NWC Hayes Road & Main Street
Sections:32,33-Township:12N-Range:5W,
IEPA
New Construction, Solar Development

PLEASE REFER TO: SHPO LOG #030061824

SURVEY REQUEST

July 12, 2024

Kelsey Sidrys
Manhard Consulting
One East Wacker Dr., Suite 2700
Chicago, IL 60601

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 funded, permitted, or licensed undertakings for their effect on cultural resources. We have received information indicating that the referenced project will, pursuant to that law, require comments from our office and our comments follow. Should you have any contrary information, please contact our office at the number below.

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

A portion of the project area is within a zone adjacent to an unnamed tributary of Macoupin Creek with a high probability of containing significant archaeological resources. Additionally, structures are annotated within the project area on plat maps published in 1874 and 1902. Accordingly, a Phase I archaeological **survey** to locate, identify, and record all archaeological resources within those portions of the project area, at a legal minimum, will be **required**. This decision is based upon our understanding that there has not been any large-scale disturbance of the ground surface (excluding agricultural activities) or major construction activity within the project area which would have destroyed existing cultural resources prior to your project. If the area has been disturbed, please contact our office with the appropriate written and/or photographic evidence. Our most recently updated list of archaeological contractors, maintained as a courtesy, is available on our website.

If you have further questions, please contact Jeff Kruchten, Principal Archaeologist, at 217/785-1279 or jeff.kruchten@illinois.gov.

In addition to the archaeological survey, we also require addresses and current color photographs of all structures in or adjacent to the project area. This includes structures within the one-quarter mile (0.25) visual APE in all directions from the outer edge of the array. If there are right-of-way (ROW) issues, please note that in your report. Please submit these, and any eligibility determinations for historic structural/architectural properties, in a separate report. If you have additional questions, please contact Rita Baker, Cultural Resources Manager/Structures, at 217/785-4998 or rita.e.baker@illinois.gov.

Sincerely,

Carey L. Mayer

Carey L. Mayer, AIA
Deputy State Historic
Preservation Officer

APPENDIX L

STANDARD ILLINOIS DEPARTMENT OF AGRICULTURE - AGRICULTURAL IMPACT MITIGATION AGREEMENT

STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT
between
Pivot Energy

and the
ILLINOIS DEPARTMENT OF AGRICULTURE
Pertaining to the Construction of a Commercial Solar Energy Facility
in
Montgomery 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).

Pivot Energy, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a _____ Commercial Solar Energy Facility in Montgomery County [GPS Coordinates: 39.444408, -89.661513], which will consist of up to 15.4 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: (1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things: 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.

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 Pivot Energy 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 Montgomery County within the State of Illinois.

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

STATE OF ILLINOIS
DEPARTMENT OF AGRICULTURE

By: Jerry Costello II, Director

By Tess Feagans, General Counsel

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

_____, 20____

Pivot Energy

By _____

Address

_____, 20____

Pivot Energy

EXHIBIT E: IDNR ECOCAT

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

June 20, 2024

Miranda Doria
Manhard Consulting
1 E Wacker Drive
Suite 2700
Chicago, IL 60601

RE: Proposed Montgomery County Solar Development
Project Number(s): 2416892
County: Montgomery

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 should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.

Wildlife-friendly plastic-free blanket should be used.

Required night lighting should follow International Dark-Sky Association (IDA) guidance.

Illinois Department of
Natural Resources

JB Pritzker, Governor

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

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.

Adam Rawe
Division of Ecosystems and Environment
217-785-5500

Brittney Krebsbach <bkrebsbach@pivotenergy.net>

IDNR EcoCAT

4 messages

Brittney Krebsbach <bkrebsbach@pivotenergy.net> Thu, Mar 13, 2025 at 3:06 PM
To: "adam.rawe@illinois.gov" <adam.rawe@illinois.gov>

Hi Adam,

I am working on developing a solar project near Farmersville, IL.

The EcoCAT review, dated June 20, 2024, determined that the Project was unlikely to have adverse effects on protected resources within the vicinity. However, the IDNR did offered recommended actions for general mitigations and best practices for construction and long-term maintenance of the Project. These recommendations included the following:

i. The project proponent should establish pollinator-friendly habitat as groundcover wherever feasible.
ii. The site should be de-compacted before planting.
iii. Required fencing, excluding areas near or adjacent to public access areas should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.
iv. Wildlife-friendly plastic-free blanket should be used.
v. Required night lighting should follow International Dark-Sky Association (IDA) guidance.

These recommendations are mostly already met by our general development standards.

I wanted to pose some notes and questions on the fencing requirements. Fencing will exceed 6 feet in height, proposed instead for 8 feet in height for security and safety purposes. **Is there a reason 6' would be better?** Also, there will not be a gap along the bottom of the fence due to the proposal of sheet grazing on site. A gap would make the sheep vulnerable to predators entering the site. Sheep grazing is utilized instead of mowing within the fenced area, which should be more beneficial to the ecosystem I would think? Lastly, the Project proposes a wildlife-friendly fencing, comprised of mesh-wire and wooden posts (also known as ag-style fencing), which better allows for movement of wildlife compared to chain link fencing.

Please let me know if you have any comments. Thank you very much!

Brittney Krebsbach
Senior Manager, Project Development
e: bkrebsbach@pivotenergy.net
d: 320.290.0612
LinkedIn

Pivot Energy
Powering Progress.
Certified B Corporation

Farmersville_EcoCAT_Terminated with Recommendations_12July2024.pdf
181K

Rawe, Adam <Adam.Rawe@illinois.gov> Fri, Mar 14, 2025 at 1:13 PM
To: Brittney Krebsbach <bkrebsbach@pivotenergy.net>

Brittney,

Thanks for the email. Our letters contain recommendations, so you have some freedom to adopt or modify as you see necessary based upon what the permitting agency allows.

We developed the 6' height for fencing so deer could be more likely to jump the fence. To my knowledge, the only sheep predator in IL would be coyotes. We do have cougar and black bear; however, they are usually an occasional male searching for new territory and simply passing through an area and are not permanent residents. Will the access gates be constructed in a way that predators are excluded? Will the fencing be below grade to prevent predators digging under the mesh?

This fencing sounds acceptable for facilitating wildlife movement. Depending upon the mesh-wire fencings openings, this should allow for wildlife passage.

From: Brittney Krebsbach <bkrebsbach@pivotenergy.net>
Sent: Thursday, March 13, 2025 3:06 PM
To: Rawe, Adam <Adam.Rawe@illinois.gov>
Subject: [External] IDNR EcoCAT

Hi Adam,

I am working on developing a solar project near Farmersville, IL.

The EcoCAT review, dated June 20, 2024, determined that the Project was unlikely to have adverse effects on protected resources within the vicinity. However, the IDNR did offered recommended actions for general mitigations and best practices for construction and long-term maintenance of the Project. These recommendations included the following:

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ii. The site should be de-compacted before planting.
iii. Required fencing, excluding areas near or adjacent to public access areas should not exceed 6 feet in height and should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement.
iv. Wildlife-friendly plastic-free blanket should be used.
v. Required night lighting should follow International Dark-Sky Association (IDA) guidance.

These recommendations are mostly already met by our general development standards.

I wanted to pose some notes and questions on the fencing requirements. Fencing will exceed 6 feet in height, proposed instead for 8 feet in height for security and safety purposes. **Is there a reason 6' would be better?** Also, there will not be a gap along the bottom of the fence due to the proposal of sheet grazing on site. A gap would make the sheep vulnerable to predators entering the site. Sheep grazing is utilized instead of mowing within the fenced area, which should be more beneficial to the ecosystem I would think? Lastly, the Project proposes a wildlife-friendly fencing, comprised of mesh-wire and wooden posts (also known as ag-style fencing), which better allows for movement of wildlife compared to chain link fencing.

Please let me know if you have any comments. Thank you very much!

Brittney Krebsbach

Senior Manager, Project Development
e: bkrebsbach@pivotenergy.net

d: 320.290.0612
LinkedIn

Brittney Krebsbach <bkrebsbach@pivotenergy.net> Tue, Mar 25, 2025 at 4:24 PM
To: "Rawe, Adam" <Adam.Rawe@illinois.gov>

Thanks, Adam. The fence does not go below grade but we haven't had issue with predators digging under the fence for the 2 or so years we've been doing sheep grazing on our sites. The mesh-wire fencing openings are small towards the bottom of the fence but will still allow small critters to move throughout the site (rodents and such). The fences are also to the ground in order to prevent predator entrance.

Brittney Krebsbach
Senior Manager, Project Development
e: bkrebsbach@pivotenergy.net
d: 320.290.0612
LinkedIn

Pivot Energy
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Certified B Corporation

[Quoted text hidden]

Brittney Krebsbach <bkrebsbach@pivotenergy.net> Tue, Mar 25, 2025 at 4:26 PM
To: "Rawe, Adam" <Adam.Rawe@illinois.gov>

Last thing: I also wanted to add that we generally do drill seeding on our sites for proper germination and establishment. We do monitor for compaction on site and de-compact the soil if necessary. If there's any context you wish to provide on this topic please share! Thank you.

Brittney Krebsbach
Senior Manager, Project Development

Pivot Energy

EXHIBIT F: SHPO CONSULTATION AND ARCHEOLOGICAL SURVEY REPORT

Joseph Craig
Archaeologist

Prairie Archaeology & Research, Ltd.
www.prairiearch.com

February 25, 2025

Mr. Jeff Kruchten
IDNR / State Historic Preservation Office
One Natural Resources Way
Springfield, Illinois 62702

Re: Phase I Cultural Resource Survey
153.7-acre Montgomery Solar Project
Montgomery County, Illinois
SHPO Log #: 030061824

Dear **Mr. Kruchten**:

Attached is one digital copy of the Phase I Cultural Resource Survey and one digital copy of the Extant Historic Resource Overview for the above-referenced project in Montgomery County, Illinois, for Pivot Energy of Denver, Colorado.

The survey and reconnaissance of the 153.7-acre Montgomery Solar Project identified two archaeological resources (11MY279 & 11MY280) within the boundaries of the APE. Site 11MY279 represents the remains of a circa 1870 to 1940 historic farmstead site and an isolated find consisting of one prehistoric utilized expedient tool (11MY280). Investigation of these resources failed to give evidence of or exhibit any degree of historical, social, ethnic, or functional uniqueness that would result in these resources being either rare or noteworthy. Site 11MY279 and isolated find 11MY280 are not considered significant with regard to the criteria for inclusion on the National Register of Historic Places (NRHP). Additionally, proposed construction plans to avoid 11MY279 entirely, as only a portion of the survey area will be utilized for the current project.

As such, construction activities associated with permitted activity will not result in an adverse impact to significant sites, structures, or objects of an archaeological nature within the defined APE. No additional archaeological investigations are recommended for this project. Please feel free to contact me if you have any questions.

Sincerely,
Prairie Archaeology & Research, Ltd.

Joe Craig
Archaeologist

cc: Ms. Brittney Krebsbach — Pivot Energy

Archaeological Survey Short Report
IDNR / State Historic Preservation Office
Attn: Review & Compliance
One Natural Resources Way
Springfield, Illinois 62702 / ph. (217) 785-4997

REVIEWER	
Date:	Accepted ☐ Rejected ☐
SHPO Log #: 030061824 **Doc#:**	

153.7-ACRE MONTGOMERY SOLAR PROJECT MONTGOMERY COUNTY, ILLINOIS

PHASE I CULTURAL RESOURCE SURVEY

February 2025

prepared for
Pivot Energy
1601 Wewatta Street, Suite 700
Denver, CO 80202

principal author
Julian Marvel

contributing authors
Joseph Craig, Jason Rein, and Yekaterina Pruitt

mapping and graphics
Jason Rein

Prairie Archaeology & Research, Ltd.
www.prairiearch.com
P.O. Box 5603 • Springfield, Illinois 62705-5603 • Phone 217.544.4881

Archaeological Survey Short Report
153.7-Acre Montgomery Solar Project, Montgomery County, Illinois

SHPO Log #: 030061824

Location Information and Survey Conditions

County: Montgomery **Quadrangle (7.5'):** Farmersville, IL

Project Type/Title: Phase I Cultural Resource Survey of the 153.7-acre Montgomery Solar project near Farmersville, Illinois.

Funding and/or Permitting Federal/State Agency: Illinois Environmental Protection Agency (IEPA)

Township: 12 North **Range:** 5 West **Section(s):** 32, 33 **Principal Meridian:** 3rd

Project Description: A phase I cultural resource investigation of a 153.7-acre solar field development located in Montgomery County, Illinois was conducted for Pivot Energy of Denver, Colorado. (Figures 1-5).

Topography: Uplands **Drainage:** Intermittent tributary to Macoupin Creek

Soils: Virden-Herrick (s2239) (Illinois State Geological Survey 1984) (Figure 7)

Land Use/Ground Cover and Visibility: The project area was comprised of approximately 145.5 acres of agricultural land with 95 percent surface visibility and 8.2 acres of a low and wet swale with 0 percent ground surface visibility.

Survey Limitations: None

Archaeological and Historical Information

Historical Plats/Atlases/Sources: The 1824 GLO survey plat shows the project vicinity to be situated within prairie (Figure 4). This source does not indicate any cultural landmarks (such as trails, fords, or roads) within the project boundaries.

The Illinois Public Domain Land Tract Database indicates that the federal government warranted the two 80-acre parcels associated with the project limits to an Andrew Jackson on June 3, 1850 (Illinois State Archives 2025).

One structure is indicated on the 1874, 1902, 1912, and 1925 atlases for Montgomery County (Figure 7), as well as on the 15-Minute USGS topographic map (Figures 8 & 9). Aerial imagery from 1938 shows a farmstead within the project boundaries that corresponds to the structure depicted on historic Montgomery County atlases (Figure 6).

Previous Surveys and Reported Sites: A review of the ISM/IDNR Illinois Inventory of Archaeological Sites and HARGIS database indicated no known or reported sites or NRHP-eligible properties within the project boundaries.

Investigation Techniques: Pedestrian reconnaissance at 5-meter intervals was conducted within agricultural portions of the project boundaries. Low and wet portions were visually inspected.

Collection Techniques: Total surface collection.

Sites/Find Spots Located: One archaeological site (11MY278) and one isolated find (11MY279) were identified within the current project limits (Figure 5).

Cultural Material: See site descriptions below **Curated at:** ISM

Area Surveyed: Approximately 153.7-acres (621,911 m²) **Field Time Expended**: 16 person hours

RESULTS OF INVESTIGATIONS AND RECOMMENDATIONS

An intensive cultural resource survey of the proposed 153.7-acre Montgomery County Solar project near Farmersville, Illinois was conducted on November 27, 2024. The project area is composed of approximately 145.5 acres of agricultural fields with 95 percent ground surface visibility and 8.2 acres of a low and wet swale with 0 percent ground surface visibility. Pedestrian reconnaissance at 5-meter intervals was conducted within agricultural portions of the project boundaries. Low and wet portions were visually inspected.

The investigation of the subject parcel also included an examination of historical maps and atlases pertinent to the subject property, a computer database search of the archaeological site files maintained by the Illinois State Museum, and a review of the National Register of Historic Places (NRHP) maintained by the Illinois Department of Natural Resources—Historic Preservation Program. The subject parcel is situated within the upland portions of Macoupin Creek. As a result, the occurrence of deeply buried cultural deposits or remains in the project area is believed to be unlikely, and geomorphological investigations were deemed unnecessary.

Historical atlases, plat maps, and aerial imagery show evidence of a historical farmstead within the project area. No reported or known archaeological sites or properties listed on the NRHP are reported within the project area.

Archaeological Resources

Archaeological resources identified during the current survey include one historic archaeological site and one prehistoric artifact representing an isolated find. The archaeological site is described as follows. The isolated find (11MY279) is located at Latitude 39° 26' 41.74" N and Longitude 89° 39' 38.73" W. This places the isolated find on the eastern side of the project APE approximately 397 meters east from site 11MY278, 178.4 meters north of Mine Ave, and 157.4 meters west of Hays Rd. The isolated find was identified as a utilized expedient tool affiliated with an unknown prehistoric temporal affiliation.

Site 11MY278

Component: *Historic*
Location: *Sec. 32-33, T12N, R5W*
Quadrangle: *Farmersville, IL*
Site Area: 8684.5 sq. m.
Landform: *Uplands*
Nearest Permanent Water Source: *Intermittent tributary to Macoupin Creek*
NRHP Evaluation: *Not Eligible*

Site Description: Site 11MY278 was identified during current investigations. Site 11MY278 is located 20 m immediately north of Mine Ave and 157 m northwest of the intersection of Mine Ave and County Road 200 East. Site 11MY278 was situated in agricultural use with 95 percent visibility to surveyors. The site is marked as being owned by F. J. Mulberry on the 1874, 1902, 1912, 1925, 1941, and 1949 historical atlases for Montgomery County.

Artifacts Recovered: During current investigations, surface reconnaissance recovered twenty (20) aqua container glass, eleven (11) clear container glass, one (1) green container glass, one (1) blue container

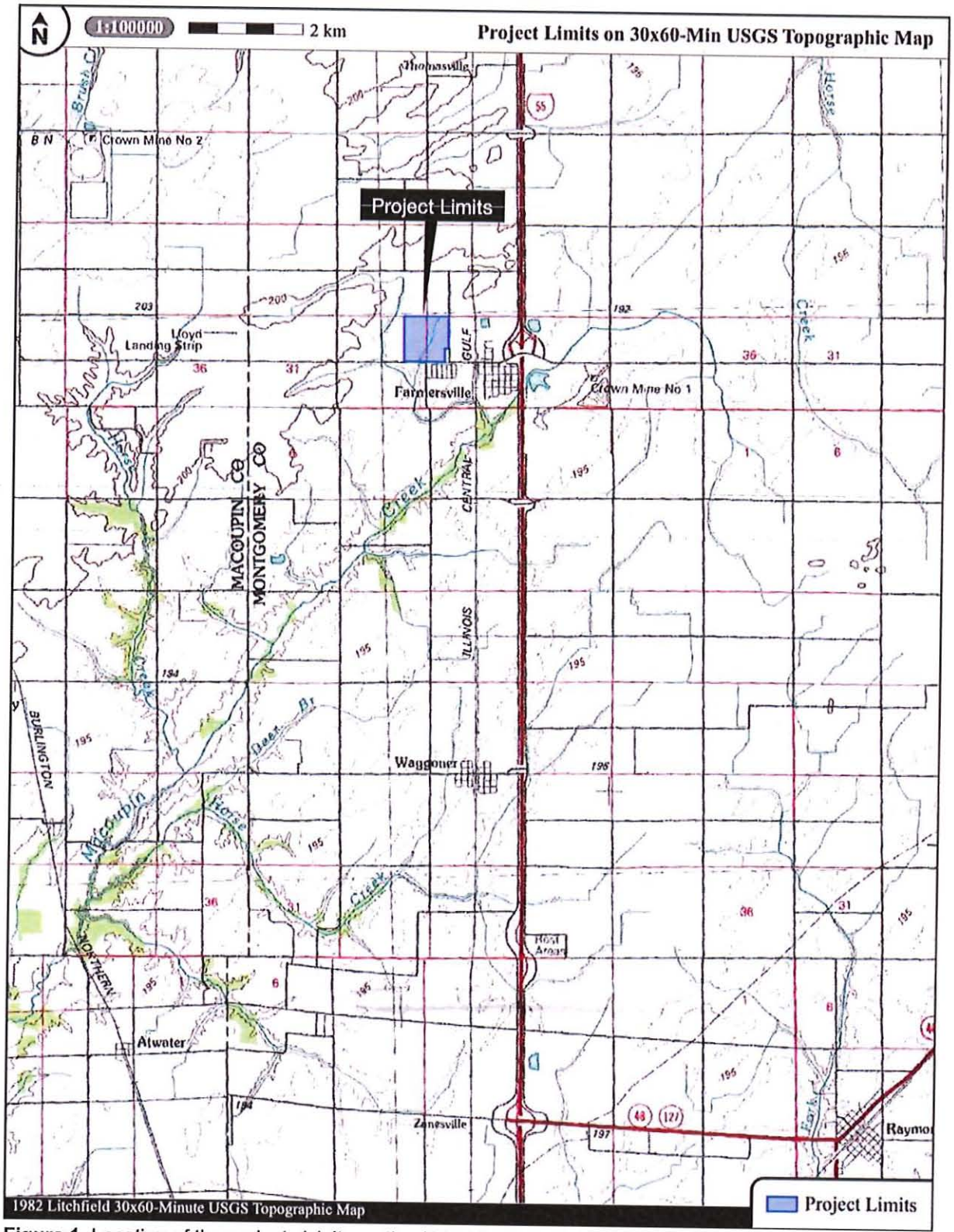

Figure 1. Location of the project vicinity on the 1982 Litchfield, IL 30'x60' USGS Topographic Map (USGS 1982).

