Vermilion County, Illinois
Ordinance No. 25-0502
4200 North Solar 1 LLC

WHEREAS, the Vermilion County Wind and Solar Committee ("Committee") held a public hearing related to the Application of 4200 North Solar 1 LLC (a subsidiary of Soltage, LLC) on March 17, 2025;

WHEREAS, the Committee heard evidence regarding the Application and made Findings of Fact and Recommended Conditions;

WHEREAS, the Committee determined appropriate conditions related to the Project to protect the health, safety and welfare of the community;

WHEREAS, the Committee has recommended siting approval of the Application of 4200 North Solar 1 LLC for the construction of a 3.0 MW(AC) Commercial Solar Energy Facility approximating 72.33 acres of leased agricultural land located sourth of W 4200 North Road, Butler Township, Vermilion County, Illinois;

WHEREAS, the County finds that the Applicant has materially complied with the requirements of the Solar Siting Ordinance of Vermilion County;

WHEREAS, the County has reviewed the Findings of Fact and Recommended Conditions, attached hereto as Exhibit A and adopts said written Findings of Fact and Conditions as part of its Ordinances;

WHEREAS, the Applicant must submit to the County a request for a building permit prior to the construction of said Commercial Solar Energy Facility;

WHEREAS, prior to the approval of a building permit for the Project, and during all phases of operation, the County finds that certain conditions are in the best interests of the County and to protect the health, safety and welfare of the citizens; and

NOW, THEREFORE, BE IT RESOLVED by the Vermilion County Board that the Findings of Fact are well founded and adopted hereto, and that Siting Application of 4200 North Solar 1 LLC is approved subject to conditions and continued compliance with State law and the County's Siting Ordinance.

PRESENTED, APPROVED, and RESOLVED by the County Board of Vermilion County, Illinois at its April 15, 2025, session.

DATED, this 15th day of April 2025.

AYE 19 NAY 2 ABSENT 5

Chair, Vermilion County Board

ATTEST:
Cathy Jenkins (LP)
Clerk of the County Board

VERMILION COUNTY, ILLINOIS
RECOMMENDED CONDITIONS
4200 NORTH SOLAR 1, LLC

In addition to all necessary requirements imposed by law or ordinance, the Company, Company, Owner and/ or Operator shall abide by the following conditions. For purposes of these conditions, the use of "Company," "Owner" or "Operator" shall apply to and have the meaning for all such entities whether referred to collectively or individually. For the purposes of these conditions, "Vermilion County Zoning Ordinance" includes the "Commercial Solar Energy Facility Siting Ordinance" and all other relevant zoning regulations of Vermilion County, Illinois. The term "Project" shall include all equipment utilized in the operation of the Commercial Solar Energy Facility, including non-essential equipment. The uncured violation of these conditions shall invalidate the Special Use Permit.

1. **Commencement of Special Use**

Commencement of Construction of the 4200 North Solar 1, LLC ("Company") project ("Project") in Vermilion County shall begin by March 31, 2026. If any litigation is filed challenging the approval of the Project, then the time for Commencement of Construction shall be within one year after termination of the litigation. The time for the Company to substantially complete construction shall be within 24 months after Commencement of Construction. If the Company fails to begin or substantially complete construction of the Project, by the applicable date(s) above, then the special use permit shall expire and become null and void, unless, prior to such expiration, an extension of time is granted by the Vermilion County Board ("County Board"), upon application by the Company. As used herein, the term "Commencement of Construction" shall mean the issuance of Building Permit for a Commercial Solar Energy Facility.

2. **Term**

The special use for the Project shall be granted for a term of 30 years from the date of the Project being connected to the electrical grid. Prior to its expiration, the Company may apply to the County Board to extend the term of the special use.

3. **Compliance**

Construction and operation of the Project shall be in compliance with all federal, state and local regulations now or hereafter in effect. The construction and operation of the Project shall conform to all representations made by the Company in its application and at all public hearings, and these conditions. In the event of any discrepancy between such representations and these conditions, these conditions shall control. The site plan layout as presented during the public hearing is the maximum extent allowed for the Special Use. Expansion of the layout, expansion of the number of solar panels, increase in the height of the facility (including fencing), and any increase in the nameplate capacity of the Project is not permitted without seeking and obtaining a separate Special Use Permit, necessary decommissioning agreements, necessary road use agreements and building permits.

4. Construction and Maintenance Hours

Construction and routine maintenance activities for the Project shall be performed according to the following schedule:

a. Commence no earlier than 7:00 a.m. and cease by 7:00 p.m. during the calendar period from September 1 through May 31, Monday through Friday.

b. Commence no earlier than 7:00 a.m. and cease by 8:00 p.m. during the calendar period from June 1 through August 31, Monday through Friday.

c. No construction work shall be performed on Saturday or Sunday, except upon an emergency basis.

5. Evaluation for Noxious Weeds/ Weed Management Plan

Prior to the issuance of a Building Permit, Company shall perform an assessment of the property for the presence of noxious weeds, in particular those regulated by the Illinois Noxious Weed Law (505 ILCS 100/ *et* seq) and Illinois Exotic Weed Act (525 ILCS 10/ *et seq*). In addition, to those weeds specifically regulated by law or administrative code, the Company shall perform an assessment of the property for all species of *Amaranthus*, including but not limited to *Amaranthus tuberculatus* (waterhemp) and *Palmer amaranth* (Palmer pigweed, careless weed, etc.). Such assessment shall include the presence and propensity for such weeds to exist on the property, and a plan for eradication and management of such weeds.

The Company shall development a Landscape Management Plan.

The Weed Management Plan and Landscape Management Plan must be submitted to the Vermilion County and approved by the Vermilion County Board prior to application for any Building Permit(s) for any portion of the CSEF.

Company shall utilize contractors local to Vermilion County to comply with this provision, unless no such contractors can be located within the County. If no such contractor is available within Vermilion County, Company shall provide proof thereof as part of its annual report to the County.

Failure to properly control weeds upon the Project shall be cause of termination of the Special Use Permit.

