



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LA SALLE STREET, SUITE 1500
CHICAGO IL 60604-1437

November 20, 2025

Regulatory Branch (LRC-2025-00453)

SUBJECT: Nationwide Permit Authorization for 0.002 Acres of Impact in Wetland A Associated with the Installation of a Solar Generation Facility Located on a 39.5 Acre Superfund Site Located at 7N904 IL-25, South Elgin, Kane County, Illinois (Latitude 41.982479°N, Longitude -88.271608°W)

Raquel Reyes
Tri-County Solar LLC
134 East 40th Street
New York, New York 10016

David Evenhouse
Tri-County Landfill Company, Inc.
11701 Cooper Way
Orland Park, Illinois 60467

Dear Ms. Reyes and Mr. Evenhouse:

The U.S. Army Corps of Engineers, Chicago District, has completed its review of your pre-construction notification for the above referenced project, dated October 21, 2025, for authorization under the Nationwide Permit (NWP) Number 51 (NWP 51 Land-Based Renewable Energy Generation Facilities), submitted on your behalf by Charles Plush (LaBella Associates).

This determination covers only your project as described above and in the enclosed approved project plans titled, "Site Layout – Project Layout", dated October 8, 2025, prepared by Greenwood Sustainable Infrastructure (GSI). Caution must be taken to prevent construction materials and activities from impacting waters of the United States beyond the scope of this authorization. If the design, location, or purpose of the project is changed, it is recommended that you contact this office to determine the need for further authorization.

The subject activity may be performed without further authorization from this office provided that the activity complies with the NWP terms and general conditions, the regional conditions for Illinois, and the Section 401 Water Quality Certification ("WQC") conditions added by the Illinois Environmental Protection Agency ("IEPA"). The NWP Program terms, general conditions, and regional conditions are listed in the enclosed NWP Summary. The WQC conditions are listed in the enclosed Fact Sheet.

Specifically, we wish to draw your attention to General Condition 21, which requires permittees to notify our office immediately in the event of discovery of previously unknown human remains, Native American cultural items, or archaeological artifacts;

and a term of the NWP program, which states that NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

Please note that IEPA has issued Section 401 Water Quality Certification for this NWP. The conditions of this WQC are automatically conditions of this NWP verification and are included in the enclosed Fact Sheet. If you have any questions regarding Section 401 certification, please contact IEPA's Division of Water Pollution Control, Permit Section #15, by telephone at (217) 785-6939.

This verification is valid until March 14, 2026, when NWP 51 is scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions. Failure to comply with the general and regional conditions of this NWP, or any project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

Once you have completed the authorized activity, please sign and return the enclosed compliance certification as required by General Condition 30. If you have any questions, please contact Lyn Nitz-Mercaeant, Regulatory Specialist, Regulatory Branch of this office by telephone at (312) 846-5512, or email at Linda.C.Nitz-Mercaeant@usace.army.mil.

Sincerely,

Soren G. Hall

Digitally signed by Soren G.
Hall
Date: 2025.11.20 11:52:50
-06'00'

Soren G. Hall
Team Leader
Regulatory Branch

Enclosures

cc:

Illinois Department of Natural Resources/OWR (Bill Boyd)
Kane County Division of Environmental Management (Jodie Wollnik)
Kane/DuPage SWCD (Tommy Purdom)
LaBella Associates (Charles Plush)