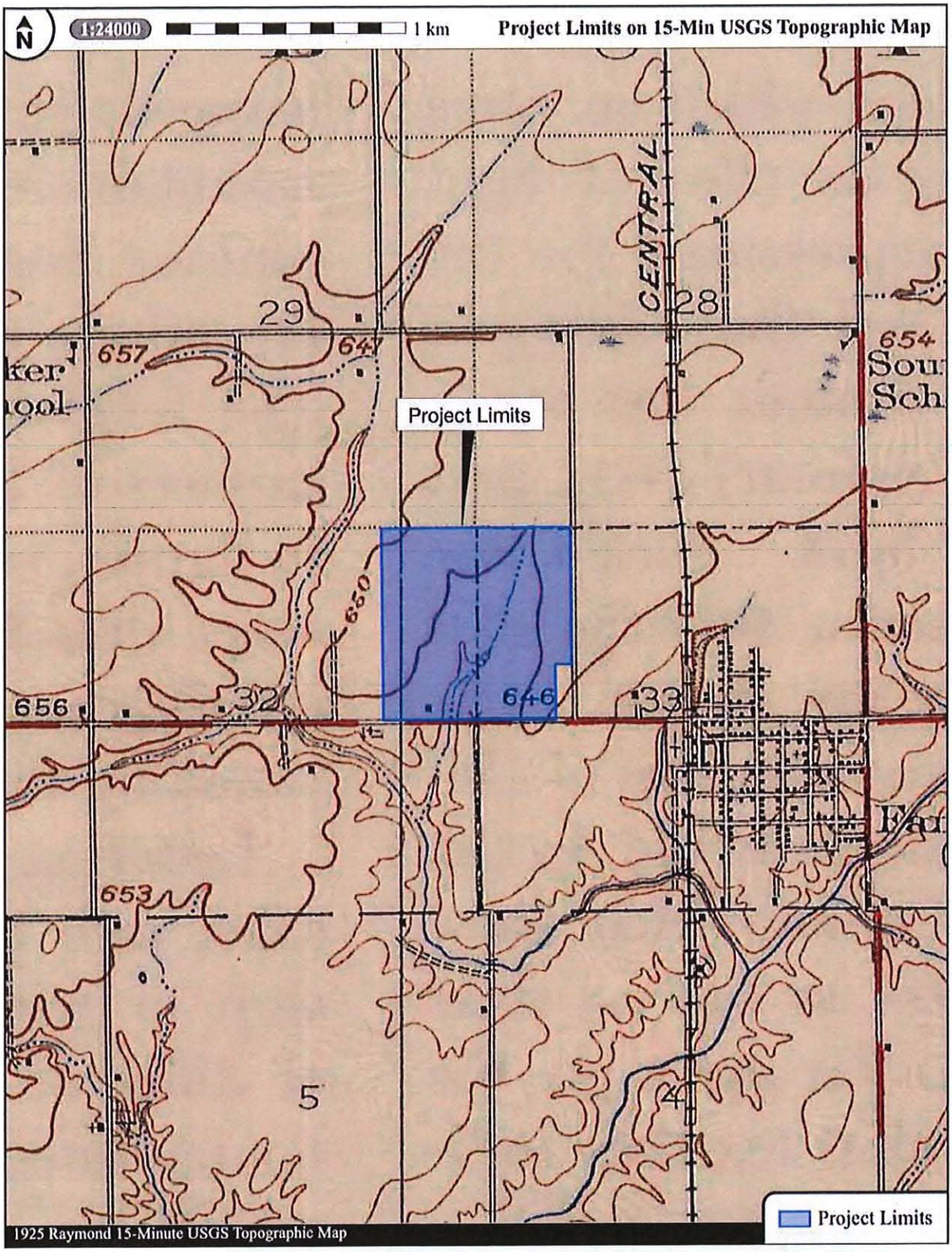

Figure 2. Location of the project area on the 1925 Raymond, IL 15' USGS Topographic Map (USGS 1925).

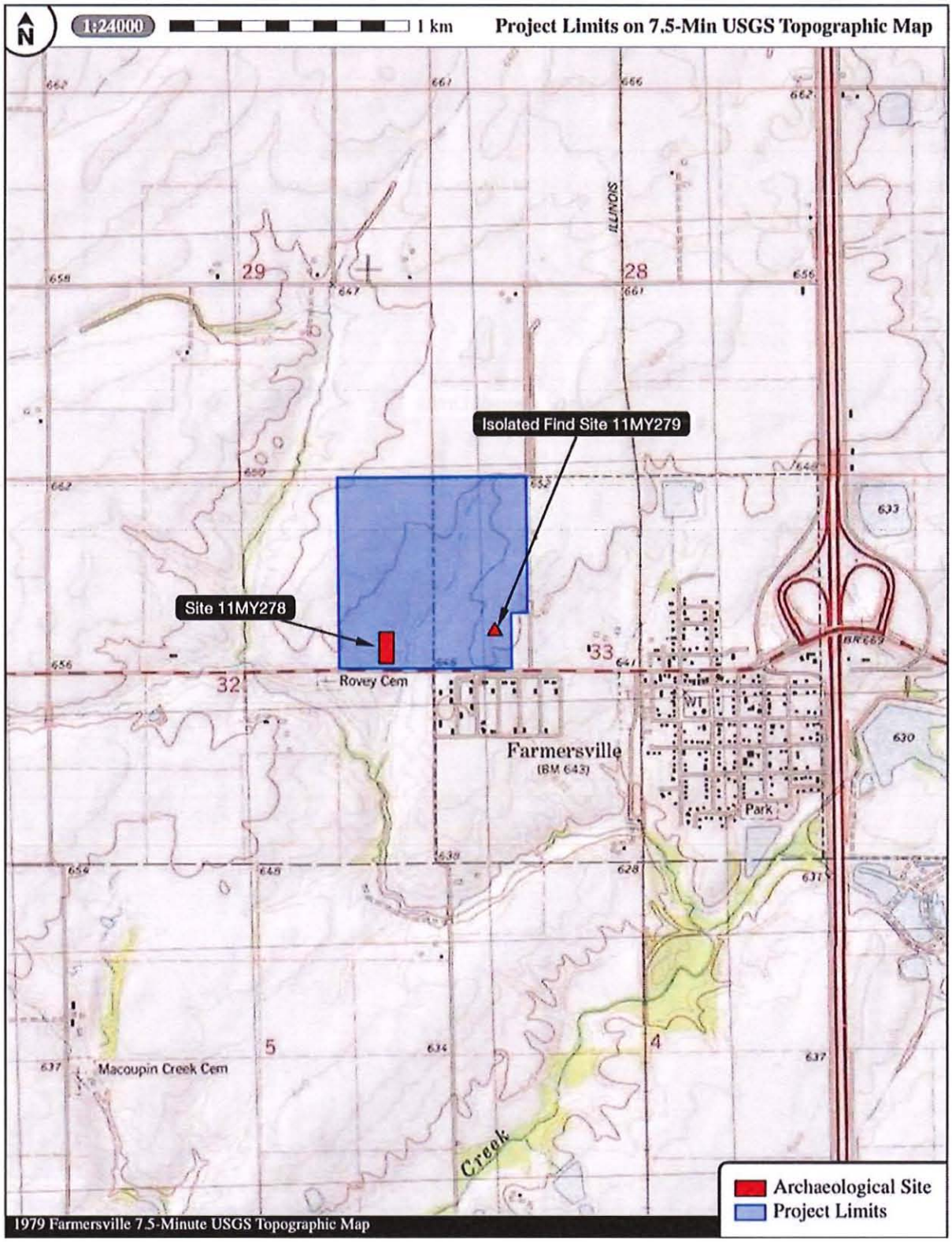

Figure 3. Location of the project area and site 11MY278 and isolated find 11MY279 on the 1979 Farmersville, IL 7.5' USGS Topographic Map (USGS 1979)

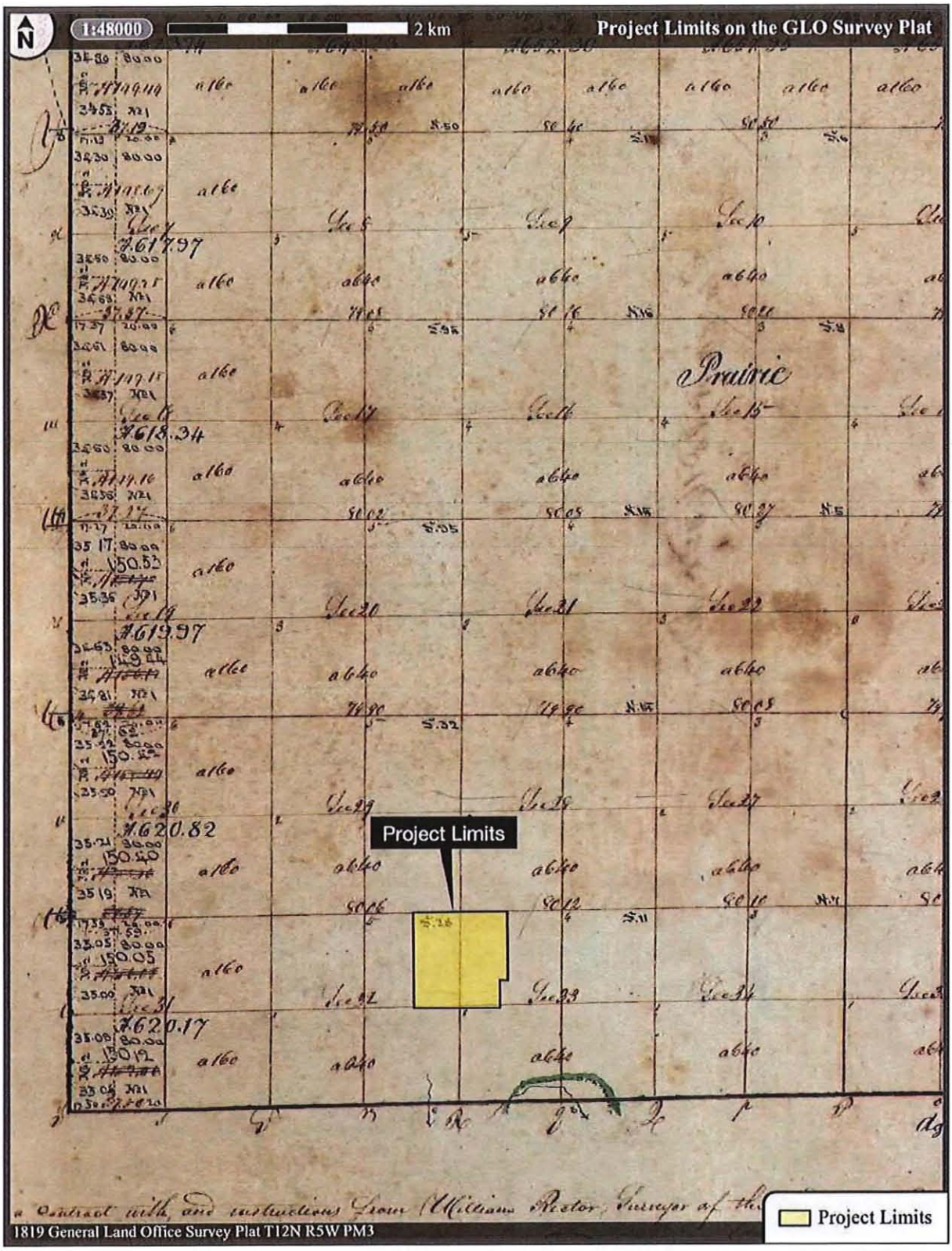

Figure 4. Location of the project area on the 1819 GLO survey plat (United States General Land Office 1819).

Figure 5. Archaeological site 11MY278 and isolated find 11MY279 on modern aerial imagery.

Figure 6. Location of the project area on historic 1938 aerial imagery.

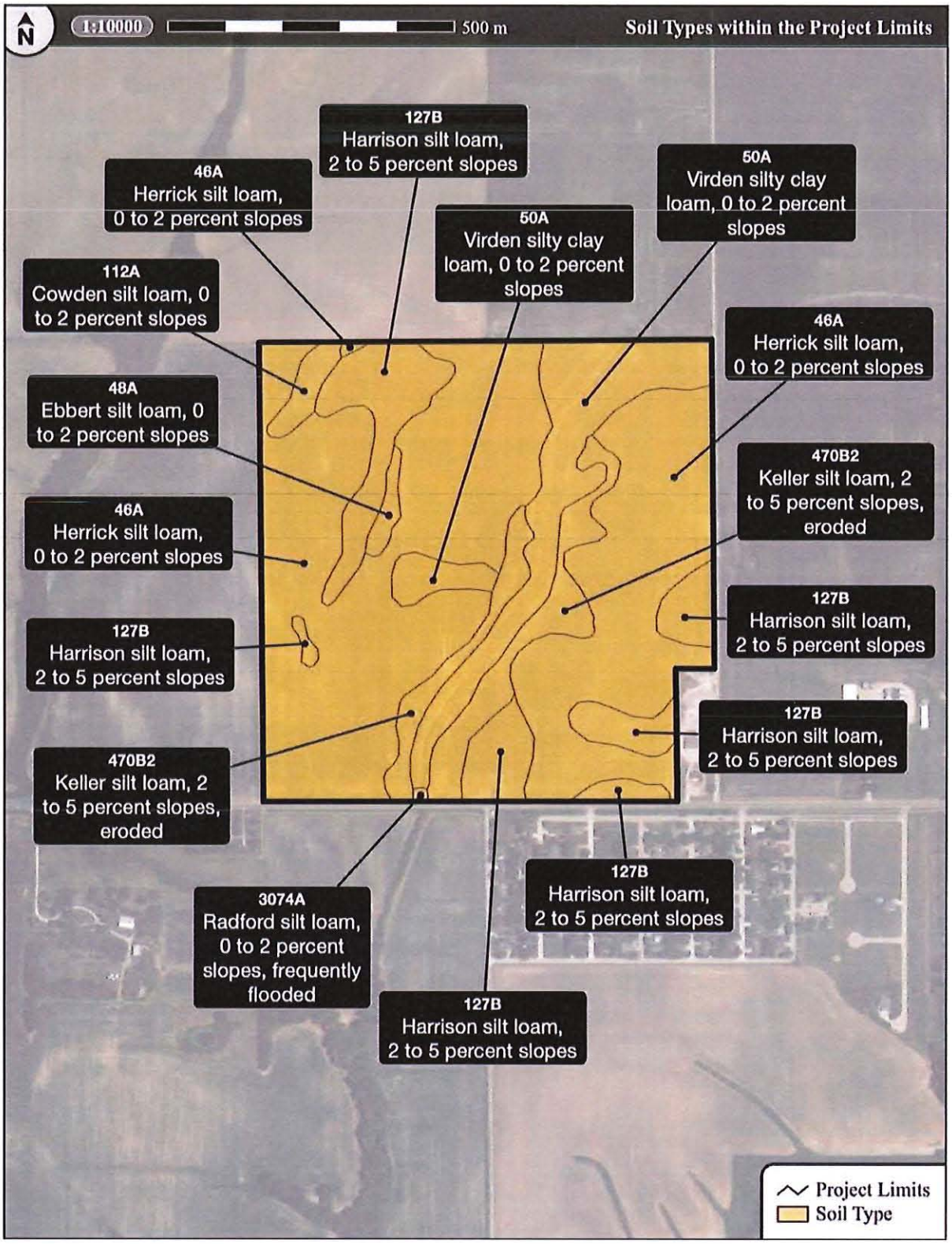

Figure 7. Soil types within the project limits.

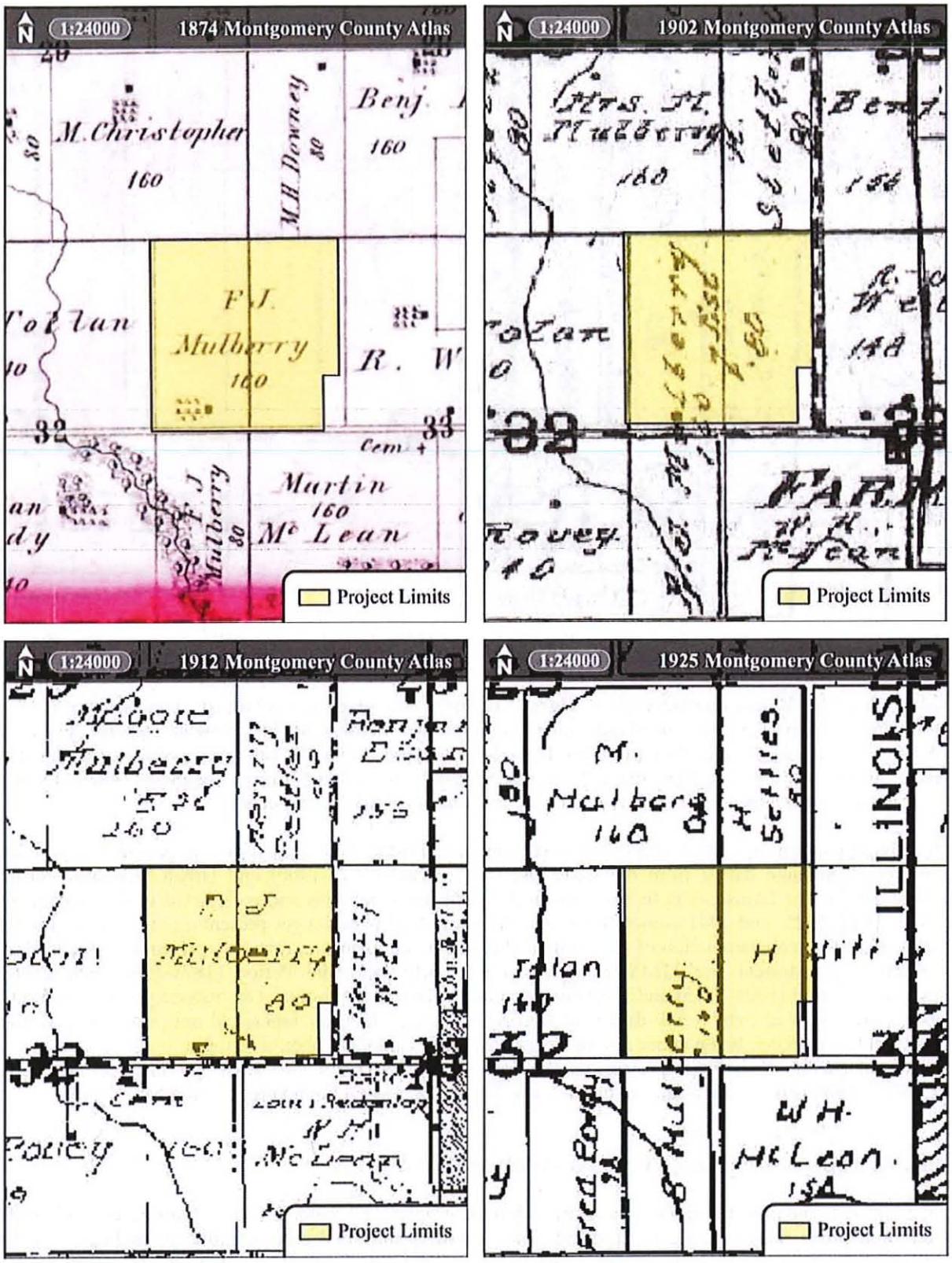

Figure 8. Location of the project area on 1874, 1902, 1912, and 1925 historical atlases (W.R. Brink & Co. 1874, Hixson Map Co. 1902, Geo. A. Ogle & Co. 1912, W.W. Hixson & Co. 1925-1930)

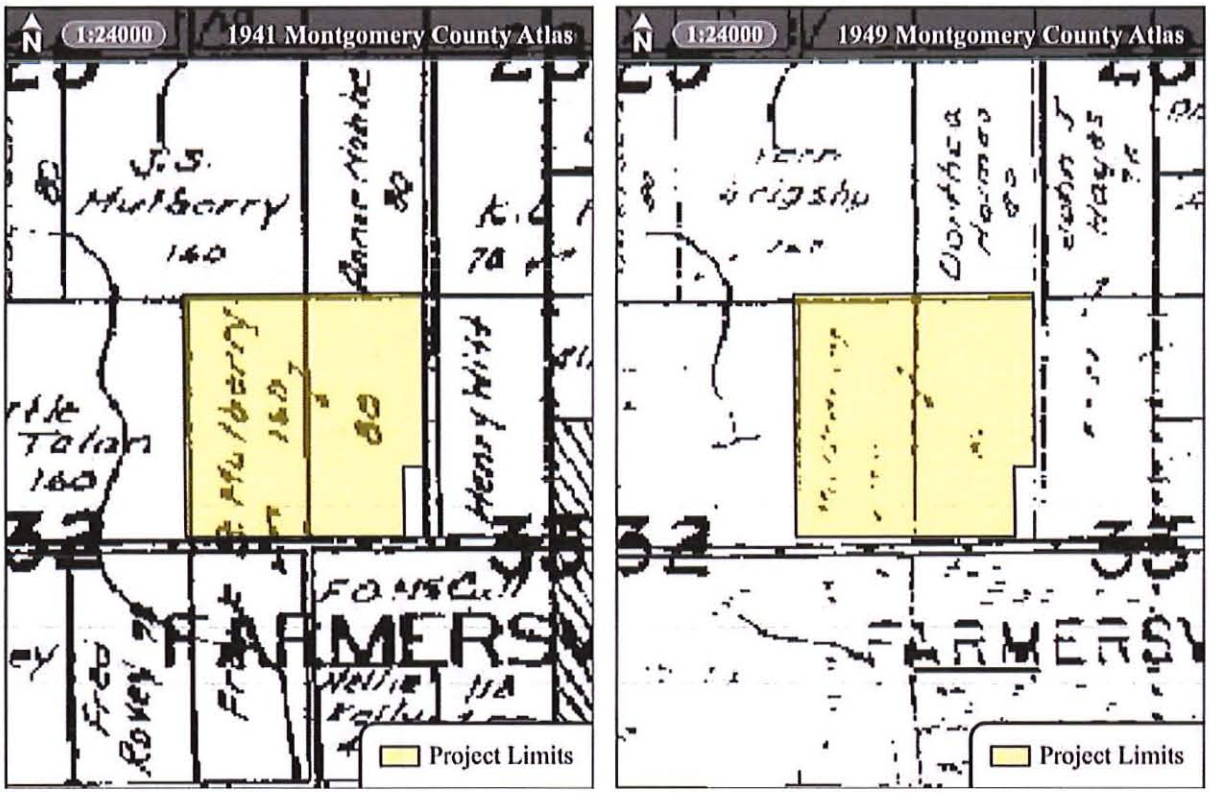

Figure 9. Location of the project area on the 1941 and 1949 historical atlases (W.W. Hixson & Co. 1941; General Map Company 1949).

glass, three (3) brown container glass, eight (8) pane glass, seven (7) solarized glass, seventeen (17) milkglass, eleven (11) ironstone sherds, nine (9) whiteware sherds, one (1) yellowware sherd, seven (7) Albany slipped stoneware, four (4) Bristol glazed stoneware, eight (8) salt glazed stoneware, one (1) redware, two (2) drainage tiles, one (1) ceramic figurine arm, seven (7) brick fragments, one (1) spark plug, four (4) miscellaneous metal, two (2) coal, and one (1) concrete fragment.