6. Vegetative Screening

Company shall provide vegetative screening to shield the view of all residences as required by the Vermilion County CSEF Siting Ordinance. Said vegetative screening shall consist of evergreen shrubs or trees, be planted in a double row, and be at least 4 feet in height at the time of planting. Said vegetative screening shall be included in the Weed Management Plan and Landscape Management Plan submitted to the County Board submitted and approved by the Vermilion County board prior to application for any Building Permit(s) for any portion of the CSEF. All vegetative screening must be maintained for the life of the Project.

7. Stockpiling of Topsoil

If any topsoil is removed, Company shall retain all topsoil for reuse in the event of decommissioning in compliance with the Agricultural Impact Mitigation Agreement (AIMA).

8. Drainage Tile Survey

Prior to receipt of a Building Permit for any portion of the CSEF, Company shall perform a drainage tile survey for the presence of any drainage tiles or subsurface structures. Company shall comply with all provisions of state law regarding the drainage, subsurface drainage structures, and drain tile investigation and repair of any drainage tiles or structures.

9. Wells and Well Monitoring

Company shall seal all wells on site pursuant to Illinois law and provide appropriate proof of sealing to the County prior to the receipt of any Building Permit. Alternatively, the Company shall annually perform well monitoring and testing and provide the results thereof to the County on or before December 31st of each year.

10. Road Agreements

Prior to the issuance of a building permit, the Company shall enter into all necessary road usage agreements with the County Board and any other applicable jurisdictions having authority over local roads. Any breach of the requirements of any road use agreement shall be considered a breach of the conditions of approval.

11. School Buses and Vehicular Traffic

Company shall comply with restrictions or requirements imposed upon Project construction and maintenance traffic in order to avoid conflicts with school bus traffic and school bus stops, and with farm and other vehicular traffic in the Project area. The Company shall continuously maintain a website throughout the construction period which shall provide updates to the public regarding the planned traffic pattern at least 72 hours in advance of the planned activity, including areas that may experience delays during the construction period. Additionally, during the construction period the Company shall provide the relevant school districts with the planned traffic patterns at least 72 hours in advance of the planned activity. Any changes to the planned activity may occur up to 48 hours prior to the planned activity. Any changes must be posted. The Company may utilize a Facebook or other social media site to satisfy the website requirement.

12. Decommissioning and Security

The Company shall enter into a Decommissioning Agreement with the County prior to the issuance of Building Permits. Said Decommissioning Financial Assurances shall provide for inflation protection on a yearly basis of at least 3%.

The Financial Assurances shall be provided by 4200 North Solar 1, LLC and/or Soltage, LLC. Soltage, LLC shall be responsible for the maintenance of the Decommissioning Financial Assurance unless and until such time as the Project entity is divested pursuant to Paragraph 14.

Any breach of the material terms of the Decommissioning Agreement shall be considered a breach of these conditions of approval.

13. Liability Insurance

The Company shall maintain liability insurance as required by Vermilion County Zoning Ordinance/ Solar Energy Facility Siting Ordinance. The Company shall identify participating landowners in the project as additional insureds under the Company's liability insurance. The Company shall promptly increase such liability insurance if such amount is increased in the Vermilion County Zoning Ordinance. The Company shall provide evidence of the insurance to the. County.

14. Assignment

The Special Use Permit shall not be assignable except upon approval by the County Board and interest and/or ownership in the Company shall not be assigned or transferred to another party except upon approval by the County Board. County Board approval under this Paragraph shall not be unreasonably denied or delayed so long as the assignee or transferee ("Acquirer") demonstrates to the County Board adequate financial resources, experience in and capability of operating a solar energy project, and the Acquirer complies with all conditions hereunder, agreements and any other applicable local, state or federal requirements.

15. Fire Protection Districts and Emergency Response

Company shall cooperate with all local fire protection districts and provide funding as necessary for training or for new equipment to prepare the districts to respond to fire and other emergencies concerning the Project. Company shall assist emergency response agencies in developing an emergency response plan for the Project. Company shall train their onsite personnel to assist emergency response agencies for any emergency incident that may occur on or in close vicinity to solar panels or other structures that are part of this Project. Company shall assist emergency response agencies in developing an emergency response plan for the Project. This paragraph does not preclude or restrict emergency response personnel of any governmental or private entity from performing any rescue activities. Company may enter into agreements with local or other emergency response agencies to comply with this requirement. Company and its contractors shall share their emergency response plans and protocols, for both construction and operation of the Project, with local emergency response agencies. Company shall assist emergency response agencies in evaluating emergency response training needs and assisting with training of emergency response personnel in relation to this Project. The Company shall cooperate in emergency response drills relating to this Project, as part of coordinated training for solar and emergency response personnel. The Company shall coordinate a bi-annual review of policies, procedures, drills, training and equipment needs between Company representatives and local emergency response agencies and provide documentation to the County. Company shall reimburse emergency response agencies for any emergency response due to or as a consequence of the Project.

16. Reimbursement for County Expenses

If during the term of the special use and decommissioning period for the Project, the County retains outside engineers, consultants, contractors, attorneys or other parties, in order for the County Board to enforce, determine compliance or obtain compliance with applicable laws, ordinances, regulations, or these conditions, Company shall promptly reimburse the County for all such expenses.

17. Validity of Conditions

By applying for Building Permit(s) related to the Project pursuant to the special use granted by the County Board with these conditions, the Company shall be deemed to waive any and all claims concerning the lawfulness, authority or reasonableness of any of the conditions set forth herein.

18. Defense Against Claims

In the event the Project, or any other matters relating to the Project, is the subject of a lawsuit or other legal action against the County, County Board or its officials (including any county officers, directors, administrators, attorneys or agents), the Company shall reimburse the County for all reasonable legal fees and other expenses, including expert fees, incurred by the County in defending such legal action.

19. Financial Ability to Complete Project

Prior to issuance of a Building Permit for the Project, the Company shall provide to the County evidence of financial ability to complete and operate the Project. Said evidence shall include the construction costs associated with the Project, sources of funds and amount of funding available to complete construction of the Project.