Site Interpretation and Assessment: Archaeological site 11MY278 is a historic component site with an artifact assemblage dating from the Early Industrial Period (1871-1900) and Urban Industrial Period (1901-1945). The farmstead is first present in the 1874 historical atlas and is depicted in the subsequent 1902, 1912, 1925, and 1941 atlases. However, the homestead is no longer present on the 1949 historical atlas. Based on an examination of the available historical documents and the interpretation of the artifact assemblage, historical site 11MY278 dates to the Early Industrial Period (1871-1900) and Urban Industrial Period (1901-1945) and is relatively commonplace in the region. The historic property failed to give evidence of or exhibit any degree of historical, social, ethnic, or functional uniqueness that would result in this resource being either rare or noteworthy. Site 11MY278 should furthermore not be adversely impacted during the current project, as the proposed construction area does not intersect with site 11MY278 and is relegated to the southeastern section of the project boundaries (Figure 5).

SIGNIFICANCE AND POTENTIAL TO YIELD ASSESSMENT

In addition to the inventorying of resources within the proposed development area, Prairie Archaeology & Research offers the following recommendations regarding the eligibility potential for inclusion on the National Register of Historic Places (NRHP). The Advisory Council on Historic Preservation has

established inclusion eligibility criteria. According to the Advisory Council on Historic Preservation, a resource is considered eligible for inclusion if it meets at least one of the following conditions:

a. *It is associated with events that have made a significant contribution to the broad patterns of history, or*
b. *It is associated with the lives of persons significant in the past, or*
c. *It embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master or possesses high artistic value or represents a significant and distinguishable entity whose components may lack individual distinction, or*
d. *It has yielded, or may be likely to yield, information important in prehistory or history.*

To be listed on or determined eligible for listing on the NRHP, a property must meet at least one of the above criteria and must possess integrity. Integrity is defined as the authenticity of a property's historic identity as evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric occupation or use. Physical characteristics may include: integrity of location, design, setting, materials, workmanship, feeling, and association. If a property retains the physical characteristics it possessed in the past, it has the capacity to convey information about a culture or people, historical patterns, or architectural or engineering design and technology.

Archaeological resources, such as those identified within the project area, are most often assessed under Criterion D. In the case of the resources located within this permit area, it is our opinion that resource integrity is the most limiting factor regarding the eligibility potential of the identified cultural resources. Field investigators noted a number of attributes at each site that were later used to evaluate the potential significance of the resource. Four criteria were used to predict NRHP eligibility. These included:

1. *Integrity (observations of erosion, re-deposition, absence of plow zone, large-scale disturbance or other types of non-agricultural damage);*
2. *Site size;*
3. *Site age; and,*
4. *Artifact diversity and density.*

Based on the 20th-century range of artifact classes, the low density of building remains, and the lack of primary data regarding the farm organization, structure, and operation, we believe that additional archaeological investigation of this resource would likely not generate significant data of an anthropological or historical nature that is unavailable or diversely different from other information sources such as existing historical treatises and primary archival documentation. As such, site 11MY278 does not meet the eligibility criteria of the National Register of Historic Places. No further investigation of archaeological site 11MY278 is recommended. An expedient tool, 11MY279, was found during investigations; the item is considered an isolated artifact location. Reduced-interval pedestrian reconnaissance in the vicinity of the isolated find did not locate addition materials.

Summary Statement

Field investigations and a review of the pertinent archival and background information conducted by Prairie Archaeology & Research for the proposed 153.7-acre Montgomery County Solar project in Montgomery County, Illinois failed to identify significant cultural, historical, or archaeological sites, artifacts, or objects within the Area of Potential Effect (APE) of the project which may be adversely impacted by direct or indirect activities related to the project. Construction activities associated with the project, as planned, will not impact significant cultural resources. Current construction plans will avoid site 11MY278 entirely, as they are situated only in the southeastern section of the project area (Figure 5). 11MY279 is considered an isolated find. No additional archaeological, historical, or cultural resource investigations are proposed or recommended for this project. Project clearance is recommended.

Recommendation

Phase I Archaeological Reconnaissance Has Located No Archaeological Materials
Project Clearance Is Recommended

▶ Phase I Archaeological Reconnaissance Has Located Archaeological Materials
Site(s) Does (Do) Not Meet Requirements for National Register Eligibility
Project Clearance Is Recommended

Phase I Archaeological Reconnaissance Has Located Archaeological Materials
Site(s) May Meet Requirements for National Register Eligibility
Phase II Testing Is Recommended

Archaeological Contractor Information

Prairie Archaeology & Research
P.O. Box 5603, Springfield, IL 62705-5603
ph. (217) 544-4881

Surveyor(s): Joseph Craig, Yekaterina Pruitt, and Dominic Overby
Survey Date(s): November 27, 2024
Report Completed By: Julian Marvel, Yekaterina Pruitt, Jason Rein, and Joseph Craig
Report Date: February 25, 2025

Submitted By: _____
JOSEPH CRAIG, PRESIDENT

Owner/Agent/Agency To Whom SHPO Comments Should Be Mailed

Agent:
Ms. Brittney Krebsbach
Pivot Energy
1601 Wewatta Street, Suite 700
Denver, Colorado 80202
ph. (248) 892-4247

Agency:

Review Comments:

REFERENCES

General Map Company
1949 *Plat Book, Montgomery County, Illinois.* Rockford, Illinois.

Geo. A. Ogle & Co.
1912 *Standard Atlas of Montgomery County, Illinois including a Plat Book of the Villages, Cities and Townships of the County ...* Chicago, Illinois.

Hixson Map Co.
1902 *Litchfield Herald's map of Montgomery County, Illinois*. Rockford, Illinois.(?)

Illinois State Archives
2024 Illinois Public Domain Land Tract Sales Database; http://www.cyberdriveillinois.com; accessed 6 December, 2024.

Illinois State Geological Survey (ISGS)
1984 Illinois Soil Associations Map (500K). Champaign, Illinois.

United States General Land Office
1819 General Land Survey Plats, T12N R5W PM3. Springfield, Illinois.

United States Geological Survey (USGS)
1979 Farmersville, IL 7.5 Minute Topographic Map.
1982 Litchfield, IL 30x60 Minute Topographic Map.
1925 Raymond, IL 7.5 Minute Topographic Map.

W.R. Brink & Co.
1874 *Illustrated Atlas Map of Montgomery County, Illinois*. Saint Louis, Missouri.

W.W. Hixson & Co.
1925 *Plat Book of Montgomery County, Illinois*. (1925-1930). Rockford, Illinois.
1941 Montgomery County, Illinois. Rockford, Illinois.

APPENDIX

A

Correspondence

Illinois Department of Natural Resources

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Montgomery County
Farmersville
NWC Hayes Road & Main Street
Sections:32,33-Township:12N-Range:5W,
IEPA
New Construction, Solar Development

PLEASE REFER TO: SHPO LOG #030061824

SURVEY REQUEST

July 12, 2024

Kelsey Sidrys
Manhard Consulting
One East Wacker Dr., Suite 2700
Chicago, IL 60601

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 funded, permitted, or licensed undertakings for their effect on cultural resources. We have received information indicating that the referenced project will, pursuant to that law, require comments from our office and our comments follow. Should you have any contrary information, please contact our office at the number below.

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

A portion of the project area is within a zone adjacent to an unnamed tributary of Macoupin Creek with a high probability of containing significant archaeological resources. Additionally, structures are annotated within the project area on plat maps published in 1874 and 1902. Accordingly, a Phase I archaeological **survey** to locate, identify, and record all archaeological resources within those portions of the project area, at a legal minimum, will be **required**. This decision is based upon our understanding that there has not been any large-scale disturbance of the ground surface (excluding agricultural activities) or major construction activity within the project area which would have destroyed existing cultural resources prior to your project. If the area has been disturbed, please contact our office with the appropriate written and/or photographic evidence. Our most recently updated list of archaeological contractors, maintained as a courtesy, is available on our website.

If you have further questions, please contact Jeff Kruchten, Principal Archaeologist, at 217/785-1279 or jeff.kruchten@illinois.gov.

In addition to the archaeological survey, we also require addresses and current color photographs of all structures in or adjacent to the project area. This includes structures within the one-quarter mile (0.25) visual APE in all directions from the outer edge of the array. If there are right-of-way (ROW) issues, please note that in your report. Please submit these, and any eligibility determinations for historic structural/architectural properties, in a separate report. If you have additional questions, please contact Rita Baker, Cultural Resources Manager/Structures, at 217/785-4998 or rita.e.baker@illinois.gov.

Sincerely,

Carey L. Mayer

Carey L. Mayer, AIA
Deputy State Historic
Preservation Officer

APPENDIX

B

Project Photographs

View within the project area facing west.

View within the project area facing north (top) and east (bottom).

View within the project area facing east.

Example of the field conditions within the project area.

APPENDIX

C

ISM Site Forms

Illinois Archaeological Site Recording Form

County Montgomery **Site Name** **Revisit** N

Field No. 224040-01 **7.5' Quadrangle** Farmersville **County Site No.** 278

Ownership Private **Meridian** 3 **Township** 12 N **Range** 5 W **Section** 32 **Recorded** 2025.01.10

WGS84 Latitude 39.444089 **Longitude** -89.665823 **Site Area (sq. m)** 7,800

UTM Nad83 Zone 16 **UTM North** 4,369,451 **UTM East** 270,596

Known Alternate Names

ENVIRONMENT

Topography Upland Ridge **Drainage Basin** Macoupin

Nearest Water Supply Macoupin Creek Tributary **Elevation (meters AMSL)** 196

Soil Association Virden-Herrick (s2239)

Description The site is located on an upland ridge 20 m immediately north of Mine Ave. and 157 m northwest of the of the intersecton of Mine Ave. and County Road 200 E.

SURVEY

Project Name Montgomery Solar Project **Project Type** Phase I CRM

Ground Cover Cultivated **Surface Visibility %** 90

Survey Methods Pedestrian

Site Type Habitation **Standing Structure** N

SITE CONDITION

Extent of Damage Moderate **Main Cause of Damage** Agriculture

MATERIALS OBSERVED

Survey Sampling Strategy Total Collection

Number of Prehistoric Artifacts (count or estimate) 0

- N **Prehistoric Diagnostic Artifacts**
- N **Prehistoric Surface Features**
- N **Prehistoric Buried Features** **Ave. Depth (cm)** 0

Number of Historic Artifacts (count or estimate) 127

- Y **Historic Diagnostic Artifacts**
- N **Historic Surface Features**
- N **Historic Buried Features** **Ave. Depth (cm)** 0

Description Container glass (60), pane glass (8), ironstone sherds(11), whiteware sherds(9), yellowware sherd(1), stoneware sherds(19), redware sherd(1), drainage tiles(2), ceramic figurine arm(1), brick fragments(7), metal(5), coal(2), and concrete conglomerate(1)

TEMPORAL AFFILIATION

☐ Prehistoric Unknown	☐ Woodland	☐ Protohistoric	☐ Frontier Antebellum (1841-April 11, 1861)
☐ Paleoindian	☐ Early Woodland	☐ Historic Native American	☐ Civil War (April 12, 1861-April 9, 1865)
☐ Archaic	☐ Middle Woodland	☐ Historic (generic)	☐ Frontier Post-Civil War (April 10, 1865-1870)
☐ Early Archaic	☐ Late Woodland	☐ Colonial (1673-1780)	☒ Early Industrial (1871-1900)
☐ Middle Archaic	☐ Mississippian	☐ Pioneer (1781-1840)	☒ Urban Industrial (1901-1945)
☐ Late Archaic	☐ Upper Mississippian	☐ Frontier (generic; 1841-1870)	☐ Post-War (1946-present)

Description The historical ceramic and glass assemblage recovered from within the site boundaries places this site within the Early Industrial Period (1871-1900) and the Urban Industrial Period (1901-1945).

Surveyor J. Craig et al. **Institution** PRA **Survey Date** 2024.11.27 **Curation Facility** ISM

Form By J. Marvel **Institution** PRA **Report Date** 2024.12.17 **NRHP Listing** N

SHPO Log No. **SHPO 1st Survey Doc No.**

Compliance Status **HRPA** N

Updated 2023.12.20

Illinois Archaeological Site Recording Form

County Montgomery **Site Name** **Revisit** N

Field No. 224040-02 **7.5' Quadrangle** Farmersville **County Site No.** 279

Ownership Private **Meridian** 3 **Township** 12 N **Range** 5 W **Section** 33 **Recorded** 2025.01.10

WGS84 Latitude 39.444716 **Longitude** -89.660538 **Site Area (sq. m)** 0

UTM Nad83 Zone 16 **UTM North** 4,369,507 **UTM East** 271,053

Known Alternate Names

ENVIRONMENT

Topography Upland Ridge **Drainage Basin** Macoupin

Nearest Water Supply Macoupin Creek Tributary **Elevation (meters AMSL)** 199

Soil Association Virden-Herrick (s2239)

Description The Isolated find is located on an upland ridge approximately 174 m north of Mine Ave and 157 m west of Hays Rd.

SURVEY

Project Name Montgomery Solar Project **Project Type** Phase I CRM

Ground Cover Cultivated **Surface Visibility %** 90

Survey Methods Pedestrian

Site Type Isolated Find **Standing Structure** N

SITE CONDITION

Extent of Damage Moderate **Main Cause of Damage** Agriculture

MATERIALS OBSERVED

Survey Sampling Strategy Total Collection

Number of Prehistoric Artifacts (count or estimate) 1

- N Prehistoric Diagnostic Artifacts
- N Prehistoric Surface Features
- N Prehistoric Buried Features **Ave. Depth (cm)** 0

Number of Historic Artifacts (count or estimate) 0

- N Historic Diagnostic Artifacts
- N Historic Surface Features
- N Historic Buried Features **Ave. Depth (cm)** 0

Description Only one artifact was recovered from the site boundaries, a singular expedient chert tool (1).

TEMPORAL AFFILIATION

Y Prehistoric Unknown	Woodland	Protohistoric	Frontier Antebellum (1841-April 11, 1861)
Paleoindian	Early Woodland	Historic Native American	Civil War (April 12, 1861-April 9, 1865)
Archaic	Middle Woodland	Historic (generic)	Frontier Post-Civil War (April 10, 1865-1870)
Early Archaic	Late Woodland	Colonial (1673-1780)	Early Industrial (1871-1900)
Middle Archaic	Mississippian	Pioneer (1781-1840)	Urban Industrial (1901-1945)
Late Archaic	Upper Mississippian	Frontier (generic; 1841-1870)	Post-War (1946-present)

Description Due to a lack of prehistoric diagnostic artifacts recovered from the site, a temporal affiliation was unable to me made.

Surveyor J. Craig. et al. **Institution** PRA **Survey Date** 2024.11.27 **Curation Facility** ISM

Form By J. Marvel and D. Overby **Institution** PRA **Report Date** 2025.01.07 **NRHP Listing** N

SHPO Log No. **SHPO 1st Survey Doc No.**

Compliance Status **HRPA** N

Updated 2023.12.20

Pivot Energy

EXHIBIT G: USFW IPAC

Pivot Energy

U.S. Fish and Wildlife Service Memo

To: Federal Energy Regulatory Commission

From: Liz Reddington, Vice President of Project Development

Date: February 27, 2025

RE: Section 7 Endangered Species Act Consultation – CF IL W Main St Farmersville LLC

Hello,

Thank you for your assistance in conducting site due diligence thus far for our proposed solar project, CF IL W Main St Farmersville LLC located in Montgomery County. The proposed Project is a community solar project that will deliver clean energy to the local electrical grid. The Project site will occupy approximately 16 acres of leased land and is located on the corner of W Main St and Hays Rd.

We consulted the United States Fish and Wildlife Service's Information for Planning and Consulting tool, IPaC, and received a list of threatened or endangered species list. This list details the potential mammals, birds, insects, flowering plants, and critical habitats that could occur on Site. According to IPaC, there are two species that may be present in Montgomery County and our Project area: the Indiana bat and monarch butterfly.

In our correspondence, you stated, "Projects with no federal nexus are not subject to section 7 consultation. Therefore, if the project proceeds as anticipated and no take of listed species will occur, no further coordination with the USFWS is required. If take is expected for private projects (e.g., tree clearing during the active season), coordination with USFWS is required via technical assistance. In these instances, we recommend to avoid and minimize take to the extent practicable." In addition, there are no critical habitats located for this Project Site.

The proposed Site is an active agricultural field, and the Project will require no tree clearing, thus avoiding take to the greatest extent practicable. The Project will have low impact and require minimal Site alteration or grading. The Project proposes to use native, pollinator friendly seed mix that will provide habitat for these listed species. For these reasons, we conclude CF IL W Main St Farmersville LLC will have "no effect" on listed species, their habitats, or proposed or designated critical habitat.

Liz Reddington
VP of Development
Pivot Energy

pivotenergy.net

Pivot Energy

Appendix 1: U.S. Fish and Wildlife Service Species List

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Southern Illinois Sub-Office
Southern Illinois Sub-office
8588 Route 148
Marion, IL 62959-5822
Phone: (618) 998-5945
Email Address: Marion@fws.gov
https://www.fws.gov/office/illinois-iowa-ecological-services

In Reply Refer To: 02/26/2025 19:56:58 UTC
Project Code: 2025-0061539
Project Name: CF IL Solar W.Main St, Farmersville LLC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat, if present, within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation. If you determine that other federally protected species not listed in this Official Species List are present in your action area, you are still responsible to analyze your potential effects to those species and consult with the U.S. Fish and Wildlife Service if consultation is required.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) **the accuracy of this species list should be verified after 90 days**. This verification can be completed formally or informally. You may verify the list by visiting the Information for Planning and Consultation (IPaC) website https://ipac.ecosphere.fws.gov at regular intervals during project planning and implementation and completing the same process you used to receive the attached list.

Section 7 Consultation

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the U.S. Fish and Wildlife Service

(Service) if they determine their project "may affect" listed species or designated critical habitat. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action may affect endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service to make "no effect" determinations. If you determine that your proposed action will have no effect on threatened or endangered species or their respective designated critical habitat, you do not need to seek concurrence with the Service.

Note: For some species or projects, IPaC will present you with *Determination Keys*. You may be able to use one or more Determination Keys to conclude consultation on your action for species covered by those keys.

Technical Assistance for Listed Species

1. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain information on the species life history, species status, current range, and other documents by selecting the species from the thumbnails or list view and visiting the species profile page.???????

No Effect Determinations for Listed Species

1. If there are *no* species or designated critical habitats on the Endangered Species portion of the species list: conclude "no species and no critical habitat present" and document your finding in your project records. No consultation under ESA section 7(a)(2) is required if the action would result in no effects to listed species or critical habitat. Maintain a copy of this letter and IPaC official species list for your records.
2. If any species or designated critical habitat are listed as potentially present in the **action area** of the proposed project the project proponents are responsible for determining if the proposed action will have "no effect" on any federally listed species or critical habitat. No effect, with respect to species, means that no individuals of a species will be exposed to any consequence of a federal action or that they will not respond to such exposure.
3. If the species habitat is not present within the action area or current data (surveys) for the species in the action area are negative: conclude "no species habitat or species present" and document your finding in your project records. For example, if the project area is located entirely within a "developed area" (an area that is already graveled/paved or supports structures and the only vegetation is limited to frequently mowed grass or conventional landscaping, is located within an existing maintained facility yard, or is in cultivated cropland conclude no species habitat present. Be careful when assessing actions that affect: 1) rights-of-ways that contains natural or semi-natural vegetation despite periodic mowing or other management; structures that have been known to support listed species (example: bridges), and 2) surface water or groundwater. Several species inhabit rights-of-ways, and you should carefully consider effects to surface water or groundwater, which often extend outside of a project's immediate footprint.
4. Adequacy of Information & Surveys - Agencies may base their determinations on the best evidence that is available or can be developed during consultation. Agencies must give the benefit of any doubt to the species when there are any inadequacies in the information. Inadequacies may include uncertainty in any step of the analysis. To provide adequate information on which to base a determination, it may be appropriate to conduct surveys to determine whether listed species or their habitats are present in the action area. Please contact our office for more information or see the survey guidelines that the Service has made available in IPaC.

May Effect Determinations for Listed Species

1. If the species habitat is present within the action area and survey data is unavailable or inconclusive: assume the species is present or plan and implement surveys and interpret results in coordination with our office. If assuming species present or surveys for the species are positive continue with the may affect determination process. May affect, with respect to a species, is the appropriate conclusion when a species might be exposed to a consequence of a federal action and could respond to that exposure. For critical habitat, 'may affect' is the appropriate conclusion if the action area overlaps with mapped areas of critical habitat and an essential physical or biological feature may be exposed to a consequence of a federal action and could change in response to that exposure.
2. Identify stressors or effects to the species and to the essential physical and biological features of critical habitat that overlaps with the action area. Consider all consequences of the action and assess the potential for each life stage of the species that occurs in the action area to be exposed to the stressors. Deconstruct the action into its component parts to be sure that you do not miss any part of the action that could cause effects to the species or physical and biological features of critical habitat. Stressors that affect species' resources may have consequences even if the species is not present when the project is implemented.
3. If no listed or proposed species will be exposed to stressors caused by the action, a 'no effect' determination may be appropriate – be sure to separately assess effects to critical habitat, if any overlaps with the action area. If you determined that the proposed action or other activities that are caused by the proposed action may affect a species or critical habitat, the next step is to describe the manner in which they will respond or be altered. Specifically, to assess whether the species/critical habitat is "not likely to be adversely affected" or "likely to be adversely affected."
4. Determine how the habitat or the resource will respond to the proposed action (for example, changes in habitat quality, quantity, availability, or distribution), and assess how the species is expected to respond to the effects to its habitat or other resources. Critical habitat analyses focus on how the proposed action will affect the physical and biological features of the critical habitat in the action area. If there will be only beneficial effects or the effects of the action are expected to be insignificant or discountable, conclude "may affect, not likely to adversely affect" and submit your finding and supporting rationale to our office and request concurrence.
5. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, check IPaC for species-specific Section 7 guidance and conservation measures to determine whether there are any measures that may be implemented to avoid or minimize the negative effects. If you modify your proposed action to include conservation measures, assess how inclusion of those measures will likely change the effects of the action. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, contact our office for assistance.
6. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

For additional information on completing Section 7 Consultation including a Glossary of Terms used in the Section 7 Process, information requirements for completing Section 7, and example letters visit the Midwest Region Section 7 Consultations website at: https://www.fws.gov/library/collections/midwest-region-section-7-consultations.

https://www.fws.gov/office/midwest-region-headquarters/midwest-section-7-technical-assistance

You may find more specific information on completing Section 7 on communication towers and transmission lines on the following websites:

- Incidental Take Beneficial Practices: Power Lines - https://www.fws.gov/story/incidental-take-beneficial-practices-power-lines
- Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning. - https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation

Tricolored Bat Update

On September 14, 2022, the Service published a proposal in the Federal Register to list the tricolored bat (Perimyotis subflavus) as endangered under the Endangered Species Act (ESA). The Service has up to 12-months from the date the proposal published to make a final determination, either to list the tricolored bat under the Act or to withdraw the proposal. The Service determined the bat faces extinction primarily due to the rangewide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across North America. Because tricolored bat populations have been greatly reduced due to WNS, surviving bat populations are now more vulnerable to other stressors such as human disturbance and habitat loss. Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and "take" will apply. Therefore, if your future or existing project has the potential to adversely affect tricolored bats after the potential new listing goes into effect, we recommend that the effects of the project on tricolored bat and their habitat be analyzed to determine whether authorization under ESA section 7 or 10 is necessary. Projects with an existing section 7 biological opinion may require reinitiation of consultation, and projects with an existing section 10 incidental take permit may require an amendment to provide uninterrupted authorization for covered activities. Contact our office for assistance.