20. Compliance with IDNR Recommendations

Owner and Operator shall comply with all Illinois Department of Natural Resources recommendations and suggestions regarding this Project. If a recommendation or suggestion conflicts with any other provision of the Ordinance or other conditions, the Ordinance or other condition shall apply.

21. Noise Study

Prior to the issuance of any Building Permits related to the Project, the Company shall provide the County a study demonstrating compliance with the Illinois Pollution Control Board standards. Such study shall be from a third-party approved by the County and such costs shall be paid by the Company.

22. Glare Study

Prior to the issuance of any Building Permits related to the Project, the Company shall provide the County a glare study for this specific Project. If such study demonstrates that glare will negatively impact roads or nearby residences, the Company shall provide a plan to negate such glare prior to the issuance of Building Permits.

23. Battery Storage Prohibition

The placement or utilization of Battery Energy Storage System(s) is prohibited.

24. Grading of Site

Any grading of the site shall require dust mitigation plans be employed to mitigate or eliminate dust upon the site during the construction phase of the Project. The dust mitigation plan must be submitted as part of the building permit application.

25. Gas Line Investigation and Approval

Prior to the issuance of Building Permit(s) related to the Project, Company must provide the application, including site plan, to the natural gas pipeline owner to determine whether special construction considerations are necessary. Prior to receipt of a Building Permit, Company must become a member of the JULIE statewide system.

26. Archaeology

Prior to receipt of a Building Permit, Company shall provide a Phase I Archaeology Survey.

27. Cure Period

Subject to any other provision of these conditions, any alleged breach or violation of the conditions listed herein, including an alleged failure to comply with any federal, state or local regulation now or hereafter in effect, and any penalty herein, including termination of rights granted by or the invalidity of the special use permit, as a result of such breach or violation, shall be subject to the Company curing or commencing to cure and thereafter diligently pursuing cure of such breach or violation within 60 days after receipt of written notice from the County of such breach or violation.

28. Proof of Compliance

Company shall provide any requested proof of compliance with the conditions, the Vermilion County Zoning Ordinance, or any other rules, laws and regulations to the County upon request.

END OF DOCUMENT

Vermilion County Wind and Solar Committee

Findings of Fact and Recommendation to Vermilion County Board

RE: 4200 North Solar 1, LLC Application for Siting Approval of a 3.0 MW (AC) Commercial Solar Energy Facility, approximating 17.53 acres in Butler Township, Vermilion County, IL

Date: March 17, 2025

I. Applicant

The Applicant for this siting approval is 4200 North Solar 1, LLC, a subsidiary of Soltage, LLC. (hereinafter individually or collectively referred to as "Applicant").

II. Project Summary

Applicant proposes to construct and operate a 3 MW AC solar facility located south of E 4200 North Road, Butler Township, Vermilion County, IL 61870. The Project is proposed to be sited on an approximately 72.33 acre parcel of leased agricultural land owned by Snyder Ag, LLC, parcel number 02-07-100-002.

III. Application

The written Application is kept on file with the Vermilion County Board Office located at 201 N. Vermilion St., 2nd Floor, Danville, IL 61832. All evidence received during the public hearing process is retained at the same office. The publication for the public notice of this Project was done in the Commercial-News, a newspaper of general circulation in the community.

IV. Public Hearing Process

A public hearing was held pursuant to notice and pursuant to the requirements of 55 ILCS 5/5-12020. The public hearing occurred at the Vermilion County Board Room, 201 N. Vermilion St., 2nd Floor, Danville, IL 61832. The Application was called for hearing, the Applicant submitted the evidence and was subject to examination by the Vermilion County Wind and Solar Committee (hereinafter "Committee") and members of the public. At the conclusion of the hearing the Committee deliberated as to the issues presented, made Findings of Fact as memorialized herein, provided recommended conditions, and made a Recommendation to the County Board.

V. Applicable Standards

The Applicable standards for this Committee's consideration are the Siting Ordinance for Commercial Solar Energy Facilities, including the factors so listed below in part VII.

VI. Evidence

The evidence presented is reflected in record including the transcript of the record and the exhibits as noted herein.

Witnesses:

- Jeremy Walrond – project manager
- Sean Hickey – Kimley-Horn

- Group Exhibit 1 – Siting Permit Application
  - Exhibit A: Contact Information
  - Exhibit B: Zoning Site Plan
  - Exhibit C: Decommissioning Plan
  - Exhibit D: Federal Aviation Agency (FAA) Notice of Criteria
  - Exhibit E: Illinois Department of Natural Resources (IDNR) EcoCat
  - Exhibit F: Ecosphere Information for Planning and Consultation (IPaC)
  - Exhibit G: State Historic Preservation Office (SHPO) Concurrence
  - Exhibit H: Emergency Action Plan
  - Exhibit I: FEMA Firmette
  - Exhibit J: Transportation and Access Plan
  - Exhibit K: Roadway Coordination Correspondence
  - Exhibit L: Preliminary Operations and Maintenance Plan
  - Exhibit M: Proof of Liability Insurance
  - Exhibit N: Proof of Land Ownership & Property Value Analysis
  - Exhibit O: Financial Assurance
  - Exhibit P: Health and Safety Studies
  - Exhibit Q: Hydrologic Response of Solar Farms
  - Exhibit R: Agricultural Impact Mitigation Agreement (AIMA)
  - Exhibit S: Sound Study
  - Exhibit T: Natural Resource Information (NRI) Report
  - Exhibit U: Jurisdiction Confirmation Correspondence
  - Exhibit V: Proposed Product Cut Sheets
  - Exhibit W: USGS Map
  - Exhibit X: Community Notice Correspondence
  - Exhibit Y: Phase 1 Environmental Site Assessment (ESA)
- Exhibit 2 – NRI Report
- Exhibit 3 – Notices to Adjacent Owners and Publication Notice

- Exhibit 4 – Cohn Reznick Property Value Study
- Exhibit 5 – PowerPoint Presentation
- Exhibit 6 – Seed Mix

VII. Findings of Fact

The Committee has considered the Ordinance requirements and the facts presented by the developer in its Application and in its presentation during the public hearing.

1. **Height. Shall not exceed 20 feet at maximum tilt of the solar panel(s).**

   Applicant will ensure that no system of the solar energy exceeds the maximum height requirement.

2. **No Commercial Solar Energy Facility ("CSEF") shall be built on any lot less than 5 acres in size.**

   Applicant has met the above criteria.

3. **Setbacks. The CSEF shall be sited as follows, with setback distances measured from the nearest edge of any component of the facility:**
   - **Occupied community buildings and dwellings on nonparticipating property:** 150 feet to the nearest point on the outside wall of the structure.
   - **Nonparticipating residences:** 150 feet to the nearest point on the outside wall of the structure.
   - **Boundary line of participating property:** None.
   - **Boundary lines of nonparticipating property:** 50 feet to the nearest point on the property line of the nonparticipating property.
   - **Public road right of ways:** 50 feet the nearest edge of the public road right-of-way.

   Applicant will adhere to the requirements set forth above. The Project demonstrates its compliance in the Zoning Site Plan included as Exhibit B.

4. **Fencing. A locked fence of at least 6 feet in height but no greater than 25 feet shall enclose the CSEF.**

   The Project will be secured by a 6' tall minimum, chain link fence. The Project fence shall also comply with the requirements of the National Electric Code.

5. **Lighting. If lighting is provided at the project, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel.**

Due to the proposed security fence and the nature of the operations of a Commercial Solar Energy Facility, additional lighting is not typically needed. The Project will have no permanent lighting systems on site, so the Project shall comply with the requirement.

6. **Noise. Noise levels measured at the property line shall comply with standards set out by the Illinois Pollution Control Board ("IPCB"). Noise levels may be enforced by Vermilion County, or any other regulatory body.**

   The Project has been designed to locate all noise-emitting equipment (inverters and transformers) in the center of the project, furthest away from the surrounding properties. The Project demonstrates its compliance in the Sound Study, included as Exhibit S.

7. **Installation and Design. The CSEF shall be designed and located in order to prevent glare toward any inhabited buildings on adjacent properties as well as adjacent highways. Placement of the generator or noise producing electrical equipment shall be placed at the center of the project to the extent practical.**

   The Project is designed to meet required setbacks, and the proposed solar panels include an anti-reflective coating. Utilizing these measures as well as vegetative screening surround the Project, the Project will not adversely affect nearby properties or traffic.

8. **All wiring between solar panels and the solar farm facility substation shall be underground whenever possible.**

   The Project will route all medium-voltage electrical lines underground within the Project security fence. The proposed interconnection to existing Ameren power poles shall comply with the Interconnection Agreement with the utility provided.

9. **Outdoor Storage. Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the solar farm shall be allowed.**

   No outdoor storage is anticipated except during the construction period.

10. **Proof an Agricultural Impact Mitigation Agreement ("AIMA") has been executed with the Illinois Department of Agriculture. Failure to comply with the Agricultural Mitigation Agreement and statute at 505 ILCs 147/15 et. seq. shall be a violation of this ordinance. Pursuant to 70 ILCS**

405/22.02a an appropriate impact study shall be required as set out in the statutory Agricultural Mitigation Agreement which is incorporated herein as part of this ordinance.

The Applicant provided an executed AIMA with the Department of Agriculture as Exhibit R.

11. **Building Codes. All state, and national construction codes shall be followed. For purposes of this ordinance, the County adopts the National Electric Code and International Building Code as amended from time to time. All building materials must comply with recognized industry standards.**

    The Project will comply with all state and national construction codes, the National Electric Code and International Building Code as amended. All final engineering documents shall be designed in accordance with these standards.

12. **Vegetation and Ground Cover and Weed Control. Any weed control or planting of vegetation shall prevent Palmer, Amaranthus, and Conyza weed species, and other weed species that, at the time of application, are resistant to agricultural herbicides that are commonly used in Illinois. Any weed control or planting of vegetation shall also be certified to be in compliance with the Noxious Weed Act, 505 ILCS 100/1 *et seq.*, to prevent importation of noxious weeds or harmful vegetation. No soil sterilant shall be permitted on a solar site.**

    Facility Owner shall install a Pollinator friendly habitat which shall be maintained in compliance with the Illinois Department of Natural Resources Solar Site Pollinator guidelines.

    Facility Owner shall install a living buffer of evergreen trees that must be planted and maintained during the duration of the lifetime of the CSEF beginning with the commercial operation date. During the Siting Application process, the County shall determine the species of evergreens to be planted, the spacing and number of rows to be utilized. Upon decommissioning it shall be the landowner's discretion whether the vegetation screening shall remain. Earth berms or other topographical features and existing wooded areas may be accepted in lieu or in combination of the above requirements if they conceal the use from public view and are maintained.

    All proposed vegetation shall prevent Palmer, Amaranthus, Conyza, and any other weed species that are resistant to common agricultural herbicides used in Illinois. This section also states that the Applicant shall install a living buffer of evergreen trees as well as a pollinator friendly habitat which shall be maintained and in compliance with the IDNR Solar Site Pollinator guidelines. The AIMA

includes additional requirements for conservation and topsoil protection which shall also be followed during project construction. During final engineering, a Landscape Plan will be developed by a licensed landscape architect to detail all proposed vegetation to comply with the ordinance, state, and national requirements.

The vegetative management plan includes requirements for mowing, reseeding, and weed management practices.

13. **All drainage tiles shall be repaired or restored to same or better condition as when the project began. There will be an inspection for compliance by an independent inspector chosen by Vermilion County and paid for by the owner/operator. During construction or operation, any damage to drainage systems shall be repaired by the Facility Owner or Operator. Such repair shall be initiated within 30 days of Facility Owner or Operator being informed of such damage. All repairs shall be performed by a contractor with offices or facilities in Vermilion County, unless such contractor is unable to perform required repairs within the proscribed time period.**

    Applicant has planned the Project in compliance with the above criteria. The project will adhere to the Illinois Department of Agriculture's AIMA guidelines including conducting a thorough drain tile investigation to identify existing drain tiles. The drain tiles will be identified to remain in place and fully functional during and after construction.