Bald and Golden Eagles

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act, as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, please contact our office for further coordination. For more information on permits and other eagle information

visit our website https://www.fws.gov/library/collections/bald-and-golden-eagle-management.

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Southern Illinois Sub-Office
Southern Illinois Sub-office
8588 Route 148
Marion, IL 62959-5822
(618) 998-5945

PROJECT SUMMARY

Project Code: 2025-0061539
Project Name: CF IL Solar W.Main St, Farmersville LLC
Project Type: Power Gen - Solar
Project Description: 2.625 MW AC community solar project occupying 16 acres.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@39.44438245,-89.66195591260941,14z

Counties: Montgomery County, Illinois

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat *Myotis sodalis* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Carina Allen
Address: 444 W Lake St
City: Chicago
State: IL
Zip: 60606
Email callen@pivotenergy.net
Phone: 6156266221

LEAD AGENCY CONTACT INFORMATION

Lead Agency: County of Montgomery

Pivot Energy

Appendix 2: U.S. Fish and Wildlife Service Correspondence

Merrill Read <mread@pivotenergy.net>

USFWS no effect memo

3 messages

Oliver, Lincoln R <lincoln_oliver@fws.gov> Wed, Aug 9, 2023 at 2:31 PM
To: "mread@pivotenergy.net" <mread@pivotenergy.net>

Hello,

Per our discussion, the following is the text I promised.

No effect memo – "The Illinois-Iowa Ecological Services Field Office has no regulatory or statutory authority for concurring with "no effect" determinations. However, we recommend you maintain a written record of your "no effect" determination ("take is not anticipated" for projects with no federal nexus) and include it in your decision record. An example "no effect" memo can be found on our website at https://www.fws.gov/sites/default/files/documents/P4_ne_habitat_ltr.pdf."

Federal nexus – Projects with no federal nexus are not subject to section 7 consultation. Therefore, if the project proceeds as anticipated and no take of listed species will occur, no further coordination with the USFWS is required. If take is expected for private projects (e.g., tree clearing during the active season), coordination with USFWS is required via technical assistance. In these instances, we recommend to avoid and minimize take to the extent practicable.

Please let me know if you have any questions on this or future projects.

Thank you,

Lincoln

Lincoln Oliver, CWB®

Fish and Wildlife Biologist

U.S. Fish and Wildlife Service

Illinois - Iowa Ecological Services Field Office

1511 47th Avenue

Moline, IL 61265

309-757-5800 x208

Pivot Energy

EXHIBIT H: FAA

Federal Aviation Administration

« OE/AAA

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airports Region / District Office for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

* **Structure Type:**	SOLAR | Solar Panel Please select structure type and complete location point information.
Latitude:	39 Deg 26 M 36.6 S N
Longitude:	89 Deg 39 M 45.7 S W
Horizontal Datum:	NAD83
Site Elevation (SE):	645 (nearest foot)
Structure Height :	25 (nearest foot)
Is structure on airport:	(●) No ( ) Yes

Results

You do not exceed Notice Criteria.

Pivot Energy

EXHIBIT I: AIMA

STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT
between
CF IL Solar W. Main St., Farmersville LLC

and the
ILLINOIS DEPARTMENT OF AGRICULTURE
Pertaining to the Construction of a Commercial Solar Energy Facility
in
Montgomery 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).

CF IL Solar W. Main St., Farmersville LLC, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a 2.6MWac Commercial Solar Energy Facility in Montgomery County [GPS Coordinates: 39.443326, -89.664926], which will consist of up to 20 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: (1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things: 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.

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 CF IL Solar W. Main St., Farmersville 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 Montgomery County within the State of Illinois.

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

STATE OF ILLINOIS
DEPARTMENT OF AGRICULTURE

Jerry Costello II

By: Jerry Costello II, Director 4

Clay Nordsiek

By ~~Tess Feagans, General Counsel~~
Clay Nordsiek, Deputy General Counsel

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

8/28, 2024

CF IL Solar W. Main St., Farmersville LLC

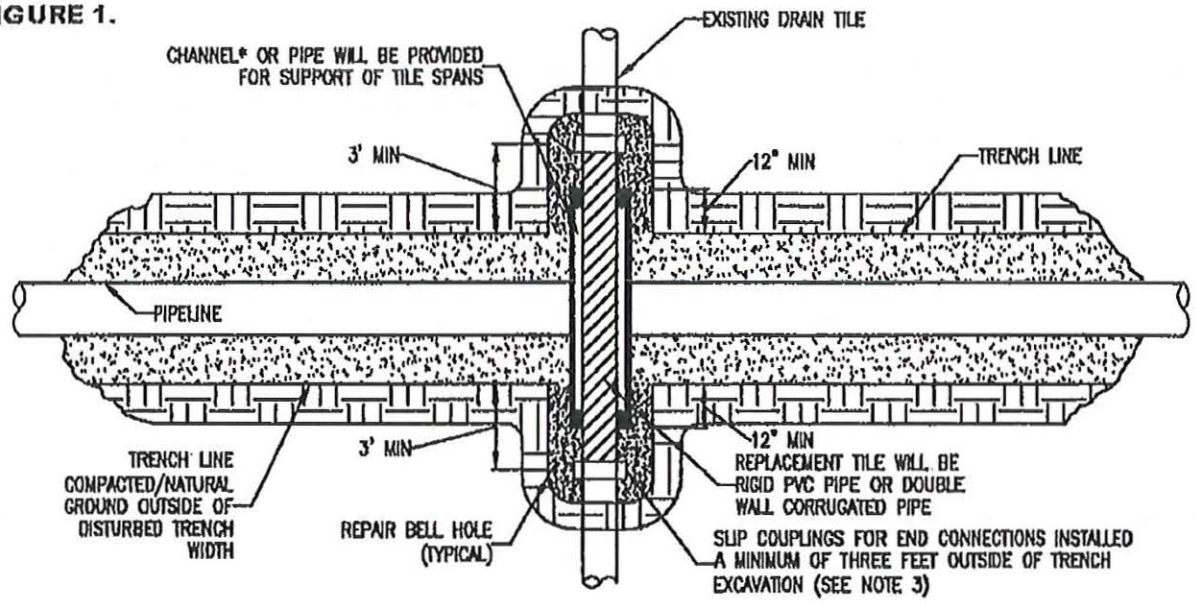
By Liz Reddington, VP

444 W Lake St #1700

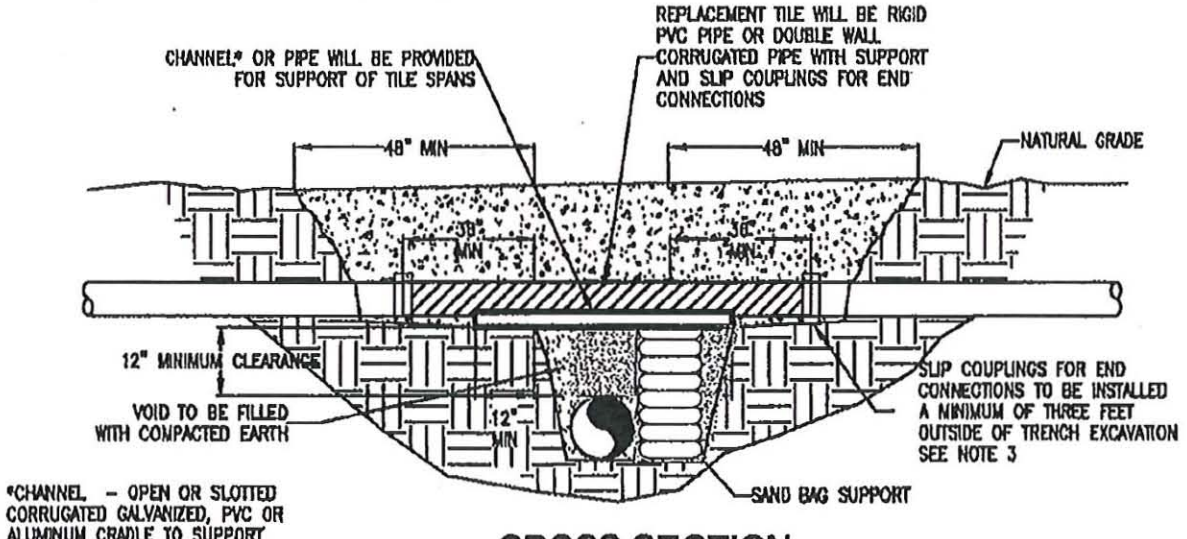
Address

Aug 13, 2024

FIGURE 1.



PLAN
N.T.S.



*CHANNEL - OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE TO SUPPORT DRAIN TILE.

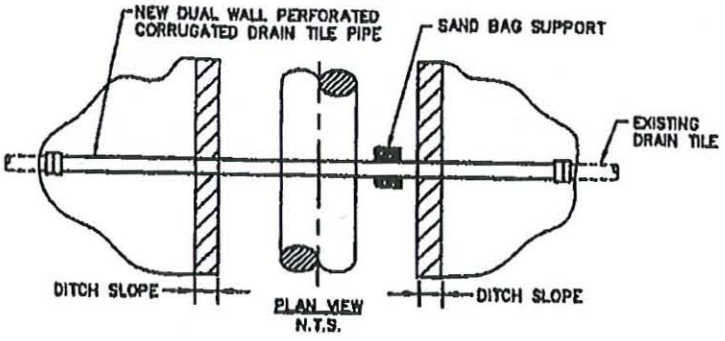
CROSS SECTION
N.T.S.

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.

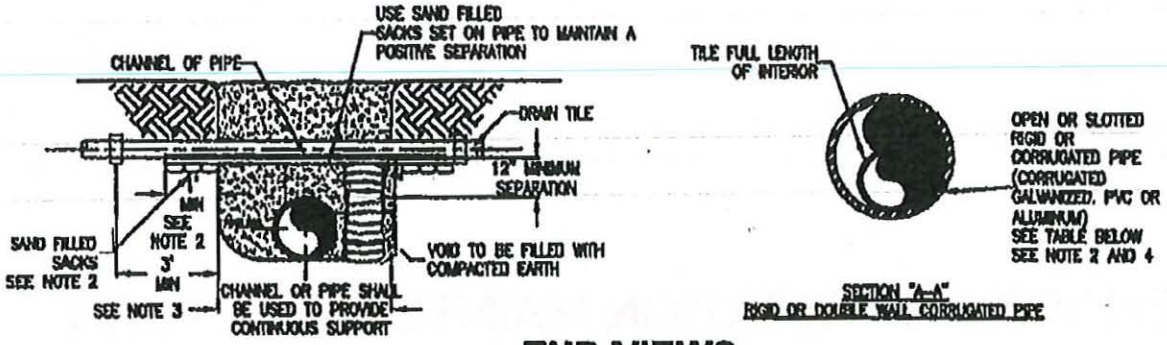
TEMPORARY DRAIN TILE REPAIR

FIGURE 2.



PLAN VIEW
N.T.S.

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

EXHIBIT J: VEGETATION MAINTENANCE PLAN

Pivot Energy

Vegetation and Landscape Management Plan

CF IL Solar W. Main St., Farmersville LLC
MONTGOMERY COUNTY

Pivot Energy

February 2025

Pivot Energy

Table of Contents

Pivot Energy

1 INTRODUCTION AND OBJECTIVE

The purpose of this plan is to provide a comprehensive vegetation management plan consistent with the requirements outlined by Montgomery County's ordinance. This plan will show that the Applicant is managing the project site (Site) consistent with the goals of the Pollinator-Friendly Solar Site Act, detailing the type of vegetative ground cover to be planted, established, and maintained for the life of the Project. Further, the plan will detail IDNR guidelines ensuring appropriate vegetation management and short-term and long-term property management practices that provide and maintain native and non-invasive naturalized perennial vegetation to protect the health and well-being of pollinators.

2 GENERAL PROJECT INFORMATION

2.1 Project Location/Address

The CF IL Solar W. Main St., Farmersville LLC project is located on approximately 16 acres of land northwest of the intersection of Main Street and Hays Road, on the on the parcels known as 01-33-100-017 and 01-32-200-007.

GPS coordinates for the project site: 39.444368, -89.663250

2.2 Project Description

The proposed Project is a 2.60 Megawatt alternating current (AC) system composed of approximately 6,500 solar photovoltaic (PV) modules and 21 100-125-kilowatt string inverters. The solar modules are mounted on a single-axis tracker (SAT) racking system, which utilizes driven posts or augured screws for foundations. The array is monitored by a utility owned supervisory control and data acquisition (SCADA) system, which allows remote monitoring and control. All equipment will be located within the footprint of the fenced area, enclosed with agricultural style security fencing and accessed via the proposed entrance from Main Street. The property is currently cropland.

3 EROSION AND SEDMIENT CONTROL PLAN

Many of our projects across the state and country exist in agricultural communities. Solar is considered a harmonious use and a low-impact neighbor since it does not create discernible traffic, noise, or pollution, and will provide pollinator friendly habitat underneath the array. In addition, our sites are kept clean and neat. Much of the Project will be pervious 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.

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 areas of the parcel perimeter 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 (Pivot) will seed the Site with native grass seed mix approved by the County and/or the local jurisdiction. 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 better manage storm water runoff. Additionally, planting diverse mixes of native plants will prevent soil and nutrients from washing away, and improves water quality and prevents soil loss. Further details of proposed vegetation implementation and adherence to the IDNR guidelines are described in the following sections of this plan.

During construction, minimal grading may be required as a part of site preparation to accommodate the installation of the solar array components. It is Pivot's strong preference to eliminate or minimize the need for grading wherever possible. Regardless of site size or location, Pivot requires close coordination between engineers, equipment supplies, and construction partners to create a holistic design that results in the least possible topsoil disturbance. In the event grading is required for site preparation, Pivot specifies that construction partners must stockpile all removed topsoil to be used for redistribution on site after all cut and fill activities are completed.

4 VEGETATION IMPLEMENTATION AND MANAGEMENT PLAN

Pivot will engage with a local ecologist or IDNR consultant to identify all invasive species and appropriate seed mixes for the Site. Invasive species will preferably be removed either by hand or by grazing; in the event an herbicide needs to be utilized, it must be approved by Pivot. Pivot 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 conducts regular vegetation management several times per year, and 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, mechanical mowing, livestock grazing and other landscaping measures to maintain a clean, orderly, and noxious-weed-free Site.

The Applicant will abide by applicable Illinois Department of Natural Resources (IDNR) guidelines and proposes short-term and long-term property management practices that maintain native and non-native-invasive naturalized perennial vegetation, further described in Section 5 below. The Project will also comply with the Illinois Noxious Weed Law (505 ILCS 100) and other vegetation parameters in the Montgomery County Zoning Code, such as managing a vegetative buffer aroid the entire perimeter of the Project and setback areas (Section F.2.a). These areas, since they are unfenced and therefore unable to be grazed, are generally mowed by a local vendor or our grazing partner for the Project several time throughout the growing season.

4.1 Planting Method

Preferred method will be hydroseed or drill seeding 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, as determined by construction scheduling or as recommended by a vegetation specialist.

4.2 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. The temporary seed mix will be determined per site specific conditions and seed availability prior to construction commencement.

4.3 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 seed mix will be determined before planting by a qualified vegetation specialist and/or the local jurisdiction. The final seed mix will consist of a combination of the following perennial plant types, in percentages confirmed by a qualified ecological consultant.

- Orchard, Brome, and Rye Grasses
- Clovers
- Early Season flowering native varietals
- Mid Season flowering native varietals
- Late Season flowering native varietals

5 ADHERENCE TO IDNR PRACTICES GUIDELINES

5.1 Long Term Vegetation Management

I. Pivot will contract with a local vegetation management provider with a minimum three (3) year initial term with automatic one (1) year extensions up to seven (7) years. The primary method of vegetation management may be either via sheep grazing or mechanical mowing, per final allowances in the Siting Permit.

II. Vegetation management in year one will employ pollinator best practices to ensure proper seed mix establishment.
   a. Mechanical mowing and/or grazing activities will target a height of 10" or greater during the first growing season.
   b. Hand removal or spot herbicide treatments may be used to control weed growth on Site. Herbicide treatments shall be reviewed and approved by Pivot prior to application.
   c. Spot seeding may be required to ensure proper seed mix establishment.

III. Vegetation management beyond year one will employ the following pollinator best practices to ensure ongoing plant establishment.
   a. A combination of spot herbicide treatments, mechanical mowing, and livestock grazing will be used to maintain the site vegetation.
   b. Haying may be used every one to three years to remove thatch buildup, and this method will be deployed only after the vegetative height has reached 6" or greater in a given season. Haying will impact 50% or less of the site in any given instance.

c. Pivot will prepare a site-specific livestock grazing plan with a local provider prior to the commencement of construction activities. The plan will include the overall vegetation management goals, the type and number of livestock grazing the site, general timing and durations of grazing dispatches, and other details as required per site conditions.
d. Additional spot seeding may be completed throughout the life of the solar array, to be determined on an as-needed basis by Pivot.

5.2 Weed Management

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

IV. Eradicate invasive species before any ground disturbing activity begins with the assistance of the County and a local ecologist consultant. Eradication will take place before construction begins.
V. Ensure that all equipment and persons leaving the parcel are free of weed seeds or other plant seeds. The Applicant will clean seeds from tires, tracks and all other parts of machinery and persons.
VI. The hydroseed or hydromulch is a drought tolerant native grass and pollinator friendly seed mix in the early spring or early fall. The final seed mix will be determined by an approved professional knowledgeable with re-vegetation means and methods.
VII. Mow or graze the 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.
VIII. Since weed seeds remain viable in the soil for a number of 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.

5.3 Site Maintenance Practices

I. Mow or graze project area 2-4 times a year 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; notify Pivot of repairs or replacements as needed, to be completed by qualified solar array technicians.
VIII. Inspect drainage and water management systems (e.g., culverts, ditches, etc.); repair as needed.
IX. 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. Herbicides must be approved by Pivot Asset Management prior to application.

6 OPERATION AND MAINTENANCE

CF IL Solar W. Main St., Farmersville LLC will own, operate, and maintain the solar project. The Pivot Energy IL 7 Operations and Maintenance (O&M) team outlined below will be the prime points of contact for the solar project, once constructed.

Primary O&M Contact	Angela Burke, Director, O&M, 24/7 contact	(888) 734-3033 Ext. 1	aburke@pivotenergy.net
Secondary O&M Contact	Nate Zirlen, Operational Asset Manager, O&M	(888) 734-3033 Ext. 1	nzirlen@pivotenergy.net

The project's Primary O&M Contact and Secondary O&M Contact will be responsible for overseeing compliance of the Project. Their duties include ensuring that the measures in this plan are complied with, all agencies and appropriate stakeholders (including but not limited to emergency response units, utility, solar O&M technicians, and project owner) are properly notified in the event notification is required, and that all required plans and reports are prepared and submitted in a timely manner.

Pivot Energy

EXHIBIT K: DECOMMISSIONING PLAN

DECOMMISSIONING PLAN
ELMORE SOLAR DEVELOPMENT
MONTGOMERY COUNTY, ILLINOIS
MARCH 13, 2025

PREPARED FOR:

Pivot Energy
Brittany Krebsbach
18 South Michigan Avenue, 12th Floor
Chicago, Illinois 60603
(320) 290-0612

PREPARED BY:

Manhard Consulting
Kelsey Sidrys
1 E Wacker Drive, Suite 2700
Chicago, IL 60601
(773)943-7561
ksidrys@manhard.com

PROJECT BACKGROUND

Pivot Energy is proposing to build a ground-mounted photovoltaic (PV) solar facility located just outside the Village of Farmersville in Montgomery County, referred to as "Elmore Solar" ("Facility"). The Facility will consist of a 2.6-Megawatt (AC) array and is planned to connect to the local electrical grid. The Facility site is to be constructed at the northwest corner of Hays Road and Main Street in Montgomery County, Illinois and will cover approximately 15.4 acres of agricultural land on Tax Parcels 01-32-200-007 and 01-33-100-017.

On behalf of Pivot Energy, Manhard Consulting has prepared this Decommissioning Plan ("Plan") to describe the process for decommissioning the Facility at the anticipated end of life (45 years) in accordance with applicable federal, state, and local requirements. This includes the requirements set forth by the Montgomery County Solar Ordinance and outlined in the Illinois Department of Agriculture's standard solar Impact Mitigation Agreement (AIMA) Version 8.19.19. This document provides an overview of the decommissioning phase of the Facility, including activities related to the restoration of land, the management of materials and waste, estimated costs, and a decommissioning cost and surety bond.