14. **JULIE shall be contacted before digging or excavation begins.**

    This is an operational requirement, and Applicant has indicated it will confer with JULIE prior to any excavation or piling begins.

15. **Local drainage districts, if any, shall be contacted prior to any development on the project site to locate drainage district tiles.**

    During final engineering, the pre- and post-drainage areas shall be analyzed for quantity of runoff in the 2-year and 100-year storm events. This analysis is anticipated to show an overall decrease in runoff quantity in the post-condition. This expectation is supported by the Hydrologic Response of Solar Farms included as Exhibit Q, an article by ASCE (American Society of Engineers), which analyzes the hydrologic patterns of a typical solar farm. The industry standard follows this article and assumes that a change in use from row crop to meadow in developing a commercial solar energy facility will reduce runoff.

16. **Annual review and reporting. The applicant, owner, and/or operator of an CSEF project shall submit to the Vermilion County Board Office on the**

first Monday of July of each year following CSEF project approval a report regarding CSEF maintenance and operation.

The annual review and report requirements are operational in nature. Subject to the annual review, Applicant has committed to compliance with these criteria in its application.

17. Application Requirements:

A written summary of the project including a general description of the project, including its nameplate generating capacity.

The name(s), address(s), and phone number(s) of the owner and/or CSEF operator.

A site plan of the CSEF site showing:

- **Boundaries of the site.**
- **All proposed CSEF structures including, but not limited to, the project solar panels, substation, interconnect substation, and location and voltage of any overhead transmission lines**
- **Property lines.**
- **Setback lines.**
- **The location of any known subsurface drainage tiles, and a statement describing attempts made to do tile surveys and to otherwise discover the location of drainage tile locations.**
- **Identification of any flood zone areas within the project boundaries.**
- **Location of all existing structures with their uses identified.**
- **Wetland location, if any.**
- **Septic systems.**
- **Wells.**
- **Existing easements, if any.**

Proof of compliance with this solar ordinance and also proof of compliance with an erosion study by the Soil and Water Conservation District as defined under 70 ILCS 405/22.02a, and fully executed Agricultural Mitigation Agreement statute at 505 ILCS 147/15 *et seq*.

A commercial solar energy facility owner shall provide:

- **The results and recommendations from consultation with the Illinois Department of Natural Resources that are obtained through the Ecological Compliance Assessment Tool (EcoCAT) or a comparable successor tool; and**

- **The results of the U.S. Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable**

successor tool that is consistent with (i) the "U.S. Fish and Wildlife Service's Guidelines," if any, and (ii) any applicable U.S. Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.

- **Proof of compliance where required by the County of the recommendations provided by the Illinois Department of Natural Resources in an EcoCAT natural resource review report under 17 Ill. Admin. Code Part 1075.**

As part of the application process, Applicant has provided the following information required of this portion of the ordinance.

- Summary of Project: See Section 1.0 of the Application.
- Name/Address/Phone Number of CSEF owner/operator: See Contact Information included as Exhibit A.
- Site Plan: See Zoning Site Plan included as Exhibit B.
- Erosion Study: Vermilion County Soil and Water Conservation District (SWCD) is included as Exhibit 2 above.
- EcoCAT: IDNR EcoCAT included as Exhibit E.
- USFWS: IPaC included as Exhibit F.

Of note, the Applicant did not provide a drain tile study as part of its Application.

18. The county may require a facility owner to:

(a) Demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission; or

(b) Consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission.

The Project is not within any protected zone. See IDNR SHPO Concurrence attached as Exhibit G.

19. The county may require that a facility owner provide evidence of consultation with the Illinois State Historic Preservation Office ("SHPO") to assess potential impacts on State-registered historic sites under the Illinois State Agency Historic Resources Preservation Act.

The Applicant has consulted with the State Historic Preservation Office as indicated in Exhibit G of the siting application. Per the response from the SHPO, the site "has a high probability of containing significant archaeological resources . . . and [a]ccordingly, a Phase I archaeological survey to locate,

identify, and record these archaeological resources, at a legal minimum, will be required." *See Ex. G.*

20. **Emergency plan. The site and emergency plan shall be submitted to the local fire protection district(s) and/or department(s) whose jurisdiction is included in whole or in part within the CSEF project area. Any specialized training necessary will be provided at the operator's expense and shall be in person with all local emergency response personnel.**

    Applicant has provided an Emergency Action Plan as Exhibit H of the siting application. Applicant shall provide necessary training and equipment to local fire districts prior to the issuance of any building permits.

21. **Evidence of the financial ability of the Applicant and/ or Facility Owner to complete and operate the CSEF.**

    Applicant has provided a letter of Financial/Commitment and Assurance for the funding of the Project from Soltage, LLC attached as Exhibit O. The applicant's Ex. O lacks some specifics regarding this specific Project, but such information may be supplemented as a condition to building permit.

22. **Decommissioning Plan.**

    Applicant has provided a Decommissioning Plan as Exhibit C. Applicant has met these criteria. The final Decommissioning Plan is subject to negotiation and ultimately approval by the Vermilion County Board.

23. **Application of Siting Factors:**

    The factors used to analyze and consider the application shall be this ordinance, relevant state and federal laws and regulations, and the below listed factors:

    1. **The existing uses and, where applicable, zoning of nearby property;**

       The subject property and adjacent properties are used for agricultural purposes, specifically cropland. The Village of Rankin is approximately 1.4 miles west of the Project and does not regulate solar projects within 1.5 miles of its corporate boundary.

    2. **The extent to which property values are diminished;**

       The Project is located in a rural, lightly populated area of Vermilion County and is surrounded by agricultural land. There are no residential homes within 1.29 miles of the Project, and there is a 700+ foot setback from E

4200 N Road to the project. The Applicant included a report titled *Assessing Property Value Impacts Near Utility-Scale Solar in the Midwestern United States, authored by Simeng Hao and Gilbert Michaud, School of Environmental Sustainability, Loyola University Chicago, November 7, 2024.* The study found minimal impacts to even positive impacts relative to location near a utility scale solar Project. More importantly, there are no residential homes in the immediate vicinity of the Project area which also lessens the impacts.