Owner/Operator

Pivot Energy, or the future owner-operator if the site its sold and transferred, will manage and coordinate the decommissioning process and obtain all necessary regulatory approvals that may vary depending on jurisdiction, project, capacity, and site location.

Owner contact information are as follows:

Company:	Pivot Energy
Contact:	Brittney Krebsbach
Address:	444 W Lake St, Suite 1700 Chicago, Illinois 60606
Telephone:	320-290-0612
Email:	bkrebsbach@pivotenergy.net

Facility Description

The Facility will consist of one 2.6 MWAC capacity solar generation system with associated equipment. The Facility will have a game fence securing the solar panels and equipment, accessed through a lock-controlled gate located on the proposed access road. The Facility will include the following site features:

- Total property area is ±151 acres
- Total project area within security fence is ±15.4 acres
- Approximately 6,396 photovoltaic solar panels
- Single-axis tracker systems with metal racking frames and one (1) motor per row
- Screw or driven piles supporting the PV modules
- One transformer pad
- Approximately six (6) aboveground utility poles
- Overhead electrical wires at the poles interconnected to local grid

- Underground electrical wire conduits
- Game fence
- Gravel access drive and turnaround
- A metal security gate at the entrance to the array area

DECOMMISSIONING PLAN

The Facility may be decommissioned under the following conditions:

1. Pivot Energy or any future owner and operator of the facility decides to retire the Facility;
2. The property lease has approached its specified end date;
3. 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.

The facility will be decommissioned by completing the following steps: dismantlement and demolition, disposal or recycle, removal of all landscape materials, and site stabilization all in accordance with the AIMA, applicable law, and Pivot Energy's lease agreement.

Preparation and Notification

Prior to deconstruction, it is required to notify Montgomery County, US ACOE, and any other authority having jurisdiction. Coordination with the local utility company will be necessary to determine timing and required procedures for disconnecting the Facility from the utility distribution network. In addition, all required permits and approvals must be obtained, including preparation of a Storm Water Pollution Prevention Plan (SWPPP). The Facility site shall be prepared with the installation of soil erosion and sediment controls. Sanitary facilities will be provided on-site for all workers performing the decommissioning of the Facility.

Equipment Dismantling and Demolition

Decommissioning shall include the removal of all solar electric equipment, electrical conduits and cabling, roads, fences and gates, equipment foundations, pilings and any other associated items.
All electrical connections to the system shall be disconnected and tested to confirm no electric equipment is live. Electrical connections to the panels will be cut at the panel and removed from their framework by cutting or dismantling the connections to the supports.

PV module shall be disconnected, collected, and disposed at an approved solar module recycler or reused/resold on the market. In the event of a total fracture of any modules, the interior materials are silicon-based and are not hazardous. These materials can be disposed of at a landfill where accepted. The PV racking system framework and metal piles shall be dismantled, completely removed, and disposed off-site or recycled/salvaged at an approved facility.
All aboveground electrical lines and poles shall be removed and disposed of at an approved facility in accordance with utility best practices. All underground electrical conduits shall be removed to a depth of five (5) feet by means causing the least amount of disturbance as possible. Any underground electrical lines at a depth greater than five (5) feet may be abandoned in place. Electrical and electronic devices such as transformers, inverters, switchgear, and support structures shall be removed and disposed off-site at an approved facility. Components that are not required for return to the power authority will be disposed off-site or recycled/salvaged at an approved facility.

Concrete foundations shall be crushed, fully removed, and disposed off-site or recycled at an approved facility. Montgomery County shall confirm if the gravel access roads shall remain or be removed in its entirety. At the end of deconstruction, all fencing and gates shall be removed and disposed off-site or recycled at an approved facility.

Disposal or Removal

A significant amount of the components at the Facility will include recyclable or re-saleable materials. These components include PV modules, inverters, transformers, racking frames and posts, tracker motors, interconnection equipment, electronic controls, wiring and fencing. The owner is expected to maximize recycled and reused materials, as opposed to being demolished or disposed of. It is under the responsibility of the owner to arrange the collection of these materials for salvage value.

A final site walkthrough will be conducted to remove any remaining debris generated within the Facility site during the decommissioning phase and will include removal and proper disposal of any debris that may have been wind-blown outside the immediate boundary of the site.

Removal of Landscape Materials and Site Stabilization

All vegetation screening shall be removed, and all disturbed areas shall be restored, as closely as practical, to its original pre-construction state and elevation. If access roads are to be removed, they shall remove the areas to a depth of eighteen (18) inches and restore to the site to its original condition using native soils and re-seeding as necessary. It is expected that the remainder of the site be re-seeded with native grasses and vegetation. Any temporary soil erosion and sediment controls shall be removed.

If underground drainage tiles are damaged during deconstruction, it is the responsibility of the owner to repair them to the tile line's proper operation or install new drainage tile lines of comparable question and cost to the original. The drainage tile must also be of sufficient size and appropriate slope in locations that limit direct impact from the Facility site.

Weed control shall be provided such that the spread of weeds onto agricultural land is prevented. A licensed applicator by the State of Illinois must be used to apply pesticides to the site.

SCHEDULE

Stakeholders shall be notified six (6) months prior to decommissioning activities. Permitting is expected to take two (2) to four (4) months. The decommissioning phase is expected to take approximately three (3) months and is intended to occur outside of the winter seasonal months. The deconstruction of the facility must be completed within twelve months after the end of the useful life of the facility. Restoration is expected to take approximately six (6) months depending on the timing of growing season.

PERMITTING REQUIRMENTS

A General Construction Permit through the National Pollutant Discharge Elimination System (NPDES) is required for ground disturbance greater than 1 acre. This will involve preparation of a SWPPP. A building permit may be required by Montgomery County for decommissioning of the Facility. It is the responsibility of the owner to notify local jurisdictions prior to deconstruction and verify permitting requirements at the time of decommissioning.

DECOMMISSIONING COST ESTIMATE AND SURETY BOND

Pivot Energy proposes to provide a financial guarantee to Montgomery County prior to construction in the form of a surety bond to ensure that money is available to decommission the Facility. To prepare to unforeseen circumstances, such as a change of ownership, the surety bond will be renewed annually and will remain available to any party performing the decommissioning.

The attached Decommissioning Engineer's Opinion of Probable Cost (EOPC) will be used to determine the amount of the surety. Based on the EOPC, the value of the surety is $112,500. Including inflation, the estimated costs of removal 45 years from present time will be $274,250. The value of the surety is reduced based on the salvage value of any materials or equipment.

The Owner shall provide the County with the escrow amount over the first 11 years of the Facility's operation and the provision shall be phased as follows:

1. Ten (10) percent of the estimated decommissioning costs outlined above shall be funded by the Owner on or before the first anniversary of the commercial operation date.
2. Fifty (50) percent of the estimated decommissioning costs outlined above shall be funded by the Owner on or before the sixth anniversary of the commercial operation date.
3. One hundred (100) percent of the estimated costs of decommissioning provided during the tenth year of commercial operation shall be funded by the Owner on or before the eleventh anniversary of the commercial operation date.

The proposed schedule of payments represented in the table below are to be funded to an escrow account held by Montgomery County on a minimum of a yearly basis:

Elmore Solar Decommissioning - Schedule of Payments
Total Financial Assurance Amount: $274,250

	Year 1 (10%)	Year 2	Year 3	Year 4	Year 5 (50%)	Year 6	Year 7	Year 8	Year 9	Year 10 (100%)
Payment Amount by End of Year	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00
Cumulative Total	$ 27,425.00	$ 54,850.00	$ 82,275.00	$ 109,700.00	$ 137,125.00	$ 164,550.00	$ 191,975.00	$ 219,400.00	$ 246,825.00	$ 274,250.00

The County may review the cost estimate for decommissioning after the tenth anniversary and every five (5) years thereafter, of the commercial operation date. The review shall be conducted by the County's designated independent engineer. If necessary, revisions shall be at the expense of the Developer and an updated plan shall be submitted to the Montgomery County Coordinating Office for Board Review, with adjustments made to the escrow account balance, as needed.

Once the decommissioning is complete and inspection that the work has been done in accordance with the Decommissioning Plan, any portion of the surety not used to remediate shall be returned to the owner/lessee. If the project is decommissioned or abandoned and the amount available is insufficient to remediate, Pivot Energy shall be liable for the deficiency in excess of the surety amount.

Manhard CONSULTING

ENGINEER'S OPINION OF PROBABLE COST
ELMORE SOLAR DEVELOPMENT
MONTGOMERY COUNTY, ILLINOIS
2025-MARCH

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
SCHEDULE I - DECOMMISSIONING					
1	Mobilization	1	LUMP SUM	$5,000.00	$5,000.00
2	Silt Fence (Non-Wire Back)	2,533	LF	$2.75	$6,950.00
3	Concrete Washout	1	EACH	$4,500.00	$4,500.00
4	Construction Entrance	1	LUMP SUM	$5,000.00	$5,000.00
5	Panel Removal	6,396	EACH	$5.00	$32,000.00
6	Racking Removal	87	EACH	$350.00	$30,450.00
7	Racking Post Removal	348	EACH	$30.00	$10,450.00
8	Electrical Wiring Removal	200	LF	$3.00	$600.00
9	Electrical Equipment and Transformer Removal	1	LS	$20,000.00	$20,000.00
10	Overhead Utility Wire and Utility Pole Removal	1	LS	$5,000.00	$5,000.00
11	Breakup and Remove Concrete Pads	36	SY	$10.00	$350.00
12	Underground Elecrical Line Removal	500	LF	$8.00	$4,000.00
13	Storm Culvert and FES Removal	1	EACH	$2,000.00	$2,000.00
14	Gravel Road Removal	4,434	CF	$9.00	$39,900.00
15	Fence Removal	337	LF	$8.00	$2,700.00
16	Vegetative Screening Removal	0	EACH	$50.00	$0.00
17	Transportation to Disposal and Recycling Facilities	1	LS	$100,000.00	$100,000.00
18	Grading and Earthwork to Original Contours	616	CY	$2.00	$1,250.00
19	Soil Restoration and Decompaction	4,434	SF	$2.00	$8,850.00
20	Native Vegetation Re-Seeding	4,434	SF	$3.00	$13,300.00
21	SWPPP Preparation and Permitting	1	LUMP SUM	$5,000.00	$5,000.00
TOTAL SCHEDULE I - DECOMMISSIONING					**$297,300.00**
SCHEDULE II - SALVAGE					
22	PV Modules	6,076	EACH	$19.00	$115,450.00
23	PV Inverter(s)	21	EACH	$58.00	$1,200.00
24	PV Transformer(s)	1	EACH	$3,600.00	$3,600.00
25	Racking Frame	253,300	LBS	$0.17	$43,050.00
26	Racking Posts	92,400	LBS	$0.17	$15,700.00
27	Tracker Motors	4,600	LBS	$0.37	$1,700.00
28	Interconnection Power and Instrument Transformers	1,700	LBS	$0.17	$300.00
29	Interconnection Disconnect Switches	260	LBS	$0.70	$200.00
30	Interconnection Steel Structures	0	LBS	$0.17	$0.00
31	Interconnection Primary Conductor	0	LBS	$0.70	$0.00
32	Interconnection Pre-Fab Steel Buildings	0	LBS	$0.18	$0.00
33	Interconnection HV Underground	0	LBS	$1.36	$0.00
34	Control Panels	0	LBS	$0.18	$0.00
35	Electronic Controls	30	LBS	$0.25	$0.00
36	LV Wiring	0	LBS	$0.90	$0.00
37	MV Wiring	12,250	LBS	$1.36	$16,650.00
38	Chain Link Fence	33,400	LBS	$0.17	$5,700.00
TOTAL SCHEDULE II - SALVAGE					**$203,550.00**
SUBTOTAL SCHEDULE I & II					**$93,750.00**
CONTINGENCY @ 20%					**$18,750.00**
CURRENT TOTAL					**$112,500.00**
FUTURE TOTAL (45 YEARS, INFLATION OF 2%)					**$274,250.00**

ENGINEER'S OPINION OF PROBABLE COST
ELMORE SOLAR DEVELOPMENT
MONTGOMERY COUNTY, ILLINOIS
2025-MARCH

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

Prepared By: Manhard Consulting, Ltd.
1 E Wacker Drive, Suite 2700
Chicago, Illinois 60601

NOTE: This Engineer's Opinion of Probable Cost is made on the basis of Engineer's experience and qualifications using plan quantities and represents Engineer's best judgment as an experienced and qualified professional engineer generally familiar with the construction industry. However, since the Engineer has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, or over quantities of work actually performed, Engineer cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from Opinions of Probable Cost prepared by Engineer. This Opinion of Probable Construction Cost is limited to those items stated herein and does not include permit fees, recapture costs, consultant fees landscaping, dewatering, maintenance, bonds or the like.

Elmore Solar Decommissioning - Schedule of Payments
Total Financial Assurance Amount: $274,250

	Year 1 (10%)	Year 2	Year 3	Year 4	Year 5 (50%)	Year 6	Year 7	Year 8	Year 9	Year 10 (100%)
Payment Amount by End of Year	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00	$ 27,425.00
Cumulative Total	$ 27,425.00	$ 54,850.00	$ 82,275.00	$ 109,700.00	$ 137,125.00	$ 164,550.00	$ 191,975.00	$ 219,400.00	$ 246,825.00	$ 274,250.00

Pivot Energy

EXHIBIT L: PROJECT RENDERING

Photo 1 - Intersection of Main Street and Vekla Street
EXISTING CONDITION

SARATOGA ASSOCIATES

Photograph Information
Date: NA
Time: NA
Focal Length: Google Street View
Photo Location: 39° 26' 35.5478" N, 89° 39' 41.0501" W
Distance to fence: 145 Feet

Pivot Energy

Figure A
PHOTO SIMULATIONS
CF Elmore Solar Project
Farmersville, IL

Photo 1 - Intersection of Main Street and Velda Street
SIMULATED CONDITION WITH LANDSCAPE MITIGATION (YEAR 1 GROWTH)

SARATOGA ASSOCIATES

Photograph Information
Date: NA
Time: NA
Focal Length: Google Street View
Photo Location: 39° 26' 35.5478" N, 89° 39' 41.0501" W
Distance to fence: 145 Feet

Pivot Energy

Figure A
PHOTO SIMULATIONS
CF Elmore Solar Project
Farmersville, IL

Photo 1 - Intersection of Main Street and Velda Street
SIMULATED CONDITION WITH LANDSCAPE MITIGATION (YEAR 1 GROWTH)

SARATOGA ASSOCIATES

Photograph Information
Date: NA
Time: NA
Focal Length: Google Street View
Photo Location: 39° 26' 35.5478" N 89° 39' 41.0501" W
Distance to fence: 145 Feet

Pivot Energy

Figure A
PHOTO SIMULATIONS
CF Elmore Solar Project
Farmersville, IL

Photo 1 - Intersection of Main Street and Velda Street
SIMULATED CONDITION WITH LANDSCAPE MITIGATION (YEAR 5 GROWTH)

SARATOGA ASSOCIATES

Photograph Information
Date: NA
Time: NA
Focal Length: Google Street View
Photo Location: 39° 26' 35.5478" N 89° 39' 41.0501" W
Distance to fence: 145 Feet

Pivot Energy

Figure A
PHOTO SIMULATIONS
CF Elmore Solar Project
Farmersville, IL

Photo 1 - Intersection of Main Street and Velda Street
SIMULATED CONDITION WITH LANDSCAPE MITIGATION (YEAR 5 GROWTH)

SARATOGA ASSOCIATES

Photograph Information
Date: NA
Time: NA
Focal Length: Google Street View
Photo Location: 39° 26' 35.5478" N, 89° 39' 41.0501" W
Distance to fence: 145 Feet

Pivot Energy

Figure A
PHOTO SIMULATIONS
CF Elmore Solar Project
Farmersville, IL

Pivot Energy

EXHIBIT M: SPECIFICATION SHEETS AND CERTIFICATIONS

Datasheet

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 inlcudes 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

c SP us

FC This device complies with part 15 of the FCC Rules

Chint Power Systems America
6800 Koll Center Parkway, Suite 235 Pleasanton, CA 94566
Tel: 855-584-7168 Mail: AmericaSales@chintpower.com Web: www.chintpowersystems.com

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.

Certificate of Compliance

Certificate: 70172159 **Master Contract:** 255045

Project: 80103340 **Date Issued:** 2022-02-28

Issued to: SHANGHAI CHINT POWER SYSTEMS CO., LTD
3255 Si Xian Rd
Songjiang District,
Shanghai, 201614
CHINA

Attention: Huan Cai

The products listed below are eligible to bear the CSA Mark shown with adjacent indicators 'C' and 'US' for Canada and US or with adjacent indicator 'US' for US only or without either indicator for Canada only

C US

Issued by: Jason Lei
Jason Lei

PRODUCTS

CLASS - C531109 - POWER SUPPLIES-Distributed Generation Power Systems Equipment
CLASS - C531189 - POWER SUPPLIES - Distributed Generation-Power Systems Equipment - Certified to U.S. Standards

Transformerless Grid Support Utility Interactive Inverter, Models CPS SCH100KTL-DO/US-600, CPS SCH125KTL-DO/US-600, CPS SCH100KTL-DO/US-480, CPS SCH100KTL-AIO/US-600 and CPS SCH125KTL-AIO/US-600, permanently connected.

Notes:
For details related to rating, size, configuration, etc., reference should be made to the CSA Certification Record, Certificate of Compliance Annex A, or the Descriptive Report.

Certificate: 70172159 **Master Contract:** 255045
Project: 80103340 **Date Issued:** 2022-02-28

APPLICABLE REQUIREMENTS

CSA C22.2 No. 107.1-16 - Power Conversion Equipment

*UL 1741 - Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources (Third Edition, September 28, 2021)

UL1741 CRD - Non-Isolated EPS Interactive PV Inverters Rated Less Than 30Kva (Dated April 26, 2010)

*Note: Conformity to UL 1741 (Third Edition, September 28, 2021) includes compliance with applicable requirements of IEEE 1547-2003 (R2008), IEEE 1547a-2014, IEEE 1547.1-2005(R2011), IEEE 1547.1a-2015, California Rule 21, Hawaiian Electric Co. SRD-UL-1741-SA-V1.1 and Supplement SA8-18, UL 1741 Supplement SB and IEEE 1547.1-2020 with the SRDs of IEEE 1547-2018, IEEE 1547a-2020 and Hawaiian Electric Co. SRD-V2.0. While the grid support function evaluated according to IEEE 1547.1-2020, the interoperability is verified with SunSpec Modbus communication protocol.

SILFAB COMMERCIAL NTC

SIL-570/580 XM+

BIFACIAL

SILFAB SOLAR®

INTRODUCING NEXT-GENERATION N-TYPE CELL TECHNOLOGY

- Improved Shade Tolerance
- Improved Low-Light Performance
- Increased Performance in High Temperatures
- Enhanced Durability
- Reduced Degradation Rate
- Industry-Leading Warranty

SILFABSOLAR.COM

ELECTRICAL SPECIFICATIONS		570		STC at front+irradiance % on back side			580		STC at front+irradiance % on back side		
Test Conditions		STC	NOCT	10%	20%	30%	STC	NOCT	10%	20%	30%
Module Power (Pmax)	Wp	570	421	618	665	713	580	428	628	676	725
Maximum power voltage (Vpmax)	V	43.74	40.23	43.87	43.98	44.09	44.27	40.73	44.40	44.51	44.62
Maximum power current (Ipmax)	A	13.03	10.46	14.1	15.1	16.2	13.10	10.51	14.1	15.2	16.2
Open circuit voltage (Voc)	V	52.03	47.85	52.16	52.27	52.38	52.27	48.08	52.40	52.51	52.62
Short circuit current (Isc)	A	13.79	11.07	14.9	16.0	17.1	13.85	11.12	15.0	16.1	17.2
Module efficiency	%	22.1%	20.4%	23.9%	25.7%	27.6%	22.4%	20.7%	24.3%	26.2%	28.0%
Maximum system voltage (VDC)	V	1500									
Series fuse rating	A	30									
Power Tolerance	Wp	0 to +10									
Bifaciality Factor	%	80±5									

Measurement conditions: STC 1000 W/m² • AM 1.5 • Temperature 25 °C • NOCT 800 W/m² • AM 1.5 • Measurement uncertainty ≤ 3%. Sun simulator calibration reference modules from authorized third-party lab. Electrical characteristics may vary by ±5% and power by 0 to + 10 W. Bifaciality Factor = Pmax rear / Pmax front, both cases are tested under STC.