3. **The extent to which the destruction of property value promotes the health, safety, morals, or general welfare of the public;**

Ameren customers may sign up to receive electricity from the Project at a discount after the project is operational.

The Project will pay approximately $397k in taxes over 25 years to Vermilion County, Butler Township, local schools, emergency services, the Hoopeston Library, and the conservation district, while hardly using any of these resources. This tax revenue can be used to improve services for those who live in the County. Additionally, during construction, workers may reside close to the Project site, eat at restaurants, and utilize services and shops, directly benefiting the local economy.

Approximately 50 jobs will be created by the Project.

There will be very little additional traffic generated by the Project except during the construction phase. Construction vehicles will not pass through densely populated areas such as the City of Rankin, and after the project is established, the project will be maintained by contractors traveling to the site in a pick-up truck or van a couple times per month.

The solar project itself uses no hazardous materials, and we will install the Project in line with the National Electric Code and County ordinance to ensure safety for the community. This includes enclosing the project with a locked fence, installing warning signs, and ensuring that emergency services are knowledgeable about how the solar project functions and how to respond in case of emergency.

The Project will be largely shielded from public view via a vegetative buffer in place.

There is a gas pipeline that cuts diagonally across the parcel which Mr. Walrond indicated they will stay away from during their construction and operation phase. They will stay out of the easement area.

4. **The relative gain to the public as opposed to the hardship imposed upon the individual property owner;**

   The Project will pay approximately $397k in taxes over 25 years to Vermilion County, Butler Township, local schools, emergency services, the Hoopeston Library, and the conservation district, while hardly using any of these resources. This tax revenue can be used to improve services for those who live in the County.

   This community solar project generates enough electricity to serve approximately 600 homes with renewable energy. Ameren customers may sign up to receive electricity from the Project at a discount after the project is operational.

   The property owner will benefit from fixed lease payments for leasing the land to the Project for 20-40 years. The solar project offers a stable income and allows the landowner to diversify income streams with both farm revenue and solar lease payments. Diversifying income with solar can help landowners weather fluctuating crop prices.

5. **The suitability of the subject property for the planned purposes;**

   The subject property is suitable to house a solar project. The property's flat terrain minimizes the need for grading which significantly reduces construction costs and environmental impact. The property's setback of 700+ feet from E 4200 Road maintains visual aesthetics from the road. The Project's proximity to Ameren's substation and distribution lines makes this an ideal location for a solar project. Environmental studies completed confirm that this project is outside of wetlands, flood zones, and is not in any critical habitats that might be detrimental to threatened and endangered species. There is a necessity of future studies to be performed regarding archaeological resources and if approved, the Committee recommends including such conditions.

   The Vermilion County SWCD also reviewed the Project and specific requirements may be necessary for the design and installation of the Project. The Committee recommends an additional condition to consult with the Vermilion County SWCD on this issue.

6. **The length of time the property has been vacant as currently utilized considered in the context of land development in the area;**

The land is actively farmed, and historical maps indicate that this land has remained farmland for at least the past 50 years. There are no residential structures nearby. Farming will continue on portions of the property not being used for the solar installation.

7. **The care with which the community has undertaken to plan its land-use development;**

   Care was taken to inform the community of the planned solar project. Letters and preliminary site plans have been sent to all properties within half a mile of the site including contact information to discuss any questions or feedback on the project. The area surrounding the Project is farmland, and adjacent farmers will be able to continue farming their properties and should not be impacted at all by the solar facility, which stands approximately 10' tall at the highest point. A 700-foot setback from E 4200 Road in addition to a vegetative buffer of evergreen trees ensures that the project is visually unobtrusive from the road and neighboring properties. Any noise generated by the Project will not be heard at the property line. There will be no lighting installed as part of the Project.

8. **The community need for the use proposed by the applicant;**

   This project alone creates enough electricity to power approximately 600 homes in Ameren's utility territory. As a community solar project, local residents will have the opportunity to subscribe and receive discounts on their electricity bills once the project is operational.

9. **The impact on wildlife and wildlife habitat; and**

   The project was reviewed through the Ecological Compliance Assessment Tool (EcoCAT) confirming that no State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves are present in the vicinity of the project.

   The U.S. Fish and Wildlife Service's IPaC (Information for Planning and Consultation) tool was used to assess potential impacts, ensuring compliance with federal guidelines for wildlife protection. There were no critical habitats found within the project area.

   The native pollinator groundcover mix under and around the panels promotes biodiversity and soil health, benefiting pollinators such as the Monarch butterfly, and local ecosystems.

The project does not involve the use of hazardous materials, ensuring the safety of surrounding wildlife and water resources.

10. The impact on drainage facilities and public property.

A comprehensive Stormwater Pollution Prevention Plan (SWPPP) will be implemented to ensure post-construction stormwater runoff does not exceed pre-construction levels. The project will adhere to the Illinois Department of Agriculture's AIMA guidelines such as conducting a thorough drain tile investigation to identify existing drain tiles. The drain tiles will be identified to remain in place and fully functional during and after construction. However, applicant did not provide the required drain tile study as part of its application.

The public roads that construction of the project will utilize will be maintained through a Road Use Agreement with the authority having jurisdiction over the roads. This typically includes a road survey and then posting of financial security to ensure that any damage that occurs to the road as part of construction is repaired.

VIII. Recommendation

NOW, THEREFORE, BE IT RESOLVED by the Vermilion County Wind and Solar Committee that based on the written application, the testimony, and other evidence submitted during the hearing, the Vermilion County Wind and Solar Committee APPROVAL SUBJECT TO CONDITIONS (as attached hereto), of the Siting Permit Application of 4200 NORTH SOLAR 1, LLC.