MECHANICAL PROPERTIES / COMPONENTS	METRIC	IMPERIAL
Module weight	28.5 kg ±0.2 kg	62.8 lbs ±0.4 lbs
Dimensions (H x L x D)	2278 mm x 1133 mm x 35 mm	89.7 in x 44.6 in x 1.4 in
Maximum surface load (wind/snow)*	2400 Pa rear load / 5400 Pa front load	50.1 lb/ft² rear load / 112.8 lb/ft² front load
Hail impact resistance	ø 25 mm at 83 km/h	ø 1 in at 51.6 mph
Cells	144 Half cells - N-Type Silicon solar cell 182 mm x 91 mm	144 Half cells - N-Type Silicon solar cell 7.16 in x 3.58 in
Glass	3.2 mm high transmittance, tempered, anti-reflective coating	0.126 in high transmittance, tempered, anti-reflective coating
Cables and connectors (refer to installation manual)	1350 mm, ø 5.7 mm, EVO2 from Staubli	53.1 in, ø 0.22 in (12 AWG), EVO2 from Staubli
Backsheet	High durability, superior hydrolysis and UV resistance, multi-layer dielectric film, transparent PV backsheet	
Frame	Anodized Aluminum (Silver)	
Junction Box	UL 3730 Certified, IEC 62790 Certified, IP68 rated, 3 diodes	

TEMPERATURE RATINGS	
Temperature Coefficient Isc	0.04 %/°C
Temperature Coefficient Voc	-0.24 %/°C
Temperature Coefficient Pmax	-0.29 %/°C
NOCT (± 2°C)	45 °C
Operating temperature	-40/+85 °C

WARRANTIES	
Module product workmanship warranty	25 years**
Linear power performance guarantee	30 years
	≥ 98% end 1st yr ≥ 94.7% end 12th yr ≥ 90.8% end 25th yr ≥ 89.3% end 30th yr

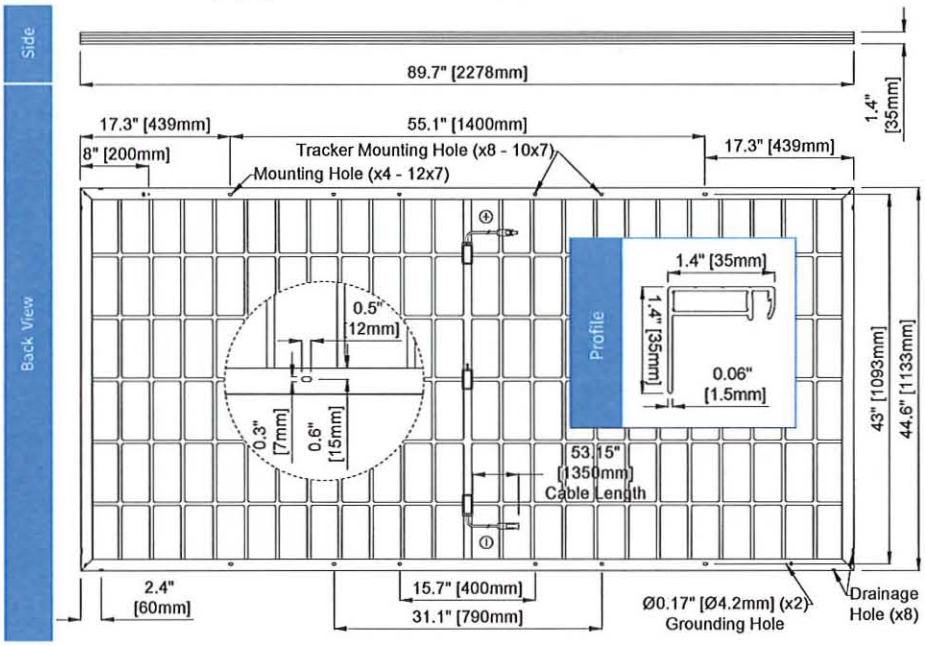
CERTIFICATIONS	
Product	UL 61215***, UL 61730*** , CSA C22.2#61730***, IEC 61215***, IEC 61730***, IEC 61701 (Salt Mist Corrosion), IEC 62716 (Ammonia Corrosion), CEC Listing***, UL Fire Rating: Type 1
Factory	ISO9001:2015

SHIPPING SPECS	
Modules Per Pallet:	TBD
Pallets Per Truck	TBD
Modules Per Truck	TBD

* ⚠ Warning. Read the Safety and Installation Manual for mounting specifications and before handling, installing and operating modules.

** 12 year extendable to 25 years subject to registration and conditions outlined under "Warranty" at silfabsolar.com.
PAN files generated from 3rd party performance data are available for download at: silfabsolar.com/downloads.

*** Certification and CEC listing in progress.



SILFAB SOLAR INC.

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info@silfabsolar.com
SILFABSOLAR.COM

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T +1 905.255.2501
F +1 905.696.0267

Silfab - SIL-570/580-XM+-BIFACIAL 20240308

intertek
Total Quality. Assured.

AUTHORIZATION TO MARK

This authorizes the application of the Certification Mark(s) shown below to the models described in the Product(s) Covered section when made in accordance with the conditions set forth in the Certification Agreement and Listing Report. This authorization also applies to multiple listee model(s) identified on the correlation page of the Listing Report.

This document is the property of Intertek Testing Services and is not transferable. The certification mark(s) may be applied only at the location of the Party Authorized To Apply Mark.

Applicant:	Silfab Solar Inc.	**Manufacturer:**	Silfab Solar Inc.
Address:	240 Courtneypark Drive East Mississauga, Ontario L5T 2Y3	**Address:**	1770 Port Dr, Burlington, Washington, 98233
Country:	Canada	**Country:**	USA

Party Authorized To Apply Mark: Same as Manufacturer
Report Issuing Office: Intertek Testing Services NA, Inc., Lake Forest, CA

Control Number: *5021655* **Authorized by:** Gela Kuchadze
for L. Matthew Snyder, Certification Manager

C ETL LISTED US
Intertek

This document supersedes all previous Authorizations to Mark for the noted Report Number.

Intertek Testing Services NA Inc.
545 East Algonquin Road, Arlington Heights, IL 60005
Telephone 800-345-3851 or 847-439-5667 Fax 312-283-1672

Standard(s):	- Photovoltaic (PV) Module Safety Qualification - Part 1: Requirements for Construction [UL 61730-1:2022 Ed.2] - Photovoltaic (PV) Module Safety Qualification - Part 2: Requirements for Testing [UL 61730-2:2022 Ed.2] - Photovoltaic (PV) Module Safety Qualification - Part 1: Requirements for Construction [CSA C22.2#61730-1:2019 Ed.2] - Photovoltaic (PV) Module Safety Qualification - Part 2: Requirements for Testing [CSA C22.2#61730-2:2019 Ed.2] - Photovoltaic (PV) Module Safety Qualification - Part 1: Requirements for Construction [IEC 61730-1:2016 Ed.2] - Photovoltaic (PV) Module Safety Qualification - Part 2: Requirements for Testing [IEC 61730-2:2016 Ed.2] - Terrestrial Photovoltaic (PV) Modules - Design Qualification and Type Approval - Part 1: Test Requirements [UL 61215-1:2021 Ed.2] - Terrestrial Photovoltaic (PV) Modules - Design Qualification and Type Approval - Part 2: Test Procedures [UL 61215-2:2021 Ed.2] - Terrestrial Photovoltaic (PV) Modules - Design Qualification and Type Approval - Part 1: Test Requirements [IEC 61215-1:2021 Ed.2] - Terrestrial Photovoltaic (PV) Modules - Design Qualification and Type Approval - Part 2: Test Procedures [IEC 61215-2:2021 Ed.2]
Product:	Photovoltaic Module
Brand Name:	Silfab Solar
Models:	SIL-570XM+, SIL-575XM+, SIL-580XM+ SIL-530XM, SIL-535XM, SIL-540XM.

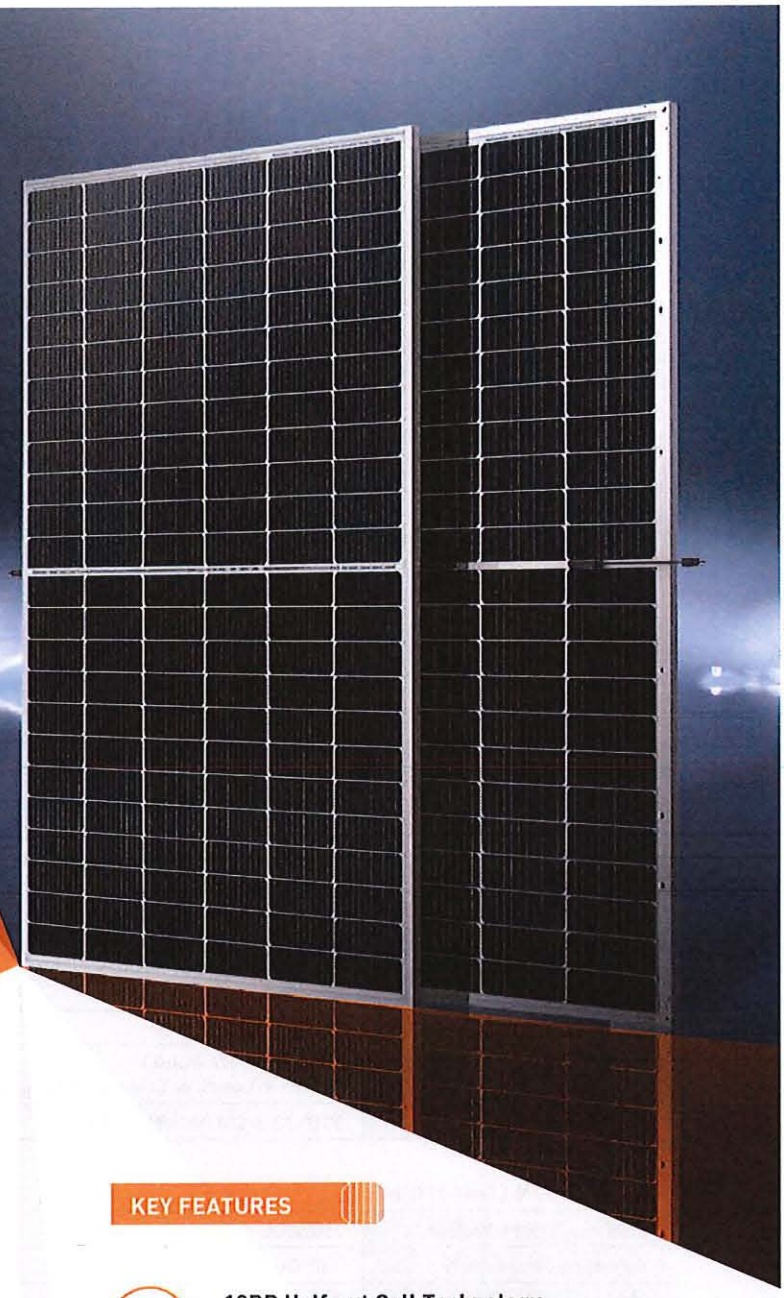
TALESUN

BIPRO

TD7G72M 144-cell

530 - 550W

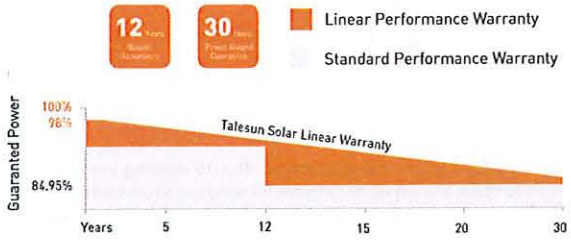
Bifacial Dual Glass
10BB Half-cut Mono Perc



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



KEY FEATURES

10BB Half-cut Cell Technology

New circuit design, lower internal current, lower Rs loss
Ga dopped 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

PID Anti

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

www.talesun.com
marketing.hq@talesun.com

* GL-EN-Version 2022.03.01

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

REAR SIDE POWER GAIN(REFERENCE TO 530W FRONT)

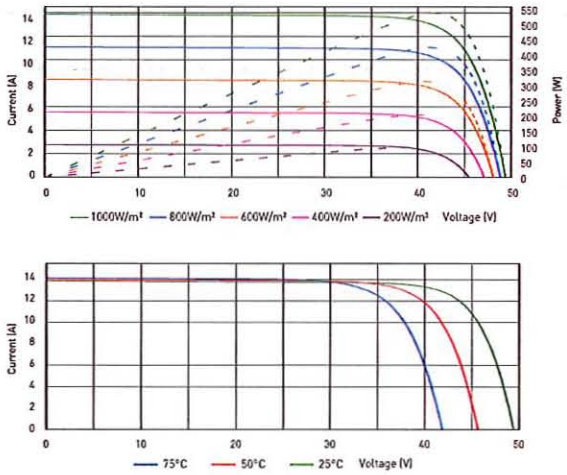
Pmax gain	5%	10%	15%	20%	25%
Pmax/W	557	583	610	636	663
Vmpp/V	41.32	41.32	41.32	41.32	41.32
Impp/A	13.47	14.11	14.75	15.40	16.04
Voc/V	49.32	49.32	49.32	49.32	49.32
Isc/A	14.41	15.09	15.78	16.46	17.15

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	4mm² (IEC), 12AWG(UL) 300mm in Length or Customized Length
Connectors	T01/LJQ-3-CSY/MC4/MC4-EV02

I-V CURVE

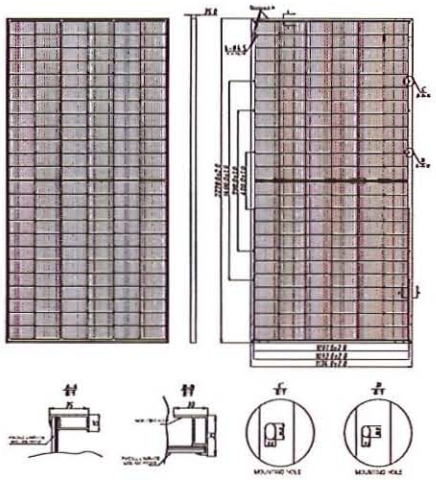
TD7G72M/540W



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%

TECHNICAL DRAWINGS



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

TALESUN

ARRAY TECHNOLOGIES

FOLLOW THE SUN.
FOLLOW THE LEADER.

99.9%
UPTIME

7%
LOWER LCOE

31%
LOWER LIFETIME O&M

Array DuraTrack®

The most durable, reliable tracking system under the sun. While our single-bolt module clamp and forgiving tolerances streamline installation, and our flexibly linked architecture maximizes power density, it's our innovative use of fewer components and a failure-free wind management system that makes Array Technologies the best choice for solar trackers. **Better. Stronger. Smarter.**

Zero Scheduled Maintenance

Maintenance-free motors and gears, fewer moving parts, and industrial-grade components, means no scheduled maintenance required for our customers. While our competitors average two unscheduled maintenance events per day, we average only one per year.

High Power Density

Higher density means more power and more profit. DuraTrack offers the unique ability to maximize the power density of each site, boasting up to 120 modules per row and higher density than our closest competition.

Failure-free wind management

Nobody can control the weather, but DuraTrack self-manages wind events to power through even the harshest storms.

Fewer Components. Greater Reliability.

Array was founded on a philosophy of engineered simplicity. Minimizing potential failure points. With fewer components than competitors, DuraTrack consistently delivers higher reliability and superior uptime.

ARRAY TECHNOLOGIES

FOLLOW THE SUN. FOLLOW THE LEADER.

COST VERSUS VALUE

Value is more than the cost of a tracking system. It's about building with forgiving tolerance and fewer parts so construction crews can work efficiently. It means protecting your investment with a failure-free wind management system. It also includes increasing power density. But most of all, value is measured in operational uptime, or reliability.

THE GLOBAL LEADER IN RELIABILITY

Maintenance-free motors and gears, fewer moving parts, and industrial-grade components, means no scheduled maintenance required for our customers. While our competitors average two unscheduled maintenance events per day, we average only one per year.

ARRAY TECHNOLOGIES, INC.

3901 Midway Place NE
Albuquerque, NM 87109 USA

+1 505.881.7567
+1 855.TRACKPV (872.2578)
+1.505.881.7572

sales@arraytechinc.com
arraytechinc.com

30+ GW YEARS OF OPERATION

NEARLY **200x** FEWER ELECTRICAL COMPONENTS PER 100MWAC THAN DECENTRALIZED TRACKERS

STRUCTURAL & MECHANICAL FEATURES/SPECIFICATIONS

Tracker Type	Horizontal single axis (1 module in portrait)
Ground Cover Ratio (GCR)	Site configurable. Typical: 28-45%
Linked Rows per Drive Motor	Up to 32
Drive Type	Rotating gear drive connected by drivelines (no driveline or bearing lubrication required)
Array Height	Torque Tube Elevation: 54" standard, adjustable (48" min height above grade)
Tracking Range of Motion	+/- 52°
Terrain Flexibility (N-S)	Up to 8.5° standard (up to 15° optional)
Terrain Flexibility (E-W)	Up to 25° combined angle
Wind Protection	Autonomous passive mechanical system No sensors or grid power required to activate
Max Wind Speed	140mph (225 km/h) per ASCE 7-10 (3-second gust), higher wind speeds possible depending on project conditions
Operating Temp Range	Standard: -4°F to 140°F (-20°C to 60°C) Optional: -40°F to 104°F (-40°C to 40°C)
Materials	Pre-galv steel, HDG steel and aluminum structural members, as required.
Codes and Standards	Certified to UL 3703 and IEC 62817

MODULE COMPATIBLITY

c-Si Modules per Row (1500V DC)	Typical: 84-112 Maximum: 120
First Solar Modules per Row (1500V DC)	Series 6 Plus: 84-108 Series 7: 96-114
Modules Supported	Most commercially available, including framed or frameless crystalline, thin film, bifacial, and back rails
Module Attachment	Single fastener, high-speed mounting clamps with integrated grounding. Traditional rails for crystalline in landscape, custom racking for thin film and frameless crystalline and bifacial per manufacturer specs.

CONTROL SYSTEM DETAILS

Baseline Solar Tracking Method	SANDIA's Ephemeris Model
Control Electronics	SmarTrack™ Controller Site Data Controller 6X Motor Controllers
Communications	MODBUS TCP
Backtracking	Yes (Optional terrain adaptive backtracking with SmarTrack)
Diffuse Light Response	Optional with SmarTrack
Night-time Stow	Yes (configurable)
Tracking Accuracy	+/- 2°
Motor Type	2HP, 3 Phase, 480V AC

INSTALLATION, OPERATION, AND MAINTENANCE

Annual Power Consumption (kWh per 1 MW)	Approximately 310 kWh per MW
PE Stamped Structural Calculations & Drawings	Yes
On-site Training and System Commissioning	Yes
Connection	100% bolted connections. No drilling, cutting or welding on-site or in-field fabrication
Scheduled Maintenance	None required
Module Cleaning Compatibility	Robotic, Tractor, Manual
Warranty	10 years structural; 5 years drive and controls components

SHOP DRAWING/SUBMITTAL REVIEW	
[x] APPROVED	[ ] APPROVED AS NOTED
[ ] REVIEWED	[ ] REVISE & RESUBMIT

ENGINEER'S REVIEW IS FOR GENERAL COMPLIANCE WITH THE DESIGN CONCEPT AND CONTRACT DOCUMENTS. MARKINGS OR COMMENTS SHALL NOT BE CONSTRUED AS RELIEVING THE CONTRACTOR FROM COMPLIANCE WITH THE PROJECT PLANS AND SPECIFICATIONS. CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY, FOR CONFIRMING AND CORRELATING ALL SIZES, QUANTITIES, AND DIMENSIONS, AND FOR MEANS AND METHODS OF ASSEMBLY.

BY: TomasStepanian DATE: 09/22/2023

PURE POWER ENGINEERING, HOBOKEN, NJ 07030

EATON COOPER POWER SERIES — 3φ DISTRIBUTION TRANSFORMER ASSEMBLED IN WAUKESHA, WI U.S.A

KVA	2000	75°C	60Hz
SER			
MAN CAT	CPS ER	00004A65X1EA	
V	23000	KNAN	
V	600Y/347	5.73 %IZ @95°C	MFG DATE

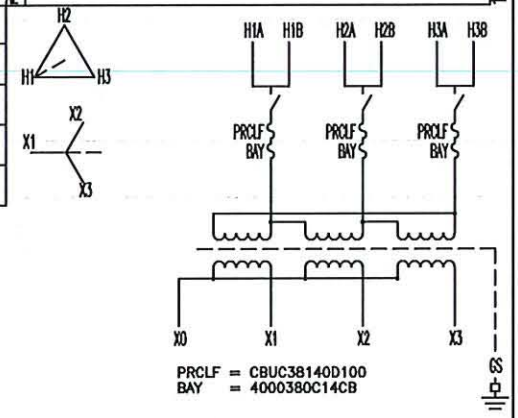
1189613A0642-00

HV KV BIL	125
HV NEUTRAL KV BIL	--
LV KV BIL	30
HV/LV CONDUCTOR	AL/AL

PCB CONTENT LESS THAN 1 PPM AT TIME OF MANUFACTURE
CAUTION - READ INSTRUCTION MANUAL MN202001EN

APPROX. WEIGHT IN LBS.	
CORE & COIL UNTANKING	5790
TANK & FIT	2909
FLUID: FR3™ GALLONS: 416	3195
TOTAL	11894

TAP	VOLTAGE	MAX AMPS
A	24150	47.8
B	23580	49.0
C	23000	50.2
D	22430	51.5
E	21850	52.8



MAX AMPS AT 2000 KVA
%IZ AT BASE KVA AND RATED VOLTAGE
DOE EQUIVALENT EFFICIENCY
STEP-UP DISTRIBUTION TRANSFORMER

INS SYS:HIGH TEMP IN ACCORDANCE W/IEEE C57.154™
HV/LV AWR: 75 DEG.C HV/LV HSR: 90 DEG.C
LIQUID TYPE: ESTER TRADE NAME: FR3™
TOP LIQUID TEMP RISE: 90 DEG.C

E234598
UL US LISTED
17YP
LIQUID-FILLED DISTRIBUTION TRANSFORMER
LIQUID-IMMERSED DISTRIBUTION TRANSFORMER

NOTES: **1) ACTUAL PLATE IS A NEGATIVE OF THE ABOVE DRAWING.**
2) ACTUAL %IZ TO BE STAMPED IN AFTER TESTING.