PASSED, ADOPTED, AND APPROVED BY THE Vermilion County Wind and Solar Committee on this 17th day of March, 2025

Chair

*** END OF DOCUMENT ***

VERMILION COUNTY
4200 NORTH SOLAR 1, LLC
RECOMMENDED CONDITIONS

VERMILION COUNTY, ILLINOIS
RECOMMENDED CONDITIONS
4200 NORTH SOLAR 1, LLC

In addition to all necessary requirements imposed by law or ordinance, the Company, Company, Owner and/ or Operator shall abide by the following conditions. For purposes of these conditions, the use of "Company," "Owner" or "Operator" shall apply to and have the meaning for all such entities whether referred to collectively or individually. For the purposes of these conditions, "Vermilion County Zoning Ordinance" includes the "Commercial Solar Energy Facility Siting Ordinance" and all other relevant zoning regulations of Vermilion County, Illinois. The term "Project" shall include all equipment utilized in the operation of the Commercial Solar Energy Facility, including non-essential equipment. The uncured violation of these conditions shall invalidate the Special Use Permit.

1. Commencement of Special Use

Commencement of Construction of the 4200 North Solar 1, LLC ("Company") project ("Project") in Vermilion County shall begin by March 31, 2026. If any litigation is filed challenging the approval of the Project, then the time for Commencement of Construction shall be within one year after termination of the litigation. The time for the Company to substantially complete construction shall be within 24 months after Commencement of Construction. If the Company fails to begin or substantially complete construction of the Project, by the applicable date(s) above, then the special use permit shall expire and become null and void, unless, prior to such expiration, an extension of time is granted by the Vermilion County Board ("County Board"), upon application by the Company. As used herein, the term "Commencement of Construction" shall mean the issuance of Building Permit for a Commercial Solar Energy Facility.

2. Term

The special use for the Project shall be granted for a term of 30 years from the date of the Project being connected to the electrical grid. Prior to its expiration, the Company may apply to the County Board to extend the term of the special use.

3. Compliance

Construction and operation of the Project shall be in compliance with all federal, state and local regulations now or hereafter in effect. The construction and operation of the Project shall conform to all representations made by the Company in its application and at all public hearings, and these conditions. In the event of any discrepancy between such representations and these conditions, these conditions shall control. The site plan layout as presented during the public hearing is the maximum extent allowed for the Special Use. Expansion of the layout, expansion of the number of solar panels, increase in the height of the facility (including fencing), and any increase in the nameplate capacity of the Project is not permitted without seeking and obtaining a separate Special Use Permit, necessary decommissioning agreements, necessary road use agreements and building permits.

4. Construction and Maintenance Hours

Construction and routine maintenance activities for the Project shall be performed according to the following schedule:

a. Commence no earlier than 7:00 a.m. and cease by 7:00 p.m. during the calendar period from September 1 through May 31, Monday through Friday.

b. Commence no earlier than 7:00 a.m. and cease by 8:00 p.m. during the calendar period from June 1 through August 31, Monday through Friday.

c. No construction work shall be performed on Saturday or Sunday, except upon an emergency basis.

5. Evaluation for Noxious Weeds/ Weed Management Plan

Prior to the issuance of a Building Permit, Company shall perform an assessment of the property for the presence of noxious weeds, in particular those regulated by the Illinois Noxious Weed Law (505 ILCS 100/ *et* seq) and Illinois Exotic Weed Act (525 ILCS 10/ *et seq*). In addition, to those weeds specifically regulated by law or administrative code, the Company shall perform an assessment of the property for all species of *Amaranthus*, including but not limited to *Amaranthus tuberculatus* (waterhemp) and *Palmer amaranth* (Palmer pigweed, careless weed, etc.). Such assessment shall include the presence and propensity for such weeds to exist on the property, and a plan for eradication and management of such weeds.

The Company shall development a Landscape Management Plan.

The Weed Management Plan and Landscape Management Plan must be submitted to the Vermilion County and approved by the Vermilion County Board prior to application for any Building Permit(s) for any portion of the CSEF.

Company shall utilize contractors local to Vermilion County to comply with this provision, unless no such contractors can be located within the County. If no such contractor is available within Vermilion County, Company shall provide proof thereof as part of its annual report to the County.

Failure to properly control weeds upon the Project shall be cause of termination of the Special Use Permit.

6. Vegetative Screening

Company shall provide vegetative screening to shield the view of all residences as required by the Vermilion County CSEF Siting Ordinance. Said vegetative screening shall consist of evergreen shrubs or trees, be planted in a double row, and be at least 4 feet in height at the time of planting. Said vegetative screening shall be included in the Weed Management Plan and Landscape Management Plan submitted to the County Board submitted and approved by the Vermilion County board prior to application for any Building Permit(s) for any portion of the CSEF. All vegetative screening must be maintained for the life of the Project.

7. Stockpiling of Topsoil

If any topsoil is removed, Company shall retain all topsoil for reuse in the event of decommissioning in compliance with the Agricultural Impact Mitigation Agreement (AIMA).

8. Drainage Tile Survey

Prior to receipt of a Building Permit for any portion of the CSEF, Company shall perform a drainage tile survey for the presence of any drainage tiles or subsurface structures. Company shall comply with all provisions of state law regarding the drainage, subsurface drainage structures, and drain tile investigation and repair of any drainage tiles or structures.

9. Wells and Well Monitoring

Company shall seal all wells on site pursuant to Illinois law and provide appropriate proof of sealing to the County prior to the receipt of any Building Permit. Alternatively, the Company shall annually perform well monitoring and testing and provide the results thereof to the County on or before December 31st of each year.

10. Road Agreements

Prior to the issuance of a building permit, the Company shall enter into all necessary road usage agreements with the County Board and any other applicable jurisdictions having authority over local roads. Any breach of the requirements of any road use agreement shall be considered a breach of the conditions of approval.

11. School Buses and Vehicular Traffic

Company shall comply with restrictions or requirements imposed upon Project construction and maintenance traffic in order to avoid conflicts with school bus traffic and school bus stops, and with farm and other vehicular traffic in the Project area. The Company shall continuously maintain a website throughout the construction period which shall provide updates to the public regarding the planned traffic pattern at least 72 hours in advance of the planned activity, including areas that may experience delays during the construction period. Additionally, during the construction period the Company shall provide the relevant school districts with the planned traffic patterns at least 72 hours in advance of the planned activity. Any changes to the planned activity may occur up to 48 hours prior to the planned activity. Any changes must be posted. The Company may utilize a Facebook or other social media site to satisfy the website requirement.

12. Decommissioning and Security

The Company shall enter into a Decommissioning Agreement with the County prior to the issuance of Building Permits. Said Decommissioning Financial Assurances shall provide for inflation protection on a yearly basis of at least 3%.

The Financial Assurances shall be provided by 4200 North Solar 1, LLC and/or Soltage, LLC. Soltage, LLC shall be responsible for the maintenance of the Decommissioning Financial Assurance unless and until such time as the Project entity is divested pursuant to Paragraph 14.

Any breach of the material terms of the Decommissioning Agreement shall be considered a breach of these conditions of approval.

13. Liability Insurance

The Company shall maintain liability insurance as required by Vermilion County Zoning Ordinance/ Solar Energy Facility Siting Ordinance. The Company shall identify participating landowners in the project as additional insureds under the Company's liability insurance. The Company shall promptly increase such liability insurance if such amount is increased in the Vermilion County Zoning Ordinance. The Company shall provide evidence of the insurance to the. County.

14. Assignment

The Special Use Permit shall not be assignable except upon approval by the County Board and interest and/or ownership in the Company shall not be assigned or transferred to another party except upon approval by the County Board. County Board approval under this Paragraph shall not be unreasonably denied or delayed so long as the assignee or transferee ("Acquirer") demonstrates to the County Board adequate financial resources, experience in and capability of operating a solar energy project, and the Acquirer complies with all conditions hereunder, agreements and any other applicable local, state or federal requirements.

15. Fire Protection Districts and Emergency Response

Company shall cooperate with all local fire protection districts and provide funding as necessary for training or for new equipment to prepare the districts to respond to fire and other emergencies concerning the Project. Company shall assist emergency response agencies in developing an emergency response plan for the Project. Company shall train their onsite personnel to assist emergency response agencies for any emergency incident that may occur on or in close vicinity to solar panels or other structures that are part of this Project. Company shall assist emergency response agencies in developing an emergency response plan for the Project. This paragraph does not preclude or restrict emergency response personnel of any governmental or private entity from performing any rescue activities. Company may enter into agreements with local or other emergency response agencies to comply with this requirement. Company and its contractors shall share their emergency response plans and protocols, for both construction and operation of the Project, with local emergency response agencies. Company shall assist emergency response agencies in evaluating emergency response training needs and assisting with training of emergency response personnel in relation to this Project. The Company shall cooperate in emergency response drills relating to this Project, as part of coordinated training for solar and emergency response personnel. The Company shall coordinate a bi-annual review of policies, procedures, drills, training and equipment needs between Company representatives and local emergency response agencies and provide documentation to the County. Company shall reimburse emergency response agencies for any emergency response due to or as a consequence of the Project.

16. Reimbursement for County Expenses

If during the term of the special use and decommissioning period for the Project, the County retains outside engineers, consultants, contractors, attorneys or other parties, in order for the County Board to enforce, determine compliance or obtain compliance with applicable laws, ordinances, regulations, or these conditions, Company shall promptly reimburse the County for all such expenses.

17. Validity of Conditions

By applying for Building Permit(s) related to the Project pursuant to the special use granted by the County Board with these conditions, the Company shall be deemed to waive any and all claims concerning the lawfulness, authority or reasonableness of any of the conditions set forth herein.

18. Defense Against Claims

In the event the Project, or any other matters relating to the Project, is the subject of a lawsuit or other legal action against the County, County Board or its officials (including any county officers, directors, administrators, attorneys or agents), the Company shall reimburse the County for all reasonable legal fees and other expenses, including expert fees, incurred by the County in defending such legal action.

19. Financial Ability to Complete Project

Prior to issuance of a Building Permit for the Project, the Company shall provide to the County evidence of financial ability to complete and operate the Project. Said evidence shall include the construction costs associated with the Project, sources of funds and amount of funding available to complete construction of the Project.

20. Compliance with IDNR Recommendations

Owner and Operator shall comply with all Illinois Department of Natural Resources recommendations and suggestions regarding this Project. If a recommendation or suggestion conflicts with any other provision of the Ordinance or other conditions, the Ordinance or other condition shall apply.

21. Noise Study

Prior to the issuance of any Building Permits related to the Project, the Company shall provide the County a study demonstrating compliance with the Illinois Pollution Control Board standards. Such study shall be from a third-party approved by the County and such costs shall be paid by the Company.

22. Glare Study

Prior to the issuance of any Building Permits related to the Project, the Company shall provide the County a glare study for this specific Project. If such study demonstrates that glare will negatively impact roads or nearby residences, the Company shall provide a plan to negate such glare prior to the issuance of Building Permits.

23. Battery Storage Prohibition

The placement or utilization of Battery Energy Storage System(s) is prohibited.

24. Grading of Site

Any grading of the site shall require dust mitigation plans be employed to mitigate or eliminate dust upon the site during the construction phase of the Project. The dust mitigation plan must be submitted as part of the building permit application.

25. Gas Line Investigation and Approval

Prior to the issuance of Building Permit(s) related to the Project, Company must provide the application, including site plan, to the natural gas pipeline owner to determine whether special construction considerations are necessary. Prior to receipt of a Building Permit, Company must become a member of the JULIE statewide system.

26. Archaeology

Prior to receipt of a Building Permit, Company shall provide a Phase I Archaeology Survey.

27. Cure Period

Subject to any other provision of these conditions, any alleged breach or violation of the conditions listed herein, including an alleged failure to comply with any federal, state or local regulation now or hereafter in effect, and any penalty herein, including termination of rights granted by or the invalidity of the special use permit, as a result of such breach or violation, shall be subject to the Company curing or commencing to cure and thereafter diligently pursuing cure of such breach or violation within 60 days after receipt of written notice from the County of such breach or violation.

28. Proof of Compliance

Company shall provide any requested proof of compliance with the conditions, the Vermilion County Zoning Ordinance, or any other rules, laws and regulations to the County upon request.

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