NAMEPLATE MATERIAL: ALUMINUM

224010410

1189613A0642 REVISIONS		MATERIAL:	EATON Powering Business Worldwide	
		ALL DIMENSIONS ARE IN INCHES [MM]	TITLE: LASER NAMEPLATE	
		THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE IN WHICH IT WAS SUPPLIED.	DESC: COOPER POWER SERIES 00004A65X1EA	
			DWG: PTP / DATE: 9/12/2023 / REF: / SHEET #: 1 of 1 / SCALE: 1=1 / REV: 00	
			1189613A0642	

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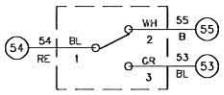
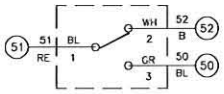
REVISIONS

VS - 1 *



PS - 1 *



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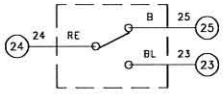
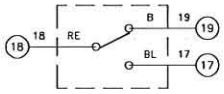
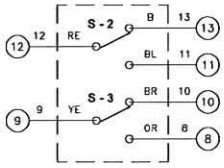


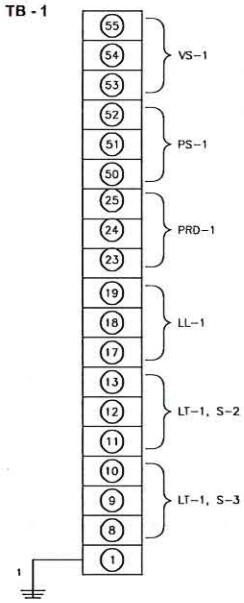
LL - 1



LT - 1



TB - 1



GAGE SWITCH SETTINGS						
DEVICE	LT 55°C AWR	LT 65°C, 55/65 AWR	LT 75°C, 55/75, 65/75 AWR	WTI 55°C AWR	WTI 65°C, 55/65 AWR	WTI 75°C, 55/75, 65/75 AWR
S-1 (FANS)	60°C	70°C	80°C	70°C	80°C	90°C
S-2 (ALARM)	80°C	90°C	100°C	110°C	120°C	130°C
S-3 (TRIP)	105°C FIXED	105°C FIXED	120°C FIXED	120°C FIXED	130°C FIXED	140°C FIXED

PS-1 PRESSURE SWITCH, GEMS PS-E (63PV)
ACTIVATES AT +6.0±0.5 PSIG (+41±3 kPa) RISING

VS-1 VACUUM SWITCH, GEMS PS-EV (63PV)
ACTIVATES AT -2.5±0.5 PSIG (-17±3 kPa) FALLING

PRD-1 PRESSURE RELIEF DEVICE (63PR)
ACTIVATES AT 10±1 PSIG (69±7 kPa) RISING

LL-1 LIQUID LEVEL GAGE (71Q)
S-1 ACTIVATES LOW LEVEL ALARM CIRCUIT

LT-1 LIQUID TEMPERATURE GAGE (26Q)

TB- (1-1) TERMINAL BLOCK, 600V, 35A

- USE COOPER CONDUCTORS ONLY, #22 - 10 AWG
- TB-(1-1) SCREW TIGHTENING TORQUE 18-20.0 IN-LB

WH - WHITE
GR - GREEN
BL - BLACK
B - BLUE
OR - ORANGE
RE - RED
BR - BROWN
YE - YELLOW

GAGE SWITCH RATINGS (AMPS)				
DEVICE	120/240VAC	48VDC	125VDC	250VDC
LT/LU/ PRD/RRR	15	1.3	.50	.25
SPC	10	2.0	.50	.25
PS/VS	5	1.0	.40	.20
WTI	15	1.3	.50	.25
TPG	1	–	–	–
LCP	3	–	–	–
U	5	2.0	2.0	N/A

NOTE: AC LOADS = INDUCTIVE P.F. 75%
DC LOADS = NON-INDUCTIVE

LEGEND

- INDICATES PREWIRED DEVICE
- INDICATES REMOTE DEVICE
- 26 — INDICATES WIRE HEAT SHRINK NUMBER LABEL
- (26) OR [26] — INDICATES TERMINAL BLOCK CONNECTION
- 26 / 12 — INDICATES INTRINSICALLY SAFE TERM BLOCK CONN
- INDICATES RELAY TERM AND #
- INDICATES SPLICE
- INDICATES NORMALLY CLOSED CONTACT (NC)
- INDICATES NORMALLY OPEN CONTACT (NO)
- INDICATES CUSTOMER CONNECTION
- POLARITY MARK
- INDICATES CT SHORTING PINS - TO BE REMOVED WHEN LOAD IS CONNECTED TO CT
- * WIRE COLORS APPLICABLE ONLY WHEN USING CORD CONNECTORS TO SWITCHES

MATERIAL:

ALL DIMENSIONS ARE IN INCHES [MM]

EATON
Powering Business Worldwide

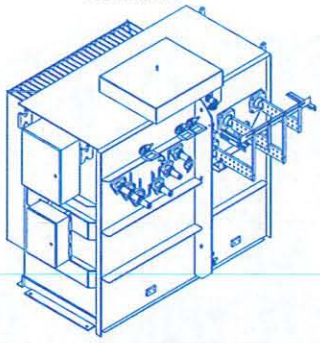
TITLE: SCHEMATIC LT,LL,PRD,PV,UL
DESC: COOPER POWER SERIES 3PH PAD

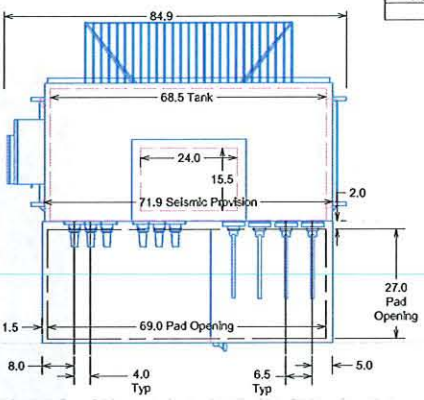
DWG:	DATE:	REF:	SHEET #:	SCALE:	REV.
PTP	7/26/18		1 of 1	1=1	00

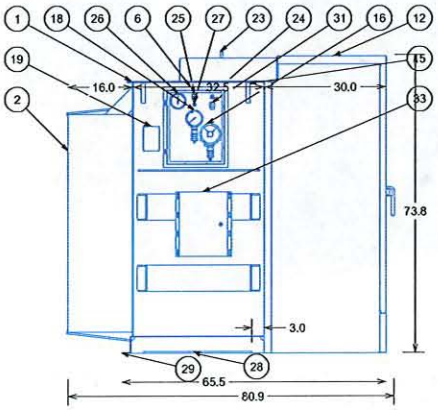
4257608C0070

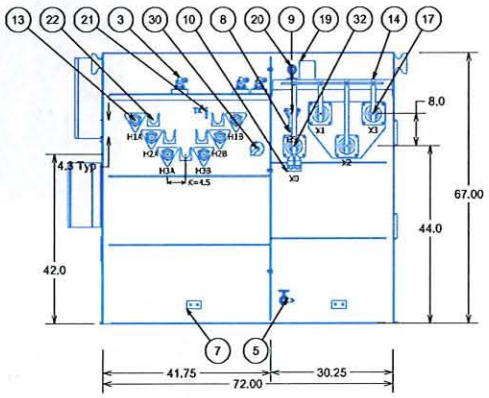
ITEM	DESCRIPTION
1	Welded Cover w/ Handhole
2	Cooling Corrugate
3	Cooper Bayonet Fusing w/ Plastic Dripshield
4	Current Limiting Backup Fuses (Internal)
5	Drain Valve with Sampler
6	Gauge Cabinet
7	Ground Pad .50-13 Tap
8	Ground Strap and Nut
9	Ground Shield Bushing
10	Ground Strap and Pad
11	24.0kV (19.5kV MCOV) Elbow Arrester (boxed)
12	High Security Cabinet w/ 1 Pentahead Door Bolt per door
13	35kV 200 Amp HV Bushing Well w/ 25kV Insert
14	LV Bushing Support
15	Lifting Lug
16	Liquid Temperature Gauge w/ Alarm Contacts
17	1.2kV LV Bushing w/16 Hole Spade Supported
18	Magnetic Oil Level Gauge w/ Alarm Contacts
19	Nameplate
20	One Inch Upper Fill Valve
21	Two Position Loadbreak Switch
22	Parking Stand
23	Pressure Relief Device w/ Alarm Contacts
24	Pressure Relief Valve
25	Pressure Switch w/ Alarm Contacts
26	Pressure Vacuum Gauge
27	Schrader Valve
28	Seismic Anchor Provisions
29	Tank Base w/ Jacking and Rolling Facilities
30	5-Position Tap Changer
31	Vacuum Switch w/ Alarm Contacts
32	X0 Bushing
33	Control Box

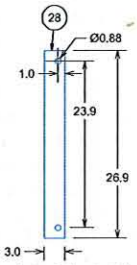
Cabinet Removed











Seismic Provision Detail

3PH Padmount Transformer 60Hz
2000.0 kVA KNAN 75 AWR FR3
HV 23000D 125 kV BIL
LV 600Y/347 30 kV BIL
5.73 %IZ

Munsell Green Topcoat
Mild Steel Construction
UL Listed

SO: 224010410
PO: S4539614
END USER: CPS C&I MKT

MATERIAL:	EATON Powering Business Worldwide
ALL DIMENSIONS ARE IN INCHES [MM]	TITLE: Distribution Transformer Outline Drawing
THE INFORMATION ON THIS DOCUMENT WAS CREATED BY EATON. IT WAS DISCLOSED IN CONFIDENCE AND IS ONLY TO BE USED FOR THE PURPOSE IN WHICH IT WAS SUPPLIED.	DESC: COOPER POWER SERIES THREE-PHASE PAD-MOUNTED COMPARTMENTAL TYPE
THIS DRAWING HAS BEEN GENERATED FROM A 3D MODEL	DWG: PTP; DATE: 9/12/2023; REF: P3D V04R04M09; SHEET #: 1 OF 1; SCALE:; REV: 00
	00004A65X1EA

00004A65X1EA
REVISIONS

Three-phase pad-mounted compartmental type transformer

General

At Eaton, we are constantly striving to introduce new innovations to the transformer industry, bringing you the highest quality, most reliable transformers. Eaton's Cooper Power series Transformer Products are ISO 9001 compliant, emphasizing process improvement in all phases of design, manufacture, and testing. In order to drive this innovation, we have invested both time and money in the Thomas A. Edison Technical Center, our premier research facility in Franksville, Wisconsin. Such revolutionary products as distribution-class UltraSIL™ Polymer-Housed Evolution™ surge arresters and Envirotemp™ FR3™ fluid have been developed at our Franksville lab.

With transformer sizes ranging from 45 kVA to 12 MVA and high voltages ranging from 2400 V to 46 kV, Eaton has you covered. From fabrication of the tanks and cabinets to winding of the cores and coils, to production of arresters, switches, tap changers, expulsion fuses, current limit fuses, bushings (live and dead) and molded rubber goods, Eaton does it all. Eaton's Cooper Power series transformers are available with electrical grade mineral oil or Envirotemp™ FR3™ fluid, a less-flammable and bio-degradable fluid. Electrical codes recognize the advantages of using Envirotemp™ FR3™ fluid both indoors and outdoors for fire sensitive applications. The bio-based fluid meets Occupational Safety and Health Administration (OSHA) and Section 450.23 NEC Requirements.

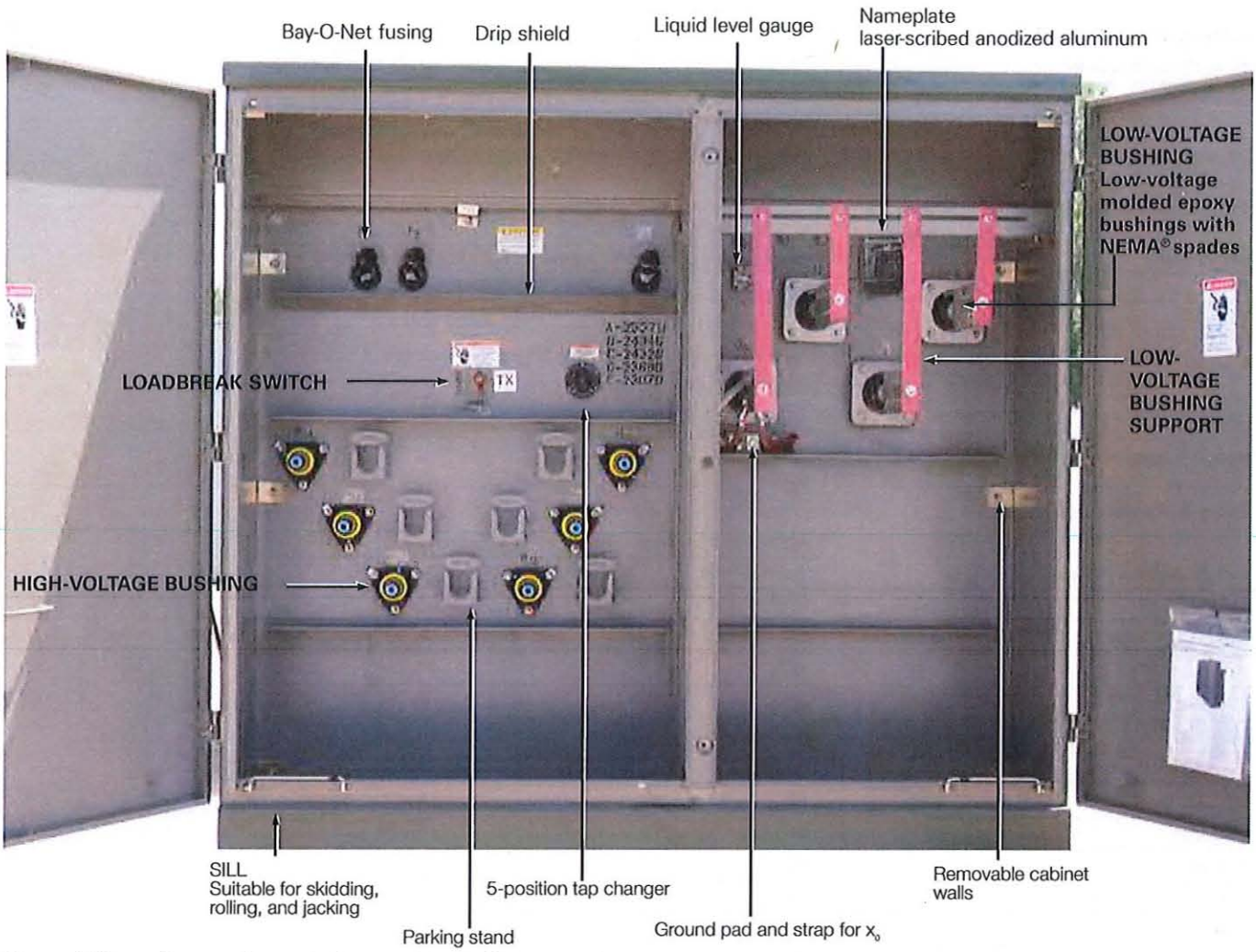


Figure 1. Three-phase pad-mounted compartmental type transformer.

Table 1. Product Scope

Type	Three Phase, 50 or 60 Hz, 65 °C Rise (55 °C, 55/65 °C), 65/75 °C, 75 °C
Fluid Type	Mineral oil or Envirotemp™ FR3™ fluid
Coil Configuration	2-winding or 4-winding or 3-winding (Low-High-Low), 3-winding (Low-Low-High)
Size	45 – 10,000 kVA
Primary Voltage	2,400 – 46,000 V
Secondary Voltage	208Y/120 V to 14,400 V
Specialty Designs	Inverter/Rectifier Bridge
	K-Factor (up to K-19)
	Vacuum Fault Interrupter (VFI)
	UL® Listed & Labeled and Classified
	Factory Mutual (FM) Approved®
	Solar/Wind Designs
	Differential Protection
	Seismic Applications (including OSHPD)
	Hardened Data Center

Table 2. Three-Phase Ratings

Three-Phase 50 or 60 Hz
kVA Available[1] 45, 75, 112.5, 150, 225, 300, 500, 750, 1000, 1500, 2000, 2500, 3000, 3750, 5000, 7500, 10000

[1]Transformers are available in the standard ratings and configurations shown or can be customized to meet specific needs.

Table 3. Impedance Voltage

	Low-voltage rating		
Rating (kVA)	**≤ 600 V**	**2400 Δ through 4800 Δ**	**6900 Δ through 13800GY/7970 or 13800 Δ**
45-75	2.70-5.75	2.70-5.75	2.70-5.75
112.5-300	3.10-5.75	3.10-5.75	3.10-5.75
500	4.35-5.75	4.35-5.75	4.35-5.75
750-2500	5.75	5.75	5.75
3750	5.75	5.75	6.00
5000		6.00	6.50

Note: The standard tolerance is ± 7.5%

Table 4. Audible Sound Levels

	NEMA® TR-1 Average
Self-Cooled, Two Winding kVA Rating	**Decibels (dB)**
45-500	56
501-700	57
701-1000	58
1001-1500	60
1501-2000	61
2001-2500	62
2501-3000	63
3001-4000	64
4001-5000	65
5001-6000	66
6001-7500	67
7501-10000	68

Table 5. Insulation Test Levels

KV Class	Induced Test 180 or 400 Hz 7200 Cycle	kV BIL Distribution	Applied Test 60 Hz (kV)
1.2	Twice Rated Voltage	30	10
2.5		45	15
5		60	19
8.7		75	26
15		95	34
25		125	40
34.5		150	50

Table 6. Temperature Rise Ratings 0-3300 Feet (0-1000 meters)

	Standard	Optional
Unit Rating (Temperature Rise Winding)	65 °C	55 °C, 55/65 °C, 75 °C
Ambient Temperature Max	40 °C	50 °C
Ambient Temperature 24 Hour Average	30 °C	40 °C
Temperature Rise Hotspot	80 °C	65 °C

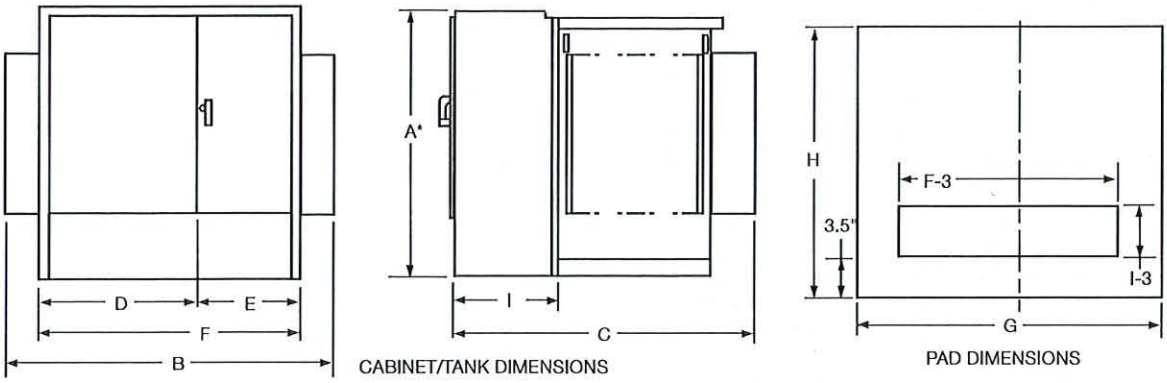


Figure 2. Transformer and pad dimensions.

* Add 9" for Bay-O-Net fusing.

Table 7. Fluid-filled—aluminum windings 55/65 °C Rise[1]

65° Rise	DEAD-FRONT—LOOP OR RADIAL FEED—BAY-O-NET FUSING OIL FILLED—ALUMINUM WINDINGS										
	OUTLINE DIMENSIONS (in.)									Gallons of	Approx. Total
kVA Rating	A*	B	C	D	E	F	G	H	I	Fluid	Weight (lbs.)
45	50	68	39	42	26	68	72	43	20	110	2,100
75	50	68	39	42	26	68	72	43	20	115	2,250
112.5	50	68	49	42	26	68	72	53	20	120	2,350
150	50	68	49	42	26	68	72	53	20	125	2,700
225	50	72	51	42	30	72	76	55	20	140	3,150
300	50	72	51	42	30	72	76	55	20	160	3,650
500	50	89	53	42	30	72	93	57	20	190	4,650
750	64	89	57	42	30	72	93	61	20	270	6,500
1000	64	89	59	42	30	72	93	63	20	350	8,200
1500	73	89	86	42	30	72	93	90	24	410	10,300
2000	73	72	87	42	30	72	76	91	24	490	12,500
2500	73	72	99	42	30	72	76	103	24	530	14,500
3000	73	84	99	46	37	84	88	103	24	620	16,700
3750	84	85	108	47	38	85	88	112	24	660	19,300
5000	84	96	108	48	48	96	100	112	24	930	25,000
7500	94	102	122	54	48	102	100	126	24	1,580	41,900

1 Weights, gallons of fluid, and dimensions are for reference only and not for construction. Please contact Eaton for exact dimensions.

* Add 9" for Bay-O-Net fusing.

Table 8. Fluid-Filled—Copper Windings 55/65 °C Rise[1]

65° Rise	DEAD-FRONT—LOOP OR RADIAL FEED—BAY-O-NET FUSING OIL FILLED—COPPER WINDINGS										
	OUTLINE DIMENSIONS (in.)									Gallons of	Approx. Total
kVA Rating	A*	B	C	D	E	F	G	H	I	Fluid	Weight (lbs.)
45	50	64	39	34	30	64	69	43	20	110	2,100
75	50	64	39	34	30	64	69	43	20	115	2,350
112.5	50	64	49	34	30	64	69	53	20	115	2,500
150	50	64	49	34	30	64	69	53	20	120	2,700
225	50	64	51	34	30	64	73	55	20	140	3,250
300	50	64	51	34	30	64	75	55	20	160	3,800
500	50	81	53	34	30	64	85	57	20	200	4,800
750	64	89	57	42	30	72	93	61	20	255	6,500
1000	64	89	59	42	30	72	93	63	20	300	7,800
1500	73	89	86	42	30	72	93	90	24	410	10,300
2000	73	72	87	42	30	72	76	91	24	420	11,600
2500	73	72	99	42	30	72	76	103	24	500	14,000
3000	73	84	99	46	37	84	88	103	24	720	18,700
3750	84	85	108	47	38	85	88	112	24	800	20,500
5000	84	96	108	48	48	96	100	112	24	850	25,000
7500	94	102	122	54	48	102	100	126	24	1,620	46,900

[1] Weights, gallons of fluid, and dimensions are for reference only and not for construction. Please contact Eaton for exact dimensions.

* Add 9" for Bay-O-Net fusing.

Standard features

Connections and neutral configurations

- Delta - Wye: Low voltage neutral shall be a fully insulated X0 bushing with removable ground strap.
- Grounded Wye-Wye: High voltage neutral shall be internally tied to the low voltage neutral and brought out as the H0X0 bushing in the secondary compartment with a removable ground strap.
- Delta-Delta: Transformer shall be provided without a neutral bushing.
- Wye-Wye: High voltage neutral shall be brought out as the H0 bushing in the primary compartment and the low voltage neutral shall be brought as the X0- bushing in the secondary compartment.
- Wye-Delta: High voltage neutral shall be brought out as the H0 bushing in the primary compartment. No ground strap shall be provided (line to line rated fusing is required).

High and low voltage bushings

- 200 A bushing wells (15, 25, and 35 kV)
- 200 A, 35 kV Large Interface
- 600 A (15, 25, and 35 kV) Integral bushings (dead-front)
- Electrical-grade wet-process porcelain bushings (live-front)

Tank/cabinet features

- Bolted cover for tank access (45-2500 kVA)
- Welded cover with hand hole (>2500 kVA)
- Three-point latching door for security
- Removable sill for easy installation
- Lifting lugs (4)
- Stainless steel cabinet hinges and mounting studs
- Steel divider between HV and LV compartment
- 20" Deep cabinet (45-1000 kVA)
- 24" Deep cabinet (1500-7500 kVA)
- 30" Deep cabinet (34.5/19.92 kV)
- Pentahead captive bolt
- Stainless steel 1-hole ground pads (45-500 kVA)
- Stainless steel 2-hole ground pads (750-10,000 kVA)
- Parking Stands (dead-front)

Valves/plugs

- One-inch upper filling plug
- One-inch drain plug (45-500 kVA)
- One-inch combination drain valve with sampling device in low voltage compartment (750-10,000 kVA)
- Automatic pressure relief valve

Nameplate

- Laser-scribed anodized aluminum nameplate

Figure 3. Drain valve with sampler.

Figure 4. Automatic Pressure relief valve.

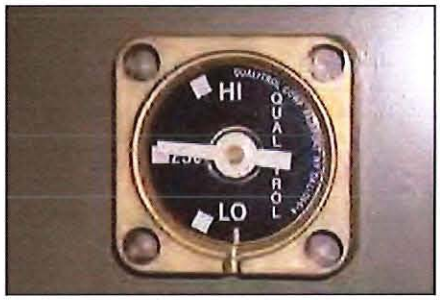


Figure 5. Liquid level gauge.

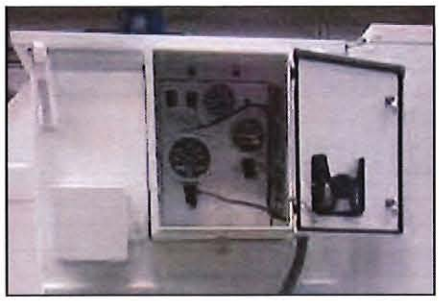


Figure 6. External Gauges.

Figure 7. External visible break with gauges.

Optional features

High and low voltage bushings

- 200 A (15, 25 kV) bushing inserts
- 200 A (15, 25 kV) feed thru inserts
- 200 A (15, 25 kV) (HTN) bushing wells with removable studs
- High-voltage 600 A (15, 25, 35 kV) deadbreak one-piece bushings
- Low voltage 6-, 8-holes spade
- Low voltage 12-, 16-, 20-holes spade (750-2500 kVA)
- Low voltage bushing supports

Tank/cabinet features

- Stainless steel tank base and cabinet
- Stainless steel tank base, cabinet sides and sill
- 100% stainless steel unit
- Service entrance (2 inch) in sill or cabinet side
- Touch-up paint (domestic)
- Copper ground bus bar
- Kirk-Key provisions
- Nitrogen blanket
- Bus duct cutout

Special designs

- Factory Mutual (FM)
- UL® Classified
- Triplex
- High altitude
- K-Factors
- Step-up
- Critical application
- Modulation transformers
- Seismic applications (including OSHPD)

Switches

- One, two, or three On/Off loadbreak switches
- 4-position loadbreak V-blade switch or T-blade switch
- Delta-wye switch
- 3-position V-Blade selector switch
- 100 A, 150 A, 300 A tap changers
- Dual voltage switch
- Visible break with VFI interrupter interlock
- External visible break (15, 25, and 35 kV, up to 3 MVA)
- External visible break with gauges (15, 25, and 35 kV, up to 3 MVA)

Gauges and devices

- Liquid level gauge (optional contacts)
- Pressure vacuum gauge (optional contacts and bleeder)
- Dial-type thermometer (optional alarm contacts)
- Cover mounted pressure relief device (optional alarm contacts)
- Ground connectors
- Hexhead captive bolt
- Molded case circuit breaker mounting provisions
- External gauges in padlockable box

Overcurrent protection

- Bay-O-Net fusing (Current sensing, dual sensing, dual element, high amperage overload)
- Bay-O-Net expulsion fuse in series with a partial range under-oil ELSP current limiting fuse (below 23 kV)
- Cartridge fusing in series with a partial range under-oil ELSP current limiting fuse (above 23 kV)
- MagneX™ interrupter with ELSP current-limiting fuse
- Vacuum Fault Interrupter (VFI)
- Visible break window
- Fuse/switch interlock

Valves/plugs

- Drain/sampling valve in high-voltage compartment
- Globe type upper fill valve

Overvoltage protection

- Distribution-, intermediate-, or station-class surge arresters
- Elbow arresters (for dead-front connections)

Metering/fan/control

- Full metering package
- Current Transformers (CTs)
- Metering Socket
- NEMA® 4 control box (optional stainless steel)
- NEMA® 7 control box (explosion proof)
- Fan Packages

Testing

- Customer test witness
- Customer final inspection
- Zero Sequence Impedance Test
- Heat Run Test
- ANSI® Impulse Test
- Audible Sound Level Test
- RIV (Corona) Test
- Dissolved Gas Analysis (DGA) Test
- 8- or 24-Hour Leak Test

Coatings (paint)

- ANSI® Bell Green
- ANSI® #61 Light Gray
- ANSI® #70 Sky Gray
- Special paint available per request

Nameplate

- Stainless steel nameplate

Decals and labels

- High voltage warning signs
- Mr. Ouch
- Bi-lingual warning
- DOE compliant
- Customer stock code
- Customer stenciling
- Shock and arc flash warning decal
- Non-PCB decal

Construction

Core

The three-legged, step-lap mitered core construction is manufactured using a high-quality cutting machine. For maximum efficiency, cores are precisely stacked, virtually eliminating gaps in the corner joints.

Five-legged wound core or shell-type triplex designs are used for wye-wye connected transformers, and other special transformer designs.

Cores are manufactured with precision cut, burr-free, grain-oriented silicon steel. Many grades of core steel are available for optimizing core loss efficiency.

Coils

Pad-mounted transformers feature a rectangular coil configuration with wire-wound, high-voltage primaries and sheet-wound secondaries. The design minimizes axial stress developed by short circuits and provides for magnetic balancing of tap connections.

Coils are wound using the highest quality winding machines providing exacting tension control and conductor placement for superior short-circuit strength and maximum efficiency.

Extra mechanical strength is provided by diamond pattern, epoxy-coated paper insulation, used throughout the coil, with additional epoxy at heavy stress points. The diamond pattern distribution of the epoxy and carefully arranged ducts, provide a network of passages through which cooling fluid can freely circulate.

Coil assemblies are heat-cured under calculated hydraulic pressure to ensure performance against short-circuit forces.

Core and coil assemblies

Pad-mounted transformer core and coil assemblies are braced with heavy steel ends to prevent the rectangular coil from distorting under short-circuit conditions. Plates are clamped in place using presses, and welded or bolted to form a solid core and coil assembly. Core and coil assemblies exceed ANSI® and IEEE® requirements for short-circuit performance. Due to the rigidity of the design, impedance shift after short-circuit is comparable to that of circular wound assemblies.

Tanks

Transformer tanks are designed for high strength and ease of handling, installation, and maintenance. Tanks are welded using precision-cut, hot rolled, pickled and oiled steel. They are sealed to protect the insulating fluid and other internal components.

Transformer tanks are pressure-tested to withstand 7 psig without permanent distortion and 15 psig without rupture.

Tank finish

An advanced multi-stage finishing process exceeds IEEE Std C57.12.28™-2014 standards. The eight-stage pre-treatment process assures coating adhesion and retards corrosion. It converts tank surfaces to a nonmetallic, water insoluble iron phosphate coating.

The paint method consists of two distinct layers of paint. The first is an epoxy primer (E-coat) layer which provides a barrier against moisture, salt and corrosives. The two-component urethane final coat seals and adds ultraviolet protection.

Vacuum processing

Transformers are dried and filled with filtered insulating fluid under vacuum, while secondary windings are energized. Coils are heated to drive out moisture, ensuring maximum penetration of fluid into the coil insulation system.

Insulating fluid

Eaton's Cooper Power series transformers are available with electrical-grade mineral insulating oil or Envirotemp™ FR3™ fluid. The highly refined fluids are tested and degassed to assure a chemically inert product with minimal acid ions. Special additives minimize oxygen absorption and inhibit oxidation. To ensure high dielectric strength, the fluid is re-tested for dryness and dielectric strength, refiltered, heated, dried, and stored under vacuum before being added to the completed transformer.

Eaton's Cooper Power series transformers filled with Envirotemp™ FR3™ fluid enjoy unique fire safety, environmental, electrical, and chemical advantages, including insulation life extending properties.

A bio-based, sustainable, natural ester dielectric coolant, Envirotemp™ FR3™ fluid quickly and thoroughly biodegrades in the environment and is non-toxic per acute aquatic and oral toxicity tests.

Building for Environmental and Economic Sustainability (BEES) total life cycle assessment software, utilized by the US Dept. of Commerce, reports its overall environmental performance impact score at 1/4th that reported for mineral oil. Envirotemp™ FR3™ fluid has also earned the EPA Environmental Technology Verification of transformer materials.

With a fire point of 360 °C, Envirotemp™ FR3™ fluid is FM Approved® and Underwriters Laboratories (UL®) Classified "Less-Flammable" per NEC® Article 450-23, fitting the definition of a Listed Product per NEC®.

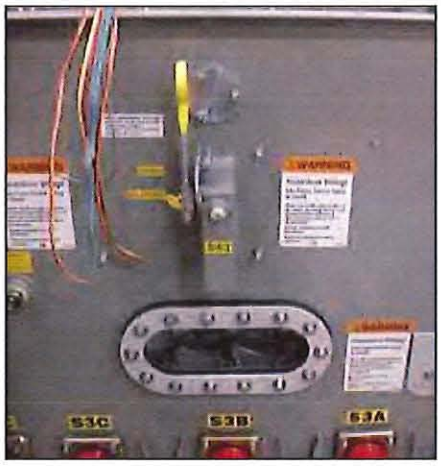


Figure 8. VFI transformer with visible break.

Pad-mounted VFI transformer

Eaton's Cooper Power series VFI transformer combines a conventional distribution transformer with the proven Vacuum Fault Interrupter (VFI). This combination provides both voltage transformation and transformer over current protection in one space saving and money saving package. The pad-mounted VFI transformer protects the transformer and provides proper coordination with upstream protective devices. When a transformer fault or overload condition occurs, the VFI breaker trips and isolates the transformer.

The three-phase VFI breaker has independent single-phase initiation, but is three-phase mechanically gang-tripped. A trip signal on any phase will open all three phases. This feature eliminates single-phasing of three phase loads. It also enables the VFI breaker to be used as a three-phase load break switch.

Due to the resettable characteristics of the VFI breaker, restoring three-phase service is faster and easier.

The sealed visible break window and switch is an option that can be installed to provide visible break contact. This feature provides enhanced safety and allows an operator to see if the loadbreak switch contacts are in an open or closed position before performing maintenance.

Envirotran™ FM Approved special protection transformer

Eaton's Cooper Power series Envirotran™ transformer is FM Approved and suitable for indoor locations. Factory Mutual Research Corporation's (FMRC) approval of the Envirotran transformer line makes it easy to comply with and verify compliance with Section 450.23, 2008 NEC, Less-Flammable Liquid-Filled Transformer Requirements for both indoor and outdoor locations.

Envirotran FM Approved transformers offer the user the benefit of a transformer that can be easily specified to comply with NEC, and makes FM Safety Data Sheet compliance simpler, while also providing maximum safety and flexibility for both indoor and outdoor installations.

Because the "FM Approved" logo is readily visible on the transformer and its nameplate, NEC compliance is now easily verifiable by the inspector.

Envirotran FM Approved transformers are manufactured under strict compliance with FMRC Standard 3990 and are filled with FM Approved Envirotemp™ FR3™ fluid, a fire-resistant dielectric coolant.

FM APPROVED

Special application transformers

Data Center transformer

With focus rapidly shifting from simply maximizing uptime and supporting demand to improving energy utilization, the data center industry is continually looking for methods to increase its energy efficiency and reliability. Utilizing cutting edge technology, Eaton's Cooper Power series Hardened Data Center (HDC) transformers are the solution. Designed with special attention given to surge protection, HDC liquid-filled transformers provide superior performance under the harshest electrical environments. Contrary to traditional dry-type units, HDC transformers provide unsurpassed reliability, overloadability, operational life, efficiency, thermal loading and installed footprint. These units have reliably served more than 100 MW of critical data center capacity for a total of more than 6,000,000 hours without any reported downtime caused by a thermal or short-circuit coil failure.

The top priority in data center operations is uninterrupted service. Envirotran HDC transformers from Eaton, having substantially higher levels of insulation, are less susceptible to voltage surges. Eaton has experienced zero failures due to switching transients. The ANSI® and IEEE® standard impulse withstand ratings are higher for liquid-filled transformers, making them less susceptible to insulation failure. The Envirotran HDC transformer provides ultimate protection by increasing the BIL rating one level higher than standard liquid-filled transformer ratings. The cooling system of liquid-filled transformers provides better protection from severe overloads—overloads that can lead to significant loss of life or failure.

Data center design typically includes multiple layers of redundancy, ensuring maximum uptime for the critical IT load. When best in class transformer manufacturing lead times are typically weeks, not days, an unexpected transformer failure will adversely affect the facility's reliability and profitability. Therefore, the ability to determine the electrical and mechanical health of a transformer can reduce the probability of costly, unplanned downtime. Routine diagnostic tests, including key fluid properties and dissolved gas analysis (DGA), can help determine the health of a liquid-filled transformer. Although sampling is not required for safe operation, it will provide the user with valuable information, leading to scheduled repair or replacement, and minimizing the duration and expense of an outage. With a dry-type transformer, there is no reliable way to measure the health or likelihood of an impending failure.

Solar transformer

As a result of the increasing number of states that are adopting aggressive Renewable & Alternative Energy Portfolio Standards, the solar energy market is growing—nearly doubling year over year. Eaton, a key innovator and supplier in this expanding market, is proud to offer its Cooper Power series Envirotran transformers specifically designed for Solar Photovoltaic medium-voltage applications. Eaton is working with top solar photovoltaic developers, integrators and inverter manufacturers to evolve the industry and change the way we distribute power.

In accordance with this progressive stance, every Envirotran Solar transformer is filled with non-toxic, biodegradable Envirotemp™ FR3™ dielectric fluid, made from renewable seed oils. On top of its biodegradability, Envirotemp™ FR3™ fluid substantially extends the life of the transformer insulation, saving valuable resources. What better way to distribute green power than to use a green transformer. In fact, delaying conversion to Envirotran transformers places the burden of today's environmental issues onto tomorrow's generations. Eaton can help you create a customized transformer, based on site specific characteristics including: temperature profile, site altitude, solar profile and required system life. Some of the benefits gained from this custom rating include:

- Reduction in core losses
- Improved payback on investment
- Reduction in footprint
- Improved fire safety
- Reduced environmental impact

For the solar photovoltaic industry, Eaton is offering standard step up transformers and dual secondary designs, including 4-winding, 3-winding (Low-High-Low) and 3-winding (Low-Low-High) designs.

Wind transformer

Eaton is offering custom designs for renewable energy power generation. Eaton manufactures its Cooper Power series Generator Step-Up (GSU) transformers for installation at the base of every wind turbine. Additionally, grounding transformers are available for wind power generation.

DOE efficiency

The United States Department of Energy (DOE) has mandated efficiency values for most liquid type, medium voltage transformers. As a result, all applicable Eaton's Cooper Power series transformers 2500 kVA and below conform to efficiency levels as specified in the DOE ruling "10 CFR Part 431 Energy Conservation Program".

Underwriters Laboratories® (UL®) Listed and Labeled/ Classified

The Envirotran transformer from Eaton can be specified as UL® Listed & Labeled, and/or UL® Classified. Underwriters Laboratories (UL®) listing is a verification of the design and construction of the transformer to the ANSI® and IEEE® standards. UL® listing generally is the most efficient, cost-effective solution for complying with relevant state and local electrical codes. UL® Combination Classification/Listing is another way in which to comply with Section 450.23, 2008 NEC® requirements. This combines the UL® listed transformer with a UL® Classified Less-Flammable Liquid and complies with the use restrictions found within the liquid Classification.

c UL US LISTED

K-Factor transformer

With a drastic increase in the use of ferromagnetic devices, arcing devices, and electric power converters, higher frequency loads have increased significantly. This harmonic loading has the potential to generate higher heat levels within a transformer's windings and leads by as much as 300%. Harmonic loading has the potential to induce premature failure in standard-design distribution transformers.

In addition to standard UL® "K-Factor" ratings, transformers can be designed to customer-provided specifications detailing precise loading scenarios. Onsite measurements of magnitude and frequency, alongside harmonic analysis of the connected load can be performed by Eaton engineers or a third party consultant. These field measurements are used to determine exact customer needs and outline the transformer specifications.

Eaton will design harmonic-resistant transformers that will be subjected to the unique harmonic loads. These units are designed to maintain normal temperature rise under harmonic, full-load conditions. Standard UL® "K-Factor" designs can result in unnecessary costs when the "next-highest" K-Factor must be selected for a calculated design factor. To save the customer these unnecessary costs, Eaton can design the transformer to the specific harmonic spectrum used in the application. Eaton's Cooper Power series K-factor transformers are filled with mineral oil or Envirotemp™ FR3™ fluid and enjoy the added benefits of dielectric cooling such as higher efficiencies than dry-type transformers.

Modulation transformer

Bundled with an Outboard Modulation Unit (OMU) and a Control and Receiving Unit (CRU), a Modulation Transformer Unit (MTU) is designed to remotely achieve two way communication.

The use of an MTU reduces travel time and expense versus traditional meter reading performed by high voltage electricians. Additionally, with MTU it is possible to manage and evaluate energy consumption data, providing reduced metering costs and fewer tenant complaints.

An MTU utilizes existing utility infrastructure, therefore eliminating the need to engineer and construct a dedicated communication network.

Figure 9. Modular transformer.

Inverter/rectifier bridge

Eaton complements its range of applications for transformers by offering dual winding designs. These designs are intended for connection to 12-pulse rectifier bridges.

Product attributes

To set us apart from other transformer manufactures, Eaton includes the following guarantees with every three-phase pad-mounted transformer.

Engineered to order (ETO)

Providing the customer with a well developed, cost-effective solution is the number one priority at Eaton. Using customer specifications, Eaton will work with the customer from the beginning to the end to develop a solution to fit their needs. Whether it is application specific, site specific, or a uniquely specified unit, Eaton will provide transformers with the best in class value and performance, saving the customer time and money.

Made in the U.S.A.

Eaton's three-phase pad-mounted transformers are produced right here in the United States of America. Our manufacturing facilities are positioned strategically for rapid shipment of products. Furthermore, should the need arise, Eaton has a broad network of authorized service repair shops throughout the United States.

Superior paint performance

Protecting transformers from nature's elements worldwide, Eaton's E-coat system provides unrivaled transformer paint life, and exceeds IEEE Std C57.12.28™-2014 and IEEE Std C57.12.29™-2005 standards. In addition to the outside of the unit, each transformer receives a gray E-coat covering in the interior of the tank and cabinet, providing superior rust resistance and greater visibility during service.

If the wide range of standard paint selections does not suit the customer's needs, Eaton will customize the paint color to meet their requirements.

Rectangular coil design

Eaton utilizes a rectangular coil design. This winding technique results in a smaller overall unit footprint as well as reducing the transformer weight. The smaller unit size does not hinder the transformer performance in the least. Units have proven short circuit withstand capabilities up to 10 MVA.

Testing

Eaton performs routing testing on each transformer manufactured including the following tests:

- Insulation Power Factor: This test verifies that vacuum processing has thoroughly dried the insulation system to required limits.
- Ratio, Polarity, and Phase Relation: Assures correct winding ratios and tap voltages; checks insulation of HV and LV circuits. Checks entire insulation system to verify all live-to-ground clearances.
- Resistance: This test verifies the integrity of internal high-voltage and low-voltage connections; provides data for loss upgrade calculations.
- Routine Impulse Tests: The most severe test, simulating a lightning surge. Applies one reduced wave and one full wave to verify the BIL rating.
- Applied Potential: Applied to both high-voltage and low-voltage windings, this test stresses the entire insulation system to verify all live-to-ground clearances.
- Induced Potential: 3.46 times normal plus 1000 volts for reduced neutral designs.
- Loss Test: These design verification tests are conducted to assure that guaranteed loss values are met and that test values are

within design tolerances. Tests include no-load loss and excitation current along with impedance voltage and load loss.

- Leak Test: Pressurizing the tank to 7 psig assures a complete seal, with no weld or gasket leaks, to eliminate the possibility of moisture infiltration or fluid oxidation.

Design performance tests

The design performance tests include the following:

- Temperature Rise: Our automated heat run facility ensures that any design changes meet ANSI® and IEEE® temperature rise criteria.
- Audible Sound Level: Ensures compliance with NEMA® requirements.
- Lightning Impulse: To assure superior dielectric performance, this test consists of one reduced wave, two chopped waves and one full wave in sequence, precisely simulating the harshest conditions.

Thomas A Edison Research and Test Facility

We are constantly striving to introduce new innovations to the transformer industry, bringing you the highest quality transformer for the lowest cost. Eaton's Cooper Power series Transformer Products are ISO 9001 compliant, emphasizing process improvement in all phases of design, manufacture, and testing. We have invested millions of dollars in the Thomas A. Edison Technical Center, our premier research facility in Franksville, Wisconsin affirming our dedication to introducing new innovations and technologies to the transformer industry. This research facility is fully available for use by our customers to utilize our advanced electrical and chemical testing labs.

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Three-phase pad-mounted compartmental type transformer

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